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USCIB: 29./5

18 October 1954


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MEMORANDUM FOR THE MEMBERS OF USCIBEC:

Subject: Procedure for Handling Intercept Base Rights Problems.

The enclosure is circulated for information in connection with Item 3 of the Agenda for the 21st Meeting of USCIBEC to be held on Friday, 22 October 1954.


RUFUS L. TAYLOR
Captain, U. S. Navy
Executive Secretary, USCIB

Enclosure
DI USAF Memo SS 9941
dtd 14 Oct 1954

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DEPARTMENT OF THE AIR FORCE
Headquarters United States Air Force
Washington 25, D.C.

14 October 1954

AFOIN-1A3

MEMORANDUM FOR THE EXECUTIVE SECRETARY, USCIB

SUBJECT: (Unc1A) Procedure for Acquiring Foreign Military Rights

1. In response to a request made at the 18th (special) Meeting of USCIBEC, 15 September 1954, a brief review of the procedures followed within the Department of Defense for the acquisition of foreign military rights is inclosed for the information of the Members of USCIBEC.

2. It is suggested that the Inclosure be considered in connection with USCIBEC discussion of the item, "Procedure for Handling Matters Involving Base Rights for Intercept Activities in Foreign Countries".

F. J. Harrold

1 Inclosure
As above

F. J. HARROLD
Lt. Colonel, USAF
Directorate of Intelligence

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Inclosure

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PROCEDURES FOLLOWED WITHIN THE DEPARTMENT OF DEFENSE WITH
REGARD TO ACQUISITION OF MILITARY RIGHTS IN FOREIGN COUNTRIES

1. The procedures followed within the Department of Defense concerning the initiation and conduct of international negotiations for military base rights fall within the framework of various policy statements as agreed in an exchange of letters between the Secretaries of State and Defense. Within the Department of Defense, these guidelines have been succeeded by the 570 Series of JCS directives which have specifically defined the Services role in this procedure.

2. Department of Defense responsibility for any particular series of negotiations is undertaken by one military department, as mutually agreed, which acts as the Service coordination agency throughout the course of the negotiations. Because the Air Force has had a primary interest in securing foreign military rights, the Department of the Air Force has undertaken this task in the majority of cases to date. The Directorate of Plans is the action agency for the Air Force in this matter.

3. The military rights process can best be reviewed by consideration of the successive steps involved:

a. Development and Consolidation of Military Requirements.

As military requirements are developed within the Services, they are submitted to the JCS for review and approval. After they are approved by the JCS, the total U.S. Military requirements for any one country must be packaged into a single "Statement of U.S. Military Requirements" prior to the initiation of negotiations. This statement will contain sufficient information for the Department of State to conduct detailed discussions with the foreign Government concerned. As noted above, this responsibility for consolidating Department of Defense requirements into one comprehensive statement has normally been given to the Department of the Air Force.

b. Preparation of a Proposed Governmental Agreement.

Concurrently with the preparation of the consolidated statement of military requirements, the Air Force in coordination with the Department of State and the other Services will prepare a proposed governmental agreement tailored to fit the particular country in question. If a formal, full-scale agreement is not required, instructions as to the type of arrangement required will be prepared as a substitute.

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c. Completion of the "negotiating package".

The Air Force will assemble the "negotiating package" which normally consists of: (1) The statement of military requirements; (2) The proposed Governmental agreement, and (3) A letter from the Secretary of Defense to the Secretary of State forwarding and elaborating on the first two documents. The letter will also formally request that negotiations be initiated for the military rights desired. This package will be coordinated with all interested agencies. Following the receipt of the request to initiate negotiations, the Department of Defense works closely with the Department of State in the preparation of negotiating instructions to the U.S. Embassy concerned. Copies of the negotiating instructions and subsequent State-Defense messages concerning the negotiations are forwarded to the Joint Commander concerned who will be called upon to assist in working out the technical phase of the negotiations.

d. Actions During and Following Negotiations.

The senior U.S. Diplomatic Representative in the foreign country concerned is responsible for conducting the actual negotiations. However, during these negotiations, he may be assisted by technical advisors provided by the military Services or agencies as required. During the course of the negotiations, the Air Force will continue to monitor the negotiations for the Department of Defense. The responsibility will continue until a satisfactory agreement is negotiated, and frequently, extends into the subsequent phase when the agreements are implemented. This process necessarily entails continuous coordination among the Services and interested agencies. When an acceptable agreement is reached and signed, the Air Force has the continuing responsibility for monitoring the implementation and interpretation of the provisions of the agreement. This description has been over-simplified; however, it may be used as a guide for the usual pattern of negotiations.

4. Separate from but supplementary to the above procedure, there is an agreement between the Secretaries of State and Defense concerning the obtaining of rights required to conduct site surveys in foreign countries for the purpose of locating suitable sites for U.S. Comint units. By terms of this agreement, a representative of the Department of State (Mr. W. Park Armstrong, Jr.) and a representative of the Department of Defense (Major J. Craig Teller, Directorate of Intelligence, DEAF) have been designated for their respective departments to communicate directly to effect continuing and detailed coordination on site survey projects. Although Mr. Armstrong was named as the Department of State representative, Mr. Robert F. Packard, Special Projects Staff, has served

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as the Department of State contact on these matters. Under the agreed procedure, the Department of Defense representative is charged with furnishing information in considerable detail regarding technical and other requirements so that the Department of State may proceed with negotiations for requested site surveys. Information provided the Department of State has concerned such matters as acreage requirements, numbers of positions to be established, numbers of personnel to man the installations; and consists of clarification of eventual requirements, in most instances.

5. It must be reiterated that this exchange of information is primarily concerned with the initial request to conduct site surveys which may eventually lead to formal approaches for military rights in various countries. It is not intended that such an approach to the foreign governments concerned for base rights be made prior to completion of site surveys. At that time, if the requirement for specific military rights is substantiated, a follow-up request will be submitted to the Department of State in accordance with established procedures, looking toward the opening of diplomatic negotiations.

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