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WASHINGTON, D.C.

THE NRO STAFF

September 8, 1967

MEMORANDUM FOR GENERAL BERG

SUBJECT: NRO-JCS Relationships on Aircraft Reconnaissance of
Denied Areas

PROBLEM: At the present time there is a lack of understanding, or, at best, an ill-defined understanding between the NRO and JCS-JRC with regard to responsibility for aircraft reconnaissance of denied areas. There is no clear statement of (1) responsibilities during peacetime/crises/active hostilities, (2) definitions of peripheral area (limitations)/denied territory, (3) responsibility for operational planning and analysis, (4) ownership of resources, (5) utilization of resources, and (6) responsibility for reporting status and results.

BACKGROUND OF THE PROBLEM: The Director of the National Reconnaissance Office is responsible "for the development, management, control and operation of all projects, both current and long range, for the collection of intelligence and of mapping and geodetic information obtained through overflights." At the present, however, for a variety of reasons which will be discussed, the DNRO does not exercise his authority for all such overflights. Yet, he remains responsible for all overflights, whether or not he elects to control them, and is uniquely responsible for any difficulties or crises which may result from them.

How did this situation come to be?

FACTORS CONTRIBUTING TO THE PROBLEM: There are a number of factors which have combined to produce the present problem. Chief among them are the following:

1. During international crises calling for the use of aircraft overflight resources, the NRO has yielded its operational authority

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AND DIRECTIVE 5200.10 DOES NOT APPLY

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to the Joint Chiefs of Staff. The U-2 and low-level Cuban overflights and [] missions from [] were the first examples of this "delegation." Responsibility, in these cases, was transferred to the JCS-JRC. At first, to be sure, operations were carried out under close DNRO supervision; however, before long this direct contact softened and the operations moved completely outside his domain. Once this pattern was set, it became a powerful precedent for all crisis situations.

2. In each case of tacit transfer of authority, the arrangement appears to have been made informally and never confirmed by documentation.

3. The Director of the JRC has moved enthusiastically and aggressively toward broadening his scope of activity from the reconnaissance of carefully-defined peripheries to full-fledged overflight of denied areas. He now asserts a responsibility for missions "required to support assessments of CHICOM threats to the GRC" or those "required to maintain current air, ground, electronic, naval and AAA orders of battle" (see Reference A). He expresses the conviction that any aircraft carrying a military insignia or tail number is the property of the Joint Chiefs of Staff to do with as they see fit. He has assumed jurisdiction over the 147 drone operations and has recommended them to the Deputy Secretary of Defense as a JCS asset for the overflight of China, vice WILD RICE.

4. There is already a tacit acceptance of JCS-JRC ownership and control of SR-71 covert overflights, following the phase-out of OXCART aircraft.

5. The 303 Committee has come to recognize JCS-JRC as the national aircraft reconnaissance agency. This development is illustrated by the fact that although the DNRO submits all aircraft overflight schedules to the 303 Committee (including those "delegated" to the JCS-JRC), the 303 Committee sends the approval of JCS-JRC flights directly to the JRC and not to the DNRO.

6. The NRO is developing a primary association, in the intelligence community, with satellite reconnaissance, not aircraft reconnaissance. There is a growing custom of referring to the NRO as the National Satellite Reconnaissance Office.

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7. Because of this general situation, the NRO Staff has never attempted to assume control of aircraft overflight operations.

a. The Staff has never been in a position to do more than after-the-fact tracking of aircraft operations.

b. It has provided little more than a processing service in the "staffing" of aircraft matters.

c. It has not established an Aircraft Operations Center (paralleling the SOC) from which appropriate control could be exercised.

HOW THE PROBLEM WAS ALMOST SOLVED: The problem of stepping up to his aircraft overflight obligation was recognized by Dr. McMillan (then the DNRO) in mid-April 1963, when he advised the Deputy Secretary of Defense that a clarification of the policy with regard to the operational aspects of the NRO was in order. Specifically, he expressed concern about:

1. The definition of denied area overflights
2. NRO responsibilities during active military hostilities
3. NRO capability for operations planning and analysis

On Item 1, the DNRO was proceeding on the basis that denied area overflights were any overflights of sovereign territory for which specific permission had to be obtained from the 5412 Special Group (later the 303 Committee) or higher authority.

