



The Legacy History Series



CONGRESS & THE NATIONAL RECONNAISSANCE OFFICE



CENTER FOR THE STUDY OF
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**CONGRESS AND
THE NATIONAL RECONNAISSANCE OFFICE**

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INTRODUCTION

Since the establishment of the National Reconnaissance Program (NRP) and the naming of the National Reconnaissance Office (NRO) to manage it in September 1961, space-based satellite reconnaissance has evolved to become far more sophisticated and institutionalized than anything envisioned by its creators. Today it also involves far more interaction among federal agencies, private industry, the Intelligence Community, the Department of Defense, and the United States Congress. Congress, in particular, has played an especially crucial and ever-increasing role in the National Reconnaissance Program by authorizing funds, acting as an advocate for programs and operations, furnishing policy guidance and oversight, and encouraging efficient procedures and proper management and accountability of taxpayer dollars.

The Constitution of the United States endowed the executive and legislative branches of the government with different functions. Each branch historically, has developed different operating processes, and, to some degree, different worldviews, agendas, and information and security requirements. Due to these inherent differences, and because the U.S. Congress among other responsibilities serves as the watchdog of the executive branch on behalf of the American people, the relationship between them frequently is viewed as contentious if not adversarial. Nonetheless, the relationship between Congress and the National Reconnaissance Office belies the conventional view. For forty years Congress has assisted the NRO to provide United States civilian and military leaders with global information supremacy. The NRO has met that goal within the statutory, security, fiscal, and management boundaries set by U.S. statute law and Intelligence Community directives.

The history of the NRO's interaction with Congress is closely intertwined with the security demands of the Cold War, the growth and development of the Intelligence Community as a whole, and with the American space program. In that setting, the novel relationship between the NRO and Congress has undergone significant changes over forty years, and it continues to evolve as each institution addresses the nation's intelligence demands and post Cold War security challenges of the twenty-first century.

CONGRESS AND THE INTELLIGENCE COMMUNITY

The formal, more ordered relationship between the U.S. Congress and the National Reconnaissance Office and the larger Intelligence Community is largely the product of the past twenty-five years. Prior to 1975 the functioning of, and the relationship among, the executive branch, the Intelligence Community, and Congress, was wholly different. For most of American history, in fact, intelligence collection was an ad hoc affair resurrected only as a military concern during wartime. But the intelligence failure demonstrated in the Imperial Japanese attack on the U.S. Pacific Fleet at Pearl Harbor, Hawaii, in December 1941, along with the advent of ballistic missiles and atomic weapons during World War II, caused President Harry S. Truman to recommend a permanent intelligence establishment as a formal part of the Federal Government. Less than six months after the end the war, on 22 January 1946, Truman issued a presidential directive creating a National Intelligence Authority. Under a Director of Central Intelligence, a Central Intelligence Group was created to “plan, develop and coordinate all Federal foreign intelligence activities related to the national security.”¹

As tensions with the Soviet Union grew in the immediate postwar years, the U.S. Congress, also at the recommendation of President Truman, took steps to enhance this fledgling intelligence establishment with the National Security Act, passed on 26 July 1947 (P.L. 80-253). Signed into law, it gave statutory authority to the president to form a National Security Council and to operate, as a subordinate entity, a permanent Intelligence Community initially consisting of the military intelligence organizations and the Central Intelligence Agency, the successor office to the smaller Central Intelligence Group. The 1947 National Security Act, as amended, also granted authority to the president to create new intelligence organizations as the need arose.² This landmark legislation, coupled with key amendments adopted in 1948 and 1949, created the



President Harry S. Truman

Department of Defense and allowed the CIA to further tighten the secrecy surrounding its operations.³

Traditional American qualms about the dangers to democracy and to an open society posed by secret organizations operating beyond the public's view were overridden by concerns for the nation's very survival as the Soviet Union acquired atomic weapons and the Cold War intensified in the late 1940s and early 1950s. U.S. Army Lt. Gen. James H. Doolittle (Ret.), who chaired one committee responsible for investigating the nation's intelligence capabilities in the mid-1950s, expressed the attitude succinctly when he stated "that sacrificing America's sense of 'fair play' was wholly justified in the struggle to prevent Soviet World domination'."⁴ Far from an extremist view, Doolittle's sentiment evoked those held at the highest levels of government,



**Representative Melvin S. Laird
(R-Wis.) (Shown as Secretary of
Defense, ca. 1970)**

including postwar chief executives. Former U.S. Congressman and Secretary of Defense Melvin R. Laird recalled, that "President Eisenhower shared President Truman's sentiments that 'secrecy and a free democratic government don't mix,' but both of these great Presidents made an exception for true national security and military preparedness requirements" given the dire nature of the Soviet threat. Thus, after the 1947 National Security Act, and later studies and amendments, the U.S. Congress largely left the development and subsequent operation of the Intelligence Community to those professionals in the executive branch that staffed the various agencies created at the behest and discretion of the president, who himself was entrusted with accurately determining the nature of the threats to the national security and fashioning appropriate responses.⁵

The legislation forming the nation's national security establishment in the late 1940s intended the role of the Director of Central Intelligence (DCI) to be paramount. Indeed, the concept of centralized coordination of U.S. intelligence policy by the DCI clearly lay at the heart

of the 1947 National Security Act. But strong forces within the executive branch of government resisted efforts to subsume existing functions under exclusive DCI control as other military and civilian agencies comprising the ever-growing Intelligence Community jealously guarded their respective roles and missions. So while the DCI would have the title of Director of Central Intelligence, the Intelligence Community was neither centralized, nor strictly coordinated—or directed solely in its operations by the DCI. For intelligence policy and activities, confederated action rather than centralized civilian or military control would prevail. Also missing in the law was any strongly worded coordinating or oversight role for the legislative branch in an era when extraordinarily strong chief executives exercised exclusive control over intelligence matters. As a result, the Intelligence Community developed without strong centralized direction within the executive branch and without the direct participation or close scrutiny of the legislative branch. Interaction between these two sectors of government on intelligence matters, when it existed at all, was sporadic and informal.⁶

During the 1950's and into the 1960's, presidents created additional intelligence organizations, such as the National Security Agency in 1952 and the Defense Intelligence Agency in 1961, and launched new covert intelligence programs without significant legislative branch oversight or input, besides funding these activities. This growth in the Intelligence Community, partly mandated by new and increasing military threats, also was prompted by three significant executive branch investigations into U.S. intelligence activities conducted between 1954 and 1956 that sought ways to promote efficiency and coordination. Only one of these investigations was co-sponsored by the U.S. Congress.⁷ Yet, by and large, the growth and operation of the Intelligence Community was wholly an executive branch affair, with new boards and panels created, and reorganizations taking place, in a unilateral and usually covert fashion, often to prevent Congressional interference or oversight in jealously guarded executive branch functions.

In the summer of 1954, for one such example of unilateral executive action, President Dwight D. Eisenhower called for the creation of a blue ribbon panel of scientific experts known as the Technological Capabilities Panel (TCP), chaired by James R. Killian, Jr., of the Massachusetts Institute of Technology, to study threats to the nation and possible U.S. responses. The group reported to Eisenhower in the fall that the United States needed to increase the number of hard facts upon which intelligence estimates were based, provide better strategic

warning to minimize possibilities of a surprise attack, and reduce the political and economic dangers of gross overestimations or underestimations of threats to the nation. The TCP, or Killian Panel, also suggested establishing an organization to develop and operate all national reconnaissance programs either aircraft or space-based—an idea that later bore fruit with the creation of the National Reconnaissance Program and the NRO. As with other secret panels formed by chief executives to deal with intelligence matters, Congressional input was missing from the TCP deliberations and few Congressmen knew it even existed, although many of its decisions had an immense impact on the nation’s military and intelligence preparedness. Indeed, the TCP report, entitled *Meeting the Threat of Surprise Attack: The Report to the President by the Technological Capabilities Panel of the Science Advisory Committee*, issued on 15 February 1955, called for launching a scientific earth satellite to establish the principle of “freedom of space,” with the right to overfly all nations for the purposes of assessing threats.⁸



MIT President James R. Killian, Jr.

Acting on one TCP recommendation, not contained in the published report and shared later with a few Congressmen, President Eisenhower authorized the U-2 aerial reconnaissance program to obtain photographic and electronic intelligence of “denied areas” behind the Iron Curtain. The president entrusted the clandestine development of this reconnaissance airplane, Project AQUATONE, to the Central Intelligence Agency’s Deputy Director (Plans), Richard W. Bissell, Jr., supported by a small U.S. Air Force contingent, which provided the infrastructure and pilots. AQUATONE was initiated using CIA “unvouchered” funds that could be spent at the discretion of the president and DCI without specifically notifying Congress how such funds were being spent or in what amounts—a routine procedure used even prior to World War II to protect national secrets by denying adversaries the ability to determine the size and scope of American intelligence activities through annual intelligence appropriations and expenditures. The U-2

program, totally under control of the executive branch, was so highly classified that before 1 May 1960, less than 350 people in the CIA, the Eisenhower administration, the U.S. Congress,



**CIA Deputy Director (Plans)
Richard W. Bissell, Jr.**

the U.S. Air Force, and the Lockheed Corporation knew of its existence and purpose. The vast majority of the members in the U.S. Congress, which had supplied the CIA with its annual operating funds, only learned of the program when the USSR shot down an aircraft on that date. The veil of secrecy was so strict that Bissell personally made out the first check for Project AQUATONE to Clarence “Kelly” Johnson, the Lockheed U-2 program manager, sending the check payment in a plain envelope to Johnson’s home address in late 1954 to avoid possible security breaches within the Lockheed Corporation mail system. The U-2 program, which demolished the myth of a “bomber gap,” established several technological firsts and laid

the foundations of the executive branch—Intelligence Community—private industrial team concept of close cooperation on projects benefiting the national security.⁹

FOUNDING THE U.S. SPACE PROGRAM

The efforts of the executive branch to create an Intelligence Community to combat Cold War adversaries and inform the nation’s leaders of actual military threats, combined in the late 1950s with significant advances in high technology, especially in regard to space flight and reconnaissance. Soon after the Eisenhower administration acted to acquire reliable overhead intelligence with the U-2, deployed in 1956, the fledgling U.S. space-based reconnaissance program inadvertently received a significant boost. The Soviet Union launched Sputnik I in October 1957, demonstrating its capability to place satellites in earth orbit and to reach the continental United States with missile-borne atomic weapons. Although the United States

already had begun a small civilian scientific and military space program, this action galvanized the political leadership of the nation. To them, dramatic achievements in space symbolized “the



Secretary of Defense Neil H. McElroy

technological power and organizing capacity of a nation,” as well as a potential new threat to the national security from yet another dimension—that of space.¹⁰ More funds were consigned to the civil and military space programs already underway. Yet especially heated debate took place within the executive branch on how best to organize the American space program. At the time, the entire U.S. space capability resided in the various military services, their laboratories, and contractors; a state of affairs that had existed since the Second World War when most rocket research was conducted by the military

services for tactical purposes. As a temporary measure to minimize inter-service rivalry over the new space missions, at Eisenhower’s direction, Secretary of Defense Neil H. McElroy established an Advanced Research Projects Agency (ARPA) in February 1958 within the Department of Defense as the central organization to consolidate advanced military research and space projects.¹¹

Reflecting his own military experience and background, President Eisenhower also initially favored centralizing all U.S. space efforts within the new ARPA in the Department of Defense to avoid needless duplication of activities and capabilities. He saw the most pressing space requirements as military in nature: to meet a growing need for more sophisticated and secure systems to gather intelligence in denied areas and to replace the physically vulnerable and diplomatically risky U-2 aircraft that operated in violation of international law. Eisenhower’s advisors, however, most notably Vice President Richard M. Nixon and MIT President James Killian, soon persuaded him that ARPA could not adequately deal with all of the unclassified facets of a national space effort, especially one devoted to civil space science and applications, while also meeting classified military needs as well. Killian also convinced Eisenhower of the

benefits of a U.S. posture of openness—conducting as much of its space program as possible under the auspices of an open, public, civilian agency built around the nucleus of the National Advisory Committee for Aeronautics, while also continuing a strong, yet less public, if not totally covert, military space program within the Department of Defense.¹² Prudently following this advice, President Eisenhower submitted legislation to the U.S. Congress and subsequently signed into law the National Aeronautics and Space Act on 29 July 1958, creating a publicly acknowledged, open civilian space program directed by a national aeronautics and space administration. Except for military space flight, for which the Department of Defense remained responsible, the act declared that all nonmilitary aeronautical and space endeavors would be directed by the new civilian agency.¹³

Two years later, after the May 1960 shoot-down of a U-2 reconnaissance aircraft over the Soviet Union left the United States temporarily “blind” and without any means of gathering overflight intelligence of denied areas, Eisenhower commissioned an evaluation of the existing, yet slowly-progressing, U.S. Air Force WS-117L (SAMOS) reconnaissance satellite program with the intention of seeking ways to speed results and improve its administration and management. The president had already approved two covert space reconnaissance programs: GRAB and CORONA, administered respectively by the U.S. Navy and the Central Intelligence Agency, anticipating years earlier



President Dwight D. Eisenhower

the vulnerability of the U-2 aircraft and foreseeable delays in the deployment of the unprecedented and technically complex near-real-time film readout SAMOS system. That same month, on 22 June 1960, the United States successfully launched its first covert space reconnaissance system, the highly-classified GRAB electronic intelligence satellite, followed two months later by the successful launching of a CORONA film recovery satellite. Both demonstrated great promise that space-based reconnaissance satellites could eliminate the need

for aerial overflight of denied territory, while also providing an additional means of gathering large amounts of intelligence via technology, as opposed to the risky and often unreliable information gathered by covert agents. Based on the result of the SAMOS evaluation, in August 1960, Eisenhower decided to remove that program from U.S. Air Force military control and place it in the custody of a civilian-directed office in the Department of the Air Force—an office that reported directly to the Secretary of Defense. Accordingly, the Secretary of the Air Force established the Office of Missile and Satellite Systems (SAF/MSS) on 31 August 1960, directed by U.S. Air Force Under Secretary Joseph V. Charyk, which would be responsible for the ongoing SAMOS program.¹⁴

Through deliberate and prudent steps, Eisenhower had “fashioned the national policy needed to guide and execute a new enterprise called astronautics,” or the science of constructing and operating vehicles beyond the earth’s atmosphere. Through executive decisions, administrative actions, and legislation enacted by Congress, he had constructed an American space program “in a house of three separate wings:” NASA, Department of Defense military support missions, and the space-reconnaissance programs, soon to be managed by a reconfigured Office of Missile and Satellite Systems. Thus Eisenhower created a national space program while he simultaneously provided the U.S. Intelligence Community with its greatest intelligence collection assets: space-based reconnaissance satellites. In the coming decades, American reconnaissance satellites would become a vital component of the Intelligence Community and help shape and maintain a delicate peace with the Soviet Union. They also marked the United States as a world leader in science and technology.¹⁵

The new administration of President John F. Kennedy endorsed Eisenhower’s earlier initiatives soon after taking office in January 1961. Although allegations of a “missile gap” with the U.S.S.R. had figured prominently in the 1960 election campaign between Kennedy and Vice President Richard M. Nixon, the incoming president and his political and military advisors found on taking office that the prior administration had created overflight systems that exposed the “missile gap” as non-existent and that laid the foundations for the United States to fully exploit space for intelligence, military, and civilian-scientific purposes. Kennedy found in place the highly visible and public, civilian-guided space program directed by NASA, openly funded and widely viewed by the public as a symbol of national greatness dedicated to the peaceful pursuit of new knowledge and accompanying space technology, a military space program that featured

communications, early warning, and navigation within the Department of Defense, and yet a third program shared by the Defense Department and the Intelligence Community that focused on space-based reconnaissance, equally a symbol of national greatness, but funded by Congress through secret budgets and wholly unknown to the public in either purpose, size, or scope. Although NASA would soon be directed to land a man on the moon and return him to the earth, the other agencies directed their attention to tactical military support missions and strategic deterrence through a satellite-based program providing comprehensive information and surveillance of areas of the world closed to normal observation. Each of these three space programs was carried out by separate organizations with their own research and development, acquisition, launch, and operations capabilities.

Although fundamentally satisfied with the space programs already in existence, within the first year of the new presidential administration, Secretary of Defense Robert S. McNamara established the National Reconnaissance Program (NRP) to develop and operate all U.S. reconnaissance programs, covert and overt, aerial and space-based. He believed that the NRP would soon become a comprehensive and key national security resource meeting political, economic, military, mapping, and intelligence needs. To manage the NRP, McNamara converted the Office of Missiles and Satellite Systems into the highly-secret National Reconnaissance Office (NRO) on 6 September 1961, directed jointly by the Department of Defense, represented by Air Force Undersecretary Joseph Charyk, and the Central Intelligence Agency, represented by the Deputy Director (Plans) Richard W. Bissell, Jr.¹⁶



**Secretary of Defense
Robert S. McNamara**



NRO Director Joseph V. Charyk

CONGRESS AND THE NATIONAL RECONNAISSANCE PROGRAM: THE EARLY YEARS

The genesis and subsequent evolution of the nation's secret space reconnaissance program under the National Reconnaissance Office was the exclusive responsibility and function of the executive branch, with the president determining needs and responsibilities in consultation with the Secretary of Defense, the DCI, and other scientific and intelligence advisors. Focused almost exclusively on monitoring the Soviet Union, the East Bloc, and the People's Republic of China, the National Reconnaissance Office, in cooperation with private industry, operated reconnaissance satellites in a highly secure and secret world unknown to the public and even to most government officials. In the 1960s the U.S. Congress provided only legislative approval and annual funding of the NRP. As long as the NRO's intelligence product satisfied national command authorities, those few in Congress who were witting asked very few questions about satellite system architecture, funding, management practices, or day-to-day operations. Former Secretary of Defense Melvin S. Laird recalled, "When the office [NRO] was first established, only five members of the House Appropriations Committee were privy to its existence and



**Representative Gerald R. Ford
(R-Mich.)**

funding" or "had knowledge of the extent of the program and its future." He remembered "Chairman George Mahon's admonitions concerning its secrecy in those early years," and that "President Eisenhower lectured Congressman Jerry Ford and me about the need for this classified program at breakfast with only [the] three of us present in the third floor dining room at the White House."¹⁷

The U.S. Congress monitored all intelligence operations far less actively in the early years, including those of the new NRO, relying instead on the executive branch to keep it informed on a strictly need-to-know basis. It was the Intelligence Community, not Congress, which

determined who on Capitol Hill needed to know what sort of information, and when they needed to know it. Divulging little or no information was preferable to providing perhaps too many details about Intelligence Community operations. The supervision and oversight that did exist was ostensibly the duty of four intelligence subcommittees within the Senate and House Armed Services and Appropriations Committees. Staff members of these committees, who totaled fewer than thirty people in number at the time, usually were not cleared for access to intelligence matters and were often excluded from hearings and briefings whose proceedings were routinely not recorded. Slight oversight of the NRO took



**Representative George H. Mahon
(D-Tex.)**

place within these subcommittees, as part of their overall and limited oversight of the broader Intelligence Community, which always had a particular focus on the CIA and the Department of Defense military intelligence offices. Yet these Congressional subcommittees, which convened only very infrequently during the 1950s, typically met only five times per year for a few hours in the 1960s. The House Armed Services Committee, perhaps the group most closely involved with the NRO and the Intelligence Community at that time, was classified by one historian as little more than a “stay in touch” committee, whose members were concerned to avoid “meddling with intelligence.”¹⁸ As one CIA member recalled, appearances before the Congressional appropriations committees were also infrequent, and intelligence officials “practically had to beg them to hold hearings. Years would go by sometimes without any hearings at all being held on the Agency’s [CIA’s] budget.”¹⁹

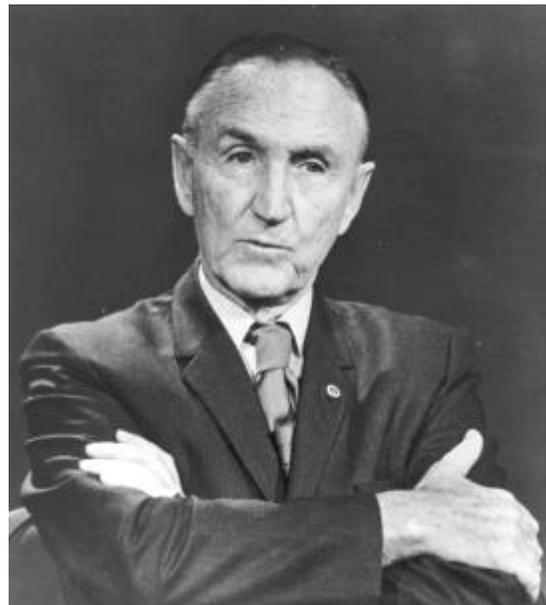
Although oversight was hardly intense, the small numbers of Congressmen who chaired or served in both the U.S. Senate and House of Representatives committees during this time were very strong supporters of the intelligence system as it was created and did not see a need for intrusive oversight, or any significant revamping of the Intelligence Community—even after the “Bay of Pigs” embarrassment in April 1961. Not only were few legislators involved with



Senator Richard B. Russell (D-Ga.)

intelligence matters, but also the committees themselves had extraordinarily low membership turnover. For the most part, committee chairs rarely changed and the men in these positions represented the “old guard” in their respective houses—powerful members, “who,” in the words of one historian, “by the virtue of the Congressional seniority system, were able to retain their positions for lengthy periods of time.” Senator Richard B. Russell, Jr., (D-Ga.), for example, who became the dominant figure in the Senate in the 1950s and 1960s where intelligence was concerned, was illustrative of the power and influence of the Congressional committee chairs.²⁰

