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BY RW NARA DATE 9/17/12

THE WHITE HOUSE

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July 4, 1982

NATIONAL SECURITY DECISION
DIRECTIVE NUMBER 42NATIONAL SPACE POLICY (U)I. INTRODUCTION AND PRINCIPLES (U)

This directive establishes national policy to guide the conduct of United States space program and related activities; it supersedes Presidential Directives 37, 42, and 54, as well as National Security Decision Directive 8. This directive is consistent with and augments the guidance contained in existing directives, executive orders, and law. The decisions outlined in this directive provide the broad framework and the basis for the commitments necessary for the conduct of United States space programs. (U)

The Space Shuttle is to be a major factor in the future evolution of United States space programs. It will continue to foster cooperation between the national security and civil efforts to ensure efficient and effective use of national resources. Specifically, routine use of the manned Space Shuttle will provide the opportunity to understand better and evaluate the role of man in space, to increase the utility of space programs, and to expand knowledge of the space environment. (U)

The basic goals of United States space policy are to:

- (a) strengthen the security of the United States;
- (b) maintain United States space leadership;
- (c) obtain economic and scientific benefits through the exploitation of space;
- (d) expand United States private-sector investment and involvement in civil space and space-related activities;
- (e) promote international cooperative activities that are in the national interest; and
- (f) cooperate with other nations in maintaining the freedom of space for all activities that enhance the security and welfare of mankind. (U)

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Review on July 4, 1992
Classified & Extended by:
William P. Clark
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The United States space program shall be conducted in accordance with the following basic principles: (U)

A. The United States is committed to the exploration and use of outer space by all nations for peaceful purposes and for the benefit of all mankind. "Peaceful purposes" allow for military and intelligence-related activities in pursuit of national security and other goals. (S)

B. The United States rejects any claims to sovereignty by any nation over outer space or celestial bodies, or any portion thereof, and rejects any limitations on the fundamental right to acquire data from space. (U)

C. The United States considers the space systems of any nation to be national property with the right of passage through and operations in space without interference. Purposeful interference with space systems shall be viewed as an infringement upon sovereign rights. (U)

D. The United States encourages domestic commercial exploitation of space capabilities, technology, and systems for national economic benefit. These activities must be consistent with national security concerns, treaties, and international agreements. (U)

E. The United States will conduct international cooperative space-related activities that achieve sufficient scientific, political, economic, or national security benefits for the nation. (U)

F. The United States space program will comprise three separate, distinct, and strongly interacting sectors -- Military, National Foreign Intelligence, and Civil. Close coordination, cooperation, and information exchange will be maintained among these sectors to avoid unnecessary duplication. All programs in these sectors will operate under conditions that protect sensitive technology and data and that promote acceptance and legitimacy of United States space activities. (S)

G. The United States Space Transportation System (STS) is the primary space launch system for both national security and civil government missions. STS capabilities and capacities shall be developed to meet appropriate national needs and shall be available to authorized users -- domestic and foreign, commercial, and governmental. (U)

H. The United States will pursue activities in space in support of its right of self-defense. (U)

I. The United States will continue to study space arms control options. The United States will consider verifiable and equitable arms control measures that would ban or otherwise limit testing and deployment of specific weapons systems should those measures be compatible with United States national security. The United States will oppose arms control concepts or legal regimes that seek general prohibitions on the military or intelligence use of space. (S)

II. SPACE TRANSPORTATION SYSTEM (U)

The Space Transportation System (STS) is composed of the Space Shuttle, associated upper stages, and related facilities. The following policies shall govern the development and operation of the STS: (U)

A. The STS is a vital element of the United States space program and is the primary space launch system for both United States national security and civil government missions. The STS will be afforded the degree of survivability and security protection required for a critical national space resource. (U)

B. The first priority of the STS program is to make the system fully operational and cost-effective in providing routine access to space. (U)

C. The United States is fully committed to maintaining world leadership in space transportation with an STS capacity sufficient to meet appropriate national needs. The STS program requires sustained commitments by all affected departments and agencies. The United States will continue to develop the STS through the National Aeronautics and Space Administration (NASA) in cooperation with the Department of Defense (DoD). Enhancements of STS operational capability, upper stages, and efficient methods of deploying and retrieving payloads should be pursued as national requirements are defined. (U)

D. United States Government spacecraft should be designed to take advantage of the unique capabilities of the STS. The completion of transition to the Shuttle should occur as expeditiously as practical. (U)

E. NASA will assure the Shuttle's utility to the civil users. In coordination with NASA, the DoD will assure the Shuttle's utility to national defense and will integrate national security missions into the Shuttle system. Launch priority will be provided for national security missions,



F. Expendable launch vehicle operations shall be continued by the United States Government until the capabilities of the STS are sufficient to meet its needs and obligations. Unique national security considerations may dictate developing special-purpose launch capabilities. (U)

