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Policy Decision Risk Assessment

~~(S)~~ Declassifying the "Fact of"
NRO Radar Satellite
Reconnaissance

October 2006

DECL ON: 25X1, 20311031, RRG dated July 2005
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The withholding statute for all (b)(3) exemption citations in this document is 10 U.S.C. § 424

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Policy Decision Risk Assessment

~~(S)~~ **Declassifying the "Fact of" NRO Radar Satellite Reconnaissance**

Research, Studies, and Analysis Section
Center for the Study of National Reconnaissance
National Reconnaissance Office
Chantilly, Virginia



October 2006

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(U) ISSUE

~~(S)~~ To assess the risks in declassifying the “fact of” National Reconnaissance Office (NRO) Radar Satellite Reconnaissance.

~~(S)~~ Note to reader: The Center for the Study of National Reconnaissance (CSNR) prepared this Policy Decision Risk Assessment (PDRA) to assess risks associated with declassifying the limited fact that the NRO [redacted] a space-based radar capability (i.e., the “fact of” NRO radar satellite reconnaissance). Its findings do not represent policy recommendations; rather they reflect our research and represent our independent assessment of the issue.

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(U) We prepared an informed and independent assessment by soliciting, integrating, and evaluating input from the following concerned NRO components:

*Imagery Systems Acquisition & Operations Directorate
Communications Systems Acquisition & Operations Directorate
Directorate
SIGINT Systems Acquisition & Operations Directorate
Advanced Systems & Technology Directorate*

*Deputy Director for Mission Support
Office of Strategic Communications (BPO)
Office of Security and Counterintelligence
Management Services and Operations (ASG/IMSC)*

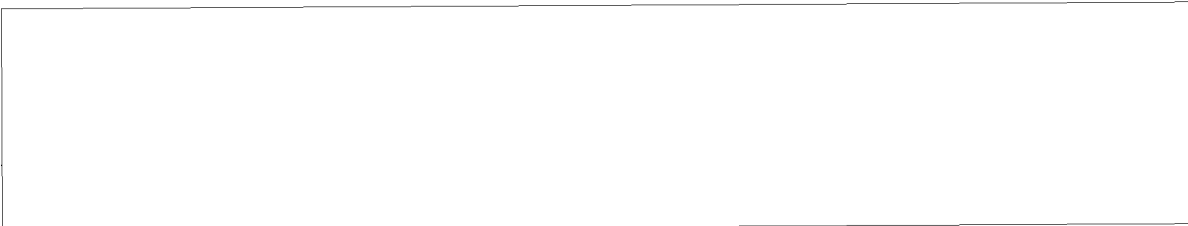
(U) We initially drafted this PDRA during the first quarter FY 2006, and then conducted a series of reviews with concerned NRO components during the balance of FY 2006. This was a period of organizational and leadership changes in the NRO, and we have reflected the changing views.

(U) Our goal is to present a balanced assessment. The CSNR drafting team included the following:

Principal Researcher: [redacted] *Project Manager & Reviewing Editor: Dr. Susan Schultz (C/RSA/CSNR)*
Contributor: [redacted]

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When our conclusions were at variance with other concerned NRO components, or when we identified a divergence in the views among those involved in the dialogue, we presented our best independent assessment and highlighted the alternate view. The “we” in this PDRA refers to the CSNR corporate analytical judgment; the “alternate view” refers to the views of others involved in the dialogue.



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Robert A. McDonald, Ph.D.
Director, Center for the Study of National Reconnaissance
Business Plans and Operations

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~~(S)~~ Policy Decision Risk Assessment—Declassifying the “Fact of” National Reconnaissance Office (NRO) Radar Satellite Reconnaissance

1.0 (U) Overall Assessment

~~(S)~~ We judge there to be a low probability for risks to occur if the Intelligence Community officially declassifies the “fact of” NRO radar satellite reconnaissance.¹ The countervailing argument, however, focuses on the belief that there exists an inevitable slippery slope from “fact of” to “facts about.” Proponents of this view argue it is highly likely that declassification would lead to further disclosures of sources and methods; moreover, increased public scrutiny would result not only in adversaries stepping up countermeasures but might—in the worst-case scenario—lead to irreparable harm to NRO systems operations and capabilities.

