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JOINT MEETING OF
ARMY-NAVY COMMUNICATION INTELLIGENCE BOARD
AND
ARMY-NAVY COMMUNICATION INTELLIGENCE COORDINATING COMMITTEE
1 November 1945
SUMMARY

Action To Be Taken By Committee Members

| | Action To Be Taken | Responsibility |
|---|---|---|
| 1. | Obtain, duplicate, and forward for distribution by the Secretariat the security regulations proposed by the British. (Page 16) | Op-32 |

Action To Be Taken By Secretariat

| | | |
|---|---|---|
| 1 | Prepare and distribute final draft of the U.S -British Agreement as approved in this meeting. | |



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MINUTES OF THE JOINT MEETING OF
ARMY-NAVY COMMUNICATION INTELLIGENCE BOARD
AND
ARMY-NAVY COMMUNICATION INTELLIGENCE COORDINATING COMMITTEE
1 November 1945

Members present:

ANCIB

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| Army. | Brig. General W. Preston Corderman*<br>Captain Robert F. Packard* |
| Navy: | Rear Admiral Joseph R. Redman<br>Commodore Thomas B. Inglis<br>Lieutenant John V. Connorton*<br>Lieutenant (j g.) J. F. Callahan* |

ANCICC

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| Army. | Brig. General W. Preston Corderman*<br>Captain Robert F. Packard* |
| Navy | Captain J N. Wenger<br>Captain P R. Kinney<br>Captain W R Sredberg, III<br>Lieutenant John V Connorton*<br>Lieutenant (j.g.) J. F. Callahan* |

Also present:

| | |
|---|---|
| Army: | Lt. Colonel Thomas E Ervin (representing General Clarke and General Bissell) |
| GCCS: | Sir Edward Travis<br>Group Captain Eric M. Jones<br>Mr. F H. Hinsley |

*Dual membership

A joint meeting of ANCIB-ANCICC and representatives from GCCS was held at 1000 on 1 November 1945 in the office of

Rear Admiral Joseph R. Redman, Chairman, ANCIB The meeting was called for further discussion of the proposed Anglo-American Agreement regarding collaboration in communication intelligence.

Purpose of the Meeting.

Admiral Redman stated that this meeting had been called to discuss the new version of the Draft Agreement concerning U.S.-British collaboration in communication intelligence prepared by Mr. Hinsley and the Secretariat on the basis of the discussion of previous drafts during the ANCIB-ANCICC meeting with the British representatives held on 29 October 1945 Copies of this amended Draft Agreement, dated 31 October 1945 (see Inclosure A), had been distributed on the preceding day. Admiral Redman recommended that the amended Draft Agreement be discussed paragraph by paragraph and called for the comments of all present as regards paragraph 1.

Parties to the Agreement (paragraph 1 of the Draft Agreement).

General Corderman raised the question as to whether the word "information" in footnote 1 adequately covers all types of intelligence within the meaning of communication intelligence Both Captain Wenger and Mr. Hinsley indicated their feeling that the word "information" is adequate inasmuch as all the various types of intelligence within the meaning of communication intelligence will be included in the security regulations to be prepared in accordance with paragraph 10 of this Agreement Colonel Ervin and Captain Smedberg were in agreement that the word "information" is sufficiently inclusive. Sir Edward Travis pointed out that the British customarily use the word "information" to indicate the various types of intelligence concerned, and recommended that its use in footnote 1 be approved. As a result of the above discussion, all present agreed that "information" be unchanged.

Lieutenant Connorton raised the question as to the advisability of inserting the word "collection" immediately prior to "production and dissemination" in the text of footnote 1. Admiral Redman agreed with the feeling of Captain Wenger that this addition to the definition of communication intelligence would be advisable. In view of the fact that this Agreement will be used extensively in the future by individuals who have not been associated with its drafting, they both felt that the definition of communication intelligence should allow no possibility of question as to the scope

of the processes involved. Sir Edward Travis indicated that, although he did not consider the addition of the word "collection" as necessary, he was not opposed to its inclusion. All present agreed that the text of footnote 1 should be changed to add the word "collection" as recommended by Lieutenant Connorton.

The text of paragraph 1 with its two footnotes was approved as changed

Scope of the Agreement (paragraph 2 of the Draft Agreement).

Pointing out the difficulty in determining the extent to which various types of collateral material may be considered as necessary for techincal purposes, General Corderman recommended that the word "necessary" in the text of paragraph 2 be replaced by the word "applicable." He indicated that the selection of collateral materials for exchange will be made largely by technicians, and that techincians from the several agencies will likely have difficulty in reaching a mutual understanding as to the degree to which various types of collateral material may be considered necessary for work on specific problems. However, agreement among the technicians will be more easily reached if the applicability rather than the necessity of collateral materials is established as a criterion for exchange All present were in agreement with General Corderman It was directed that the text of paragraph 2 be changed to read "applicable" as recommended by him.

Extent of the Agreement--Products, Methods, and Techniques (paragraphs 3, 4, and 5 of the Draft Agreement).

As a basis for discussion of the three proposals regarding the extent of exchange of products, methods, and techniques (Proposals A, B, and C), Lieutenant Connorton outlined the differences between the proposals The Secretariat had prepared three different proposals in an effort to present the varying viewpoints which had previously been expressed as regards exchange of products, methods, and techniques. It was intended to specifically delineate the extent to which exchange of the products of communication intelligence operations will be effected It was further intended to allow work on particular foreign communications to be excepted from exchange by mutual agreement and to allow each party to withhold information regarding methods and techniques when its special interests so require.

