

~~SECRET~~

A 8-3

~~SECRET~~

Procedures for Dealing with Requests from Foreign
Governments for COMSEC Assistance

Director

DD/COMSEC

14 APR 1955

G.L. Brennan, 41K/60489/1w

1. Furnished below for your information is a brief review of the now-resolved jurisdictional dispute between USCSB and S-DMICC as to which body has the responsibility and final authority for approving disclosures of COMSEC information to foreign governments and handling requests from them for COMSEC assistance. Copies of the more pertinent correspondence and Board papers are attached.

2. At a joint meeting held on 3 June 1954, the members of USCSB and USCIB, acting on a USCSB proposal, agreed to the appointment of an Ad Hoc Committee to study and make recommendations with regard to the establishment of the subject procedures. The Ad Hoc Committee recommended a uniform procedure which was submitted to both Boards for approval (USCIB 12./4; COMSEC 2-/6, 20 Aug 54). The Committee attached a proposed memorandum to the Chairman, S-DMICC, from the Chairman, USCSB, stating that USCSB, under the authority of NSG 168, had been delegated the responsibility of authorizing disclosures of COMSEC information to foreign governments, and requesting that this responsibility be removed from the terms of reference of S-DMICC.

3. Except for minor editorial corrections, there was no objection by either Board, and the procedure was declared effective as of 17 September 1954 (USCIB 12/6; COMSEC 2-/8). On the same date, the proposed memorandum was forwarded to the Chairman, S-DMICC.

4. The S-DMICC authorities objected to being removed from the picture, and, following informal discussions between the Executive Secretary, USCSB/USCIB, and the Deputy Chairman, S-DMICC, the latter submitted his objections in a formal reply on 8 December 1954 (COMSEC 2-/11; USCIB 12./12, 13 Dec 54). This reply stated in effect that, on the basis of a Presidential Directive of 27 February 1946 approving the S-DMICC Charter, the final decision on disclosure of classified military COMSEC information was more properly a function of S-DMICC to be performed in the light of the views of USCSB and USCIB in each case.

5. On receipt of the above, the Director, on 20 December 1954, addressed a letter jointly to the three Service members of USCIB, noting that military membership on S-DMICC was drawn from their organizations, and suggesting that they take the initiative in developing in S-DMICC a position consistent with that adopted by USCIB.

6. COMSEC 2-/12 dated 7 January 1955 informed the members of USCSB that the Executive Secretary had been informally advised that S-DMICC was prepared to

Declassified and approved for release by NSA on
06-13-2014 pursuant to E.O. 13526

SECRET

~~SECRET~~SUBJECT: Procedures for Dealing with Requests from
Foreign Governments for COMSEC Assistance

DATE: 14 APR 1955 COMMENT No. (Cont'd)

reconsider its position. Inclosed for vote sheet action was a proposal by the Department of State member intended to resolve the problem. The State proposal, however, was unacceptable to this Agency without qualification and amendment, since it left S-DMICC in control to the extent that USCSB would be required to obtain S-DMICC concurrence prior to approving COMSEC assistance to foreign governments. The Agency amendments (COMSEC 2-/13, 20 Jan 55) recommended that S-DMICC action be limited to the provision of pertinent information which might assist USCSB decisions. Similar amendments were recommended by the Treasury, Defense and Navy members but, since the NSA amendments were more comprehensive and included the intent of the others, the State Department proposal as amended by this Agency was forwarded by the Chairman, USCSB, to the Chairman S-DMICC on 2 February 1955.

7. COMSEC 2-/15 dated 28 March 1955 inclosed for the information of the Board a copy of the USCSB 2 Feb 55 memorandum (serial CSB #006) and a copy of the S-DMICC reply (MIC-26-55 dated 17 March 1955). The latter states that the S-DMICC is prepared to concur in the practicability of the proposed procedure "if provision is made for further consultation in the event that the USCSB would propose taking an action in conflict with a position expressed by the S-DMICC."

8. This proviso, which in any event would not be recognized by USCSB as granting S-DMICC the power of veto, is given no mention by the Executive Secretary in his cover memorandum (COMSEC 2-/15, 28 Mar 55). He states merely that the procedure will be as outlined in the USCSB memorandum (CSB #006), and that he "will proceed accordingly as the occasion demands."

9. The matter is, therefore, finally resolved, and the final correspondence on the subject (Inclosure with COMSEC 2-/16, 5 Apr 55) is a memorandum for the Chairman, S-DMICC from the Chairman, USCSB, dated 1 April 1955. In this memorandum, S-DMICC concurrence in the proposed procedure is acknowledged, and the Chairman, S-DMICC, is assured "that USCSB will not take any action contrary to the position expressed by any group whose advice it has solicited without having obtained an adequate understanding of the considerations underlying such recommendations." The Chairman, USCSB, concludes with a statement of appreciation for S-DMICC's "understanding cooperation in arriving at this mutually acceptable resolution of the problem of clarifying the relative procedures and responsibilities of our respective inter-departmental groups."

Incls: (2 of 3)
a/s

Copies furnished:

V/DIR

DCB/0

S/A (Mr. Friedman)

SC

IG

P/P

/s/ F. E. Herrelko

F. E. HERRELKO
Colonel USAF
Deputy Director
Communications Security~~SECRET~~DISPATCHED
MAY 11 1955