

Question 1. What U.S. Government, private, or other Government organizations supply NASA with satellite tracking information?

Answer. On a regular basis, the North American Air Defense Command (NORAD) supplies the National Aeronautics and Space Administration with information on Department of Defense and Soviet and foreign launches. In addition, NASA receives information on its own launches from the NASA networks and the Baker-Nunn Camera Satellite Tracking Network operated by the Smithsonian Astrophysical Observatory. The Atlantic Missile Range, the White Sands Missile Range, and the Pacific Missile Range facilities are used during launches from their respective sites and they also participate in the NASA Manned Space Flight Network. The FPS-16 radar of the Commonwealth of Australia's Department of Supply has participated as part of the Manned Space Flight Network, and, in some cases, NASA gets support from private groups: for example, a South African Astronomical Observatory was able to provide sightings which enabled us to confirm the orbit of Syncom I when the tracking beacon failed. In addition, when requested, NORAD supplies the NASA tracking information on some satellites during the early orbits after launch in order to help the latter determine the orbit quickly.

Question 2. What effect did the January 1961 agreement with the Department of Defense have on the statutory responsibilities set out in section 303 of the act creating NASA?

Answer. None. Section 303 of the National Aeronautics and Space Act of 1958 (72 Stat. 426, 433) provides:

"Information obtained or developed by the Administrator in the performance of his functions under this Act shall be made available for public inspection, except (A) information authorized or required by Federal statute to be withheld, and (B) information classified to protect the national security: *Provided*, That nothing in this Act shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress."

The National Aeronautics and Space Administration is not charged with the duty of acquiring information on Soviet and other foreign launches. Under the cited agreement, this agency receives certain such information from agencies which have the acquisition responsibility. The latter are responsible by law for such security classifications as they may attach to the information they acquire, and NASA is obligated to respect those classifications and safeguard the information accordingly. Section 303, quoted above, does not impose a duty of public dissemination upon NASA. It deals with the availability for public inspection of "information obtained or developed by the Administrator in the performance of his functions under this Act." The section specifically exempts "information classified to protect the national security."

Question 3. Dr. Simpson testified that in 1961 and 1962 there was a drying up of certain information on DOD satellites and Soviet space vehicles.

- (a) What was the agency's reaction to this?
- (b) What did the agency do, if anything?
- (c) Did the agency protest this reduction in information?

Answer. There was a drying up only in the sense that less information was made public in the Satellite Information Report. There was no drying up in the information made available to NASA. Starting in September 1962, the Department of Defense classified all information on Russian satellites that it sent out. Therefore, as explained in the reply to question 2, above, NASA could not publish it. Information on Russian launchings had occasionally been included in reports prior to September 1962. The policy was modified in April 1963. We understand that the files of the subcommittee contain a letter dated April 20, 1963, from the Assistant Secretary of Defense, Arthur Sylvester, with respect to the modification. NASA recognized the effect of this action; it found that its own operations were not affected because NASA was not cut off from the information. It had no reason to protest the action or to substitute its judgment for that of the responsible agency.

Question 4. In September 1962 information on Soviet space efforts was completely withdrawn from the Satellite Situation Report. Why?

Answer. As indicated above, the responsible agency found it necessary to classify the information, and the National Aeronautics and Space Administration considered itself obligated to respect that action.