Proposal A. Paragraphs 3, 4, and 5 of Proposal A constitute a rearrangement of these paragraphs as they were written into the preceding draft. However, with the exception of the substitution of the wording suggested by Captain Wenger at the meeting on 29 October for the original statement regarding the withholding of information about methods and techinques, the text of this proposal follows the wording of the preceding draft as closely as possible. The paragraphs are rearranged so as to treat the exchange of products and the exchange of information about methods and techniques separately It is intended to minimize the distinction between collaboration in the various operations (branches) of communication intelligence and collaboration on particular foreign communications (tasks). Allowance for certain exceptions to complete collaboration in work on particular foreign communications is provided through agreement as regards the exchange of products. The paragraph concerning the withholding of information about methods and techniques is palced last among the three paragraphs in order to indicate that its provisions are not subject to agreement regarding the exchange of products Its provisions may be applied to any operation. They are applicable to work on any particular foreign communications regardless of the extent to which the products of such work are exchanged or restricted by mutual agreement.

Proposal B Paragraphs 3, 4, and 5 of Proposal B are arranged in the same order as in the preceding draft. With the exception of such minor differences in the wording of the last paragraph as are necessitated by its location, the text of this proposal is similar to that of Proposal A and follows the wording of the preceding draft as closely as possible. Although exchange of products and exchange of information about methods and techniques are treated separately, the arrangement of the three paragraphs emphasized the distinction between collaboration in various operations (branches) of communication intelligence and collaboration on particular foreign communications (tasks). The paragraph concerning the extent of exchange on particular foreign communications is placed last among the three paragraphs in order to indicate that its provisions will control the exchange of products, methods, and techniques as outlined in the other two paragraphs. Accordingly, mutual agreement to restrict exchange of the products of work on any particular foreign communications will preclude the exchange of information about methods and techniques involved therein.

Proposal C. The provisions of Proposal C are essentially the same as those of Proposal A. Paragraphs 3 and 4 of Proposal C constitute a consolidation of paragraphs 3, 4, and 5 in the preceding draft. Consistent with Proposal A, they constitute a rearrangement of these paragraphs in order to treat the exchange of products and the exchange of information about methods and techniques separately and to minimize the distinction between collaboration in the various operations (branches) of communication intelligence and collaboration on particular foreign communications (tasks). However, within the text of Proposal C, the wording of the preceding draft has been changed to accommodate the rearrangement and consolidation of paragraphs and to place greater emphasis upon unrestricted exchange. Allowance is made for exceptions to complete exchange as regards products, methods, and techniques. This proposal was prepared and submitted by Mr Hinsley to effect a more balanced arrangement of the elements which comprise this section of the Draft Agreement. It was his desire to place primary emphasis upon unrestricted exchange.

Colonel Ervin indicated that General Clarke considers Proposal C to be the most satisfactory presentation. Indicating his agreement with Colonel Ervin, General Corderman recommended that the discussion of these paragraphs of the Draft Agreement be based on Proposal C. He felt that the meaning of Proposal C is substantially the same as that of Proposal A, but that the arrangement and wording of Proposal C is more satisfactory It was temporarily agreed that Proposal C should be used as a basis for the ensuing discussion.

Making reference to subparagraph 3(a)(4), General Corderman raised the question as to the need for a specific definition of "cryptanalysis" in view of the distinction made between the products of cryptanalysis and methods and techniques of cryptanalysis. Noting that in subparagraph 3(d) of both Proposal A and Proposal B the products of "cryptanalysis" had been defined as "(i.e., code and cipher recoveries)," he felt that such limited definition does not include all the products of cryptanalysis. As regards the distinction between products of cryptanalysis and methods and techniques of cryptanalysis, code and cipher recoveries are not the only products of cryptanalysis. If, as is indicated by the lack of any qualifying definition, the entire scope of the product of cryptanalysis is to be included within the meaning of subparagraph 3(a)(4), methods and techniques are also among its products. He recommended further clarification of this point. Captain Wenger stated that the phrase "(i e , code and cipher recoveries)" should be added to

subparagraph 3(a)(4) inasmuch as it had been intentionally included within the text of previous drafts in order to define those products of cryptanalysis which should be subject to complete exchange or excepted from complete exchange by mutual agreement only. It had been his intention that, in general, only the product of cryptanalytic work on current problems should be included within the meaning of paragraph 3. The withholding of information about methods and techniques, and particularly methods and techniques involved in non-current or non-production problems, should not be subject to mutual agreement. Indicating his agreement with Captain Wenger, Admiral Redman restated the naval position as regards those products of cryptanalysis which should be subject to complete exchange or reservation by mutual agreement and those particular products of cryptanalysis (methods and techniques) which might be withheld by either party when its special interests so require. Mr. Hinsley indicated his feeling that no qualification upon the extent of "cryptanalysis" within the meaning of subparagraph 3(a)(4) is necessary inasmuch as paragraph 4(b) provides for the restriction of information about methods and techniques resulting from any cryptanalytic work.

