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18 July 2014

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1/rde

Patricia B. Cameresi Chief, Information Review and Release Group

Enclosure: Central Intelligence Agency and National Reconnaissance Office Joint Inspector General Report -Inspection of BYEMAN Security Management

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CENTRAL INTELLIGENCE AGENCY

AND

(S) NATIONAL RECONNAISSANCE OFFICE





JOINT INSPECTOR GENERAL REPORT

26 MARCH 1992

INSPECTION OF BYEMAN SECURITY MANAGEMENT

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Executive Summary

Background

The National Reconnaissance Office (NRO) charter and the BYEMAN Security Manual (which provides the security framework for the NRO) acknowledge that responsibility for the development of security policy and for overall management of the BYEMAN control system rests with the Director of Security ((D/Security), CIA. As overhead reconnaissance systems and their associated security became more complex, there was a shift in responsibility away from the CIA toward various elements of the NRO, to the point where the CIA was seen by some to have abdicated its responsibilities. Further, within the NRO, security management was fragmented and uncoordinated, with inconsistent guidance being given to contractors by the various program offices. Around 1987, the NRO began to develop a concept for a more centralized, coordinated approach to security management. The Director of Central Intelligence (DCI) and Secretary of Defense agreed on a restructured NRO in the summer of 1989, and in January 1990, the Director, NRO (DNRO) forwarded to them his report on the restructure, which included a draft letter for DCI signature delegating to the DNRO authority as the single manager for the implementation of the BYEMAN control system.

However, the Deputy DCI (DDCI), in separate 22 February 1990 memos to the D/Security and the DNRO, addressed the contentious issue of responsibility for various aspects of BYEMAN security. These memos (referred to as the "Kerr memos") reaffirmed D/Security authority for policy formulation and program implementation of the BYEMAN security control system, and confirmed the DNRO as the sole approval authority for determination of "must know" access requirements for all contractors and US approvement personnel needing access to BYEMAN material. The memos also directed several tasks.

To determine the level of progress in accomplishing these tasks, the DDCI asked that the NRO and CIA Inspectors General conduct a broad inspection of BYEMAN security management after one year. This report documents that formal inspection of BYEMAN security management, which began 1 October 1991. This was well after the February 1991 date originally envisioned. The delayed timing was dictated in part by the activation schedule of the newly-formed BYEMAN Security Center (BSC) and the importance of having some of the common support functions in place so that effectiveness as well as progress could be measured.

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This report was reviewed in draft form with the NRO and the D/Security, and their comments were considered in the discussion of the various topics and in preparation of the final draft. The final draft was then coordinated with the DNRO and the CIA's Deputy Director for Administration (DDA). Their comments have been addressed in preparing this final report.

Summary

We found NRO operational security to be in good shape with experienced security professionals managing the process. There has been clear improvement in the consolidation and standardization of procedures since the Kerr memos were issued, but we also found some concerns that need attention. There is significant confusion concerning roles and responsibilities among NRO security components, security planning for the NRO is judged to be ineffective, and the studies directed by the Kerr memos are urgently needed but have not been completed. On the positive side the BSC appears to be making excellent progress after a slow start.

Our findings and conclusions are grouped under three main topics, corresponding to the key areas outlined in the Kerr memos. These topics cover how NRO security responsibilities are allocated to the security structure, progress with the BSC, and status of the major studies levied on the DNRO and D/Security.

Responsibilities and Structure

The security structure we found at the NRO is essentially as directed in the Kerr memos. The D/Security, CIA is responsible for BYEMAN security. Below the D/Security is the DNRO's Special Assistant for Security (SAS), who is responsible for oversight and management of the NRO security process. Reporting through the SAS to the DNRO is the D/BSC. The BSC is a "common support" element for personnel security, facility accreditation and automated information system security, and security policy and training. Other major NRO security components are the security element of the NRO Staff; the security staffs of the three NRO Program Offices (A, B, and C) and the Plans and Analysis Office; and the security staff for the Facility Acquisition Program. Within this structure of seven major security components are over people working on NRO security.

Without exception we found the above structure staffed with experienced and competent security professionals. From an operational perspective we found no major security concerns. Everyone believed that the establishment of the BSC was a major improvement and morale appears to be quite high. But there are six areas that need attention.

First, there are a number of related forums within the NRO and Intelligence Community where security policy issues can be raised for discussion and resolution with

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varying degrees of effectiveness. Five of these groups are discussed in the text (p. 22), but two bear mentioning at this point.

<u>The BYEMAN Security Panel.</u> This advisory panel meets monthly to coordinate, communicate, and recommend on security matters. It is chaired by the SAS and its members are the chiefs of security of the seven NRO security components mentioned above. Representatives from Office of Security, CIA (CIA/OS) and the National Security Agency (NSA) are recent additions as observers. We found the panel effective in fostering intercomponent communication and coordination, but not in making decisions on security processes or policy recommendations. The effectiveness of the Panel is addressed separately (p. 7) with a suggestion for increasing its effectiveness.

<u>The BYEMAN Security Steering Group.</u> This group is chaired by the DNRO and comprises the NRO Program Directors and the D/Security, CIA. It is to provide cross-program oversight of BYEMAN security policies, standards, and procedures. We found no evidence of recent activity by this forum, perhaps because it is considered a forum of last resort. There is some pride within the NRO security community that they have not had to refer issues to the Steering Group. Despite that, we conclude that it could be an effective proponent for providing top-down vision or oversight.

Second, we found significant variation in the interpretations of the Kerr memos. We suggest that DNRO and D/Security jointly arrive at a common interpretation of these memos and communicate that understanding to their components.

In addition, there are four specific concerns with NRO security responsibilities and structure. A discussion of each of them follows.

<u>Confusion of Roles.</u> Most of the confusion centers around the roles of the SAS, the Director, BSC (D/BSC), and the Deputy Director for Security on the NRO Staff.

<u>The SAS and D/BSC.</u> In his January 1990 NRO Restructure Report, the DNRO planned to have the D/BSC represent the NRO in Community forums for personnel and facility security and advise both himself and the D/Security on related security policy issues. He also planned to have the SAS function as his senior security advisor and to be responsible for ensuring that DCI security policy is properly implemented in the BYEMAN system. It appears that his intent was to have the D/BSC responsible to him for security with the SAS functioning only as an advisor.

The Kerr memos directed that the "SAS position's standing purpose is to provide general oversight guidance and management of security policy formulation and program implementation." We found this statement subject to various interpretations, but it appears that the Kerr memos suggest more of a management role for the

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SAS than the DNRO had intended, especially since the Kerr memos required the D/BSC to report to the DNRO through the SAS.

These were the only current documents we found that discuss the SAS role. While these documents leave considerable room for interpretation, both D/Security and DNRO agree that they hold the SAS responsible for NRO security, and both see the D/BSC as reporting to the SAS. The real question, and the one causing the most confusion, pertains to the extent of SAS's role in the daily management of NRO security.

We suggest that the SAS should provide security vision, guidance, and direction at the policy level. He should direct the planning for NRO security and also ensure that associated Community components and other control systems are consistent with NRO security policy and procedures. We believe this type of role may be more in line with what the DNRO intended in his suggested restructure.

We noted that the DNRO and SAS have never met to discuss the status of security matters. If the SAS is to be effective in his role of planning the future for NRO security, he must have regular dialogue with the NRO leadership.

<u>The Deputy Director for Security on the NRO Staff.</u> In his NRO Restructure Report, the DNRO implied that he had in mind a fairly narrow and focused role for this position. However, we found that the role is extremely broad. This position seems to be involved in almost every activity related to NRO security. We found no one outside of this function who professed having a clear understanding of the role of this position.

We have suggested consideration by DNRO of an alternative to the rather confusing allocation of roles that currently exists. It would more clearly centralize the security planning and policy functions, and reduce the number of security components in the NRO.

We conclude that the roles and responsibilities of the SAS, the D/BSC, and the Deputy Director for Security on the NRO Staff have not been clearly defined, resulting in significant confusion, aggravation, and inefficiency. This concern is addressed by Significant Recommendation Number 1 listed at the end of this summary.

<u>Security Planning.</u> The basic NRO security concepts and policies were developed at a time when the majority of the technology used by the NRO was on the leading edge and contractor employees were expected to make a career of their job. Since then, the world has changed significantly, from both a political and technical viewpoint. The threats have also changed. One example mentioned to us was the large numbers of BYEMAN personnel being laid off due to budget cutbacks. It was suggested



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that this is a security problem the magnitude of which is new to the NRO and perhaps should receive more attention.

We heard many calls for significant change in security philosophy. We found unanimous agreement that there should be one security architecture covering all aspects of NRO security, with a clearly defined interface with the other Community SCI systems (TALENT-KEYHOLE, etc.). We found many ideas and suggestions in both the government and contractor sectors. What we did <u>not</u> find was a centralized and coordinated effort to make change happen. Many of the security component chiefs felt that they were at least partially responsible for long term security planning in the NRO, but we found no clearly understood focal point nor did we find the planning function uniquely identified. We conclude that the security planning function of the NRO is decentralized and ineffective. This concern is addressed by Operational Recommendation Number 1 listed at the end of this summary.

<u>Delegation of "Must Know" Authority.</u> The Kerr memos delegate to the DNRO the sole authority for determining "must know" for the BYEMAN system, along with the authority to specifically delegate it. It is unclear to what extent the DNRO may have formally delegated this authority to others. There does not appear to be a systematic, documented process in place. We found that security elements at both NSA and CIA assume they have been delegated such authority, and routinely determine "must know" for their staff and contractors.

