NATIONAL SECURITY DIRECTIVE 73

MEMORANDUM FOR THE VICE PRESIDENT
THE ACTING SECRETARY OF STATE
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS
DIRECTOR, OFFICE OF CENTRAL INTELLIGENCE
CHAIRMAN, JOINT CHIEFS OF STAFF
DIRECTOR, ARMS CONTROL AND DISARMAMENT AGENCY

SUBJECT: Organizing to Manage Observations Under the Open Skies Treaty (U)

This directive defines organizational structures and responsibilities to implement the provisions of the Treaty on Open Skies and the policy structure for providing guidance on observations. (U)

All affected agencies should begin immediately to implement this directive so that the United States is fully prepared to fulfill its rights and obligations under the Open Skies Treaty as soon as it enters into force. Departments and agencies should include in their budget submissions to the Office of Management and Budget appropriate funding to implement these responsibilities. (U)

Background

I proposed the Open Skies regime in May 1991 to help reduce the likelihood of military confrontations between Eastern and Western states through greater openness and transparency. By allowing aerial observation of the territory of participating states, Open Skies is intended to enhance stability and build confidence in the peaceful intentions of the parties to the treaty. (U)
Policy Guidance

The Arms Control Policy Coordinating Committee (PCC) will provide overall policy guidance on the matters involving Open Skies observations. The PCC will also provide overall guidance to U.S. observation teams and U.S. representatives to NATO or other Open Skies coordinating mechanisms. Any disputes with other Open Skies Parties about matters involving Open Skies observations will be reported promptly to Washington for attention by the PCC. The PCC will develop U.S. public affairs guidance in matters involving Open Skies observations. (U)
The On-Site Inspection Agency (OSIA) will be responsible for overall leadership, management, and support for U.S. Open Skies observation missions, including teams and escorts, transportation, linguists, and training. (U)

OSIA will also be responsible for the makeup of all U.S. observation and escort teams. A Team Leader, appointed by OSIA, shall lead each team of U.S. observers and shall have final authority over the mission, with the exception of flight safety, and in all dealings with counterparts from other treaty countries. OSIA may augment the U.S. team of observers with personnel from other agencies as appropriate. In the case of U.S. participation in multi-national observations, OSIA will designate the U.S. Team Leaders and/or members, and will, in coordination with the Department of State, be responsible for arranging such U.S. participation. (U)

OSIA will be responsible for all escort activities related to foreign observations of U.S. territory, with support, as required, from U.S. military and diplomatic organizations. OSIA will designate the escort team leader who will be the senior U.S. representative and responsible for the U.S. escorts and for all dealings with foreign observation teams. The Team Leader shall ensure that proper security procedures are followed to minimize the risk of unauthorized disclosures. (U)
Department of State Responsibilities

It will be the responsibility of the Department of State, through the Nuclear Risk Reduction Center (NRRC), or through diplomatic channels, to disseminate all notification messages concerning Treaty overflights to all interested U.S. departments and agencies. Moreover, the Department of State, in conjunction with other departments and agencies as appropriate, will be responsible for U.S. representation in the Open Skies Consultative Commission established in Vienna, Austria, to oversee the Treaty's implementation. (U)

FAA Responsibilities

The Federal Aviation Administration (FAA) is responsible for providing full air traffic control services to U.S. and foreign Open Skies mission aircraft for flights within its jurisdiction. (U)

Counterintelligence Responsibilities

OSIA will be responsible for prompt dissemination to concerned U.S. agencies of detailed flight plan information as soon as it is received from the observing Party. (U)