G. For the near-term, the STS will continue to be managed and operated in an institutional arrangement consistent with the current NASA/DoD Memoranda of Understanding. Responsibility will remain in NASA for operational control of the STS for civil missions and in the DoD for operational control of the STS for national security missions. Mission management is the responsibility of the mission agency. As the STS operations mature, options will be considered for possible transition to a different institutional structure. (U)

H. Major changes to STS program capabilities will require Presidential approval. (U)

III. CIVIL SPACE PROGRAM (U)

The United States shall conduct civil space programs to expand knowledge of the Earth, its environment, the solar system, and the universe; to develop and promote selected civil applications of space technology; to preserve the United States leadership in critical aspects of space science, applications, and technology; and to further United States domestic and foreign policy objectives. Consistent with the National Aeronautics and Space Act, the following policies shall govern the conduct of the civil space program. (U)

A. Science, Applications, and Technology: United States Government civil programs shall continue a balanced strategy of research, development, operations, and exploration for science, applications, and technology. The key objectives of these programs are to: (U)

- (1) Preserve the United States preeminence in critical major space activities to enable continued exploitation and exploration of space. (U)

(2) Conduct research and experimentation to expand understanding of: (a) astrophysical phenomena and the origin and evolution of the universe, through long-term astrophysical observation; (b) the Earth, its environment, and its dynamic relation with the Sun; (c) the origin and evolution of the solar system, through solar, planetary, and lunar sciences and exploration; and (d) the space environment and technology required to advance knowledge in the biological sciences. (U)

(3) Continue to explore the requirements, operational concepts, and technology associated with permanent space facilities. (U)

(4) Conduct appropriate research and experimentation in advanced technology and systems to provide a basis for future civil space applications. (U)

B. Private Sector Participation: The United States Government will provide a climate conducive to expanded private sector investment and involvement in civil space activities, with due regard to public safety and national security. Private sector space activities will be authorized and supervised or regulated by the government to the extent required by treaty and national security. (U)

C. International Cooperation: United States cooperation in international civil space activities will: (U)

(1) Support the public, nondiscriminatory direct readout of data from Federal civil systems to foreign ground stations and the provision of data to foreign users under specified conditions. (U)

(2) Continue cooperation with other nations by conducting joint scientific and research programs that yield sufficient benefits to the United States in areas such as access to foreign scientific and technological expertise and access to foreign research and development facilities, and that serve other national goals. All international space ventures must be consistent with United States technology-transfer policy. (U)

D. Civil Operational Remote Sensing: Management of Federal civil operational remote sensing is the responsibility of the Department of Commerce. The Department of Commerce will: (a) aggregate Federal needs for civil operational remote sensing to be met by either the private sector or the Federal government; (b) identify needed civil operational system research and development objectives; and (c) in coordination with other departments or agencies, provide for regulation of private-sector operational remote sensing systems. (U)

IV. MILITARY SPACE PROGRAM (U)

The United States will conduct those activities in space that are necessary to national defense. The military space program shall support such functions as command and control, communications, navigation, environmental monitoring, warning, tactical intelligence, targeting, ocean and battlefield surveillance, and force application (including an aggressive research and development program which supports these functions). In addition, military space programs shall contribute to the satisfaction of national intelligence requirements. The following policies shall govern the conduct of the military space program: (S)

A. Survivability. Survivability and endurance of space systems, including all system elements, will be pursued commensurate with the planned use in crisis and conflict, with the threat, and with the availability of other assets to perform the mission. Deficiencies will be identified and eliminated, and an aggressive, long-term program will be undertaken to provide more-assured survivability and endurance. Availability of systems to meet mission requirements will be achieved through a balanced and flexible architecture employing both space and non-space systems, and incorporating appropriate survivability, interoperability, redundancy, and reconstitution features. (S)


B. Anti-satellite (ASAT) Capability. The United States will develop and deploy an ASAT capability to achieve an operational system at the earliest practical date. The primary military purposes of a United States ASAT capability are to deter threats to space systems of the United States and its Allies and, within such limits imposed by international law, [REDACTED]

C. Force Application. The United States will, consistent with treaty obligations: (a) develop and maintain an integrated attack warning, notification, verification, and contingency reaction capability which can effectively detect and react to threats to United States space systems; (b) conduct research and planning to be prepared to develop, acquire, and deploy space weapon systems and to counter adversary space activities, should national security conditions dictate. These efforts must ensure a reasonable hedge against breakout in space and space-related weapons by any adversary and should support technology advances that will place the United States in a favorable strategic posture. (TS)

D. Interaction with the National Foreign Intelligence Space Program. The Secretary of Defense, in concert with the Director of Central Intelligence, and for the purpose of

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supporting operational military forces, may propose modifications or augmentations to national foreign intelligence space systems as necessary.



