

13 Feb 1

Note for 

 has

rewritten memo to

COMIREX. For your

review and coordination.



~~TOP SECRET~~



(S) NATIONAL RECONNAISSANCE OFFICE
WASHINGTON, D.C.

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THE NRO STAFF

15 February 1978

MEMORANDUM FOR CHAIRMAN, COMIREX
THRU: SPECIAL SECURITY CENTER

SUBJECT: Civil Applications of NRO Imaging Satellites

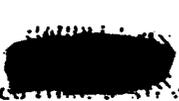
I asked the NRO Staff to review the legal basis of civil agency use of satellite imagery, in the context of the recently issued Executive Order. It appears unclear whether a current, authoritative legal approach for such domestic use of national intelligence assets exists.

We are advised that each civil agency is responsible for attesting to the propriety of their collection requirements and that COMIREX does not validate those requirements. Although the CIA General Counsel reportedly advised that such use of NRO-produced imagery is in conformance with current legal requirements, the thrust of the newly issued Executive Order may make it prudent to seek approval from the Intelligence Oversight Board or the Attorney General.

I recommend you review the need for legal sanction for the civilian agencies' tasking and use of NRO satellites.



WILLIAM L. SHIELDS, JR.
Brigadier General, USAF
Director



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(S) NATIONAL RECONNAISSANCE OFFICE
WASHINGTON, D.C.

THE NRO STAFF

10 February 1978

MEMORANDUM FOR GENERAL SHIELDS

SUBJECT: Propriety of Civil Application Committee (CAC)
Activities

In response to your memorandum (Attachment 1) the staff has reviewed the problem of propriety for the CAC. Attachment 2 is the CAC's current charter. Note that it establishes a priori that CAC activities are legitimate. It is, of course, the product of a previous administration.

The letter at the right provides a vehicle for you to surface this issue to COMIREX and to Special Security Center. The problem more properly belongs to them--but your letter insures that the NRO cannot be faulted for an obvious omission.



FREDERICK L. HOFFMANN
Colonel, USAF

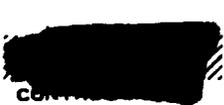
- 2 Attachments:
- 1 - Your memo, dtd 26 Jan '78
- 2 - CAC current charter



ACTION OFFICER:



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(S) NATIONAL RECONNAISSANCE OFFICE
WASHINGTON, D.C.

THE NRO STAFF

26 January 1978

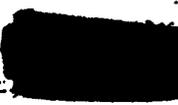
MEMORANDUM FOR THE RECORD

It appears to me that the civil application of NRO satellites has not received a degree of attention that is consistent with recent executive and legislative reviews of the propriety of intelligence operations. There have been a series of executive actions, culminating in an executive order signed within the week. The Congress has held extended hearings on intelligence matters and is deliberating the issuance of legislative charters for intelligence agencies. I see no evidence that civil applications of NRO satellites have been explicitly subsumed in these efforts.

The civil applications tasking is uncoupled as a matter of policy from the COMIREX tasking. Each civil agency is evidently responsible for attesting to the propriety of their collection requirements. Thus, there appears to be a potential for inappropriate use of NRO systems. It is not clear that the propriety of these civil applications collection activities is being reviewed by the Inspector General of the Executive Departments, or by the Intelligence Oversight Board, or the Attorney General, or the Congress.

I believe that the Director of Central Intelligence, as the top U.S. intelligence official; the Secretary of Defense, as the executive agent for the NRO; and the DNRO, as the line authority who sends commands to the satellite, are potentially in a vulnerable position with respect to this issue.


WILLIAM L. SHIELDS, JR.
Brigadier General, USAF
Director

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THE WHITE HOUSE
WASHINGTON

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October 3, 1975

MEMORANDUM FOR

INTERIOR DEPARTMENT
RECEIVED

OCT 6 - 1975

OFFICE OF THE
ASSISTANT SECRETARY
FOR ENERGY AND MINERAL

The Secretary of Defense
The Secretary of Interior
The Secretary of Agriculture
The Secretary of Commerce
The Administrator, National Aeronautics
and Space Administration
The Administrator, Environmental Protection
Agency
The Chief of Engineers, United States Army

SUBJECT: Establishment of the Committee for Civil Applications
of Classified Overhead Photography of the United States

The President has noted that the Commission on CIA Activities Within the United States in discussing classified overhead photography of the United States concluded that it can find no impropriety in permitting continued civilian use of such photography and that economy dictates the use of the photographs for appropriate civilian purposes. Accordingly, the President has directed the establishment of a civilian agency committee to oversee civilian uses of classified overhead photography taken over the United States.

To implement the President's decision, the following actions are to be taken:

1. The Secretary of Interior will form a Committee for Civil Applications of Classified Overhead Photography of the United States which will:
 - receive, evaluate, consolidate, standardize, establish priorities and transmit to the Director of Central Intelligence (DCI) all requests for such photography from domestic civilian agencies;
 - facilitate civilian agencies' use of classified systems and coordinate the incorporation of photography, derived data, and technology in performance of domestic civilian functions;

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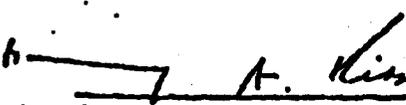
BY AUTH - Henry A. Kissinger

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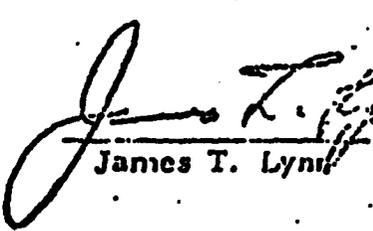
- supply information to civilian agencies so that they may knowledgeably formulate requests and reach compromises between requests and capabilities;
- act as the interface between civilian agencies and intelligence collectors, recognizing that the Director of Central Intelligence will not be involved in judgments concerning civil agency needs or priorities and that collection for this purpose will remain incidental to foreign intelligence collection;
- oversee civilian agency uses of classified photography in a manner designed to avoid any concerns that domestic photographic coverage is being used improperly.

In performing all of the above activities, the Committee will be subject to guidelines established by the President.

2. The committee will be chaired by the representative of the Department of Interior and will consist of representatives of the Departments of Agriculture and Commerce, the National Aeronautics and Space Administration, the Corps of Engineers and the Environmental Protection Agency. Membership may be expanded at the discretion of the Committee.
3. The Director of Central Intelligence will designate a representative to serve ex officio on the Committee for the purpose of liaison with the intelligence community, to assist in obtaining domestic photographic coverage, to address issues concerned with the use of classified products, and to facilitate the acquisition of security clearances for users. Since civil usage of data is enhanced if unclassified, the DCI's representative will be an intermediary on questions concerning release of classified information from security controls, as appropriate.


Henry A. Kissinger


William E. Colby


James T. Lynn

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