~~(S)~~ We believe, however, that simply declassifying the “fact of” need not *per se* result in an inevitable slippery slope toward further disclosures. In our assessment ^{(b)(1)} is a low probability for risks to occur because the “fact of” NRO radar activities is ^{(b)(3)} already an open secret. (b)(3)

Declassifying only the “fact of” would not reveal any new information about sources and methods, and, if implemented with the appropriate mitigating steps, the Intelligence Community (IC) could hold the line in averting any further disclosures.

2.0 (U) Systems Relevant to Discussion

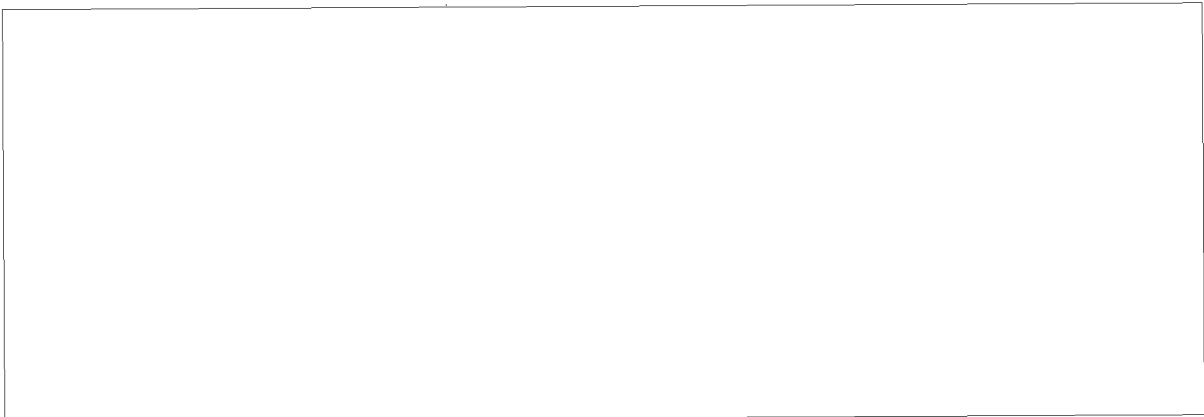
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Should the U.S. Government declassify the mere “fact of” NRO radar imaging reconnaissance, it would openly acknowledge the “fact of”

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The “fact of” development of the parallel Air Force Space Radar (SR) program is unclassified; however, sensitive details about the program are classified.



