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209-5000

17 AUG 1974

MEMORANDUM FOR DIRECTOR, DEFENSE RESEARCH AND ENGINEERING

SUBJECT: Re-Examination of U.S. Policy on Space Launching Assistance  
for Other Countries (NSDM-187)

On July 12, 1974, the Staff Director, NCS Under Secretaries Committee forwarded a draft Memorandum for the President on the subject for comment and/or concurrence. DD(S&SS) reviewed this draft Memorandum and provided comments to ISA which are now incorporated in the attached memorandum for the Deputy Secretary of Defense. Your coordination on the attached memorandum is requested.

John B. Walsh  
Deputy Director  
Strategic & Space Systems

211100

Attachment

mm/6Aug74  
OAD(S&AS)/X-

GSD 5 U.S.C. § 552(b)(6)

Office of the Secretary of Defense S.U.S.C. § 552  
Chief, RDD, ESD, WHS  
Date: 20 FEB 2014 Authority: EO 13526  
Declassify: x Deny in Full: \_\_\_\_\_  
Declassify in Part: \_\_\_\_\_  
Reason: S.U.S.C. § 552(b)(6)  
MDR: 13-M-4607

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Chief, Records & Declass Div. WHS  
Date: FEB 26 2014

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13-M-4607



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ASSISTANT SECRETARY OF DEFENSE  
WASHINGTON, D.C. 20301

In reply refer to:  
I-690C/74

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Date: FEB 26 2014

MEMORANDUM FOR THE DEPUTY SECRETARY OF DEFENSE

SUBJECT: Re-Examination of U.S. Policy on Space Launching Assistance for  
Other Countries (NSDM-187)

ISSUE: Is the draft Memorandum for the President and the attached study  
which constitute U/SM-112B responsive and should it be forwarded to the  
President?

BACKGROUND: Since the issuance of NSDM-187 on 30 August 1972 there has  
been considerable controversy over certain of its conditions for launch  
assistance and how its provisions, particularly those relating to economic  
benefit for the U.S., could be administered. The re-examination of the  
policy was broken down into two parts and U/SM-112B treats the matter of  
the two conditions.

DISCUSSION: In the interagency discussions on the subject paper (Tab A),  
the DoD and JCS representatives found themselves onlookers to an exchange  
of seemingly irreconcilable opinions between NASA, NSC and CIEP on the  
one hand and the Department of State and the Office of Telecommunications  
Policy on the other concerning whether space launching assistance for  
other countries should include the retention of certain conditions.

As long as the INTELSAT condition is linked with the second condition  
that we would launch satellites only if they had received "broad inter-  
national acceptance", there is no choice for DoD but to hold to the  
retention of the conditions. As ODDR&E has pointed out (in the memorandum  
attached at Tab B):

"It is ... very important that our launch assistance policy  
include a statement which would give the U.S. the right to  
deny launch assistance on a foreign payload which might not  
be in our best interest. An example might be a satellite  
which in our judgement might be used for military sur-  
veillance purposes. Condition 2 described on page 3 of  
the Memorandum (for the President, Tab A) provides this  
safeguard."

~~CLASSIFIED BY: ASP(ISA)~~  
~~EXEMPT FROM GDS OF EO 11652~~  
~~EXEMPTION CATEGORY 3~~  
DECLASSIFY ON: July 31, 2004

~~CLASSIFIED PER EO 12958 (b) (1)~~  
~~OSD F.S. 1.2~~  
~~Review/Classify On: July 31, 2000~~  
~~Other Agency Equity: TBD~~

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TAB A

However, ODDR&E also points out that the INTELSAT condition has outlived its usefulness and there is no reason for DoD to continue to support it.

The memorandum at the Signature Tab for the Chairman, Under Secretaries Committee would disassociate DoD and the JCS from a position calling for retention of the INTELSAT condition but hold to the need for a "broad international acceptance" condition.

RECOMMENDATION: That you sign the attached memorandum.

