



NATIONAL SECURITY AGENCY
WASHINGTON 25, D. C.

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

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2 September 1954

MEMORANDUM FOR THE MEMBERS OF USCIB

SUBJECT: Terms of Reference for Negotiating a New COMINT Agreement with [redacted]

1. In accordance with the decision reached by USCIB at its 105th meeting on 13 August 1954, an ad hoc committee was convened to draw up terms of reference for negotiating a new COMINT agreement with [redacted]. The committee was composed of representatives of STATE, CIA, NSA, Army, Navy, and Air Force; the NSA member was Chairman.

2. In its deliberations, the committee was guided by the provisions of paragraph 15 of the Final Report of the UKUSA [redacted]

[redacted] (1954) and paragraph 3 of inclosure 4 with USCIB 29.18/8.

3. At its final meeting on 1 September 1954, the Committee unanimously approved the inclosed draft entitled "Terms of Reference for the Negotiation and Implementation of a New COMINT Agreement with [redacted]" and agreed to forward it to USCIB with a recommendation for approval.

John J. Davis
JOHN J. DAVIS
Colonel, Arty
Chairman, Ad Hoc Committee

Incl:
a/s

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1 September 1954

TERMS OF REFERENCE FOR THE NEGOTIATION
AND IMPLEMENTATION OF A NEW COMINT
AGREEMENT WITH [REDACTED]

PHASE I - INITIAL APPROACH

1. An initial approach will be made by a representative of the Director of Central Intelligence to the Chief of the [REDACTED] [REDACTED] to obtain his concurrence to certain general principles and to make arrangements for a conference to draw up an expanded U.S. [REDACTED] COMINT Agreement. The CIA representative will make statements to the following effect:

- a. That the U.S. COMINT authorities have approved policy which permits a new and expanded relationship with the [REDACTED] in the COMINT field.
- b. That through this new relationship the [REDACTED] could expect the answers to the technical questions previously posed by them and a good deal more as well, as the U.S. is now willing to enter into an extensive technical exchange on the [REDACTED] problems being worked by the [REDACTED]
- c. That in return for this, the U.S. has certain requirements for reports and materials which it would expect the [REDACTED] to fulfill to the best of their ability. Listed in Tab A is a summary of major U.S. requirements.
- d. That if the above is acceptable to the [REDACTED] in principle, the U.S. suggests that a conference be planned for the drawing

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up of an agreement. That the U.S. would welcome [] suggestions as to the exact form such an agreement should take and on the timing of such a conference. For the conference, the U.S. would send qualified COMINT technicians to participate and to elaborate on the technical details of exchange.

e. That the U.S. places such high hopes on this technical exchange that it is willing to assign a fully qualified COMINT technician to [] to carry on liaison with members of the [] COMINT Service, provided a mutually acceptable arrangement can be agreed.

f. That, since this new relationship, as envisaged by the U.S., will involve the exchange of unusually sensitive information, there will of course have to be certain mutual limitations and safeguards for the protection of both the information exchanged and the fact of the relationship itself. In this connection, as a prelude to the conference, the U.S. COMINT authorities would like assurances that the [] COMINT Service and other users of COMINT in [] will conform to certain minimum standards, already practiced by the U.S., which are herewith being provided (Attached as Tab B).

2. In addition to the above, the CIA representative will endeavor to elicit information as to the decision on the relative roles in COMINT that the [] may have.

PHASE II - NEGOTIATION

3. The following specific principles will govern the negotiation with the [] of a new COMINT agreement:

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- a. As approved by USCIB 29.18/8, the Director of Central Intelligence will be responsible for the negotiation of a new COMINT agreement with the [] in accordance with para. 15 of the UKUSA Conference Report (Attached as Tab C) and the technical specifications determined by the Director, NSA.
- b. NSA representatives will participate with the CIA representatives at the negotiations and, within the limitations of Tabs D and E, will determine the precise technical nature of the collaboration with []
- c. The negotiators will attempt to ascertain that, under this new agreement, the [] actually represents all [] COMINT activities.
- d. When the [] are invited to join the SHAPE 'Y' organization, the Director, NSA, will be identified. Therefore, the NSA representatives at the negotiations will be introduced as representing the head of the COMINT collection and production Agency in the U.S.
- e. The negotiators will endeavor to fulfill all the objectives and requirements set forth in Tabs F and D.
- f. The negotiators will endeavor to obtain [] agreement that the NSA Liaison Officer to be stationed in [] may have direct and frequent (at least twice a week) contacts with [] COMINT technicians. Such contacts will be a pre-requisite for the new COMINT agreement with the [] but the requirement will be satisfied provided the [] can make the contacts in some secure place, not necessarily actual [] COMINT installations, where full discussions, papers, and exchange of materials and ideas may take place.

