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FINAL

SUBJECT NUMBER

USCIB: 3.5/10 Item 3 of the Agenda for the 105th Meeting of USCIB,
held on 13 August 1954.

Subject: Release to Canada of NSASAB Report (USCIB 3.5/9).

The ACTING CHAIRMAN introduced the item and asked General Canine to comment.

GENERAL CANINE explained that there are many items of COMINT releasable to Canada and that he felt that in his own expurgation of material from the original report he had complied with the regulations of the Board. However, in order to be sure that he was not unwittingly releasing to Canada COMINT items which some one of the members might regard as an unreleasable COMINT item, he had therefore submitted his expurgated version for review by the members. Thus, he said, his purpose was to afford the members an opportunity to point out any COMINT items of their own which they might feel ought not to be released. General Canine continued by saying that the deletions recommended by the members to him did not, in his opinion, deal with the functions of those members but rather with his functions and were not based on the releasability of any COMINT item as such. Instead, he said, the deletions submitted by the members appeared to be based on objections to the substance of the report rather than on the releasability of the COMINT contained therein. In particular, he said, the members seemed to object to making known to Canada the deficiencies the Robertson Committee had noted in the National Security Agency. These matters General Canine went on to say, are well known to Canadian COMINT officials owing to the competence of their previous liaison officer with the NSA and are, in any case, matters under the cognizance of the Director, NSA. Therefore, General Canine said from the standpoint of informing the Canadians on certain controversial aspects of the conduct of the U.S. COMINT effort, the Canadians would not be learning anything new from the Robertson Report. In addition, General Canine went on, the Canadians already know something of the nature of the Report having been told of it by Mr. Robertson. This, General Canine said, was done without his knowledge and he could not say now whether he would or would not have approved such action had he been asked. The result, however, is, he said, that the Canadians know of the Report, would like to have it, and in his opinion ought to get it as an important partner with the U.S. in the business of air defense of North America.

The ACTING CHAIRMAN asked for comment.

MR. SHELDON indicated that in his view the Canadian "need-to-know" rather than the fact of their having by penetration learned something of it should be the basis for determining the releasability of the Report.

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GENERAL CANINE commented to the effect that the Report deals only with early warning problems and expressed the view that it is not reasonable to try to differentiate between one part or another of early warning information insofar as Canada is concerned on the North American Continent.

MR. GODEL expressed doubt that the need to know criterion is applicable to the deletions proposed.

MR. SHELDON stated that another fundamental question is the release of "third agency" information.

ADMIRAL ESPE pointed out that the Report contains a good deal of information other than COMINT and expressed some doubt as to whether the Report in question is a proper vehicle for conveying that type of information to the Canadians.

The ACTING CHAIRMAN indicated agreement with this view and drew attention to Appendices III and X of the Report.

MR. GODEL expressed the opinion that the Report has many shortcomings and that to give it official sanction as a result of expurgating it further would be to clothe it with greater significance than it deserves. He suggested forwarding it as proposed by the Director, NSA pointing out at the same time the fact that it has not been officially accepted although parts of it might be of use.

The ACTING CHAIRMAN indicated some difficulty in discerning why further expurgation need be construed as official sanction for the remainder.

GENERAL CANINE stated that the questions raised were such as cause him to consider whether he should not perhaps submit the Report to the Secretary of Defense for examination to make sure that non-COMINT information which should not be sent to Canada is taken out since the non-COMINT information to which objections have been raised is not within the proper purview of USCIB.

MR. GODEL pointed out that such action might create even greater difficulties.

The ACTING CHAIRMAN indicated his view that Appendices III and X are not suitable, on a need-to-know basis, for dissemination to Canadian intelligence authorities. He said that other members might have similar suggestions. He suggested that General Canine accept these views and proceed from there according to his responsibilities.

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GENERAL CANINE said that that would require him to seek advice from the Office of the Secretary of Defense. He outlined the difficulties that arise in attempting to produce intelligence without knowledge of its purpose and explained that one of the purposes of giving the report to Canada was to assist the Canadian counterpart of NSA, with which NSA is in close collaboration, in producing from COMINT sources information of value in solving the early warning problem. Expurgation that would obscure the intelligence objective, he said, would render the Report worthless.

MR. GODEL pointed out that, while from the intelligence point of view Appendix X is ELINT, not COMINT, the policy relationship between COMINT and ELINT has been recognized in that the Board has expressed a desire to have cognizance over both fields.

The ACTING CHAIRMAN indicated that his objections are based on the revelation of U.S. organization and dispositions as contained in the questioned parts of the Report.

GENERAL CANINE replied that insofar as his facilities are concerned he furnishes the Canadians a quarterly report of the U.S. organization and disposition.

ADMIRAL ESPE offered the opinion that much of the questioned information might not have been made available for inclusion in the Robertson Report had it been known in advance that there was any intention of releasing it to any other country.

MR. GODEL said that he felt the Board to be faced with a difficult choice and ought to try to make the best of a bad situation. He said that he is not favorably impressed by the Report and would prefer that it not be given to Canada. At the same time, he said, he finds it difficult to see how the U.S. could gracefully refuse. He suggested that the Report be released with a frank letter to the effect that it is not approved but may be useful.

GENERAL CANINE pointed out that Mr. Robertson had acted in good faith when he had let the information about the Report become known to the Canadians. This happened when Mr. Robertson was engaged in discussions of the hemispheric early warning problem with Mr. Solandt of the Canadian Scientific Board.