Also questioned by the NRO Program Directors is how "must know" authority is delegated within the NRO. Are the program directors free to brief their people on all the NRO programs, or just their own? We also found confusion over who has responsibility for the second directors free to brief their And we found insufficient oversight, quality control, and written criteria for the "must know" process.

Some delegation below the DNRO level is absolutely necessary. But it should be clearly and explicitly done in writing, taking into consideration DCID 1/19 criteria for "must know" determination. And once delegated, there should be regular and effective oversight of it. Delegation of "must know" authority by DNRO has not been adequately communicated or documented. This concern is addressed by Operational Recommendation Number 2 listed at the end of this summary.

<u>The BYEMAN Security Panel.</u> As stated previously, we found the Panel to be effective in fostering cross-program coordination and communication, but is perceived as being ineffective in interpreting policy, making implementation decisions, and recommending policy changes. Although it has addressed many issues, its productivity (as measured by end products) has not been visible outside the panel.

By all accounts, the Panel has done an excellent job of getting Program Offices that have been their own master for 25 years to sit together and consider each

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other's views. But some Panel members are clearly frustrated with progress to date. We encourage the use of more stick and less carrot, and suggest the Panel needs to evolve quickly into a dynamic and more visible forum where firm recommendations are made to the decision-makers and suggested policy changes are made to CIA/OS. A proactive and dynamic Panel would strengthen to the stature of security in the NRO.

The BYEMAN Security Center (BSC)

Without fail, every person interviewed during the course of the inspection agreed to the merit of having a BYEMAN Security Center. The great majority believed its creation was long overdue and that major improvements in resource utilization were bound to occur. Also, the D/BSC received a significant amount of praise from virtually every component interviewed on what he has accomplished to date. He was continually cited as being the key to the initial success of the BSC.

This inspection began in October 1991, as the planning phase for the BSC was ending and full activation was underway. It was therefore not surprising to find that some of the tasks laid out for the BSC had not yet been accomplished. Although the BSC was slow in coming together, it appears to be making excellent progress at this time. However, there are still several functions which are not yet fully operational and a variety of issues need attention. Although these issues are discussed in detail in our report, our discussion should be viewed as a mid-term look at progress. The operation of the BSC is not sufficiently established to enable an adequate assessment of its effectiveness at this time. This point is addressed by Operational Recommendation Number 3 listed at the end of this summary.

The Kerr memos outlined seven specific tasks to be accomplished by the BSC. Two of the tasks dealt with ensuring that common security standards were developed and implemented in all components. There is good progress in doing so for the BYEMAN contractor community, and efforts for government components are underway.

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Three of the tasks dealt with consolidating the personnel clearance and facility accreditation process. Progress on these tasks has been good with one exception. It is our view that the BSC should be the single Community source for who has BYEMAN access, where BYEMAN facilities are located, and who are the approved contractors, but there is no evidence of plans to implement such a role.

The remaining tasks dealt with developing and implementing security training and awareness programs. While we understand some planning for training programs is underway, we found no plans for awareness programs. Adequate resources have not been allocated and nothing concrete has been produced.

Studies

The Kerr memos specifically charged the DNRO and D/Security with conducting two studies: The DNRO was charged with conducting a comprehensive review of what should be considered BYEMAN; and the D/Security was charged with conducting, with the participation of the DNRO and the Director of the Intelligence Community (IC) Staff, a comprehensive and critical review of BYEMAN Security Program policies and procedures.

<u>The "What is BYEMAN?" Study.</u> This study has been going on since early 1991, but we were unable to find a written study plan or current formal schedule. The results of our interviews across both government and industry unanimously pointed to an urgent need for this study to be completed quickly. It is seen as vitally important in establishing the basis for "must know" determinations, for the review of security policies and procedures, for changing BYEMAN/TALENT-KEYHOLE guidance, and for issuing updated manuals and classification guides.

It is essential that there be input to this study from outside the NRO. While we found some awareness of the study in our interviews external to the NRO, it was not clear that the NRO actively sought community participation. We believe the IC Staff and major players such as NSA must be more directly involved.

has a role in TALENT-KEYHOLE disclosures, it is not clear what the mechanism for coordinating BYEMAN release policies is to ensure consistency with US national policies.

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We conclude that early completion of the "What is BYEMAN?" study is critical to establishing a baseline for needed changes to BYEMAN security policy and procedures, and the resources currently devoted to it are insufficient for a timely and adequate result. This concern is addressed by Significant Recommendation Number 2 listed at the end of this summary.

<u>Review of BYEMAN Policies and Procedures.</u> The Kerr memos pointed out the results of this study should play a significant role in the updating of the BYEMAN Security Manual (BSM) for government and the counterpart BYEMAN Industrial Security Manual (BISM). However, the only activity we found on this study was a contracted one-person effort for BSC's Policy and Training Division. This effort culminated in a three page internal memorandum which concluded that the BYEMAN system is still valid but its implementation needs reinvigoration from top to bottom. It is our impression this memo was intended to facilitate but not to satisfy the study requirement as directed by the Kerr memos. The current D/Security is not aware of any action on this study, although the BSC is already in the process of updating the manuals. We suggest that perhaps the cart is being placed before the horse.

We found a significant amount of confusion in the areas of classification, document control, and automated information system security. Our interviews clearly reflect the need to complete this study in order to improve the BYEMAN security program. In order to ensure that the BYEMAN Security Center and BYEMAN security management program are viable, responsive and cost effective it is imperative that the study be completed on a priority basis. We conclude that the review of BYEMAN security program policies and procedures is clearly needed and has not been adequately conducted. This concern is addressed by Operational Recommendation Number 4 listed at the end of this summary.

(Note: In his coordination on this report, the DDA expressed the view that there was a great deal more substance in the review effort than is documented in this report. However, he agrees with Operational Recommendation Number 4.)

Recommendations and Key Suggestions

Based on the foregoing findings and conclusions, we make the following two significant and four operational recommendations. The page numbers at the end of each recommendation indicate where the discussion and recommendation appear in the main report. We have also listed the key suggestions at the end of this section and again at the end of each relevant chapter.

Significant Recommendations:

SIGNIFICANT RECOMMENDATION NUMBER 1: That DNRO, in consultation with D/Security, define in writing within 60 days the expectations of the roles,

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responsibilities, and interrelationships of the SAS, D/BSC, and Deputy Director for Security on the NRO Staff. We suggest that this definition also include the roles of the other security components so the NRO security structure and process becomes clearer to both those within the NRO and those in the Community who must interface with it on a regular basis. We also suggest consideration of a simplifying organizational change such as mentioned in the text. (pp. 24-28)

DCI APPROVAL Rates	DATE 4-8-92
DCI DISAPPROVAL	DATE

SIGNIFICANT RECOMMENDATION NUMBER 2: That the DNRO take the necessary steps to complete the "What is BYEMAN?" study within 90 days. These steps should include an allocation of sufficient committed resources to complete the study on schedule and involvement of appropriate organizations external to the NRO. It should include a review not only of what should be BYEMAN, but also what must remain (01114-(015) (pp. 52-54)

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DCI DISAPPROVAL	DATE

Operational Recommendations:

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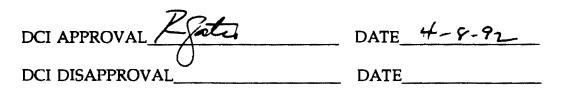
OPERATIONAL RECOMMENDATION NUMBER 1: That in concert with Significant Recommendation Number 1, the DNRO explicitly designate within 60 days a centralized security planning authority for the NRO and staff it with sufficient resources to effectively perform the security planning function and to interface with both CIA Security and the Intelligence Community (IC) to recommend and lobby for policy changes in the interest of the NRO. (pp. 29-31)

DNRO APPROVAL M. 3028-	DATE 3/27/92
UNRO DISAPPROVAL	DATE
DCI CONCUR WITH DNRO Rfate	DATE 4-8-92
DCI NONCONCUR WITH DNRO	DATE

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OPERATIONAL RECOMMENDATION NUMBER 2: That within 30 days of the completion of the "What is BYEMAN?" study the DNRO define in writing the criteria to be used for "must know" determinations, to whom he explicitly wishes to delegate that authority, and whether they can in turn delegate it. He should include delegation both within the NRO and to key Community organizations. He should also set in place a mechanism to provide periodic oversight and accountability of this process. (pp. 31-32)



OPERATIONAL RECOMMENDATION NUMBER 3: That the NRO/IG evaluate BSC progress in approximately one year (pp. 34-36)

(Note: The DDA believes that because of the size of the BSC organization and the complexity of the activities involved, the reinspection should not take place until 1994. The NRO also preferred an indefinite reinspection date, indicating that having the BSC report on progress against the various suggestions might be sufficient in the near term. The DDA also suggested that the reinspection be accomplished jointly by the NRO and CIA/IGs. We considered that approach, but since the BSC is an NRO entity (albeit with CIA participation), the team decided to recommend that the NRO/IG have the lead, recognizing that he would likely exercise his prerogative to have the CIA/IG participate.)