Sir Edward Travis indicated his feeling that the provisions of paragraph 4(b) adequately delimit the exchange of information about methods and techniques involved in or resulting from all the operations listed in subparagraph 3(a). Reviewing the British position as regards over-all collaboration, he pointed out that he had come to Washington with authority from the London Sigint Board to arrange complete (100%) collaboration. He reiterated his feeling that collaboration should be complete and that any exception thereto can only lead to suspicion between the parties to the Agreement. He felt that, as a matter of practical operation, restrictions applied to collaboration and exchange will reduce the working efficiency of all parties to the Agreement However, if it is necessary to allow for the exceptions specified in paragraph 4(b), he is willing to accept them. In view of the directive with which he came to Washington it will be necessary for him to refer these exceptions to London. Admiral Redman indicated his feeling that the British and ANCIB had entered these negotiations with different viewpoints as regards the extent of collaboration. He did not feel that the British could expect to secure an agreement allowing for complete collaboration and exchange in all operations of communication intelligence. In his view, these negotiations are exploratory, requiring that concessions be made by both

parties. Sir Edward Travis pointed out that, inasmuch as the exceptions to complete collaboration had been thoroughly discussed at several previous meetings, he could see no need for further discussion of this point. He merely wanted to make his position clear as regards the necessity of referring this matter to London.

Returning to General Corderman's proposal that "cryptanalysis" in subparagraph 3(a)(4) be more adequately defined, Admiral Redman indicated his approval of the phrase "(i.e., code and cipher recoveries)." Satisfactory provision for the reservation of information concerning methods and techniques will not permit of any broader definition of cryptanalysis in this instance General Corderman stated that the intent of paragraphs 3 and 4 is entirely clear to him, but that it is likely to be misunderstood by technicians now and in the future. He felt that technicians will consider methods and techniques to be at least the by-products of cryptanalysis and that, without further definition, they will be confused by the distinction made between paragraphs 3 and 4. Colonel Ervin raised a question as to whether recoveries, methods, and techniques comprise the total product of cryptanalysis inasmuch as paragraphs 3 and 4 must be all inclusive. In answer to Colonel Ervin's question, Sir Edward Travis reiterated his feeling that a detailed definition of all elements of cryptanalytsis is not necessary inasmuch as subparagraph 4(b) provides for the reservation of information concerning methods and techniques involved in all of the operations listed in subparagraph 3(a). However, he indicated his willingness to add the parenthetical delimitation of "cryptanalysis" recommended by Admiral Redman and Captain Wenger.

Pointing out that the provisions of paragraph 4(b) cover the exchange of information about all methods and techniques, Group Captain Jones suggested that the problem of defining "cryptanalysis" as used in subparagraph 3(a)(4) could be resolved by substituting "(subject to the provisions of paragraph 4(b)" for the parenthetical delimitation of cryptanalysis which had been proposed. Lieutenant Callahan suggested that if such a phrase is used it should be applied to the whole paragraph rather than to any subparagraph. Captain Wenger concurred. However, Mr. Hinsley reemphasized his feeling that, from the point of view of the arrangement and wording of paragraphs 3 and 4, no definition of "cryptanalysis" is necessary The provisions of paragraph 4(b) are all inclusive. Both

General Corderman and Captain Wenger indicated their willingness to accept his position, and it was agreed by all present that no addition to subparagraph 3(a)(4) is necessary.

Pointing out that the term "decryption" used in subparagraph 3(a)(5) may not have the same meaning to all parties to the Agreement, General Corderman raised the question whether this term requires further definition. There ensued a brief discussion as to the definition of "decryption" and its meaning to the committee members and technicians of the several agencies, as a result of which it was decided that no further definition is necessary. Colonel Ervin pointed out that, should any question arise as to the extent of any one of the six operations listed in subparagraph 3(a), it would certainly be understood that all operations of communication intelligence are included within the total listing, and that the text is so written that exceptions to complete exchange apply to all of these operations.

General Corderman raised the question whether it would be advisable to substitute the word "notification" for the word "agreement" used in line 3 of subparagraph 3(b). Pointing out that it may not always be possible to obtain mutual agreement regarding exceptions to the exchange of products, he indicated that it would be better to provide only for notification in such cases. Colonel Ervin indicated his preference for the word "agreement" inasmuch as such a requirement will place primary emphasis on the solution of differences which might arise. It was generally agreed by all present that agreement should be emphasized and required and that the text should remain unchanged. Inasmuch as no further questions were raised regarding the wording of paragraphs 3 and 4 and footnote 3 of Proposal C, they were approved as written.

<u>Third Parties to the Agreement and Action with Third Parties (paragraphs 6 and 7 of the Draft Agreement).</u>

Pointing out that paragraph 6 precludes unilateral action with third parties and that paragraph 7 proceeds to establish certain conditions under which action may be taken with third parties, General Corderman recommended that the phrase "except as provided in paragraph 7" be added to the text of paragraph 6. Mr Hinsley indicated his feeling that this addition is not necessary inasmuch as there is no actual contradiction between

the meaning or wording of the two paragraphs. They concern two different types of action; whereas unilateral action precluded in paragraph 6 is action taken with a third party without the knowledge of the other party to this Agreement, the knowledge and consent of both parties to this Agreement, are prerequisite to third-party contacts within the meaning of paragraph 7. There ensued a brief discussion as to the application of the word "unilateral" as a result of which Commodore Inglis suggested that it is not necessary to include both the word "unilateral" and the phrase suggested by General Corderman within paragraph 6. The paragraph would be acceptable with either the word "unilateral" or the suggested phrase, but not with both included. Admiral Redman suggested that paragraphs 6 and 7 be consolidated inasmuch as they both deal with the same subject and there is no necessity for the preamble to paragraph 7. If this were done, the word "unilateral" could be removed from the text of paragraph 6. It was agreed by all present that this consolidation should be effected by removing the word "unilateral," by adding the word "except" to the end of paragraph 6; by removing all of paragraph 7 through the words "subject to" in line 3 of that paragraph; and by joining the balance of paragraph 7 to paragraph 6 as changed.

