

USCIB: 13.7/28

3 August 1954

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MEMORANDUM FOR THE MEMBERS OF USCIB:

Subject: Emergency Dissemination of COMINT to Non-indoctrinated Persons.


References: (a) USCIB 13.7/20 dated 10 June 1954.
(b) USCIB 13.7/24 dated 2 July 1954.

1. The enclosure herewith is a draft of a directive approved by the Executive Committee on a trial basis at its 17th Meeting on 30 July 1954. The purpose of the proposed directive is to establish the basic policy of USCIB with regard to implementation of the provisions of paragraphs 35, 36 and 37 of Appendix "B" to the UKUSA Agreement regarding exceptional dissemination of COMINT.

2. As the proposed directive is intended to cope with the new circumstances that it is anticipated will attend full implementation of the above-mentioned Appendix "B", the Executive Committee recommends that the directive be adopted on a trial basis of one year.

3. In the absence of objection from any member of the Board prior to 1700, Thursday, 12 August 1954, the enclosure hereto will be considered approved on a trial basis for one year from that date.

4. THIS DOCUMENT AND ITS ENCLOSURE CONTAIN COMMUNICATIONS INTELLIGENCE INFORMATION AND SHALL BE HANDLED ONLY IN CHANNELS EXPRESSLY PROVIDED FOR COMINT.


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

Enclosure
a/s

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USCIB DIRECTIVE NUMBER 15 (CIBD # 15)

(Approved by USCIB on _____)

EMERGENCY AND OPERATIONAL DISSEMINATION OF COMINT

I. PURPOSE

The purpose of this Directive is to describe the emergency or operational conditions justifying exceptional dissemination of COMINT and to prescribe the levels at which such exceptional dissemination may be performed and action taken thereon.

II. DEFINITIONS

A. Disguised COMINT - For the purposes of this Directive, disguised COMINT is that Category III and II COMINT from which the codeword has been removed and the subject matter so worded that the information contained cannot be traced specifically to COMINT by non-indoctrinated persons (including foreign nationals).

B. Suitable Cover - For the purposes of this directive, suitable cover is the existence of substantially similar information based upon a genuine, less sensitive source or an actual situation wherein the intelligence itself can be attributed beyond reasonable doubt to other sources or events by non-indoctrinated persons (including foreign nationals).

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This directive is intended to apply only to situations involving Nationals of the United States of America and those countries which collaborate with the United States in COMINT activities and provides for: (a) exceptional, emergency dissemination and use of Category III and II COMINT where no suitable cover exists and where there is not sufficient time to obtain the decision of USCIB in each case in advance; (b) exceptional operational dissemination and use of certain specified Category II Plain Text where no suitable cover exists; and (c) exceptional dissemination of Category I COMINT to certain allied nationals not included in the scope of this Directive.

IV. POLICYA. Category III COMINT

1. Upon determination by proper authority, as indicated below, that a case of extreme emergency exists, in which there is an imminent threat to the vital national interests of the United States, justifying exceptional handling of individual items of Category III COMINT; such COMINT items suitably disguised, may be disseminated to non-indoctrinated persons and/or action may be taken based solely on that COMINT.

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2. The lowest level of authority¹ permitted to determine the existence of such an emergency condition are the following²:

- a. Within the military establishment,
 - (1) Commander of an Army
 - (2) Commander of a Naval Fleet
 - (3) Commander of a Numbered Air Force
- b. Secretary of State
- c. Director, FBI
- d. Director of Central Intelligence.

3. The exceptions described in Paragraph 1 above shall be made only upon a determination that the advantages to be gained clearly justify the risk of compromise of the COMINT source and the extent of the loss which would probably follow such a compromise.

In making this determination, due regard shall be given to:

- a. The availability of suitable cover.
- b. The relative value of the particular COMINT source involved and the possibility that its compromise may lead to the loss of other COMINT sources, particularly those which are more valuable. In this regard, the COMINT support unit should

¹ This authority is to be exercised and decisions made personally by the incumbent or in his absence by that person duly authorized to succeed.

² Exceptions and limitations to this list shall, in each case, be specifically authorized by USCIB. (See Appendix A for current list of exceptions and limitations to the above list.)

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be requested to furnish all pertinent available information that could assist the authority concerned in evaluating the effects of possible compromise.

c. The possible repercussions on current and future operations and also on other commands and areas.

B. Category II COMINT

1. Upon determination by proper authority as indicated below that a case of emergency exists which involves a matter of importance to the national security of the United States (or that conditions outlined in Paragraph A. 1. above exist), justifying exceptional handling of individual items of Category II COMINT; such COMINT items, suitably disguised, may be disseminated to non-indoctrinated persons and/or action may be taken based solely on that COMINT.

2. The lowest level of authority¹ permitted to determine the existence of such emergency conditions are the following²:

a. Within the military establishment,

(1) Commander of an Army Corps

(2) Commander of a Numbered ("Two-digit")

Naval Task Force

(3) Commander of a Numbered Air Force

¹ This authority is to be exercised and decisions made personally by the incumbent or in his absence by that person duly authorized to succeed.

