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~~(S)~~ NATIONAL RECONNAISSANCE OFFICE

WASHINGTON, D.C.



OFFICE OF THE DEPUTY DIRECTOR

May 23, 1972

MEMORANDUM FOR

SUBJECT: Joint Paper on Disclosure

As agreed yesterday, we have developed a short paper which presents the background, issues and cases for and against disclosure of the "fact of" satellite reconnaissance. The paper is furnished for your review. Please apprise us of your thoughts as you pass the paper on to Gardiner Tucker. I propose that we meet again Thursday afternoon in order to allow Gardiner,  and John McLucas to present a representative paper to Secretary Laird on Friday as planned.

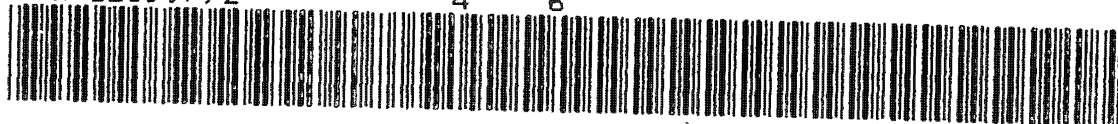
*Bob*

F. Robert Naka

1 Attachment  
Proposed Paper

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## MEMORANDUM FOR THE SECRETARY OF DEFENSE

SUBJECT: Admission of the "Fact Of" Satellite  
ReconnaissanceINTRODUCTION

This paper presents to you the issues associated with a question presently being considered by the Verification Panel on whether or not to officially disclose the "fact of" United States reliance on satellite reconnaissance in connection with SALT verification means. The current policy, established by the National Security Council, decrees that no official admission be made; the President has the sole authority to disclose satellite reconnaissance activities.

Last Fall, fearing an inadvertent official disclosure in connection with SALT, John McLucas asked Ambassador Johnson's NSAM 156 Committee to consider the disclosure question. Unable to resolve the issue without placing it in the larger SALT context, the question was referred to the Verification Panel. Although the "fact of" issue appears on the surface to be a superficial one, because the U.S. public and others are generally aware of such a reconnaissance program, in reality there are many complexities. We believe that you should be made aware of the favorable and unfavorable implications of officially admitting to the "fact of" and that you should make your feelings known directly to the President based upon your assessment of the implications.

BACKGROUND

Over the years, the present national policy has been reviewed and reaffirmed. In spite of pressures,

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from time to time, to disclose, it has been decided that the national interest is best served by maintenance of silence, notwithstanding the inherent frustrations. As you are well aware, this nation has become extraordinarily dependent on satellite reconnaissance for intelligence data. No viable alternative exists to employment of satellites in spite of their expense, fragility and operation within a tacitly permissive environment. Although the public is generally aware, we believe that special controls have been successful in protecting the true extent and quality of the covert satellite reconnaissance program.

### SALT IMPLICATIONS

With the advent of SALT, the dependence on "national means" for verification in lieu of on-site inspection has added to the reliance on reconnaissance satellites. With the "fact of" issue, several uncertainties become evident. It is uncertain how much information about the extent and quality of the reconnaissance program would be required to allay fears of uncleared members of Congress and the public during the ratification process or whether the cleared members would be able to prevail. It is uncertain what the Soviet Government reaction would be if it was informed that the U.S. was planning on disclosing the "fact of." It is uncertain what the reaction of third countries, such as China, France and others would be if the U.S. declared the "fact of." It is uncertain what the effect on the NASA Earth Resources, SKYLAB and the Space Transportation System programs would be with the disclosure of the "fact of." It is uncertain what the Soviet citizens' reactions would be if the U.S. admitted to satellite reconnaissance. It is not clear whether detection of violations of the agreements will require the Standing Consultative Commission to present hard evidence to the Congress and the Soviets. Finally, it is uncertain what the overall impact on intelligence collection operations, especially the high altitude missions, would be if the "fact of" were announced in connection with SALT.

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It becomes clear that the limits to the issue are on the one hand to maintain the present policy of silence and on the other hand to admit to the "fact of" photographic satellites. Alternatives between these limits are difficult to establish, however, the present State Department draft paper for the Verification Panel contains two additional alternatives. The first is one which expresses confidence levels in verifying SALT Agreements, and the second, one which discloses in full our capabilities. The interagency views seem to be universally adverse to the latter two as either unwise or impractical. The following, then, states the cases for and against disclosure.

CASE FOR DISCLOSURE

Disclosure would confirm public speculation here and abroad that satellites will be employed for verification. It would provide a less awkward posture for Government spokesmen, and contrasted with silence, might add somewhat to the credibility of our verification means in the eyes of the Congress and the public. Official disclosure may foster a greater national and global acceptability of space reconnaissance as an openly conducted legitimate activity. Further details might more easily be discussed with cleared members of Congress in Executive Session without pressures from uncleared members for equal information. It might also divert the spotlight from other critical "national means."

In sum, disclosure of the "fact of" may be a more satisfactory alternative in the tactical view. In the immediate sense, it is more comfortable than maintenance of silence. In the longer-term, it would force out into the open the question of legality of satellites used for reconnaissance and confirm what is already generally in the public domain. If the uncertainties cited in the previous section are discounted, disclosure could be accomplished without harm to the reconnaissance program.

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Disclosure of the "fact of" likely would not provide alleviation from Congressional and public pressures to disclose the extent and capability--and perhaps even more important, the limitations--of the reconnaissance program. This, in turn, would draw the discussions toward the actual capability to verify SALT Agreements and toward the total satellite intelligence collection effort. Disclosure to a set limit would be difficult to maintain and an erosion of overall security probably would take place. Those who are skeptical on either the validity of SALT Agreements or the U.S. capability to verify compliance likely would remain skeptical in spite of added information. Official silence is an easily understood policy and there is little confusion attendant to its implementation. Press speculation unofficially is accomplishing what an official disclosure is said to be able to accomplish. The Soviets and others would not be made aware of the extent and capability--and the limitations--of the program. Finally, acknowledgment is an irreversible decision--once stated it cannot be retracted.

In sum, official disclosure of the "fact of" accomplishes very little in either the short-run or long-run. The uncertainties cited in the previous section in relation to the non-disclosure case are more basic in nature and cannot be discounted by subjective analysis. It would be possible that much more information would be disclosed in the long-run than would be planned on in a limited disclosure policy.

CONCLUSION AND RECOMMENDATION

On balance, we believe that the best course to follow is the retention of the present policy of no official disclosure. Tactically, disclosure appears to be an easier and more practical course of action. In examining the issue beyond the simple question of the "fact of," it is seen that for the longer-term no utility is gained from an irreversible disclosure unless the U.S. is willing to go well beyond a simple admission. The range of uncertainties inherent in

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the issue are basic and are difficult to discount or dismiss. Unless the agreements become seriously and permanently in danger of not being ratified, it appears unwise to accept a pro forma change in policy. It is recommended that you strongly urge the President to retain the present policy.

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