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A PROPOSED "OPEN SKIES" POLICY

(A DISCUSSION PAPER FOR PRESENTATION TO THE BOARD AT THE AUGUST 1976 MEETING)

BY

EDWARD TELLER

JULY 10, 1976

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PREAMBLE

It has been more than twenty years since President Eisenhower presented his "Open Skies" plan at the 1955 Geneva Conference of Heads of Government. Memorable events that followed were a Soviet rejection of the proposed plan and the 1960 shooting down over the Soviet Union of a U.S. high-altitude reconnaissance aircraft which lead to the collapse of the Paris Summit Conference.

An unpublicized consideration of an "Open Skies" proposal took place in 1966. President Johnson appointed a committee* to examine a plan to join with the Soviet Union in making public and available to the United Nations the results of satellite photography. The general conclusion reached by this group was that due to political considerations alone, it was not desirable at that time to disclose publicly or to the Soviet leaders our classified reconnaissance program. It was recommended that we should nevertheless keep this possibility in mind if and when we have a disarmament proposal for which a publicly acknowledged

*The Committee: Alexis Johnson, Llewellyn Thompson, Cyrus Vance, Richard Helms and General Andrew Goodpaster.

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satellite surveillance capability would form an indispensable part.

In 1972 the PFIAB discussed the question of "Open Skies". The suggestion to pursue such a policy was rejected in a brief statement by President Nixon.

Although the proposals of 1955 and 1966 were not adopted, many of the circumstances that were the bases for arguments against their adoption no longer exist or have been modified. At time of the 1955 proposal, the Soviet Union was grossly inferior to the U.S. The Soviet leaders were not anxious to have this point publicized. Furthermore, there was no precedent for aircraft overflights during peacetime and the airplane intended for such reconnaissance was also the primary delivery vehicle for intercontinental attacks. Airplanes are potentially intrusive in a publicly recognized way; they may be seen and heard, they are piloted and maneuverable, they are unpredictable and most importantly they can drop objects such as bombs and leaflets. Satellites, on the other hand, whether manned or not, are much more predictable and they are notoriously poor object droppers. Overflights by satellites are now generally and openly accepted.

In the 1966 consideration, the intended surveillance vehicle the satellite. Reconnaissance by satellite was currently in

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process at that time by both the U.S. and the Soviet Union; the Soviet Union was still strategically inferior to the U.S. but the difference between the U.S. and the USSR was diminishing. The strategic weapons of the 1960s were vastly different than those of the 1950s and knowing the extent of the opponents strength in these areas was becoming increasingly important.

The main political arguments against publicizing the results of this reconnaissance were the possibility of a confrontation with the Soviet Union; a possible intensification of the arms [illegible] due to our reactions to a Soviet compulsion to cover up their inferiority by making claims (true, exaggerated or false); undercutting world support for U.S. insistence on on-site inspection measures in arms control discussions; suspicion in other nations that military secrets are provided to their opponents; and general psychological reaction by nations against the loss of privacy.

Soviet strategic inferiority is certainly no longer an issue. The situation has been reversed, at least in some respects. Furthermore, simple concepts like parity have been replaced by less easily observed claims of effective equivalence. Satellite observations have been made a part of the "National Technical Means of Verification" of treaties which are in effect.

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Thus the existence of the intelligence function of satellites has been obliquely acknowledged.

There is a wide spread opinion that the present status quo can and should be maintained. Elaborate Russian preparations to observe and destroy our satellites are however quite worrisome. They could end the present status quo at a time of the Kremlin's choosing in a situation where satellite observations may have become essential to insure our national survival.

The situation may improve, in a few years, after our space shuttle system has become fully operative. Indeed we may then develop plans rapidly to replace any intelligence satellite that might be destroyed. It must be remembered however, that at present, we are relying on a small number of highly effective and expensive intelligence satellites and that we are therefore in a vulnerable position; that we will remain in such a position for a number of years; and that we have no complete plans how to react if the Russians decide to eliminate our capability for photographic observation. In the meantime neither our own public or other nations have been taken into our confidence and the effects on the balance of power of Russian actions against our satellites are not likely to be understood.

