

~~TOP SECRET~~

~~(S)~~ NATIONAL RECONNAISSANCE OFFICE

WASHINGTON, D.C.

THE NRO STAFF

May 28, 1971

MEMORANDUM FOR [REDACTED]

SUBJECT: Satellite Contingency Planning

In addition to the knowledge already available on the [REDACTED] attempt, there is a body of information which has not been adequately explored. This is contained in several United Nations documents and the National Satellite Reconnaissance Policy.

If we elect to [REDACTED] in response to a suspected Soviet intercept, we would be reacting defensively, suggestive of tacit acknowledgement that we might not have a full and legal right to traverse the borders of the Soviet Union through space. Yet this is contrary to our national policy and the conventions agreed to before the United Nations.

The National Security Council has declared that the United States should maintain the legal position that the principles of international law and the U.N. charter apply to activities in outer space and, specifically, that outer space is free, as are the high seas. This policy further declares that reconnaissance activities in outer space are legitimate and that we should avoid declaring or implying that such activities are not "peaceful uses." This national policy goes on to say that where feasible the U.S. should seek to gain acceptance of the principles of the legitimacy of space reconnaissance. When confronted by specific Soviet pressure to outlaw reconnaissance activities in space, we should take a public stand for the legitimacy of the principle,

~~TOP SECRET~~

EXCLUDED FROM AUTOMATIC DOWNGRADING
AND DECLASSIFICATION SCHEDULES UNLESS INDICATED OTHERWISE

CONTROL NO. Internal
COPY 1 OF 2 COPIES
PAGE 1 OF 2 PAGES

~~TOP SECRET~~

the precise form and extent of which would depend upon the circumstances of the confrontation.

United Nations Resolution 1962 (XVIII) pertains to the activities of Nations in the exploration and use of outer space. This resolution declares that the activities of States in the exploration and use of outer space shall be carried on in accordance with international law including the charter of the United Nations, in the interest of maintaining international peace and security and promoting international cooperation and understanding. Furthermore, States shall conduct all their activities in outer space with due regard for corresponding interests of other States. If a State believes that its outer space activities would cause potentially harmful interferences with activities of other States, appropriate international consultation shall be undertaken before proceeding with any such activity. Thus there is, through the United Nations mechanism, a mandate which permits us to operate freely in space.

United Nations General Assembly Resolution 2222 (XXI) is the treaty governing the exploration and use of outer space. This treaty further elaborates on the points identified above. It provides that parties to the treaty bear international liability for damage to another State including objects in space belonging to another country.

While the provisions of the United Nations treaty and international law certainly do not preclude the Soviets attempting to interfere with and destroy a U.S. satellite, they do provide us with a sound basis to decry any such Soviet activity openly before the United Nations membership and the world at large. Should the Soviets intercept and destroy any U.S. satellite--whether a reconnaissance mission or not--it would be appropriate to reopen the subject.


Lt Colonel, USAF

~~TOP SECRET~~

EXCLUDED FROM AUTOMATIC DOWNGRADING
AND DECLASSIFICATION SCHEDULES

CONTROL NO Internal
COPY 2 OF 2 COPIES
PAGE 2 OF 2 PAGES