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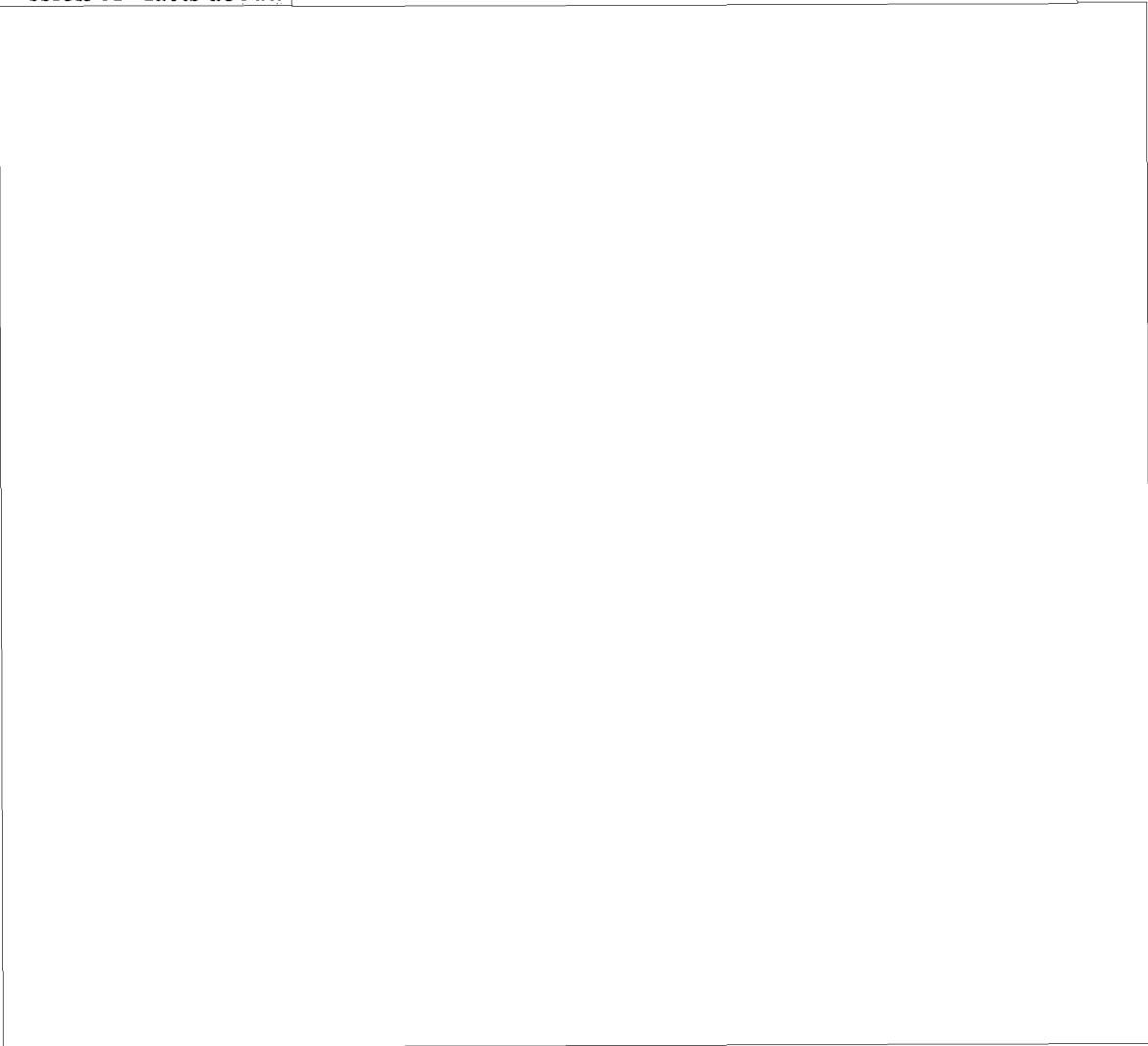
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3.0 (U) Risk Areas

~~(S)~~ We evaluated four risk areas: (a) Sources and Methods, (b) Foreign Relations, (c) Commercial Implications, and (d) Legal Considerations. We found no factors that would present unacceptable risk to declassifying the "fact of" NRO radar activities.

a. ~~(S)~~ **Sources and Methods.** Our assessment is that declassification of only the "fact of" NRO radar satellite reconnaissance will *not* reveal any additional information about sources and methods. We believe U.S. Government officials, with proper instruction, can develop sufficient discipline to hold the line and prevent further disclosures of sensitive "facts about."

~~(S)~~ The alternate view is that declassifying the "fact of" will remove a psychological barrier to public discussion of NRO satellite radar activities, bring increased attention to this activity, and make it more difficult to hold a firm line on public discussion of "facts about."



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~~(S)~~ We believe, however, that the declassification risk to these operations would be low because the NRO's association with radar reconnaissance has been an open secret for a long time. There has been open press speculation since the early 1980s—

[redacted] In spite of the extensive public speculation about the "fact of" NRO radar activities over this time, we could find no evidence of significant adverse consequences impacting NRO frequency management. We would expect that if declassification of the "fact of" were low key and included mitigating implementing steps, the *status quo* in this area would continue.