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OPERATIONAL RECOMMENDATION NUMBER 4: That the D/Security take the necessary steps to complete the "Review of BYEMAN Security Policies and Procedures" within 60 days after the completion of the "What is BYEMAN?" Study. These steps should include an allocation of sufficient committed resources to complete the study on schedule and the involvement of appropriate organizations. (pp. 55-57)

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Key Suggestions:

The following key suggestions for management consideration are extracted from the text of the report. They are not directive in nature, nor are they intended to be an all-inclusive list of areas deserving management attention. Future Inspector General reviews will address how the underlying factors have been addressed. We suggest:

--That the BYEMAN Security Steering Group become more active in its oversight role (p. 23);

--That the DNRO and D/Security, CIA, jointly arrive at a common interpretation of the Kerr memos and communicate it to their components (p. 24);

--That the DNRO establish a routine mechanism for reviewing progress on security matters with the SAS (p. 26);

--That the BYEMAN Security Panel evolve quickly into a dynamic and more visible forum where firm recommendations are made to the decision-makers and suggested policy changes are made to CIA OS (p. 33);

--That the BSC standardize the record keeping process and be the single Community source for who has BYEMAN access, where BYEMAN facilities are located, and who are the approved contractors (p. 37);

--That management should squarely address concerns raised about potential conflict of interest involving the role of (0)(1) 10 U.S.C. 424 In the operation of the BSC (p. 39);

--That the resource management function should be formalized and clearly assigned within the BSC (p. 40);

--That all BSC procedures involving organizations outside the BSC should be reviewed by management in those other organizations to ensure a realistic and costeffective process (p. 41);

--That the BSC should work with CIA and DOD security elements to establish a consistent, efficient, and effective access certification process (p. 42);

--That the NRO widely publicize its specific point of contact to handle carve-outs and coordination of other uses of BYEMAN SCIFs (p. 42);

--That a "user group" forum should be formed to provide rapid and first-hand input to the maturation process of Super MCP (p. 43);

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--That the NRO ensure its efforts with regard to the appeals process are appropriately coordinated within the Community, that the NRO continue active involvement in the process to ensure that its concerns are addressed, and that other NRO elements and the contractor community be kept informed as to the status and outcome of the review (p. 44);

--That the BSC should ensure the various crossover situations and how they intend to handle them are clearly communicated to its users (p. 44);

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(b)(1)1.4c, (b)(3) 50 U.S.C. 403 Sec 6	
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-That BSC management set security training into high gear by allocating significantly more resources (p. 49); and

--That the BSC take the lead in defining a uniform approach to access briefings, and providing and updating current standardized video and written briefing materials (p. 49).

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Chapter 1

Introduction

Background

The National Reconnaissance Office (NRO) is the single national organization chartered to meet those intelligence collection needs of the US government that can best be met by overhead reconnaissance, and it does so through the National Reconnaissance Program (NRP) element of the National Foreign Intelligence Program. Its mission is to research, design, develop, acquire, integrate, launch, deploy, and operate overhead reconnaissance systems for collecting foreign intelligence. The NRO was chartered in 1961 by the National Security Council under a series of agreements between the Department of Defense (DOD) and the Central Intelligence Agency (CIA).

It was established as a national-level organization operating on a covert basis and using streamlined management procedures. Special security measures were established to protect the sensitive aspects of the overhead reconnaissance program. These include the BYEMAN control system for information related to the acquisition and operation of the collection systems, and the TALENT-KEYHOLE control system for the protection of product from overhead reconnaissance. Within the past ten years, the sensitivity of intelligence collection from overhead has diminished. Today most imagery and some electronic intelligence is released outside of compartmented channels as SECRET

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WNINTEL, and other sensitive products (not attributed to an overhead source) is protected within other compartmented controls.

The current charter for the NRO, a CIA/DOD agreement dated August 1965, says that the Director of Central Intelligence (DCI) will "provide security guidance and policy to maintain a uniform system in the whole NRP area." The current BYEMAN Security Manual (dated July 1966) was issued by the DCI under his authority to protect intelligence sources and methods and in recognition of his responsibilities under the 1965 agreement with the DOD. That manual said that the CIA's D/Security was responsible for the development of security policy and for overall management of the BYEMAN control system, and further said that the D/Security had further delegated these responsibilities to the Chief, Special Security Center (SSC), Office of Security, CIA.

Over the years, as the system became more complex, there was a shift in responsibility away from the SSC toward various elements of the NRO, to the point where the SSC was seen by some to have abdicated its responsibilities. Further, within the NRO, security management was fragmented and uncoordinated, with inconsistent guidance being given to contractors by the various program offices. Around 1987, as part of a far-reaching introspective look at what the NRO of the future ought to look like, the NRO began to develop a concept for a more centralized, coordinated approach to security management. The security aspects were just one part of the effort, which was marked by a Community review beginning in 1988. The DCI and Secretary of Defense agreed on a restructured NRO in the summer of 1989, and in January, 1990, the DNRO forwarded to them his report on the restructure. Of particular note for this inspection, his report included a draft letter for DCI signature delegating to the DNRO authority as the single manager for the implementation of the BYEMAN control system.

There had been other written proposals in the two to three years prior to this, from the NRO, but they had not been accepted. However, the Deputy DCI (DDCI), in

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separate 22 February 1990 memos to the D/Security and the DNRO addressed the contentious issue of responsibility for various aspects of BYEMAN security. These memos (referred to hereafter as the "Kerr memos") reaffirmed D/Security authority for policy formulation and program implementation of the BYEMAN security control system, and confirmed the DNRO as the sole approval authority for determination of "must know" access requirements for all contractors and

personnel needing access to BYEMAN material. The D/Security was to work with the DNRO to prescribe specific objectives and practices to maintain uniform security standards, and to expedite activation of the BYEMAN Security Center (BSC) to coordinate management and provide support to the BYEMAN security program. The DNRO was to undertake a comprehensive review of the process of defining interfaces between BYEMAN, TALENT-KEYHOLE, and other security control systems. Related to this, the D/Security was to conduct, with the participation of the DNRO and the Director of the Intelligence Community (IC) Staff, a comprehensive and critical review of the level, scope and contents of current BYEMAN security program policies and procedures. To determine the level of progress in accomplishing the directed tasks, the DDCI indicated that he would ask the NRO and CIA Inspectors General to conduct a broad inspection of BYEMAN security management and progress after one year.

This report documents that formal inspection of BYEMAN security management, which began 7 October 1991. This was well after the February 1991, date originally envisioned. The delayed timing was dictated in part, by the activation schedule of the BSC and the importance of having some of the common support functions in place so that effectiveness as well as progress could be measured.

Objective

The basic goal of this inspection was to evaluate BYEMAN security management policies and procedures by reviewing progress in the various elements of the Kerr



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memos. The principal area reviewed was the BYEMAN Security Center (BSC) and its performance in light of its mission, its resources (both human and material), and its application of resources to pursue its goals. The BSC's relationships with other elements of the BYEMAN security management structure served as an avenue toward reviewing the broader range of BYEMAN security practices throughout the NRO and within other elements of the Intelligence Community.

This inspection focused on the overall effectiveness of BYEMAN security management practices, and addressed each of four key areas outlined by the DDCI for action:

- Prescribing of specific objectives and practices to maintain uniform security standards;

- Activation of the BSC for coordinated management and support to the BYEMAN security program;

- Review of the interfaces between BYEMAN and other security control systems, and

- Comprehensive review of BYEMAN security policies and procedures and update of BYEMAN security manuals.

The first of these areas is covered in detail in Chapter 2, the second in Chapter 3, the last two in Chapter 4. Each chapter contains one or more recommendations, categorized as either "significant" or "operational." Significant recommendations are those whose impact extends across organizational lines, such as directly involving both NRO and CIA elements. In addition to the recommendations (which are mandatory if approved by the DCI), this report contains a number of suggestions for management

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consideration. At the end of each chapter, we have summarized key suggestions, but those summaries are not intended to be an all-inclusive list of areas for management review. Future Inspector General inspections will address how the underlying issues have been dealt with. See Annex A for additional details of how this inspection was conducted.

This report was reviewed in draft form with the NRO and the CIA/OS, who both provided comments on accuracy and clarified a variety of areas for the team. These were considered in the discussion of the various topics and in the preparation of the final draft. The final draft was then coordinated with the DNRO's office and the CIA's Deputy Director for Administration (DDA). Their comments have been addressed in preparing this final report.

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Chapter 2

NRO Security Responsibilities and Structure

Introduction

Our starting point for the assessment of overall BYEMAN security management was a survey of the existing management structure and assignment of responsibilities. This chapter reviews that structure, both internal to the NRO and in the supporting security forums, and then discusses four concerns with that structure and makes three recommendations.

One general observation made by the team was that in an organization whose "bread and butter" is structured on program schedules and milestone status reports, we were unable to find any evidence of effective use of schedules or milestone status reviews in the area of the studies directed in the Kerr memos. Although the study managers do not appear to be making use of these management tools, those managing the personnel and facility security consolidation efforts did a more thorough job of planning and tracking progress.

The Current Structure

The security structure we found at the NRO is essentially as directed in the Kerr memos of 22 February 1990. The D/Security, CIA is responsible for BYEMAN security.

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Below the D/Security is DNRO's Special Assistant for Security (SAS) who is responsible for oversight and management of the NRO security process. The Kerr memos left it up to the D/Security and the DNRO to decide whether a separate SAS was needed or whether the Director of the new BYEMAN Security Center (BSC) would serve both functions. The SAS is currently a separate function.