Senator Russell chaired the Senate Armed Services Committee from 1951 to 1953 and again between 1955 and 1959. He also served as a member of the Senate Appropriations Committee for most of this period, and as that committee’s chairman between 1969 and his death in 1971. As was typical for the time, Russell also served as chairman of the Senate Armed Services and Appropriations subcommittees that dealt with the Intelligence Community. He was clearly of the attitude that increased scrutiny of the intelligence establishment would not “result in either substantial savings or a significant increase in available intelligence information” and that oversight schemes as suggested by several of his fellow Congressmen would not be entertained during his tenure. As many of his Senate colleagues soon discovered, as did Senator Michael J. “Mike” Mansfield (D-Mont.) in 1956, Russell’s approval and support were absolutely necessary for the passage of any legislation dealing



Senator Michael J. “Mike” Mansfield (D-Mont.)

with the Intelligence Community. Without Russell's support, bills either expired on the floor, or died before they had even left committee.²¹ Russell's powerful position and tenure, however, were not unusual. The Senate Appropriations Committee had only three chairs between 1947 and 1969, men who respected the status quo regarding intelligence affairs.²²

What was true for the U.S. Senate was also true for the U.S. House of Representatives. The House Armed Services Committee was controlled by only three different chairmen between 1947 until 1974, while the House Appropriations Committee had a similar number of chairmen during the same twenty-seven year period. Representative Clarence A. Cannon's (D-Mo.) tenure as chairman of the House Appropriations Committee, from 1949 until 1953, and again from 1955 until 1964, was one of the longest committee chair tenures in U.S. Congressional history.²³ To some people in both the legislative and executive branches, the continuity of Congressional committee leadership was a positive factor that allowed the Intelligence Community to function without undue interference and to work with people they had known and trusted for years. To others, however, the seemingly entrenched leadership implied that the committee chairs and the Intelligence Community were too close, and operated as a "good old boy network." Congressional oversight, if it existed at all, doubtless lacked in intensity.²⁴

The initial absence of Congressional involvement with the National Reconnaissance Office in particular, as with the greater Intelligence Community as a whole, has been attributed to several conditions. First, the strategic intelligence gathered by NRO satellites was most often used by various chief executives, the Secretary of State, the U.S. Joint Chiefs of Staff, and other national command authorities—but not by Congress. Protecting the sources and methods employed in this military and intelligence space effort from Soviet penetration through a high level of compartmented security classification was a key consideration when the National Reconnaissance Office was formed. But the deep security that surrounded its work also had the effect of insulating it from the rest of the Department of Defense and even from the other members of the Intelligence Community. Moreover, it insulated the NRO from Congressional oversight, with the strong consensus among those in the White House, Department of Defense, the larger Intelligence Community, and in the U.S. Congress, that such insulation best served the national interest. Furthermore, in this world that adopted the highest standards of security, many in Congress were concerned with making inadvertent security breaches, and often chose not to involve themselves too closely with the Intelligence Community or the NRO for fear of

revealing, or simply being privy to, highly sensitive information. Senator Leverett Saltonstall (R-Mass.) typified this attitude when he observed that many Congressmen choose not to “seek information and knowledge on subjects which I personally, as a Member of Congress and as a citizen, would rather not have.”²⁵

A second reason for the “lassitude that characterized Congressional oversight of the secret agencies” in the early years, according to another observer, resulted in part from the awe engendered by the size, functional complexity, and compartmented nature of the Intelligence Community itself, exemplified by the NRO satellite programs that were difficult for the lay Congressman to grasp without serious and extended technical study. Dealing with a plethora of intelligence agencies, some with overlapping roles and missions seemed too daunting a task for many already overburdened legislators whose membership on committees dealing with intelligence matters constituted only one small part of their overall service.²⁶

A third reason for the limited Congressional involvement before the 1970s, one authority has claimed, occurred because Intelligence Community affairs had little political payoff for the individual legislator. As the subject matter was so highly classified, especially in the case of the National Reconnaissance Office, a Congressman’s contacts with, or contributions to, the Intelligence Community or NRP could not be discussed or shared with his constituents or the public at large—an unattractive feature for those seeking reelection based on the record of their committee work or legislative accomplishments.

Fourth, the traditional view among members of Congress, unshaken during much of the Cold War, held that the intelligence agencies were led by capable, honest, and honorable men who could be trusted and relied upon to do what was appropriate without meddlesome interference and oversight by legislators who were uninitiated in intelligence gathering and processes.²⁷ U-2 program director and CIA Deputy Director (Plans), Richard W. Bissell, Jr., recollected “not only did this trust exist between the CIA and U.S. companies that were developing the systems, but also between the CIA and Congress, reflecting the historical record of the relationship . . . between the founding of the agency in 1947 and 1974.” Bissell recalled that “a few members of the Armed Services and Appropriations Committees in each chamber oversaw the activities of the Intelligence Community and virtually all oversight was conducted behind closed doors.”²⁸ The two institutions thus shared a reciprocal trust born of mutual respect,

a belief in the other's integrity and competence, and a consensus on commonly held national goals.

Finally, to many observers, the U.S. Congress had never been comfortable with the conflicting imperatives of strict secrecy that governed the Intelligence Community—the very essence of the intelligence business—and the historic Congressional role of meeting the public's demand for accountable and open government from both fiscal and policy standpoints. From the founding of the nation until the mid-1970s, therefore, Congress tended to provide the president and the executive branch with the broad statutory authority and necessary funding to carry out what many termed the unsavory business of covert operations and intelligence gathering, and thereafter leave it well enough alone.

These fundamentals regarding the whole were also true for its various component parts, specifically the National Reconnaissance Office. The U.S. Congress supported the NRO, but only a few selected members were briefed on the history, finances, and operations of the National Reconnaissance Program prior to the 1970s, and then only when it was deemed necessary by the appropriate House or Senate leadership, the Director of Central Intelligence, or the Director of the National Reconnaissance Office.²⁹ Congressional awareness of Intelligence Community activities, according to one report, was largely limited to the chairman and ranking minority members of the committees concerned with the defense budget. Oversight concerns typically were worked out between the Director of Central Intelligence and a few Congressional participants, with little appreciation of Intelligence Community activities by the Congress as a whole and virtually none by the public at large. Thus, as historian Frederick M. Kaiser has written, Congress “provided minimal and sporadic oversight of intelligence . . . from a fragmented and isolated subcommittee system, involving only a few legislators who met infrequently and [who] had a tiny staff.”³⁰

Most in the legislative and executive branches were content with this relationship. To maintain it, the executive branch had created several independent groups in the mid-1950s to investigate CIA activities, thus staving off moves by a small number in Congress who wanted to create “watchdog” committees.³¹ Within the executive branch itself, comprehensive oversight and control did not exist in any coherent form, and it was not until the early 1970s that the Director of Central Intelligence, at the behest of the Nixon administration, even tried to bring the

Intelligence Community together into a single budgetary program to rein in rising costs and improve overall management efficiency and coordination.³²

The primary function of the legislative branch in relation to the Intelligence Community and the NRO in the early years remained that of providing appropriations. Funding for the NRO, like that for the Central Intelligence Agency, “was handled by the defense subcommittees of the respective Appropriations Committees of each House of the Congress.” These “black” or secret budgets, for security reasons, were buried “in non-descript line items of the defense budgets . . .” and “defense appropriations laws provided an appropriate mechanism for funding intelligence activities.”³³ Unlike the remainder of the Intelligence Community, however, the NRO had a highly specialized and unique space mission that required expensive satellites, all of them evaluated, developed, acquired, launched, and operated by a team of exceptionally skilled technical personnel from private industry, academe, the military services, and the Intelligence Community. These programs of the National Reconnaissance Office required higher levels of funding provided through a more rapid and less cumbersome mechanism than that which provided funds to the rest of the Federal Government and the defense and national security establishment. From the outset, the NRO “budget process was very ‘streamlined’ . . . [in that] not many people needed to be consulted to secure budget approval” in Congress or elsewhere.³⁴ Thus, normal funding and acquisition procedures that applied elsewhere in the Department of Defense and Federal Government were never followed by the NRO. According to former NRO Deputy Director Jimmie D. Hill, this informal, fast track, legislative branch budgetary and acquisition process contributed to the NRO’s stunning technological successes by avoiding “labyrinth specifications and regulations in favor of a small group working informally ‘in a black, skunky way.’” According to Hill “those kinds of [national security] questions . . . so overwhelmingly important to the nation in terms of impacting the strategic balance between the U.S. and U.S.S.R. demanded answers . . . [and] virtually anything that was deemed technically feasible . . . would essentially be done.” Technical feasibility, therefore, became the only factor that limited American space-based reconnaissance efforts during the 1960s and early 1970s—not funding, acquisition, or Congressional cooperation, which usually followed in a most rapid and efficacious manner.³⁵

THE WATERSHED DECADE OF THE 1970s

A full generation of the Cold War passed without major Congressional involvement in the planning and operation of the nation's intelligence establishment, including those of the National Reconnaissance Office. The dearth of direct Congressional involvement and oversight should not be interpreted to mean that the legislative branch was entirely uninterested in fulfilling the oversight and consultant functions that would later become major roles. Indeed, "from 1947 through 1974 there were over two hundred resolutions calling for improvements in Congressional oversight" of the Intelligence Community, in particular concerning oversight of the Central Intelligence Agency. But "only a handful represented serious initiatives." Many were blocked or killed outright by the executive branch or by the powerful chairmen of the House and Senate Armed Services and Appropriations Committees who saw no rational need for change, or who interpreted such initiatives as challenges to their chairmanship authority or committee positions. Moreover, for twenty-five years those representing majority opinion in both houses of Congress and in the executive branch were hesitant to tamper with an intelligence system that manifestly appeared to function better, and provided more reliable information on foreign adversaries, than any similar establishment anywhere else in the world.³⁶

Yet during the 1960s and 1970s, dramatic changes would take place within American society and within the executive and legislative branches of the Federal Government. These changes would fundamentally alter both the amount and intensity of Congressional involvement with the U.S. Intelligence Community. These changes would affect the Central Intelligence Agency first, as it was judged by many to function as its name implied, as the central headquarters for all U.S. intelligence operations. Subsequently, attention drawn to the CIA would affect other portions of the intelligence establishment, later to include the National Reconnaissance Office. Thus the 1970s could be termed a watershed in the history of relations between the Intelligence Community and the U.S. Congress. The operational, fiscal, and management processes of the NRO today stem in large measure from the oversight first directed to the Central Intelligence Agency a quarter century ago, and upon other members of the national defense and intelligence establishment in the years since.

The first significant attempt to effect closer Congressional oversight and control of the Intelligence Community occurred in January 1956 when thirty-two senators, led by Mike

Mansfield (D-Mont.), proposed creating a “watchdog” committee by combining the four Congressional subcommittees then dealing with various aspects of CIA activities into one single oversight group, modeled after the Joint Committee on Atomic Energy. This resolution failed to pass a Senate vote in April, as had similar earlier proposals made by Mansfield in July 1953 and March 1954. Senator Mansfield’s repeated efforts came to naught largely because they were opposed by the Eisenhower White House and Senator Richard Russell, Chairman of the Senate Armed Services Committee. Eisenhower was so concerned with maintaining sole executive branch control of intelligence activities that in January 1956 he created the President’s Board of Consultants on Foreign Intelligence Activities (later known as the President’s Foreign Intelligence Advisory Board or PFIAB), a group of civilian experts and advisors not affiliated with Congress, to provide oversight and advice in intelligence matters. In addition, several executive branch boards and panels were commissioned in the mid-1950s to identify and remedy deficiencies in the Intelligence Community before they became significant issues prompting Congressional action. The president steadfastly maintained that any attempts by Congressional committees to oversee covert operations would be an invasion of his prerogatives as commander-in-chief and as the chief executive. Executive branch attitudes against Congressional involvement remained so strong, that in November 1960 Eisenhower and the National Security



**Senator J. William Fulbright
(D-Ark.)**

Council once again formally reaffirmed their opposition to Mansfield’s subcommittee merger idea, preventing passage of any Congressional oversight act at that time. In President Eisenhower’s mind, executive branch advisory boards and NSC committees would serve as his principal defense against any attempt by Congress to move into the intelligence field.

In spite of Senator Mansfield’s failed attempts, other Congressmen followed his lead. In 1963, two years after the failed Bay of Pigs invasion of Cuba, Representative John V. Lindsay (R-N.Y.) called for a detailed probe of the CIA, but it failed to gain any legislative support. Senator J. William Fulbright (D-Ark.), the chairman of the Senate Foreign Relations

Committee, launched a more aggressive effort in 1966, with a resolution to create a Senate Committee on Intelligence Operations. Fulbright's proposal, initially cosponsored by Senator Eugene J. McCarthy (D-Minn.), failed to pass amid great partisan inter-committee squabbling.³⁷ Nor was the time ripe in 1974 when a similar bill, introduced by Senator James G. Abourezk (D-S. Dak.), which sought to prohibit CIA covert activities and henceforth limit the agency to intelligence gathering, analysis, and counterintelligence, also failed by a large and lopsided margin.³⁸

Such initiatives signaled a mood change in the Congress towards the executive branch and the nation's intelligence establishment. They bespoke dramatic social and political changes in the early 1970s—changes prompted by the drawn-out Vietnam War, by public concerns about policy decisions and the veracity of executive branch officials as revealed in the *Pentagon Papers* published in 1971, and by racial contradictions in American life highlighted in the civil rights movement of the prior decade. These events transpired just as the gradual shift in the balance of power from an exceptionally strong executive branch to a more powerful legislative branch gathered momentum. Enactment of the 1969 National Commitments Resolution in the U.S. Senate limited presidential powers, and was followed four years later by the 1973 War Powers Act. Combined with the Watergate Scandal of 1973 and 1974, involving clear and unequivocal misconduct by the Nixon administration, and, finally, by revelations of operational bungling and wrongdoing by the Central Intelligence Agency in the 1960s and early 1970s, all served to produce a more activist legislature interested in closer involvement with the executive branch. What had further changed by this time, as well, especially in regards to the presidency, the executive branch as a whole, and the U.S. Intelligence Community in particular, was the “tolerance level” of Americans “—in Congress and the mass media—of secret operations that had gone wrong, had been patently unwise, or had violated basic Constitutional principles.” The deference that Congress had shown to both the Intelligence Community and the White House regarding the conduct of intelligence and national security affairs now began to ebb and would soon totally disappear.³⁹

Other broad trends and developments affected the U.S. Congress at this time, both as a government institution and as an overseer of the executive branch and the Intelligence Community. They included “reinvigorated partisanship, particularly in the House; strengthened party and institution-wide leadership; assaults on the jurisdiction and power of the established

standing committees,” as well as “a concentration of policy-making areas and shifts in Congressional workloads, for instance, from lawmaking to oversight, and from enacting new programs to modifying and fine-tuning existing ones.” Congress itself, therefore, was undergoing significant change, and younger and more activist members of both houses sought to reform the management, procedures, and operations of the entire legislative branch, seen by some as increasingly inefficient and hidebound, operating under arcane rules and traditions. A step in this process was the Committee Reform Amendments of 1974, which represented a concerted effort on the part of the House of Representatives to realign committee jurisdictions and perhaps open both committee memberships and chairmanships to new blood.⁴⁰

These events heralded fundamental reforms and reorganizations in government and society that included, first and foremost, an activist Congress that conducted investigations and oversight of the executive branch in general and the Intelligence Community in particular. Even though recurring proposals had surfaced within the executive and legislative branches for improving the organization and operation of the Intelligence Community, the events of the 1970s gave them new life. Intelligence gathering would cease being just another White House asset, where roles, priorities, and missions were determined by the chief executive, in consultation with his cabinet, military, and NSC advisors, to one that would be shared between the executive and legislative branches. It marked a fundamental blurring of long-held executive and legislative prerogatives and Constitutional provisions that called for a distinct separation of powers between the two branches of the Federal Government.⁴¹

The primary event that focused Congressional attention on the Intelligence Community at this time were sensational accusations of wrong-doing made by journalist Seymour M. Hersh in *The New York Times* on 22 December 1974. Coming less than four months after the resignation of President Richard M. Nixon, itself an unprecedented event, Hersh’s accusations served to open the floodgates of change by capturing the attention of both the public and Congress. Hersh, a journalist with a reputation for muckraking, had earlier reported the cover-up of the 1968 “My Lai massacre” by U.S. Army forces in South Vietnam. Now he reported a series of illegalities, improper behavior, and unethical CIA and FBI activity extending back twenty years that included massive domestic spying operations on anti-war activists, illegal wiretapping, the surreptitious inspection of mail, the creation of dossiers on over ten thousand U.S. citizens, assassination plots against foreign leaders, drug testing and mind-control experiments on

unwitting subjects, the infiltration of domestic dissident groups, and efforts to neutralize African-American civil rights leaders such as Martin Luther King, Jr., all carried out either illegally, or under very dubious circumstances, or in direct contravention of legal authority.⁴² Amid an unprecedented storm of public protest and outrage in the wake of these allegations, and while CIA officials continued to insist that the charges were overblown, the U.S. Congress, again led by Senate Majority Leader Mike Mansfield, called for an official inquiry into CIA and Federal Bureau of Investigation (FBI) activities with an eye towards reform, possible reorganization, and assuredly far stricter management and accountability. Yet “given the media’s coverage of massive abuses, these [Congressional] efforts were classic ‘fire-alarm’ approaches to oversight; that is, reactions to problems that are first raised by the media or by criticisms from adversely affected parties.”⁴³ The hitherto lackluster oversight role of Congress was set to abruptly end in a loud, public petard.

These disclosures and allegations clearly suggested that intelligence activities, long ignored by Congress and directed solely through what now seemed the questionable judgment and discretion of executive branch officials, had strayed outside acceptable limits of American jurisprudence and standards of “fair play.” In the fall of 1974, just prior to the Hersh allegations, the Senate had passed an amendment to the Foreign Assistance Act of 1961, known as the Hughes-Ryan Amendment, named after its authors Senator Harold E. Hughes (D-Iowa) and Representative Leo J. Ryan (D-Calif.). This amendment called for a suspension of funding for covert activities unless the president demonstrated that each such operation was important to the national security of the United States. It also required the president to report to six committees of Congress, rather than to the then current four—now to include the House and Senate Committees on Armed Services, Appropriations, and Foreign Relations—in a “timely fashion, [with] a description and scope” of each important covert action undertaken by the CIA.⁴⁴

Just weeks after passage of the Hughes-Ryan Amendment, on 4 January 1975, President Gerald R. Ford issued Executive Order 11828, which established the eight-man Commission on CIA Activities Within the United States. Chaired by Vice President Nelson A. Rockefeller, this executive branch commission, in 2,900 pages of sworn testimony from 51 witnesses, discovered numerous attempts by the Nixon White House to manipulate the nation’s intelligence agencies and the FBI for partisan political purposes. The Rockefeller Commission released its findings in the form of 30 recommendations on 10 June 1975. Although reporting that the majority of CIA

domestic activities complied with existing statutory authority, it discovered that some other activities were clearly unlawful and constituted invasions of the privacy and civil rights of Americans.⁴⁵



Swearing-in Ceremony of the Rockefeller Commission, 1975.

Members included Nelson A. Rockefeller, Lyman L. Lemnitzer, Ronald Reagan, Edgar F. Shannon, Jr., David W. Belin, John T. Connor, C. Douglas Dillon, Erwin N. Griswold, and Lane Kirkland.

As the Rockefeller Commission conducted its investigations, and as a growing number of indiscretions came to light, the legislative branch became convinced that the Intelligence Community was out of control and that the executive branch could not put its own house in order. Therefore, the U.S. Senate, voting 82 to 4 on 27 January 1975, established an eleven-member Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities. The committee was instructed to conduct a full investigation of all 58 federal agencies having responsibility for U.S. Government law enforcement or intelligence activities. It would determine whether existing laws were adequate, and whether Congressional oversight roles and activities, as they then existed, were satisfactory. It would also examine the

extent to which the overt and covert activities conducted by Federal law enforcement agencies and the Intelligence Community at home and abroad were necessary and legal. The Senate majority named Senator Frank F. Church (D-Idaho) chair of the new select committee.⁴⁶



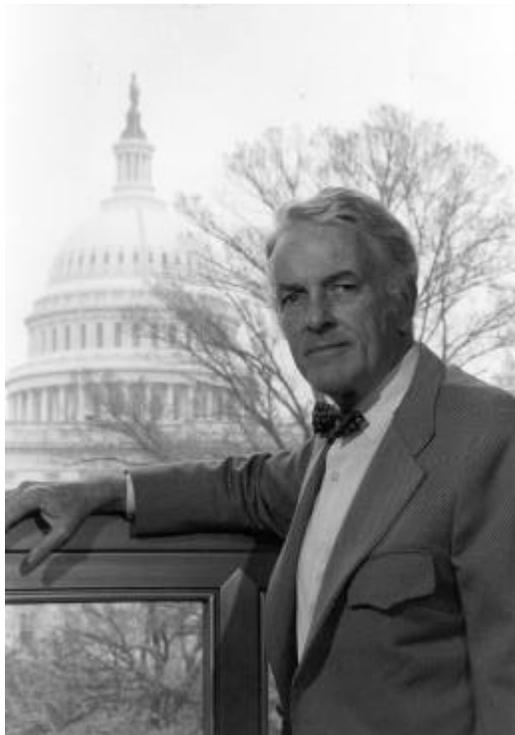
**Representative Lucien N. Nedzi
(D-Mich.)**

Not to be outdone, the U.S. House of Representatives soon followed the Senate's lead and, by a 286-120 vote, established its own 10-member House Select Committee on Intelligence on 19 February 1975. Its chair was Representative Lucien N. Nedzi (D-Mich.), who also served as the chairman of the House Armed Services Intelligence Subcommittee. Although Congressional attention initially focused on the CIA and FBI, NRO officials also provided information to the Congressional investigating committees on their organization and overflight activities. Unlike their CIA colleagues who often faced some unsympathetic and confrontational questioners, however, one NRO official recalled that during earlier hearings "the attitude of Mr.

