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29 January 1969

MEMORANDUM FOR LCDR EDWARD KOCZAK, JR.

SUBJECT: Pueblo

It was while I was reading the latest Newsweek article on the Pueblo and NSA that it occurred to me to inquire whether we are fully prepared to support the Director should he be called upon to testify again before Congress or should he be confronted with a short fuse briefing of the Sec Def, PFIAB, etc.

It is obviously difficult for a layman to understand the distinctions among the kinds of controls exercised over SIGINT ships by the several interested parties. Newsweek, for example, almost categorically states that the Pueblo was under the "control" of NSA. This "fact" is cited as a circumstance which mitigates Bucher's culpability. This kind of allegation in the press is bound to have some influence on Congressmen, and perhaps even on people within the Executive Branch who are not familiar with the differentiation in the kinds of control exercised by the CO of the vessel, the Navy, the JCS, NSG, and NSA. As you know, even SIGINT professionals have difficulty understanding these distinctions. I certainly don't understand them as well as I should and the problem is compounded by the fact that the kind of control depends upon the "phases" of operations in which a given ship is engaged. I believe we should prepare for the Director a clear description of these several variations — the kind of description that would hopefully elucidate the situation for a lay audience rather than confuse.

I would suspect that another kind of question which the Director might receive as a follow-on to the foregoing might be: "The situation as you describe it seems to reflect an overly complicated and excessively intricate system. Are you satisfied with it? Should your authority be changed to permit you toexercise a greater responsibility for the operations of these ships? Would it not be better if the Navy were to be given the responsibility which you now exercise?"

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(b)(1)
(b)(3)-50 USC 403
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

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He might then be asked the question, "What, if anything, is being done to clarify the roles and responsibilities of the several interested organizations?"

The Director might also be asked to describe in some detail the value of shipborne collection. He might also be asked to relate that value to the disadvantages to the national interest of incidents such as the Liberty and the Pueblo.

I don't need to tell you that the Pueblo incident is frought with innumerable possibilities which could have an effect upon our entire SIGINT system. I think you should endeavor to anticipate all the various kinds of questions that could be posed to the Director and prepare answers to these hypothetical questions. It is not unlikely that a Congressional investigating group would not let the Director off the hook with answers such as "NSA has no responsibility for this or that facet of these operations."

If you have not already done so, I believe you should develop these hypothetical questions and answers and ready reference facet sheets on the various aspects of the Pueblo matter and incorporate them into a book, or a set of books, such as you prepared during the Liberty incident.

I may be seeing spooks in this case, but I feel it is most important to cover all the bets. The emotionalism surrounding the present situation could give it new and more dangerous dimensions than any similar incidents in the past. You have thought about this situation far more than I, and, hence, are in the best position to project yourself into the position of an interested layman, such as a member of Congress, and can thus anticipate all the pregnant possibilities.

GERARD P. BURKE
Executive Assistant to the Director

cc: DIR

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