Reporting through the SAS to the DNRO is the Director of the BSC (D/BSC). The BSC is a "common support" element for personnel security, facility accreditation and automated information system security, and security policy and training. Other major NRO security components are the security element of the NRO Staff; the security staffs of the three NRO Program Offices (A, B, and C) and the Plans & Analysis Office; and the security staff for the Facility Acquisition Program. Within this structure of seven major security components are over people working on NRO security.

There are also a large number of "security staffs" to handle physical security and badging for each of the various NRO government facilities. Some of these staffs report within the above structure and some do not. We did not inspect these smaller narrowlyfocused components, although a number of their personnel were interviewed in the broader scope of the inspection.

Each contractor also has its own security staff or structure, responsible to the appropriate NRO program office. In cases where there are contracts with more than one program, the contractor must work with each program office. We did note instances where direction from two different program offices was confusing or conflicting, but the implementation of the BSC concept appears to be resolving most of the conflicts. We expect such differences to disappear as the security process becomes more standardized.

Without exception we found the above structure staffed with experienced and competent security professionals. From an operational perspective we found no major

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security concerns. Everyone felt that the establishment of the BSC was a major improvement and morale appears to be quite high.

But there are some issues with clarification of responsibility that need attention. For example, nowhere did we find documentation describing the relationships and responsibilities between the components of the structure, perhaps causing some of the confusion of roles that surfaced during our interviews. These issues are discussed later in this chapter.

Supporting Security Forums

There are a number of forums within the NRO and Intelligence Community where security policy issues can be raised for discussion and resolution with varying degrees of effectiveness. This section of the report describes them and their interrelationships.

<u>The DCI Security Forum.</u> This Community forum recommends sensitive compartmented information (SCI) policy to the DCI for approval. The Director of Central Intelligence Directives (DCIDs) are an example of their product. The NRO has become much more of a participant in this forum since the recent NRO reorganization. This is due primarily to the initiatives of the SAS, who has been a very strong advocate of coordinating, communicating, and standardizing where appropriate. The NRO was a big contributor to the new DCID 1/14, DCID 1/20, and to the single-scope background investigation policy. And the BSC has been helping this forum review a new security training curriculum.

<u>The CIA Office of Security (CIA/OS) Policy Control Board.</u> This newly-instituted configuration management mechanism consists of representatives from the various groups in the Office of Security (OS). Its function is to ensure coordination and

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consistency of CIA security policy, including BYEMAN security policy. If the BYEMAN Security Panel (BSP) (see below) recommends a policy change, the OS observer to the BSP introduces the recommendation at the next board meeting.

<u>The BYEMAN Security Panel.</u> This advisory panel meets monthly to coordinate, communicate, and recommend on security matters. It is chaired by the SAS, and its members are the chiefs of security of the seven NRO security components mentioned above. Representatives from CIA/OS and the National Security Agency (NSA) are recent additions as observers. We found the BSP effective in fostering intercomponent communication and coordination, but not in making decisions on security processes or policy recommendations. This concern is discussed later in this chapter (see p. 32), and a suggestion is offered.

<u>The BYEMAN Security Steering Group.</u> This group is chaired by the DNRO, and comprises the NRO Program Directors and the CIA Director of Security. It is to provide cross-program oversight of BYEMAN security policies, standards, and procedures. We did not find much evidence of activity by this forum, perhaps because it is considered a forum of last resort. There is some pride within the NRO security community that they have not had to refer issues to the Steering Group. Despite that, we conclude that it could be an effective proponent for providing top-down vision or oversight. We suggest that the Steering Group become more active in that role, establishing high-level security goals and objectives for the BSP to meet and then holding them accountable via periodic review of progress. Because of the joint equities involved, perhaps this Group should be co-chaired by the DNRO and D/Security.

<u>The Industrial Security Working Group (ISWG).</u> This group is an active but not widely-known forum. Its membership is apparently limited to BYEMAN-cleared contractors although some contractors may only be involved with Special Access Programs. They meet twice a year at their own expense to discuss and coordinate on

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security matters. The ISWG desires to be used or tasked more frequently by the NRO. It appears that the ISWG could be an effective sounding board for selected issues. We encourage the SAS to investigate ways to further utilize the potential of the ISWG.

Areas of Concern

We found significant variation in the interpretations of the Kerr memos. For example, they directed that D/Security is to retain all authority for policy formulation and program implementation of the BYEMAN security control system. "Authority for implementation" was further defined to encompass determination and oversight of all security procedures needed. We found some interpretations focusing on the word "retain" to imply "*status quo*—the NRO continues to establish its own procedures." Other interpretations key on the words "all authority" and imply that D/Security is responsible for management of all aspects of NRO security. Many other statements in the memos have varying interpretations. We suggest that DNRO and D/Security jointly arrive at a common interpretation of these memos and communicate that understanding to their components.

In addition to the broader concern just discussed, we have identified four specific concerns with NRO security responsibilities and structure. A discussion of each of them follows.

<u>Confusion of Roles.</u> Most of the confusion centers around the roles of the SAS, the D/BSC, and the Deputy Director for Security on the NRO Staff.

<u>The SAS and D/BSC.</u> In his January 1990 NRO Restructure Report, the DNRO concluded that a stronger and more effective management mechanism was essential for effective security support. He asked for authority to implement BYEMAN security policy and procedures, with the intent of centralizing security management

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within the NRO. His plan was to have the D/BSC represent the NRO in Community forums for personnel and facility security and advise both himself and the D/Security on related security policy issues. He also planned to continue having the SAS on his staff to function as his senior security advisor and to be responsible for ensuring that DCI security policy is properly implemented in the BYEMAN system. It appears that his intent was to have the D/BSC responsible to him for security with the SAS functioning only as an advisor. However, he was not granted that authority by the DCI.

Instead, the Kerr memos of February 1990 directed that the D/Security retain the responsibility for BYEMAN security, including both policy formulation and implementation. It gave the BSC responsibility "to coordinate management and provide support to the BYEMAN security program." And it allowed for continuation of the SAS position, directing that the "SAS position's standing purpose is to provide general oversight guidance and management of security policy formulation and program implementation." We found these statements confusing and subject to various interpretations, but it appears that the Kerr memos suggest more of a management role for the SAS than the DNRO had intended, especially since the Kerr memos required the D/BSC to report to the DNRO through the SAS.

These were the only current documents we found that discussed the SAS role. While these documents leave considerable room for interpretation, both D/Security and DNRO agree that they hold the SAS responsible for NRO security, and both see the D/BSC as reporting to the SAS. The real question, and the one causing the most confusion, pertains to the extent of SAS's role in the daily management of NRO security.

We suggest that the SAS should provide security vision, guidance, and direction at the policy level. He should direct the planning for NRO security and also ensure that associated Community components and other control systems are consistent with NRO security policy and procedures. While he does have an additional and

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separate role of representing CIA/OS personnel who are assigned to the NRO on career matters, this function is entirely separate from his SAS role and should not involve direct management of those people. Security implementation does not need another management layer in the NRO, but it does need someone to set the overall direction and to provide an accountability and status review mechanism for the process. There are many areas of security policy involving both the NRO and the Community where the current security policies need to be challenged or changed. The SAS can be a very effective instigator for improving the process. But he does not have the time to do this and to also immerse himself in daily administration and details of execution. Those are best left to his senior staff and to the D/BSC to handle. We believe this type of role may be more in line with what the DNRO intended in his suggested restructure.

We noted that the DNRO and SAS have never met to discuss the status of security matters. We suggest that the DNRO establish routine mechanism for reviewing progress with the SAS. If the SAS is to be effective in his role of planning the future for NRO security, he must have regular dialogue with the NRO leadership.

<u>The Deputy Director for Security on the NRO Staff.</u> In his NRO Restructure Report, the DNRO implied that he had in mind a fairly narrow and focused role for this position. The report states that "[the staff] security function is envisioned as a small support element for the NRO Headquarters." However, we found that the role is extremely broad. This position seems to be involved in almost every activity related to NRO security. We found no one outside of this function who professed having a clear understanding of the role of this position.

In an attempt to clarify the counterintelligence (CI) portion of the function, the DNRO issued a memo dated 12 November 1991 establishing a Deputy Director for Security and Counterintelligence (DDSC). The DDSC reports to the DDNRO and his functions include the previous functions of DNRO Staff Security. The memo attempted

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to assign responsibilities for CI, but we found many people who were confused by the wording and still do not understand the role differences between the SAS, the DDSC, and the CI Branch in the BSC. And does the title "Deputy Director for Security and CI" alter the interrelationship between the DDSC, the D/BSC, and the SAS?

A statement by one of the interviewees illustrates what we suspect is a contributing factor to the confusion: "We [the NRO] try not to write things down and thus become bound by our procedures." Other than the two high-level documents of January/February 1990 and the very narrowly focused November 1991 memo just mentioned, we did not find any formal paperwork documenting and communicating the security structure and commensurate responsibilities and interrelationships. We believe this lack of communication contributes to the confusion we found as to the roles of these various components, especially the roles of the SAS and the DDSC.

One alternative to the rather confusing allocation of roles that currently exists seems especially attractive to us. It would more clearly centralize the security planning and policy functions, and streamline reporting channels. It would require the following changes:

The SAS should be under the daily direction of the DNRO. The DNRO should write his annual performance report, with a review by D/Security. His focus should be on broad policy and management issues, with the details of execution left to others (the D/BSC and the Programs).

