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SECRECY & GOVERNMENT BULLETIN

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Spy Satellite Secrecy vs. Anti-Satellite Weapons

While the National Reconnaissance Office (NRO) embarks on development of a new generation of large and vulnerable spy satellites, spending several billion dollars per year, it is simultaneously using secrecy to suppress discussion of their potential vulnerability.

Outside of official channels, there is growing recognition that the era of huge, low orbiting spy satellites may be ending since they are becoming increasingly accessible, high-value targets for anti-satellite weapons, particularly in times of extended regional conflict.

For many years, amateur observers have tracked classified U.S. satellites and determined their orbits with high precision. Any country able to afford a pair of binoculars and a personal computer can duplicate their work. Now there is concern that these large and expensive satellites could be destroyed using comparatively low-tech weapons available to third world countries.

According to Los Alamos physicist Gregory H. Canavan, all of the components of a primitive anti-satellite (ASAT) weapon are now in international commerce. "That suggests that such ASATs could be developed and used soon, ending the utility of large, low-altitude satellites." (*An Entry-Level Conventional Radar-Driven Rocket Anti-Satellite*, Report No. LA-12297-MS, p. 6).

Similarly, even Alvin and Heidi Toffler write in their recent book *War and Anti-War*, "It is now becoming clear that in the future the first thing any regional power involved in conflict with the United States will do is try to scratch out its eyes in the sky." (p. 103).

In short, as one intelligence community source put it, "Any idiot knows that our satellites are vulnerable."

But spy satellite procurement has in effect been insulated from this common knowledge. Since the spy satellite business operates in secrecy, it is relatively impervious to emerging realities whenever those realities conflict with bureaucratic imperatives.

If Dr. Canavan or the Tofflers worked in the intelligence community, they would be prohibited from presenting their analyses in public, since the NRO says any such discussion is intrinsically classified.

"The whole subject of vulnerabilities is classified, so there's very little I can say," said Capt. Renee Strickland of NRO external affairs on November 29.

One consequence of the NRO's secrecy policy is that the new generation of spy satellites now under development is still based on the traditional "larger, fewer, more expensive" paradigm, judging from the procurement of large launch vehicles through the end of the decade. For all practical purposes, it appears that their growing vulnerability is just being ignored or wished away.

Of course, the specific technical vulnerabilities of deployed military and intelligence systems are sensitive topics that in general are properly classified. But the

implications of a potential ASAT threat are not a subtle matter that can be kept secret from an adversary. And when secrecy distorts reality, then the classification system itself becomes a threat to national security.

Imagery Declassification

While the intelligence community equivocates over whether to allow commercial sales of high resolution satellite imagery, a related effort is underway to address declassification of older, archived intelligence imagery.

"A Classification Review Task Force has been underway for ten months now," says William F. Lackmann, Jr., Director of the Central Imagery Office. "Its purposes were to review where we are on the handling of imagery and what to do about it. We've gone through a review of all the imagery over the years to determine what the disposition might be."

One of the pending conclusions is "to recommend declassification of [imagery from] the oldest film return systems that are more than 20 years old. There are no technology issues. There are a few limited sensitivities about certain target sites, but I think we'll resolve those," Mr. Lackmann said.

At the same time, the Freedom of Information Act "is certainly one of the main concerns. Once you open the door saying this can be released, the question is why not release more? We've been working closely with the lawyers so that we build a case that will stand up in court. That is a tough problem and we will never know if we have solved it until we go to court."

Another major recommendation is to downgrade the classification of most of the more recent imagery. "We're decompartmenting-- that is, reducing to the Secret level-- almost all collection from current systems. There are a few capabilities that will remain compartmented, but they represent a very small part of the total. This is going to make life a lot easier for the users, particularly military, because they can handle Secret fairly easily right down to the lowest levels. They couldn't handle compartmented."

"These recommendations are not yet approved, although I expect to take them to the Deputy Secretary and the DCI by the end of the year," Lackmann said.

Intelligence Budget Disclosure Urged (Still)

Political pressure to disclose the total amount of the intelligence budget continues to escalate, even though Congress retreated this year from taking any initiative on its own to publish the budget total.

Congressional leaders, including the Speaker of the House, the Senate and House majority leaders, and the Chairmen of the House and Senate Intelligence Committees, wrote to the President last month urging him to reveal the budget total, estimated to be about \$28

billion this year. (*New York Times*, 11/25/93, p. A20).

The letter follows an embarrassing failure by Congress to accomplish precisely what it is now asking the President to do. In August, the House voted down a measure to require budget disclosure. A non-binding resolution calling for disclosure was barely passed in the Senate on November 10, and deleted altogether in conference for the first time in three years.

As a fallback, the two Intelligence Committees did pledge to "hold hearings" on the subject early in the next term, as if all of the arguments pro and con had not already been aired ad nauseam. (At least as far back as 1976, the Senate's Church Committee found that publication of the aggregate intelligence budget "would begin to satisfy the Constitutional requirement [for budget accounting] and would not damage national security.")