As to Item 2, the DNRO was recommending a policy which would state that aircraft overflight responsibility would be transferred from the Director, NRO, to the appropriate military commander upon decision of the Secretary of Defense (or higher authority) that the area in question had become an active theater of military hostilities.

In regard to Item 3, Dr. McMillan proposed the establishment of an NRO Aircraft Operations Center so that he might carry out his assigned responsibilities for aircraft reconnaissance of denied areas. His two proposed possibilities:

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1. The establishment, within the NRO, of a new office having an aircraft operations capability, which would transmit all instructions to the U&S commands through the JCS-JRC.

Or, as a preferred solution,

2. The establishment of an organizational arrangement under the existing JCS-JRC to serve the needs of both the NRO and JCS. Under this arrangement, the JRC would serve as the NRO Aircraft Operations Center (AOC) and the Chief, JRC, would be the NRO Staff Deputy for Operations, responsible for supervising both the NRO SOC and the new NRO AOC.

In addition to insuring formal coordination between the peripheral activities of the JCS and the overflight activities of the NRO, Dr. McMillan felt that Solution No. 2 would formalize the coordination by the JCS of the resources of the U&S commands which would certainly be required in support of NRO overflight activities.

The CIA, and particularly Dr. Scoville, objected to the McMillan proposal on the basis that it was cumbersome and involved certain fundamental management weaknesses (could the JRC serve two masters: The JCS and the DNRO?). CIA recommended the establishment of an NRO Program E to achieve the desired objective and to provide the NRO with some means of exercising its authority over all overflight activities. The Chief, JRC, could be the Director, NRO Program E, and could be charged with presenting plans to the DNRO for all overflights assigned to his responsibility.

The JCS (General LeMay, Acting Chairman) concurred in Dr. McMillan's proposal and recommended its approval to the Secretary of Defense. While the JCS had some qualms about the lack of a precise definition of "denied area overflight" and a distinction between those flights which would remain the sole responsibility of the NRO and those for which the responsibility had been, or would be, delegated to the JCS, it concluded that Dr. McMillan's recommended arrangement might well eliminate the requirement for absolutely precise terms. The JCS was ready to prepare, in collaboration with the NRO, a letter of agreement between the Chairman, JCS, and the DNRO which would outline in detail the means by which the Chief, JRC,

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would carry out his dual responsibilities.

Following a personal editing by Mr. McNamara of the proposed "Terms of Reference" for an NRO/JCS Aircraft Operations Center, the Deputy Secretary of Defense announced his agreement in principle with Dr. McMillan's recommended organizational arrangement and asked for final JCS/DNRO concurrence in this matter. Of further importance, the Deputy Secretary of Defense agreed with the specific recommendation that the NRO responsibility for aircraft overflights would shift to the JCS in periods of tension -- such shifts of responsibility to be submitted to the Secretary of Defense for approval.

The JCS concurred in the Terms of Reference and, in response to the Deputy Secretary of Defense, stated that the Terms of Reference would form the basis for a revised JCS-JRC charter.

The DNRO advised the Deputy Secretary of Defense of his concurrence with the views of the JCS.

The CIA held to its previous view that the proposed organization was unwieldy and badly conceived, adding that the DCI would discuss the subject personally with Mr. McNamara. Mr. McCone questioned the necessity for "complicating the NRO agreement by injecting into the NRO the complicating factor of the JCS-JRC." Although he felt some form of arrangement might be in order to formalize the NRO and JCS-JRC relationship, specifically on Cuban overflight and [redacted] [redacted] operations, he opined that this could be arranged by the simplest form of agreement. The last paragraph of his letter is quoted as follows:

Hence, until we learn from experience that the presently conceived NRO cannot operate satisfactorily, I feel it would be a mistake to make as broad a change as the introduction of the JRC involves. This is not to say, however, that if the D/NRO and his Deputy wish to call on the JRC to execute those missions assigned to the Department of Defense their doing so would be perfectly agreeable to me. However, it must be recognized that this does not involve a change in the basic philosophy of handling reconnaissance over foreign territory in the traditional manner through CIA's facilities which are existent and capable, except, of course, in the case of war or the imminence of war.

