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August 6, 1969

MEMORANDUM FOR DR. McLUCAS

SUBJECT: Executive Committee Consideration of SALT on Thursday, August 7

Apparently there is some misunderstanding amont those participating in the staffing of the subject to be discussed by you with the Executive Committee on August 7. It seems that our previous discussions and papers on this particular subject have led those participants to believe that the key issue for ExCom consideration is the "white" arms control satellite initiative. This is, of course, not the case. The only issue, as far as we, the NRO, are concerned, is that of the security and policy implications of the SALT activity with respect to the NRP.

I have just had a long discussion with [redacted], who has been charged by [redacted] with the staffing of a paper for Mr. Packard's and Mr. Nitze's use at this meeting. I find, unfortunately, that [redacted] has devoted virtually his entire effort to establishing a position for Mr. Packard and Mr. Nitze on the arms control satellite initiative and has only tacitly treated the key issue of the security and policy implications as it related to the arms control satellite initiative. I was able, in my discussion with [redacted] (who, incidentally, will now represent [redacted] to Dr. Foster and [redacted] since [redacted] had departed on leave), to assure him that the urgency and concern on the part of the NRO in this matter was one of informing the ExCom, as completely objectively as we can, that the current and anticipated activities of SALT are very likely to impinge on those of the NRP unless the

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validity of U.S. policy on satellite reconnaissance is reaffirmed and some explicit guidance is provided those individuals involved in SALT, both during this period of preparing for negotiations of an agreement and during the negotiations themselves. [redacted] agreed that our concern was certainly a relevant and important one and felt somewhat embarrassed that he had centered his activity in support of [redacted] around the lesser important (as far as we are concerned) and separable issue of an arms control satellite initiative.

[redacted]'s conclusions on the arms control satellite proposal are quite similar to ours, i.e., that it displays some advantages as a credible means of verification, that there are political dangers associated with its proposal, and most important, that a substantive discussion of the implications of its acceptance by the NSAM 156 Committee is a bit premature at this time.

It is unfortunate that there has been this misunderstanding of the real issue. I feel we can correct this misunderstanding in the ExCom with a very informative discussion by you of NRO concern over the security and policy implications of SALT and perhaps a clarification in these discussions that the arms control satellite was simply proposed as one means of providing, much further downstream in the arms limitation talks, a credible cover for whatever actions the U.S. decided it must take with respect to the verification of any agreement. [redacted] intends now to adjust his thinking and revise whatever he prepares for Drs. Foster and [redacted] to likewise address the key issue for discussion at the ExCom meeting.

[redacted] agreed that our talking paper did represent an reasonable and adequate discussion of the "key" issue. I suspect the format in which it was presented led to the confusion of issues.

We continue to feel very strongly that there is a need for NSAM 156 Committee review and consideration of the security and policy implications of SALT and would hope that such a review would result in a reaffirmation of the validity of established U.S. policy on satel-

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lite reconnaissance and definitive guidance to the participants in SALT as to just exactly how that preparatory activity and further negotiations should proceed in the light of this policy.

We have revised the text of the talking paper previously furnished for your use at the ExCom meeting in an attempt to more clearly relate the issue and correct the misunderstanding. Essentially, we have addressed only the issue in the main paper and have appended a separate "talker" on the arms control satellite and the "no elaboration" proposal as alternatives in verification.

These papers are attached. We suggest that a copy of the revised papers be provided to Dr. DuBridge to replace the previous paper which Dr. Naka has already sent Dr. Steininger.

We could also, if you desire, deliver this afternoon a copy of the revised papers to Mr. Packard, Mr. Helms and Mr. Nitze.

WILLIAM R. YOST
Lt Colonel, USAF

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The Issue

Should the ExCom encourage an NSAM 156 Committee consideration of the security and policy implications of SALT with respect to the NRP.