The current NRO Staff security element should become the nucleus of the plans and policy staff of the SAS, and as such, would continue to work within the Community to ensure that NRO interests are addressed and that NRO security policy is being consistently and correctly implemented. For instance, they might be responsible for reviewing BYEMAN

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billet structure requirements within the DOD and the Community. This staff should also be responsible for NRO security planning for the future. (The role of the P&A security staff should be more analogous to the traditional role of program office security, to include considering security aspects in planning for new collection systems--which is different from security planning.)

The policy function of the BSC Policy and Training Division should be focused on interpreting policy for the BSC mission and determining where policy changes are needed for effective BSC operation. This division should also perform the planning function for the BSC.

Routine administrative aspects of security for everyone in the NRO headquarters building (now being done by the NRO Staff, P&A, and other security elements, including some outside the building) should be handled by the Facility Security Office as part of its role in the newly-established Management Services Office on the NRO Staff.

FINDING: The roles and responsibilities of the SAS, D/BSC, and the Deputy Director for Security on the NRO Staff have not been clearly defined, resulting in significant confusion, aggravation, and inefficiency.

SIGNIFICANT RECOMMENDATION NUMBER 1: That DNRO, in consultation with D/Security, define in writing within 60 days the expectations of the roles, responsibilities, and interrelationships of the SAS, D/BSC, and Deputy Director for Security on the NRO Staff. We suggest that this definition also include the roles of the other security components so the NRO security structure and process becomes clearer to both those within the NRO and those in the Community who must interface with it

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on a regular basis. We also suggest consideration of a simplifying organizational change such as mentioned above.

Security Planning. The basic NRO security concepts and policies were developed at a time when the majority of the technology used by the NRO was on the leading edge and contractor employees were expected to make a career of their job. But since then, the world has changed significantly from both a political and technical viewpoint. There is now more advanced technology than can be utilized and much of it is commercially available. Today it is not so much the technology we need to protect, but rather unique applications and associations.

The threats have also changed. One example mentioned to us was the large numbers of BYEMAN personnel being laid off due to budget cutbacks. It was suggested that this is a security problem the magnitude of which is new to the NRO, and perhaps it should receive more attention than traditional security concerns. Clearly the security concepts and policies relating to the NRO are in need of update or rewrite.

We heard many calls for significant change in security philosophy. We found unanimous agreement that there should be a more uniform security approach to NRO security, including clearly defined interfaces with the other Community SCI systems (TALENT-KEYHOLE, etc.). Today, technology is far ahead of security policy. Security concepts need to anticipate technology and provide umbrella policies to cover it, and then iterate the policies as the technology application evolves. Risk must be assessed and considered when determining implementation of policy, and the policies must be flexible enough to allow for individual interpretations as the risk allows. Concepts such as planning for adaptation of security compartmentation to reflect the realities of program evolution (instead of reacting to the change) may be cost effective without adversely affecting security, and should be considered. NRO APPROVED FOR RELEASE 18 JULY 2014

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We found many ideas and suggestions in both the government and contractor sectors. What we did <u>not</u> find was a centralized and coordinated effort to make change happen. Many of the security component chiefs felt that they were at least partially responsible for long term security planning in the NRO, but we found no clearly understood focal point nor did we find the planning function uniquely identified on any organization chart.

The DNRO believes that there is a lot to do with respect to security policy without much progress to date. He see the need to press on this area, especially with respect to and believes the SAS ought to be in the lead in developing security concepts and policy changes. But that has not been the case. As one senior manager stated, "I have a sense of urgency, but no one is pushing me for policy review. If senior managers don't push and challenge, who will?" All the necessary elements are present except that the authority for security planning does not appear to have been clearly delegated (i.e. ownership has not been established) and accountability is not being demanded.

While ultimate responsibility resides with the D/Security, and he is in the process of studying major changes in security concepts and policies, the NRO has a vested interest in being very proactive in its relationship with the policy makers. The Kerr memos and discussions with the D/Security and DNRO point to the SAS as the person who should be carrying the NRO security flag. But he needs staff support to effectively carry out these responsibilities. Our discussion of the concern of role confusion suggested an organizational change which we find attractive. Such a change would provide the SAS with resources he needs to fulfill his role. This staff could reside any number of places in the NRO, but it must clearly support the SAS and be accountable to him. And he must then be held accountable for developing a security plan to achieve longrange goals which should be established by the BYEMAN Security Steering Group. NRO APPROVED FOR RELEASE 18 JULY 2014

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FINDING: The security planning function of the NRO is decentralized and ineffective.

OPERATIONAL RECOMMENDATION NUMBER 1: That in concert with Significant Recommendation Number 1, the DNRO explicitly designate within 60 days a centralized security planning authority for the NRO and staff it with sufficient resources to effectively perform the security planning function and to interface with both CIA Security and the Intelligence Community to recommend and lobby for policy changes in the interest of the NRO.

Delegation of "Must Know" Authority. The Kerr memos delegate to the DNRO the sole authority for determining "must know" for the BYEMAN system, along with the authority to specifically delegate it. It is unclear to what extent the DNRO may have formally delegated this authority to others. There does not appear to be a systematic, documented process in place. We did find that security elements at both NSA and CIA assume they have been delegated such authority, and routinely determine "must know" for their staff and contractors. We also found that CIA/OS

the authority for determining "must know" for NPIC staff and contractors for specific BYEMAN program accesses.

Also questioned by the NRO Program Directors is how "must know" authority is delegated within the NRO. Are the program directors free to brief their people on all the NRO programs, or just their own? We also found confusion over who has responsibility for the second delegated and we found insufficient oversight, quality control, and written criteria for the "must know" process.

It is clear to us that some delegation below the DNRO level is absolutely necessary. But it should be clearly and explicitly done in writing, taking into

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consideration DCID 1/19 criteria for "must know" determination. And once delegated, there should be regular and effective oversight of it.

FINDING: Delegation of "must know" authority by DNRO has not been adequately communicated or documented.

OPERATIONAL RECOMMENDATION NUMBER 2: That within 30 days of the completion of the "What is BYEMAN?" study (see Chapter 4 on Studies) the DNRO define in writing the criteria to be used for "must know" determinations, to whom he explicitly wishes to delegate that authority, and whether they can in turn delegate it. He should include delegation both within the NRO and to key Community organizations. He should also set in place a mechanism to provide periodic oversight and accountability of this process.

The BYEMAN Security Panel. As stated previously, we found the BSP to be effective in fostering cross-program coordination and communication, but is perceived as being ineffective in interpreting policy, making implementation decisions, and recommending policy changes. Although it has addressed many issues, its productivity (as measured by end products) has not been visible outside the BSP. Items are deferred and studied too much. Contractors complained about surfacing procedural and policy questions to the BSP, then waiting and waiting for decisions that never seem to come. Our perception is that the security approach has been bottoms-up and defensive, with the BSP being described as a perpetual motion machine trying to achieve consensus.

By all accounts, the BSP has done an excellent job of getting Program Offices that have been their own master for 25 years to sit together and consider each other's views. But some Panel members are clearly frustrated with progress to date. In an attempt to achieve more productivity, the Chairman recently agreed to establish a Working Group to develop and prepare issues for approval of the Panel, and it appears to be an im-

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provement. We encourage the use of more stick and less carrot and suggest the BSP needs to evolve quickly into a dynamic and more visible forum where firm recommendations are made to the decision-makers and suggested policy changes are made to CIA/OS. A proactive and dynamic BSP would provide strengthen to the stature of security in the NRO.

Key Suggestions

The following key suggestions have been made in this chapter:

--That the BYEMAN Security Steering Group become more active in its oversight role (p. 23);

--That DNRO and D/Security, CIA, jointly arrive at a common interpretation of the Kerr memos and communicate it to their components (p. 24);

--That the DNRO establish a routine mechanism for reviewing progress on security matters with the SAS (p. 26); and

--That the BYEMAN Security Panel evolve quickly into a dynamic and more visible forum where firm recommendations are made to the decision-makers and suggested policy changes are made to CIA/OS (p. 33).



Chapter 3

BYEMAN Security Center

Initial Remarks

Without fail, every person interviewed during the course of the inspection agreed to the merit of having a BYEMAN Security Center (BSC). The great majority believed its creation was long overdue and that major improvements in resource utilization were bound to occur. Also, the Director, BSC (D/BSC) received a significant amount of praise from virtually every component interviewed on what he has accomplished to date. He was continually cited as being the key to the initial success of the BSC.

This chapter outlines progress to date in establishing the BSC and briefly reviews the status of each of the key elements of the BSC charter. It then goes into detail on the BSC and each of its three divisions, identifying concerns and suggesting areas for management attention. Because of the evolving nature of the BSC, the only recommendation has to do with reviewing further progress a year from now.

Chronology

In his January 1990 NRO Restructure Report, the DNRO recommended formation of a BSC to centralize security management within the NRO and to ensure that consistent and adequate implementation standards are applied across government and



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contractor organizations. The Kerr memos directed the D/Security to expedite its activation. Its first director was appointed in March, and by June a small cadre initially set up shop in the building.

In July the personnel security activities located on the East Coast (CIA in support of Program B) and West Coast (Air Force in support of Program A) were brought under a single adjudication process. By October, Program C (the Navy) was also integrated into this process, the CIA and the Office of the Secretary of Defense (OSD) had agreed on a single set of counterintelligence polygraph questions, and BSC division chiefs and a few contractor personnel were in place. In November 1990 Air Force polygrapher positions were transferred from the Air Force Office of Special Investigations (AFOSI) to the BSC, and in December, the BSC moved to larger temporary quarters in the building.

