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MEMORANDUM OF AGREEMENT
BETWEEN THE
NATIONAL RECONNAISSANCE OFFICE
AND THE
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
ON THE
MISSION TO PLANET EARTH

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1.0 PURPOSE

This Memorandum of Agreement (MOA) defines the relationship between the National Reconnaissance Office (NRO) and the National Aeronautics and Space Administration (NASA) with respect to NASA's Mission to Planet Earth activities, establishes the policies and security infrastructure, and identifies organizational responsibilities for the sharing of technical information and specific technologies.

2.0 SCOPE

This MOA is the fundamental document governing the relationship between the NRO and NASA for activities related to the Mission to Planet Earth, including the Earth Observing System and its components. This MOA does not replace or supplement existing agreements, written or otherwise, between NASA and the NRO for other programs or activities. A Security Plan and Interface Working Group Charter are annexes to this MOA. In addition, the MOA may be supplemented by other annexes for specific technology or program activities.

3.0 DEFINITIONS

3.1 NATIONAL RECONNAISSANCE OFFICE (NRO): The joint endeavor between the Department of Defense and the Central Intelligence Agency that was established in the early 1960s to consolidate all United States (US) satellite and assigned aircraft reconnaissance activities. It functions under Executive Order 12333 of December 4, 1981, and other laws, regulations, and directives.

The mission of the NRO is to ensure that the US has the technology and overhead assets needed to acquire superior worldwide intelligence. This intelligence is required to support functions such as monitoring of arms control agreements, indications and warning, and the planning for, and conduct of, military operations. To accomplish its mission, the NRO conducts research and development, acquires and operates overhead systems

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for the collection of data.

In response to guidance and direction from the Director of Central Intelligence (DCI) and the Secretary of Defense, the NRO manages the National Reconnaissance Program (NRP), the single US program for the collection of foreign intelligence from satellite and assigned aircraft assets. The NRO responds to tasking from all authorized users through appropriate elements of the Intelligence Community.

3.2 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA): Conducts a vigorous overt research program that addresses all aspects of aeronautics and space flight, including advanced technologies, exploration, science and applications, and the launch program for civil space payloads.

3.3 TECHNOLOGY TRANSFER: The actual exchange of technical information and services between the NRO and NASA, including specific technologies (hardware and/or software), processes, architectures, concepts, management techniques, and contracting and project management support.

3.4 MISSION TO PLANET EARTH PROGRAM: NASA's contribution to the US Global Change Research Program. Mission to Planet Earth, which includes the Earth Observing System (EOS) and Earth Probes, is the integrated, comprehensive program, funded and directed by NASA, designed to use space-based and ground-based resources to reduce the scientific uncertainties associated with global change. It is intended to increase the understanding of the Earth system sufficiently to enable sound policy decisions.

3.5 INTERFACE WORKING GROUP (IWG): The formal interface organization of representatives from the NRO and NASA, chartered to develop and manage technology transfer, security, and administrative actions between the NRO and NASA for space technology and applications as described in this MOA. Activities and membership of the IWG will be governed by an IWG Charter prepared as an annex to this MOA. Executive Co-Chairmen of the IWG are the Deputy Director of the NRO (DDNRO) and the Associate

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Administrator for Space Science and Applications, NASA.

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4.0 BACKGROUND

Since its inception in 1958, NASA has conducted a vigorous program of research and development in the full spectrum of activities in aeronautics and space. The ~~Office of Space Science and Applications (OSSA)~~ Office of Mission to Planet Earth (OMTPE) is the NASA organization responsible for planning, directing, executing, archiving, and evaluating that part of the overall NASA program which exploits the unique characteristics of space to understand the universe, to use remote sensing to determine how the Earth works as an integrated system, to solve practical problems on Earth, and to provide the scientific research foundation for extending human presence into the solar system. ~~OSSA (OMTPE)~~ is the office primarily interested in the technology activities of the NRO. ~~as well as the projects under the Mission to Planet Earth.~~

5.0 MANAGEMENT

5.1 GENERAL

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5.1.1 Executive Co-Chairmen: The DDNRO and the NASA Associate Administrator ~~of OSSA~~ Mission to Planet Earth, acting as Executive Co-Chairmen, approve annexes to the MOA concerning specific aspects of technology transfer and other program activities. Such annexes will be consistent with the Security Plan Annex regarding protection of intelligence sources and methods.

