



Department of Defense

DIRECTIVE

NUMBER 5210.45

May 9, 1964

SUBJECT: Personnel Security in the National Security Agency

Reference: (a) Public Law 88-290, "An Act to Amend the Internal Security Act of 1950"

1. PURPOSE

The purpose of this Directive is to prescribe policies and procedures to implement Public Law 88-290 the objective of which is to strengthen personnel security in the National Security Agency (NSA).

2. PERSONNEL SECURITY STANDARD

No person shall be employed in, or detailed or assigned to, the National Security Agency, and no person shall have access to classified information of the Agency, unless his employment, detail, or assignment to the Agency, or his access to classified information of the Agency, is clearly consistent with the national security.

3. FULL FIELD INVESTIGATION

3.1. No person shall be finally employed in the National Security Agency until he has been the subject of a full field investigation. A person may, however, be provisionally employed before the completion of a full field investigation in his case, but he may not be given access to sensitive cryptologic information while he is so employed. His provisional employment is conditional upon the successful outcome of a full field investigation in his case.

3.2. No person shall be assigned or detailed to the Agency without the agreement of the Agency that its security requirements are met; each such person shall be the subject of a full field investigation in connection with such assignment or detail unless he has a current security clearance for sensitive cryptologic information which was granted under the same or equivalent standards as are prescribed by the Agency.

3.3. The Director of the Agency may, in an exceptional case, temporarily waive the requirement for a full field investigation if he personally determines in writing that such action is advisable in the national interest and is clearly consistent with the national security. In such a case priority shall be given to the full field investigation. This authority of the Director, NSA, cannot be redelegated.

4. BOARDS OF APPRAISAL

4.1. The Director of the Agency shall establish one or more boards of appraisal of three members each to be assigned personnel security responsibility as set forth below. Members of a board shall be senior officials with broad experience, shall be specially trained for their duties, and shall have been the subject of a full field investigation, and have been cleared for access to classified information, in connection with their appointment

4.2. The Director of the Agency shall refer to a board those cases in which he determines that there is a doubt as to eligibility for access to classified information of an employee or person assigned or detailed to the Agency. The board shall appraise the loyalty and suitability of persons whose cases have been referred to it and advise the Director whether access to classified information by such persons is clearly consistent with the national security. In applying the foregoing standard, the board shall use the criteria that have been prescribed by the U.S. Intelligence Board and Department of Defense Directive 5210.8, dated February 15, 1962.

4.3. Proceedings of a board shall not include notice to the individual, right to a hearing, or appeal from an adverse recommendation. A board shall submit to the Director a report and recommendation on each case referred to it. The report shall not be made available to the person. No person shall be cleared for access or continued access to Agency classified information contrary to the recommendation of a board except on the authority of the Director or, upon the referral by the Director, of the Secretary of Defense. In such a case, the Director or the Secretary shall make a determination in writing that the employment, detail, assignment or access is in the national Interest.

4.4. Appraisal by a board is not required before action may be taken under Section 14 of the Act of June 27, 1944, Chapter 287, as amended (5 U.S.C. 863), Section 1 of the Act of August 26, 1950, Chapter 803, as amended (5 U.S.C. 22-1), or any other similar provision of law. The objective in establishing the boards(s) is to assure further that the access of each person to classified information is clearly consistent with the national security in consonance with the requirements and standards of the U.S. Intelligence Board and the Department of Defense.

5. TERMINATION OF EMPLOYMENT

5.1. Section 303(a) of Public Law 88-290 authorizes the Secretary of Defense to terminate employment of any officer or employee of the National Security Agency in his discretion whenever (1) he considers such action to be in the interest of the United States, and (2) he determines that the procedures prescribed in other provisions of law that authorize the termination of employment of that officer or employee cannot be invoked consistently with the national security. The Secretary's action to terminate employment is final. The statute provides, however, that the individual whose employment has been terminated under this authority may seek or accept employment in any other Government Agency provided that the Civil Service Commission determines he is eligible for such employment.

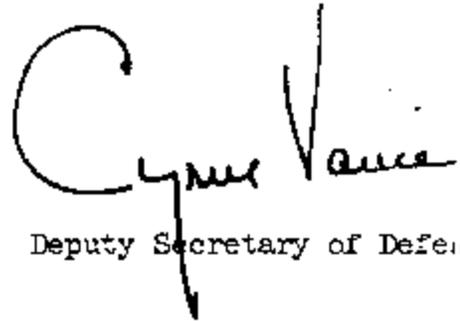
5.2. When the two conditions cited above do not exist, the Director, NSA, shall, when appropriate, take action pursuant to other provisions of law, as applicable, to terminate the employment of a civilian officer or employee. The Director shall recommend to the Secretary of Defense the exercise of the authority of Section 303(a) only when the termination of the employment of a civilian officer or employee cannot, because of paramount national security interests, be carried out under any other provision of law.

6. IMPLEMENTATION

Proposed implementing regulations of the National Security Agency shall be coordinated with the General Counsel of the Department of Defense prior to their publication.

7. EFFECTIVE DATE

This Directive becomes effective immediately.


Deputy Secretary of Defense