By January 1991, overall planning for the consolidated personnel security process was completed, staffing requirements were defined and positions identified Air Force CIA, DoD civilian contractor), and the single NRO CI polygraph test was initiated. By May the Facilities and Information Security Division (F&ISD) was 50 percent activated. In July, the BSC moved to their present facility, and by August the transfer of designated people from the West Coast was completed. The Personnel Security Division (PSD) became fully operational on 21 October with the full collocation of their staff. On 1 December, F&ISD became fully operational.

This inspection began in October 1991, as the planning phase for the BSC was ending and full activation was underway. It was therefore not surprising to find that some of the tasks laid out for the BSC had not yet been accomplished. This report should be viewed as a mid-term look at progress. Although the BSC was slow in coming together, it appears to be making excellent progress at this time. However, there

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are still several functions which are not yet fully operational and a variety of issues (discussed below) which need attention.

FINDING: The operation of the BSC is not sufficiently established to enable an adequate assessment of its effectiveness at this time.

OPERATIONAL RECOMMENDATION NUMBER 3: That the NRO/IG evaluate BSC progress in approximately one year.

(Note: The DDA believes that because of the size of the BSC organization and the complexity of the activities involved, the reinspection should not take place until 1994. The NRO also preferred an indefinite reinspection date, indicating that having the BSC report on progress against the various suggestions might be sufficient in the near term. The DDA also suggested that the reinspection be accomplished jointly by the NRO and CIA/IGs. We considered that approach, but since the BSC is an NRO entity (albeit with CIA participation), the team decided to recommend that the NRO/IG have the lead, recognizing that he would likely exercise his prerogative to have the CIA/IG participate.)

The BSC Mission

The Kerr memos outlined specific tasks to be accomplished by the BSC. The tasks are individually listed below in italic type followed by comments on the status of the BSC in accomplishing those tasks.

The BSC is to:

Recommend and ensure common, consistent BYEMAN security standards and practices across all government and contractor organizations.



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With regard to contractor organizations, the BSC appears to be working this issue diligently. However, there was little evidence of progress within the government organizations.

Support the NRO staff and Programs A, B and C [and Plans and Analysis] in the uniform implementation of the BYEMAN security control system; related sensitive compartmented information; and special access program security systems.

Support relative to the BYEMAN system is good and improving. Procedures involving related security systems are undefined and need to be formalized.

Consolidate and standardize management of the personnel clearance investigative, adjudicative, and appeals process.

Many consolidation and standardization practices have been implemented for the NRO and the BSC is doing well in this area.

Maintain a centralized record system for personnel holding or having held program access.

This effort, despite early organizational file merging problems, appears to be on track and going well for NRO personnel and contractors. However, there is no progress for personnel outside the NRO. We believe that the BSC should be the center for all BYEMAN accesses for all contractor and government organizations. This would not include eligibility determination or must know authority. The BSC should standardize the process and be the single Community source for who has BYEMAN access, where BYEMAN facilities are located, and who are the approved contractors. Although effort

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was underway at the beginning of this inspection, no composite list of NRO contractors existed.

Consolidate and standardize management of the facility security accreditation process for government and contractors (to include inspections, surveys and audits of all personnel, physical, technical information and operational security procedures and programs).

The BSC is making significant progress in the area of facility accreditation. While several issues remain unresolved, the BSC should take pride in its accomplishments to date.

Develop and implement training programs for government and contractor BYEMAN security officers.

While we understand some planning for training programs isunderway, adequate resources have not been allocated and little has been produced. There was no one assigned to the Training Branch except the branch chief.

Develop and implement security awareness programs for the BYEMAN government and contractor population.

No evidence of such programs were found during the inspection, nor were any plans or schedules found for developing awareness programs.

The Center Itself

Our interviews with BSC personnel revealed a highly dedicated, professional staff.

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Throughout our many interviews in the BSC the inspection team sensed a true feeling of family. It was quite evident that BSC personnel had been instructed to "leave their politics at the door" and to work towards completing the mission, no matter the color of their badges or ID cards.

However, the BSC did not appear to hit the ground running. Initially, decisions were slow in coming and were often not properly coordinated. Many forms and formats were undecided.

Initially, some individual CIA personnel assignments to the BSC were not reviewed or approved by the D/BSC. It appears the D/BSC may not have the control he requires to staff the BSC appropriately. As discussed in the previous chapter, the SAS should not be involved in the daily management of the BSC either in terms of individual personnel actions or execution of its functions. We found indications that the SAS may be more involved than is warranted in these details.

Following is a discussion of BSC-level concerns:

Potential Conflict of Interest: Output the services is a contractor which provides contract services to the BSC, including the review of accreditation packages submitted by other contractors. Throughout the contractor community we found an extreme uneasiness concerning (D)(1) 4C (D)(1) role within the BSC. There were concerns about conflict of interest related to recommending their own products and services for use by the NRO and its contractors. (D)(1) 4C (D)(3) personnel were also accused of passing themselves off as government officials. However, we were unable to find any real evidence of conflict of interest. Yet the perceptions are there, and steps need to be taken to address them.

We suggest the limitations on the management made aware of conflict of interest concerns. In addition, the BYEMAN

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contractor community should be formally notified of these limitations and be requested to report violations to the D/BSC. Stronger, more visible oversight by both government and management is needed.

<u>Resource Management:</u> It was not clear to the inspection team which division or office is ultimately responsible for BSC resource management (dollars, people, and positions). This is a very complex arena, given the multi-agency, government/contractor nature of the BSC operation. Workload planning and allocation of resources deserve special attention. We suggest the resource management function be formalized and clearly assigned within the BSC.

BSC Role vs. Program Offices: Interviews with various contractors revealed that despite numerous briefings, the NRO has failed to clearly articulate the relationships between contractors, Program Security Officers (PSOs) and the BSC. The role of the PSO is unclear and contractors feel they are being put in the middle between their PSO and the BSC.

The BSC has been very clear internally that its role is to support the Program Offices (POs), but perhaps it has not discussed this adequately with the PSOs. Clear guidance as to who is responsible for what is needed.

While it is understood that many processes are still under review, we suggest all affected parties be consulted before the processes are formalized and that final decisions be publicized as quickly as possible.

<u>Modus Operandi</u>: While we heard many favorable comments about finally documenting the processes, we also heard the BSC has gone too far toward a checklist mentality for some of its activities, and the BSC instruction for personnel security is considered too large, confusing, and inflexible. We suspect some of these concerns can

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be attributed to normal start-up turmoil. However, as the BSC matures, management needs to be aware of these issues.

All contractors and POs interviewed urged that BSC guidance be kept at high levels rather than at the procedure level. Professional security officers should be allowed to interpret their unique situations and act accordingly. We suggest that any BSC procedures involving organizations outside the BSC be reviewed by senior management in those organizations to ensure a realistic and cost-effective process.

<u>Communications</u>: The BSC requires additional attention with regard to spreading the word on their organization. The BSC was approved approximately two years ago, yet some affected personnel at the National Security Agency (NSA) were briefed on it only after this inspection was initiated. Also, some Program B personnel said they were still waiting for their briefing on the BSC and other PSOs did not know what services are available from the BSC. (This was despite a series of briefings by the BSC.) Small companies also indicated they are not be being kept apprised of what the BSC is doing. In fact, the NRO did not have a complete list of contractors at the start of this inspection, and at least 38 of them were left out of the initial BSC briefings. The BSC has now requested updated lists of contractors from the POs and should soon have a complete list.

Although the BSC has conducted numerous briefings, it needs to be even more aggressive in communicating with its customers and other members of the BYEMAN community. We noticed that activity has recently increased in this area, including initiation of a monthly newsletter. We applaud these efforts and encourage their continuation.

<u>Access Certification</u>: Another area requiring management attention involves the passing of accesses for visits to other facilities. We heard many comments about the

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visit access passing process not being effective. We suspect the defined process is woefully out of date, and we suggest that the BSC work with CIA and DOD security elements to establish a process that is consistent, efficient, and effective.

<u>Carve-Outs</u>: One other area is that of carve-outs. Whenever an area at a contractor facility is exempt from normal review or inspection by the Defense Investigative Service, Defense Contract Management Command, or other similar agencies, it is said to be a "carve-out." The Community does not appear to be aware of any coordinated approach within the NRO for dealing with such carve-outs and dealing with the security world outside the NRO. At various times, two different division within the BSC have had some responsibilities, while the NRO Staff has also been involved. We understand there is now a single focal point at the BSC.

Other Uses of BYEMAN Facilities. Contractors need an improved interface with the non-BYEMAN community to coordinate use of sensitive compartmented information facilities (SCIFs) and automated information systems on various contracts. We suggest the specific point of contact within the NRO for the facilities matters in these last two paragraphs be widely publicized.