The whole budget disclosure controversy is simultaneously silly and profound. It is silly since the budget total and many agency budgets are already publicly known to within a reasonable margin of error. [S&GB 25] But it is profound to the extent that it manifests the tension between the Cold War practice of intelligence and the principles of Constitutional government.

"For years U.S. intelligence lived in a cocoon that allowed it to be immune from the slings and arrows of the political process. Those days are over. We haven't emerged in total into the full rigors of the political process yet, but that's just a few changes away," says Keith Hall, Deputy Assistant Secretary of Defense (Intelligence).

"Generally speaking," Hall said November 15 at a National Military Intelligence Association symposium, "the advent of the intelligence arena increasingly becoming part of the mainstream political process is something that severely challenges us. We're not used to it in the intelligence bureaucracy."

Reinventing Classification at DOE

As part of the National Performance Review ("reinventing government") Energy Secretary Hazel O'Leary has proposed a new initiative on classification policy at the Department of Energy.

The program plan for the new initiative (*available from S&GB*) defines several elements including:

- an accelerated document review process to expedite systematic declassification at the National Archives, reduce FOIA backlogs, and train 300 additional declassifiers over and above the current 130;
- streamlined declassification procedures, including allowance for accelerated declassification of ad hoc and urgently required material, as well as mechanisms for public input into the declassification process;
- reevaluation of classification criteria based on current world conditions and domestic objectives, resulting in updated classification guides;
- and improved interagency coordination to reduce barriers to declassification and lengthy processing delays.

"The reinventing government initiative on declassification of information has been designed to facilitate public access to DOE information, consistent with the national security, with special emphasis on the need to ensure maximum disclosure of environmental, safety, and health information, and technologies critical to our country's economic and global interests," stated Bryan Siebert, Director of DOE's Office of Classification (*CommuniQue*, November 1993).

However, some of the more ambitious elements of the plan call for substantial new investment that is unlikely to be realized.

DOE had planned to hold a press conference in early November to announce declassification of "reams of previously secret information," including data on previously unannounced nuclear weapons tests, plutonium inventories, and environmental, safety and health information. (*New York Times*, 11/11/93). But the release of such material has been postponed at least until December, apparently due to internal resistance.

Also still on hold is a decision on the classification status of inertial confinement fusion (ICF), the energy technology based on laser-driven fusion of pellets of thermonuclear fuel. According to DOE, ICF has been "the most contentious and resource-consuming classification issue since the program began in the 1960s." Declassification of the field has been promised for years, and never delivered. But in a September 22 letter to Steve Dean of Fusion Power Associates, John Keliher of DOE wrote that ICF declassification is imminent. "We anticipate that this information will be declassified within the next 60 days."

Draft Executive Order Goes to White House

The PRD 29 Task Force prepared a second draft of a new executive order on classification and forwarded it to the White House in early November.

It appears that the draft is already undergoing further revision in advance of its anticipated release for comment. For example, the original draft had proposed eliminating the Confidential classification level and adopting a system based on two classification levels, Secret and Top Secret. But John Grimes, Deputy Assistant Secretary of Defense (Counterintelligence and Security Countermeasures), said November 15 that "We've just learned in recent days that it looks like we're going back to a three tier classification system."

Mr. Grimes also volunteered that when he and his colleagues think about all of the currently classified information that will supposedly be declassified and made publicly accessible under the forthcoming executive order, it "gives us gas."

Aurora for Fun and Profit

Could secrecy be the new engine of economic growth? Hardly. But the classification of advanced surveillance aircraft is being exploited as the major selling point for a new set of scale models of "Aurora"-type spy planes for hobbyists.

Declaring that "the secret is out!" the Testor Corporation of Rockford, Illinois announced last month that it is marketing what it calls "the super secret SR-75 Penetrator" ("also known by the code word Aurora") and "the XR-7 Thunder Dart reconnaissance aircraft system."

The ad copy asserts that these craft "were designed to replace the aging SR-71 Blackbirds and are now flying missions from remote bases around the world." The Air Force denies this.

The models' designer, John Andrews of Testor, says they are based on "available government information, some expert aviation and aerospace contacts, his own engineering experience, and several technological guesses."

The marketing of a toy model has become something of a milestone in secret aircraft programs, suggesting that the time for declassification of some secret aircraft may soon be ripe. The Testor Corporation created an uproar when it released its model of a stealth fighter (which it called the F-19) in 1985, just a few years before the F-117A stealth fighter was finally unveiled. At the time, one bewildered Congressman demanded to know "how a secret aircraft that even Congressmen were not allowed to see could be reproduced by a model company." (*Airpower Journal*, Fall 1991, p.24).

As it turned out, however, the Testor model bore little resemblance to the actual F-117A. But more than one million F-19s were sold, making it "the best selling model airplane of all time."

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