Background

In early September 1968, the U.S. began preparations to enter negotiations, with the USSR, aimed toward reaching an agreement to limit strategic arms. The State Department proposed to enforce such an agreement by "maximum, or if necessary, exclusive reliance on national means of verification, meaning all types of observation satellites, as well as other surveillance activities carried out by one side -- either unilaterally or in conjunction with its allies -- outside the territory or territorial waters of the other side."

The problem, as presented by State, was to permit the negotiations to proceed on this basis and at the same time develop a policy which would maintain U.S. freedom of action unilaterally to conduct reconnaissance satellite operations and prevent foreign political and physical interference with the conduct of these operations.

The essentials of the State proposal were these:

1. Reclassification of the fact that the U.S. is conducting satellite reconnaissance from Top Secret BYEMAN (or TALENT-KEYHOLE) to SECRET.

2. Continuation of the present TALENT-KEYHOLE and BYEMAN security systems with regard to acquired intelligence, capabilities, and operations of reconnaissance satellites.

3. Revelation to the Soviets that "national means of verification" includes the use of reconnaissance satellites.

4. Establishment of a negotiating position based on the assumption that "one side will not impede the operation of the other's reconnaissance satellites."

5. Providing NATO general information on the U.S. negotiating position on verification.

6. Briefing Congress on the U.S. position on verification and capabilities for verifying the proposed agreement through national means.

7. Maintaining a discreet position in response to press inquiries and in official public statements, with preparation to eventually acknowledge "maximum reliance on national means of verification" and the inclusion of the use of satellite photography in such means.

On September 9, State submitted the proposal for NSAM 156 Committee consideration.

The NRO reacted very quickly to this proposal, meeting with representatives of the CIA, JCS and NASA to develop opposition to the basic proposal and to suggest an alternative.

On September 13, 1968, the USIB considered the security aspects of the State proposal and decided that "there should be no change in the classification of reconnaissance satellite operations or the information derived from them at this time."

On September 16, 1968 the NSAM 156 Committee met, discussed the matter at some length, and arrived at no specific conclusion. Those in attendance reported that all parties were to prepare recommended guidelines and furnish them to State.

On September 26, 1968 ACDA issued a proposed guidelines paper for comment by NSAM 156 Committee members. This paper was a decided improvement over the earlier (September 9) proposal. It did not ask for a downgrading of the security surrounding "the fact of" satellite reconnaissance. It restricted the proposed discussions to "information-gathering" satellites, with no further definition authorized. Consultation "with Congress" was changed to "selected members of Congress" and was to be done on a classified basis. Constraints were placed on what might eventually be said to the press, with the statement for release limited to "the U.S. is prepared to place maximum reliance on national means of verification." Although some of the rationale expressed in the paper was objectionable, the NRO agreed that there had been a general improvement in concept.

In late October 1968, the urgency of the negotiations dissipated, and SALT entered a waiting phase.

On March 6, 1969, the President, in NSSM 28, directed the preparation of a U.S. position for possible strategic arms limitation talks with the Soviet Union. Alternative options were to be developed by a steering committee under ACDA chairmanship for consideration in preparing the U.S. position. The options were to be accompanied by an evaluation of the strategic balance that would result, as well as by a discussion of possible Soviet reactions to each and likely U.S. response. A statement of principles and objectives was also to be developed for each option, together with proposed tactics for its use in relation to the proposal.

On May 1, State submitted for NSSM 28 Steering Committee consideration a new paper which set forth the general guidelines for handling the question of observation satellites in connection with

SALT. The new paper was practically a word-for-word copy of the guidelines paper issued by ACDA on September 26, 1968.

On May 14, NASA formally urged NSSM 28 Committee consideration of a possible new Administration initiative in strategic arms limitation: bilateral negotiations on verification means to include the development and utilization of an open satellite system designed for the single purpose of verifying U.S. and USSR adherence to treaty conditions. NASA was emphasizing the potential of this initiative in:

1. avoiding disclosure of the existence, scope, utility or sophistication of the present overhead reconnaissance program,

2. minimizing concern over international confrontation on this issue,

3. providing an important bulwark to the unimpeded continuation of covert intelligence gathering activities,

4. providing a reasonable overt basis for the possible challenges that might become necessary in the event treaty violations were discerned through any covert means.

