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6/25/73 EXT. 2058\*72  
IO/UNP:LTSTULL

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PRIORITY USUN NEW YORK  
ROUTINE MOSCOW

E.O. 11652: GDS  
TAGS: TSPA, PFOR, UN, UR  
SUBJECT: INSTRUCTIONS TO US DELEGATION TO UN OUTER SPACE  
COMMITTEE {OSC}

REF: {A} USUN 2340; {B} USUN 2349 {BOTH NOTAL}

1. FOLLOWING INSTRUCTIONS ARE FOR US DELEGATION TO UN  
OUTER SPACE COMMITTEE'S JUNE 25-JULY 6 SESSION IN NEW YORK.  
EXCEPT AS INDICATED, POSITIONS SET OUT IN EARLIER  
INSTRUCTIONS FOR DELEGATIONS TO OSC SUBSIDIARY BODIES  
REMAIN APPLICABLE.

2. REGISTRATION: REF {A} PARA 1 SUGGESTS THAT CONSIDER-  
ABLE PRESSURE COULD DEVELOP FOR US ACCEPTANCE OF PROVISION  
TO EFFECT THAT LAUNCHING STATE SHOULD MARK SPACE OBJECTS  
EXTERNALLY AS MAY BE FEASIBLE. USDEL SHOULD REITERATE  
THAT WE CANNOT AGREE TO ANY MARKING PROVISION, ON OFTEN  
RESTATED TECHNICAL-ECONOMIC GROUNDS, STRESSING LACK OF  
UTILITY SUCH PROVISION WOULD HAVE IN IDENTIFICATION ASSIS-  
TANCE. IF IN DEL'S JUDGMENT PROPOS\*MENTS OF MARKING  
PROVISION WOULD ACCEPT REVIEW CLAUSE AS ADEQUATE SUBSTITUTE,  
AND THUS ENABLE CONSENSUS ON TREATY TEXT OTHERWISE ENTIRELY  
SATISFACTORY TO US, DEL MAY VOLUNTEER US AGREEMENT TO  
INCLUSION OF REVIEW PROVISION, POINTING OUT IF DEEMED  
ADVISABLE THAT THIS WOULD ALLOW REEXAMINATION OF TECHNICAL-  
ECONOMIC FACTORS INVOLVED IN MARKING ISSUE WITHIN REASON-  
ALBE PERIOD.

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3. MOON TREATY: DEL SHOULD ADHERE TO POSITIONS AS OF END OF LEGAL SUBCOMMITTEE {LSC} SESSION. WE SHOULD INSIST ON RESOLUTION OF NATURAL RESOURCES QUESTION BEFORE ADDRESSING OTHER OUTSTANDING ISSUES. IF US FORMULATION ON NATURAL RESOURCES ULTIMATELY PROVES ACCEPTABLE, DEL MAY PRIVATELY TELL SOVDEL THAT WE BELIEVE RESOLUTION OF OTHER MAIN ISSUES {ADVANCE NOTIFICATION OF MISSIONS AND FORMULATION OF T\* TREATY SCOPE} SHOULD NOW BE POSSIBLE. AT LEAST INITIALLY, HOWEVER, DEL SHOULD WAIT FOR SOVS TO OFFER TRADE IN WHICH WE WOULD DROP OUR INSISTENCE ON ADVANCE NOTIFICATION AND THEY WOULD ACCEPT FORMULATION OF EXPANDED TREATY SCOPE CONTAINING REFERENCE TO "OTHER CELESTIAL BODIES" THROUGHOUT OPERATIVE TEXT. {UK COMPROMISE PROPOSAL FOR INCORPORATION BY REFERENCE TO "OTHER CBS" IN OUR ARTICLE REMAINS UN-ACCEPTABLE FOR REASONS STATED IN LSC DISCUSSION}. IF USSR DOES NOT COME FORWARD WITH ABOVE OFFER, IN DECIDING WHETHER TO VOLUNTERR\*ER PROPOSAL OURSELVES DEL SHOULD BE GUIDED BY TACTICAL SITUATION, PARTICULARLY IN LIGHT OF DEGREE TO WHICH IT DESIRABLE TO KEEP MOON TREATY ON 1974 LSC AGENDA. {SEE PARA 6 BELOW.}

4. DIRECT BROADCAST SATELLITES {DBS}: DEL MAY SUPPORT OSC APPROVAL OF DBS WORKING GROUP REPORT INCLUDING RECOMMENDATION FOR WG'S FUTURE WORK {REF B}. HOWEVER, THAT RECOMMENDATION REPRESENTS EXTREME LIMIT WHICH WE CAN ACCEPT IN CONSIDERATION OF POSSIBLE DBS PRINCIPLES. THEREFORE, USDEL SHOULD OPPOSE ANY ATTEMPT IN OSC TO CHANGE DIRECTIVE TO WG. DEL MAY POINT OUT THAT RECOMMENDED DIRECTIVE IN WG'S REPORT REPRESENTS VERY DELICATE BALANCE WORKED OUT IN DIFFICULT NEGOTIATIONS WHICH WOULD BE HIGHLY INADVISABLE TO UPSET.

5. REMOTE SENSING {ERS}: DEL SHOULD SUPPORT ADOPTION OF REPORT OF WORKING GROUP ON REMOTE SENSING, INCLUDING RECOMMENDATION OF\*\*FOR TASK FORCE TO STUDY POSSIBLE MODES OF INTERNATIONAL DATA DISSEMINATION. IN ANY DISCUSSION WHICH MAY DEVELOP REGARDING LEGAL ASPECTS OF REMOTE SENSING, DEL SHOULD ENDEAVOR TO KEEP FOCUS ON DISSEMINATION PHASE.

6. LSC AGENDA PRIORITIES: IF WORK NOT COMPLETED ON REGISTRATION AND/OR MOON TREATY, DEL SHOULD SUPPORT CONTINUED FIRST PRIORITY FOR EITHER OR BOTH AT 1974 LSC. IF FORCED TO CHOOSE BETWEEN DBS AND ERS, DEL SHOULD OPT FOR DBS. IF PRIORITY ATTENTION TO ERS PROVES UNAVOIDABLE, DEL SHOULD INSIST THAT LSC'S TERMS OF REFERENCE REMAIN BROAD "LEGAL IMPLICATIONS", IN PARTICULAR PREVENTING SPECIFIC DIRECTIVE TO CONSIDER DATA ACQUISITION.

7. SCIENTIFIC AND TECHNICAL SUBCOMMITTEE {STSC} REPORT:

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DEL MAY SUPPORT S\*OSC APPROVAL OF STSC REPORT WITHOUT CHANGE. IT IS POSSIBLE THAT QUESTION OF STSC'S FUTURE WORK AND TOR MAY BE REOPENED; IF THIS HAPPENS, DEL SHOULD INITIALLY TK\*AKE POSITION FAVORING PRESENT SETUP, RESERVING ON AND REPORTING ANY SIGNIFICANT PROPOSED CHANGES. 44