² Exceptions and limitations to this list shall, in each case, be specifically authorized by USCIB. (See Appendix A for current list of exceptions and limitations to the above list.)

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- b. Department of State Member of USCIB
- c. Director, FBI
- d. CIA Senior Field Representative.

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3. Paragraph A. 3. above applies.

C. Category II Plain Text (Government, [redacted] and Private Plain Text Passed on [redacted])

1. In non-emergency situations and upon determination by proper authority as indicated below, of a matter (subject) of sufficient importance, essential to operations directly related to the security of the United States, justifying exceptional handling of certain Category II Plain Text as specified from time to time by USCIB; such COMINT on that subject may be included in documents and operational directives not carrying a COMINT codeword and/or action may be taken based solely on that COMINT, provided there is adequate reason why the recipients should not be indoctrinated.

2. The lowest level of authority permitted to make the above decision is the USCIB member of each member department or agency.

3. The exceptions described in Paragraph 1 above shall be made only under the following conditions:

- a. All precautions must be taken to ensure that COMINT does not thereby come to the knowledge of foreign nationals not included in the scope of this Directive;

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- b. The advantages to be gained are sufficiently great to justify the risk to the COMINT source;
- c. The information could reasonably be attributed by non-indoctrinated persons (including foreign nationals) to other sources-agent, attache, defector, and the like;
- d. The COMINT origin of the information is not stated. Whenever possible and plausible, the information shall be specifically attributed to other sources.

D. Category I COMINT

1. Upon determination by proper authority that a requirement exists, during active hostilities or in the case of an emergency involving a matter of importance to the national security of the United States, Category I COMINT may be disseminated to nationals of countries who are engaged directly with the United States in these hostilities or are allied directly with the United States in dealing with the emergency concerned.

2. The lowest level of authority¹ permitted to determine such a requirement are the following²:

- a. Within the military establishment,
 - (1) Commander of an Army Division

¹ This authority is to be exercised and decisions made personally by the incumbent or in his absence by that person duly authorized to succeed.

² Exceptions and limitations to this list shall, in each case, be specifically authorized by USCIB. (See Appendix A for current list of exceptions and limitations to the above list.)

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- (2) Commander of a Naval Task Group
- (3) Commander of an Air Division
- b. Department of State Member of USCIB
- c. FBI Member of USCIB
- d. CIA Senior Indoctrinated Field Representatives serving under USCIB Member.

3. While it is desirable to keep Category I COMINT in COMINT channels, it may be disseminated to U.S. recipients in accordance with the rules governing intelligence materials of similar classification.

4. It is recognized that the exceptional dissemination authorized above will involve loss of control by COMINT authorities, but every effort shall be made to ensure that the following provisions are enforced to the maximum extent possible:

- a. Whenever Category I COMINT is to be transmitted by a means exposed to interception, it shall normally be transmitted in an appropriate cryptographic system. It may be transmitted in plain language only when there is no suitable means of secure communication available and when there is an urgent operational need to do so. Whenever possible such plain language transmissions shall be in the form of operational orders so worded that the subject matter cannot be traced specifically to its COMINT origin.

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b. In taking action based on Category I COMINT, care shall be taken not to risk the COMINT source unnecessarily. Whenever possible, efforts shall be made to devise a suitable cover.

V. PROCEDURES

A. USCIB member departments or agencies taking action under any of the provisions outlined in Paragraph IV. A. or B., above, will, in each individual case, immediately furnish a report of such action, through appropriate channels to the Executive Secretary, USCIB. This report shall contain a statement of circumstances and an identification of each individual Category III COMINT item involved. When Category II COMINT is involved a general description of its extent and nature will suffice.

B. Wherever Category II Plain Text is used as permitted in Paragraph IV. C. above, an immediate report of such use shall be made to the Executive Secretary, USCIB. This report will include identification of the COMINT material used.

C. A copy of such implementing directives as are issued by individual USCIB member departments or agencies shall be furnished the Executive Secretary, USCIB for study and retention.

D. The Executive Secretary, USCIB, shall inform other USCIB members of action reported in accordance with this directive and, in addition, shall inform foreign COMINT boards of action reported in accordance with Paragraphs IV. A. and B. above.

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TO

USCIB DIRECTIVE NUMBER 15 (CIBD # 15)

Currently Approved Exceptions and Limitations to the Lowest Levels of Authority.

A. CATEGORY III COMINT

For these purposes the 5th and 7th Independent Air Divisions are considered as Numbered Air Forces.

(Approved by USCIB on _____)

B. CATEGORY II COMINT

1. For these purposes CIA Senior Field Representative is limited to those Representatives located in

(Approved by USCIB on _____)

2. For these purposes the 5th and 7th Independent Air Divisions are considered as Numbered Air Forces.

(Approved by USCIB on _____)

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