

USCIB: 29.20/6

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4 May 1955

EO 3.3(h)(2)
PL 86-36/50 USC 3605

TOP SECRET

MEMORANDUM FOR THE MEMBERS OF USCIB:

Subject:



- References: (a) USCIB 8.3/6 of 25 April 1955.
- (b) USCIB 8.3/7 of 3 May 1955.

1. The problem settled by references (a) and (b) touched off a discussion between the National Security Agency and GCHQ on the general question of the status of UKUSA COMINT Units in West Germany. A review of that discussion is enclosed herewith for the information of the members.

2. This office shares the view of the Director, NSA that the question of COMINT Units in West Germany poses no basic problems not already provided for within the framework of UKUSA policy. Specifically, it is felt that Appendix "P" to the UKUSA Agreement applies to West Germany in the same fashion that it applies to other Nations within the North Atlantic Treaty Organization. Therefore, it is suggested that unless some member should perceive in the enclosure a specific problem requiring Board consideration, no action be taken on it until and unless LSIB should ask for USCIB's views on this matter.


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

Enclosure
NSA serial 2973 of
3 May 1955.

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NATIONAL SECURITY AGENCY
WASHINGTON 25, D.C.

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MEMORANDUM FOR THE EXECUTIVE SECRETARY, USCIB

SUBJECT: Status of UKUSA COMINT Units in West Germany

1. Reference is made to USCIB 8.3/6 of 25 April 1955 which sets forth certain conditions governing LSIB approval of a USCIB request for relocation of a U.S. Air Force [redacted]. These conditions stem from a reluctance on the part of British authorities in Germany to approve the request.

2. In order to provide the members of USCIB with more detailed background information, I have prepared a summary of recent developments on this subject, as reflected in an exchange of messages between the Director, NSA, and SUSLO, London.

3. On 23 March 1955, the Chief, NSA, Europe, was requested to make arrangements to have Army Security Agency, Europe conduct a 90-day [redacted]

Coordination with SUSLO was directed in order to secure British concurrence with this proposal. It was emphasized that the proposal was for test purposes only and did not involve a request for permanent relocation; consequently USCIB-LSIB concurrence was not required at this time.



5. In reply, SUSLO was informed that the general tenor of the British views seemed to indicate that UKUSA [redacted] were not in a secure status. He was asked whether any change was contemplated for existing UK units in the US Zone or vice versa.

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6. In a subsequent message to SUSLO, the following information was submitted for his guidance:

a. USCIB is not at present engaged in a study concerning the status of non-NATO units on the soil of a sovereign Germany.

b. The Department of State member of USCIB has expressed the view that final ratification of the status of forces agreement affecting West Germany will not have the effect of forcing the withdrawal of US forces from that country pending completion of NATO rearrangements.

c. USAREUR has stated there are no plans to relinquish any bases under its control to the West German Republic.

d. Chief, NSAEUR, has requested CINCEUR and subordinate commands to keep him apprised of plans and/or programs that might change or affect the current or future status of US COMINT units in West Germany.

e. The Director, NSA, has addressed similar requests to the Department of Defense and the Army, Navy and Air Force.

f. NSA COMINT base requirements are included in the JCS "Survey of Joint US Base Requirements Outside Continental US." These requirements are reviewed annually in November. All US units presently based in Germany are covered in the most current version of this document.

7. On 18 April 1955, SUSLO (L) received the following informal analysis of the problem from Director, GCHQ, who indicated he would be required to submit his recommendations to LSIB shortly:

a. It is legally possible, as concerns West Germany, to leave the COMINT units there under national control and say nothing, hoping no notice need be taken of their purely national function. It would seem dangerous and short sighted, however, to leave the units in West Germany without proper authorization, because it would be discovered sooner or later and might cause acute difficulties.

b. Approval could be requested of the full NATO Council, including West Germany, for units to remain under national control in West Germany. It would be preferable, however, not to go to the NATO Council, as approval would not be at all certain and would likely involve many other nationalities with possible inspection rights.

c. The units could be placed under SACEUR. This would seem to be the best choice because most British units concerned are already performing

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a mission which in wartime would be a Shape "Y" mission. (It is recognized that US units in Europe are not all in a parallel position.) It is a good bet that SACEUR will be either a UK or US officer, with either a UK or US intelligence officer, hence we would be able to do business effectively. It is to be hoped that SACEUR would designate either a UK or US officer as Shape "Y" Officer, as his inspection authority could maintain security and provide, additionally, a view into French, Italian, etc. "Y" units.

8. SUSLO suggested it would be helpful to the Director, GCHQ, in making his case before LSIB, if he could obtain an indication of US thinking on this problem in so far as US units in West Germany are concerned. SUSLO also requested our informal reaction to this analysis and proposed solution. It was emphasized that the Director, GCHQ, intended to have LSIB-USCIB consultations, in any case, so that each party would be fully aware of the other's proposed actions and would have an opportunity to comment on them.

9. In reply, the following comments were prepared by the Director, NSA, coordinated with STATE, OSD, CIA and the Executive Secretary, and transmitted to SUSLO:

a. Unilateral action on this matter by either US or UK should be avoided.

b. For the present, the US favors proposal (a) of the Director, GCHQ, since the legality of the units is unquestionable (see para 7 above). It is not considered likely that the West Germans will raise questions about these units in the near future. There are no illusions here but that the West Germans already know of the COMINT units involved and their function.

c. Director, GCHQ's course (b) seems unreasonable in that the NATO Council has no responsibility to either object or concur in the intrusion of other NATO nation units on the soil of still other NATO nations, outside of NATO commitments. We concur in the view that the problem should not be raised before the NATO Council. Security considerations, as well as a question of approval, are involved.

d. Placing the units under SACEUR, as recommended in course (c), may be desirable but many complications are involved. For example, many US units are not of the type planned for inclusion in the Shape "Y" activity; Shape "Y" plans are principally war plans and peacetime implementation is dependent on political, military and technical COMINT developments. Further, it is felt that the security problem and the problem of command relationships would make acceptance of this course of action difficult. At best, this alternative would be premature at this time.

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e. An additional course of action for consideration is to negotiate with the West German state for permanent base rights.

f. The Director, GCHQ, raises this problem specifically with regard to UKUSA COMINT units in West Germany. However, it is not clear as to how the status of these units differs from that of UKUSA COMINT units in the territory of other NATO countries

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/s/ J.S. Holtwick, Jr.
J. S. HOLTWICK, Jr.
Captain, US Navy
NSA Member, USCIBEC