Current Status

At its meeting on May 14, the NSSM 28 Committee approved the State proposal as a basis for drawing up instructions to the SALT delegation and for planning consultations with Congress and our allies.

The alternative proposal for an Arms Control Satellite initiative was remanded to the NSAM 156 Committee for examination at a later date.

Discussion

It is apparent from our discussion with participants in NSSM 28 activity that the Committee's concern with the basic requirements of the various U.S. options for SALT has completely overshadowed its recognition of the profoundly adverse effects that any disclosure of the U.S. satellite reconnaissance program could have on the security of this nation.

Once taken, the disclosure action is irreversible. No matter how much the nation might regret its action, its options would be foreclosed.

Disclosure does not enhance our negotiating position; in fact, it is counterproductive since our persistence in discussing satellite reconnaissance surfaces our heavy dependence on it and, by inference, indicates the limitations of our more conventional capabilities.

Disclosure excites curiosity and in negotiations would elicit a pressure for more and more credibility. The path from a disclosure of "the fact of" to total revelation then becomes very short and swift.

A disclosure of satellite reconnaissance could well prejudice and even tacitly outlaw other space intelligence techniques as well as ground collection methods.

Disclosure affords the Soviets the high ground in the challenge to "continue negotiations or tolerate U.S. espionage" since we are almost uniquely dependent on satellite reconnaissance for our intelligence information and they are not.

Disclosure would inevitably excite Soviet interest in protecting its sensitive targets. Disclosure would renew their interest in developing methods -- operational or standby -- of hampering or incapacitating our operations in a necessarily permissive environment.

Most nations accept satellite overflight tacitly; they know it is being done and will not react unless confronted publicly with the fact. Disclosure is, in effect, a confrontation. It forces each nation to reassess its attitude toward U.S. satellite reconnaissance in terms of prestige, sovereignty and popular reaction. It is likely that many neutrals would be forced by that public reaction to join the hostiles and to announce that henceforth their nations would not be overflown.

The Soviets could easily negotiate on one hand and sponsor a clamor of protest (in some neutral or non-allied nation) on the other. Friendly nations would be shocked by the disclosure and would feel that they had been sold short in negotiations with a common adversary.

While disclosure could result in a possible gain in Congressional support for arms limitation negotiations because of the specific assurance regarding a reasonable basic U.S. capability to verify, it could also become a major political issue, irrespective of timing or degree of disclosure. It would undoubtedly trigger a clamor for information on related covert and clandestine operations and an apprehension and uneasiness over undisclosed aspects of the arms limitations negotiations.

With the American public, disclosure could develop a knowledgeable support for U.S. intelligence collection activities or perhaps create widespread dismay over official confirmation of an espionage activity, especially with the well informed, vocal sector which will understand the violation of the international intelligence code. Disclosure would certainly have a tremendously disruptive effect on the existing security control systems.

Recommendation

We need a clear statement of policy which will permit the U.S. to continue, without foreign political or physical interference, to conduct a unilateral satellite reconnaissance operation and at the same time, enable it to proceed in negotiations with the USSR toward reaching an agreement to limit strategic arms.

We are recommending, therefore, a review and consideration by the NSAM 156 Committee of the security and policy implications of SALT with respect to the NRP. We would expect such a review and consideration to provide for U.S. participants, both in preparatory SALT activity and negotiations with the USSR, a clear statement of U.S. policy on satellite reconnaissance and explicit guidance as to how U.S. SALT activity and negotiations must proceed in the light of this policy.