All members were in agreement with General Corderman that the definition of third parties in footnote 4 is inadequate. It was decided that this definition should be based upon the distinction between individuals and authorities controlled by the United States, the United Kingdom, and Dominion governments and those not so controlled. It was directed that footnote 4 be changed to read: "Throughout this Agreement third parties are understood to mean all individuals or authorities other than those of the United States, the British Empire, and the British Dominions " The text of paragraphs 6 and 7 and footnote 4 as changed and consolidated was approved.

The Dominions (paragraph 8 of the Draft Agreement).

Commenting on the differences between Proposal A and Proposal B of paragraph 8, Commodore Inglis pointed out that Proposal B provides greater freedom of action between the United States and the various dominions in that it allows ANCIB to make arrangements with any dominion agency after having obtained the views of the London Sigint Board rather than requiring that ANCIB obtain the prior approval of the London

Sigint Board. On the other hand, Proposal A reduces the number of contacts which will have to be maintained by ANCIB inasmuch as it establishes the London Sigint Board as the responsible authority through which ANCIB must deal with all dominions except Canada. Commodore Inglis indicated his preference for Proposal B but stated that he was willing to accept Proposal A if the majority of those present so preferred. Stating the preference of G-2 that the London Sigint Board should act as broker for all ANCIB dealings with the dominions, Colonel Ervin indicated that General Bissell and General Clarke prefer Proposal A. Mr. Hinsley restated the British position in this matter, indicating that the London Sigint Board felt that it should have a preferred position as regards the dominions and desires to exercise the right of approval regarding United States contacts with dominion agencies. However, the London Sigint Board cannot claim complete authority over the dominion agencies, nor can it expect to act alone on behalf of Canadian agencies. The British are therefore in favor of Proposal A. He further pointed out that such separate contacts between ANCIB and the dominion agencies as could not secure the approval of the London Sigint Board would certainly fall outside the meaning and spirit of this Agreement Sir Edward Travis reiterated the British desire for the acceptance of Proposal A, indicating that the provisions of this proposal will be advantageous to both parties to the Agreement because they provide greater control over communication intelligence activities in the dominions Admiral Redman stated that, on the basis of wartime experience with the dominion agencies, he feels there should be greater control over communication intelligence activities in the dominions, and therefore recommends the acceptance of Proposal A Commodore Inglis indicated his willingness to accept Proposal A and it was agreed by all that Proposal A should be used as a basis for discussion of paragraph 8

As regards subparagraph 8(d), Commodore Inglis recommended that any possible confusion concerning procedures to be observed in initiating arrangements with Canada would be avoided by substituting the word "complete" for the word "make" in this subparagraph All present agreed to this change.

As regards subparagraph 8(e), Mr. Hinsley explained that a typographical mistake had been made in the preparation of the draft copy. The phrase "11 and 12" in line three should be changed to read "10 and 11." The paragraphs enumerated

therein refer to third parties, action with third parties, general dissemination and security, special provisions for the dissemination and security of [redacted] information, and channels between the United States and British Empire agencies. Reference is made to these sections of the Agreement in order that subparagraph 8(e) will specifically provide that any dominion agency with whom collaboration takes place shall have knowledge of and be required to abide by the provisions regarding these matters Following a brief discussion of the extent to which the dominions should be apprised of this Agreement and the means for enforcing their adherence to its provisions, it was agreed that subparagraph 8(e) should be accepted as written. There being no further suggestions as to the text of Proposal A of subparagraph 8, it was approved as changed

Channels Between United States and British Empire Agencies (paragraph 9 of the Draft Agreement).

This paragraph was approved as written.

Dissemination and Security (paragraph 10 of the Draft Agreement).

Inasmuch as Proposal A of paragraph 10 was prepared to be consistent with the policy regarding dominions laid down in Proposal A of paragraph 8, it was agreed that Proposal A should be used as a basis for further discussion of this paragraph.

Making reference to that clause in this paragraph which reads "to Canadian recipients only as approved by ANCIB or the London Sigint Board," General Corderman raised the question as to the advisability of allowing divided responsibility in the control of dissemination to Canada. He pointed out that the arrangement as proposed would allow Canada to play the United States and Great Britain off against each other. Mr. Hinsley indicated his feeling that the problem of divided responsibility is obviated by the first sentence of this paragraph wherein it is stipulated that all dissemination will be controlled by joint security regulations. Commodore Inglis pointed out that this is the crux of the entire question regarding the status of Canada. He felt that this paragraph must be so worded as to allow freedom of action with Canada within the provisions of paragraph 8. Admiral Redman indicated that he envisages the arrangement between ANCIB, the London Sigint Board, and Canadian communication intelligence agencies as a three-cornered exchange, subject to continual review by both parties to this Agreement.

