

D R A F T 9 December 1953

MEMORANDUM FOR THE SECRETARY OF DEFENSE

SUBJECT: Implementation of National Security Council Directive
 on Communications Security

Reference: Memorandum from Secretary of Defense Representative
 US Communications Security Board subject as above,
 dated 18 November 1953

1. In compliance with the provisions of the referenced memorandum there is submitted herewith a tentative draft of a directive implementing within the Department of Defense the provisions of the National Security Council Directive on Communications Security, hereafter referred to as NSC 168.

2. The working group designated by the referenced memorandum is in substantial agreement except on one important point of principle. This point is raised in the final sentence of paragraph 3 of the draft, which reads as follows: "With respect to the military departments, the Director, NSA, will perform his COMSEC functions under the immediate direction of the Joint Chiefs of Staff."
The Director, NSA, disagrees with the other members of the Committee on the ground that this statement does not reflect the proper mission and function of the Joint Chiefs of Staff with respect to NSA operations in the field of COMSEC. For the reasons set forth in Incl #2 he recommends that the controversial sentence in the draft be replaced by the following: "With respect to the Military departments, the Director, NSA, in performance of his COMSEC functions, will be under the immediate direction of the Joint Chiefs of Staff for joint doctrine and for matters relating to joint strategic and operational planning."

3. The Navy representative is unable to agree with the wording of the draft adopted by the majority in paragraphs 6a, g, and k. The wording preferred by the Navy representative and the reasons therefor are set forth in Incl #3. The Joint Chiefs of Staff representative on this committee supports the Navy position with respect to paragraphs 6g and k.

4. Upon receipt of your instructions concerning the proper function of the JCS, and the other non-agreed items, the Committee will draft a final directive for your signature.

NOTE: To be signed by the principal representatives on this committee.

3 Incls:

1. Draft of NSC 168 Implementing Directive
2. Dissenting Views of Director, NSA
3. Dissenting Views of Dept of the Navy *(not included here?)*

Mr Friedman

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Draft version revised on
basis of meeting with
representatives of OSD, NSA,
JCS, Army, Navy and Air Force
on 9 December 1953

MEMORANDUM FOR THE SECRETARY OF THE ARMY
SECRETARY OF THE NAVY
SECRETARY OF THE AIR FORCE
JOINT CHIEFS OF STAFF
DIRECTOR, NATIONAL SECURITY AGENCY

SUBJECT: Implementation of NSC Directive on Communications Security
(NSC 168)

References: (a) NSC Directive on Communications Security, (NSC 168)
dtd 20 Oct 53
(b) SecDef Memorandum: Interim Responsibility for COMSEC,
dtd 5 Dec 52
(c) NSCID No. 9 Revised, dtd 24 Oct 52
(d) Secretary of Defense Directive: Implementation of NSCID
No. 9 Revised, dtd 5 Dec 52

1. This Directive is issued for the purpose of implementing within the Department of Defense the provisions of reference (a) and supersedes reference (b). All directives, orders, or instructions relating to COMSEC matters issued by any authorities within the Department of Defense which are inconsistent or at variance with the provisions of this Directive will be rescinded or revised in consonance therewith.

2. The Department of Defense has been designated by reference (a) as Executive Agent of the Government for all COMSEC matters.

3. The National Security Agency (NSA) was authorized by reference (c) and established by reference (d). Reference (b) assigned to the Director, NSA, on an interim basis, the responsibility for COMSEC activities and related matters previously assigned to the Director, Armed Forces Security Agency (AFSA). The Director, NSA, has now been designated to act for the Executive Agent in all COMSEC matters set forth in paragraphs 2d(1) through 2d(13) of reference (a) and any others which may be specified by the "Special Committee of the National Security

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Council for COMSEC Matters", or the "United States Communications Security Board" (hereinafter referred to as the Board). With respect to the military departments, the Director, NSA, will perform his COMSEC functions under the immediate direction of the Joint Chiefs of Staff.