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g. The negotiations should take place in [] on a date mutually acceptable to the [] and the U.S., preferably in October 1954.

h. Obtaining of [] approval to passing copies of their material to the U.K. and revelation of UKUSA collaboration will be in accordance with para. 15c of the UKUSA Conference Report (See Tab C).

i. 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.

PHASE III - IMPLEMENTATION

4. It is considered that, at the outset, [] authorities will consider the new COMINT agreement as an unusually delicate matter and will desire that it be implemented on as inconspicuous a basis as possible. It is considered further that, in the development of this collaboration, the [] will, of necessity, handle it in a manner similar to existing []-U.S. intelligence relations. The program for implementing this new agreement may, therefore, have to accommodate both (1) this situation in [] and (2) the U.S. desire that it be handled apart from other intelligence relations, but without detriment to vital non-COMINT intelligence relations. Accordingly, the new agreement will be implemented as follows:

a. The Director, NSA, will be responsible for the conduct of COMINT collaboration with the [] in accordance with the terms of this new agreement. Present CIA commitments for the provision of cash and

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equipment to the [] will be met under arrangements approved specifically by the Director of Central Intelligence.

b. The Director of Central Intelligence will assist the Director, NSA, in the development of this COMINT collaboration. The Director of Central Intelligence will be responsible for assuring that COMINT arrangements are separate from non-COMINT arrangements, insofar as practicable.

c. The Director of Central Intelligence and the Director, NSA, will resolve any conflicts between COMINT and non-COMINT arrangements.

d. The foregoing responsibilities will be discharged in [] by the NSA Liaison Officer and the Senior CIA Representative respectively and as follows:

(1) Each will keep the other fully informed as to the development of the COMINT arrangements on the one hand and, on the other, as to those problems which may arise in connection with the inter-relationship of COMINT and non-COMINT arrangements. (In Washington the Director, NSA, and the Director of Central Intelligence will keep each other similarly informed.)

(2) In assisting the NSA Liaison Officer, the Senior CIA Representative will establish the pattern for NSA contact with [] authorities on a basis mutually acceptable to themselves and the []

(3) In any instance when, in the judgment of the CIA Representative in [] an action on the part of the NSA Liaison Officer in the conduct of COMINT collaboration would adversely affect vital non-COMINT

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arrangements, such action will be suspended or held in abeyance pending resolution of the matter by the Director of Central Intelligence and the Director, NSA.

(4) The NSA Liaison Officer will have a private crypto-channel for direct communication with the Director, NSA. This channel will be the exclusive channel for passing communications which must be handled in COMINT channels only.



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~~TOP SECRET~~EO 3.3(h) (2)
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WHICH [REDACTED] COULD BE EXPECTED TO FULFILL

1. A limited intercept search and development program to determine the extent of [REDACTED]

[REDACTED] above and beyond their normal coverage assignments.

2. [REDACTED]

3. It is estimated that approximately 100 additional [REDACTED] intercept operators will eventually be required to accomplish 1 and 2 above, in addition to maintaining present intercept coverage.

4. Improved D/F support.

5. Increased speed in forwarding of material, together with complete copy of traffic now forwarded in skeletonized form.

6. Spot reports of significant developments noted in [REDACTED]

[REDACTED] daily intelligence summaries (Intsum) to supplement the point-of-intercept reports of communication activity now provided (Tecsum), and a modification of the point-of-intercept reports to include more technical material.

