

FINAL
~~TENTATIVE~~

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SUBJECT NUMBER

USCIB: 4.2/42 Item 2 of the Agenda for the 27th Meeting of USCIBEC, held on 25 March 1955.

Subject: Consolidation of CIBD #7 and CIBD #14 (USCIB 4.2/40; 4.2/41).

The CHAIRMAN (Captain Taylor), in introducing this item, suggested that if initial discussion indicates that the matter cannot be resolved promptly then the Committee should take up the main item of business, Item 3, and return to Item 2 thereafter.

It was so agreed.

The CHAIRMAN began by noting certain changes which he deemed necessary in the enclosure with USCIB 4.2/40 to make it reflect more accurately the members' intent. These changes were as follows:

(1) Page 2, paragraph II, A, 5, line 4 - the insertion of "similar" just before the word "local". Also the insertion of "exist and" after the word "conditions".

(2) Page 5, paragraph II, B, 5 - insert a new subparagraph C, as follows:

"C. An exception in the case of Group D personnel shall be approved by USCIB."

(3) Page 11, paragraph IV, B, 1, b(1) - amend subparagraph to read:

"(1) Determine whether the task to be performed can be, in fact, satisfactorily performed only in that area under consideration."

The members approved the above changes.

The CHAIRMAN then asked for comments on the proposal as a whole.

CAPTAIN HOLTWICK stated that he was unhappy with the whole thing, pointing out the fact that division of the problem into exposed, risky and dangerous situations and further categorization of each to cover visits, dissemination and the establishment of COMINT activities will result in our getting into some very odd situations. He added, however, his belief that NSA could "live with" the situation if two basic points of disagreement were to be resolved. He said that the first point involves Section II and Category C personnel, stating that there is an

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unrealistic difference between the one year restriction for Category C people and "forever" for those in Category D. It was his recommendation that the restriction on Category C personnel be raised to three years to correct this inconsistency, otherwise, he said, NSA would be obliged to put many people in Category D who don't belong there. The second recommended change, he said, is in Section III - a change which will authorize the Director, NSA to make a determination as to whether an area proposed for the location of a COMINT activity is considered risky or dangerous.

LT. COLONEL LEFFERS stated that he could accept the basic proposal as amended; however, he would not like to consider the NSA paper as a part of the change. He added that Captain Holtwick's proposed change of Category C from one to three years would make it more difficult for Army and would result in having very few people placed in Category C.

COMMANDER BRINGLE said that Navy could accept the proposal as written. He added that he would be unwilling to accept the extension to three years for Category C.

LT. COLONEL HARROLD expressed general agreement with the paper adding, however, that he would have to give more thought to the extension of Category C. With reference to Captain Holtwick's second point he said that he believed that the Theater Commander, rather than the Director, NSA, should make the determination as to a risky or dangerous area.

MR. KELLOGG stated that the directive is acceptable to him, safe for a few minor changes.

MR. GODEL expressed general agreement with the directive, but said that he suspected some misunderstanding on the one year limitation. He pointed out that the period is "one year or longer", thereby permitting an individual agency to extend the period in cases warranting such action. On Captain Holtwick's second point he said that no one can gainsay the right of the Director, NSA to decide to place a station in a given area; however, the decision as to how dangerous the location may be is to be made by the field commander.

MR. POLYZOIDES said that his Department could almost live with the directive, subject to a few nit-picks; however, he would prefer to support a proposal that that the directive be remanded for further study, particularly since nothing would be lost by additional delay. Admitting that this approach might seem drastic, he pointed out that the directive is styled purely from a military viewpoint, yet his Department would be bound by both the letter and spirit of its provisions. He went on to explain, for example, the effect which the proposed three-year limitation would have upon foreign service assignments.

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The CHAIRMAN asked if Mr. Polyzoides wished to move that the problem be studied further by SECCOM.

MR. POLYZOIDES replied that he would so move, if such action would not unduly delay solution.

The CHAIRMAN, stating that time is not of the essence, requested the views of other members on this motion.

LT. COLONEL HARROLD said that he considered the consolidated directive better than Directives 7 and 14 standing alone, thereby an improvement over the existing situation.

MR. POLYZOIDES said that he would withdraw his motion and made a suggestion the consolidated directive be approved now in principle, without nit-picking, and at the same time it be returned to SECCOM for further study and concurrent examination of the basic policy.

CAPTAIN HOLTWICK said that he could not accept this completely, pointing out difficulties he could foresee in the provisions of the consolidated directive with regard to location of intercept activities by his Director.