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It remains likely that the Soviet Union will oppose any move toward a clearly enunciated "Open Skies" policy. Indeed their social structure is based on secrecy while ours is and should be based on openness. It must therefore be clearly recognized that any "Open Skies" policy will probably not be welcomed by the USSR.

As to uncommitted nations and our own allies, the arguments advanced in 1966 concerning violations of sovereignty and objection to outside observations are apt to recur. However, in 1966 many nations were unaware of the fact that they were being observed. Today the real question is no longer a fact of observation but rather the problem of how this observation is used. It would seem necessary and it might be possible, to convince the majority of the nations that the observations will be used by the U.S. according to an understandable plan and in the general interest.

If we want to introduce an "Open Skies" policy it will be necessary to explain why such a policy is important for the U.S. in particular, and for the maintenance of world peace in general. It would be helpful to work out and explain a policy that will be

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beneficial in peacetime and which also will provide prompt warning against aggression, whoever the aggressor may be and whoever might suffer from such an aggression.

It is with this background in mind that I submit this "Open Skies" proposal to suggest a policy for the future. I request that the Board consider this important and urgent question in order to recommend a position to the President. I provide in the following pages a discussion of what I consider to be the [illegible] issues and add suggestions for implementation.

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THE PROPOSAL

The purpose of this proposal is to establish the principle that all photographs taken by U.S. satellites are to be public property. Accordingly procedures should be established in order to inform the public, on a timely basis, of what photographs are available and how they may be identified.

Publication of any photographs by the U.S. government will be at its convenience. Others may obtain more photographs upon appropriate requests and according to an established procedure.

Our interpretation of any photographs will remain releaseable only at the convenience of the U.S. government.

COMMENT: This proposal does not provide for the release or publication of COMINT information. The COMINT situation is more complex in that in most cases countermeasures against COMINT may be taken with relative ease. Furthermore, publication of COMINT data is meaningless unless put into complete context, a most difficult job. Finally, violation of privacy would be felt most keenly if COMINT data were to be published.

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IMPLEMENTATION

Initially it might be considered best to publish all photographs obtained from observation satellites. This is not recommended. The volume would be quite extensive. At the same time it is recommended that appropriate samples be published, that a tabulation of photographs taken be published and that individual photographs, or appropriate groups of photographs, should be made available upon request.

This proposed implementation may not be the best. It is mentioned here only to serve as a basis for the discussion of a necessary detailed set of rules which will have to be adopted once the "Open Skies" policy is accepted in principle. Further elaboration of the implementation is proposed in the same spirit. Of course the more I go into detail, the more the actual implementations should be subject to careful criticism.

I believe that the United States Government should take the initiative to publish selected photographs. It should be clearly stated that these photographs are selected in general keeping with the interest of the United States. One of the purposes which is important, particularly in the initial phase, is to

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secure general acceptance and support at home and abroad for our "Open Skies" policy.

Some pictures verifying the observation of the SALT agreement should certainly be included in the initial publication. In this way the phrase "National Technical Means of Verification" will be rendered unambiguous and controversial issues that have arisen in connection with these agreements may be resolved on the basis of more facts and fewer rumors.

According to the proposal, additional pictures taken for verification will be released upon specific requests, and in this way a charge that our publications are self-serving can be minimized. In requesting the release of additional pictures it may be necessary to require a statement of the reason for interest. (The Russians may request publication of additional photographs to prove their position, and the press should certainly be considered as having justification for finding out additional details.) The only reason for refusal or delay of publication is that we may be swamped by requests. In this case a system of priorities would have to be worked out.

Any information clearly indicating aggression or potential aggression, that is observed anywhere in the world, should be

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publicized. The same comments are valid as in the above case of SALT verification. (It should be remembered that the United States may volunteer an interpretation, preferably a simple interpretation, to go with the published pictures. If additional pictures are requested by other parties, we shall furnish these, but we may add or withhold interpretation as we choose.)

It is desirable to publish pictures at the earliest convenient time. Today this means a delay of one or more weeks. With the development of technology, the time may be shortened.

Warnings of natural disasters should be undertaken wherever possible and wherever this is not yet done by other means such as weather satellites or earth observation satellites. It should be remembered that the total investment in intelligence satellites is today three or four times as great as the investment available for other American satellite photographs.