Tab A

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~~TOP SECRET~~~~TOP SECRET~~MINIMUM STANDARDS FOR THE SECURITY AND DISSEMINATION OF COMINT

1. COMINT, as used herein, refers to all information derived from the processing of traffic procured by listening to foreign communications, including voice transmissions, for the purpose of producing intelligence. It includes raw traffic, end-products, technical material, methods and techniques, working documents, and other special material used in its production. It also includes intelligence reports and summaries based on COMINT unless the information is so generalized that it cannot be traced back to a particular item of COMINT or to COMINT in general.
2. Each Government will designate a national authority to deal with all questions of COMINT security and enforce these principles.
3. Before an individual in any capacity has access to COMINT, he must be screened in accordance with standards and procedures established by the national authority and cleared as being of unquestioned loyalty. The screening must be as thorough as possible and at least as thorough as that given to individuals having access to TOP SECRET information of similar sensitivity. In addition to such clearance, these individuals must be specifically nominated by the national authority to have access to COMINT information.
4. Prior to being given access to COMINT, each individual will be indoctrinated for COMINT by a special warning on the sensitivity to compromise of COMINT sources and will be required to sign a document drawing

Tab B

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attention to his special responsibility for safeguarding COMINT information and to the consequences provided if, either by intent or negligence, he allows COMINT information or material to come to the notice of unauthorized persons. It must be stressed that there is no time limit, in that the information must be safeguarded indefinitely.

5. Distribution of COMINT must be on the need-to-know principle, i.e., each item of COMINT information or material shall be made known only to those COMINT indoctrinated individuals who require it in the performance of their duties. Control lists of individuals indoctrinated for COMINT will be maintained by each government. The number of indoctrinated individuals will be kept to the minimum consistent with essential intelligence and operational needs.

6. All possible steps will be taken to prevent the risk of capture or interrogation of COMINT indoctrinees by enemies or potential enemies. In general, no risks should be taken other than those necessary for the efficient performance of their duties.

7. The greatest care must be taken not to betray COMINT success by actions based on it. The source should on no account be needlessly risked.

8. Each government will observe mutually agreed minimum standards with respect to classification, transmission and physical security of COMINT.

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EXTRACT FROM RECOMMENDATIONS OF UKUSA

[REDACTED] 12-21 JULY 1954

15. Specific agreements in respect of future UKUSA Comint negotiations and arrangements with [REDACTED]

It is agreed in respect of developing the required expanded UKUSA Comint arrangement with [REDACTED]:

- a) The U.S. shall be the UKUSA channel for the negotiation and conduct of arrangements with [REDACTED]. (See sub-paragraph (j) below).
- b) The U.S. offer of technical Comint assistance to the [REDACTED] shall be made contingent on [REDACTED] agreement to UKUSA exchange of all Comint materials provided by the [REDACTED] to the U.S.
- c) UKUSA collaboration will be revealed to the [REDACTED] as follows:
- (i) The U.S. will request permission of the [REDACTED] to pass the materials received from them to the U.K. in order to fulfill the request made previously.
- (ii) The U.S. will state that, in return for this permission, the U.S. will incorporate [REDACTED]
- (iii) The U.S. will state further that the above will be done with the knowledge and consent of the U.K.
- (iv) The U.S. will inform the U.K. beforehand of the intended timing of this move so that the U.K. can thereafter confirm to the appropriate [REDACTED] authorities that the U.S. approach was made with U.K. knowledge and approval.
- d) For the conduct of UKUSA Comint arrangements with the [REDACTED] Director, NSA shall be free to station a Senior Comint representative in [REDACTED] but no [REDACTED] personnel shall be accepted at NSA or GCHQ.
- e) The U.S. shall obtain an assurance from the [REDACTED] that they will adhere to personnel, physical and Comint security standards at least equivalent to the appropriate UKUSA standards.
- f) Comint materials received by the U.S. from [REDACTED] shall be placed in Comint channels as soon as possible and be classified on the same basis as corresponding UKUSA material.