Nedzi and the Subcommittee was amiable. They displayed sincere interest in the intelligence community and its problems." The members wanted "to be of assistance in improving the image of the intelligence community, and they are anxious to continue their education of intelligence so that they may accomplish their goals."⁴⁷

Then it was discovered that Representative Nedzi had been advised of certain CIA misdeeds earlier in 1973, while serving as chairman of the House Armed Services Intelligence Subcommittee. At that time he was investigating CIA involvement in the break-in at the Democratic National Committee headquarters at the Watergate complex in Washington, D.C., and he had done nothing about reporting his findings to the full House or acting to correct them. His ability to conduct an impartial investigation was immediately called into question. When other critics questioned the Michigan representative's interest in vigorously pushing the investigation of the CIA forward, citing as did one legislator that Nedzi's committee had failed in

five months “to ‘get off dead center’,” the embattled Congressman tendered his resignation. Although the full House initially rejected his resignation, the House Rules Committee recommended abolishing the Nedzi committee and forming a new investigative body. Amid



Representative Otis G. Pike (D-N.Y.)

great partisan wrangling, the full House voted to create a new committee on 17 July chaired by Representative Otis G. Pike (D-N.Y.), a member of the House Ways and Means Committee and formerly a member of the House Armed Services Committee. Eight members of the 10-member Nedzi committee served on the new 13-member committee chaired by Pike.⁴⁸

After investigations lasting fifteen months, which included considerable heated testimony and rancorous partisan debate within Congress, and which promoted conflict between the legislative and executive branches, both select committees finished their work by April 1976. That work coincided with, and concluded during, the presidential election campaign between the

Republican incumbent, President Gerald R. Ford, and former Georgia Governor Jimmy Carter. The latter, a self-described Washington “outsider” employed rhetoric during the Democratic presidential campaign that “frequently mentioned CIA abuses which he promised to curb” as president.⁴⁹

The Senate’s Church committee, whose 100 staff members had conducted more than 800 interviews, 250 executive hearings, and had compiled 110,000 pages of documentation, issued its official report first on 26 April. Only nine of eleven committee members signed the final version with Senators John G. Tower (R-Tex.) and Barry M. Goldwater (R-Ariz.) abstaining. They strongly disagreed with many of the committee’s conclusions. Senator Tower, especially displeased, called the committee “recommendations an ‘overreaction’ by the majority,” and “‘potentially dangerous’ to the nation’s security.”⁵⁰ The Church committee’s 183 recommendations, however, intended “to prevent the abuses that have occurred in the past from

occurring again.” They suggested, first and foremost, “that omnibus legislation be enacted to set forth the basic purposes of national intelligence activities and define the relationship between intelligence activities and Congress.” Furthermore, the committee recommended that formal charters be created for the several intelligence agencies then in existence, delineating general organizational structures, procedures, roles, and responsibilities, as well as clearly defining prohibited activities or other limitations on intelligence agency operations. Finally, the Church committee called on the U.S. Senate to establish a permanent committee to oversee intelligence matters.⁵¹



The Church Committee, 1975

Following the release of the Church committee report, and fully persuaded that oversight of the Intelligence Community had been wholly inadequate, the U.S. Senate overwhelmingly passed Resolution #400 on 19 May 1976 creating a Senate Select Committee on Intelligence (SSCI) to “oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to submit to the Senate appropriate proposals for legislation concerning such intelligence activities and programs.” This action established a permanent

committee with broad powers and jurisdiction over the entire Intelligence Community. It was unprecedented in the history of the legislative branch, and it implied that Congress would play a far more intensive and activist role in intelligence matters in the future. Indeed, the bill that created the Senate Select Committee on Intelligence immediately generated additional new hearings dealing with intelligence matters by five other standing committees and one select committee. The subsequent reports and recommendations resulted in thirteen proposed amendments, of which ten were eventually adopted, significantly tightening legislative branch control and oversight of executive branch intelligence agencies and their operations.⁵²



DCI Colby testifying before the Pike Committee, 1975

The Senate Select Committee on Intelligence, although not a standing committee under the rules of the Senate at that time, nonetheless secured permanent status early in its history. As finally configured, it consisted of fifteen members, each limited to eight years of continuous service. The SSCI featured a bipartisan structure, with an eight to seven majority-minority party ratio, with the vice chairman being a member of the minority party. Other panels with overlapping jurisdictions—the Senate Appropriations, Armed Services, Foreign Relations, and

now the Judiciary Committees—were assigned two members on the Intelligence Committee (one majority and one minority), for a total of eight, while seven other members were selected at large. Senator Daniel K. Inouye (D-Hawaii) served as the first chairman of the SSCI from 20 May 1976 through January 1978. The original committee consisted of 17 members and 50 staffers (including 14 holdovers from the Church committee staff), all requiring codeword clearance, raising new security concerns among some within the Intelligence Community.⁵³

In the meantime the Pike committee hearings in the House of Representatives proved far more adversarial and precipitated a greater amount of partisan bickering among House members and with officials of the executive branch. Ultimately, the full House never authorized publication of the Pike committee final report because it was leaked to a journalist, Daniel Schorr of CBS, and was subsequently published in the *Village Voice* newspaper before a security review of the document could take place. This unauthorized disclosure prompted the CBS television network to force Schorr’s resignation, and caused a vote in the full House of Representatives to block publication of the report altogether and to disband the Pike committee. Some 20 committee recommendations were published, however, on 11 February 1976, and called for restrictions on covert operations, the need for the president to report such activities to Congress within a



DCI Stansfield Turner

specified time, and for new financial reporting and accounting measures in the Intelligence Community.⁵⁴

This unfortunate experience in the House caused the lower chamber to move more slowly than the Senate in dealing with the Intelligence Community. It would, nonetheless, eventually take on more intensive oversight duties. A year after the Senate established its Select Committee on Intelligence, at the urging of President Jimmy Carter, who was seeking to fulfill his campaign promises, and DCI Stansfield Turner, the Speaker of the House, Thomas P. “Tip” O’Neill (D-Mass.), encouraged members of the House of Representatives to follow the Senate’s lead in

passing, by a vote of 227 to 171, Resolution #658, that created a House Permanent Select Committee on Intelligence (HPSCI) on 14 July 1977.⁵⁵

The House committee, which was similar to its Senate counterpart, was granted nearly identical jurisdiction and authority, including exclusive control over authorizations and legislation affecting the CIA, as well as jurisdiction over the remainder of the Intelligence Community shared with other Congressional standing committees. Unlike the Senate panel, however, the House committee was created with the intent that it be a permanent body at the outset under the rules of the chamber. The House panel, in addition, held jurisdiction over tactical military intelligence, which the Senate committee did not possess. The House committee also differed from the Senate version in size, partisan composition, leadership structure, the number of seats reserved for members of other committees, length of service, and authority to disclose classified information. The House panel originally consisted of just thirteen members, including the chair, a number increased to nineteen in 1993, but still representing a much smaller proportion of the chamber's overall number than did the Senate panel's original eighteen (and later fifteen) members. The House Permanent Select Committee on Intelligence had only one seat for each of four other committees with overlapping jurisdiction—House Appropriations, Armed Services, Foreign Affairs, and Judiciary Committees—while the Senate required two members from each, a majority and a minority party member. Tenure on the House committee would be limited to six years of continuous service rather than the eight years on the SSCI. The House committee also received less autonomy and authority than its Senate counterpart, and remains, for example, prohibited from disclosing classified information on its own; this power being reserved for the full House of Representatives and then only under elaborate procedures, including referral to the president and a vote of the full chamber. Suspected leaks of classified information also required an investigation by the House



**Representative Thomas P. "Tip"
O'Neill, Jr. (D-Mass.)**

Ethics Committee. Another distinguishing characteristic of the House intelligence committee was its partisan composition—a nine to four majority-minority party ratio compared to the more bipartisan nature of the Senate committee. The HPSCI, however, started with a staff of only twenty people, as opposed to the fifty-member staff of SSCI. But, as with the Senate committee, the staff associated with HPSCI would also share security clearances of the highest order. Representative Edward P. Boland (D-Mass.), a longtime friend of Speaker O’Neill and a senior member of the House Appropriations Committee, served as the chair of the House Permanent Select Committee on Intelligence from its inception on 27 July 1977 until 3 January 1985.⁵⁶

As part of the overall Senate and House investigations of the Intelligence Community, Congress also examined its own culpability and ended up faulting the entire legislative branch for its absolute and egregious failure to diagnose and repair what proved to be an utterly ineffective, insufficient, and at times almost-nonexistent oversight role. The investigations had “disclosed . . . a defective Congressional oversight system—one that led either to neglect or to a protective symbiotic relationship between intelligence agencies and their traditional overseers on Capitol Hill.”⁵⁷ As later Director of Central Intelligence Robert M. Gates observed, “the mechanism for oversight clearly existed [before the 1970s]; what was missing was an interest in using it.”⁵⁸

Nevertheless, though the Senate and House intelligence committees were created in response to what many perceived as “a clear crisis of confidence in the country and a need to rebuild the public’s trust in governmental institutions,” they also represented an attempt to restore the alleged imbalance of power between the legislative and executive branches. Many also recognized that the Soviet Union and the Cold War still represented a critical threat to America. During the investigations, Congress had discovered that the Intelligence Community was hardly a peripheral government institution, but in fact played, and had played, a crucial role in the nation’s overall security since its inception thirty years before, regardless of the recent revelations indicating that in some ways it had gone awry. Needed though it might be, it assuredly would be more closely monitored than ever by the legislative branch.⁵⁹

By the late 1970s, the U.S. Congress had committed itself to continuous oversight, while ensuring that intelligence operations remained secret within common sense statutory guidelines. Rather than abolishing or dramatically revamping the Intelligence Community, the Congressional investigations, and resulting oversight functions of HPSCI and SSCI, were grafted

onto an existing and largely accepted intelligence apparatus. The Congressional investigations and subsequent oversight ultimately turned on the assumption that accountability could be obtained without sacrificing the security or the effectiveness of intelligence institutions in the process. Both legislative and executive branches could share, and indeed, had to share, intelligence functions and oversight. To some, primarily on the legislative side of the house, this revised relationship represented a unique attempt to bring democracy to the hidden side of government. To others, primarily representatives of the executive branch and Intelligence Community, it represented unnecessary fiduciary meddling, intrusive supervision of operations, unwarranted demands for new projects, and outright interference in the preserve of intelligence professionals by rank amateurs in the legislature. “Congress,” in terms of oversight, “moved to a measurably higher and more consistent level, where it is even accused of ‘micromanagement’ by administration officials and supporters.” The institution thus took on a more routine, regularized, and institutionalized oversight process that featured committees on intelligence with comprehensive jurisdiction that involved a larger number of legislators and professional staff than anything ever seen before.⁶⁰

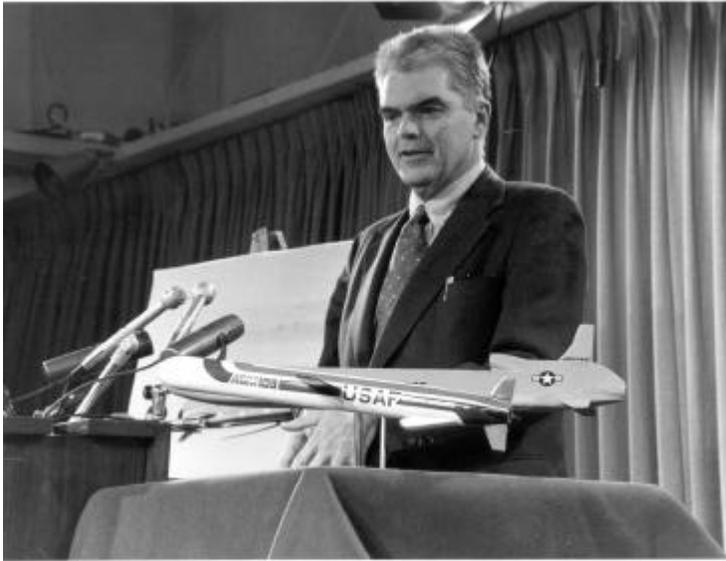
The two Congressional intelligence committees, and Executive Orders that implemented Congressionally-mandated changes, ensured that the entire Intelligence Community now would be managed more closely by interested, presumably detached, legislative authorities. Now, perfectly, “a remodeled intelligence community . . . would provide more timely and accurate information,” would be “subject to more effective oversight,” with Congress being “a full member of the decision-making team, with access to information about secret operations, as well as authority over intelligence legislation and appropriations.”⁶¹ “In the 1970s,” therefore, the legislative branch “needed to take responsibility for control of the Intelligence Community, especially Congress were to gain parity with the president over national security policy.” In the years that followed the investigations of the 1970s, the shift from exclusive executive control of intelligence to joint control shared between the executive and legislative branches became complete, with each offering their specific perspectives and expertise. Congress not only had “access to intelligence judgments, but to most information that intelligence agencies acquire as well as the details of intelligence activities.” After 1977, annual budget hearings, briefings and reviews of proposed legislation and programs, Senate confirmation hearings for the DCI and other Intelligence Community officials, and nearly day-to-day monitoring of Intelligence

Community activities by legislators and their staffs, became standard operating procedure for both the HPSCI and SSCI. Thus, “the Congressional investigations laid the groundwork for new organizations, authority, and structures to review, monitor, supervise, and check executive action,” and “underlying this were increased Congressional independence and assertiveness.” Oversight of the executive branch intelligence agencies became one of the foremost Congressional functions after the mid-1970s, reflective of that institution’s desire to play a larger role in intelligence and national security affairs than in the past. “The work of the House and Senate intelligence committees, despite their specialized jurisdictions, runs the gamut of committee functions and responsibilities. Much of their effort,” however, “is involved directly or indirectly with oversight; that is, the review, monitoring, and supervision of executive agencies and their activities.”⁶²

CONGRESS AND THE NRO IN A NEW ENVIRONMENT

In the wake of the establishment of the Senate and House intelligence committees, Congressional interaction with the entire Intelligence Community increased dramatically. By the late 1970s, leaders of intelligence organizations that previously had operated with a high degree of secrecy and autonomy within the executive branch, found themselves closely examined and questioned by inquisitive legislators in both houses of Congress. To their customary duties of gathering and analyzing information, professional intelligence officers now added Congressional committee briefings on budgets, management, and operations. As one CIA member recalled, “in 1975 before the oversight committees were established, the Agency gave 188 substantive briefings on the Hill and furnished 204 classified intelligence products. In 1979 the number of substantive briefings had risen to 420 and the number of classified intelligence products to approximately 1,800.” By the end of the twentieth century, these figures increased dramatically as Congress instituted inquiries of and briefings from all member agencies of the U.S. Intelligence Community.⁶³

What was true for the Central Intelligence Agency and Intelligence Community at large was also true for Congressional oversight of the National Reconnaissance Program, especially between 1977 and 1979. Although the National Reconnaissance Office had come through the various Congressional investigations of the 1970s with the secret of its existence still intact and



**NRO Director Hans M. Mark
(Shown as Secretary of the Air Force)**

hidden from public view, both the Senate and the House intelligence committees were interested in what the NRO had accomplished in the past, and what it planned for the future. As Assistant Secretary of Defense Gerald P. Dineen recalled, these years “saw [the] NRP function in an entirely different environment than it had seen previously. The program oversight was not only significantly increased—Congress, Defense, DCI

staff—but was conducted in earnest.”⁶⁴ The Director of the NRO at the time, Hans M. Mark, added that the new oversight and reporting requirements were not entirely a negative development, because the U.S. Congress “provided a broad base of support for the NRP,” and the NRO and its programs and staff enjoyed “the respect of the people who review and approve our programs both in the executive branch and in the Congress.”⁶⁵ Unlike the experience of other intelligence agencies operating in this new environment of closer Congressional scrutiny, the National Reconnaissance Office still impressed the majority of legislators on Capitol Hill when its history and record of accomplishments became more widely known to those on the newly involved intelligence committees.

The Congressional focus on the NRO in the late 1970s and early 1980s was not so much on secrecy, organization, or management issues, but on the enormous expenses involved in the research, development, acquisition, and deployment of imagery and signals intelligence satellite systems that were more numerous and powerful than the CORONA and GRAB projects of the early 1960s. Stewards of the public purse, Congress wanted to insure that the nation received the most for its money, especially in matters related to national security and defense. NRO satellites had always been costly because of the sophisticated, custom-built, one-of-a-kind technology involved. But the National Reconnaissance Program claimed an ever-increasing amount of the intelligence budget by the late 1970s and early 1980s, dwarfing the funding going to the rest of

the Intelligence Community. Although the NRO had received consistent year-to-year funding in the 1970s, the budgeted amounts nonetheless had remained constant without regard for changing economic times and increased demands for National Reconnaissance Office-supplied intelligence going to a growing number of customers. By the late 1970's, because appropriations had failed to take into account economic swings and inflation, especially the hyperinflation experienced during the late 1970s, "the NRP," according to NRO Director Hans Mark, "was substantially under funded when compared to the results expected of the satellite systems" it operated.⁶⁶

Especially hard hit in this environment were the National Reconnaissance Office research and development efforts required to replace obsolete systems with new ones that took advantage of the latest technology and engineering. Although Congress indicated a willingness to continue funding reconnaissance satellite programs, cost now became increasingly important. NRO leaders and program managers were told to determine more realistic funding schemes, and to produce research and development schedules that maximized intelligence gathering capabilities while holding down expenditures. When new satellite programs were briefed to the Congressional intelligence and appropriations committees, NRO leaders were often told to pick and choose between those needed most urgently because, as in the case of two satellite systems being developed in the late 1970's, Congress would approve funding for only one but not both. By this time, Congress sent an unmistakable message to the National Reconnaissance Office: it would have to do more with less.

National Reconnaissance Office and Central Intelligence Agency leaders were soon appearing before the House and Senate appropriations and intelligence committees to explain in graphic terms that any cuts could have a significant negative affect on NRO plans and operations—with a concomitant reduction in the intelligence product delivered to national customers. The funding levels reduced program management flexibility and restricted research and development of the next generation of satellites crucial to maintaining information supremacy. As Director of Central Intelligence William J. Casey averred before one Congressional committee in 1983, the Intelligence Community had become "the 'victim of budgetary and manpower restraints which impaired its capabilities, and of policies, practices, and untoward events which jeopardized its reputation for security and reliability'."⁶⁷

Realizing that intelligence functions required consistent and sufficient funding to avoid a decline in capabilities, and heeding pleas for support “in reversing the adverse impact which these developments have had on our national security,” Congress responded by increasing Intelligence Community appropriations, including those of the NRO. This prompted DCI Casey



DCI William J. Casey

in 1983 to advise Congress of “the [improved] condition of the Community today, I am impressed with, and appreciative of, the substantial progress that your support has made possible in restoring greatly needed capabilities.”⁶⁸ The budgets of the National Reconnaissance Program increased annually during the 1980s and into the 1990s, even when adjusted for inflation. But the importance placed on NRO programs by any particular session of Congress during the late 1970s and in the 1980s could not always be expected as a matter of course during future legislative sessions considering the turnover of committee and legislative branch memberships. Thus Intelligence Community

officials were compelled to perennially keep the legislative branch informed in detail of their vital and on-going mission and the need for consistent funding.

