MEMORANDUM FOR CHIEF, STRATEGIC NEGOTIATIONS DIVISION, ARMS
CONTROL INTELLIGENCE STAFF
DIRECTOR, VERIFICATION POLICY, OFFICE OF THE
SECRETARY OF DEFENSE/INTERNATIONAL SECURITY POLICY

SUBJECT: Data Denial Agreement

This letter provides the formal National Reconnaissance
Office (NRO) position on outstanding issues regarding the Data
Denial Agreement (DDA) now being negotiated, per our 22 Feb 90
telecons.

The NRO does have firm, validated requirements over the
next several years to use Minuteman III 3rd stage-type solid
rocket motors to boost already-orbiting satellite payloads to
higher orbits. (These stages are taken directly from the
production line, and in fact, are never part of a deployed
ballistic missile system.) We have no specific plans for other
stages at this time.

With regard to the "Data Denial and Space Launch Vehicles"
paper (21 Feb version) now being considered in the interagency,
the NRO strongly recommends at least Option 2, that is,
extempting all payload telemetry from the data denial agreement
once the payload or orbital vehicle has separated from the
final boost stage. Option 1 (exempting all payload telemetry
from launch on) would be preferable in some respects, and in
keeping with current National Space Policy regarding encryption
of space launch telemetry. However, we defer to policy
agencies and the Intelligence Community (IC) on whether the
additional risks of covert Soviet development from allowing
encryption of all payload telemetry from launch outweigh the
benefits.

We recommend that policy agencies carefully consider the
adverse implications of extending the DDA to include upper
stages of converted ICBM or SLBM stages mated with any stage of
non-START accountable space launch systems. Extending the DDA
to include 2nd/3rd stages could, if not crafted precisely,
alter the fundamental U.S. position that only ballistic missile
1st stages are Treaty Limited Items (TLI) for Suspect Site
Inspection (SSI) purposes under START. This would have the effect of significantly increasing the risks of SSI to satellite reconnaissance assets, due to the much smaller sizes of upper stage boosters. While it is important to preclude as many cheating scenarios as possible, we must balance that need against the consequent risks to the DCI's sources and methods. It may be better to leave the DDA silent on 2nd and 3rd stages if the alternative is to reduce the effective TLI size.

The NRO has no requirements for "strategic R&D boosters" using ballistic trajectories.

This memorandum represents a formal, approved NRO input on this issue. Your support on this matter is greatly appreciated. If we can be of other assistance, please contact me directly.

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