

26 March 54

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MEMORANDUM FOR MR. W. F. FRIEDMAN

SUBJECT: Security Classification of Items in Dispute Between GCHQ and NSA

Message P 091446Z March 1954 from GCHQ to SLO, Washington, (Incl. 1) contains two main points:

1. What is the appropriate security classification of "Current Crypt-analytic Techniques" (NSA-72-1678)? Special attention is drawn to paragraph 6.54 of this document.

2. What will be the appropriate security classification of NSA's "Military Cryptanalysis?" Special attention is drawn to Parts V and VI of this document and to Note 1 B to Appendix B of the UKUSA Agreement.

Mr. L. D. Callimahos has presented his very realistic views on both these questions (Incl.2).

USCIB 14.1/10 made the UKUSA Agreement, including Appendix B, effective as a basic policy document on 1 December 1953. A copy of Appendix B is attached (Incl. 3).

It is the stated intent of the signatories of the UKUSA Agreement that all under the authority of USCIB or LSIB shall observe the standards set forth therein as a minimum (Para. 1, Appendix B).

If either of the subject documents contains any data concerning cryptographic systems resulting from the interception and study of foreign communications, these data and hence the documents themselves must be at least category I COMINT and classified at least CONFIDENTIAL, unless such material has previously been promulgated at a lower classification. (See Appendix B: Para. 3 for definition of COMINT, Note 1b for definition of technical material, and Para. 10a.)

The UKUSA Agreement does not provide for unilateral extensions or projections, no matter how logical or realistic, of any definitions or classifications.

Paragraph 11 of Appendix B states that "USCIB and LSIB shall have prepared and maintained in current status mutually agreed lists to indicate COMINT placed in the several Categories and in such Sub-categories as may be established". Such lists are now being prepared by this Agency for submission to USCIB and LSIB. Until such time as the detailed and mutually agreeable lists are available, the existing provisions of Appendix B are the only minimum standards against which any single item under consideration must be weighed.

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In the light of the foregoing, the following are the facts bearing on this problem:

- (1) Security of COMINT is the prime consideration.
- (2) There are items in the subject documents which can be considered COMINT and therefore must be at least CONFIDENTIAL.
- (3) GCHQ feels that, for certain items, a classification of TOP SECRET CODEWORD is warranted.
- (4) A realistic NSA view is that the British are over-classifying certain items.
- (5) Both GCHQ and NSA are parties to the UKUSA Agreement which prescribes minimum standards for the classifications of COMINT, and are therefore subject to the same minimum standard.
- (6) There are no mutually agreed detailed lists of Categories and Sub-categories available to either party.

If these are the facts, then the following is a possible solution:

- (1) In deference to security and to the strict bi-lateral nature of the UKUSA Agreement, the desires of the party advocating the higher classification should be satisfied until the subject items are mutually agreed to by the prescribed processes and are included on the detailed lists.
- (2) Since neither document under consideration is purported to be a final publication, they both should be carefully reviewed, with the responsible NSA personnel taking an active part in the drafting of the proposed lists in the light of specific items contained in the documents and within the provisions of the UKUSA Agreement.
- (3) The British should be notified that NSA, in deference to security and the bilateral nature of the UKUSA Agreement, will concede to their desires on these two documents, subject to the adoption of the mutually agreed lists as directed by the UKUSA Agreement.

*I. T. McDonald*

I. T. McDONALD

Inclosures - 3

1. Message P 091446Z Mar 54
2. Mr. Callimahos' views
3. Copy of Appendix B

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