

SENIOR INTERAGENCY GROUP (INTELLIGENCE)
INTERAGENCY GROUP/COUNTERMEASURES (POLICY)
WASHINGTON, D.C. 20505

DCI/ICS-87-0802
18 March 1987

MEMORANDUM FOR: IG/CM(P) Members

FROM: [redacted]
Executive Secretary

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SUBJECT: Draft Minutes--Fifth IG/CM(P) Meeting, 10 March 1987

Attached for your information is a copy of the draft minutes of the 10 March 1987 IG/CM(P) meeting. If there are corrections, they should be furnished to the Executive Secretariat [redacted] by COB 3 April 1987; otherwise the minutes will be considered final.

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[redacted]

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Attachment:
a/s

Regraded Unclassified upon
removal of classified attachment

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[redacted]

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CCISCMS/ICS:RGMyers:emc:2183 or 334174

Distribution of D/ICS-87-0802 (w/att as shown):

1 - Mr. Alderman, OSD
1 - Mr. Donnelly, ODUSD(P)
1 - Mr. Anderson, ODUSD(P)
1 - Mr. Latham, ASD C³I
1 - COL Gallo, OACSI, DA
1 - RADM Flynn, Navy
1 - Mr. Cornett, Air Force
1 - Mr. Guenther, Marine Corps
1 - CDR Williams, Coast Guard
2 - [redacted] (one for JCS) STAT
1 - [redacted]
1 - Mr. Penrith, FBI
1 - Mr. Corry, State
1 - Mr. Lamb, State (via Mr. Corry)
1 - Mr. Major, NSC
1 - [redacted] STAT
1 - [redacted]
1 - Ms. Lawton, DoJ
1 - Mr. Jackson, Commerce
1 - Mr. Seaton, Energy (via Mr. Dowd)
1 - Mr. Foss, Treasury
1 - Mr. Garfinkel, ISOO
1 - ADCI
1 - ER
1 - D/ICS (via DD/ICS)
1 - ICS Registry
1 - IG/CM subject
1 - IG/CM chrono

UNCLASSIFIED

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SUMMARY OF IG/CM(P) MEETING
10 MARCH 1987
ROOM 6W02, COMMUNITY HEADQUARTERS BUILDING

1. The fifth meeting of the IG/CM(P) was convened at 1400 hours, 10 October 1987 by the Chairman, Mr. Craig Alderman, Jr., Deputy Under Secretary of Defense (Policy). A list of individuals attending is at Attachment 1. []

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2. The Chairman made the following opening remarks, resulting in the actions indicated:

a. Substantive changes of the draft minutes for the fourth IG/CM(P) meeting were received from Group members and inserted into the record. []

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COMMENT: The minutes of the fourth meeting are now considered final. []

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3. The scheduled agenda was discussed:

a. PHYSICAL SECURITY COMMITTEE:

The Chairman announced to the Group members that Mr. Louis Schwartz, Jr., State, has accepted the Chair of the Physical Security Committee. Mr. Schwartz commented that he considered it an honor and was looking forward to the contribution the Group can provide to the Intelligence Community.

He announced that the Physical Security Committee will have its first meeting on 23 March 1987 in Room 6W02 at []

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ACTION: All respondents should provide the names of their representative to the Chairman, Physical Security committee. []

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ACTION:

(1) Chairman reviewed the sequence of actions by which the recommendations in the President's report to Congress on the nation's counterintelligence and security countermeasures plans, programs, and capabilities were assigned to the several committees to coordinate and collate their responses from appropriate agencies. The Chairman asked the committee chairmen if this was understood and if they would be able to meet the appropriate suspense dates--all agreed.

(2) Personnel Security Committee (PSC) coordinate with the Information Security Committee regarding the action raised by the Chairman, PSC.

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(3) Personnel Security, Physical Security, and Information Security committees provide their written report by 31 March 1987 to the Secretariat regarding the status of actions engendered by the President's report.

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4. NEW BUSINESS: Mr. John Hoover, DoD, informed the Group that the Deputy Under Secretary of Defense for Policy has asked the Chairman, National Operations Security Advisory Committee (NOAC), to undertake an interagency review of remote sensing commercial satellites and recommend to the Secretary of Defense standards for the guidance of the Secretary of Commerce in meeting the national security concerns in the licensing process. Mr. Hoover asked the Group members to review the draft Terms of Reference (Attachment 3) and to provide representation on the NOAC working group as needed.

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ACTION: Committee members review the draft TOR and provide recommended changes to Mr. Hoover, 697-7641. Committee members having an interest in the subject are requested to provide representation to the NOAC working group. Notification of names for the working group are to be provided to Mr. Hoover at the next IG/CM(P) meeting.

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5. OLD BUSINESS: There was no old business to discuss.

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6. NEXT MEETING: The Chairman announced that the next meeting of the IG/CM(P) will be held on 7 April 1987.

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7. ADJOURNMENT: The meeting adjourned at 1545 hours.

