

JOHNSON DIRECTIVE

NSAM 338 (15 September 1965)

****Excerpts reflect format and wording from NSAM 338 (Revised) (12 July 1967)**

See *Presidential Decisions: NSC Documents* page 123

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Policy

1. The United States is committed to the encouragement of international cooperation in the exploration and use of outer space. One important use of space is the improvement of communications. In this regard, it is the policy of the United States to support and promote continuing development of a single global commercial communications satellite system. . . .

2. . . . within the limits fixed by national security considerations and other pertinent regulations, the United States may decline to make available space technology to other nations when (a) such technology is critical to the development of a communications satellite capability and (b) when it has been determined that this technology will be used in a manner inconsistent with the concept of and commitments to the continuing development of a single global commercial communications satellite system as embodied in the 1964 Agreement establishing interim arrangements for a global commercial communications satellite system and related Special Agreement (TIAS 5646) or subsequent definitive arrangements or (in the case of military systems) will be used in a manner inconsistent with the concepts of the United States national defense communications satellite system, as discussed in paragraph 3. The same limitations will apply whenever the United States assists nations to launch communications satellites for either experimental or operational purposes.

3. The United States has established a national defense communications satellite system to accommodate the unique and vital United States National Security requirements that cannot be met by commercial facilities. It is United States policy to encourage selected allied nations to use the United States national defense communications satellite system, rather than to develop independent systems. Costs of such use shall normally be borne by the participating foreign nations. . . .

4.

For purposes of this policy statement, the restraints on the transfer of technology and provision of assistance are intended to refer to those of the following which are critical to the development of a communications satellite capability in terms of time, quality, or cost; complete satellites or launch vehicles or components thereof; detailed engineering drawings pertaining to complete satellites or launch vehicles or components thereof; production techniques and equipment, and manufacturing or fabrication processes pertaining to complete satellites or launch vehicles or components thereof; launch services. It is not intended that this policy statement apply to surface terminals and stations or limit dissemination of information

concerning systems concepts, description of spacecraft, and normal scientific and technical publications of a professional character. Furthermore, this shall not limit the dissemination of information required to be disclosed by Article 10(f) of the Special Agreement of 1964.

5. Requests for provision of technology or other assistance to a foreign nation will be assessed on a case by case basis in relation to the principles set forth in paragraphs 2 and 4 above. . . .

6. Implementation of restraints provided for in this policy statement shall be through the Munitions Control licensing procedure for items on the United States Munitions List and through the Department of Commerce's export licensing procedure for items not covered by the Munitions List

7. The foregoing policies shall be kept under review by the Special Assistant to the President for Telecommunications/Director of Telecommunications management and the agencies and departments concerned.
