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OFFICE OF THE DIRECTOR

Action Memorandum No. A-296

Date 12 September 1963

ACTION MEMORANDUM

TO : Deputy Director (Science and Technology)

SUBJECT : D/NRO and JCS-JRC Agreement

REFERENCE:

1. Attached are several copies of a proposed agreement between D/NRO and JCS-JRC as now proposed by Dr. Fubini. The six-page annex attached is a part of the agreement and is the Augenstein/Fubini statement of just what is meant by the basic agreement. I have had a lengthy discussion with Augenstein but have not had an opportunity to write a Memorandum for the Record on it. The discussion did not, however, extend the agreement or the annex.

2. Please give me your views on whether or not we can go along with the agreement and annex attached. For my part, I have not analyzed it thoroughly but see very little to complain about except the implied assignment of the AQ-12 to the DOD which I am unable to agree to.

3. I made no commitment to Augenstein except that I would take this matter under immediate advisement and discuss it with my staff.

4. Since I am leaving for a week at noon tomorrow, please have everything in readiness to discuss it with me when I return about September 23rd and, in the meantime, forestall any pressures to acquiesce hurriedly unless you see no problems with the agreement and annex and can clean up the AQ-12 matter.

OSD AND DIA review(s) completed.

JCS and NRO review(s) completed.

SIGNED

Marshall S. Carter
Lieutenant General, USA
Deputy Director

SUSPENSE DATE:

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AGREEMENT

D/NRO and JCS-JRC

I. This agreement formalizes arrangements for NRO utilization of technical and operational resources of DOD for support and, in some cases, execution of airborne reconnaissance operations.

II. The peacetime resources of the NRO and DOD covered by this agreement include: (a) peripheral and special mission aircraft, certain aircraft now conducting assigned overflight missions, certain drone aircraft and advanced manned aircraft under development; and, (b) all aircraft and ground facilities necessary for the logistic and operational support provided other missions.

III. During periods of war or tension, as defined by the Secretary of Defense by agreement with the DCI, or by higher authority, and over such areas or territories as may be designated by such authority, airborne reconnaissance missions will become the responsibility of the JCS and necessary control and resources will be transferred from the NRO as required.

IV. In order to ensure, inter alia, that: (a) such a transfer of mission control,as noted in III., can be accomplished efficiently when required;

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(b) that complete technical and operational coordination between current and future JCS and NRO missions is provided, including mission status reporting; (c) that the Joint Chiefs are kept fully informed on all mission planning and status; (d) that the logistic and operational support provided other missions can be presented to and reviewed by the JCS with adequate lead times; (e) that such technical and planning support as is directed by the D/NRO is provided to assist him in management of the NRO related resources of paragraph II; (f) and that vehicles under NRO-DOD control, currently under development, which could be used for overflight purposes, when and if such missions are assigned, are supported by mission plans and resource allocations acceptable to the D/NRO and JCS, the D/NRO and the JCS agree that:

1. The Chief JRC will assume appropriate staff duties for the D/NRO, and will make the services of JRC available as the D/NRO directs, to arrange for implementation required by the preceding considerations.

2. The duties of the JRC vis-a-vis the JCS and NRO will be in accordance with existing directives, understandings, and arrangements concerning resources noted in paragraph II.(a),(b), amplified where necessary to reflect additional functions assigned to the JRC by the D/NRO.

V. Specific additional duties assigned to the JRC will reflect the above considerations in a manner agreeable to the D/NRO and JCS.

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VI. Except as specified above, nothing in this agreement alters existing arrangements for the conduct of NRO airborne reconnaissance missions and the technical and logistic support thereof by the JCS and the military Services; nor does it alter the basic NRO agreement of 13 March 1963 between the Director of Central Intelligence and the Secretary of Defense.

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ANNEX

Paragraph-By-Paragraph Annotation of Numbered Paragraphs in NRO/JCS-JRC Agreement

I. The intent of this paragraph is to bring up-to-date certain arrangements which have been in effect, but whose signatories have now been replaced. For example, there exist earlier agreements concerning these matters, as exemplified by a 24 September 1958 agreement between USAF and Mr. Dulles of CIA. This agreement antedates creation of the NRO, concerns only the U-2, and needs updating in terms of the signatories referred to. The organizational arrangement proposed herein has been agreed to in principle by the Secretary of Defense in a memorandum to the Chairman of the Joint Chiefs of Staff, dated May 31, 1963.

II. The intent of this paragraph is to separate into two portions the resources which are concerned. The specific and designated resources implied are the following:

a. The DOD resources are: for peripheral aircraft, vehicles such as the B-47; for special mission aircraft, corridor and VIP mission aircraft; for certain aircraft now conducting assigned overflight missions, we are concerned with AF operations in U-2's over Cuba, and 101 flights in other areas, those missions having been assigned to DOD/JCS by

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higher authority. Certain drone aircraft and advanced manned aircraft under development refer to the 147 drone, the AQ-12 drone and the R-12.

b. This paragraph refers to the logistic and operational support provided by DOD resources to certain CIA missions, namely, U-2 missions, A-12 missions, and other special aircraft missions conducted by the CIA; but we specifically exclude from consideration the aircraft which are being supported in this way, their operational control, or the control of mission execution, which remains as presently invested with the CIA.