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~~(2)~~ ~~(S)~~ [redacted] Our judgment is, again, that given the long time "open secret" of NRO radar satellites, declassification of only the "fact of" would have minimal risk of [redacted]

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this NRO capability if no new information were declassified—i.e., if only the "fact of" is declassified in a low-key manner.

~~(S//TK//NF)~~ The alternate view holds that key adversaries underestimate NRO radar imaging capabilities. Declassification of the "fact of" would result in open discussion of these capabilities; open discussion of these capabilities would likely lead to greater focus on [redacted]

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[redacted] and Air Force Space Radar. Even though there is general public awareness of the U.S. use of radar satellites, how the IC employ [redacted] and its success is not widely appreciated.

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~~(S//TK//NF)~~ While we do not dispute the argument that many countries have been increasing CCD and other D&D techniques, we believe this trend is inevitable with the growing transparency of commercial remote sensing and the ongoing public speculation about NRO radar activities. Declassifying the "fact of" will not reveal any additional information about NRO systems, and thus would have little or no impact on adversaries' continued efforts to evade detection. For these reasons, we believe it is imperative that any radar declassification decision hold the line at declassifying only the "fact of" and continue to protect details about these systems.

⁴ (U) See DDSE comments and D&D background information in Appendix C.

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(3) ~~(S//TK//NF)~~ **Security and Counterintelligence.** Our assessment is that declassification of the “fact of” radar is a logical, limited step needed to clear up years of confusion, uncertainty, and inadvertent disclosures associated with the current policy of classifying the “fact of” NRO radar activities at the secret level. Declassification of the “fact of” NRO radar activities would reduce classification management problems and public relations confusion. Security protection could be enhanced by making a clear distinction between what would become the unclassified, limited “fact of” NRO radar activities and what would remain the classified broad range of “facts about” NRO’s capabilities with radar systems.

~~(S//NF)~~ The alternate view is that revealing the “fact of” would inevitably lead to disclosure of “facts about.” Holders of this view are concerned that declassification has the potential for unrecoverable damage, leaving the security community with the complexity of enforcing restriction to the “fact of.” The alternate view holds that while the probability of the slippery slope occurring may be debatable, the impact has high potential for unrecoverable damage. The argument is that limited declassification of the “fact of” largely will be misunderstood when security managers disseminate the policy down the organizational chain to those who will be responsible for using the data in their daily business.⁵

~~(S//TK//NF)~~ We believe, however, that strict guidance would reduce the likelihood of inadvertent disclosures at any organizational level and make security management an easier task. The advantages in declassification management would outweigh potential risks. Declassification of the “fact of” would reduce confusion and improve the handling of discussions between the Air Force Space Radar Program Office and the NRO (b)(1)
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 thus supporting the Director of National Intelligence (DNI) vision for increased information access across the IC and Department of Defense (DoD).

~~(S//TK//NF)~~ Moreover, we believe the NRO’s security credibility already has been seriously eroded. While the NRO continues to attempt to protect the “fact of” its involvement in radar activities, the commercial sector, foreign governments, and other parts of the U.S. Government readily acknowledge the “fact of” their involvement in remote sensing radar activities. At the same time, there is widespread public awareness of the “fact of” NRO involvement with radar reconnaissance.