Describing conditions in Canada as regards control over communication intelligence activities by various interested government agencies as extremely unstable at the present time, Sir Edward Travis recommended that present arrangements be continued and that no new arrangements be initiated until the lines of authority in Canada have been more clearly defined. In view of Sir Edward Travis' recommendation and in view of paragraph 8 which provides that ANCIB will obtain the views of the London Sigint Board prior to completing arrangements with any Canadian agency, and that the London Sigint Board will keep the United States informed of any arrangements or proposed arrangements with dominion agencies, Group Captain Jones recommended that the division of authority inherent in paragraph 10 be resolved by the inclusion of a phrase requiring either party to obtain the views of the other party regarding changes in dissemination to Canada.

Lieutenant Connorton raised the question as to whether the proposed security regulations will not adequately cover arrangements for dissemination to Canada Neither Sir Edward Travis nor Group Captain Jones felt that the security regulations will afford adequate control, inasmuch as they will not cover the particular scope of information disseminated. Following a brief discussion between Commodore Inglis and Group Captain Jones as regards the adequacy of security regulations in this matter, it was generally agreed that the necessary control cannot be exercised through security regulations alone. Commodore Inglis raised the question whether it would be necessary to require that either party obtain the views of the other party prior to effecting a change in the scope of information disseminated to Canada Sir Edward Travis indicated that the wording of the Agreement should be sufficiently general in nature to provide elasticity in implementation He pointed out that it would be impossible to specifically delimit the scope of dissemination to Canada or any other recipient within the basic Agreement itself Captain Smedberg recommended that this paragraph be approved as written and that dissemination be continued in accordance with present arrangements. It was his feeling that the provisions of this paragraph will suffice until specific changes are proven necessary. In view of paragraph 8, the uncertainty of present conditions as regards control over C. I activities in Canada, and the advisability of limiting the text of the Agreement to general provisions, it was agreed to accept the recommendation of Captain Smedberg. There being no further suggestions as to the text of Proposal A of paragraph 10, it was approved as written.

Dissemination and Security- [redacted] (paragraph 11 of the Draft Agreement).

All members approved paragraph 11 as written.

Previous Agreements (paragraph 12 of the Draft Agreement).

All members approved paragraph 12 as written.

Amendment and Termination of Agreement (paragraph 13 of Draft Agreement).

All members approved paragraph 13 as written.

Activation and Implementation of Agreement and Appendices (paragraphs 14 and 15 of the Draft Agreement).

Prior to the discussion of paragraphs 14 and 15, Lieutenant Connorton explained the difference between Proposal A and Proposal B Indicating that the difference is largely a question of timing as regards the activation of the Agreement itself and the preparation of the appendices to the Agreement, he pointed out that Proposal A will require the selection, preparation, and acceptance of certain of the proposed appendices before the Agreement can become effective Proposal B permits activation of the Agreement prior to the preparation and acceptance of appendices, and provides for the preparation of appendices as part of the subsequent implementation of the Agreement Mr Hinsley stated that Proposal B had been prepared by him in view of his feeling that the activation of the general Agreement should not be delayed while particulars are worked out and appended He pointed out that it will be difficult to determine exactly which of the appendices should be part of the Agreement and which should be considered a part of its subsequent implementation He felt that it would be many months before the Agreement could actually be signed and put into effect if it were necessary to include the appendices as a part thereof He placed particular emphasis upon the importance of activating the Agreement and placing it in the hands of technicians of the several agencies prior to the preparation of the appendices The greater portion of the appendices will be prepared on the technical level and should be prepared with the knowledge that the Agreement itself has been effected In support of Proposal A, Lieutenant Connorton stated that he felt that, if the Agreement were simply initialed and distributed, it

would provide adequate basis for the preparation of the appendices In support of the position taken by Lieutenant Connorton, Captain Wenger indicated his feeling that acceptance of certain of the proposed appendices is prerequisite to the signing of the Agreement The Agreement itself constitutes a statement of broad policy and, as such, is not in sufficient detail to provide adequate direction for implementation on the technical level. It must be supplemented by the inclusion of certain basic appendices In support of the position taken by Mr Hinsley, Group Captain Jones indicated that the appendices should not be made a part of the basic Agreement itself, but should be prepared and appended subsequently. The appendices should be written on the basis of general policy already approved by the signing of the Agreement In order to put the positions of ANCIB and the London Sigint Board on record and to provide an adequate framework for the preparation of the appendices, he advocated the adoption of Proposal B Both Sir Edward Travis and Admiral Redman indicated that the Agreement should be activated as quickly as possible. Both felt that further qualification of the Agreement by the inclusion of appendices will cause undue delay However, they were in agreement that certain of the appendices were vital to implementation of the Agreement and that their preparation should be undertaken immediately.