NRO funding increases, however, coincided with growing intelligence requirements. By the late 1980s “beyond the continuing demands of traditional missions,” customer requests for a variety of additional, near-real-time intelligence reports were, in the words of then Director of Central Intelligence William H. Webster, “driving a requirements explosion” that required ever more sophisticated satellite architecture to gather imagery, communications, and electronic intelligence. Meanwhile, intelligence targets had become more difficult to view easily (given improved efforts at denial and deception). And more complex, encoded signals were being encountered. National military customers nonetheless demanded more timely intelligence, which expanded the geographic scope of NRO satellite surveillance.⁶⁹ The National Reconnaissance Office, therefore, had to increase “economic, social, and political intelligence” collection efforts, and “pay more attention to force monitoring, order of battle, readiness, modernization, and

strategic indications and warning.” All the while, it continued to “look deep into the Soviet Union for scientific and technical intelligence, to find new weapons, protect against strategic breakout, and monitor arms control measures.” At the same time, new requirements levied on the NRO expanded its “global coverage to monitor Third World weapons deliveries and crises, and to provide collection support to low intensity conflict monitoring and counter terrorism, and drug interdiction.” The National Reconnaissance Office, working with finite space assets, now attempted to maintain its “flexibility to adapt, even surge, to meet changing and unpredictable requirements” around the world.⁷⁰

Besides increased Congressional oversight, the NRO encountered more direct decision making by both intelligence committees in regards to programs and planning than at any time in its history. Where before 1975 Congressional participation in intelligence affairs was nearly non-existent, by the late 1980’s Congressional recommendations and direction of NRO activities had become a daily fact of life. “The authorizing power” of Congress was “also used to affect specific policies and programs,” serving to further enlarge the intelligence committee’s “range of influence.” “The Senate Intelligence Committee,” for example, “played a key role in the 1988 strategic arms reduction talks (START) because of its support for new surveillance satellites to monitor Soviet compliance with treaties that might emerge.” “President Reagan,” the story goes, “reportedly endorsed the satellite package when the committee chair and other Senators threatened to oppose the United States-Soviet treaty banning intermediate-range nuclear missiles” if he did not do so. The treaty was unenforceable, in the Senate view, unless the NRO received the necessary amounts of funding to put into place a satellite constellation capable of confirming Soviet compliance. “The Bush administration, which sought to reduce spending for new satellites, initially retained the satellite package because of the same [Senate] pressure.” Members of the House appropriations committee, meanwhile, “questioned the cost benefit of the expensive satellite program, especially in the light of the growing deficit when Bush entered office.” Funding was later cut, in 1990, with the collapse of the Soviet Union and the end of the Cold War, but this episode presented “an intriguing example of the sometimes convoluted way bipartisanship and continuity in public policy are put into effect. Here, “the Democratic-led Senate Intelligence Committee came to an agreement with one Republican administration, which the successor Republican administration wanted to abort but instead was forced to adopt. The effort, moreover, put the Democratic-led Senate Intelligence Committee at odds with the

Democratic House Appropriations panel, which, in effect, sided with the new Republican administration against the old one.”⁷¹

As time went on, the authorization power held by the intelligence committees increased in importance. It made the members of the Intelligence Community “more prone to comply with requests for information and pay attention to directives or proposals from the committees (in reports and at meetings and hearings) when the committees hold the purse strings.” One former Director of the National Security Agency and former Deputy DCI Bobby R. Inman, “referred to the tangible incentive to complying with Congressional demands and even ‘onerous constraints’ when he recognized that some ‘measure of oversight is absolutely essential for ongoing public support and flow of dollars’.”⁷² The primary and traditional NRO mission of meeting the daily needs of its intelligence customers, had increased to give near-equal priority to meeting the concerns and satisfying the oversight requirements of Congress to ensure continued funding. Legislators unhappy with the level or the quality of an NRO response to a Congressional request or inquiry could easily tighten the purse strings and further complicate an already difficult mission. Senator John W. Warner (R-Va.), the Vice Chairman of the Senate Select Committee on Intelligence in 1994 defined the Congressional position concisely when he declared during committee hearings: “Congress had the ultimate leverage to cut off your funding if our institutional needs had not been met.”⁷³

THE NRO MISSION IN THE POST COLD WAR

The sudden collapse of the Soviet Union in 1991 and the end of the Cold War brought significant changes that directly affected the NRO, the Intelligence Community, and the entire national defense establishment. Public opinion, reflected in both houses of Congress and to a lesser extent within the executive branch, equated the end of the Cold War with the end of large defense expenditures and budget deficits, a nearly perennial fact of American life since the 1940s.⁷⁴ Intent on claiming a “peace dividend,” Congress and the executive branch embarked on a decade-long series of budgetary retrenchments. The nation’s Cold War military and intelligence establishment were reduced to a level commensurate with the allegedly diminished threat. The downsizing was accomplished through the closing or consolidation of scores of military bases and facilities worldwide, by terminating or greatly reducing weapons development

and acquisition programs, and by removing hundreds of thousands of uniformed and civilian Defense Department and Intelligence Community personnel from active service.

The end of the Cold War also marked a change in the National Reconnaissance Office relationship with the U.S. Congress. The new, decentralized world order of the 1990s demanded that the NRO adapt to it, and implied even greater oversight of the organization by a Congress seeking to reduce defense and intelligence spending. The resulting decline in funding of the NRP in the 1990s had an adverse impact on its overhead programs and targeting priorities, which “included maintaining the existing constellation of reconnaissance satellites . . . continuing research, development, and other initiatives under study for new systems, and on-going efforts to promote new initiatives necessary to ensure [satellite-reconnaissance] effectiveness in the future.”⁷⁵ Thus, in the 1990s, officials in the Intelligence Community and the National Reconnaissance Office explained to Congress—and increasingly to the American public after “the fact” of the NRO’s existence was acknowledged in 1992⁷⁶—that the nation’s overhead reconnaissance needs in a multi-polar world were not declining, as were the demands on the remainder of the defense establishment, but were in fact growing, even though the Commonwealth of Independent States was no longer as great a strategic threat to the United States as the Soviet Union had been in the past. Even though the major Cold War threats to the national security had not entirely disappeared, new dangers had emerged that were not altogether foreseen. In the words of Jimmie D. Hill, the Deputy Director of the NRO:

While there is no longer a compelling monolithic threat to the survival of the United States, the economic and political instability of the Commonwealth of Independent States and other elements of the former Soviet Union continue to be a major intelligence concern. This, coupled with the defense plan calling for the strategy of winning two nearly simultaneous major regional conflicts, dictates the nation’s intelligence capabilities remain robust, flexible, and adaptable to a rapidly changing multi-polar world. At the same time, the more routine substantive issues intelligence must address have broadened in scope, to include battlefield military support, arms control, treaty compliance, international terrorism, weapons proliferation, narcotics trafficking, environmental management, economic competition, and technology trends.⁷⁷

As international uncertainty and threats to the nation emerged after the Cold War, the demands for overhead surveillance conducted by the National Reconnaissance Office actually increased more rapidly than at any other time in the organization’s history. The threat had changed and that change brought new requirements with it.

Providing increased tactical intelligence support to the nation's military services numbered among the most significant of the NRO's new requirements. Though the U.S. Armed Forces declined in size, with force structure and support services cut in pursuit of fiscal savings, the intelligence needs of those remaining in uniform increased. Tactical intelligence now became crucial as a force enhancer, for it allowed military personnel to accomplish with confidence simultaneous missions with fewer people. And as the Defense Department phased out some of its land-based "air-breathing" reconnaissance systems, the National Reconnaissance Office was



Deputy NRO Director Jimmie D. Hill

called upon to support with space systems increased numbers of both routine and extraordinary military missions. Indeed, by the time of Operation DESERT SHIELD/DESERT STORM in 1990-1991, space-based reconnaissance support for tactical forces already had become fundamental in the nation's ability to wage war. Responding to the lessons of the Gulf War, the National Reconnaissance Office established the Operational Support Office (OSO) in 1992 that directly addressed tactical military intelligence concerns. Service TENCAP (Tactical Exploitation of National Capabilities) organizations working, with the NRO and its mission partners, created new and improved mobile vans and receiving equipment that brought satellite imagery and signals intelligence directly to deployed U.S. ground forces at the corps, division, and even brigade level, as well as to U.S. Navy warships at sea. As NRO Director Keith R. Hall phrased it for Congress in the late 1990s, the military support mission was "particularly important" because, "as the U.S. military force structure shrinks, current modernization planning places increased reliance on sophisticated intelligence systems to provide precise targeting information, to support technologically advanced weapon systems, and to save lives."⁷⁸

Notwithstanding new missions and customers, in the 1990s the National Reconnaissance Program budget rose at first slightly, leveled off, and then began to decline.⁷⁹ In 1991 NRO Director Martin C. Faga informed Congress, "over the next few years the nation's satellite

reconnaissance capabilities will continue to improve. However, the existing launch infrastructure is inadequate to support the nation's projected satellite launch requirements until the mid-1990s," and, "for the second year in a row, the NRP will experience several long-term cutbacks and is far from robust."⁸⁰ The trend of ever-increasing missions in support of new civilian and military customers prompted the National Reconnaissance Office to make significant changes "with the objective of reducing the cost of overhead reconnaissance while continuing to produce NRO systems capable of responding to rapidly changing collection requirements of both the national intelligence and tactical military customers." "At no other time since the creation of the NRO," according to then Deputy Director Jimmie D. Hill, "has the government embarked upon such significant change in all of its satellite collection capabilities. But until this transition was complete," he warned Congress in 1994, "there is a risk of reduced capability because our acquisition schedules for the current systems no longer provide the robustness they once did."⁸¹

As with the rest of the Intelligence Community and defense establishment, the increased roles and missions of the 1990s severely strained existing NRO assets. Yet the new National Reconnaissance Office in the post Cold War world engaged in more intelligence gathering for more customers, with less funding, while it faced a higher level of accountability before Congressional oversight committees and the legislature as a whole. In 1996, acting NRO Director Hall explained that "the Intelligence Community [had] reassessed the country's needs and substantially changed the plan for acquisition of satellite systems," and that it hoped to save substantial funds in the process.⁸²

Yet in spite of warnings that budget reductions would damage current and future spaced-base satellite reconnaissance systems, for four years, beginning in 1992, Congress recommended authorization levels for intelligence and intelligence-related activities lower than the amounts requested by the president. It was the view of the Senate Select Committee on Intelligence that spending on intelligence programs had to be reexamined in light of the collapse of the Soviet Union and evolving threats to the national security. Through its independent intelligence budget review, the Senate determined that reductions in fiscal and personnel were possible without impairing the ability of intelligence agencies to provide timely and accurate information essential to policymakers and military commanders.⁸³ Such assessments ran contrary to the views of NRO and Intelligence Community officials who saw the need for increased funding to meet new threats to the national security with new and improved satellite systems. Congressional oversight

of the National Reconnaissance Office in the early 1990s remained focused on the cost of the National Reconnaissance Program, and securing adequate funding simply to maintain operations became the subject of daily NRO business.

CONGRESS AND CONTROVERSY AT THE NRO

Although funding remained a primary concern of the National Reconnaissance Office and Congress, the operation and management of the NRO and NRP also claimed increased attention. Issues of day-to-day operations of NRO facilities and staff activities had not been a primary interest of Congress after the investigations of the mid-1970s, or even after “the fact” of the NRO’s existence became public knowledge in 1992. The NRO performed a service vital to national security in a manner that satisfied the Intelligence Community and national command authorities. All this was soon to change, however, in a very dramatic fashion.

Through its first thirty-five years of existence, the National Reconnaissance Office had introduced and employed a unique management system that worked without extensive bureaucratic layers, time-consuming reviews, and intrusive management oversight. For many years this “minimum management” and incentive contracting provided vital foreign intelligence to customers very rapidly. For those who knew of them, NRO administrative practices were the envy of the other older departments of the Federal Government, military and civilian, which were more heavily bureaucratized. In the streamlined NRO management system, program leaders reported to the Director of the National Reconnaissance Office. Space projects routinely were not subject to military service staff reviews, as was the case with other operations and acquisitions of the Defense Department. Determinations and assessments of systems feasibility, cost-effectiveness, and probable mission success were left to the NRO’s civilian and military project directors and program managers. All satellite programs encompassed cradle-to-grave management within small, security-compartmented program offices that depended on private contractors as an integral part of the military and government civilian team. Indeed, as *The New York Times* characterized it, the NRO was “essentially a Government contracting office, manufacturing and managing extraordinarily expensive satellites for the Central Intelligence Agency, the Air Force and the Navy” in close cooperation with the nation’s largest aerospace and defense corporations.⁸⁴ To be sure, NRO program offices sponsored research and

development and adopted advanced technology in custom-built, small production quantities, with all of the work being conducted under extraordinarily strict security. The NRO acquisition process, which employed contract incentives based on schedule and mission performance, required only a minimum of documentation at all levels—from conception through construction, deployment, and operation. To most involved with NRO programs, in government and private industry, these methods of management and operation were the primary reasons for the organization’s history of extraordinary mission successes.⁸⁵

The National Reconnaissance Office was unique in other ways as well. It was one of the few agencies in the U.S. Intelligence Community and Federal Government in the late twentieth century that operated without a headquarters facility of its own. The NRO director and his immediate staff occupied a suite at the Pentagon, while the various program offices and their



NRO Director Martin C. Faga

private-industry contractors were spread across the country. The decentralized organizational structure, which had occurred more by happenstance than by design, dispersed vital NRO personnel and facilities and enhanced security. But it also allowed costly duplication of effort, competition between programs on similar systems, and difficulties in inter-program communication, program control, and mission coordination. Thus, between 1989 and 1991, DNRO Martin Faga, with the support of the U.S. Congress, sought to effect reforms to further cut costs and increase efficiency by eliminating unproductive competition among NRO program elements, improving relations with customers,

and encouraging the integration of program plans and system designs to minimize redundancy. Following several internal NRO and Intelligence Community studies, the solution appeared manifest—reorganization and collocation. As the 1990s got underway, the need to improve efficiency and reduce costs became even more urgent as Congress and the executive branch

mandated retrenchments in defense and intelligence expenditures following the end of the Cold War.⁸⁶

In late December 1992, the National Reconnaissance Office, again with Congressional approval and support, abolished the thirty-year-old institutional Programs A (Air Force), B (CIA), and C (Navy), replacing them with functional directorates (Imaging, Signals Intelligence, and Communications).⁸⁷ This change reduced costs by minimizing the duplication of effort and competition between the NRO's civilian and military components. To achieve this reorganization, NRO and Congressional leaders acted to "collocate" or combine all of the new functional directorates with the agency's headquarters in a single complex in the Washington, D.C., National Capital Region. This was to be accomplished no later than 1996, and was intended to improve program control, mission coordination, and communications among the NRO components that previously operated in "stove-pipes," often separated physically by thousands of miles. Reorganizing and collocating thus became the NRO's way of adapting to the downsizing of the Intelligence Community and the Congressionally mandated retrenchments of the post-Cold War period. Moving to collocate all NRO personnel in one headquarters facility as rapidly as possible, a property of approximately 68 acres costing \$4 million was purchased in Chantilly, Virginia, in November 1990. Construction of a 1 million square foot facility began in 1991 by Rockwell International, Incorporated, to mask the fact that the facility would eventually house the then still secret NRO.⁸⁸

National Reconnaissance Office leaders advised Congress through a letter to Senator David L. Boren (D-Okla.), the chairman of the Senate Select Committee on Intelligence, on 17 September 1990, that the office intended to collocate all personnel in one new headquarters facility. Congress quickly approved the move and appropriated funds requested by NRO for a portion of the new headquarters building. Later, in 1992, NRO leaders informed HPSCI and SSCI that the headquarters probably would be larger than originally anticipated because of on-going reassessments of how many programs and personnel ultimately would be included in the collocation effort.⁸⁹ Two years later, however, in late July 1994, the chairman of the Senate Select Committee on Intelligence, Senator Dennis W. DeConcini (D-Ariz.), suddenly charged that the National Reconnaissance Office had failed to properly brief the SSCI about construction of the new facility, especially concerning its size and eventual total cost. Senator DeConcini's charges implied that the construction project would not have secured Congressional approval if

the true facts had been known at the outset, and that the NRO leadership had purposely withheld information in order to build a larger facility than Congress would have considered prudent. The media seized on the story. On 10 August, the Senate Select Committee on Intelligence began hearings on the NRO headquarters construction project. In the process, Congress began a period of intense scrutiny of NRO operations and management practices unprecedented in the organization's history, challenging the NRO's traditional emphasis on streamlined management, the private industry-government team concept, and requirements for strict secrecy. That summer Deputy Secretary of Defense John M. Deutch, Director of Central Intelligence R. James Woolsey, NRO Director Jeffrey K. Harris, Deputy NRO Director Jimmie D. Hill, and Roger O. Marsh, Director of the NRO Management Services and Operations office and the project manager for the NRO headquarters project at Westfields, testified before the Senate Select Committee on Intelligence.⁹⁰



NRO Director Jeffrey K. Harris

were “shoe-horned” into aged and crowded facilities with other branches and departments throughout the National Capital Region—including those who occupied the Congressional office buildings on Capitol Hill. In addition, as critics quickly pointed out, the NRO headquarters project had started after the collapse of the Soviet Union and the end of the Cold War, but

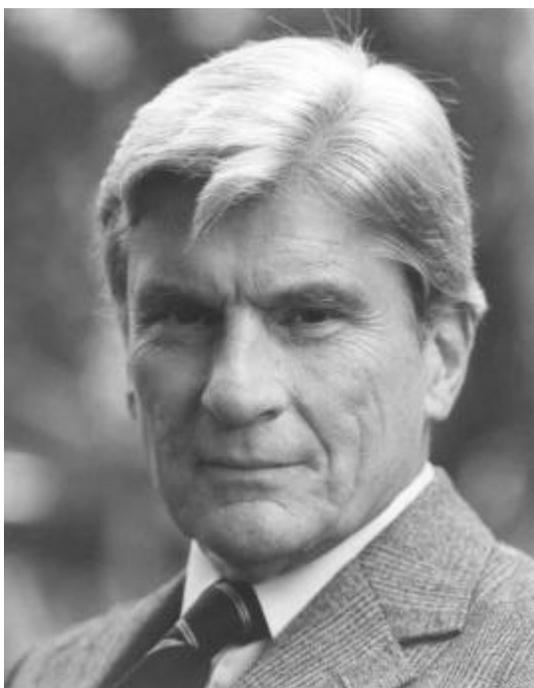
In opening statements, members of the Senate committee complained that the projected \$347 million price tag of the new headquarters, later revised downward to a final figure of \$310 million, far exceeded standard construction costs and included many expenses and features not normally found in government-owned and operated facilities, such as a sauna and a fountain. One member emphasized the sheer size of the facility, declaring that its single occupancy design (i.e. one person in one office), described by *The New York Times* as “lavish,” provided space and amenities for NRO employees far exceeding the government norm. This at a time when other civil servants

supposedly took neither event into account when determining whether such a large facility was necessary when the primary national security threat to the United States was allegedly gone. Furthermore, rather than seeking to hold down costs by using the military construction services of the Defense Department, or of the General Services Administration, committee members charged, NRO leaders contracted with private construction companies, which allegedly inflated costs. Summing up, one anonymous observer quoted in *The Washington Post* claimed that the NRO represented “a Cold War organization that still operates under the rule that puts the taxpayer last and its requirements first. They do things that the executive and legislative branches would not permit other defense agencies. There is no normal oversight or normal procurement systems.”⁹¹

As the controversy gained media attention and momentum, it became obvious that the National Reconnaissance Office, unlike other elements of the Intelligence Community whose operations, budgets, and missions were closely scrutinized for over twenty years, had traditionally operated without such close oversight. One anonymous Congressional source quoted in *The Washington Post* claimed that, “one reason for the favorable treatment of the NRO in the past is the agreement that the [overhead] systems created over the years have been so impressive that neither past presidents nor Congresses would try to slow down their spending. Another is that NRO can put on the ‘best show-and-tell sessions in government’.”⁹² In the early 1990s, however, the climate had changed markedly, and the media and Congress gave full exposure and a gloves-off treatment to the once secret NRO.

Although the 1994 hearings initially focused on just the NRO headquarters construction project, the testimony and statements of most involved suggested that larger issues were at stake, issues involving the Congress and the Intelligence Community in general, and, specifically, the interaction, or lack thereof, between the NRO and the Senate and House intelligence committees. As the hearings continued, it became apparent that the manner in which NRO officials had funded the new headquarters project had sparked the ire of the Senate Select Committee on Intelligence. The investigation revealed that the NRO headquarters construction project was funded through annual allotments in the “base” budget, rather than as a single aggregate item during any single year. Although never the intention of NRO leaders or Intelligence Community officials to hide information from Congress, in the words of Senator John W. Warner (R-Va.), the “NRO did not seek specific underline specific prior Congressional approval for the

Westfields project. Instead, the funding for the facility was buried in the ‘base’ portion of the budget, an unspecified aggregate of various O&M [operations and management] costs.” In so doing, the Senator continued, “the NRO decided to bypass both GSA [General Services Administration] regulations and military construction procedures for the construction of their headquarters.”⁹³



Senator John W. Warner (R-Va.)