III. This paragraph is self-explanatory and needs no additional comments.

IV. This paragraph is intended to state a representative set of reasons for formally implementing the NRO/JRC agreement in accordance with subparagraphs "a" through "f".

a. and b. reflect the following typical situation which needs to be explicitly recognized. Present agreements existing between USAF and the CIA have the background noted in the comments relating to paragraph I of this Annex. The agreements concern only the U-2 explicitly, in the covert overhead reconnaissance area. There exists, however, a SAC OPORD 1009, dated September 1, 1963, and signed by General Powers, which assumes that the A-12 falls in the scope of the existing U-2 agreement; but there appears to be no explicit CIA concurrence or contingency plan for

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such use of the A-12. This could lead to some rather pressing problems rather quickly; if, for example, the overt military overflight of Cuba by U-2's were to be seriously inhibited by Cuban use of the SA-2 defenses, one of our responses might very well be to begin to operate with A-12's over Cuba, in accordance with a contingency plan proposal discussed earlier this year. The question then arises as to whether the existing arrangements concerning the U-2 imply that SAC would operate the A-12's over Cuba or that CIA would operate the A-12's over Cuba. The intent of subparagraphs "a" and "b" is to insure that, whatever final decisions are entered into in these matters, adequate pre-preparation has been done to insure prompt and responsive operations (which conceivably could result in SAC operation of the A-12's prior to any CIA operations, if Cuban overflights are requested using the A-12's).

d. The support referenced in this subparagraph is that explicitly provided to the CIA for the use of vehicles under its control, as referenced in paragraph II.b. of this Annex. It should be noted that the A-12 support requires that much more massive DOD resources be committed than did U-2 operations, in this connection.

e. The intent of this subparagraph is to provide directly and locally to the Director of the National Reconnaissance Office such technical and planning support as he requires for his personal review of mission plans;

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for example, those presented for his signature and transmittal by Program B, CIA, including CIA A-12 mission plans. This provision for review is in accordance with the March 13, 1963, NRO directive agreed to by Mr. Gilpatric and Mr. McCone; and, explicitly, does not imply any transfer of operations and mission execution responsibility currently assigned to the CIA via Program B. In addition, this provision will make available to the Director of NRO such other technical and planning support as he requires in the aircraft operations field, particularly in connection with the last part of paragraph II.a.

f. The vehicles under NRO/DOD control, currently under development, refer specifically to the DOD vehicles being developed within the NRP, referenced in paragraph II.a. of this Annex; explicitly the 147 drone, the AQ-12 drone, and the R-12. We are explicitly excluding in subparagraph "f", in accordance with paragraph II.b. of this Annex, the A-12; this is covered by subparagraph "d" of this Annex. It should be noted that in connection with the 147 drone, the AQ-12 drone, and the R-12, which could be assigned overflight missions in the future, the CIA Air Op Center has no present responsibility for these, and the Director of the NRO must make provisions for possible use of these vehicles by a staff component completely familiar with aircraft operations.

IV.2. The existing directives, understandings, and arrangements referred to include agreements previously entered into vis-a-vis the operation of the

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CIA Op Center (which is noted in Mr. Carter's (DDCI) letter of August 20, 1963, to Dr. Fubini as being "under the operational control of Director, NRO."), and includes the Director, NRO letter to Dr. Scoville, concerning the CIA Op Center, where there is an explicit re-affirming statement regarding the continuance of the functions and duties of the CIA Op Center in conducting operations presently assigned to the CIA. Likewise, such arrangements as currently exist for direct transmittal of requests, etc., from the CIA Op Center to Air Force components providing support to the CIA air operations will continue to exist.

V. The intent of this paragraph is to make explicit the fact that the duties assigned to the JRC will alter nothing in the way in which NRO or JCS missions are conducted, including those operations conducted or to be conducted by the CIA Op Center with the support of DOD resources, except as may be mutually agreed to by the JCS and the Director of the NRO in accordance with the present responsibilities assigned to the CIA Op Center.

VI. The existing arrangements referred to include the present assignment of operational control of those assets currently in use or planned for use in overflight of denied areas during peacetime to CIA, including the execution of A-12 missions, if conducted, as referenced in paragraph II.b. of this Annex, except as may be otherwise assigned in special cases agreed to by the Secretary of Defense and the Director of Central Intelligence, or as otherwise assigned by higher authority under paragraph III.

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In reference to the NRO agreement of March 13, 1963, it should be noted that provisions of this agreement give the Director of NRO explicit authority to enter into an agreement, with the provisions noted, between his office and the JRC.

Considerations of this annotated Annex reflect explicitly those areas in which such an NRO/JCS agreement must be consummated.

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