Verification and the Arms Control Satellite Initiative

A major problem in preparing a basis for SALT is that of a credible means for verification of any agreement to limit strategic arms. There is little question that the U.S. must rely, to some degree, on the covert satellite reconnaissance program to provide this means. The concern then centers about any acknowledgement to the Soviets, either publicly or privately, of our reliance on this means for verification and the attendant requirement to disclose the existence, status, extent or effectiveness of the covert satellite reconnaissance program.

An option to develop and employ an overt arms control satellite for the single purpose of verifying adherence to the conditions of any agreement would, if accepted, appear to offer several advantages. It would not require the revelation of the existence, scope or utility of our covert program. It could provide a reasonable overt basis for any necessary challenges on violations discerned through covert means, and thus provide a strong support to the unimpeded continuation of the covert program. If accepted as a reasonable venture in the SALT arena, it would minimize our concern over international confrontation on the issue of satellite reconnaissance. Its acceptance and application would provide a step forward in increasing the tacit acceptance of satellite observation as a reasonable governmental operation. It would underline the U.S. commitment to the peaceful uses of outer space.

The approach could essentially be one in which the U.S. would negotiate with the Soviets an Arms Control Satellite to be developed and operated (1) jointly by the two nations, or (2) bilaterally, like the US-USSR meteorological satellites, or (3) nationally, with each nation agreeing to build and operate its own. In each case, the U.S. development agency would be NASA.

The satellite could be defined in terms of whatever emerged from the negotiations. Resolution -- always a critical question previously -- would be no problem here, and it is estimated that the USSR would propose some value between 2 and 10 meters. By working in this manner, outside the NRP, ACDA could avoid confronting the Soviets (and the rest of the world) either publicly or privately with the reality of a major U.S. intelligence collection program. Perhaps even more important -- if that is possible -- ACDA could also avoid domestic confrontation with Congress and the American public. Finally, if the initiative were successful, the U.S. would have achieved a measurable step toward legitimatizing satellite observation at some to-be-negotiated level; if the discussions failed, they would do so without jeopardizing the NRP.

An Alternative Approach

Discussions concerning the U.S. capability to verify a SALT agreement have generally led to equating the term "national means of verification" with the covert satellite reconnaissance program. It is very likely, however, that the verification of any agreement would require the use of collection capabilities of the other programs supporting national intelligence needs, i.e., the CIP, the CCP and the CIAP. A disclosure of the details, or in some cases the existence, of any of these activities is of equally significant concern.

Another option would appear appropriate in light of this concern -- that is, a proposal which permits negotiations to proceed without a definition of "national means of verification." The U.S. delegation would simply state that the U.S. is prepared to rely on unilateral verification capabilities to an extent practicable for any specific strategic arms limitation agreement. The delegation would not be authorized to elaborate upon the verification capabilities.

The most significant advantage of this option is that if a limitation agreement could not be reached with the Soviet Union, national intelligence capabilities would not be disclosed, nor would operations be impaired. A revelation of the scope, utility or existence of covert/clandestine elements of the national intelligence programs would not be required. This option would not force us to provide a basis for Soviet or third country challenges of U.S. collection activities. Such an option should be acceptable to the Soviet Union for generally the same reasons it is acceptable to the United States; sensitive and valuable intelligence collection activities remain undisclosed and unimpaired.

Initial SALT consultations with the NATO allies and Japan have been conducted. This option would permit further briefings to our allies on general verification capabilities until specific limitations have been negotiated with the Soviet Union. Similarly, specific verification capabilities probably need not be discussed with the Senate prior to negotiating a tentative agreement with the Soviet Union. This would correspond to previous approaches to Senate consultation (e.g. Outer Space Treaty).

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It must be understood, however, that while this option affords an excellent position for the initiation of negotiations, it has the disadvantage of forcing the revelation of some degree of verification details once an agreement has been reached and is ready for further NATO consultation and Senate ratification. This advantage is inherent in any option which does not contain a means of verification which may be discussed openly.