The particular implementation proposed here tries to serve as a compromise which takes into consideration the following three circumstances:

- Limitation of our ability to publish.
- A favorable and useful initial impact of published

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pictures. (This is the point which will require careful judgement.)

- Complete tabulation of pictures taken and hopefully rapid response to requests for publication of additional pictures. (This is the point which should guarantee the essentially open character of the procedure as contrasted with a merely self-serving set of publications.)

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DISCUSSION

Note

I would like to explicitly state as an advocate of "Open Skies": I am aware of the fact that I may not be impartial even though I have tried to weigh the pro's and con's. Hence I suggest the reader give vigilant consideration in weighing them, and in bringing up any other pertinent arguments I may have ted.

Summary

Since the early 1960s, the U.S. and the USSR have developed and utilized photographic satellites for obtaining intelligence. In the U.S., and presumably in the USSR, the existence of these systems and the information produced by them, has been highly classified. Initially, a high level of security was maintained because satellites were an extremely important source of intelligence and one possibly not known by the Russians to exist. It was argued, therefore, that it was necessary to invoke a high level of classification to protect the advanced technology involved, to avoid possible countermeasures, and to avoid usations of space spying.

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These arguments have lost validity in recent years. Indeed the photographic satellite remains a valuable source of intelligence. However, no longer is satellite photography an unacknowledged source of intelligence; it is openly acknowledged by both parties. Without photographic intelligence from satellites, it is likely that the present strategic arms control discussions and resulting agreements would not have been achieved; the two existing agreements implicitly sanction such procedures and prohibit the use of countermeasures against them by including articles to this effect.

In the U.S., the level of classification has been reduced in some instances. The number of people authorized access to the information is now quite large, and although the initial reasons for maintaining security no longer exist, new arguments have taken their place. These new arguments suggest that direct disclosure of satellite photography by the U.S. is both provocative and unnecessary. Soviet reactions to U.S. disclosure of activities could lead to some form of confrontation, for instance to the destruction of our satellites. In addition, there could be objections from other nations due to a variety of circumstances stemming from alleged violations of sovereignty. These are valid arguments. However, they support a view that the present

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situation of tacit recognition of satellite surveillance and of a public incompletely informed of the purpose, utilization and capabilities of these systems is a satisfactory status quo.

In opposition to these arguments, I propose in this paper that a policy to declassify and publish satellite photographs, if implemented now, would tend to insure our satellite program rather than lead to its destruction; place U.S./USSR relationships on a sounder basis if there is indeed a potential for such improvements; help domestic agreement; make major contributions toward ternational non-military programs; and most importantly, provide an opportunity for all nations to benefit from early warnings, including national disasters and indications of hostile acts.

In addition, I include arguments that the present status quo, although possibly a temporarily static situation, is inherently unstable. I suspect that adherence to a policy based on the preservation of today's status quo, will ultimately fail.

These reasons for pursuing an "Open Skies" policy for the U.S. will be elaborated on in the following sections. They are intimately interrelated in that their supporting arguments, in

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each instance, are based upon the increased need for openness in governmental operations, particularly in regard to foreign policy.

The Survivability of U.S. Reconnnaissance Satellites

Our dependence upon satellite reconnaissance has increased along with the growing Soviet strategic threat. In the early days of satellite surveillance, we were reassured by these observations that our military position was secure. Since 1970, the situation has been changing to the point that we can no longer afford to be without this service, particularly if we were to lose it at a time of Soviet choosing.

In conjunction with this greater dependence upon satellite photography has come an increased vulnerability of these same systems. The Soviet Union has developed an extensive space surveillance and satellite tracking radar network and several anti-satellite interceptor systems. They have exercised these systems using their own satellites as targets. They have an on-going program to reduce the effectiveness of our reconnaissance satellites by camouflage and other passive measures and it is believed that the USSR has the capability to interfere with the operation of satellites using electronic measures. Furthermore, we are

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moving toward fewer, more effective and more expensive satellites. Thus, it is easier to destroy the smaller number of satellites and it is more difficult for us to replace them on an emergency basis.