Personnel Security Division (PSD)

Of the three divisions within the BSC, the Personnel Security Division (PSD) was clearly the most developed and therefore most appropriate for evaluation by the inspection team. We found the personnel to be extremely professional and well motivated with a strong "can-do" spirit. The Division and Deputy Division Chiefs should be commended for their efforts in developing new processes and procedures, integrating four different computer systems, bringing together former divergent work groups, and also keeping three old personnel security systems running for the entire NRO while a fourth one was being created. Those interviewed in the Community were quick to point

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out favorable aspects of the division such as the willingness to listen, but also made comments as to its autocratic nature. The team understands that you cannot please everyone. We applaud the good work of this division but also suggest it apply a bit more diplomacy in the future. Other issues of concern are discussed below:

Super MCP: Super MCP is the new BSC computer database used in part for eligibility determination. Although all parties agreed Super MCP had the potential to be an outstanding tool in the access process, normal start-up problems did occur with the system. We note that as problems surfaced, they were quickly and effectively resolved. However, some working level people at Program B stated they were not allowed adequate input into the Super MCP requirements process, although all the programs had some representation. Also, not all of the polygraph information formerly available under the old system appears to be available to the Super MCP users (0)(4) 50 US C 400, Sec 6

Super MCP is still under refinement and should have continued top priority and attention. It is imperative this system be nurtured to maturity. We suggest a "user group" forum be formed to provide rapid and first-hand input to the maturation process. In addition, user training in this area should continue to be rapid and comprehensive.

<u>Appeals Process</u>: During our contractor interviews the subject of appeals (for first time job applicants) came up frequently. As the process works now, new job applicants cannot appeal an unsatisfactory security determination based on results of a background investigation. In fact, contractors are advised to get rid of the "bad" applicants without revealing the reason they no longer qualify for a position. Many contractors believe it is only a matter of time before the first lawsuit is filed.

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completed. It now appears that sufficient management attention is being given to the customer relations personnel. Additionally, it might be helpful to assign a few adjudicators to the customer relations function on a temporary basis until the process settles down.

(b)(1)1 4c, (b)(3) 50 U S C 403, Sec 5

(b)(1)1 4c, (b)(3) 50 U S C 403, Sec 6

(b)(*)*4c, (b)(3) 50 U S C. 403, Sec 5

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(b)(1)1 4c. (b)(3) 10 U S C. 424

(b)(1)1.4c, (b)(3) 50 U.S.C. 403, Sec 6

(b)(1)1 4c. (b)(3) 50 U S C 403. Sec 6

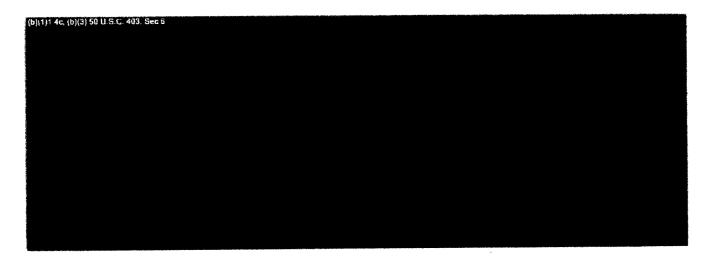
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(b)(1)1.4c, (b)(3) 50 U.S.C. 403, Sec 6

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Handle Via BYEMAN/TALENT-KEYHOLE

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Facilities and Information Security Division (F&ISD)

Team interviews within the Facilities and Industrial Security Division (F&ISD) revealed a cadre of extremely professional and well-motivated personnel. Interviews throughout the Community confirmed our impressions and indicated a potential for great resource savings once the division is fully on line and operating smoothly. Because this division only became operational 1 December 1991, it was too early to make an in-depth evaluation. However, two concerns did surface:

Potential Conflict of Interest. As discussed earlier in this chapter, there was deep concern throughout the contractor community as to the extent of (0)(1)(45,(0)(3)) for role within the BSC. Many are unhappy with (0)(1)(45,(0)(3)) for actions in the past and are anticipating problems in the future. When pressed for recent evidence of problems or conflicts of interest with (0)(1)(45,(0)(3)) none was given. However, the perception is still there and must be handled accordingly.

We believe the employees should be carefully monitored and forcefully instructed to act within strict standards of ethical conduct. It is imperative they understand that even the perception of improper activities at this early stage in the life of the BSC could lead to a severe loss of organizational credibility. Additionally,

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management should ensure personnel are not put in situations that suggest they are acting as government employees.

<u>Checklist Approach</u>: As was also discussed earlier in this chapter, we caution F&ISD to be aware of the widely held concern that the BSC in general and specifically F&ISD will operate in a very strict "checklist" manner. We encourage the division to continue to allow for flexibility in accommodating compensating measures and that those measures be publicized to the Community.

Policy and Training Division (P&TD)

Although limited in number, the Policy and Training Division (P&TD) personnel appeared very professional and highly motivated. They had many good ideas, but it was quickly apparent to the inspection team that this division has a very large tasking relative to the limited number of personnel. We noted several issues of concern as discussed below.

Security Training: This area is critical to the establishment and maintenance of good security. However, it appeared very little has been accomplished due to inadequate assignment of resources. There was no one assigned to the Training Branch except the Branch Chief. More emphasis is clearly needed on security education, with a priority for the government security officers. The required staff has not been assigned, despite the fact that standardizing the disparate organizational approaches requires such training.

The BSC should provide BYEMAN training to <u>all</u> government and contractor BSOs. Also, the BSC should set the standards for BYEMAN training (what is included, how its prepared, how frequently it is conducted). Individual elements could conduct the actual training, but the BSC should track required training, organizationally.

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We suggest management set security training into high gear by allocating significantly more resources to this function, setting a schedule of events, and closely monitoring progress against the schedule. Also, the certification concept used by CIA/OS should be considered for application to NRO security training for government BYEMAN security officers within and outside the NRO.

Upon completion of the two studies discussed in the next chapter, we suggest the P&TD consider a two-day security forum where all government BYEMAN security officers could be provided the results of the studies and directions on how to proceed. We would then suggest similar forums on the East and West Coasts for NRO contractor security officers.

Access Briefings: There was no uniform approach to briefing accesses within the NRO community. Each PO has its own procedures and the briefing materials were not consistent. We suggest the BSC take the lead in defining a uniform approach to access briefings, and providing and updating current standardized video and written briefing materials. Also, access briefings should be tailored to individual cases by need-to-know principles.

Key Suggestions

The following key suggestions have been made in this chapter:

--That the BSC standardize the record keeping process and be the single Community source for who has BYEMAN access, where BYEMAN facilities are located, and who are the approved contractors (p. 37);

--That management squarely address concerns raised about potential conflict of interest involving the role of ((1)) 46 (0)(3) 1600 5 C 424 in the operation of the BSC (p. 39);

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--That the resource management function be formalized and clearly assigned within the BSC (p. 40);

--That all BSC procedures involving organizations outside the BSC be reviewed by management in those other organizations to ensure a realistic and cost-effective process (p. 41);

--That the BSC work with CIA and DOD security elements to establish a consistent, efficient, and effective access certification process (p. 42);

--That the NRO widely publicize its specific point of contact to handle carve-outs and coordination of other uses of BYEMAN SCIFs (p. 42);

--That a "user group" forum be formed to provide rapid and first-hand input to the maturation process of Super MCP (p. 43);

--That the NRO ensure its efforts with regard to the appeals process are appropriately coordinated within the Community, that the NRO continue active involvement in the process to ensure that its concerns are addressed, and that other NRO elements and the contractor community be kept informed as to the status and outcome of the review (p. 44);

--That the BSC ensure the various crossover situations and how they intend to handle them are clearly communicated to its users (p. 44);

--That the BYEMAN Security Steering Group, or other senior forum, work to resolve the significant differences ir (1)(5) 50 US C 403, Sec 5 (p. 45);

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(b)(1)1.4c. (b)(3) 10 U S.C 424		
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(b)(1)1.4c, (b)(3) 10 U S C 424		

-That BSC management set security training into high gear by allocating significantly more resources (p. 49); and

--That the BSC take the lead in defining a uniform approach to access briefings, and providing and updating current standardized video and written briefing materials (p. 49).

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Chapter 4

Studies

Background

The Kerr memos noted that the "must know" determinations for BYEMAN access have tended to become less concise, and pointed to the need for a good definition of the BYEMAN, TALENT-KEYHOLE and other security systems' interfaces. The memos addressed this issue by specifically charging the DNRO and D/Security with conducting two studies: The DNRO was charged with conducting a comprehensive review of what should be considered BYEMAN; and the D/Security was charged with conducting, with the participation of the DNRO and the Director of the Intelligence Community (IC) Staff, a comprehensive and critical review of BYEMAN Security Program policies and procedures. These reviews are to be guided by the program's original and exclusive purpose: "to protect key, specific and fragile details of reconnaissance satellite design and operation."

"What is BYEMAN?" Study

This study is apparently being conducted as just one of a number of tasks by the Policy and Training Division of the BSC, and we were unable to find a written study plan or formal schedule. In fact, several estimated completion dates appear to have come and gone. The results of our interviews across both government and industry

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unanimously pointed to an urgent need for this study to be completed quickly. It is seen as vitally important in establishing the basis for "must know" determinations, for the review of security policies and procedures, for changing BYEMAN/TALENT-KEYHOLE guidance, and for issuing updated manuals and classification guides.

We, and many other senior officials we interviewed, believe that it is essential that there be input to this study from outside the NRO, yet we found little awareness of the study in our interviews external to the NRO. Clearly the IC Staff and major players such as National Security Agency (NSA) must be involved.

Everyone interviewed was in agreement that there needs to be a BYEMAN system but believed that a great deal of what is now classified as BYEMAN could be removed from the BYEMAN system. For example many NRO contractual relationships are widely known in the TALENT-KEYHOLE world, and identification of signals intelligence (SIGINT) mission ground stations (supposedly BYEMAN information) can be readily deduced by those without TALENT-KEYHOLE or BYEMAN access.

