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NRO Review: File

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01 March 1981

TO:

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FROM:

SUBJECT: Contingency Planning for Declassification

Introduction

The rather lengthy article on page 10 of today's New York Times again raised the issue of NRO declassification, and the prospect that the new Administration will review the problem and make a decision to go ahead in this direction. The article also raises the issue, implicitly at several points and explicitly at several others, that the strict secrecy surrounding the NRO has and is being used to hide mismanagement and significant cost overruns on NRO programs.

Faced with increasing allegations of this sort, and diminished ability to defend complete NRO secrecy in the face of information currently in the public domain, the Administration may ultimately be forced to decide in favor of some declassification action. This memorandum suggests that some contingency planning be undertaken should such a review or decision be taken.

Forcing a Declassification Review

Apart from the report that the new Administration was reviewing the NRO secrecy issue, there is the empirical fact that virtually every administration in the past two decades has done so at one time or another, and there is some likelihood that this one will do so as well. If and when such a review is done, two critical factors mitigate rather heavily in favor of declassification:

- (1) Increasing amounts of information about the NRO's existence and operations are currently available in the public domain. Note here the recent study AAC did in support of DUSD(PR) on this issue.
- (2) Allegations in the Times article and elsewhere that the "total" secrecy shield is being used as a cover for program mismanagement and malfeasance.

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Although such claims are most likely without substance, and the evidence is quite to the contrary, it is almost impossible to make such arguments on the basis of what is in the public domain. An administration whose major emphasis has been on elimination of waste, mismanagement, etc., may feel compelled to address such allegations seriously and make information available that it might not otherwise wish to release.

One fact is clear from the article. That is, an increasing number of people with at least some knowledge of the programs are talking to the press, and it is unlikely that the flow of "leaks" can be totally stemmed. Indeed, my guess would be that this flow will tend to increase as more and more appears in the press. In the face of such a flow, the NRO may be hard pressed to maintain its position.

Contingency Planning

I believe that there is a compelling reason to undertake a two-phased approach to the declassification problem as currently presented:

(1) Analysis of Declassification Alternatives: For its own part, the NRO should review and update its analysis of the issues involved in declassification, particularly in light of existing revelations, security requirements and other factors so that the best possible input can be made to any Administration review. My suggestion is that this be worked both internally as well as externally, possibly taking the issues listed in my 15 April 1980 "devil's advocate" paper as one shopping list of problems to be addressed. Getting started with this before an actual review is tasked may give the needed time to provide a comprehensive and well-developed response to what may otherwise be a very short response item.

(2) Declassification Contingency Plan: Taking the hypothetical assumption that a decision is taken to declassify the NRO existence, and some minimal institutional information, a contingency plan should be developed for dealing most effectively with such a reality. At a minimum, this should include an analysis of security policy, legal and FOIA implications, public affairs policy, and a review of governmental interfaces. One approach might be to outline a set of alternative options, and have several parallel analyses of each option undertaken. Again, it might be useful if this were undertaken both internally and externally as a check.

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