Perhaps the most serious vulnerability of U.S. satellites is due to our present inability to effectively react if they were to be attacked. What options are available to us? We presently do not have the capability to destroy Soviet satellites and if we did, it could hardly be considered a worthwhile exchange. We do not have backup satellites ready to launch; we have not developed less vulnerable systems to replace those destroyed and we don't know to what extent the vulnerability can be reduced. Can we raise a serious outcry, after the fact, and expect an uninformed and distrustful people to voice strong objection over the loss of a covert operation? Would other nations, aware of being photographed, but ignorant and suspicious of how these pictures are used and by whom, come to our support?

It is my belief that an "Open Skies" policy, properly implemented, would afford our satellites the greatest immunity from attack, and if attacked condition the U.S. public opinion to ask for appropriate measures. A worldwide information program would inform our people and other nations and at the same time put the

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Soviet Union on notice that we consider satellite surveillance an indispensable part of our security. The destruction of this system would blind us and place us at a critical disadvantage since it is our only means of assuring ourselves of the adequacy of our forces and our relative safety from a surprise attack. It should be clear that our response to a Soviet attack on these systems would be a major rearmament effort.

It should also be made clear that these systems are for the protection of all nations from acts of God and man. Whatever benefits they are getting from the presently unclassified systems will be substantially increased and it will be provided equally, freely, completely and promptly.

The Soviets presently have the capability to destroy these systems at will. They have not elected to do so. Why then do they have this capability? Is it to destroy these systems at a time that is opportune to them and possibly disastrous to us? Would it not be better now to be assertive at a time convenient to us, if indeed they have such a move in mind?

In addition to the present strategic treaty-monitoring aspects, the proposed extension of such systems as a multinational program for peacekeeping and for non-military purposes would appear to make any justification for destruction much more

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difficult. With the coming of the space shuttle, our ability to replace objects in space would in any case be greatly increased and it may become difficult for anyone to deny us the freedom of space.

Placing U.S./USSR Relations on a Sounder Basis

We have observed from our arms control discussions with the Soviet Union that the existence and utilization of these systems are commonly known; open disclosure of photographs to the world community is not a very big step at this point. However, aside from the possible temporary spasm that such a move might cause, we may consider the long term and permanent improvements in our relations with the Soviet Union that such a move might accomplish.

We share with the Soviet Union a unique capability for mutual observation. Although I believe that this capability provides a basis to extend our present rapport with the Soviet Union beyond the strategic arena, I also believe that a first step is to replace with complete candor the presently tacit acknowledgement of these systems.

We are joined with the Soviet Union in the SALT I agreements because we believe that they can be adequately policed by satel-

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lite photography. These agreements have been hailed as historical events as they represent the first step between superpowers to limit strategic weapons. This special status carries with it a burden for preserving and strengthening the foundation upon which they were established. In particular, the soundness of these treaties and future treaties should not be open to question because the information on verification is inadequate.

These agreements are public documents; we owe their existence to public approval. There has been no public forum (domestic or otherwise) to determine, on the basis of evidence, if violations have or have not taken place. Presently, claims of violations have been made by both parties. The fact that there are claims is made public; the evidence is kept secret; the result is a public furor over the validity of these claims, the soundness of these treaties, and the claimed deception by government officials. It is therefore my opinion that since we have in hand this means for mutual observation, we should remove the stigma of a clandestine operation from this verification process by publishing the evidence. This, I believe, will clarify and strengthen U.S./USSR relations in the long run.

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Strengthening of U.S. Internal Relationships

The view of recognizing that both the U.S. and the USSR have a credible satellite-based capability for photographic reconnaissance and that these capabilities should be kept secret, aids and abets the principles of a Soviet closed society while at the same time it tends to erode the strength of a free society such as ours. The consequence of this secrecy is a credibility gap between national policy makers and the people, particularly in matters of national defense.

In practice, we have not provided our own people, or other nations, information necessary to gain their understanding and support. As a result, the political and social body lacks unanimity concerning our foreign policy, in particular with regard to our strategic position.