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The Deputy Secretary of Defense responded to the DCI that it was not his intention to suggest any change in the basic policy of handling reconnaissance over foreign territory which, with two exceptions -- overflights of Cuba and [] flights from [] -- were being carried out by the CIA. He still considered it important to have a clear-cut and well-understood interrelationship between the DOD elements concerned, specifically the NRO and the JCS-JRC. The Deputy Secretary of Defense believed these interrelationships to be functioning effectively in the absence of formal agreements, but considered it necessary to spell out in written form the procedures needed to insure the continuance of that state of affairs. He agreed that it should be possible to achieve this objective with simpler documentation and accordingly asked Drs. McMillan and Fubini to join the JCS in preparing a less elaborate paper.

After several unsuccessful attempts at such a paper during June, July, and August 1963, the action was abandoned.

The CIA's reaction to the OSD's proposal in 1963 very likely stemmed in part from an uneasiness it was experiencing over the actions of the newly-established NRO. In January 1963, the DNRO had directed the transfer of the CIA's Satellite Operations Center to the NRO Staff, creating a new operations facility in the basement of the Pentagon. CIA middle-management, still smarting from this "loss," undoubtedly looked on the OSD aircraft proposal as another step in the pattern: first the SOC, now the AOC. There is certain to be some CIA recollection of both of these occasions and the NRO would do well to make it emphatically clear, in any new negotiations, that it has no desire or intention to impact the CIA's AOC in any manner.

ALTERNATIVES OPEN TO US TODAY:

1. We can allow the present course of events to continue.

Advantages:

- a. We conserve NRO resources.
- b. We accommodate to the present quasi-wartime situation.

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- c. We avoid a confrontation with the Joint Chiefs of Staff.
- d. We capitalize on demonstrated JCS-JRC experience and capability.

Disadvantages:

- a. Continued disinterest and "delegation" will result in all NRO aircraft/drone resources passing to the JCS.
- b. The DNRO will continue to be responsible for aircraft overflights but will not be able to control their conduct.
- c. Two "national" reconnaissance authorities on aircraft overflight will be dealing with the 303 Committee.

2. We can set up a strong NRO Aircraft Operations Center.

Also - who knows what are 1574 and 221-121/ being done

Advantages:

- a. We will be centralizing aircraft overflight operations in a single authority.
- b. We will be responsive to the mission assigned to us in the 11 August 1965 DOD/CIA Agreement.
- c. The DNRO will have aircraft overflight authority commensurate with his responsibility.

Disadvantages:

- a. We will not be able to avoid what promises to be a stormy confrontation with the JCS.
- b. We will lose the JCS-JRC's proven capability to operate reconnaissance aircraft.
- c. We will immediately face the requirement for increased manpower and more floor space for an NRO Aircraft Operations Center (shades of SOC!).

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d. We will still have no provision for a smooth transition to JCS control of all aircraft reconnaissance in wartime.

3. We can set up a joint NRO-JCS Aircraft Operations Center under the DNRO.

Advantages:

a. This will give us a single, strong, national aircraft overflight reconnaissance authority.

b. The DNRO will re-capture aircraft overflight authority commensurate with his assigned responsibility.

c. The nation will have a single agency responsible for allotting developmental and operational resources for aircraft overflight activities.

d. We will be capitalizing on the JCS-JRC's proven capability to conduct reconnaissance activities.

e. We will have one clean line of control to the U&S commands.

f. We will conserve manpower and floor space resources.

g. We will have a simple, clearly-defined mechanism for transferring aircraft overflight resources and operations during periods of tension and war.

h. We will avoid a confrontation with the JCS.

Disadvantages:

None that one can envision at this time.

CONCLUSION: This seems to be a good time to reopen discussions on the concept of an NRO-JCS Aircraft Operations Center. There are impressive advantages and no obvious disadvantages in following this course of action. The CIA objections of four years ago should be substantially softened and possibly altered by now.

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RECOMMENDATION: That you request Dr. Flax's approval of an NRO Staff initiative along these lines and, having that approval, that you open personal discussions with General Steakley, holding closely to the terms of the original 1963 plan (see Reference B).

William R. Yost

WILLIAM R. YOST
Lt Colonel, USAF

Attachments

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