Burying the costs of the headquarters construction in this manner was not a fluke or single occurrence as may happen in government from time to time, critics maintained, but was standard NRO operating procedure done over the course of several years, a traditional way of management implying, at best, an inexact method of accounting for federal funds, or, as some critics implied, representing the old attitude of Intelligence Community officials purposefully deceiving Congress about expenses and their internal activities out of some misplaced obsession with secrecy. In Senator Warner’s words “this goes back, in a very short sentence, to a cultural problem that still persists in the

executive branch, as it relates to intelligence and the Congress. We’re still viewed as perhaps being just too damned nosy, and we’re told what certain people at various levels think we should know and not much more.”⁹⁴ Even though the NRO had funded all manner of programs and projects in this covert manner since its founding, carrying on the “black budget” practices dating from the time of the U-2 project, it became evident in the 1994 hearings that such procedures were no longer acceptable to Congressional committees intent on fully exercising their oversight roles and providing the public with a full accounting for all expenditures of increasingly scarce government funds. Large expenditures such as those involving the Westfields headquarters project, many Senators pointed out, should have been presented to Congress as separate line items in any NRO budget, and not have been “hidden” in routine or vague support lines as it appeared in the Senate’s interpretation. Now, when presented with an expenditure of potentially

\$350 million and significant public and media interest, Congress at large appeared caught unawares. The headquarters project and its funding further suggested a failure of legislative branch oversight of executive branch extravagance with Federal funds. While both sides could be criticized for untimely and inaccurate communication, the onus in the Westfields construction case fell largely on the leadership of the NRO.⁹⁵

Although one Senator quickly dismissed any comparison of the August hearings to those of the Church committee nearly a quarter century before, the published hearings report revealed a level of acrimony rarely seen between members of Congress and the NRO. Senator Howard M. Metzenbaum (D-Ohio) was especially blunt in his criticisms, not just about the projected costs of the NRO headquarters facility, but of the entire NRO organization, including institutional mindset, and overall methods of operation. While agreeing that the NRO's reconnaissance airplanes and satellites had "led the world for nearly half a century," because of "flexibility in contracting" and "secrecy in leadership," Metzenbaum charged that "these benefits did not come without significant costs," including perhaps a too "cozy relationship between the NRO and a small group of major contractors," "truly horrendous cost overruns," and a "culture of secrecy." This last condition, the Senator continued, promoted a "belief that the best way the NRO could serve the country was to minimize all outside interference," seemingly to include that of Congress. "That belief," Metzenbaum asserted, "was rooted in the NRO's successes, but it also reflects an arrogance and a close-mindedness that is, frankly, detrimental to the national security." "The NRO continues to build wonderful satellites," he continued, "but it has also had a record of resistance to truly innovative ideas." Although the costs and accounting for the NRO headquarters project was the main topic at hand, Senator Metzenbaum saw a more serious issue in the "need to root out the obsession with secrecy that treats legitimate overseers within the



**Senator Howard M. Metzenbaum
(D-Ohio)**

government as enemies rather than partners. No agency,” the Senator maintained, “has a monopoly on good ideas, and neither does any particular official.”⁹⁶

In response to the Senate concerns and charges, officials of the Defense Department, National Reconnaissance Office, and Central Intelligence Agency compiled information showing that the genesis of the headquarters project dated to 1989, long before most of those present on either the legislative or executive side of the hearing room were involved with such matters. Second, documentation was provided showing that the Senate and House intelligence committees had had their questions on collocation and the construction of the Westfield facility answered many times during the previous four years, a fact confirmed by Senator Warner who conceded that Congress “knew that the NRO building was being built,” and that its costs were included in “the budget submissions for ’90, ’91, ’92, ’93, ’94 and of course this year.”⁹⁷ The Director of the National Reconnaissance Office, Jeffrey K. Harris, strongly denied in his testimony that the NRO had “ever intentionally hid or obfuscated data about Westfields,” and he asserted that “one cannot quibble with the fact that over the past four years considerable correspondence has been traded back and forth between the NRO and Congress on the NRO collocation. Westfields is a part of that collocation.”⁹⁸ The costs of the construction, he continued, were not included as a single line item in the NRO budget “because this facility is part of the infrastructure necessary to continue the operation of the organization, which historically has been reported in the base” budget. Thus, construction costs were submitted piecemeal as infrastructure improvements, rather than as an aggregate figure, as would be the case, for example, with a major satellite program that enhanced the nation’s intelligence capability.⁹⁹ That the Westfields facility was being built by a private company rather than the General Services Administration or the military construction system, according to NRO Deputy Director Jimmie D. Hill, occurred because of the on-going need to maintain the NRO’s secrecy at the time the project started in 1990. Using non-government resources added no extraordinary burden or fee to the construction contract. Extensive market surveys conducted by the NRO before the award of contracts had determined that maintaining secrecy, cost effectiveness, and rapid construction were not possible using traditional government procurement systems. Thus the NRO utilized the traditional methods of management and private contractors to construct the new headquarters—practices that had served it so well in other arenas for nearly thirty-five years.¹⁰⁰

The House Permanent Select Committee on Intelligence had not joined in the Senate charges and allegations, nor did HPSCI call for an investigation of the NRO. This absence of HPSCI action implied that some criticisms perhaps were politically motivated or the result of personality conflicts between some members of the Senate intelligence committee and some officials in the Intelligence and Defense Communities—personal disputes that far pre-dated the headquarters controversy. According to House intelligence committee members, the National Reconnaissance Office had complied with Congressional oversight requirements, although perhaps not in a way, or in the detailed manner preferred by some members of the Senate committee. The NRO, a House member averred, had indeed made its intentions known. People who took the time and effort to seek out the information would realize that the “charges of CIA or NRO deception are absolutely erroneous. Some people [members of SSCI] need to do their homework if they’re going to sit on these committees. They have to be responsible.”¹⁰¹ Despite the support of some members of the Congressional oversight committees, others in the legislative branch remained convinced that the conduct of the National Reconnaissance Office reflected a serious “disregard” for Congressional “oversight responsibilities for intelligence operations and funding.” At the very least, it represented a failure on the part of the NRO to coordinate and communicate with Congress, in particular the Senate Select Committee on Intelligence, in a timely, concise, and clear manner.¹⁰² The special Senate report on intelligence activities concluded:

The [SSCI] staff reviewed the construction projects cost, overall requirements and management. The key conclusions of the staff’s review were that the full and comprehensive project costs were not provided to the Committee by the NRO; the budget for this project was not appropriately presented in the annual NRO budget submissions to our Committee; and the new NRO Headquarters facility significantly exceeded the NRO’s space requirements, which caused the project costs to be higher than necessary.

The report closed with the fillip: “a Director of Central Intelligence and Department of Defense joint review of the project, ordered as a result of the Committee’s findings, confirmed the Committee’s assessment.”¹⁰³

Because the ultimate costs of the Westfields facility had not been included in a single budget line item and clearly presented to the Senate Intelligence Committee officials in a timely manner they preferred, the SSCI immediately suspended \$50 million in NRO construction funds, pending further examination of the headquarters project. Second, the committee called for a halt

in the work until standard Department of Defense policies and procedures for new construction were followed. Finally, the Senate capped the new NRO headquarters construction costs at \$310 million. In the conference report to the subsequent Intelligence Authorization Act for Fiscal Year 1995, the Senate committee directed that set procedures be established to prevent future controversy and misunderstandings like that the NRO headquarters project. Hereafter, no construction project for the Intelligence Community exceeding a total of \$750,000 could obtain Congressional authorization without being specifically identified as a separate line item in the president's budget. The report also expressed the conferees "dissatisfaction with the lack of specificity in the budget category referred to as the 'base'." New legislation, this section of the report concluded, "will be pursued to achieve the goal of transparency in the base budget," which will allow "for more effective internal as well as Congressional oversight."¹⁰⁴

Within a year of the Senate hearings on the NRO headquarters construction project, additional allegations of NRO financial mismanagement, lack of accountability, and miscommunication with Congress came to light in what became known as the "carried forward funding" controversy, further straining the NRO–Congressional relationship. In an effort to provide program continuity, and to maintain satellite constellations, launch schedules, and operations amid budget reductions and unforeseen technical delays, the directors of the old NRO alphabetic programs had carried forward funds appropriated and obligated, but not yet spent, from one fiscal year to the next over the course of several years. Such funding practices were not unique to the NRO and indeed were thought to be one of the essential ingredients to the successful performance of the organization's mission. Forward funding was a required tool, NRO officials maintained, to effectively manage incrementally funded programs. Such processes actually saved taxpayer's money by improving program management flexibility in keeping with traditional NRO streamlined management practices.¹⁰⁵

Yet the amount of funds carried forward by the separate NRO program elements from 1991 to 1995, and the amount they disbursed, was neither routinely reported to the comptroller at NRO headquarters for a final accounting, nor was this information shared with appropriate Congressional committees. Such practices were not illegal; nor were they attempts, as many critics maintained, to create "slush funds" for inappropriate or unapproved purposes. Instead, the funding of individual NRO program offices and the lack of centralized accounting was a holdover from the days before the NRO reorganized into functional directorates in 1992, when

each program had a separate management and accounting system funded through the “black budget” process. Throughout its history, and especially prior to collocation and reorganization, the NRO operated as “a set of secret [program] offices— so secret they have been shielded from each other, like safes located in safes.”¹⁰⁶ Thus, the individual NRO program offices held varying amounts of money, the aggregate unknown to the top NRO headquarters leadership, or even to directors of other NRO program offices, or the Intelligence Community. None of the separate components received regular reports under the accounting system in existence at the time how such funds were being spent, or even whether the funds were being spent at all. Furthermore, canceled programs, cost overestimates, and anticipated yet unrealized contingencies all placed additional surplus funds in individual NRO program coffers. The NRO, to be sure, did not have a modern, integrated and centralized financial accounting system to match its recent program reorganization. Simply put, NRO program office reorganization and collocation had taken place before needed, commensurate adjustments in administrative, accounting, and management practices.¹⁰⁷

When NRO forward funding practices were disclosed in July 1995, Congress assumed the worst based on a survey revealing that an estimated \$1.7 billion was carried forward, a figure, the chairman of the Senate Select Committee on Intelligence, Senator Arlen Specter (R-Pa.), determined “excessive.” Following a further review of NRO financial records, the exact figure of carried forward funding rose to \$3.7 billion, much to the dismay of NRO leaders and the astonishment of the Senate intelligence committee. This prompted Senator Specter to write that such revelations greatly undermined his committee’s confidence in the NRO management, which appeared to lack a clear chain of command and financial accountability. The Senator speculated that Congress, and even the Director of Central Intelligence, had been intentionally misled by NRO officials.¹⁰⁸

Following public disclosure in January 1996, the forward funding controversy caused yet another media sensation, with *The New York Times* declaring that the NRO “lost track of more than \$2 billion in its own budget” attributed “to lax management and excessive secrecy at the organization.” Furthermore, the newspaper reported, “there was no reason to doubt that explanation, or the urgent need to get control . . . of a vitally important organization that has operated without adequate public accountability.”¹⁰⁹ More “transparency” was urged for the NRO, to include its funding and management. Congress also was excoriated by the media for lax

and “sketchy” oversight, “because few members . . . understood the highly technical language of spy satellites and some did not know what they were approving when they authorized billions of dollars a year in secret spending.” *The Times* especially took to task the Senate Select Committee on Intelligence “which has eagerly advertised its recent efforts to rein in the NRO,” but “has not said much about its earlier failure to detect gross mismanagement at the agency,” in reference to the overall lack of knowledge in the Senate regarding the plans to construct the NRO headquarters building and its projected cost several years before. Indeed, *The Times* article continued, “prying into the internal affairs and bookkeeping practices of a large Government agency is not easy, especially one as steeped in secrecy as the NRO, but the need for just such essential work was a primary reason the Senate and House established intelligence committees two decade ago.” *The Times* concluded that Congressional efforts to control the NRO were “welcome, but belated.”¹¹⁰

The forward funding controversy seriously affected the NRO’s credibility among government officials, and most certainly, among members of Congress. It also called into question once again the quality of legislative branch oversight, especially that of the Senate Select Committee on Intelligence. Indeed, as with the Westfield construction controversy a few years before, members of the House Permanent Select Committee on Intelligence tended to have views of the NRO that differed with their Senate counterparts, and the two Congressional committees often talked past each other. Yet even though many in the HPSCI would have defended the National Reconnaissance Office spending practices as part of the unique streamlined management system long a tradition at the organization, they were caught off guard and surprised by the public outcry and the extent of the surplus, which one Congressional staff member quickly termed the NRO’s “pot of gold.” Even White House Chief of Staff Leon Panetta joined in the debate, terming the National Reconnaissance Office’s failure to disclose its “hoard of surplus funds” as inexcusable.¹¹¹

Particularly upsetting to Congress was the seeming lack of NRO reporting and accountability when billions of dollars were at stake, and what this supposedly said about general management practices and the seeming inattention to concerns of legislators. A Senate Select Committee on Intelligence news release issued on 26 January 1996 declared that the “NRO carried forward far more funding than they needed, and their management was so bad they didn’t even realize it.” Such confusion was especially tragic, the release continued, because “as long as

all of this spending authority sat in NRO's accounts, it couldn't be used by other agencies of the government or to reduce the debt." "In this sense," the release continued, "forward funding," contrary to the statements of NRO leaders, "represents lost opportunities." While Congress recognized that "a certain amount of forward funding is prudent in an advanced research and development program for satellites," indicating some understanding of the NRO viewpoint, it maintained that the amounts carried forward were far too great and the accounting far too sketchy. According to the Senate Intelligence Authorization Act for Fiscal Year 1996, conferees were especially "displeased with the NRO's inability to account for authorized and appropriated funds. The NRO's accounting methods, or lack thereof, appear to abuse the valuable streamlined acquisition process uniquely available to the NRO," which has "been partially responsible for the program's success in building, launching, and operating the world's most sophisticated and capable satellites."¹¹²

In the wake of these revelations and subsequent Congressional inquiries, however, Senator J. Robert Kerrey (D-Neb.), the Vice Chairman of the Senate Select Committee on Intelligence affirmed "that no funds were lost or misspent" in the affair, and that "the programs should cost what the NRO said they would cost," indicating that no financial malfeasance or faulty or inflated cost estimates had taken place.¹¹³ Yet the Senate Select Intelligence Committee's special report stated that its staff had discovered that "the National Reconnaissance Office had funding grossly in excess of its fiscal year 1995 requirements," a "condition . . . created largely by NRO program delays and poor internal controls." "In response," the report continued, "the Committee recommended, and the Senate approved, significant reductions in the President's budget requests for the National Reconnaissance Program in fiscal years 1996 and 1997." Congress immediately transferred \$820 million from the NRO budget to fund on-going U.N. peacekeeping operations in Bosnia, in addition to a further \$1.2 billion Congress already had stripped from the NRO to account for funds forwarded during previous years. The committee then directed the CIA and Department of Defense inspectors general to conduct reviews of the NRO, and mandated that the organization immediately implement new financial accounting measures, curb program costs, and revise its management practices. The old ways of managing the daily affairs of the NRO were no longer acceptable and the organization had the choice of changing its methods itself, or have the changes mandated by Congress.¹¹⁴

The House Permanent Select Committee on Intelligence was equally critical and called for massive reforms within the NRO. As the House committee activities report stated, “The NRO must learn to balance technical elegance with cost-efficient solutions. Ever-rising program costs can no longer be tolerated. There are other options and we believe that, with creativity and cost consciousness, most requirements can be met for far less money.”¹¹⁵ The HPSCI was of the opinion that the National Reconnaissance Office had “drifted from its founding philosophy and practices. Fortunately, this need has become apparent even as the ‘faster, cheaper, better’ approach has gained respectability, momentum and inroads within other space organizations. Management attention to this issue should be a very high priority.”¹¹⁶ The committee further declared that the NRO had to improve its methods of operation and “make a sincere commitment to cheaper alternatives to reduce costs, free up scarce investment funds and provide the ability to pursue exciting technologies in an affordable way or risk sacrificing vitality, creativity, relevance, and leadership by insisting that the only acceptable alternatives are extremely expensive ones.” Leaders of National Reconnaissance Office, the report continued, must “plant the seeds of a cultural change—to encourage greater innovation, more willingness to take risks, rapid program builds using the best available technologies, less bureaucracy and studies, ready adoption and adaptation of new technology and of non-NRP innovations, and prudent requirements management—all of this allowing minimization of cost, greater innovation and increased responsiveness.”¹¹⁷ Echoing the House report, the Senate Select Committee on Intelligence also recommended that costs be pared by developing smaller satellites in the future, each capable of doing more in the way of gathering intelligence, but at far less cost per unit than the current generation on orbit.¹¹⁸

As one might suppose, the forward funding controversy produced a change of leadership at the National Reconnaissance Office and changes in financial accountability and operational procedures. These changes did produce a closer working relationship with Congress. A new NRO Director, Keith R. Hall, and Deputy Director, David A. Kier, were appointed with a mandate to effect sweeping operational and financial changes. Both men had long experience in working with the legislative branch, and immediately set to work to ensure financial accountability and speed the delivery of intelligence products to the NRO’s growing list of military and civilian customers. The mandate was clear and, according to Director Hall, the NRO had taken significant and justified criticism for its financial and management procedures. “This



NRO Director Keith R. Hall

issue has overshadowed a history of successful accomplishments and public service. We all know that the NRO has operated with streamlined financial and procurement procedures. These special authorities have worked and, in fact, have been critical to the extraordinary results achieved.” “But now,” Hall continued, “the organization is 30 years old. It is a mature, publicly recognized, and consolidated operation. In this new environment, financial practices and infrastructure that contributed to its success in one era are now the very same procedures that we are finding inadequate to respond to current financial oversight requirements and resource constraints.” In future, Hall closed,

“forward funding balances can never again be allowed to become excessive, untrackable, and unreported to Congress.”¹¹⁹

REFORMS, CONGRESSIONAL COMMISSIONS, AND FUTURE PROSPECTS

With Congressional support and approval, the new leadership at the National Reconnaissance Office undertook reforms and further reorganizations. They relied more heavily on a Deputy Director of Resource Management Oversight (DDRMO created earlier under DNRO Jeffrey Harris), established a single Contracting Center to manage contracts, adopted both internal and external accounting procedures, standardized budget and accounting terminology, and instituted timely senior management reviews, all culminating in the creation of an NRO Integrated Financial Management System. By 1999 the NRO had become a model of superior financial accountability and management in the U.S. Government whose methods and processes were then copied by other Federal departments. In addition, the new NRO leadership created the position of Deputy Director for National Support (DDNS) to work closely with civilian organizations now using vastly increased amounts of NRO-supplied information. The

Deputy Director for National Support joined a Deputy Director for Military Support (DDMS) created earlier to support the military services.¹²⁰ As stated by *The Washington Post*, Director Hall “did the best he could, fixing the budget, doubling research spending and presiding over a whole new generation of spy satellites.” When asked if the Director NRO did a good job in reforming and managing the organization during his tenure, Representative Porter J. Goss (R-Fla.), the chairman of the House Permanent Select Committee on Intelligence replied: “the answer is yes.”¹²¹

With reforms and reorganization undertaken at the National Reconnaissance Office, Congress began to change its oversight efforts, determining, in the words of one Senate Select Committee on Intelligence report, “that we must no longer examine the intelligence budget purely in terms of dollars,” but “must take a longer view and carefully examine . . . future [intelligence] needs and requirements It is the Committee’s view that we must begin assessing both the threats that our nation will face in the year 2000 and beyond, and what intelligence programs, capabilities and capital equipment must be gotten underway now to meet these threats.” Thus the Senate Select Committee on Intelligence, with the rest of Congress and the Intelligence Community, placed increasingly heavy emphasis on determining and reconciling the future needs of the intelligence agencies, as they were variously perceived, and in the late 1990s began to consider funding them accordingly, based on the individual merit of programs rather than on a fixed arbitrary budget figure, as in the past. Congress also adopted a new attitude towards the NRO, one that promised to “avoid short-term thinking about intelligence priorities, needs and capabilities, and to look longer range into the 21st century.”¹²²



**Representative Porter J. Goss
(R-Fla.)**

Seeming to keep that promise in 1999, Congress passed legislation contained in the National Defense Authorization Act for 2000 that called for the creation of an eleven-member

commission made up of lawmakers, government and industry leaders, and intelligence experts, co-chaired by Senator J. Robert Kerrey (D-Neb.) and Representative Porter J. Goss (R-Fla.), the ranking Democrat on the Senate Select Committee on Intelligence and the chairman of the House Permanent Select Committee on Intelligence, respectively.¹²³ The commission was allocated \$5 million to conduct a study on “such issues as how the growth and sophistication of communications and information technology is affecting NRO’s mission; the role of commercial satellites in intelligence activities; and the relationship between the NRO and its contractors.”¹²⁴ Commission member Senator Wayne Allard (R-Colo.) further observed “it’s time for a review to make sure the [NRO] has good oversight.” Although not intended as a critical look at the NRO in the negative sense of the word, according to *The Washington Post* the commission was supposedly “investigating the agency in the belief that it had become a hidebound bureaucracy wedded to billion-dollar, 1970s-era spy satellites the size of school buses when it should have been moving to smaller, cheaper, stealthier birds.” Yet as one observer pointed out, the NRO was a product of many influences, both internal and external, some of which had improved the organization’s performance and some that had proven detrimental. The commission was reminded that it was easy to criticize the NRO for shortcomings others had caused, and that the goal of any study should be determining just what the nation wanted NRO to be and what they wanted it to accomplish. The commission also sought to determine whether “the direct attention of high-level government officials and the highly secret atmosphere [of NRO] had eroded over time” and that the organization needed to redefine its roles, responsibilities, and processes in the post Cold War world.¹²⁵

With the full cooperation of the NRO and the Intelligence Community, the National Commission for the Review of the National Reconnaissance Office, or the NRO Commission as it became known, began its work in early 2000. Although the commission’s co-chairs, Senator Kerrey and Representative Goss, publicly stated during the time the study was being conducted that it would probably not recommend any radical changes in the way the NRO operated, both men telegraphed some commission emphases when they warned that “the National Reconnaissance Office will struggle to meet the needs of a growing customer base unless the next president revises current national intelligence policies.” In recent years “the agency’s mission has expanded to include supporting military, diplomatic, and even law enforcement initiatives across the globe.” Unless some means was found to prioritize customer requests, Goss

and Kerrey said, the chances for conflict over the use of the NRO's assets would grow, perhaps diminishing the effectiveness of the organization for all who used its products. In trying to meet everyone's needs, the increasingly over-taxed NRO might not be able to meet anyone's needs adequately, as its resources were stretched too thin.¹²⁶ These sentiments were shared by the NRO Director, Keith Hall, who stated that the lack of resources and engineering personnel numbered among the biggest challenges the office faced in the future, and that the NRO was "under-resourced now for the types of role these systems play in the day-to-day national security [mission] now and in the future." In addition, Hall stated, he feared "the NRO has become too 'risk adverse'—with the result that scientific innovation has been hampered by the recent focus on streamlined budgets. Acquisition managers have also been forced to focus on 'ends' rather than 'means,' a dynamic that can be detrimental when working with cutting edge technology."¹²⁷