E. Security. The military space program, including dissemination of data, shall be conducted in accordance with Executive Orders and applicable directives for protection of national security information and commensurate with both the missions performed and the security measures necessary to protect related space activities. (S)

V. NATIONAL FOREIGN INTELLIGENCE SPACE PROGRAM (C)

The United States foreign intelligence program shall include a space program to acquire information and data required for the formulation and execution of foreign, military, and economic policies; to support the planning for and conduct of military operations; to provide warning; to support crisis management; to monitor treaties; and to perform research and development related to these functions. The following policies shall govern the conduct of this program; (S)

A. Survivability. The national foreign intelligence space program shall be configured to operate in a hostile environment. The guidance set forth in subparagraph IV. A. shall be aggressively pursued by the intelligence community. (S)

B. Support of Military Operational Requirements. Support of military operational requirements is a major space intelligence mission. National space intelligence assets shall provide appropriate support to deployed military operational forces in balance with their primary mission capabilities. In order to ensure a proper balance between the national and tactical missions of these assets, there will be military involvement in the requirements, taskings, exploitation, and dissemination functions and in the development program. The Director of Central Intelligence will, together with the Secretary of Defense, ensure that there is no unnecessary overlap between national foreign intelligence programs and DoD intelligence programs. (S)

C. Interaction with the Military Space Program. The Director of Central Intelligence, in concert with the Secretary of Defense, may propose modifications or augmentations to military space systems necessary to support national foreign intelligence needs. (TS)

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D. Security. The nature, the attributable collected information, and the operational details of intelligence space activities will be classified. As is necessary to protect sensitive aspects, they will be controlled in special compartmented security channels as determined by the Director of Central Intelligence. Collected information that cannot be attributed to space systems will be classified according to its content. The following security guidelines apply to the conduct of these programs: (S)

(1) The fact of satellite "photoreconnaissance" for use in monitoring arms control agreements is UNCLASSIFIED. The fact that the United States conducts satellite reconnaissance for intelligence purposes, without disclosing the generic type of activity, is classified CONFIDENTIAL. All other facts and details concerning the overall national foreign intelligence space program will continue to require appropriate classification and security controls. (C)

(2) Operational aspects of intelligence space activities shall be afforded strict security protection within a special access program system as determined by the Director of Central Intelligence. (S)

(3) Strict control over public statements and background concerning space reconnaissance will be maintained. (C)

(4) Changes to the space intelligence security policy can be authorized only by the President. (C)

VI. INTER-SECTOR RESPONSIBILITIES (U)

This section contains guidance applicable to and binding upon the military, national foreign intelligence, and civil space programs. (S)

A. The military, intelligence, and civil space sectors will be closely coordinated and will emphasize technology sharing within necessary security constraints. Technology transfer issues will be resolved within the framework of laws, directives, and executive orders. (S)

B. Civil Earth-imaging from space, [redacted] will be permitted under controls and when such needs are justified and assessed in relation to civil benefits, national security, and foreign policy. (C)

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C. Civil remote sensing system constraints on spatial resolution, timeliness, spectral resolution, substantive content, or other appropriate parameters will be periodically reviewed to determine when policy constraints should be revised or imposed. (S)

D. United States intelligence, military, and civil Federal agencies should foster maximum use of satellite imagery products, consistent with essential security requirements and user needs. The Director of Central Intelligence will continue efforts to facilitate the availability of imagery products outside of special control channels. (S)

F. Civil space systems identified as critical to national security may be modified at the expense of the requesting agency or department. These actions should provide a level of survivability commensurate with planned use and/or a capability to deny use by an enemy in time of national emergency declared by the President. To the maximum extent possible, these systems, when modified, should retain their normal operational utility. The fact, or details, of such measures shall be classified. (S)

G. The United States Government will maintain and coordinate separate national security and civil operational space systems when differing needs of the sectors dictate. (U)

VII. IMPLEMENTATION (U)

Normal interagency coordinating mechanisms will be employed to the maximum extent possible to implement the policies enunciated in this directive. To provide a forum to all Federal agencies for their policy views, to review and advise on proposed changes to national space policy, and to provide for orderly and rapid referral of space policy issues to the President for decisions as necessary, a Senior Interagency Group (SIG) on Space shall be established. The SIG (Space) will be chaired by the Assistant to the President for National Security Affairs and will include the Deputy or Under Secretary of State, Deputy or Under Secretary of Defense, Deputy or Under Secretary of Commerce, Director of Central Intelligence, Chairman of the Joint Chiefs of Staff, Director of the Arms Control and Disarmament Agency, and the

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Administrator of the National Aeronautics and Space Administration. Representatives of the Office of Management and Budget and the Office of Science and Technology Policy will be included as observers. Other agencies or departments will participate based on the subjects to be addressed. (U)

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