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Attachment 1

ATTENDEES
IG/CM(P) MEETING, 10 MARCH 1987
ROOM 6W02, COMMUNITY HEADQUARTERS BUILDING

<u>NAME</u>	<u>ORGANIZATION</u>	
ALDERMAN, Craig	OSD	
ALLEN, Robert C.	Navy	
BOWEN, Fred	ICS	
BRANDT, Fred	State	
CASSETTA, Michael	Commerce	
CINQUAGRANA, Americo	Justice	
CORRY, Frank	State	
DONNELLY, John F.	OSD	
DIHADWAY, Thomas	FBI	
[REDACTED]	ICS	25X1
FOUNTAIN, D. Diane	OSD	
FOSS, Robert T.	Treasury	
GALLO, Anthony	Army	
GARFINKEL, Steven	ISOO	
GUENTHER, John	Marine Corps	
HOOVER, John	OSD	
KONDURIS, Ted	Air Force	
LEEK, Bobby J.	OSD	
LONG, Rebecca	OSD	
[REDACTED]		25X1
MODLEY, Pete	State	
MOFFITT, Mary	OSD	
[REDACTED]	ICS	25X1
PASEUR, George	Air Force	
PELENSKY, Mark	Navy	
PETIT, Alan	ICS	
[REDACTED]	Energy	25X1
RUBINO, D. Jerry	ICS	
[REDACTED]	State	25X1
SCLAFANI, Frances	ICS	
[REDACTED]	OPM	25X1
SWANSON, Richard	OSD	
WALLER, Russell	State	
[REDACTED]		25X1
WHITMAN, David	OSD	

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Interagency Group/Countermeasures

Washington, D.C. 20505

10 MAR 1987

MEMORANDUM FOR THE INTERAGENCY GROUP/COUNTERMEASURES (POLICY)

SUBJECT: Remote Sensing Commercial Satellites

Sometime in the future the Secretary of Commerce may call upon the Secretary of Defense to determine those conditions necessary to meet national security concerns of the US for the purpose of licensing a private remote-sensing space system, under the Land Remote-Sensing Commercialization Act of 1984.

The Deputy Under Secretary of Defense for Policy has asked the Chairman, National Operations Security Advisory Committee (NOAC), to undertake an interagency review of the subject and recommend to the Secretary of Defense standards for the guidance of the Secretary of Commerce in meeting the national security concerns in the licensing process.

There is attached hereto a draft Terms of Reference (TOR) to guide a NOAC working group. I ask the IG/CM(P) members first, to review the draft TOR and suggest any desired changes, and second, to provide representation on the NOAC working group as needed.

Changes to the TOR and related questions may be provided informally to John Hoover, 697-7641, who will chair the working group.



John F. Donnelly
Chairman, National Operations
Security Advisory Committee

Attachment

TERMS OF REFERENCE FOR NATIONAL OPERATIONS
SECURITY ADVISORY COMMITTEE

Review of Security Implications of Civil
Satellite Remote Sensing Programs

- I. TASK The Department of Defense has asked the NOAC to review the US Civil Satellite Remote Sensing Program and recommend to the Secretary of Defense standards for the guidance of the Secretary of Commerce in meeting the necessary national security concerns in the licensing process.
- II. BACKGROUND
- Under section 101 of the Land Remote-Sensing Commercialization Act of 1984, the Congress declared that, among other things, the national interest of the US lies in maintaining international leadership in civil remote sensing and in broadly promoting the beneficial use of remote-sensing data. The Congress declared, also, that land remote sensing by... private parties of the US affects...national security concerns of the US.
 - Section 402 of the Act prohibits any US person from operating any private remote-sensing system without a license (issued by the Secretary of Commerce).
 - Section 607 of the Act requires the Secretary of Commerce to consult with the Secretary of Defense on all matters under the Act affecting national security (including the issuance of the requisite license); and, the Secretary of Defense shall determine the conditions necessary to meet national security concerns.
 - The National Oceanic and Atmospheric Administration (NOAA), under the Department of Commerce, issued a Notice of Proposed Rulemaking (51 Fed. Reg. 9971, March 24, 1986) which, according to the Radio-Television News Directors Association (RTNDA), would violate the First Amendment. The thrust of RTNDA objections to the Notice is that the rules are unconstitutionally vague and would authorize NOAA to impose impermissible prior restraint. According to RTNDA, the question is not whether NOAA can take action to protect national security, but what standards must it use when doing so.

- Given that commercial multispectral imaging resolution of other countries, such as France and Japan, is at least as good now as the US, and over the years along with US, commercial satellites will achieve even better resolution, the question becomes, "How does the US accommodate necessary and inevitable commercial growth in space and still protect US sensitive information?"

III. SUGGESTED SCOPE OF REVIEW

- What are the national security implications of the Landsat program?
- What are the pros and cons for relaxing the current resolution criterion for the Landsat program? Is there likely to be a commercial market for data collected at better resolutions?
- Are there national security implications of an extensive media use of better-resolution satellite imaging capabilities, perhaps to include development of their own imaging capabilities? The review should specifically address implications relative to the military forces of the US, its friends and allies, and potential adversaries. Could a "Mediasat" compromise the security of future Grenada- or Libyan-type operations? Or can the media obtain the same sort of information by flying aircraft in international air space at a fraction of the cost of a satellite?
- What measures are available to protect national security concerns relative to media use of civil satellite imaging systems, both US and foreign?

IV. POSTULATED STANDARD

Is the following standard consistent with the the NOAC findings and conclusions? If not, how should it be amended?

" The Department of Defense does not impose a technical limit as a standard precedent to the issuance of a license by the Secretary of Commerce so long as the applicant complies strictly with PL 98-365, section 402(b)(5), with respect to providing data collection characteristics and orbital data. However, notwithstanding the grant of a license, the licensee must agree as a condition of the license to the following:

'When the Secretary of Defense, acting on the advice of, or with the concurrence of, the Chairman, Joint Chiefs of Staff, declares that the disclosure of data collected from particular orbits during a particular timeframe would pose a serious and immediate threat to distinct and compelling national security, that data shall be withheld from public distribution or disclosure for so long as the threat exists or until the same data can no longer be held undisclosed because of actual public disclosure by other means.'

V. REPORT

After coordination with the IG/CM(P) the results of the NOAC review and the NOAC recommendations should be reported direct to the Deputy Under Secretary of Defense for Policy, Washington, D.C. 20301.