What would happen if all are privy to the information derived from satellite photographs? One hopes that our political processes are in some sense rational and that, supplied with the appropriate evidence, e.g., of a Soviet buildup on a massive scale, the people will reach appropriate conclusions. This could even be the mechanism to bring back toward a more realistic outlook many factions of the intellectual community and of the media that have been alienated by the conduct of the Viet Nam war. In

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any event, even with divided opinions regarding national policy, at least all of us will have the same basic information and there should be less basis for accusations of opinion manipulation by withholding of information.

It is my opinion that it will be more productive to declassify the entire output than to resort to the present practice of justly suspect leaks and piecemeal acts of declassification.

International Non-Military Applications and Cooperation

There is a potential for non-military world utilization of satellite photography. Resource discovery and development; pollution control; ecological control; and the monitoring of widespread natural catastropies, all appear to be prospective users of these systems.

We are presently spending approximately three times the amount on high-resolution classified satellite photography that we are on unclassified low-resolution photography of which earth resource and weather satellite photography are examples. Because of the limited open use of the high-resolution photographs, many potential applications for world mapping, charting, and geodesy are being ignored. Conventional aerial photography and the unclassified low-resolution systems cannot provide a systematic

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data base equivalent to that provided by a high-resolution synoptic photographic system.

It is also believed than an "Open Skies" policy could be presented to the world community as a cooperative venture thereby possibly obtaining financial, interpretive, and technical support in return for observational data on earth resources. Establishment of an international program would tend to move these operations into such an open arena that its association with military ...elligence, although significant, would be deemphasized while its utilization as a means of providing knowledge for peaceful applications would be enhanced.

Universal Peacekeeping Potential

During the period that satellites have been used to monitor and lead to the control of strategic arms by the U.S. and USSR--much of the rest of the world has become more divided and supplied with arms. Africa, the Middle East, South America, and the Nato/Warsaw Pact confrontation are particular examples. Although the initial reason for friction between any two opposing elements may differ in many respects, they all have in common the fear and mistrust of the opponent. This fear is increased by not knowing ... potential strength of the opponent or his intentions--is a

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surprise attack imminent?--are nuclear weapons involved? These situations are the product of secrecy, and in most instances, an essentially closed society--especially with regard to military forces. With the establishment of an international program for world-wide observation by satellite, the opportunity for a nation to be more aware of the military forces of its opponent becomes available. This situation is not unlike the U.S./USSR experience in strategic arms control. The U.S./USSR experience can also be extended to the CPR. Without the knowledge produced by satellites of what has been taking place in the CPR, an imagined situation could appear quite terrifying. Although the change in many international situations from terror to substantially less fear is advocated as an eventual payoff for declassification, it is not expected to take place immediately. However, it does seem clear, that if there is to be any hope for the achievement of stable peace, it has to come from trust and freedom from fear. So far there appears to be for the first time in history a means to make considerable progress toward such a condition. I believe that this potential contribution is exceptionally important.

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On Preserving the Status Quo

Soviet reactions and the reactions of other nations to an "Open Skies" declaration have been stated as being principle arguments supporting a policy of no change. Implicit in this point of view are the assumptions that these reactions will be unfavorable, possibly serious and that if we do nothing to change the present status quo they will not take place. I believe on the other hand that these reactions are just as likely to take place under the present policy as they are under an "Open Skies" policy, and if they do, the consequences will be more severe.

Earlier, I pointed to the present vulnerability of our satellites to Soviet countermeasures and to our need for an appropriate response. I reiterate this point at this time for emphasis and for completeness of my present argument.

Recently, nations have become aware of the capabilities of the U.S. and USSR to monitor most activities over the entire surface of the earth in sufficient detail to verify important treaties. No nation, including the Soviet Union, is aware of what distribution (if any, and for what purpose), we may make of these photographs. On the other hand, we and our allies do not know what countries are being provided with Soviet photographic intelligence, perhaps in return for political support. With the

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growing number of international and regional trouble spots, it can only be a matter of time before accusations of favoritism together with other alleged violations of sovereignty can be made against the U.S. (and the Soviet Union as well).

Under the present circumstances of secrecy, we are extremely vulnerable and essentially defenseless to all possible sources and types of such accusations.

Therefore, we are in a position to make a choice. Shall we e se ourselves to defending against just and unjust claims of our running a covert operation or shall we invite all nations to join with us (and the Soviet Union if they wish) in full and complete exploitation of these systems?

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