4. In fulfilling his COMSEC responsibilities, the Director, NSA, will be governed by the provisions of reference (a), and in the fields of cryptosecurity, transmission security, physical security, and cover and deception, it shall be his responsibility:

a. To obtain from the Joint Chiefs of Staff and/or military departments such information as he may require in performing his functions, as authorized in this directive or any other directive subsequently issued.

b. To prescribe, or review and approve, the cryptoprinciples incorporated or to be incorporated in any telecommunications equipments and systems and in any COMSEC equipments and systems.

c. To prescribe, or review and approve, cryptosecurity rules regulations, and instructions applicable to the operation and use of any crypto-equipments and systems and of any COMSEC equipments and systems.

d. To perform technical analysis of military telecommunications for the purpose of determining the degree of COMSEC being provided by the cryptoprinciples, materials and procedures used, as well as the effect on COMSEC of the communications procedures and practices being utilized; making arrangements with the military departments to obtain the material required for such analysis.

e. To review and evaluate communications procedures developed by the military departments to determine whether such procedures will

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provide and maintain transmission security; and to recommend revisions and additional rules and procedures as required. To accomplish this, the Director, NSA, may perform technical analyses of military telecommunications and shall make the necessary arrangements with the military departments to obtain the material required for analysis.

f. To prescribe minimum standards for the physical security of cryptomaterial, in collaboration with the military departments as appropriate.

g. To assist in the preparation of or to review the communications portions of all non-tactical cover and deception plans. To formulate and promulgate the basic policies used in such portions.

h. To receive from the military departments their research and development programs and/or requirements for crypto-equipments and materials, and provide for review, coordination, and approval of all such research and development programs. In so doing, he will ascertain from the Joint Chiefs of Staff the extent of joint or common interest in the programs and/or requirements.

i. In consonance with the policies of the Department of Defense and the Joint Chiefs of Staff, to formulate an integrated program for cryptosecurity research and development to meet the requirements of the military departments in order to ensure the continuing security of their telecommunications.

j. To provide for the conduct of an integrated research and development program adequate to achieve a satisfactory state of cryptosecurity.

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k. To inform any military department which has expressed interest in cryptosecurity research and development projects of the progress being made.

l. To receive from the military departments their quantitative requirements for crypto-equipments and materials, and provide for review, coordination, and approval of all crypto-equipment and material production and procurement programs.

m. In consonance with the policies of the Department of Defense and the Joint Chiefs of Staff, to formulate an integrated program for the production and procurement of crypto-equipments and materials.

n. To produce cryptomaterial necessary to meet the requirements of the military departments and to ensure that there is adequate capacity to meet these requirements. In so doing, the Director, NSA, by mutual agreement will authorize the military departments to engage in the production of cryptomaterial. Such production will be conducted in accordance with technical cryptologic criteria prescribed by the Director, NSA, and he will be kept informed of the production accomplished.

o. In meeting operational requirements, to ensure the necessary compatibility and, insofar as practicable, the standardization of crypto-equipments and material in order to promote a maximum of efficiency and economy in their procurement, operation, and maintenance. Determination of the acceptability of an equipment in meeting the operational requirements is the responsibility of each military department.

p. To furnish services and materials for the COMSEC program of the military departments under mutually agreeable fiscal arrangements.

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q. To provide technical guidance and support for cryptosecurity training conducted by the military departments.

r. To arrange with the authorized representatives of a military department for required liaison with subordinate elements of that department.

s. To refer violations of COMSEC instructions to the authorized representatives of the military department concerned for such action as may be deemed necessary, and if appropriate corrective action is not taken, refer the matter to the Joint Chiefs of Staff for resolution or referral with appropriate recommendations to the Secretary of Defense.

5. The Director, NSA, shall discharge his responsibilities with respect to the military departments in accordance with his own judgment, subject to the directives of the Board and other higher authority.

6. In COMSEC matters, it shall be the responsibility of the military departments:

a. To organize and conduct their COMSEC activities as they see fit subject to the provisions of law, the directives of the President, the provisions of reference (a), the provisions of this directive, and any other directives issued by competent authority. Nothing in this directive shall relieve the military departments of their responsibilities for executing all measures required to assure the security and efficiency of their own telecommunications.

b. To provide all lawful assistance required by the Board.

c. To provide the Director, NSA, with such information and logistic and other assistance as he may require in the performance of his functions, as authorized in this directive.

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d. To furnish in a mutually agreeable manner to the Director, NSA, the materials necessary for his technical analysis of military telecommunications.

e. To submit all research and development requirements for crypto-equipments and material to the Director, NSA, and to keep him currently advised of any changes therein.

f. To accomplish in a mutually agreeable manner such COMSEC research and development projects as may be authorized by the Director, NSA. Subject to prior notification to and approval by the Director, NSA, to initiate and conduct such research and development projects as may be necessary to support their COMSEC activities.

g. To determine the acceptability of crypto-equipments in meeting their expressed operational requirements. Military departments will furnish the Director, NSA, timely notification of service test findings. When equipment developed to meet joint or common requirements is service tested, the departments concerned will arrange to conduct coordinated service tests so as to achieve maximum results with the procurement of the minimum number of service test models.

h. To submit all quantitative requirements for crypto-equipments and materials to the Director, NSA, in accordance with procedures established by him.

i. To organize, train, equip, operate, administer, budget for, and provide logistic support to their respective COMSEC activities. This will include provision of reserve programs to meet emergency or wartime requirements.