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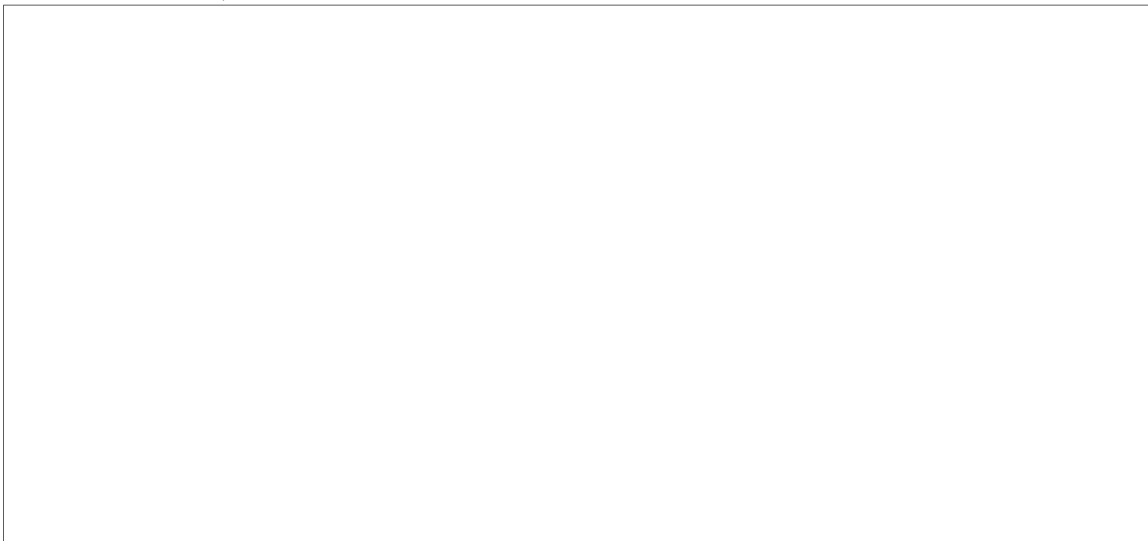
⁵ (U) For an exposition of this view, see the memo from OS in Appendix D.

⁶ (U) “It’s Official: NRO Revamps Boeing Satellite Contract,” *Space News* (October 10, 2005).

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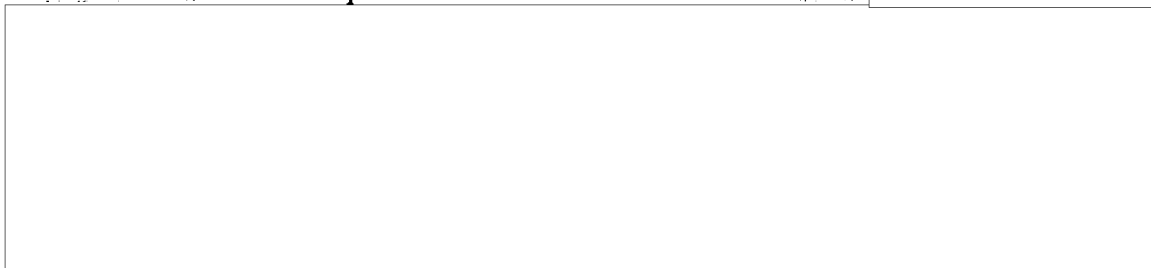
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~~(S//TK//NF)~~ On the counterintelligence side, our judgment is that declassifying the "fact of" radar would not, in and of itself, result in an erosion of U.S. counterintelligence efforts.



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b. ~~(S//TK//NF)~~ Foreign Relations. We believe declassification of the "fact of" radar would have little impact on our relations with other countries.



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c. ~~(S)~~ Commercial Implications. Our assessment is that declassification of "fact of" would have no negative impact on the commercial imagery market and would most likely enhance U.S. Government activities in this area. U.S. companies have been licensed to build commercial Synthetic Aperture Radar systems, and some foreign companies are developing commercial and national radar systems. Declassification would facilitate U.S. discussions with foreign allies about their commercial and national radar systems, especially when NRO personnel are involved.