The NRO Commission released its 185-page report on 12 November 2000.¹²⁸ Among its fundamental findings were that the NRO "had lost some of its luster since the end of the Cold War due to inadequate funding and declining attention from the president, secretary of defense, and CIA director."¹²⁹ In short, the organization needed more money, more operational freedom, and more secrecy in all of its operations, similar to conditions that had existed during the early years of the NRO in the 1960s and early 1970s. Foremost, the commission recommended creating a "special projects office," an Office of Space Reconnaissance, within the NRO, dedicated to developing new satellite capabilities using the most advanced technologies available, cloaked entirely in secrecy, and fully exempt from the many funding rules required for U.S. Government procurement programs. Thus configured, the NRO could hastily, secretly, and aggressively field necessary satellite systems. The proposed Office of Space Reconnaissance, led by the NRO director, would "take its marching orders directly from a panel composed of the U.S. President, Secretary of Defense and Director of Central Intelligence." "A small cadre of experienced CIA and military personnel" operating "under a separate 'security compartment,'" would man the office, relying "heavily upon the creativity of the contractor community for its work."¹³⁰ Such an office was necessary, Senator Kerrey claimed, because "some effort needed to be made to make certain that the NRO continues to do what it has done over the last 40 years, which is to produce one-of-a-kind technology." Such efforts would cost money, Kerrey warned, but "You can't get good intel [sic] on the cheap. You simply can't do it."¹³¹

In addition, the commission recommended drawing an ultra-secret cloak over a portion of the NRO's activities, a suggestion that ran directly contrary to what many on the Congressional intelligence committees had been urging just a few years before when increasing transparency seemed a primary goal in regards to the activities of all of the members of the Intelligence Community, including the NRO. Nonetheless, the commission report stated, "the once super secret NRO has become increasingly open in recent years to the point of publicly disclosing certain programs and activities." Such "widespread knowledge of the NRO's existence and public speculation on how NRO satellites are used has aided terrorists and other potential adversaries in developing techniques of denial and deception to thwart U.S. intelligence efforts," a statement confirmed by commission co-chair Kerrey who claimed "'We've got to get back to black'." Thus the commission's report departed from earlier Congressional "reforms" that followed the NRO headquarters and forward funding controversies that sought to create more public and Congressional transparency and integrate the NRO more closely with the rest of the Intelligence Community. Such policies were now deemed detrimental to the NRO's most basic operational dicta, maintaining the secrecy of its operations and programs.¹³²

Furthermore, Senator Kerrey called for more presidential involvement with the NRO, stating that this direction by the chief executive was "key to the success of the new office, and the NRO in the future." Indeed, Kerrey claimed that, "more involvement from the chief executive has been needed since the mid-1960s" and that "more funding is needed for intelligence work in general." "Without this increased investment made in the near term on intelligence research," Kerrey believed, "the United States may find itself missing out on advanced capabilities 10 to 15 years from now." In an equal amount of time, the report asserted, "without bold and innovative leadership, the United States could find itself 'deaf and blind' and increasingly vulnerable to any of the potentially devastating threats it may face." Indeed, the commission predicted that "if current trends continued, the NRO might lose its edge in providing the nation its 'eyes and ears' for monitoring the proliferation of weapons of mass destruction and tracking international terrorists." The NRO's resources were already stretched thin "and the result is a prescription for a potentially significant intelligence failure."¹³³

Other recommendations from the commission included returning control of all imagery and signals intelligence targeting to the DCI, along with authorization to reprogram funds for intelligence activities and agencies as urgent needs appeared—in effect giving the DCI the

responsibility *and* authority to direct the Intelligence Community, and returning to more streamlined community management with decreased Congressional involvement. The commission also suggested a closer relationship between the NRO and the other Defense Department agencies developing and using airborne or “air-breathing” surveillance systems, again, as had existed prior to 1974, and commented that too often space and airborne reconnaissance efforts were viewed as mutually exclusive. To remedy this, the commission suggested reinstating funding for it in a Defense Support Reconnaissance Program, instead of in the form of the unpopular and short-lived Defense Airborne Reconnaissance Office (DARO) abolished in 1998. Yet the commission also called “for immediate review of the presidential directive that set the protection of U.S. military forces abroad as the first priority of the nation’s intelligence satellites.” As commission co-chair Goss stated, “There should be support for war fighters but not at the expense of national customers.”¹³⁴ A final recommendation suggested that the NRO “work with the National Imagery and Mapping Agency to develop a new way to buy commercial imagery to strengthen companies supplying this data for the government,” and preventing in the process the duplication of services by the government when commercial sources were already available.¹³⁵

Response to the NRO Commission report was mixed, with several individuals claiming that many of the suggestions would reinstate past NRO standard operating procedures and processes that at some point were deemed inadequate, excessively secretive, or too expensive from managerial or administrative standpoints either by the NRO itself, by Congress, or by other members of the Intelligence Community. Space policy analysts and Defense Department officials, for example, reacted warily to proposals that might lead to a super-secret office within an already highly-secret NRO, an office that would be exempt from public scrutiny, normal procurement and funding rules, and, perhaps, Congressional oversight. One observer claimed that the NRO already operated, and had always operated, with significant secrecy and a streamlined acquisition process, often to the chagrin of NRO critics in Congress, the media, and elsewhere. Now, ironically, the NRO Commission was calling for the pendulum to swing back toward deeper secrecy. Still others predicted that the creation of a separate Office of Space Reconnaissance was a “recipe for excessive cost growth on programs” and that the new organization “unconstrained by normal spending rules . . . could make contract awards without having to hold competitions.”¹³⁶ Others claimed, “in fact, the thrust of the [commission] report is

that the NRO should return to the past,” as it “had suffered from changes in the intelligence community’s environment, particularly since the mid 1980s.”¹³⁷ Indeed, the comment that “the openness that has ensued since ‘the fact’ of [the] NRO’s existence was officially acknowledged in 1992” was responsible “for some of the NRO’s current shortcomings,” struck some observers as flatly sanctimonious because Congress had fully encouraged the NRO toward just such openness and contributed a great deal through its investigations to what the public knew of the once secret organization. One commentator interpreted this admission as “basically the assertion that the ‘fact of’ acknowledgement was a mistake—which is breathtaking.”¹³⁸ Others took umbrage with, and declared totally specious, the commission’s allegations that amateurs in the United States who tracked the orbits of NRO satellites and published their findings on the internet were aiding terrorists in their denial and deception efforts. Yet, perhaps the most unusual aspect of the NRO Commission report was that it revealed some new information not yet general public knowledge, including the disclosure of the number of new satellites under development, the fact that an electro-optical imaging satellite was first launched in the mid-1970s, and that the NRO had utilized NASA’s Space Shuttle to place reconnaissance satellites in orbit. In response, however, an NRO spokesman stated that “no secrets” had “been inadvertently divulged” and that the NRO “was comfortable with the fact that the report was unclassified.” The “commission staff,” this NRO spokesman stated, “was very mindful of classification issues.”¹³⁹

The leadership of the NRO, nonetheless, considered the commission findings valuable and welcomed any recommendations that would result in increased Congressional support in helping the office surmount the many difficult challenges it faced. Keith Hall, Director of the National Reconnaissance Office in November 2000, thanked the commission members for their efforts and declared that “we will work through their recommendations to improve the NRO and our ability to provide the nation with the world’s best global reconnaissance. The work of the NRO Commission will help us get there.” Moreover, Director Hall observed, the idea of a separate Space Reconnaissance Office, was “a good recommendation” in that any reform that streamlined the review and approval process at the senior level would allow the deployment of breakthrough technologies and permit the NRO to stay a generation ahead in technology and to launch systems more rapidly. Hall also favored the commission recommendation that the NRO cooperate more closely with those Department of Defense agencies working with airborne reconnaissance. “The technology” that the NRO possessed “in the space arena has applicability

on the airborne side,” Hall maintained, as it did in the past, and NRO needed to work more closely “with those responsible for airborne reconnaissance to make sure we have good technology transfer.” As 2001 opened, with the change of presidential administrations from William J. Clinton to George W. Bush, the NRO leadership began serious consideration of the NRO Commission’s findings, as always looking for avenues to improve mission performance.¹⁴⁰

Concurrent with the work of the NRO Commission, and on the initiative of Senators Robert C. Smith (R-N.H.) and Wayne Allard (R-Colo.), Congress created a separate Commission to Assess United States National Security Space Management and Organization, subsequently termed the Space Commission, as part of the Defense Authorization Bill of 2000. Unlike the NRO Commission, the Space Commission was larger with 13-members consisting of seven retired senior military officers, including two former heads of the U.S. Space Command, and six members with backgrounds in business and industry. Former Secretary of Defense Donald H. Rumsfeld chaired the commission.¹⁴¹



**Secretary of Defense
Donald H. Rumsfeld (1975 photo)**

With much broader terms of reference than the NRO Commission, the Space Commission sought to “determine how best to strengthen America’s use of space for national security, and how the military should be organized to operate in space”— topics having a significant bearing on the future of NRO operations, roles, and missions. Created in response to Senator Smith’s belief “that the nation’s future security depends on its supremacy in space,” and that this potential was not being fully realized owing to a diffusion of resources and management, the commission examined the possibility of creating a fifth and new military service, a U.S. Space Force, responsible for developing weapons for space control,

including anti-satellite systems, a military space plane, and space missile defenses. A new military service was in and of itself a charged subject, not to mention space weapons initiatives that were systematically opposed by the Clinton administration and by many in Congress as violations of the 1972 Anti-Ballistic Missile Treaty.

The ABM Treaty with the former Soviet Union was still in force, but new interpretations of what constituted significant threats to the national security prompted Senators Smith and Allard to call for the review. In the words of Senator Smith, “space is crucial to future war fighting. ‘Whoever controls space will win the next war’,” a view that many interpreted as a major and unnecessary military escalation into a realm and dimension hitherto reserved for peaceful or defense-support purposes. Yet proponents of placing weapons in space claimed future warfare would require them to protect the nation’s satellites and conduct offensive operations in the highest of high ground. They also advocated development of weapons on earth that could intercept targets in space, and weapons in space that could strike targets on earth to decide or prevent future conflicts. Yet, while the commission was looking at the possibility of creating a separate military space service, the U.S. Air Force was publicly rejecting it, with some high-ranking officers expressing concerns that the commission was initiated by lawmakers unhappy with Air Force stewardship of space assets, and that it had as its primary goal the removal of the service from space, or at a minimum reducing the Air Force’s stewardship role.¹⁴²

The Space Commission began its work in July 2000 and issued its final report on 11 January 2001. In the effort to address concerns regarding the vulnerability of U.S. intelligence satellites and to raise the importance of space systems in national defense, the final report recommended a number of organizational and management changes in the way these systems were controlled and administered throughout the Defense Department and the Intelligence Community. First, and perhaps foremost, the commission recommended giving the U.S. Air Force control of all current military space programs. Second, the commission suggested creating a separate Department of Defense funding account to pay for all military space programs. Third, the commission recommended consolidating all Air Force space offices that oversee research, development, and acquisition of military space programs into one single organization that would report to the commander of the Air Force Space Command. Fourth, the position of the Director, National Reconnaissance Office, was recommended for an upgrade from Assistant Secretary of the Air Force to Under Secretary of the Air Force, with additional authority to oversee the acquisition of all military space architecture. The DNRO, according to the Space Commission recommendation, as Under Secretary of the Air Force, would provide better “visibility” in the Executive branch, Defense Department, and Intelligence Community for virtually all U.S. military and intelligence space programs. Eventually, and when practicable after the realignment

in the Air Force, NRO and U.S. Air Force space activities would be fully merged, creating a single organization responsible for the development, acquisition, and operation of the nation's space-based defense and intelligence systems. Fifth, the commission recommended abolishing the position of Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, and replacing it with a new position, the Under Secretary of Defense for Space, Intelligence, and Information. In addition, the commission recommended ending the practice of nominating only U.S. Air Force officers for the position of commander in chief of the U.S. Space Command and of NORAD, and that the commander in chief of U.S. Air Force Space Command not be permitted to simultaneously serve as commander of the U.S. Space Command and of NORAD. That would give the U.S. Army and the U.S. Navy the potential to place a four-star general officer in command of the U.S. Space Command. Such splitting of positions would allow the officer leading the U.S. Air Force Space Command to focus on the organization, training, and equipping of a force to perform missions expressly required by the Air Force.

The Space Commission did not stop with these startling recommendations. It further recommended that the president appoint a group of experts to provide advice on military, commercial, and civil space issues, a space advisory group, similar to the National Space Council abolished during the Clinton administration, as well as a senior interagency group for space, similar to the 1950s National Advisory Committee for Aeronautics. The commission also suggested creating a post of presidential special assistant for space on the National Security Council, to increase awareness of national space issues at the White House. To broaden Congressional input, the commission finally suggested creating a space caucus on Capitol Hill and perhaps aerospace power subcommittees attached to the House and Senate Armed Services Committees. Although some commission advocates had called for the creation of a new and separate military service for space, and for developing offensive and defensive space weapons, the commission stopped short of making these recommendation, one which arms control experts cautioned could spark a new and potentially destabilizing arms race in space with Russia and the People's Republic of China.¹⁴³

The Space Commission reiterated many of the views expressed by particular members of Congress that had prompted the formation of the commission in the first place. In five fundamental conclusions, the commission determined that the nation was increasingly dependant on space, which its members were sure, "will one day become a theater of battle, just like the air

and the sea.” The nation’s defense establishment, however, was “not prepared” or properly arranged “for this eventuality, and its satellites may be vulnerable to attack.” “As history has shown,” the commission report read, “whether at Pearl Harbor, the killing of 241 Marines in their barracks in Lebanon or the attack on the USS *Cole* in Yemen—if the U.S. offers an inviting target, it may well pay the price of attack. Reality indicates that space will be no different.” To ensure peace and stability, and the effective management of national security space assets, the commission further concluded, the DCI and the secretary of defense would have to form a closer relationship. Finally, the commission declared, “more personnel and funds are required in science and technology to ensure that the nation can maintain leadership in space.”¹⁴⁴

To many observers in the media, in the military, and elsewhere in the Intelligence Community, the Space Commission report possessed something the many earlier reports that dealt with the NRO or space-related national security issues lacked—a prominent chairman in Donald Rumsfeld who, just two weeks prior to the release of the commission’s report, was nominated to fill the position of secretary of defense by President-elect George W. Bush. Having Rumsfeld in the Defense Department would assure, many believed, that such issues would take on more importance in future defense policy considerations. In addition, the membership of the commission, unlike many of its predecessors drawn only from Congress or the business community, consisted of former high-ranking military officers, many of whom were regarded as experts in national defense and national security space management fields. Finally, the fact that the Space Commission report coincided with the election of a new president who was looking for new and better ways to manage and ensure the national defense seemed equally fortuitous.¹⁴⁵

National Reconnaissance Office Director Hall praised the Space Commission for its recognition of the role the NRO played in the national defense and thanked the commission members for their work in helping the NRO leadership “choose the best path to achieving our goal of assuring our nation’s security.” He emphasized that while the commission “recommended several changes in the national security space landscape, considerable further deliberations will occur before any differences in operations are contemplated.” The focus of the National Reconnaissance Office, Hall continued, “will be to deliberately work through these recommendations with our mission partners in the Defense Department and Intelligence Community.”¹⁴⁶

As the National Reconnaissance Office entered its fifth decade of service to the nation, it could look back on a history of stunning technological achievements, and on a successful albeit still evolving partnership with the U.S. Congress. Although at times in contention over mission focus, intelligence needs, management, and funding, over forty years Congress had strongly and consistently supported the National Reconnaissance Office leadership and programs, encouraged sound fiscal and managerial practices and accountability, and, in the final analysis, provided the essential funding for space-based satellite reconnaissance. Reflecting on this history, former Secretary of Defense Melvin R. Laird, who served in the House of Representatives from 1953 to 1969, asserted: “the NRO would not have been able to make its great contribution in serving our U.S. national security interest without the tremendous unquestionable support of the U.S. Congress.”¹⁴⁷ As long as the NRO continues to perform a vital role for national security, Congressional interest in, and support of, the organization can be expected to continue. Today, its intelligence contribution to the national security is more widely recognized than ever before. As Senator J. Robert Kerrey (D-Neb.) recently observed “the NRO is a national treasure” that “is more important now than it ever has been. . . . NRO’s programs are the crown jewels of American technology in the service of national security. The NRO does great work on their mission.”¹⁴⁸ Even at times when Congress may have questioned NRO methods, secrecy, and funding and management practices, its continued operation was never in doubt. As Senator John W. Warner (R-Va.) phrased it during the controversy over the construction of the Westfields headquarters, “let [there] be no mistake, NRO is essential to our national security. To the extent the United States is a superpower today, that is largely made possible by NRO.”¹⁴⁹

REFERENCES

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1. Grover S. Williams, *Legislative History of the Central Intelligence Agency as Documented in Published Congressional Sources* (Washington, D.C.: Congressional Research Service, 1975), p. 10; for the Presidential Directive forming the National Intelligence Authority see pp. 11-12.
2. R. Cargill Hall, "The Eisenhower Administration and the Cold War: Framing American Astronautics to Serve National Security," *Prologue* 27 (Spring 1995), p. 70 n5; also John Ranelagh, *The Agency: The Rise and Decline of the CIA* (New York: Simon and Schuster, 1986), pp. 347-348. For the National Security Act of 1947 (public law 80-253; 61 Stat. 495-519), see National Security Council, National Security Act as amended, History Office Files, National Reconnaissance Office, hereafter NRO. See also U.S. Senate, *Legislative Oversight of Intelligence Activities: The U.S. Experience, Report of the Select Committee on Intelligence, U.S. Senate*, U.S. Senate Document 103-88, 103rd Congress, 2nd Session, October 1994, Appendices 4 and 5, pp. 42-59. For a history of the NSC, see John Prados, *Keeper of the Keys: A History of the National Security Council from Truman to Bush* (New York: William Morrow, 1991). For a full discussion of the National Security Act and 1949 amendments regarding the CIA, see Harry Howe Ransom, "Secret Intelligence in the United States, 1947-1982: The CIA's Search for Legitimacy," in Christopher Andrew and David Dilks, eds., *The Missing Dimension: Governments and Intelligence Communities in the Twentieth Century* (London: Macmillan, 1984), pp. 199-283.
3. The First Hoover Commission and the National Security Council Intelligence Survey Group conducted the 1948 and 1949 studies. The Hoover Commission, created by public law 80-162 on 27 July 1947, included a task force on National Security Organization chaired by Ferdinand Eberstadt, which released its findings in the 121-page unclassified Eberstadt Report on 13 January 1949. The NSC Intelligence Survey Group was created on 8 January 1948 and released the 193-page Dulles-Jackson-Correa Report, *The Central Intelligence Agency and National Organization for Intelligence: A Report to the National Security Council*, on 1 January 1949. For findings of both groups, see Richard A. Best, Jr., and Herbert A. Boerstling, *CRS Report: Proposals for Intelligence Reorganization, 1949-1996*, A report prepared for the Permanent Select Committee on Intelligence, House of Representatives, 28 February 1996, p. 3 of Appendix C to U.S. Congress, House of Representatives, Permanent Select Committee on Intelligence, Staff Study, *IC21: The Intelligence Community in the 21st Century*, hereafter cited as Best and Boerstling, *CRS Report*. The Central Intelligence Agency Act of 1949 was approved on 20 June 1949 as Public Law 110, 81st Congress. It was the result of enactment of H.R. #2663, 81st Congress. The text of the act appears in Volume 63 *Statutes-At-Large* 208-213. Its provisions are codified in 50 U.S.C. 403a-403j; see Williams, *Legislative History of the Central Intelligence Agency*, pp. 151-178, which contains the act, hearings, and debate.
4. Best and Boerstling, *CRS Report*, p. 3.

5. Letter, Melvin R. Laird to Keith R. Hall, Director, National Reconnaissance Office, 14 August 2000, History Office Files, NRO.

6. On the founding and early history of the Central Intelligence Agency, see Loch K. Johnson, *America's Secret Power: The CIA in a Democratic Society* (New York: Oxford University Press, 1989); *idem*, "Intelligence Policy" in Donald C. Bacon, Roger H. Davidson, and Morton Keller, eds., *Encyclopedia of the United States Congress* (New York: Simon and Schuster, 1995), pp. 1126-1131; see also Scott D. Breckenridge, *The CIA and the U.S. Intelligence System* (Boulder, Colo.: Westview Press, 1986), and Christopher Andrew, *For the President's Eyes Only – Secret Intelligence and the American Presidency from Washington to Bush* (New York: Harper Collins, 1995).

7. The investigations were conducted by the Second Hoover Commission on the Organization of the Executive Branch of Government, created pursuant to Public Law 83-108 of 10 July 1953, which included a task force on intelligence activities under General Mark W. Clark, U.S.A. (Ret.). This task force issued a 76-page unclassified report in May 1955, *Commission on the Organization of the Executive Branch of the Government, A Report to Congress, Intelligence Activities*. A second study, conducted by a task force chaired by Lt. Gen. James H. Doolittle, U.S.A. (Ret.), submitted a 69-page classified *Report on the Covert Activities of the Central Intelligence Agency* to President Dwight D. Eisenhower on 30 September 1954. The third group issued the Bruce-Lovett Report, which was commissioned in 1956 by the chair of the President's Board of Consultants on Foreign Intelligence Activities, James R. Killian, Jr. See, Best and Boerstling, *CRS Report*, pp. 9-12.