5.1.2 Working Co-Chairmen: The IWG, co-chaired by appointed representatives from the NRO and ~~OSSA~~ OMTPE to manage and monitor, on a day-to-day basis, the interface between the NRO and NASA for space technology and applications as described in this MOA. The IWG operates under a joint NASA/NRO charter (MOA Annex B.)

5.2 TECHNOLOGY TRANSFER

5.2.1 NASA may use NRO technologies after approval by the DDNRO in accordance with the IWG Charter.

5.2.2 NRO may use NASA technologies upon approval by the Assistant Associate Administrator for Mission to Planet Earth (management) ~~of OSSA~~ in accordance with the IWG Charter.

5.2.3 In accordance with the Security Plan Annex to this MOA, any technology transfer activities supporting this MOA must neither compromise intelligence sources and methods of the DCI or the NRO, nor improperly disclose foreign technology entrusted to NASA by foreign sources.

5.2.4 In accordance with the Security Plan Annex, NASA contractors will not receive BYEMAN information unless the NRO approves all conditions of the release.

5.2.5 Technology transferred to NASA by the NRO will not in turn be transferred to other sources without DDNRO concurrence.

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5.2.6 This MOA does not negate the responsibilities of each party to adhere to other US laws and regulations governing technology transfer to foreign interests.

6.0 SECURITY

6.1 The DCI, having statutory responsibility for the protection of intelligence sources and methods, establishes NRO security policy. The NRO, in turn, provides overall security policy on BYEMAN information to NASA (reference the Security Plan Annex.)

6.2 The Director of the NRO (DNRO) manages the BYEMAN control system, which includes implementing DCI directives, establishing security procedures, publishing classification guides, controlling accesses, maintaining the security of BYEMAN programs and technologies, and executing all BYEMAN contracts.

6.3 Annex A -- Security Plan for the Control of Information Between the National Reconnaissance Office and the National Aeronautics and Space Administration -- provides the basic philosophy, policies, and procedures for the protection of classified information and relationships between the two organizations for the [redacted] activities.

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6.4 The Security Plan establishes a special process to access selected individuals from NASA into NRO information, technologies [redacted] and programs. If warranted, the NRO may approve other BYEMAN accesses.

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7.0 RESPONSIBILITIES

7.1 EACH ORGANIZATION SHALL:

7.1.1 identify programs, technologies, and issues of

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mutual interest;

7.1.2 appoint representatives and support the IWG;

7.1.3 establish single points-of-contact for technology transfer.

7.2 THE NRO SHALL:

7.2.1 maintain a current list of technologies;

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7.2.2 maintain a mechanism to facilitate BYEMAN level contractor responses to NASA-issued procurement documents;

7.2.3 approve access and indoctrinate NASA personnel and NASA contractors into the BYEMAN control system

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7.2.4 hold and pass accesses for NASA personnel and NASA contractors for visits to NRO program offices. NRO program offices will pass accesses to NRO contractors;

7.2.5 approve the release and transfer of BYEMAN information to NASA contractors in accordance with the Security Plan Annex.

7.3 NASA SHALL:

7.3.1 maintain a current list of unclassified technologies identified to be of mutual interest by the IWG;

7.3.2 provide the NRO access to NASA technologies and programs as mutually agreed upon by the IWG;

7.3.3 provide NASA-issued procurement documents to the NRO when BYEMAN level contractor responses are anticipated or required.

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8.0 DURATION

Upon signature, this MOA is effective immediately and will remain in effect until jointly modified and replaced by both organizations or terminated by either party. Each annex will remain in effect until jointly modified and replaced by the Executive Co-Chairmen or until MOA termination. Each organization will review this MOA and annexes annually.

MARTIN C. FAGA
Director, NRO

DANIEL S. GOLDIN
Administrator, NASA

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