The members agreed that the result was to present them with what amounted to a fait accompli.

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MR. ELLIS stated that he would subscribe to General Canine's proposal.

The ACTING CHAIRMAN asked for further comment.

MR. ARMSTRONG indicated that he would support the position of the Director, NSA and agree to having the report forwarded with a cover memo disclaiming any official aspects of it other than as it affects COMINT.

The ACTING CHAIRMAN posed the question of control of dissemination of the Report in Canada.

GENERAL CANINE pointed out that the Report bears the COMINT code-word thus automatically reducing the probable extent of distribution.

There followed a discussion as to whether only the COMINT aspects of the report should be sent.

It was brought out by GENERAL CANINE that such a version would not longer be the Robertson Report the Canadians had already been told about and given to understand, by both Mr. Robertson and General Canine, they would get.

ADMIRAL ESPE questioned the authority of Mr. Robertson to indicate to the Canadians that they could have the Report. He pointed out that the Board is not obligated to yield the Report without previous consultation.

MR. GODEL voiced the opinion that yielding now would be less embarrassing than denying a specific request that has been pending a long time.

MR. SHELDON suggested sending only the COMINT portion with a letter of transmittal pointing out that other aspects have been made available through other appropriate channels such as the CJSM.

GENERAL SCHOW indicated that the Army favors deletions and doubts the propriety of USCIB or NSA releasing ELINT information.

GENERAL LEWIS asked what specific embarrassment would be likely to ensue if the Report were not released at all.

MR. GODEL said he felt reluctant to give the report US sanction because he views it only as the opinion of an advisory group and, therefore, would consider release on that basis to be the least embarrassing course of action.

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GENERAL LEWIS repeated his question stating that it appeared to be a case of being embarrassed if we don't forward it yet some seemed to feel that there are things in the Report that the Canadians do not need to know. He went on to point out that we normally favor release of mutual defense information to Canada. Therefore, he asked, are the proposed expurgations intended to eliminate U.S. dirty linen that will be embarrassing if left in?

MR. GODEL stated that to withhold release of the report would be to imply greater importance and a degree of official sanction which we are not now prepared to attach to the report. While he personally viewed the report with mixed feelings, it was his impression that a substantial amount of information in the report was already known to the Canadians through our extensive collaboration with them on Continental Air Defense matters.

GENERAL LEWIS disagreed with this view and offered the opinion that it would be valid to refuse the Report on the grounds that it is inadequate. In fact, he said, he felt that there is serious doubt as to the accuracy of the Report.

GENERAL CANINE said that in spite of its shortcomings the Robertson Report was a distinct aid to him in facilitating his responsiveness to early warning requirements.

GENERAL LEWIS expressed puzzlement as to why that should be an argument for giving the Report to Canada. He said he thought it would be better for General Canine to pick out the lessons to be learned and send those to Canada.

GENERAL CANINE answered that if the Report is helpful to him in its present form it will also be helpful to CBNRC whose problems are identical with his.

The ACTING CHAIRMAN asked General Canine if he would prefer to press the matter to a vote or would rather reconsider the problem in the light of the discussion with the view to releasing the COMINT aspects and expurgating as necessary the non-COMINT aspects.

GENERAL CANINE said he would prefer to have the Board take action on the proposal and if the Board's decision should run counter to the views he has expressed he would accept the decision gracefully and get out of the situation as best he could.

MR. GODEL expressed the view that insofar as COMINT matters within the competence of USCIB are concerned, General Canine's proposal is

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acceptable and he would support the views of the Director, NSA in that respect. Other aspects, he said, fall under the cognizance of the Department of Defense. He suggested, therefore, that the Board render a favorable advisory opinion on the COMINT aspect and refer the report to the Secretary of Defense for consideration on the releasability of its non-COMINT aspects.

The ACTING CHAIRMAN said that that had been the intent of his original proposal and asked for the views of other members.

MR. SHELDON suggested that in view of the time element the COMINT aspects might be sent while the other aspects are being further considered.

GENERAL CANINE expressed opposition to the idea of splitting the Report.

There followed a discussion of the feasibility of splitting the Report and the possibility of such action having an adverse effect on future scientific advice owing to the implication that such action might be taken as impugning Dr. Robertson's scientific integrity.

GENERAL CANINE said he asked Dr. Robertson about this very point. Dr. Robertson, he said, had taken the view that the COMINT aspects were inseparable from the whole and he, General Canine, was inclined to agree.

After some further discussion of possible courses of action and how they should be phrased to represent properly the opinion of the Board, it was agreed that the Board would approve the release of the COMINT aspects and, recognizing that certain aspects are beyond the cognizance of the Board, it would direct the Director, NSA to submit the Report to the Secretary of Defense for review of those aspects.

DECISION: (13 August 1954) USCIB approves the release to Canadian COMINT authorities of the COMINT aspects of the NSA Scientific Advisory Board Report entitled "The Potentialities of COMINT for Strategic Warning" as expurgated by the Director, NSA and circulated under cover of USCIB 3.5/3. However, USCIB recognizes that there are certain aspects of this Report that are beyond USCIB's competence to decide and it therefore directs that the Director, NSA submit the remaining portions to the Secretary of Defense for consideration of those aspects.

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