8. *Meeting the Threat of Surprise Attack: The Report to the President by the Technological Capabilities Panel of the Science Advisory Committee*, 14 February 1955, 2 volumes, Washington, D.C., Executive Office of the President, Office of Defense Mobilization, History Office Files, NRO; see also Merton E. Davies and William R. Harris, *RAND's Role in the Evolution of Balloon and Satellite Observation Systems and Related U.S. Space Technology*, R-3692-RC, (Santa Monica, Calif.: The RAND Corporation, 1988), p. 61, and R. Cargill Hall, "The Eisenhower Administration and the Cold War," pp. 61-62, and *idem*, *The NRO at Forty: Ensuring Global Information Supremacy* (Chantilly, Va.: Office of the Historian, NRO, 2000), p 1.

9. For the U-2 program, see Clarence "Kelly" Johnson with Maggie Smith, *More Than My Share of It All* (Washington, D.C.: Smithsonian Institution Press, 1985), Chris Pocock, *The U-2 Spyplane: Toward the Unknown* (Atglen, Pa.: Schiffer, 2000), Ben R. Rich and Leo Janos, *Skunk Works*, (New York: Little Brown, 1994), Dick van der Aart, *Aerial Espionage: Secret Intelligence Flights by East and West* (Shrewsbury, England: Airlife, 1985), Michael Beschloss, *Mayday: Eisenhower, Khrushchev, and the U-2 Affair* (New York: Harper and Row, 1986), David Wise and Thomas B. Rose, *The U-2 Affair* (New York: Random House, 1962), and Gregory W. Pedlow and Donald E. Welzenbach, *The Central Intelligence Agency and Overhead Reconnaissance: The U-2 and OXCART Programs, 1954-1974* (Washington, D.C.: History Staff, Central Intelligence Agency, unclassified edition, 1998).

10. Vice President's Space Policy Advisory Board, "A Post Cold War Assessment of U.S. Space Policy: A Task Group Report," Final Draft, unpublished report, December 1992, pp. v-vii, History Office Files, NRO, hereafter cited as Vice President's SPAB, "A Post Cold War Assessment," see also Hall, "Eisenhower Administration and the Cold War," p. 66. The U.S. space program at the time consisted of the civilian International Geophysical Year program announced by President Eisenhower in July 1955, and the U.S. Air Force WS [Weapons System] -117L (later named SAMOS) program contracted in October 1956, see R. Cargill Hall, "Eisenhower, Open Skies, and Freedom of Space," in John M. Logsdon, Linda J. Lear, Janelle Warren-Findley, Ray A. Williamson, and Dawyne A. Day, eds., *Exploring the Unknown: Selected Documents in the History of the U.S. Civil Space Program*, Vol. 1: *Organizing for Exploration* (Washington, D.C.: NASA History Office, 1995), 1:200, 1:295-307.

11. Vice President's SPAB, "A Post Cold War Assessment," see also Hall, "Eisenhower Administration and the Cold War," pp. 65-66.

12. In February 1958 the film recovery element was removed from the control of the U.S. Air Force SAMOS program and consigned to a CIA-U.S. Air Force team to manage, along the lines of the earlier U-2 program. With this action President Eisenhower established the unacknowledged, covert reconnaissance satellite program publicly known as the DISCOVERER biomedical research project, and to those witting of its true purpose, as the CORONA imagery satellite program. The next year, in August 1959, Eisenhower approved a second covert satellite program developed by the Naval Research Laboratory known as GRAB (**G**alactic **R**adiation and **B**ackground), designed to collect electronic intelligence from Soviet air defense radar, see R. Cargill Hall, "The NRO at Forty," pp. 1-2, and *idem*, "Postwar Strategic Reconnaissance and the Genesis of CORONA," in Dwayne Day, John M. Logsdon, and Brian Latell, eds., *Eye in the Sky: The story of the CORONA Spy Satellites* (Washington, D.C.: Smithsonian Institution Press, 1998), pp. 111-112.

13. Vice President SPAB, "A Post Cold War Assessment;" on the formation of NASA, see Logsdon, et. al., *Exploring the Unknown*, 1:334-403, and Hall, "Eisenhower Administration and the Cold War," pp. 65-66.

14. In 1961 the U.S. Air Force, within the Department of Defense, was assigned responsibility for the development, production, and launching of space systems; see DOD Directive #5160.32, "Responsibility for Development of Space Systems," 6 March 1961, in Alfred Goldberg, et. al., *The Department of Defense: Documents on Establishment and Organization, 1944-1978* (Washington, D.C.: Office of the Secretary of Defense Historical Office, 1978), p. 325. The military services also operated communications, navigation, and missile early warning systems. It eventually acquired from the NRO the Defense Meteorological Satellite Program, see R. Cargill Hall, "A History of the Military Polar Orbiting Meteorological Satellite Program," unpublished paper, History Office Files, NRO, August 2000, see also *idem*, *The NRO at Forty*, pp. 1-3, Vice President's SPAB, "A Post Cold War Assessment."

15. Hall, "Eisenhower Administration and the Cold War," pp. 60, 68.

16. *Ibid.*, p. 68, and *idem*, *The NRO at Forty*, pp. 2-3. For the early history and formation of the NRP and U.S. space-reconnaissance programs see Jeffrey T. Richelson, "Undercover in Outer Space: The Creation and Evolution of the NRO, 1960-1963," *International Journal of Intelligence and Counterintelligence* 13(2000), pp. 1-45, William Burrows, *Deep Black: Space Espionage and National Security* (New York: Random House, 1986); and Day, Logsdon, and Latell, eds., *Eye in the Sky*; Curtis Peebles, *The CORONA Project* (Annapolis: Naval Institute Press, 1997); and Kevin Ruffner, ed., *CORONA: America's First Satellite Program* (Washington, D.C.: History Staff, Central Intelligence Agency, 1995).

17. Letter, Laird to Hall, 14 August 2000, History Office Files, NRO. Representative George H. Mahon (D-Tex.) was chairman of the House Appropriations Committee at this time.

18. Laurie S. Kelly, "The Evolution of the National Reconnaissance Office: Out From Deep Black Space into the Defense Community," unpublished seminar paper, National Defense University/National War College, Washington, D.C., 18 December 1995, p. 7

19. L. Britt Snider, *Sharing Secrets With Lawmakers: Congress as a User of Intelligence*, CSI Intelligence Monograph #97-001, (Washington, D.C.: Center for the Study of Intelligence, CIA, 1997), p. 2, see also p. 1. See also, Johnson, "Intelligence Policy," pp. 1126-1131.

20. Snider, *Sharing Secrets*, p. 2.

21. *Ibid.*

22. The individuals chairing the Senate Appropriations Committee were H. Styles Bridges (R-NH), Kenneth D. McKellar (D-Tenn.), and Carl T. Hayden (D-Ariz.). Hayden alone served as chair between 1955-1969.

23. Representatives Carl Vinson (D-Ga.), L. Mendel Rivers (D-S.C.), and F. Edward Hebert (D-La.) chaired the House Armed Services Committee between 1947 and 1974, while the House Appropriations Committee was chaired by Representatives John Tabor (R-N.Y.), Clarence A. Cannon (D-Mo.), and George H. Mahon (D-Tex.) during the same period.

24. Snider, *Sharing Secrets*, pp. 2-3.

25. *Ibid.*, p. 2; see also Vice President's SPAB, "A Post Cold War Assessment." For Intelligence Community fears about Congressmen divulging classified information, see "Security Concerns about the *Congressional Record* of 31 March 1987," and Letters, DDNRO Jimmie D. Hill and DCI Robert M. Gates to Rep. Louis Stokes (D-Ohio), ca. 8 April 1987, in History Office Files, NRO; see also Frederick M. Kaiser, "Congress and the Intelligence Community: Taking the Road Less Traveled," in Roger H. Davidson, ed., *The Postreform Congress* (New York: St. Martin's Press, 1992), pp. 285-286. Kaiser pointed out that concerns about Congressional leaks jeopardizing the national security were voiced by other committees, in particular by the senior Republications of the Senate Armed Service Committee who saw the new Congressional intelligence committees as a potential security problem and a handicap to intelligence operations and activities, see p. 285.

26. The Intelligence Community eventually consisted of the National Reconnaissance Office, the Central Intelligence Agency, the Defense Intelligence Agency, the National Imagery and Mapping Agency, the National Security Agency, the U.S. Army, Navy, Air Force, and Marine Corps Intelligence offices, and the FBI, and Treasury, Energy, and State Department Intelligence offices; see Center for the Study of Intelligence, *The United States Intelligence Community* (Washington, D.C.: Center for the Study of Intelligence, CIA, 1999).

27. Johnson, "Intelligence Policy," pp. 1126-1131.

28. Bissell quoted in Kelly, "Evolution of the National Reconnaissance Office," p. 7.

29. Letter, Laird to Hall, 14 August 2000, see also letters "Congressional Correspondence" (1965-1970), History Office Files, NRO.

30. Kaiser, "Congress and the Intelligence Community," p. 279.

31. In July 1954 former President Herbert Hoover, in response to renewed calls for Congressional oversight of the CIA made by Senator Mike Mansfield that prior March, was asked to chair a Commission on the Organization of the Executive Branch of Government as discussed in n3 above. One subcommittee of the Hoover Commission chaired by Mark Clark, found serious administrative weaknesses in the CIA and "expressed alarm about the absence of external policy controls and congressional oversight." While Clark suggested creating a citizen - Congressional monitoring group, the proposal was soundly rejected. The Hoover Commission did propose the formation of a joint Congressional oversight committee, but no such group was created at that time, see United States, Executive Branch, Hoover Commission, U.S. Commission on the Organization of the Executive Branch of Government, *Intelligence Activities: A Report to Congress, June 1955* (Washington, D.C.: Government Printing Office, 1955), pp. 1, 59-65, 71. A further study group, also discussed in n3 above, under Jimmy Doolittle was appointed by President Eisenhower in September 1954 and delivered its findings later that month in *Report on the Covert Activities of the Central Intelligence Agency*, 30 September 1954. Eisenhower responded by forming the President's Board of Consultants on Foreign Intelligence Activities (PBCFIA) in January 1956; see above and also Ransom, "Secret Intelligence in the United States," pp. 207-208; see also U.S. Senate, *Legislative Oversight of Intelligence Activities*. For the "barebones" oversight role of Congress at this time, see Frank J. Smist, Jr., *Congress Oversees the Intelligence Community, 1947-1989* (Knoxville, Tenn.: University of Tennessee Press, 1990).

32. In 1970 President Richard M. Nixon and National Security Advisor Henry A. Kissinger commissioned a review of the Intelligence Community's organization. *A Review of the Intelligence Community*, a 47-page report, was submitted in March 1971 by James R. Schlesinger, the Deputy Director of the Office of Management and Budget. The Schlesinger Report highlighted "the community's 'impressive rise in . . . size and cost' with the 'apparent inability to achieve a commensurate improvement in the scope and overall quality of intelligence products'." It recommended that the DCI receive increased power and authority to determine and control community-wide budgets with an eye toward increasing Intelligence Community effectiveness and product quality. This report prompted President Nixon to issue a presidential

directive on 5 November 1971 that implemented this recommendation. The Intelligence Resources Advisory Board and the Intelligence Community Staff were created to assist the DCI with his enhanced role, see Best and Boerstling, *CRS Report*, pp. 15-16.

33. Ransom, "Secret Intelligence," pp. 207-208.

34. Hans Mark, "Final Report of the DNRO," October 1979, DNRO [Charyk, McMillan, Flax, McLucas] Final Reports [1963-1972]; also Vice President's SPAB, "A Post Cold War Assessment," History Office Files, NRO.

35. Jimmie D. Hill, DDNRO, "NRO Presentation to Defense Subcommittee, Senate Appropriations Committee, 26 April 1994," History Office Files, NRO.

36. Johnson, "Intelligence Policy," pp. 1126-1131, especially p. 1128.

37. For these early efforts, see Ransom, "Secret Intelligence in the United States," p. 211; see also Frederick M. Kaiser, "Intelligence Committee, Senate Select," in Donald C. Bacon, Roger H. Davidson, and Morton Keller, eds., *The Encyclopedia of the United States Congress* (New York: Simon and Schuster, 1995), pp. 1124-1125.

38. Johnson, "Intelligence Policy," pp. 1126-1131.

39. Quotation from Ransom, "Secret Intelligence in the United States," pp. 213; also Snider, *Sharing Secrets*, pp. 6-7, and Kaiser, "Intelligence Committee, Senate Select," pp. 1124-1125.

40. Kaiser, "Congress and the Intelligence Community," pp. 279, 281.

41. Best and Boerstling, *CRS Report*, p. 5

42. Snider, *Sharing Secrets*, pp. 6-7, and Seymour Hersh, "Huge C.I.A. Operation Reported in U.S. Against Anti-War Forces," *The New York Times*, 22 December 1974, p. 1, and Bob Thompson, "The Investigations of Seymour Hersh: Update on a Headline-Making career," *The Washington Post Magazine*, 28 January 2001, pp. 8-15ff, especially pp. 13-14.

43. Kaiser, "Congress and the Intelligence Community," p. 283. See also, Kathryn S. Olmsted, *Challenging the Secret Government: The Post-Watergate Investigations of the CIA and FBI* (Chapel Hill: University of North Carolina Press, 1996).

44. Johnson, "Intelligence Policy," pp. 1126-1131. For the Hughes-Ryan Amendment, see Section 662 of the Foreign Assistance Act of 1961, 75 Stat. 424, 22 U.S.C. 2422. The actual number of Congressional oversight committees later increased to eight, to include Senate and House Armed Services, Foreign Relations, Appropriations, and Judiciary Committees, plus applicable subcommittees, but would again be reduced to just two, SSCI and HPSCI, in 1980.

45. For the Rockefeller Commission and its findings see, Best and Boerstling, *CRS Report*, pp. 18-19. The Rockefeller Commission included then-former California Governor Ronald Reagan.

Among other things, it recommended that the DCI and FBI Director should be appointed from outside the career service and should serve no longer than 10 years.

46. See Snider, *Sharing Secrets*, p. 7, and Best and Boerstling, *CRS Report*, pp. 19-22. Senator Church was elected to the U.S. Senate in 1956 and served until 1981. For the work of the Church Committee, see Loch K. Johnson, *A Season of Inquiry: Congress and Intelligence* (Chicago: Dorsey Press, 1988); see also, F. Forrester Church, *Father and Son: A Personal Biography of Senator Frank Church by his Son* (New York: Harper and Row, 1985).

47. Memorandum for the Record, Lt. Col. Rudolph B. DeFrance, Military Assistant, ODASD, Sub: Nedzi Subcommittee Briefing by Admiral Bowen, 15 October 1971, "Participation in Review, Analysis, and Management of NRP (1966-1974)," History Office Files, NRO.

48. Kaiser, "Congress and the Intelligence Community," p. 283. Representative Nedzi chaired the House Armed Services Special Subcommittee on Intelligence during 1973 and was in charge of investigating the role of the CIA in the Watergate break-in and the burglary of the offices of DOD employee Daniel Ellsberg's psychiatrist. The subcommittee released its report, *Inquiry into the Alleged Involvement of the Central Intelligence Agency in the Watergate and Ellsberg Matters*, on 23 October 1973. See U.S. Congress, House of Representatives, Armed Service Committee, House Report 93-25, 93rd Congress, 1st Session (Washington, D.C.: Government Printing Office, 1973). For the CIA experience with the Pike Committee, see Gerald K. Haines, "The Pike Committee Investigations and the CIA," *Studies in Intelligence*, Winter 1998-1999, pp. 81-92. Representative Pike served in Congress between 1961 and 1979.

49. Ransom, "Secret Intelligence in the United States," p. 217.

50. *Congressional Quarterly Guide to Congress*, p. 187

51. Best and Boerstling, *CRS Report*, p. 20, see also pp. 19, 21-22. For Church Committee hearings and report, see U.S. Congress, Senate, Committee on Foreign Relations, *CIA Foreign and Domestic Activities*, Hearings, 94th Congress, 1st Session (Washington, D.C.: Government Printing Office, 1975), and U.S. Congress, Senate, 94th Congress, 2nd Session, *Select Committee to Study Governmental Operations With Respect to Intelligence Activities, Foreign and Military Intelligence, Final Report*, Book I, Senate Report 94-755, 26 April 1976 (Washington, D.C.: Government Printing Office, 1976). Senator Tower served in the Senate from 1961 until 1985. Senator Goldwater, first elected to the Senate in 1952, served until 1965, and was then reelected in 1968, serving continuously until his retirement in 1987. Senator Goldwater later served as the chairman of the Senate Select Committee on Intelligence in the 97th and 98th Congresses.

52. "Abstract as Introduced," Senate Resolution #400. See also Kaiser, "Congress and the Intelligence Community," p. 285. For the text of Senate Resolution #400, "A Resolution to Establish a Standing Committee of the Senate on Intelligence Activities," introduced by Senator Abraham Ribicoff (D-N.Y.) on 1 March 1976, and co-sponsored by 17 other Senators, see, U.S. Senate, *Legislative Oversight of Intelligence Activities*, Appendix 1.

53. Snider, *Sharing Secrets*, p. 9, and Kaiser, "Intelligence Committee, Senate Select," pp. 1124-1125; see also *idem*, "Congress and the Intelligence Community," pp. 286-287. The issue of granting extensive access to classified information to members of Congress and their staffs has often occasioned debate between the Intelligence Community and the Legislative branch; the former wanting to restrict widespread access, the latter increased access. Contrary to the opinion of many within the Intelligence Community, the number of Congressional staff members associated with HPSCI and SSCI who have access to sensitive intelligence has not "burgeoned" since the founding of the intelligence oversight committees. In the 2nd Session of the 106th Congress, for example, twenty-three HPSCI staff members and thirty SSCI staff members held special clearances, a total less than the number that held such clearances when the two committees were first formed in the 1970s.

54. Snider, *Sharing Secrets*, p. 9. See also, *The Village Voice*, 16 February 1976, p. 1. For the Pike Committee recommendations, see U.S. Congress, House of Representatives, Select Committee on Intelligence, *Recommendations of the Final Report of the House Select Committee on Intelligence*, House Report 94-833, 94th Congress, 2nd Session, 11 February 1976. See also Best and Boerstling, *CRS Report*, pp. 22-23. Two committee members, Representatives Les Aspin (D-Wis.) and Ronald V. Dellums (D-Calif.), recommended dividing the CIA into two separate agencies, one for analysis and the other for clandestine collection and covert operations, a recommendation also made by former DDCI Ray Cline in 1976.

55. Kaiser, "Congress and the Intelligence Community," pp. 287. See also Snider, *Sharing Secrets*, p. 9, Johnson, "Intelligence Policy," pp. 1126-1131, and Kaiser, "Intelligence Committee, House Permanent Select," pp. 1122-1124. For House Resolution #656, "Resolution to amend the rules of the House of Representatives and Establish a Permanent Select Committee on Intelligence," see U.S. Senate, *Legislative Oversight of Intelligence Activities*, Appendix 2. House Resolution #656 was introduced and sponsored on 23 June 1977 by Representative Jim Wright (D-Tex.). The bill had no co-sponsors. The abstract of the bill, as introduced, read "Amends the Rules of the House of Representatives to add Rule XLVIII, establishing the Permanent Select Committee on Intelligence to oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to submit to the House appropriate proposals for legislation." The abstract also contained language regarding the public disclosure of information and appropriation of funds for specified intelligence activities.

56. Snider, *Sharing Secrets*, p. 9; see also Johnson, "Intelligence Policy," pp. 1126-1131, Kaiser, "Intelligence Committee, House Permanent Select," pp. 1122-1124, and *idem*, "Congress and the Intelligence Community," pp. 287-289. Representative Boland was first elected in 1953 and served until 1989. He served as the chairman of HPSCI from the 95th through the 98th Congresses between July 1977 and January 1985.

57. Kaiser, "Congress and the Intelligence Community," p. 281.

58. "American Intelligence and Congressional Oversight - Proposed Remarks by Robert M. Gates, Director of Central Intelligence, Before the World Affairs Council of Boston, Friday, 15 January 1993," p. 4, in U.S. Senate, *Legislative Oversight of Intelligence Activities*.

59. Johnson, "Intelligence Policy," pp. 1126-1131, and Kaiser, "Intelligence Committee, House Permanent Select," pp. 1122-1124.

60. Kaiser, "Congress and the Intelligence Community," pp. 279 and 283.

61. Ransom, "Secret Intelligence in the United States," p. 217. See also Johnson, "Intelligence Policy," pp. 1126-1131. Executive Order 11905, "United States Foreign Intelligence Activities," issued on 18 February 1976, was President Gerald R. Ford's response to the findings of the Rockefeller Commission. It was issued prior to the conclusion of the Church and Pike investigations, in part to head off further Congressional action, but failed in this regard, although it did spell out specific CIA responsibilities and missions. Department of Defense Directive (DODD) 5100.82, "Inspector General for Defense Intelligence," issued on 30 June 1977, fully implemented this Executive Order within the U.S. Defense Community. Congress subsequently insisted that the gist of Executive Order 11905 be written into law to prevent alteration by any future president. Subsequent changes in the Intelligence Community were mandated by Executive Order 12036, "United States Intelligence Activities," issued by President Jimmy E. Carter on 24 January 1978, which superseded Executive Order 11905, and Executive Order 12333, "United States Intelligence Activities," issued by President Ronald Reagan on 4 December 1981, which superseded the orders issued by both Ford and Carter. Executive Order 12333 remains the governing Executive branch mandate concerning the managerial structure of the Intelligence Community, see Best and Boerstling, *CRS Report*, pp. 25-26.