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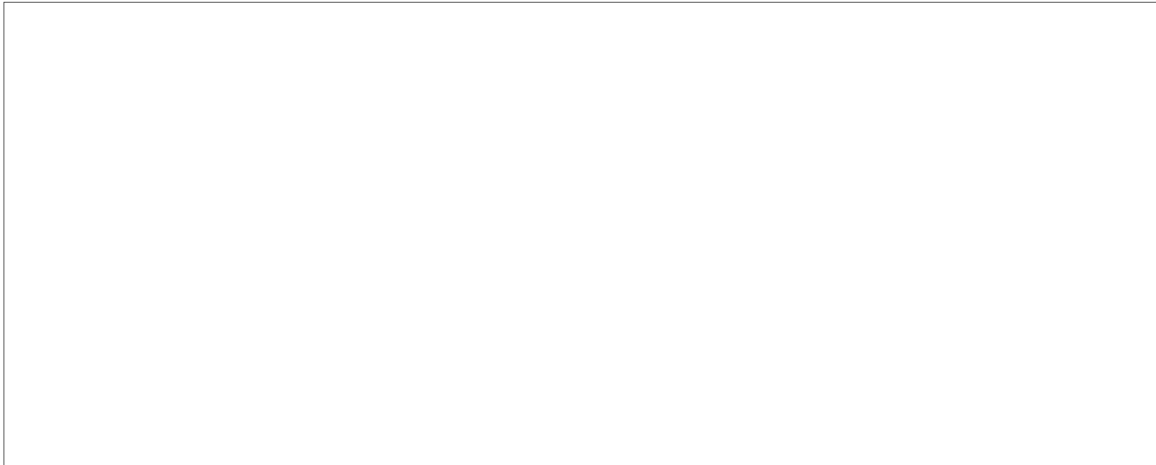
d. ~~(S//TK//NF)~~ Legal Considerations. We conclude that NRO operation of radar satellites is legal.



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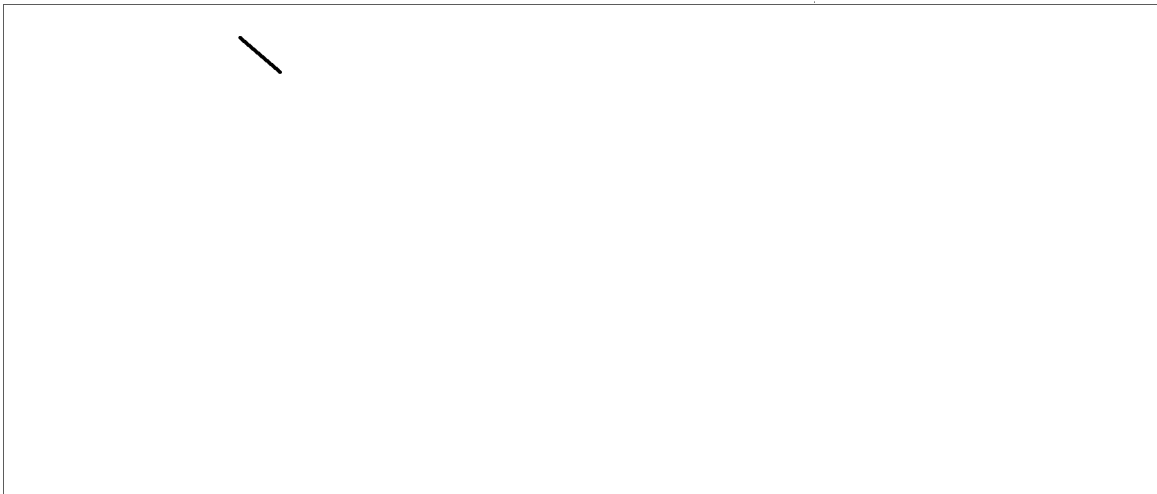


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4.0 (U) Assessment Factors

(U) In addition to sources and methods risks, we considered the following factors that have a bearing on this declassification issue: (a) public awareness, (b) management deliberations, (c) joint assignment of the Air Force Space Radar Program Director to also be the DDNRO, (d) previous Director of Central Intelligence (DCI) consideration of declassification, and (e) military operations.

a. ~~(S)~~ **Public Awareness.** Many factors have contributed to general public awareness of radar reconnaissance systems: (1) numerous open-source revelations, leaks, and espionage pertaining to NRO radar; (2) joint NRO-DoD unclassified programs using radar systems that have been publicly acknowledged; and (3) U.S. and foreign commercial entities' pursuit of space-based radar programs. All three have eroded the ability of NRO officials to protect the "fact of" NRO reconnaissance without looking foolish. Their attempts to evade acknowledging the "fact of" make NRO officials appear disingenuous and undermine the credibility of the classification system.



