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USCIB: 9.6/3

18 April 1955

~~TOP SECRET - U.S. EYES ONLY~~MEMORANDUM FOR THE MEMBERS OF USCIBEC:

Subject: Counter Clandestine COMINT Planning.

References: (a) USCIB 9.6/1 dated 12 October 1954.
(b) USCIB 9.6/2 dated 2 December 1954.
(c) INTCOM 9.6/6 dated 29 March 1955.

1. A review of the files on this subject and a study of the progress made by the Intelligence Committee reveal the following facts concerning subject problem:

a. No statement of the specific responsibilities and inter-relationships of the governmental elements which might be involved in an effective counter-clandestine COMINT program appears to exist.

b. The Secretaries of State and Defense have been constituted as a Special Committee of the National Security Council for COMINT, which Committee shall, with the assistance of the DCI, establish policies governing COMINT activities. USCIB has been constituted as a body acting for and under the Special Committee, while the Department of Defense, with the National Security Agency as its machinery for this purpose, has been designated as executive agent of the government for the production of COMINT. Thus, USCIB, acting for the Special Committee of the NSC for COMINT, has, in effect, been established as the national authority for COMINT policy and clearly has the responsibility for coordination of the communications intelligence activities among all departments and agencies authorized by the President to engage therein. While USCIB has the responsibility for the coordination of policy, including coordination of planning, for the peacetime and wartime exploitation of COMINT, the Department of Defense and its National Security Agency have the responsibility for production, including organization and planning therefor, of such COMINT as may be required by member departments and agencies of USCIB. In none of these interlocking responsibilities is the matter of COMINT from clandestine transmissions specifically included or excluded. However, NSCID No. 9 states as follows: "...that the communications intelligence (COMINT) activities of the United States are a national responsibility, and that they must be so organized and managed as to exploit to the maximum the available resources in all participating departments and agencies and to satisfy the legitimate intelligence requirements of all such departments and agencies."

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Declassified and approved for release by NSA on 02-06-2014 pursuant to E.O. 13526

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c. It is understood that existing NSA plans provide for employment of additional search and intercept facilities to be devoted to clandestine coverage in the case of an emergency. Coordination of the many other related responsibilities (such as designation of a USCIB member to act as the Board's executive agent in effecting a suitable arrangement with the Federal Communications Commission) has not been tackled.

d. The Federal Communications Commission has the responsibility for monitoring the necessary communications to detect violations of the Communications Act. FCC presently has in operation about 50 intercept positions. FCC now notifies the FBI of unlicensed transmissions that appear to have any intelligence implications; the FBI then assumes responsibility and control until the intelligence possibility is resolved. Further, the FCC is, in many respects, a creature of the legislative branch of the government and thus not readily susceptible to direct coordination by USCIB.

e. Attempts by NSA to conclude an agreement with the FCC to provide certain information have evoked unenthusiastic response and at the present time arrangements between NSA and the FCC are informal in nature and restricted in scope.

f. USCIBEC is in the process of revising the COMINT Master Requirements List which, when approved by USCIB, will include the counter-clandestine COMINT requirements, thus providing the Director, NSA, with guidance required to allocate resources appropriately to fulfill this requirement in relationship to his other assigned tasks.

"5. The NSA requirements evolved from this study will be referred to USCIB for decision on the advisability of conducting an expanded program at present in view of certain adjustments which would probably be required in the over-all COMINT effort of the U.S."

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i. The Director, NSA, commented in part on the enclosure with reference (a) as follows:

"If, at an early stage of the USCIB study, it could be ascertained that the members share a common interpretation of existing and required responsibilities pertaining to this subject, the subsequent stages of this study probably would be simplified."

2. It is noted that the Intelligence Committee has limited its initial study to the domestic or North American portion of the problem as Phase 1 and has unanimously agreed that:

a. The FBI, as executive agent for USCIB, acting in conjunction with NSA, should consummate an effective arrangement with the FCC so that maximum COMINT benefit will be realized from the activities of the Federal Communications Commission.

b. The NSA, FBI and CIA Members of the Intelligence Committee should prepare a procedure indicating necessary coordination within the COMINT community that must take place before any action is taken to either shut off or continue a source of counter-clandestine COMINT information.

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c. The Department of the Navy should make provisions for prompt passing to NSA of information relevant to COMINT production acquired as a result of wartime civil censorship.

d. The FBI and NSA Members of the Intelligence Committee should prepare recommendations concerning the extent to which the U.S. will [redacted] in counter-
clandestine COMINT matters.

e. All members should provide NSA with information available to them on counter-clandestine COMINT activities which would be of assistance in the preparation of a counter-clandestine COMINT plan.

f. Based on the foregoing, the Director, NSA, should develop a counter-clandestine COMINT plan.

g. Preparation of appropriate papers for furnishing information and recommending establishment of procedures in implementation of the above area of agreement would be initiated immediately by the Intelligence Committee.

h. A Phase 2 study to include all other areas should be undertaken.

3. In consideration of the above, this office concludes:

a. USCIB should be asked to note and approve the program being undertaken by the Intelligence Committee with the understanding that the FBI translates counter-clandestine COMINT information into action as far as domestic internal security is concerned.

b. In line with the suggestion of the Director, NSA, a common interpretation of existing and required responsibilities should be reached before the Intelligence Committee spends a lot of time preparing papers that might later be disapproved owing to their not being compatible with basic policy.

c. The above facts and the program now being pursued by the Intelligence Committee appear to this office to provide the necessary common interpretation of existing and required responsibilities within the domestic portion of the problem. Verification by USCIB of the facts listed above and approval of these conclusions by USCIB should be sufficient to dispel any doubts on that point.

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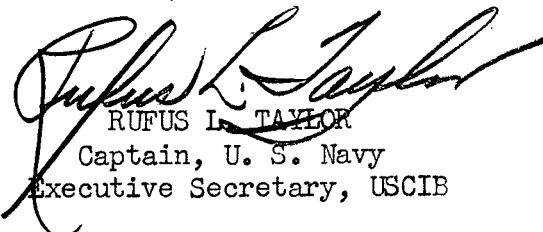
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d. USCIB should direct that INTCOM proceed with the Phase 2 portion of the study with a view to providing the Director, NSA, information necessary to prepare for USCIB approval a counter-clandestine COMINT plan to detect, locate, intercept and process clandestine transmissions during both peacetime and wartime.

In addition, the plan should provide for getting the end product rapidly into the hands of those who have the responsibility for translating counter-clandestine COMINT information into action and should provide for immediate expansion in the event of an emergency.

e. USCIBEC should be empowered to approve for the Board and forward directly to the Director, NSA, the resultant INTCOM papers recommending establishment of procedures and designation of action agencies in connection with this problem.

4. It is accordingly recommended that USCIBEC approve the above conclusions and forward same to USCIB recommending their approval as a concept of planning for counter-clandestine COMINT operations.


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

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