62. Quotations from Kaiser, "Congress and the Intelligence Community," pp. 283, 292, and 299. See also Best and Boerstling, *CRS Report*, p. 5. Congressional oversight authority was significantly strengthened with passage of the Foreign Intelligence Surveillance Act of 1978 and the 1980 Accountability for Intelligence Activities Act, see Snider, *Sharing Secrets*, pp. 10-11, and U.S. Senate, *Legislative Oversight of Intelligence Activities*, Appendix 6.

63. Snider, *Sharing Secrets*, p. 12. As DCI Robert M. Gates would state in 1993, CIA officials met more than 4,000 times with members of Congress and their staffs during 1992 alone, provided during that one year over 50,000 documents to Congress, and responded to almost 1,200 questions for the record or Congressionally-directed inquiries; see "American Intelligence and Congressional Oversight" p. 7, in U.S. Senate, *Legislative Oversight of Intelligence Activities*.

64. Memo, Gerald P. Dineen, Assistant Secretary of Defense, and Admiral Daniel J. Murphy, USN, Deputy Under Secretary of Defense to Secretary of Defense William S. Cohen, 31 Oct. 1999, Sub: DNRO Final Report, DNRO H. Mark Final Report 1979, History Office files, NRO.

65. DNRO Hans Mark Final Report, 1979, History Office Files, NRO. DCI Robert Gates shared the view of Hans Mark nearly fifteen years later in 1993 when he asserted that there was insufficient Congressional oversight, see "American Intelligence and Congressional Oversight" p. 17, in U.S. Senate, *Legislative Oversight of Intelligence Activities*.

66. DNRO Hans Mark Final Report, 1979, History Office Files, NRO; see also DNRO Final Reports [Charyk, McMillan, Flax, McLucas, 1963-1972), History Office Files, NRO.

67. DCI Casey quoted in “Annual Report of the DCI to Congress, 1983;” see also “NRO Inputs to DCI Annual Report to Congress, 1981-1989,” History Office Files, NRO.

68. DCI Casey “Annual Report of the DCI to Congress, 1983.”

69. DCI Webster quoted in “Annual Report of the DCI to Congress, 1988;” see also “NRO Inputs to DCI Annual Report to Congress, 1981-1989,” History Office Files, NRO.

70. Vice President’s SPAB, “A Post Cold War Assessment;” see also “Annual Report of the DCI to Congress, 1988,” and “NRO Inputs to DCI Annual Report to Congress, 1981-1989,” History Office Files, NRO.

71. Kaiser, “Congress and the Intelligence Community,” pp. 295-296.

72. *Ibid.*

73. Warner quoted in U.S. Congress, Senate, Select Committee on Intelligence, *NRO Headquarters Project, Hearing Before the Select Committee on Intelligence of the United States Senate*, Senate Hearing 103-997, 103rd Congress, 2nd Session (Washington, D.C.: Government Printing Office, 1995), p. 6, hereafter cited as *NRO Headquarters Project Hearings*.

74. Between the start of World War II in Europe in 1939 and the year 2000, the U.S. Government, according to White House budget figures, recorded budget surpluses in only 11 of 61 fiscal years, the majority of surpluses coming between 1947 and 1957. Between 1961 and 1990, during the depths of the Cold War, the federal government posted a budget surplus only once, \$3.24 billion in 1969.

75. Martin C. Faga, DNRO, “NRO Presentation to the House Appropriations Committee Defense Subcommittee, 3 April 1990, Sub: Amended Fiscal Year 1991 NRP,” History Office Files, NRO.

76. The Senate Select Committee on Intelligence encouraged releasing “the fact” of the NRO’s existence following similar recommendations by several NRO officials, including former DNRO Hans Mark who had suggested “declassification” as early as 1979. The official “Declassification of the Fact of Existence of the National Reconnaissance Office” took place on 18 September 1992 in a brief statement released by the Office of the Secretary of Defense. It acknowledged the NRO’s existence, the fact of satellite intelligence collection, that the NRO was a Defense Department entity staffed by both DOD and CIA personnel, revealed its official mission, and formally identified the top NRO management.

77. Jimmie D. Hill, DDNRO, “NRO Presentation to Defense Subcommittee, Senate Appropriations Committee, 26 April 1994,” History Office Files, NRO, see also R. Cargill Hall, *NRO at Forty*, pp. 5-6.

78. Keith R. Hall, DNRO, “NRO Presentation to HPSCI, 12 March 1996, Subject: Fiscal Year 1997 NRP,” History Office Files, NRO, see also R. Cargill Hall, *NRO at Forty*, pp. 5-6.

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79. For a general overview of the American space effort in the 1990s, see Vice President's SPAB, "A Post Cold War Assessment."
80. Martin C. Faga, DNRO, "NRO Presentation to the House Appropriations Committee Defense Subcommittee, 3 April 1990, Sub: Amended Fiscal Year 1991 NRP," History Office Files, NRO.
81. Jimmie D. Hill, DDNRO, "NRO Presentation to Defense Subcommittee, Senate Appropriations Committee, 26 April 1994," History Office Files, NRO.
82. Keith R. Hall, "NRO Presentation to HPSCI, 12 March 1996, Subject: Fiscal Year 1997 NRP," History Office Files, NRO.
83. For the overall level of funding in the early 1990s see, U.S. Congress, Senate, *Intelligence Authorization Act for Fiscal Year 1996*, Senate Report 104-138, and U.S. Congress, House of Representatives, *Report of the Permanent Select Committee on Intelligence*, House of Representatives, 14 June 1996, both 104th Congress, 1st Session.
84. Tim Weiner, "A Secret Agency's Secret Budgets Yield 'Lost' Billions, Officials Say," *The New York Times*, 30 January 1996, p. A1.
85. "Streamlined Management: Focus on the Mission, 22 October 1987," DNRO/SAFSP (Aldridge, Moorman) Overview Briefings, History Office Files, NRO.
86. For the study that lead to the decisions to reorganize and co-locate the NRO, see the unclassified *Report to the Director National Reconnaissance Office*, Volume 1: *NRO Restructuring Study Briefing*, and unclassified *Report to the Director National Reconnaissance Office*, Volume II: *NRO Restructure Study Final Report*, both completed in July 1989, in History Office Files, NRO. This effort is known as the Geiger-Kelly Study after its co-chairs, Rear Admiral Robert K. Geiger, USN (Ret.), and Mr. Barry Kelly. Hereafter cited as Geiger-Kelly Study. For Congressional notification and approval of the reorganization plan in August 1989, see testimony of DNRO Jeffrey K. Harris, *NRO Headquarters Project Hearings*, p. 41
87. The National Reconnaissance Office Program D that controlled "air breathing" aerial reconnaissance assets such as the U-2 and SR71 aircraft was abolished on 1 October 1974. These assets were turned over to U.S. Air Force control.
88. "Streamlined Management: Focus on the Mission, 22 October 1987," DNRO/ SAFSP (Aldridge, Moorman) Overview Briefings, History Office Files, NRO, see also R. Cargill Hall, *NRO at Forty*, pp. 6-7, and Testimony of DNRO Jeffrey K. Harris, *NRO Headquarters Project Hearings*, p. 41.
89. According to testimony by DCI R. James Woolsey and DNRO Jeffrey K. Harris, the NRO had informed Senator David L. Boren (D-Okla.), then chairman of the Senate Select Committee on Intelligence, by letter in September 1990, of the NRO's original construction plans in all of its particulars for a facility of 800,000 square feet. The revised estimates of the facility size grew in 1992 to include four buildings, encompassing 1.3 million square feet, at a projected cost of over

\$450 million. The original figures presented to Congress did not represent the full costs of collocation and the headquarters construction project, as they were not known at that time; see *NRO Headquarters Project Hearings*, p. 28-29, 41.

90. Walter Pincus, "By Cloaking Building, NRO Gets What It Wanted to Avoid: Attention," *The Washington Post*, 10 August 1994, p. A8.

91. Quotation attributed to "one 20-year observer of the agency" in Pincus, "By Cloaking Building," p. A8. See also statement of Senator John W. Warner (R-Va.), *NRO Headquarters Project Hearings*, p. 5, and Weiner, "A Secret Agency's Secret Budgets," p. A1. The Washington, D.C., media's hue and cry over the NRO Westfields project in 1994 stands in sharp contrast to its reporting of Congress's decision seven years later, in April 2001, to build a 580,000 square foot, \$265 million, underground visitor center on the U.S. Capitol grounds. Media attention focused not on the Congressional building's size, or cost, but on the 50 trees that would be cut down during construction, see Sylvia Moreno, "Capitol Trees Taking Their Leaves, Landmarks Among Those to Be Felled in Visitor Center Plan," *The Washington Post*, 22 April 2001, p. C1; see also Ken Ringle, "Trees to Root For: Suffrin' Sassafras: Mighty Oak Wins Arbor Day Vote," *The Washington Post*, 28 April 2001, C1.

92. Quotation from "anonymous Congressional source" in Pincus, "By Cloaking Building," p. A8. See also Eric Lipton, "Tax Payment as a Cloak: Spy Complex's Mission Elicits Little Surprise," *The Washington Post*, 10 August 1994, p. A1.

93. Senator Warner in *NRO Headquarters Project Hearings*, p. 6.

94. *Ibid*, p. 39.

95. *Ibid*.

96. Senator Metzenbaum's quotations are found on pp. 9,11, respectively, *NRO Headquarters Project Hearings*.

97. *NRO Headquarters Project Hearings*, p. 6

98. *Ibid*, p. 40.

99. *Ibid*, p. 97.

100. For DDNRO Hill's comments see *NRO Headquarters Project Hearings*, pp. 46-47, 54-55, 56-60.

101. Rep. Larry Combest (R-Tex.) cited in article by Walter Pincus, "Spy Agency Defended by House Panel," *The Washington Post*, 13 August 1994.

102. Bill Geertz, "Congress Kept in Dark on Plans for Spy Buildings," *The Washington Times*, 9 August 1994.

103. U.S. Congress, Senate, Senate Select Committee on Intelligence, *Special Report Committee Activities of the Select Committee on Intelligence United States Senate, 4 January 1993 to 1 December 1994*, Senate Report 104-4, 104th Congress, 1st Session (Washington, D.C.: Government Printing Office, 1995), pp. 1-2, see also pages 20-21, hereafter cited as *Special Report*.

104. U.S. Congress, House, *Conference Report, Intelligence Authorization Act for Fiscal Year 1995*, House Report 103-753, 103rd Congress, 2nd Session, 27 September 1994, Title VI, "Construction of Facilities for the Intelligence Community," Section 603, p. 51, see also Sections 601-604, pp. 49-51; and *Special Report*, p. 21.

105. SSCI Hearing on Forward Funding, 14 March 1996, Keith Hall's Talking Points, "Forward Funding Practices, NRO," History Office Files, NRO.

106. See Weiner, "A Secret Agency's Secret Budget," p. A1.

107. NRO Forward Funding Briefing to SSCI, 14 March 1996, History Office Files, NRO; see also Roger G. Guillemette, "Congress Slashes NRO Budget After Discovery of \$1.7 Billion 'Pot of Gold,'" in "USAF Launches Pair of Top-Secret Eavesdropping Satellites . . . but Titan IV Suffers Yet Another Setback," *Countdown*, September-October 1995, p. 32, and Walter Pincus, "Top Two Officials Fired At Spy Satellite Office: Agency Had Secretly Accumulated Funds," *The Washington Post*, 27 February 1996, p. A17.

108. Guillemette, "Congress Slashes NRO Budget," p. 32, see also Pincus, "Top Two Officials Fired," p. A17.

109. See Weiner, "A Secret Agency's Secret Budgets," p. A1, and "The Spy Agency That Lost \$2 Billion," *The New York Times*, 1 February 1996, p. A20.

110. Weiner, "A Secret Agency's Secret Budgets," p. A1.

111. Guillemette, "Congress Slashes NRO Budget," p. 32, see also Pincus, "Top Two Officials Fired," p. A17.

112. News Release, Senate Select Committee on Intelligence, "National Reconnaissance Office Forward Funding," 26 January 1996, History Office Files, NRO, see also U.S. Senate, Senate Report 104-138, *Intelligence Authorization Act for Fiscal Year 1996*, and U.S. House, *Report of the Permanent Select Committee on Intelligence, 14 June 1996*, both 104th Congress, 1st Session, p. 7.

113. "National Reconnaissance Office Forward Funding: Statement of Senator Bob Kerrey, 26 January 1996," History Office Files, NRO.

114. U.S. Congress, Senate, *Special Report of the Select Committee on Intelligence, United States Senate, Committee Activities, 4 January 1995 to 3 October 1996*, Senate Report 105-1,

105th Congress, 1st Session (Washington, D.C.: Government Printing Office, 1997), pp. 26-27, hereafter *Special Report of SSCI*, 105-1.

115. U.S. Congress, House, *Report of the Permanent Select Committee on Intelligence House of Representatives, 14 June 1996*, 104th Congress, 1st Session, p. 9.

116. *Ibid.*

117. *Ibid.*

118. *Special Report of SSCI*, p. 27.

119. Keith R. Hall, "NRO Presentation to HPSCI, 12 March 1996, Subject: Fiscal Year 1997 NRP," History Office Files, NRO, see also R. Cargill Hall, *NRO at Forty*, pp. 7-8.

120. Keith R. Hall, "NRO Presentation to HPSCI, 12 March 1996, Subject: Fiscal Year 1997 NRP," History Office Files, NRO.

121. Vernon Loeb, "Spy Satellite Chief Seeks Modern Eyes in the Sky," *The Washington Post*, 18 October 2000, A31.

122. U.S. Congress, Senate, *Intelligence Authorization Act for Fiscal Year 1996*, Senate Report 104-138, and U.S. House of Representatives, *Report of the Permanent Select Committee on Intelligence House of Representatives, 14 June 1996*, 104th Congress, 1st Session.

123. For the legislation creating the NRO Commission see, *National Defense Authorization Act for 2000*, Title VII, Public Law 106-120, effective 3 December 1999, History Office Files, NRO. The members of the NRO Commission were co-chairs Kerrey and Goss, Senator Wayne Allard (R-Colo.), Representative Anthony C. Beilenson (D-Calif.), businessman Larry D. Cox, DDCI/CM Joan A. Dempsey, Representative Norman D. Dicks (D-Wash.), former DNRO Martin C. Faga, Lt. Gen. Patrick M. Hughes, USA (Ret.), private investor Eli S. Jacobs, and consultant and advisor William Schneider, Jr. For brief biographical sketches of the members of the NRO Commission see *Report of the National Commission for the Review of the National Reconnaissance Office: The NRO at the Crossroads*, 1 November 2000, pp. 135-142.

124. Warren Ferster, "NRO Faces Challenge of Growing Customer Base," *Space News*, 23 October 2000, p. 3. For the mission of the NRO Commission see Terms of Reference, 30 March 2000, signed by Senator J. Robert Kerrey and Representative Porter J. Goss, History Office Files, NRO.

125. Loeb, "Spy Satellite Chief Seeks Modern Eyes in the Sky," A31, see also "Congressional Commission Calls for New NRO Space Recce Office," *Inside the Air Force*, 17 November 2000.

126. Kerrey and Goss quoted in Ferster, "NRO Faces Challenge of Growing Customer Base," p. 19.

127. DNRO Keith Hall quoted in “Congressional Commission Calls for New NRO Space Recce Office.” See also Robert Burns, “Review: U.S. Needs Better Space Spying,” *Florida Today Space Online*, 17 November 2000.

128. For the final report, see *Report of the National Commission for the Review of the National Reconnaissance Office: The NRO at the Crossroads*, 1 November 2000, hereafter cited as *NRO Commission Report*.

129. Tabassum Zakaria, “U.S. Urged to Create New Space-Spying Office,” *Reuters News Service*, 14 November 2000, p. 1.

130. “Congressional Commission Calls for New NRO Space Recce Office.”

131. Vernon Loeb and Walter Pincus, “Spy Satellite Changes Sought: Innovation, Secrecy Are Key, Panel Says,” *The Washington Post*, 6 November 2000, p. A41.

132. “Congressional Commission Calls for New NRO Space Recce Office;” see also Jeremy Singer, “Congressional Panel Proposes New NRO Space Reconnaissance Office,” *Defense News*, 11 December 2000.

133. Singer, “Congressional Panel Proposes;” see also Zakaria, “U.S. Urged to Create New Space-Spying Office,” p. 1.

134. Walter Pincus, “Competition for Data From Satellites Rises,” *The Washington Post*, 20 November 2000, p. A19. Presidential Decision Directive #35, signed in 1995, set increased military priorities for NRO satellite systems. It was issued as a result of the findings of the Jeremiah Report, named for its chair, former vice-chairman of the JCS Adm. David Jeremiah, USN (Ret.), which found that NRO’s strategic and tactical customers were both “frustrated” with the lack of intelligence support and that military commanders in particular did not feel NRO was meeting their intelligence needs. See also, Singer, “Congressional Panel Proposes,” and “Congressional Commission Calls for New NRO Space Recce Office.”

135. Singer, “Congressional Panel Proposes;” see also “Congressional Commission Calls for New NRO Space Recce Office.”

136. Singer, “Congressional Panel Proposes New NRO.”

137. “‘Return to the Future’ For NRO,” *Intelligence Newsletter*, no. 394, 23 November 2000.

138. “Congressional Commission Calls for New NRO Space Recce Office.”

139. Vernon Loeb, “Panel Report Reveals Satellite Details,” *Washington Post*, 24 November 2000, p. 41.

140. Director’s Note, #2000-44, “National Commission Report,” November 2000, History Office Files, NRO; see also Frank Wolfe, “NRO Report Favors Establishment of New Space

Reconnaissance Office,” *Defense Daily*, 16 November 2000, and Zakaria, “U.S. Urged to Create New Space-Spying Office,” p. 1.

141. For legislation creating the Space Commission and its terms of reference, see Memorandum, Arthur L. Money, 9 June 2000, Sub: Organizational Position on Space Commission Duties, The Senate and House Appointed Members, and Assessment Areas of the Space Commission, all in History Office Files, NRO. See also *Report of the Commission to Assess United States National Security Space Management and Organization*, 11 January 2001, hereafter cited as *Space Commission Report*. The membership of the Space Commission included Duane P. Andrews, Robert V. Davis, Howell M. Estes, III, Ronald R. Fogelman, Jay M. Garner, William R. Graham, Charles A. Horner, David E. Jeremiah, Thomas S. Moorman, Jr., Douglas H. Necessary, Glenn K. Otis, Malcolm Wallop, and chairman, Donald H. Rumsfeld. For brief biographies of members see, pp. A-1 to A-4 of the *Space Commission Report*.

142. Jim Hackett, “Space Control in the 21st Century,” *Space News*, 26 June 2000, p. 8. See also “Space Commission Study,” *Defense Daily*, 15 May 2000, and “Ryan, Peters, See no Need for Separate Space Force,” *Aerospace Daily*, 30 June 2000, and “Space Commission,” *Defense Daily*, 26 June 2000, and Amy Svitak, “Air Force Rejects Calls to Establish Separate Space Force,” *Inside the Air Force*, 28 July 2000. Regarding “militarizing space,” see R. Cargill Hall, “National Space and Defense Policies: Can They Be Uncoupled?” *Space Times*, May-June 2000, pp. 22-23. For Air Force concerns, see Amy Butler, “Air Force Pushes to Make NRO Director a Service Under Secretary: Peters Says High-Level Space Panel Also Needed,” *Inside the Air Force*, 10 November 2000.

143. Jeremy Singer, “Rumsfeld’s Role Adds Weight to Space Report,” *Space News*, 15 January 2001, p. 8. See also Amy Butler, “New Major Force Program Suggested by Space Commission,” *Inside the Air Force* 12 (12 January 2001), and *idem*, “Commission Suggests Separating CINCSPACE From Air Force SPACECOM,” *Inside the Air Force* 12 (12 January 2001). See also, Walter Pincus, “Rumsfeld Panel to Propose Councils to Safeguard Satellites,” *The Washington Post*, 9 January 2001, p. A24.

144. Butler, “New Major Force Program Suggested by Space Commission;” see also Jennifer Palmer, “DOD Late With Space Report Responses: Commission Says Space Should Be National Security Priority,” *Air Force Times*, 23 April 2001, p. 24. See also Sharon Berry, “Reports Examine U.S. Space-Faring Survival: Three Commissions Share Findings About National Security in Space,” *SIGNAL Magazine* 2001, April 2001, and “Government Reorganization May Fortify Space Security,” *SIGNAL Magazine* 2001, April 2001.

145. Rumsfeld was nominated by president-elect George W. Bush on 28 December 2000 and recused himself from further involvement with the Space Commission at that time.

146. Keith R. Hall, Director’s Note #2001-01, “Final Report of the National Commission,” 11 January 2001, History Office Files, NRO.

147. Letter, Laird to Hall, 14 August 2000, History Office Files, NRO.

148. See biographical sketches of NRO Commission members, File: NRO Commission Members, J. Robert Kerrey, and “Statement of Senator Bob Kerry: National Reconnaissance Office Forward Funding,” 26 January 1996, both in History Office Files, NRO. See also Ferster, “NRO Faces Challenge, p. 3.

149. *NRO Headquarters Project Hearings*, p. 4.