

~~SECRET AMBLE~~~~SECRET AMBLE - U.S. EYES ONLY~~EO 3.3(h)(2)
PL 86-36/50 USC 3605CONFIDENTIAL FINALSUBJECT NUMBER

USCIB: 13.7/23

Item 3 of the Agenda for the Fifteenth Meeting of USCIBEC, held on 28 May 1954.

Subject:

Exploitation of [] Plain Text
(USCIB 13.7/16).

The CHAIRMAN (Captain Taylor) informed the members that this item is presented by the Intelligence Committee as one indicating rather prompt action on behalf of this Committee and the Board. He explained that the basic problem concerns a request by Navy representatives that LSIB approval be sought for the assignment of tactical and operational []

[] to Category I without delay, and further, that LSIB authority be obtained to permit immediate assignment of tactical and operational []

[] respectively) to Category I should it be desirable.

felt that this step should be taken apart from the total problem of MR. POLYZOIDES stated that he ~~was not very happy with the proposal, but would not hold back if the rest of the members wished to approve it~~ assigning materials to Category I.

LT. COLONEL LONG said that he would be willing to approve the proposal in principle with the recommendation that we not go to the British concerning it.

The CHAIRMAN explained, in the absence of the Intelligence Committee Chairman, that as yet there is no U.S.-U.K. agreement upon categories beyond the provisions of paragraph 11, Appendix B; however, he added that NSA has proposed lists of material to be included in the several categories and that these lists are now being considered by GCHQ. He pointed out that LSIB approval is required before the plain text in question can be officially considered Category I.

CAPTAIN McCORMICK informed the members that all during the Korean war the material contained in [] had been used in disguised form, classified CONFIDENTIAL, with LSIB approval. He explained that the present Navy need for use of this information is largely for pre- and post-flight briefings under conditions which keep the information in COMINT channels until used. He urged approval of the INTCOM proposal, expressing his opinion that there is a current operational need for [], and that there is little or no risk to the COMINT effort in its use as proposed.

The members discussed the subject of current operational need for this traffic. It was brought out that though the planes and pilots it would assist are not now in actual combat, it is foreseeable that a combat situation may arise at any time, and, in such an event, it would be completely impractical to wait for USCIB-LSIB approval to go ahead.

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CAPTAIN McCORMICK maintained that by approving the proposed action now, administrative delays at a future, possibly critical time could be avoided.

MR. POLYZOIDES stated his opinion that approval of the proposal would, in effect, usurp NSC and IAC prerogatives for decision and action - a move not within the competence of USCIB.

MR. GODEL said that it is his understanding that the information in question is to be used only when certain U.S. Navy elements are involved in combat situations. This being the case, he said he is prepared to vote that the day such an incident occurs the material may be used.

The CHAIRMAN pointed out that this action could be construed as a violation of the BRUSA Agreement, in that there is now no agreed list of Category I material in being.

The CHAIRMAN and MR. PATTON reviewed the history of the Category listings, pointing out that the NSA-proposed list is now in GCHQ hands for consideration. The Chairman stated that while the British have had the proposed list for some time the fault is not entirely theirs in that certain delays were encountered in getting the list on its way to GCHQ.

CAPTAIN McCORMICK said that he could not foresee any U.K. objection to the instant proposal in view of their acceptance of the use of similar information during the Korean hostilities.

The CHAIRMAN stated that it had been our intent to have categorization, and other aspects of new Appendix B, implemented by this time thereby obviating the necessity for actions such as those being considered; however, in view of unexpected delays in formalization of Appendix B arrangements, it is necessary to give individual attention to problems arising in the interim. He informed the members that every effort he considers reasonable has been made to speed up action on implementation, and added that he would be reluctant to prod the British further at this time.

In the ensuing discussion on the nature of an approach to the U.K. with regard to the specific problem of [redacted] it was brought out that the emergency provisions of the UKUSA Agreement may be adequate to cover the situation to the satisfaction of the Navy member. This possibility was considered at length and the members were ultimately in agreement that, in the event of an emergency as described by the Navy member, there exists authority to proceed with the use of [redacted] information (in disguised form) in the manner outlined in USCIB 13.7/16, and described more fully in the foregoing discussion. It was

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agreed, further, that this authority rests also with other Service members of the Board, and that exercise of this authority is conditional upon prompt notification to USCIB of action taken.

The members then discussed possible means of expediting the official assignment of [] to Category I. It was agreed that this can best be accomplished by requesting that the Director, NSA attempt to have GCHQ action on assignments to Category I separated from the remainder of the categorization problem and handled as a matter of priority.

DECISION: (28 May 1954) USCIBEC agreed not to accept the Intelligence Committee recommendations contained in USCIB 13.7/16. Instead, USCIBEC agreed to recommend to USCIB that:

- a. The existing emergency provisions of Appendix B, UKUSA, be considered adequate to cover the situation described, pending further LSIB-USCIB action to formalize categorization.
- b. The Director, NSA proceed as expeditiously as possible in an effort to reach agreement with GCHQ on the details of categorization and that, in so doing, he endeavor to have action with regard to Category I separated from the overall problem in order that this aspect may be formalized with the least practicable delay.

This item to be dropped from the agenda.

The meeting adjourned at 1600.

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