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- g) All Comint materials and information received by the U.S. from [] shall be immediately exchangeable within UKUSA.
- h) In the course of new negotiations with the [] Comint service the U.S. shall endeavour to attain the objectives stated in paragraph 8 above.
- i) The U.S. shall endeavour to complete new UKUSA arrangements with [] within a reasonable period of time (as defined in paragraph 13): thereafter UKUSA policy toward [] shall, if necessary, be mutually re-examined with a view to determining whether a new approach is required. Until the lapse of that period of time the U.K. will refrain from attempting to develop any new Comint arrangements with [].
- j) The RAF will withdraw from active participation in the development of the Comint aspects of the Early Warning arrangements with the [] as soon as the U.S. can demonstrate to the U.K. that the [] will receive assistance from the U.S. at least equivalent to that then being provided by the RAF in all aspects of [] Comint activities.
- k) The RAF may complete the provision of that training and equipment to which the RAF is already committed as set forth in Tab A. If the [] Comint operations should reach the stage of justifying UKUSA technical Comint assistance before the U.S. is in a position to provide this assistance, the U.K., after consultation with the U.S., may provide this assistance within the exchanges specified in paragraph 5 of Appendix P to the UKUSA Agreement.
- l) Before the RAF withdraws, the RAF may, at a time agreed by the U.S. and U.K., inform the [] that, in conformity with U.S.-U.K. understanding about supply of assistance to the [] Comint activities, it has been concluded that the U.S. should take over assistance to the [] in Comint matters, and that before agreeing with this, the RAF had obtained satisfactory assurances that the [] would receive full assistance from the U.S.

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UKUSA COMINT REQUIREMENTS BASED ON EXISTING KNOWLEDGE OF [redacted]

1. In the absence of detailed information concerning [redacted] potential, it is not possible to list exhaustively the additional UKUSA Comint requirements which the [redacted] might be expected to fulfill. Some additional requirements, based on existing knowledge of [redacted] [redacted] are listed below. These requirements should be reassessed on the basis of analysis of the results of the [redacted] search and development programs indicated as the first requirement in the following list:

a. Intercept: Additional Targets:

- (1) A limited search and development program to determine the extent of [redacted] [redacted] above and beyond normal coverage assignments.

- (2) [redacted]
- (3) [redacted]
- (4) [redacted]
- (5) [redacted]
- (6) [redacted]

b. Intercept: Positions Required:

To accomplish the above and maintain present intercept, it is estimated that [redacted] would have to expand from 20 positions to a total of 46 positions as follows:

TARGET

Number of Positions

<u>TARGET</u>	<u>Number of Positions</u>
[redacted]	[redacted]

TAB D

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- c. Improved D/F support.
- d. Complete copy of traffic now received in skeletonized form.
- e. Spot reports and daily Intsums to supplement the point-of-intercept Tecsum reporting now provided, and a modification of the Tecsum to include more material.
- f. Reduction in delay in the receipt of raw material.

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TECHNICAL COMINT ASSISTANCE
TO BE PROVIDED TO [redacted]

1. Para. 12 d of the UKUSA Conference Report provides that the selection of [redacted] will be controlled by the Director, NSA, and the Director, GCHQ, through machinery to be agreed by them and on the basis of agreed appreciations of the technical competence of the [redacted]

2. A list of technical COMINT materials which may be released to [redacted] is being prepared by the Director, NSA, for concurrence of the Director, GCHQ. The agreed list will be provided to the U.S. representatives prior to the negotiation of the agreement with [redacted]

Tab E

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EXTRACT FROM RECOMMENDATIONS OF UKUSA

[REDACTED] 12-21 JULY 1954

8. Objectives of expanded UKUSA Comint arrangements with [REDACTED]

It is agreed that the UKUSA objectives in expanded Comint arrangements with [REDACTED] are as follows:

- a) To negotiate Comint arrangements with these countries that will provide maximum assurance of continuity.
- b) To meet the requirements for additional and improved Comint materials and services listed in Tab A paragraph 14 and Tab B paragraph 13. (It is, however, noted that the requirement for control of a D/F station in [REDACTED] has not yet been formulated in detail, and that meeting this requirement must be the subject of further UKUSA consultation).
- c) To expand [REDACTED] Comint efforts to permit their fulfillment of UKUSA requirements for information on targets not otherwise accessible to or not fully covered by UKUSA resources.
- d) To enable UKUSA where possible to guide the Comint efforts of [REDACTED] on tasks whose performance by them is of maximum advantage to UKUSA.
- e) To improve [REDACTED] Comint so as to obtain for UKUSA the best quality Comint results from those countries.
- f) To achieve the above objectives with minimum risk to the UKUSA Comint effort.
- g) To compartment UKUSA Comint arrangements with [REDACTED] as far as is feasible, from other U.S. or U.K. intelligence arrangements with those countries.

Tab F