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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~CONFIDENTIAL~~

November 4, 1976

National Security Decision Memorandum 340

TO: The Secretary of State
The Secretary of the Treasury
The Secretary of Defense
The Attorney General
The Secretary of Commerce
The Secretary of Transportation
The Chairman, Joint Chiefs of Staff
The Director of Central Intelligence
Administrator, Energy Research and
Development Administration

SUBJECT: U.S. Port Security Program

The President has approved the following statement of policy on U.S. port security, which supersedes National Security Decision Memorandum No. 82 dated September 1, 1970, and previous issuances of national security policy statements on this subject.

I. U.S. Port Security Policy

1. National security interests require that measures be taken for the protection of vessels, harbors, ports and waterfront facilities of the United States from threats of espionage, sabotage, intelligence collection operations directed against sensitive U.S. defense facilities from foreign vessels, and related subversive activities including the introduction into the United States of persons or materials in the pursuance of such activities. It is also in our national interest that entries of vessels of certain nations, as specified below, into U.S. ports be permitted only in reciprocity for the admission of U.S. vessels to ports of those countries or in reciprocity for other considerations.
2. With a view to fulfilling these national requirements, the Secretary of Transportation is hereby assigned the responsibility for the promulgation -- in consultation with the Secretaries of State and Defense, the Attorney General, and the Director of Central Intelligence -- of a U.S. port security program to meet the objectives listed below.

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XGDS (3)

XGDS of E. O. 11652 by authority
of Brent Scowcroft; Exemption
Category Section 5(B)(3)

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Authority NSC Letter 4/13/98

By lt NI F Date 5/4/98

3. To advise the Secretary of Transportation in the administration of the port security program there is hereby established a Port Security Committee comprised of a chairman, appointed by the Secretary of Transportation, and representatives of the Departments of State, Defense, and Justice, and the Central Intelligence Agency (as observing member).

II. Objectives

1. The exclusion from U.S. ports of vessels known to be under the effective control of or bearing the flag of North Korea, Vietnam, Albania, Cuba and Cambodia unless under force majeure.
2. Requests for entry into U.S. ports by vessels known to be under the effective control of or bearing the flag of the People's Republic of China, the Soviet Union, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, and Romania are to be considered on the basis of reciprocity for actions taken by the governments of those countries with respect to requests for admission of U.S. vessels to their ports or reciprocity for other considerations. (In exercising primary responsibility for obtaining an understanding with these governments regarding this requirement, the Department of State shall consult with the Port Security Committee. The U.S. port security measures prescribed in paragraphs 3. b. and 3. c. below are not subject to modification through reciprocal agreement and are, therefore, to be excluded from discussions of understandings reached with other nations on the reciprocity issue.)
3. Application of the following port security measures in the case of requests for entry into the U.S. ports on the part of vessels known to be under the effective control of or bearing the flag of the People's Republic of China, the Soviet Union, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, or Romania:
 - a. Each such vessel must submit an advance request or notice for entry into a U.S. port and notification as to scheduled time of arrival;
 - b. The Secretary of Transportation -- in consultation with the Port Security Committee -- shall determine the action to be taken with respect to each such vessel seeking admission to a U.S. port, as follows:
 - (1) -- denial of entry if information indicates that the presence of a particular vessel in a U.S. port would constitute an unacceptable risk to the national defense and security; or

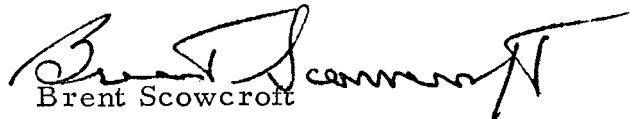
(2) -- depending upon the degree of security threat judged to be present, admission of the vessel subject to surveillance or other restriction or its entry with no restrictions;

(3) -- when a vessel is admitted, timely notification to other U.S. Government departments and agencies having internal security responsibilities and programs associated with the arrivals of such vessels admitted to U.S. ports.

c. Each such vessel shall be boarded and searched by the United States Coast Guard as a condition for entry to a U.S. port.

4. Entry of vessels suspected of being under the effective control of North Korea, Vietnam, Albania, Cuba, Cambodia, the Soviet Union, Czechoslovakia, Hungary, Romania, Bulgaria, Poland, the German Democratic Republic, or the People's Republic of China may also be subject to the restrictions of II.3. above.

5. The national categories specified in this NSDM may be updated by the Port Security Committee subject to approval by the Assistant to the President for National Security Affairs.


Brent Scowcroft