

Space Policy Review Committee Meeting, Rm 305, 20 Sep 78.

SUBJECT: "Fact of" Satellite Reconnaissance and Selected Declassified
Release of Satellite Imagery

- PD/NSC-37, "National Space Policy", Tab B, was signed by the President in May. PD-37 directed the NSC/Policy Review Committee, with Dr. Press as chairman when meeting for these purposes, to provide a forum to all federal agencies for space policy matters. In June the President asked for an interagency civil space policy options paper by 1 September, prior to the fall budget cycle.

- A major thrust of the proposed alternatives for a civil space policy is the more efficient use of technology and products from all three sectors of the US space activity -- civil, defense and intelligence. Since certain products from space intelligence are considered to be of value to the civil sector, declassification of the "fact of" photo-satellite reconnaissance and the declassification and release of selected satellite imagery was proposed. Present security policy quickly became an insurmountable issue.

- To resolve this conflict, an issue paper (Tab A) proposing a new security policy for photosatellite reconnaissance was prepared, and is the subject of this PRC.

- Two distinct issues will be discussed:

-- Issue #1: Declassification of the "fact of" photoreconnaissance from space

-- Issue #2: Release of selected satellite imagery

Issue #1: Declassification of the "fact of" photosatellite reconnaissance only, as being part of National Technical Means of Verification for SALT/Arms Control agreements.

- Benefit: Secretary Vance and Mr. Wernke reportedly believe that public announcement of US photoreconnaissance for NTM purposes will significantly aid the defense of SALT II before the Congress and the public, and have requested a change of policy.

- Benefit: [

~~TOP SECRET~~
XGDB-2

R-5
88-01-1840

88-75-019

88-201 R-1

~~TOP SECRET~~

- Risk: Defense participants believe that there is a real potential that disclosure will []

-- Perception by other countries that []

been effective in blocking US inti.
For example, the General Administrative Radio Conference of the International Telecommunications Union has virtually precluded a Direct Broadcast Satellite in the Eastern Hemisphere.]

-- Publicly confronting the Soviets and Chinese with US intrusions, NTM acknowledgements notwithstanding. The reactions are presently unknown, but are potentially xenophobic.

-- []

-- []

- Risk: Declassification of "the fact of" will undoubtedly result in increased and potentially irresistible pressures for releases beyond those intended. []

There has been a steady relaxation of overhead-related security provisions. Although the Washington policy community attempts to slice the issues with surgical precision, the distinctions become blurred in the field. Whatever our eventual policy, the boundaries should be easily understood.

- Risk: Exposing ourselves to the risks outlined above may be unwarranted. Defense representatives challenge whether release of only "the fact of" has any practical advantage in supporting SALT II. The NSC paper states "the term NTM, however, may be lost on less-aware segments of the lay public". But it would seem that an observer interested enough to seek out and understand details of SALT II would also understand the NTM concept. In fact, given the many press articles, []

] for most candidate provisions. An unwillingness to elaborate beyond the "fact of" disclosure would tend to diminish administration creditability.

Tab A, page 2, second paragraph.

~~TOP SECRET~~

S

~~TOP SECRET~~

- OSD Recommendation

- The "fact of" should be declassified, but only with careful preparation, WHICH HAS NOT YET OCCURRED.
- The DCI should be tasked to prepare an implementation plan, in cooperation with the DoD and State, to include the following points, at a minimum:
 - . Mechanism of announcement.
 - . Consultation strategy for Congress, Press, allies, Communist Bloc and Third World.
 - . Revised security plan and alert to security offices with specific instructions limiting disclosures to "fact of photo-reconnaissance" and prohibiting additional releases, subject to PRC Issue #2 below.
 - . Specific instructions for handling legitimate responses, such as for domestic requests, perhaps under the Freedom of Information Act.
- An immediate announcement, with minimal preparation, should be strongly resisted.

- JCS Recommendation

- The "fact of" should not be declassified until:
 - . Detailed study provides the justifications of such declassification and rationale therefore and clearly supports same.
 - . The implementation plan described above has been prepared.

Issue #2: Declassification and release of selected photosatellite imagery in support of economic, social, foreign policy, defense and political objectives of the US.

- Some satellite imagery is already disclosed for such purposes.
- In response to PD-37, such disclosure is being expanded.
- Nonetheless, if the PRC decision on Issue #1 above is to release the "fact of", and with the Soviet possession of the Technical Manual in the [] we should review our disclosure policy to assure that we are not unnecessarily restrictive.

~~TOP SECRET~~

25

~~TOP SECRET~~

- Certain critical areas and possible outcomes are yet to be investigated. For example:
 - Images are merely one form of input to the intelligence analysis process, and taken by themselves, are often ambiguous. If the Administration releases selective images in support of pro-SALT II arguments, can't Congressional Committees request and release images which would tend to support other points of view. Thus, in an attempt to win an endless argument, the Administration would have to release even more sensitive data and so it would go.
 - If official sources can release images of denied areas, why shouldn't other images be openly available? (Can they be denied under the Freedom of Information Act?)
 - If image of the US are released, how is the privacy of US citizens and corporations to be assured.
 - How are we to disclose images of non-Communist foreign areas.
- A detailed assessment of the counterintelligence value should be central to any policy change. Such an assessment should include an analysis of
- Recommendation
 - A decision to release selected satellite images is inappropriate at this time.
 - A study of the extent to which release could be made consistent with security requirements has not been made.
 - Endorse the following four-phase approach recommended in the NSC issue paper (Tab A, page 8):
 - An intensive analysis of the points and possibilities by selected individuals from the Departments of Defense and State, the Intelligence Community, the Executive Office of the President, and others, as appropriate, under the direction of the Policy Review Committee. This will be accomplished in three months.
 - Presidential review and decision on desirability of change and appropriate scope.
 - Detailed development and setting in place of the implementation elements -- consultation strategies, security planning, contingency plans -- by the responsible agencies over a period of at least three months.

~~TOP SECRET~~

~~TOP SECRET~~

. Execution after final Presidential review and approval.

Daniel J. Murphy
Admiral, USN (Ret.)
Deputy Under Secretary
for Policy

Director, Joint Staff

Enclosures

J

G

S

~~TOP SECRET~~