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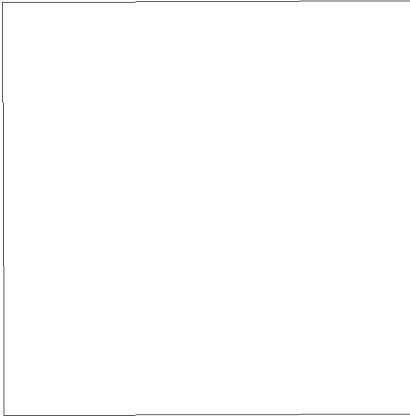
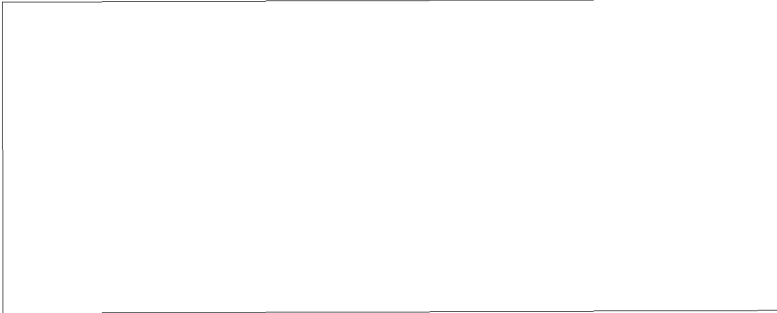
⁹ (U) This authority is in the Presidential Decision Directive/NSC 49, National Space Policy, 14 September 1996.



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(2) (U) NRO/DoD Joint Unclassified Radar Projects. Since the 1990s, the NRO has been an openly acknowledged participant in joint U.S. Government radar ventures. These include:

- The acknowledged joint effort by the NRO, Defense Advanced Research and Projects Agency, and the United States Air Force for a space-based military radar system, which will detect and track moving targets. The NRO referred to the program as Discoverer II.
- Open acknowledgement that Space-Based Radar (SBR) is the follow-on to the Discoverer II program and the fact that the then-named SBR is an Air Force program with acknowledged NRO and imagery intelligence participation.
- An FY03 unclassified proposal by the Office of the Secretary of Defense (OSD) that would demonstrate a Ground Moving Target Indicator using existing space-based systems within the next four years. The OSD's unclassified partner in this Advanced Concept Technology Demonstration (ACTD) is the NRO.
- The July 2006 appointment of the Air Force Program Director for Space Radar to be Deputy Director of the NRO links the Air Force program to the NRO at the unclassified level.

(3) ~~(S//NF)~~ Commercial and Foreign Systems. In recent years there has been a surge in development of commercial and foreign synthetic aperture radar (SAR) systems. The U.S. has issued two commercial radar licenses, and at least seven foreign countries are developing commercial SAR systems: Canada, Italy, Israel, India, Argentina, Germany, and Great Britain.¹² Germany currently is developing both commercial and military radar reconnaissance systems. With the development and use of radar satel-



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¹² (U) Canada has an operating commercial SAR system Radarsat-1 and will soon launch RS-2, which will produce 3m resolution imagery. A U.S. firm has a license to build a commercial SAR system but is not doing so now. Japan, South Korea, Germany, Italy, Israel, Argentina, China, Great Britain, and India are either building or planning commercial SAR systems. Germany's TerraSAR-X and Italy's COSMO/Sky-Med radar systems are 1m resolution with scheduled launches in 2006. Japan's ALOS/PALSAR is a 10m system launched this year.