As regards the preparation of appendices, Sir Edward Travis felt that they could be divided into two categories: those primarily technical, and those primarily non-technical He felt that those matters which involve technical operations will have to be worked out on a day-to-day basis, being studied and explored independently and collectively by the several agencies concerned However, as regards security, dissemination, and liaison, which fall into the non-technical category, he saw no reason why they should not be studied immediately, and he advocated that their preparation be undertaken at the earliest possible moment Pointing out that GCCS is in the midst of its adjustment from a wartime to a peacetime basis and that a good many of its best technical men have been overseas and have not as yet returned to England, he recommended that detailed work on the technical appendices be deferred until the coming spring. GCCS could not send representatives to the United States for the purpose of discussing these details until February 1946 or later: nor is GCCS as yet prepared to discuss these particulars in full in England. He requested that at a later date ANCIB select and send representatives to GCCS for purposes of these discussions Admiral Redman indicated his agreement with Sir Edward Travis as to the distinction between technical and non-technical appendices

In line with this differentiation, Commodore Inglis suggested that the general scope and content of Proposed Appendices (e), (f), (g), and (i), concerning coordination of dissemination, identical security regulations, limitation of dissemination of [redacted] information from C I sources, and collateral material respectively, be discussed prior to consideration of Proposal B He felt that a complete understanding as to the extent to which these appendices will condition the implementation of this Agreement is necessary before the provisions of either Proposal A or Proposal B can be accepted. Mr Hinsley pointed out that the major provisions of Proposed Appendices (e), (f), (g), and (i) will be largely included within the security regulations He felt that any adequate consideration of these appendices would require a considerable length of time, and that it would be better to activate the Agreement and proceed immediately to the adoption of security regulations He felt that the Agreement should, under no circumstances, be allowed to remain unfinished for any considerable length of time subsequent to the approval of this draft

As regards Proposed Appendix (h) concerning channels for exchange and liaison, Admiral Redman raised the question as to whether this matter might require intensive consideration prior to activation of the Agreement All members present were in agreement with the feeling of Sir Edward Travis that this can best be handled as a part of the implementation of the Agreement

Sir Edward Travis and Admiral Redman pointed out that no action can be undertaken within the scope of this Agreement prior to its implementation Until implementation is effected it will be necessary to operate on the basis of present arrangements. In view of this, Commodore Inglis recommended that it would be better to effect implementation on the basis of a signed rather than an unfinished Agreement. On the basis of the above discussion, all present accepted Proposal B as a basis for consideration of the activation and implementation of the Agreement.

Making reference to the text of paragraph 14, Captain Wenger recommended that it be amended to add "subject to the approval of the London Sigint Board and ANCIB." He felt that the last sentence of the paragraph as written did not provide sufficient control over implementation. Mr. Hinsley pointed out that, in large measure, implementation will be effected by technicians of the several agencies operating directly with each other, and

that it will be up to ANCIB and the London Sigint Board to exercise the necessary control over their own organizations. However, in view of the fact that several members present felt that the recommendation of Captain Wenger should be adopted, it was agreed that the text of this paragraph should be so amended.

As regards the preparation of security regulations, Sir Edward Travis stated that the British representatives had brought with them a set of proposed security regulations He further stated that he would designate Group Captain Jones to act for him in discussion of these proposed regulations and the preparation of final regulations to be appended to the Agreement He indicated that he would provide all members of ANCIB-ANCICC with copies of his proposed regulations in the near future Captain Smedberg offered to have copies of the British proposed regulations duplicated if Sir Edward Travis would make them available to him. It was agreed by all present that immediate action should be taken toward the preparation and adoption of security regulations.

Inasmuch as no further suggestions regarding the text of paragraph 14 were made, Proposal B of paragraph 14 was approved as changed

Adjournment

Indicating that the next steps toward approval and activation of the Agreement are to be taken by the British representatives and ANCIB, independently, Admiral Redman adjourned the meeting.

John V. Connorton
Robert F. Packard
Secretariat, ANCICC-ANCIB

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INCLOSURE A

31 October 1945

DRAFT BRITISH-U.S. COMMUNICATION INTELLIGENCE

1. Parties to the Agreement

2 Scope of the Agreement

3. Extent of the Agreement - Products
4. Application of Agreement - Products
5. Extent and Application of the Agreement- Methods and Techniques

PROPOSAL A

3 Extent of the Agreement - Products
4. Extent of the Agreement - Methods and Techniques
5. Application of the Agreement

PROPOSAL B

3. Extent of the Agreement - Products
4. Extent of the Agreement - Methods and Techniques

PROPOSAL C

6. Third Parties to the Agreement

7 Action with Third Parties

8. The Dominions -- PROPOSALS A and B

9 Channels between U.S. and British Empire Agencies

10. Dissemination and Security -- PROPOSALS A and B

11. Dissemination and Security -- [redacted]

12. Previous Agreements

13 Amendment and Termination of Agreement

14. Activation of Agreement
15. Appendices

PROPOSAL A

14. Activation and Implementation of Agreement ) PROPOSAL B

E.O. 12958, as amended
Section 3.3(b)1, (b)(3), and (b)(6)

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31 October 1945

DRAFT BRITISH-U.S. COMMUNICATION INTELLIGENCE AGREEMENT

1. Parties to the Agreement

The following agreement is made between the Army-Navy Communication Intelligence Board (ANCIB) (representing the U.S. State, Navy, and War Departments and all other U.S. Communication Intelligence[1] authorities which may function) and the London Signal Intelligence (SIGINT) Board (representing the Foreign Office, Admiralty, War Office, Air Ministry, and all other British Empire[2] Communication Intelligence authorities which may function).

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1 - Throughout this agreement Communication Intelligence is understood to comprise all processes involved in the production and dissemination of information derived from the communications of other nations

2 - For the purposes of this agreement British Empire is understood to mean all British territory other than the Dominions.