MR. GODEL noted that the Director, NSA has an ample court of appeal in the Executive Agent and the Board.

The CHAIRMAN explained that this portion of the directive altered the existing situation very little, if at all, and if the Director, NSA can make out with things as they are the consolidated directive will not change his situation.

CAPTAIN HOLTWICK made specific reference to the provisions of paragraph B. 1. b. in Section III and B. 1. b. in Section IV, noting that in one instance the decision is to be made by the Director, NSA and in the other the decision is left to the USCIB member. He said that he believed these provisions should be more nearly parallel.

MR. GODEL stated that the Director, NSA is not authorized to go directly to the Theater Commander and ask him to give his judgment on a matter pertaining to his Theater. Such approaches, he said, must be made by the Executive Agent or by the Service Secretary concerned.

The CHAIRMAN referred to the two amendments proposed by Captain Holtwick, viz, extension of the time limitation on Category C personnel from one to three years, and a proposal concerning obtaining decisions on risky and dangerous situations. He asked Captain Holtwick if he could accept the original wording in light of the foregoing discussion.

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CAPTAIN HOLTWICK replied that in view of the earlier comments by the Defense member he would abstain.

The CHAIRMAN continued by saying that the question of time limitation for Category C personnel had been thrashed out pretty thoroughly in committee and that the ultimate decision for "not more than one year" was based on the circumstances described earlier by Mr. Godel, namely, that member organizations in judging individual cases may find it advisable to establish a limitation of more than a year. With this in mind, he suggested a clear definition of the minimum standards for Categories A, B, C, and D by further clarification of what specifically would require assignment to Categories C and D.

CAPTAIN HOLTWICK explained that Categories C and D are completely interrelated, and that a lack of further subdivisions of Category C will necessitate the placing of many people in Category D who really don't belong there.

The CHAIRMAN stated that it is of vital interest to protect information affecting the security of the nation and that this interest overrides individual hardship. He went on to explain that the principal question is the determination of individual cases as they arise, rather than a general classification of all personnel.

After a brief further discussion the CHAIRMAN stated that the sense of the meeting seemed to be to accept the directive with minor amendments, and live with it while re-examining the basic policy. He suggested consideration of the Appendix which was drafted by the NSA member as a guide in determining whether a person falls within one of the four categories. He further suggested, and the members agreed, that the Appendix be referred to hereafter as an Annex.

CAPTAIN HOLTWICK said that he would like the general reaction of the members to the Annex, in that it has a definite bearing on other considerations.

With respect to Annex B, MR. POLYZOIDES said that certain things should be added to make it a good basis for further development of a precise guide.

MR. GODEL agreed with the necessity of having a document such as Annex B and said that with certain additions he could accept it.

MR. KELLOGG agreed generally with Mr. Godel.

MR. ELLIS said that he would abstain from voting.

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LT. COLONEL HARROLD voiced agreement with the Annex as a basis for further development, reserving decision on the one-year limitation.

COMMANDER BRINGLE voted for acceptance.

LT. COLONEL LEFFERS recommended referral to SECCOM, pointing out that the Annex is principally an NSA effort, and stating that he sees need for further clarification of certain points.

CAPTAIN HOLTWICK commented that some 25,000 COMINT people would be affected by the decision, and that if Category C remains one year a great many of the 25,000 would have to be placed in Category D.

The CHAIRMAN drew attention to differences in consumer and producer personnel, stating that many consumer personnel could well be sanitized in one year, where a producer would require longer. Using as an example a person with precise technical knowledge of crypt intelligence, he said that such a person is immediately a prospective candidate for Category D, and if placed in Category C his time limitation would almost certainly be a minimum of three years.

CAPTAIN HOLTWICK then said that in light of the discussion he would suggest that SECCOM perform further study thereby permitting coordination with other cryptologic agencies.

CAPTAIN TAYLOR asked if the members were willing to agree with this suggestion.

All members agreed.

CAPTAIN HOLTWICK then proposed postponement of further consideration of the subject pending receipt of SECCOM views.

MR. KELLOGG suggested that since delay is inevitable SECCOM be asked to do the necessary nit-picking job on the directive in connection with its associated study.

It was so agreed.

DECISION: (25 March 1955) USCIBEC agreed to refer consideration of the subject problem to SECCOM for further general study, devoting particular attention to further classification of categories and titivation of the directive itself in light of the foregoing discussion.

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