

SEC # 0001

9 April 1954

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MEMORANDUM FOR THE CHAIRMAN, USCIBINTCOM:

Subject: **Emergency and Operational Dissemination of COMINT.**

Reference: **INTCOM 13.7/8 of 9 February 1954.**

1. The Security Committee has, as requested by your Committee, thoroughly reviewed the security aspects of the above reference. The SECCOM feels the need for the inclusion, in such a paper, of all pertinent references appearing in Appendix "B", and has therefore compiled their comments in the form of a suggested USCIB Directive.

2. This Directive (attached as Enclosure 1) has been approved by the majority of the SECCOM. The points of difference between this paper and its original version are included as Enclosure 2, since the majority of the members do not feel strongly toward either.

3. The SECCOM believes that an attempt should be made to obtain prior approval of USCIB for any exceptional dissemination of Category III and II COMINT. The majority of SECCOM agree that there may be cases of emergency in which enough time may in fact be available to obtain this prior approval. It should be noted, however, that the SECCOM is in agreement with INTCOM on the principle that any directive on this subject should cover only such cases of exceptional dissemination of Category III and II COMINT in which prior approval cannot be obtained from USCIB.

4. Paragraph IV. B. of Enclosure 1 was written to cover emergency dissemination of all Category II COMINT including government [redacted]

[redacted] Para-
graph IV. C. covers only the operational dissemination of certain specified Category II non-military Plain Text as agreed from time to time by both Boards.

EO 3.3(h) (2)
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5. The Committee believes that Paragraph VI. C. concerns operational dissemination of a mass of material rather than individual items. The plain text material which may be approved for use under this paragraph is extremely limited and is subject to change from time to time. Therefore, the Committee recommends that USCIB defer such approval until permission is requested by a member to use plain text on a specific subject and passed on specific circuits which he believes will qualify for use under these provisions. Once approved by both Boards, that member may use material in accordance with provision of Paragraph VI. c. without further referral to USCIB.

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6. The SECCOM recommends that a copy of the approved directive on this subject be sent to LSIP for information.

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

William R Culmer
WILLIAM R. CULMER
Major, Arty., USA
Chairman, SECCOM

Enclosures

1. Draft Directive.
2. a/s.

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USCIB DIRECTIVE NUMBER (CIBD # _____)

(Approved by USCIB on _____)

EMERGENCY AND OPERATIONAL DISSEMINATION OF COMINT

I. PURPOSE

The purpose of this Directive is to prescribe the lowest levels authorized to determine the existence of emergency or operational conditions justifying exceptional dissemination of COMINT.

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).

III. SCOPE

This directive 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

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of USCIB in each case in advance; (b) exceptional operational dissemination and use of certain specified Category II Plain Text; and (c) exceptional dissemination of Category I COMINT to certain allied Third Parties.

IV. POLICY

A. 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.

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

a. Within the military establishment,

- (1) Commander of an Army Group
- (2) Commander of a Naval Fleet
- (3) Commander of a Numbered Air Force

¹This authority is limited to the incumbent in person or his duly authorized or acting relief.

²This list applies only in situations where there is not sufficient time to enable the designated authority to refer the matter to USCIB. 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. 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.
- c. The possible repercussions on current and future operations and also on other commands and areas.

B. Category II COMINT in General

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

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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 following:²

a. Within the military establishment

(1) Commander of an Army Corps,

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

Naval Task Force and

(3) Commander of a Numbered Air Force.

b. Department of State member of USCIB

c. Director, FBI

d. CIA Senior Field Representative.

3. Paragraph A. 3. above applies.

C. Category II Plain Text



1. 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,

¹This authority is limited to the incumbent in person or his duly authorized or acting relief.

²This list applies only in situations where there is not sufficient time to enable the designated authority to refer the matter to USCIB. 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).

EO 3.3(h)(2)
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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 that 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 Third Parties;
- 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.

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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 Third Parties 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 following:²

- a. Within the military establishment the
 - (1) Commander of an Army Division
 - (2) Commander of a Naval Task Group and the
 - (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. It is recognized that the exceptional dissemination authorized above will involve loss of control by COMINT authorities,

¹This authority is limited to the incumbent in person or his duty authorized or acting relief.

²Exceptions 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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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.
- 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 COMINT item involved.

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B. Wherever Category II Plain Text is used as permitted in Paragraph c. above, an immediate report of such use shall be made to the Executive Secretary, USCIB. Such report will include a copy of the document in question together with a general description of the COMINT source material included and the extent thereof.

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.

~~TOP SECRET~~APPENDIX ATOUSCIB DIRECTIVE NUMBER (CIBD #)

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

A. CATEGORY III COMINT

1. For these purposes the Eighth Army is considered as an Army Group.

(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 _____)

B. CATEGORY II COMINT

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

(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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~~TOP SECRET - U. S. EYES ONLY~~COMPARISON OF THE ORIGINAL AND THE FINAL VERSIONS OF THE SECCOM
DRAFT DIRECTIVE ON EMERGENCY AND OPERATIONAL DISSEMINATION OF COMINT

The original and the final version of the SECCOM Draft Directive on Emergency and Operational Dissemination of COMINT differ on only two points. These points of difference are outlined below - the dashes indicating the original version and the underscore indicating the final version.

III. SCOPE

This directive provides for: (a) ~~only these~~ exceptional, cases of emergency dissemination and use of Category III and II COMINT where no suitable cover exists and where ~~it is considered impracticable~~ there is not sufficient time to require referral to obtain the decision of USCIB for a decision in each case in advance; (b) exceptional operational dissemination and use of certain specified Category II Plain Text; and (c) exceptional dissemination of Category I COMINT to certain allied Third Parties.

Footnote "2" to Paragraphs IV.A.2. and IV.B.2.

² This list applies only in situations where there is not sufficient time to enable the designated authority to refer the matter to USCIB. Exceptions and limitations to this list shall, in each case, be specifically authorized by USCIB.

Enclosure 2 w/SEC # 0001 dtd 9 Apr 1954.