(Paragraph 1)

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31 October 1945

2. Scope of the Agreement

The agreement governs the relations of the above-mentioned parties in Communication Intelligence matters only. However, the exchange of such collateral material as is necessary for technical purposes and is not prejudicial to national interests will be effected between the Communication Intelligence agencies in both countries.

(Paragraph 2)

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31 October 1945

Proposal A

3. Extent of the Agreement - Products

The parties agree to unrestricted exchange of the products of the following operations relating to foreign communications:[3]

(a) collection of traffic

(b) acquisition of communication documents and equipment

(c) traffic analysis

(d) cryptanalysis (i.e. code and cipher recoveries)

(e) decryption and translation

(f) acquisition of information regarding communication organizations, practices, procedures and equipment

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3 - Throughout this agreement foreign communications is understood to mean all communications of any person or persons acting or purporting to act for or on behalf of any military or naval force, faction, party, department, agency or bureau within a foreign country, or for or on behalf of any government or any person or persons purporting to act as a government within a foreign country, whether or not such government is recognized by the United States or the British Empire.

(Paragraph 3(A))

~~TOP SECRET - ULTRA~~

31 October 1945

Proposal A

4. Application of Agreement - Products

Cooperation in conformity with the foregoing will be effective on all work undertaken on foreign communications except when specifically excluded from the agreement at the request of either party and with the agreement of the other. It is the intention of each party to limit such exceptions to the absolute minimum and to exercise no restrictions other than those reported and mutually agreed upon.

(Paragraph 4-A)

~~TOP SECRET - ULTRA~~

~~TOP SECRET~~

31 October 1945

Proposal A

5. Extent and Application of the Agreement - Methods and Techniques

Information regarding methods and techniques will in general be exchanged. However, such information may be withheld by either party when its special interests so require. It is the intention of each party to limit such exceptions to the absolute minimum.

(Paragraph 5-A)

~~TOP SECRET - ULTRA~~

~~TOP SECRET~~

31 October 1945

Proposal B

3. Extent of the Agreement - Products

The parties agree to complete exchange of the products of the following operations relating to foreign communications[3]:

(a) collection of traffic

(b) acquisition of communication documents and equipment

(c) traffic analysis

(d) cryptanalysis (i.e. code and cipher recoveries)

(e) decryption and translation

(f) acquisition of information regarding communications organizations, practices, procedures and equipment

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3 - Throughout this agreement foreign communications is understood to mean all communications of any persons or persons acting or purporting to act for or on behalf of any military or naval force, faction, party, department, agency or bureau within a foreign country, or for or on behalf of any government or any person or persons purporting to act as a government within a foreign country, whether or not such government is recognized by the United States or the British Empire.

(Paragraph 3 - B)

~~TOP SECRET - ULTRA~~

31 October 1945

Proposal B

4. Extent of the Agreement - Methods and Techniques

Information regarding methods and techniques will in general be exchanged. However, such information may be withheld by either party when its special interests so require It is the intention of each party to limit such exceptions to the absolute minimum.

(Paragraph 4-B)

TOP SECRET - ULTRA

TOP SECRET

31 October 1945

Proposal B

5. Application of the Agreement

The exchange outlined in paragraphs 3 and 4 will be applied to all foreign communications except those which are specifically excluded from the agreement at the request of either party and with the agreement of the other. It is the intention of each party to limit such exceptions to the absolute minimum and to make no exceptions other than those reported and mutually agreed upon.

(Paragraph 5-B)

TOP SECRET - ULTRA

~~TOP SECRET~~

31 October 1945

Proposal C

3. Extent of the Agreement - Products

(a) The parties agree to the exchange of the products of the following operations relating to foreign communications:[3]

(1) collection of traffic

(2) acquisition of communication documents and equipment

(3) traffic analysis

(4) cryptanalysis

(5) decryption and translation

(6) acquisition of information regarding communication organizations, practices, procedures and equipment

(b) Such exchange will be unrestricted on all work undertaken except when specifically excluded from the agreement at the request of either party and with the agreement of the other. It is the intention of each party to limit such exceptions to the absolute minimum and to exercise no restrictions other than those reported and mutually agreed upon.

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3 - Throughout this agreement foreign communications is understood to mean all communications of any person or persons acting or purporting to act for or on behalf of any military or naval force, faction, party, department, agency or bureau within a foreign country, or for or on behalf of any government or any person or persons purporting to act as a government within a foreign country, whether or not such government is recognized by the United States or the British Empire.

(Paragraph 3-C)

31 October 1945

PROPOSAL C

4 Extent of the Agreement-Methods and Techniques

(a) The parties agree to the exchange of information regarding methods and techniques involved in the operations outlined in paragraph 3 (a).

(b) Such exchange will be unrestricted on all work undertaken except that information may be withheld by either party when its special interests so require It is the intention of each party to limit such exceptions to the absolute minimum

(Paragraph 4-C)

TOP SECRET - ULTRA
TOP SECRET

31 October 1945

6. Third Parties to the Agreement

Both parties will regard this agreement as precluding unilateral action with third parties[4] on any subject appertaining to Communication Intelligence.

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4 - Throughout this agreement third parties are understood to mean all individuals or authorities other than those specified in paragraph 1 as parties to the agreement and other than those in the British Dominions.



TOP SECRET - ULTRA

31 October 1945

7. Action with Third Parties

There are occasions, however, when advantage results from contact and exchange with third parties. Such contact and exchange may, therefore, take place subject to the following understanding:

(a) It will be contrary to this agreement to reveal its existence to any third party whatever.