Assistant Secretary of Defense (ISA) \_\_\_\_\_ Director, Joint Staff

8 AUG 1974

Coordination: s/ Malcolm R. Currie

Department of Defense (DDR&E) Assistant to the Secretary (PA&E)

Director, Telecommunications Command & Control Systems

Chairman, Joint Chiefs of Staff: Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Enclosures

a/s

Prepared by:

OASD (ISA) \_\_\_\_\_

OJCS \_\_\_\_\_

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national agreements and arrangements, and through our own participation in INTELSAT.

Arguments for Maintaining the Present Policy Without Change

The Departments of State ~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~ and the Office of Telecommuni-  
cations Policy point out, with respect to the INTELSAT condition, that the present policy leaves open the possibility that we would launch a satellite even if INTELSAT had rendered an unfavorably advisory opinion. However, these agencies believe that to guarantee launch assistance regardless of INTELSAT's views would undercut the incentive of the Europeans and others in the future to modify proposed systems in the light of objections which INTELSAT might raise. These agencies believe that this does not constitute "policing" of the INTELSAT agreements but rather encouraging a bargaining process which might not occur if INTELSAT's potential competitors had no need to bargain.

These agencies are concerned that dropping the INTELSAT condition could be interpreted as

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intended to undercut an independent European space launching capability, the reaction would be adverse.

\* \* \*

*NASA and the staff of the HSC and CIEP.*

believe that some of the problems foreseen by other agencies as a result of changing our present policy could be ameliorated if the change were handled in a low key. They recommend a tentative decision be made to drop the two special conditions contingent upon exploratory discussions with COMSAT and the concerned Congressmen.

*The Departments of State and Defense, ~~XXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ and the Office of Telecommuni-  
cations Policy believe that while our present  
policy affords assurance of launch assistance in  
most foreseeable cases, it also provides a desirable  
degree of latitude in arriving at decisions on  
particular launchings which might present special  
problems. These agencies, therefore, favor main-  
taining the present policy, although the Department of Defense  
is neutral as regards to the INTELSAT condition.*

Robert S. Ingersoll  
Chairman

response to queries about the relationship of the change to the French and Japanese launcher developments. It will be very difficult to convince the French, in particular, that there is no relationship, and a US effort to do so could further erode our credibility.

V. CONCLUSIONS AND OPTIONS

The USC is split on the question of the proposed change in US policy on launch assistance.

NASA, NSC and CIEP recommend that the "Intelsat" and "broad international acceptance" provisos be dropped from the launch policy, while OTP, ~~DODXXXXXX~~ DOD strongly recommends retention of the "broad international acceptance" proviso but is neutral on INTEL SAT. and DOS recommend that this change not be made. / The CIA and ACDA take no stand on this and the following issues.

If the decision is made to change the policy on launch assistance, the USC is divided on how best to introduce the change. NASA, NSC, CIEP and OTP suggest a low-key approach with assurances that we merely wish to clean up the policy and be more forthcoming on launch assistance. DOD, ~~XXXX~~ and DOS believe that the change, if made, should be by Presidential announcement since it would represent a significant revision of a Presidentially enunciated policy.

Should it be decided that the proposed change in launch policy is desirable, it would be important that

the views of the Congress and of COMSAT be solicited and considered before final action is taken. Those who propose this change in policy recommend that a tentative decision be made to drop the subject provisos, contingent upon exploratory discussions with COMSAT and the concerned Congressmen. Their expectation is that it should be possible to achieve acceptance of the recommended change.

Based on this split report, there are two principal options in response to the charge made to the USC:

Option A

Make no changes in launch policy. (DOD, ~~NSA~~ OTP and DOS recommend this option, although DOD is neutral as to the need to retain the INTELSAT condition.)

Option B

Drop the "Intelsat" and "broad international acceptance" provisos from the policies of NSDM-187, after discussions with COMSAT and the concerned Congressmen, as discussed above. (NASA, NSC and CIEP recommend this option.)

B-1: Introduce this change in the low-key approach outlined in section IV. (If Option B is taken, NASA, NSC, CIEP and OTP prefer this approach.)

B-2: Introduce the change by Presidential announcement, as discussed in section IV. (If Option B