

FINAL  
~~TENTATIVE~~

~~TOP SECRET - U.S. EYES ONLY~~

SUBJECT NUMBER

USCIB: 29.16/6      Item 2 of the Agenda for the 106th Meeting of USCIB, held on 10 September 1954.

Subject:              Terms of Reference for U.S. [ ] COMINT Negotiations (Ad Hoc Committee Report) (USCIB 29.16/4).

The ACTING CHAIRMAN (General Cabell) introduced this item for consideration by inviting Colonel J. J. Davis, Chairman of the Ad Hoc Committee which prepared the report, to comment.

COLONEL DAVIS made the following statement concerning the Committee recommendations:

"The Ad Hoc Committee unanimously approved the draft 'Terms of Reference' which has been forwarded to USCIB with a recommendation for approval.

"In this connection I should like to invite your attention to subparagraph 3i of Phase II on page 4 of the Terms of Reference. The statement is made that, for the guidance of the negotiators detailed minimum security standards will be prepared at a later date and will be as agreed by the Ad Hoc Committee. They will be attached as Tab G to the Terms of Reference.

"The Committee considered that the Security Principles for the Handling of SHAPE 'Y' Material (Appendix P, Annexure P2, Exhibit 2) would be an appropriate basis for these standards and would satisfy the conditions of para. 15e of the Final UKUSA Conference Report. Tab B of the Committee Report is based upon the SHAPE 'Y' standards and the U.S. proposes to obtain assurances that these principles are acceptable to [ ] at the time of the initial approach (Phase I).

"As to the precise details of classification, transmission and physical security standards to be agreed during Phase II, the Committee believed that it would be helpful to seek the views of the British on an informal basis as to how they plan to handle such details with the [ ]. The Committee was particularly concerned over the matter of insuring adequate source protection for COMINT passed to [ ]. To this end, SUSLO, London, has been asked to explore this matter informally with GCHQ, on behalf of the Ad Hoc Committee. As soon as his reply is received, the Ad Hoc Committee will draft the detailed minimum COMINT security standards. These will then be forwarded to all holders of the Terms of Reference as Tab G."

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EO 3.3(h)(2)  
PL 86-36/50 USC 3605

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GENERAL CANINE stated that if present schedules are followed the [ ] will have already been approached on the SHAPE "Y" proposal when the approach outlined in the instant report is made.

The ACTING CHAIRMAN asked for comments on the Ad Hoc report.

ADMIRAL ESPE invited the attention of the members to paragraph 3f, page 3, and asked if the parenthetical expression therein, viz, "(at least twice a week)", is intended to be literally construed.

GENERAL CANINE replied by stating that the frequency of contacts is most important and should be specifically provided for. He added that he was not, however, insistent that this specific wording be retained, so long as the need for direct and frequent contact is recognized. He went on to add that in the case of [ ] there is a need for a type of agreement somewhat different from that normally made with Third Parties, adding that our eventual success in the case of [ ] will depend materially upon our ability to go into the problem thoroughly and wholeheartedly in the initial stages.

The ACTING CHAIRMAN returned to the proposal made by Admiral Espe, and asked if there was objection to deletion of the parenthetical expression contained in paragraph 3f on page 3.

There were no objections.

MR. ARMSTRONG referred to paragraph 5 on page 6, which provides for location of the NSA liaison officer in the U.S. Mission at [ ], and stated that he does not have the Ambassador's approval of the arrangement. He said that he has no reason to believe that there will be objection; however, he added that it will be necessary to obtain the Ambassador's authorization before proceeding along the lines indicated. He informed the members that the Ambassador is not now indoctrinated.

GENERAL CANINE then asked Mr. Armstrong if there was enough doubt about the Ambassador's possible reaction to warrant the consideration of alternatives at this time.

MR. ARMSTRONG replied in the negative.

The members noted this limitation upon implementation of the proposal, and it was understood that NSA and CIA representatives should coordinate with the Department of State member any contemplated action bearing on the paragraph in question.

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MR. ARMSTRONG said that he wished to raise one other point. He expressed his opinion that the guide lines for the negotiators, as set forth in the report, should not be too strictly construed, thereby affording the negotiators reasonable freedom of action. He noted our lack of knowledge of just what the [ ] will ask for, and said that he would favor a governing concept which will not tie the hands of those attempting to work out an agreement.

The ACTING CHAIRMAN said that he would prefer not to give the negotiators too much latitude, suggesting that it would be better to have the Board itself open-minded and ready to act upon any question the negotiators might raise.

GENERAL CANINE informed the members that Dr. Louis Tordella would be his representative for the negotiations, and, explaining that Dr. Tordella was completely familiar with our requirements, said that he would be quite willing to have him exercise the authority suggested by Mr. Armstrong.

The members discussed this point further, ultimately agreeing that the negotiators should be guided by the basic plan; but that the Board should not be too inflexible in its application. In view of this understanding, Mr. Armstrong withdrew his earlier suggestion on the subject.

DECISION: (10 September 1954) USCIB agreed:

- (1) To approve the report contained as an enclosure with USCIB 29.18/4, subject to the deletion of the parenthetical expression, "... (at least twice a week) ..." in paragraph 3f, page 3.
- (2) That any action contemplated by NSA or CIA with regard to paragraph 5, page 6, be coordinated with the Department of State member.
- (3) That the negotiators of the agreement with [ ] will be guided by the basic plan contained in the report; however, USCIB will not be too inflexible in its application.

This item to be dropped from the Agenda.

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