(b) Each party will seek the agreement of the other to any action with third parties, and will take no such action until its advisability is agreed upon

(c) The agreement of the other having been obtained, it will be left to the party concerned to carry out the agreed action in the most appropriate way, without obligation to disclose precisely the channels through which action is taken.

(d) Each party will ensure that the results of any such action are made available to the other.

(Paragraph 7)

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31 October 1945

Proposal A

E. The Dominions

(a) While the Dominions are not parties to this agreement they will not be regarded as third parties.

(b) The London SIGINT Board will, however, keep the U.S. informed of any arrangements or proposed arrangements with any Dominion agencies.

(c) ANCIB will make no arrangements with any Dominion agency other than Canadian except through, or with the prior approval of, the London SIGINT Board.

(d) As regards Canada, ANCIB will make no arrangements with any agency therein without first obtaining the views of the London SIGINT Board.

(e) It will be conditional on any Dominion agencies with whom collaboration takes place that they abide by the terms of paragraphs 6, 7, 11, and 12 of this agreement and to the arrangements laid down in paragraph 9.

(Paragraph 8-A)

TOP SECRET - ULTRA

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31 October 1945

Proposal B

8. The Dominions

(a) While the Dominions are not parties to this agreement, they will not be regarded as third parties.

(b) The London SIGINT Board will, however, keep the U.S. informed of any arrangements or proposed arrangements with any Dominion agencies.

(c) ANCIB will make no arrangements with any Dominion agency without first obtaining the views of the London SIGINT Board.

(d) It will be conditional on any Dominion agencies with whom collaboration takes place that they abide by the terms of paragraphs 6, 7, 11, and 12 of this agreement and conform to the arrangements laid down in paragraph 9.

(Paragraph 8-B)

~~TOP SECRET - ULTRA~~

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31 October 1945

9. Channels Between U.S. and British Empire Agencies

(a) ANCIB will make no arrangements in the sphere of Communication Intelligence with any British Empire agency except through, or with the prior approval of, the London SIGINT Board.

(b) The London SIGINT Board will make no arrangements in the sphere of Communication Intelligence with any U.S. agency except through, or with the prior approval of, ANCIB.

(Paragraph 9)

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31 October 1945

Proposal A

10. Dissemination and Security

Communication Intelligence and Secret or above technical matters connected therewith will be disseminated in accordance with identical security regualtions to be drawn up and kept under review by ANCIB and the London SIGINT Board in collaboration. Within the terms of these regulations dissemination by either party will be made to U.S. recipients only as approved by ANCIB, to British Empire recipients and to Dominion recipients other than Canadian only as approved by the London SIGINT Board, to Canadian recipients only as approved by either ANCIB or the London SIGINT Board, and to third party recipients only as jointly approved by ANCIB and the London SIGINT Board.

(Paragraph 10-A)

31 October 1945

Proposal B

10. Dissemination and Security

Communication Intelligence and Secret or above technical matters connected therewith will be disseminated in accordance with identical security regulations to be drawn up and kept under review by ANCIB and the London SIGINT Board in collaboration. Within the terms of these regulations dissemination by either party will be made to U.S. recipients only as approved by ANCIB, to British Empire recipients only as approved by the London SIGINT Board, to Dominion recipients only as approved by either ANCIB or the London SIGINT Board, and to third party recipients only as jointly approved by ANCIB and the London SIGINT Board.

(Paragraph 10-B)

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31 October 1945

11. Dissemination and Security - [redacted]

ANCIB and the London SIGINT Board will ensure that without prior notification and consent of the other party in each instance no dissemination of information derived from Communication Intelligence sources is made to any individual or agency, governmental or otherwise, that will exploit it for [redacted] purposes.



(Paragraph 11)

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31 October 1945

12. Previous Agreements

This agreement supersedes all previous agreements between British and U.S. authorities in the Communication Intelligence field.



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31 October 1945

13. Amendment and Termination of Agreement

This agreement may be amended or terminated completely or in part at any time by mutual agreement. It may be terminated completely at any time on notice by either party, should either consider its interests best served by such action.

(Paragraph 13)

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31 October 1945

Proposal A

14. Activation of Agreement

This agreement becomes effective by signature of duly authorized representatives of the London SIGINT Board and ANCIB.

(Paragraph 14-A)

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~~TOP SECRET~~

31 October 1945

Proposal A

15. Appendices

The following appendices have been approved by both parties to this agreement.

(Paragraph 15-A)

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~~TOP SECRET~~

31 October 1945

Proposal B

14. Activation and Implementation of Agreement

This agreement becomes effective by singature of duly authorized representatives of the London SIGINT Board and ANCIB. Thereafter, its implementation will be arranged between the Communication Intelligence authorities concerned.

(Paragraph 14-B)

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TENTATIVE LIST OF APPENDICES

(To be appended to basic agreement)

(a) Coordination of Traffic Collection and Exchange

(b) Coordination of Traffic Analysis

(c) Coordination of Cryptanalysis and associated techniques

(d) Coordination of Communications

(e) Coordination of Dissemination

(f) Identical security regulations

(1) Listing of all recipients

(2) Limitation of Dissemination

(g) Limitation of Dissemination of [redacted] information from Communication Intelligence sources

(h) Channels for Exchange and Liaison

(i) Collateral Material