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j. To perform, under mutually agreeable arrangements, such COMSEC tasks and functions as may be requested by the Director, NSA.

k. To provide the necessary COMSEC facilities and resources for the support of the military effort, in accordance with assigned responsibilities.

7. The Director, NSA, will arrange with the appropriate authorities of departments and agencies of the Government outside the Department of Defense for the exercise of the authority over COMSEC matters granted in paragraph 2 of reference (a).

8. In accordance with the policies established by the Board, and in behalf of the Executive Agent of the government for all COMSEC matters, the Director, NSA, will conduct the liaison on technical COMSEC and related matters with the cryptologic authorities of foreign nations and international organizations. The military departments shall be invited to participate in any international conference called for the purpose of determining the crypto-equipments, procedures, and/or materials to be used to provide security to communications between the military forces of the United States and those of other countries.

9. Appeals from any decision of the Board by the Director, NSA, or by the representative of any of the military departments, shall be filed only with the approval of the Secretary of Defense. In the event that a military department objects to any decision of the Director, NSA, that department will call the matter to the attention of the Director, NSA. If the matter in question cannot be resolved after consideration by the Director, NSA, and the department concerned, that department will refer the

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matter to the Joint Chiefs of Staff for resolution or referral with appropriate recommendations to the Secretary of Defense.

10. If in the implementation of COMSEC directives or requirements it becomes apparent that the primary mission of a military department will be adversely affected or its budgetary authorization will be exceeded, such directives or requirements will be implemented to the greatest extent practicable while the conflict is being resolved. The military departments shall not be required to disclose to the Director, NSA, the Board, or any of its committees the contents of any official communications concerning its activities, if, in the opinion of the head of the department, the disclosure would be contrary to the national interest. Nothing in this directive shall be construed to give the Board or any of its representatives the right to inspect the operation of COMSEC in any military department without approval by the head thereof.

11. Special terms used in this directive shall have the meanings assigned by reference (a).

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DISSENTING VIEWS OF DIRECTOR, NSA.

1. In the early drafting stages of NSC 168 it was suggested that the COMSEC responsibilities of the Director, NSA, with respect to the military services should be exercised under the direct supervision of the J.C.S. Since this proposal was in consonance with the responsibilities then exercised by the J.C.S. in connection with unified commands, I reluctantly agreed to it despite my fear that serious practical difficulties would result from placing the J.C.S. in the line of command for COMSEC matters.

2. Prior to the actual promulgation of NSC 168 the proper role of the J.C.S. was carefully reviewed in connection with a study of the over-all Defense Establishment undertaken by the Rockefeller Committee. That Committee found that in practice the J.C.S. had been exercising command functions contrary to the provisions of the National Security Act of 1947, as amended, which constituted the J.C.S. as a planning and advisory body without command authority. This finding of the Committee was adopted by the President in his message of 30 April 1953, presenting to Congress Reorganization Plan No. 6. In his message the President carefully delimits the role of the J.C.S. The President further indicated that the so-called Key West Agreement would be revised to limit the J.C.S. to a planning and advisory role in connection with the establishment and direction of unified commands.

3. Immediately following the effective date of Reorganization Plan No. 6 to 1953, the Acting Secretary of Defense, on 2 July 1953, in a memorandum to the J.C.S., requested that certain revisions to the Key West Agreement be prepared, including a revision "to clarify the command status of the J.C.S. so as to insure that that group does not exercise command and to assure its advisory and planning role." Recommended revisions, endorsed by the J.C.S., are contained in JCS 1478/45, and eliminate command functions previously assigned to the J.C.S.

4. In my opinion, it would be inconsistent with the role of the J.C.S., as re-defined, to provide that they should exercise "direct supervision" over the Director, NSA, in the performance of his COMSEC functions. I am, therefore, unable to concur in the language which the three services wish to have incorporated in paragraph 3 of the directive which it is proposed that you should issue to implement NSC 168 within the Department of Defense. Accordingly, I recommend that the final sentence of paragraph 3 be rewritten as follows: "With respect to the military departments, the Director, NSA, in performance of his COMSEC functions, will be under the immediate direction of the Joint Chiefs of Staff for joint doctrine and for matters relating to joint strategic and operational planning."

Inclosure 2

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5. I believe that with this change and the other, agreed, provisions, the draft directive will correctly describe and adequately provide for the discharge of the planning and advisory function for which the J C S is responsible

Inclosure 2 (Continued)