

[REDACTED] NATIONAL RECONNAISSANCE OFFICE [REDACTED]

WASHINGTON, D.C.

MEMO STAFF

May 13, 1967

MORANDUM FOR DR. FLAX

SUBJECT: Disclosure of "the Fact of" Satellite Reconnaissance at the Secret Level

PROBLEM:

To advise the Director of Central Intelligence of the desirability of controlling the release of information regarding "the fact of" satellite reconnaissance outside the [REDACTED] Security Systems.

BACKGROUND:

On April 27, the USIB agreed in principle to:

- a. "Acknowledge the fact of a U.S. satellite photographic reconnaissance program at the Secret level."
- b. "Permit use of intelligence derived from exploitation of satellite photography (but not the film itself) in Secret or Top Secret publications, depending on the content of the intelligence, while identifying the source of satellite photography."

The JSIB minutes (at Tab A) give an account of the discussion leading up to the actions quoted. The roots of the first action go back to 1962, when the State Department urged the public acknowledgement of satellite reconnaissance. Although this initiative was muted by President Kennedy's strong conservatism on this subject and by the subsequent NSAM 2454 (the "Eighteen Points"), questions regarding

[REDACTED]

CONTROL NO. \_\_\_\_\_  
COPY \_\_\_\_\_ OF \_\_\_\_\_ COPIES  
PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES

[REDACTED]

disclosure have been raised at least annually by State during the past five years. Tab B is a paper prepared last year by a State representative; it is a fair example of the State argument for decontrol.

It should be noted that the so-called "State position" on decontrol is not actually a departmental position, but rather an expression by the Intelligence and Research organization within the department. We know, for example, that the attitude of the Deputy Under Secretary for Political Affairs differed sharply from that of I and R. The latter group, while very persistent and vocal, had not made much headway in COMOR or USIB until the President's "off-the-record" statement on satellite reconnaissance. Since that date, the compulsion to tell has been almost overwhelming. The USIB minutes illustrate this ground-swell: in August 1966 a similar discussion found State standing alone, while in May 1967 the Board is unanimous in endorsing a very significant decontrol action.

#### PRESENT SITUATION:

The Board's action in this case is probably irreversible. From the minutes and reported discussion, it appears that the Board's desire to make it possible to attribute intelligence to a satellite source is compelling to each of the members. The COMOR has been asked to develop guidelines for meeting this need. We have worked closely with COMOR, urging the adoption of the procedures listed in Tab C. While it is true that any disclosure whatsoever impinges on the NRP, we have reason to hope for COMOR guidelines which will control, to some extent at least, the disclosure of "the fact of" within the intelligence community.

More serious problems will be triggered by disclosure outside the community. State's I and R staff regards the Board decision as a coup, characteristically, as a first important step toward an ever-widening liberalization of security. Unless clear guidelines are laid down for disclosing of "the fact of," the new license to tell will be handled artlessly (and sometimes maliciously) to the detriment of everything which remains under [REDACTED] and [REDACTED] control.

[REDACTED]

[REDACTED]

C [REDACTED] [REDACTED]

We need -- very much -- a clear statement by the DCI on uniform procedures and practices regarding disclosure of "the fact of." We may have trouble getting such a statement. Note in the USIB minutes (Tab A), paragraph 21, that the DDCL, in response to query, stated that "he would rather leave the determination of how to apply the rules to the individual agencies."

**ALTERNATIVE COURSES OF ACTION:**

The ideal course of action would reverse the Board's position. Although one might be encouraged by the fact that the DCI (as well as the DOD representative) was not at the meeting, such an effort would probably be fruitless.

The residual course of action is to attempt to ameliorate what the Board has done by pressing for controlled disclosure. Such an initiative can be undertaken in a variety of ways:

1. A telephone call from the DNRO to the DCI. This is probably not enough. The problem is too complex for casual treatment. Furthermore, in the face of what is probably a widening security issue, the NRO needs to go on record (and this seems to be the right time to do so). A telephone call will not place us on record.
2. A personal conference with the DCI. Much better than a telephone call, but still off the record.
3. A memorandum to the ExCom. This would antagonize Mr. Helms, who could rightfully expect the problem to come to him first.
4. A memorandum to Mr. Helms. Probably the best strategy and necessary for good inter-agency relations. This approach also gives one the option of sending a copy of the memorandum to Mr. Vance for information.

**RECOMMENDATION:**

I have prepared such a memorandum. It does not fight the Board action; rather, it cites three typical problems, suggests broad solutions, and urges the DCI to set up uniform controls for all disclosures of the fact of satellite reconnaissance.

The Board plans to consider this item again on May 18 or 25.

**PAUL WORTHEMAN**  
Colonel, USAF

*Proposed memo  
is just after  
Tab C*

POL-A-4  
npr

DEPARTMENT OF THE AIR FORCE  
OFFICE OF THE ASSISTANT SECRETARY

MEMORANDUM

Dr. Flay saw  
May 15 -- "weighty  
problem. Hold  
for return from  
Europe

Saw again 31 May  
"doesn't really know  
what to do with  
it"