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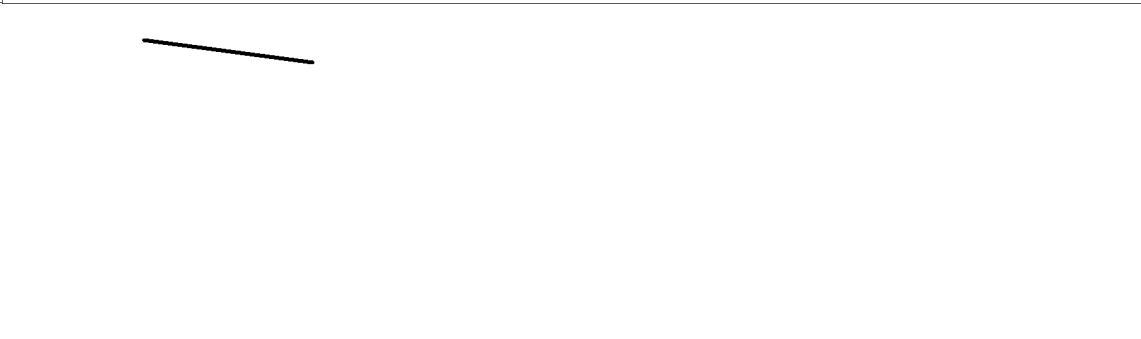
lites becoming so widespread, most observers might find it hard to believe that the NRO would not be involved with radar.

b. ~~(S//TK//NF)~~ **Management Deliberations.** Classification of the “fact of” results in otherwise unclassified correspondence being classified at the Secret level. This makes it difficult to have an open dialogue on budget deliberations and other management issues.



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c. ~~(S)~~ **The DDNRO Serving as Air Force Program Director for Space Radar.** When we considered the joint appointment of the Air Force Program Director for Space Radar as the Deputy Director of the NRO, it did not alter our assessment on declassifying the “fact of” NRO radar activities. Some might argue that this appointment could be expected to draw more external interest in NRO radar activities. However the “fact of” NRO and Air Force joint involvement with the Space Radar program is unclassified. We do not see this joint appointment changing what outsiders would observe about the relationship. If anything, it might focus more attention on the Space Radar program and



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¹³ (U) The DNRO appointed Major General John (Tom) Sheridan, USAF, as Deputy Director National Reconnaissance effective 31 July 2006.



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e. ~~(S//TK)~~ Military Operations. [redacted]

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5.0 (U) Implementation Steps

~~(S//TK//NF)~~ To mitigate the risk against declassifying the “fact of” NRO radar satellite reconnaissance, the DNRO should develop an implementation plan that puts in place strict enforcement rules for protecting “facts about” satellite radar reconnaissance; it must include these points:

- **Advanced Notification.** Inform the National Security Council and IC of intent to change classification.
- **Security Guidance.** Issue security guidance to senior and staff-level IC officials to hold a firm line on only acknowledging the “fact of” and to decline making any other public disclosures about the program. Provide points of contact for clarification and questions.
- **Security Education.** Incorporate guidance on the need to protect “facts about” NRO radar activities in IC security education programs.
- **Allies.** Inform second-party allies in advance, and provide them with updated security guidance.
- **Classification Guide.** Make changes to NRO classification guide, and inform the IC of these changes. [redacted]
- **Public Affairs.** Avoid public fanfare (i.e., no public affairs announcements), and provide the IC public affairs community with Question-and-Answer (Q&A) guidance for background use.
- **Pre-publication Policy.** As a matter of policy, the NRO prepublication review process should discourage publication of unclassified material that would contain references to NRO radar activities [redacted]
- **Monitor Implementation.** Work with IC contacts to monitor implementation practices. Identify and resolve areas of uncertainty or ambiguity.

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