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Item 2 (continued)

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3. SUSLO asks additionally whether we wish to include [redacted] explaining that hints have been dropped that the [redacted] have approached the British. Although USCIB has already taken the view that a discussion of COMINT arrangements with [redacted] is not appropriate at this time, the Board may wish to reconsider this action.

4. The Working Committee met on 7 May 1954 to prepare U.S. position papers for the forthcoming conference. The NSA representative tabled two papers proposing that certain basic statements of USCIB policy be enunciated. The CIA representative tabled a paper setting forth CIA's proposal for a U.S. policy on COMINT arrangements with the [redacted] countries.

5. Detailed discussion of these papers revealed basic points of difference which will require resolution by USCIB. These differences have been listed in the report of the Working Committee circulated as USCIB 29.18/2. In addition, NSA and CIA have included additional facts to substantiate the positions taken by each.

CURRENT CONSIDERATION

6. The members of USCIB have been asked to consider the report of the Working Committee in order to provide further policy guidance to that group.

7. The essential elements of NSA's position have been detailed in the report of the Working Committee.

8. The discussion on this item will doubtless be lengthy and at least some of the members will tend to lose sight of the basic issues.

9. The position of the Director, NSA, is as follows: With respect to Third Parties from whom, to some degree, we will obtain COMINT material, there are at present three methods described and two ways employed for obtaining it.

10. The two methods both described and employed are as follows:

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I. We get COMINT material under arrangements which are completely covert in nature. When this is done, normally non-COMINT rules prevail and the collateral provisions of the UKUSA Agreement prevail with respect to exchange and use of such COMINT.

II. By virtue of contacts with foreign governmental officials, not acting as private individuals, we get COMINT material in return for cash, equipment and, on occasion, limited technical information. This type of arrangement is governed by Appendix P of UKUSA and paras. 4 and 5 in particular apply.

11. Then there is the third method for obtaining COMINT material, a method described but not employed (This method has been approved for but not yet implemented):

III. This method establishes an arrangement with a foreign government, through an official not acting as a private individual, designed to obtain COMINT material in return for payment in kind providing technical material going beyond the limits of para. 5 of Appendix P.

12. With respect to Method II above, we feel such should be conducted by a USCIB member other than NSA; that the relations should be held as rigidly as possible within the terms of para. 4 of Appendix P, with the least possible evoking of para. 5. We don't wish to further relax these rules because that would only lead to an unworkable variety of rules for a variety of nations.

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13. With respect to Method III above (provided for but not employed). This Method is provided for by para. 6 of Appendix P. It is the NSA view that the time has come for us to attempt to make COMINT arrangements with the [redacted] within the terms of para. 6. If this is done, and because of the technical nature of the exchange of COMINT materials, we feel that NSA is the one member of USCIB uniquely qualified to monitor this type of operation and insure that Board policy is observed.

RECOMMENDATION

14. We want USCIB to agree in principle that the U.S. is ready to enter into COMINT collaboration with the [redacted], if a detailed investigation by the working group supports such a step. The investigation would be based on the following criteria:

- a. the country must have a COMINT organization of sufficient competence to warrant collaboration on technical problems.
- b. there would be no objection from the standpoint of security of the nation involved.
- c. there are no political objections to such collaboration that would invalidate it.
- d. such collaboration could be expected to produce additional COMINT material, improve its quality and expedite the receipt of such material.

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15. If detailed consideration of the above factors by the Working Group rules out collaboration with any one or more of the nations, USCIB should instruct the Working Group that it wishes to go no further than at present and that consideration should be given to the possibility of retrenchment from our present position. Otherwise, it is the consensus of the Board that COMINT collaboration should be undertaken with these three nations along the lines laid out by the Director in his supporting paper.

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