

Congress of the United States
Washington, DC 20515

June 14, 2016

The President
The White House
1600 Pennsylvania Ave NW
Washington DC 20500

Dear Mr. President:

We understand that you will soon make a decision on Russia's request to significantly upgrade the sensors it employs in reconnaissance flights made over the United States under the Open Skies Treaty. Given the threat to U.S. national security and Russia's continued failure to uphold both the spirit and letter of its commitments under the agreement, we urge you to deny this request and explore whether commercially available satellite imagery can better fulfill the goals of this Treaty.

As you know, the Treaty on Open Skies was signed after the collapse of the Soviet Union with the goal of providing a basic level of transparency on the armed forces and military activities of its signatories. Each of these countries—including Russia, the United States, and our allies and partners in Europe—is obliged to accept, and is given the right to carry out, an annual quota of observation flights by aircraft carrying relatively basic, commercially available observation equipment including panoramic and video cameras.

In recent years, instead of using the Treaty for its intended purpose, Russia is using its Open Skies flights to expand its espionage capabilities. Indeed, Admiral Cecil D. Haney, Commander of U.S. Strategic Command, warned in a letter to Congress that “the Treaty has become a critical component of Russia's intelligence collection capability directed at the United States.”

Allowing Russia to upgrade the sensors used in these flights to digital technology would only make this worse. According to testimony from Lt. General Vincent Stewart, Director of the Defense Intelligence Agency, “The things you can see, the amount of data you can collect, the things you can do with post-processing using digital technologies allows Russia in my opinion to get incredible foundational intelligence on critical infrastructure, bases, ports, all of our facilities.” General Stewart concluded that “Russia's application today has gone far beyond the original intent of the Treaty” and “I would love to deny the Russians having that [upgraded] capability.”

At the same time, the State Department concluded in its *2015 Report on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments*, that “Russia continues to fail to meet Treaty obligations to allow effective observation of its entire territory” by restricting access to areas that it deems sensitive, including Moscow, Kaliningrad, and Chechnya. Additional violations include failure to ensure priority clearance by air traffic control for Open Skies flights over Russia while refusing to provide required copies of imagery collected during flights over the United States. The Treaty is becoming a one-sided agreement that benefits only one signatory.

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It is important to note that the quality of readily available commercial satellite imagery has dramatically advanced since the Treaty was signed. Transitioning from reconnaissance flights to commercial satellite imagery may provide the confidence building measures and level of transparency that all signatories, including our allies and partners, envisioned at the outset of the Treaty while minimizing Russia's opportunities for abuse and obstruction.

Mr. President, the United States is under no obligation to accept this request as the Treaty requires consensus among its signatories before the sensors used on Open Skies flights can be upgraded. We urge you to heed the advice of senior military personnel and other officials and reject this Russian request while examining modern alternatives to these flights.

Sincerely,



EDWARD R. ROYCE
Chairman
Committee on Foreign Affairs



DEVIN NUNES
Chairman
Permanent Select Committee on Intelligence



WILLIAM M. "MAC" THORNBERRY
Chairman
Committee on Armed Services