NRO contractors, not wanting to be restricted to NRO business only, indicated that they would like to pursue world-wide business opportunities using commercially available technology that is still classified as BYEMAN. They believe that the BYEMAN technology used to be at the forefront of new technology, but now there is more commercially available new technology than can be used. They openly questioned whether the old rules are still appropriate.

The outcome of this study should be very useful in addressing many issues that were identified to us. For example, the question of appeal rights for initial accesses could easily be affected by a redefinition of BYEMAN. Similarly, a redefinition could lead to standardization of what contractor applicants may be told concerning polygraph requirements.

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Very closely related is the need to determine what must remain the formulation of the second second

Many senior officials, both within the NRO and outside it, expressed significant concern about various aspects of potential imminent loss of control over information that has historically been considered (5)(1)14c. (5)(5) 10 The interplay of BYEMAN and TALENT-KEYHOLE as affected by greater (5)(1)14c. (5)(3) 10 USC involvement in exploitation of overhead SIGINT and imagery intelligence (IMINT) were seen as an area of great risk. For example, why should (5)(1)(1)(4)(0)(1)(1)(4)(0)(1)(1)(4)(0)(1)(1)(4)(0)(1)(4)(1)

Although the CIA's

mechanism for coordinating BYEMAN release policies is to ensure consistency with US national policies.

FINDING: Early completion of the "What is BYEMAN?" study is critical to establishing a baseline for needed changes to BYEMAN security policy and procedures, and the resources currently devoted to it are insufficient for a timely and adequate result.

SIGNIFICANT RECOMMENDATION NUMBER 2: That the DNRO take the necessary steps to complete the "What is BYEMAN?" study within 90 days. These steps should include an allocation of sufficient committed resources to complete the study on schedule and involvement of appropriate organizations external to the NRO. It should NRO APPROVED FOR RELEASE 18 JULY 2014

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include a review not only of what should be BYEMAN, but also what must remain [[[]]]] 4G

Review of BYEMAN Policies and Procedures Study

The Kerr memos pointed out the results of this study should play a significant role in the updating of the BYEMAN Security Manual (BSM) for government and the counterpart BYEMAN Industrial Security Manual (BISM). D/Security was charged with conducting this study with the participation of the DNRO and the Director of the IC Staff. However, the only activity we found on this subject was a contract effort through CIA/OS for the BSC's Policy & Training Division. This effort was performed by a CIA annuitant, and culminated in a three-page internal memorandum dated 12 March 1991. It concluded that the BYEMAN system is still valid but its implementation needs reinvigoration from top to bottom. This memo was intended to facilitate but not satisfy the study requirement as directed by the Kerr memos. No study report was ever made to D/Security or the DCI. The current D/Security is not aware of any action on this study, although the BSC is already in the process of updating the manuals. We suggest that perhaps the cart is being placed before the horse.

(Note: In his coordination on this report, the DDA expressed the view that there was a great deal more substance in the review effort than is documented in this report. However, he agrees with Operational Recommendation Number 4.)

A draft copy of the BSM update was provided to NSA for coordination. Individuals at NSA complained of a short deadline, but that turned out to be an internally imposed deadline. It is not clear that the drafters took into consideration NSA's lengthy internal coordination process. It was also learned that because of contractual implications, the contractors could not be directed to review the BISM draft, but only invited to do so, and no deadline was set. Only 11 of the NRO's over

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contractors have commented on the revised draft of the BISM. Perhaps the ISWG could have been of some use in this area.

One area that was repeatedly mentioned as being confusing deals with classification. Our interviews with both contractors and government people revealed that there appears to be confusion concerning the use of digraphs and trigraphs (twoand three-letter abbreviations for compartmented program names) and their classification. Within the NRO and other government agencies there are differences of opinion. With the advent of the secure facsimile and secure telephones, it is not clear that there will be a continuing need for digraphs and trigraphs in today's world. Much of the confusion over classification stems from the fact that the BSM states that they are classified secret, yet many organizations consider them unclassified. At least one government agency even uses them in an unclassified mode over the phone, then sends a Confidential memo as a follow up to the phone conversation. This lack of consistency is just one more example of the need to complete this study in a timely manner.

Document control is another area of concern raised by the contractors. This area needs to be addressed and changes in policy should certainly result from this study. It was indicated that contractors are required to spend large sums of money on document control while not sure some of the controls are still needed. A typical example cited to us by one contractor was that almost half of his security personnel are used solely for document control tasks. It was suggested that OS review the whole concept of "information control" and develop more modern policies and regulations that would give an umbrella but allow flexibility at lower levels. The question that arises deals with whether classical document control is still appropriate or effective considering modern information system technology.

A question frequently asked was "Where are the standards for NRO registries and document control?" Automated information system security standards apparently

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evolved by applying old document control concepts. Document control needs a topdown look. Policies on electronic mail, facsimiles, pocket electronic diaries, copiers, computer to computer transfers, etc., are being studied, but are years late. The technology may be obsolete before a policy is developed allowing effective application. The whole area of information security needs to be studied, and a new concept and approach seem appropriate. The NRO should ask that the D/Security complete such a review as quickly as possible.

Our interviews clearly reflect the need to complete this study in order to improve the BYEMAN security program. The policies and procedures adopted in the beginning were appropriate for that era and were good for a number of years. However, as requirements and conditions have changed, the policies and procedures have not kept pace. In order to ensure that the BYEMAN Security Center and BYEMAN security management program are viable, responsive and cost effective it is imperative that the study be completed on a priority basis.

FINDING: The review of BYEMAN security program policies and procedures is clearly needed and has not been adequately conducted.

OPERATIONAL RECOMMENDATION NUMBER 4: That the D/Security take the necessary steps to complete this study now and complete it within 60 days after the completion of the "What is BYEMAN?" Study. These steps should include an allocation of sufficient committed resources to complete the study on schedule and the involvement of appropriate organizations.

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Annex A

Inspection Process

The scope of this inspection was a broad look at NRO security management. We focused on the four main task areas outlined in the February 1990 DDCI memos (the Kerr memos) with special emphasis on the newly established BYEMAN Security Center. The four key areas in the Kerr memos are:

- prescribing of specific objectives and practices to maintain uniform security standards;

 - activation of the BSC for coordinated management and support to the BYEMAN security program;

- review of the interfaces between BYEMAN and other security control systems;

- comprehensive review of BYEMAN security policies and procedures and update of BYEMAN security manuals.

As directed in the Kerr memos, this inspection was conducted by a joint team led by the NRO Inspector General (NRO/IG). The team members included an inspector from the NRO/IG Inspection Staff, two inspectors from the CIA IG Inspection Staff, and one inspector from Air Force Security (SAF/AAZ).



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The team officially began the inspection on 1 October 1991. By mid-October the team had developed a terms of reference for the inspection and had briefed all major components of the NRO on the planned process. We also received overview briefings from the major components. Personnel interviews and site visits were conducted from mid-October through mid-December, at which time the drafting of the report began.

The methodology for the inspection included both a review of past and current documentation and practices relevant to NRO security and focused interviews across the NRO/Community spectrum. Most of the leadership of the NRO was interviewed along with a significant sample of the NRO personnel involved with security. Twelve contractor companies were selected for interviews: four large companies from those having prime contracts with all three program offices and P&A and having over employees briefed; four medium companies from those having prime contracts with two or three of these offices and having between the contract with only one office and having fewer than those having a prime contract with only one office and having fewer than the NRO were also interviewed. A total of about 250 individual people were interviewed for this inspection.

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We conducted our interviews at customer locations, which included several West Coast government facilities and ((())) 4C (0)(0) 10 US C 424 Stations.

We attempted to have more than one team member participate in the interviews of senior managers, so that we could all hear first-hand the philosophies and concerns of the leaders. Every interview was written up and distributed to the entire team. The team met weekly to discuss what we were hearing, share our thoughts, and refine our list of remaining interviews to ensure appropriate coverage of the items we were hearing discussed.

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Glossary

AFOSI	Air Force Office of Special Investigations
BI	Background Investigation
BISM	BYEMAN Industrial Security Manual
BSC	BYEMAN Security Center
BSM	BYEMAN Security Manual
BSP	BYEMAN Security Panel
CIA	Central Intelligence Agency
CIA/OS	Central Intelligence Agency, Office of Security
D/BSC	Director, BYEMAN Security Center
DCI	Director of Central Intelligence
DCID	Director of Central Intelligence Directive
DDA	Deputy Director for Administration, CIA
DDCI	Deputy Director of Central Intelligence
DDNRO	Deputy Director, National Reconnaissance Office
DNRO	Director, National Reconnaissance Office
DOD	Department of Defense
F&ISD	Facilities & Information Security Division, BSC
ICS	Intelligence Community Staff
IMINT	Imagery Intelligence
ISWG	Industrial Security Working Group
NPIC	National Photographic Interpretation Center
NRO	National Reconnaissance Office
NSA	National Security Agency

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OS	Office of Security, CIA
OSD	Office of the Secretary of Defense
P&A	Office of Plans & Analysis, NRO
P&TD	Policy & Training Division, BSC
PO	Program Offices
PSD	Personnel Security Division, BSC
PSO	Program Security Officer
SAS	Special Assistant for Security, NRO
SCI	sensitive compartmented information
SIGINT	Signals Intelligence
WNINTEL	(b)(1)1 4c, (b)(3) 50 U S C 403, Sec 5