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USCIB: 4.2/16 Item 2 of the Agenda for the Thirteenth Meeting of USCIBEC, held on 26 March 1954.

Subject: Restriction of Travel by Persons having COMINT knowledge (USCIB 4.2/13).

The CHAIRMAN introduced the item by remarking that the proposed directive (USCIB 4.2/13) constituted an old proposal of his modified and redrafted at the Board's direction as a new step in attempting to solve this problem. He explained that the Board had instructed him to place this matter before the Executive Committee and to be prepared to report back the results at the next meeting of the Board.

MR PACKARD pointed out that the reason a similar proposal had been deleted from the draft of what is now USCIB Directive No. 5 is that it was considered a complicated problem requiring lengthy study and, not being directly pertinent to the subject of Directive No. 5, it could and should be considered by SECCOM separately from that paper thus eliminating delay in acting on other important and necessary procedures. He went on to explain that the proposed procedure for restrictions on private travel raises questions of both security and administration which will require further consideration. With regard to security he pointed out first that while State can refuse a passport they also may be required to publicly justify such refusal. Secondly, he pointed out that unusual travel restrictions on a passport renders the bearer conspicuous wherever he has to present his passport. Thirdly, he drew attention to the fact that in addition to four locations within the United States, passports are issued from various Consulates and Embassies abroad bringing to about 70 the total number of offices that would require copies of the name lists. He suggested that the changes that would take place in the required lists plus the fact that restrictions would be required for only certain countries might attract undesirable attention and constitute a security hazard. He continued by stating that administratively there is some doubt as to the effectiveness of applying travel restrictions in the first place, owing to the fact that a U.S. Citizen can enter any foreign country without any passport at all if the country concerned is willing to permit it. In the second place, he pointed out that the size of the list itself may become such a burdensome proposition as to defeat its purpose. He closed his remarks by stating that, while the Department of State would not guarantee that it could place in effect proposals such as those presented and regretted the negative aspect of the arguments just presented, it still felt very urgently the need for some reasonably effective controls. Therefore, Mr. Packard concluded, further careful consideration as a result of working on the instant proposals would be required before State could endorse them as a basis for a Board Directive.

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The CHAIRMAN agreed that Mr. Packard had presented some cogent arguments against the proposal under consideration. He then asked if it is not true that Embassies and Consulates refer to Washington before issuing passports.

MR. PACKARD replied that it is not true.

The CHAIRMAN then pointed out that the proposal at hand does not envisage that the lists to be supplied would contain in them the travel restrictions to be applied to each individual. He explained that it is intended that such restrictions be a matter of decision in each case when occurring. He went on to say that he would like to emphasize the fact that the purpose of the proposed directive is to minimize the likelihood of another Anderson case. He said that he recognized the fact that willful violation of travel restrictions would be impossible to preclude effectively.

There followed a brief and inconclusive discussion of what might have happened in the Anderson case if the proposed directives had been in force.

In the discussion that followed it was agreed that the objective of the proposed directive is acceptable but that modifications to meet the practical difficulties involved are required.

MR. PACKARD said his Department would like to work further on the proposals to see if, with the modifications required, it is still worth pursuing.

LT. COLONEL LONG pointed out that the Army can't police everyone that goes through ASA and then becomes a civilian. He said that the Army is working on a study to see if arrangements can be made to discharge cleared people within the U.S. thus providing a "cooling off" period from their foreign enthusiasms. He suggested that the Committee adopt a policy amendment to the instant proposals providing that Member Agencies will not allow people with COMINT knowledge to accept employment outside the continental U.S.

The Committee consensus was to the effect that such a provision might not be enforceable and that no action should be taken on it at this time.

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The CHAIRMAN proposed that he and the State Member collaborate on a revision of the proposed directive on the basis of making it practicable for use in the majority of cases so as to simply minimize to the maximum feasible extent likelihood of undesirable foreign travel in a private capacity. He said that the objective should be to protect against thoughtless or foolish risks in recognition of the fact that protection against willful violation of restrictions is a much more complicated and difficult proposition.

This suggestion was generally agreed with the added caution to have due regard for the rights of the individual.

DECISION: (26 March 1954)

1. That the Department of State Member, using USCIB 4.2/13 as a working paper and collaborating with the Executive Secretary as necessary, would attempt to develop procedures compatible with practical considerations of security and administration and report back to USCIBEC.

2. That the Security Committee is relieved of responsibility for further action on this subject at present.

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