

~~TOP SECRET~~

Talking Paper for Secretary of Defense and Chairman,
Joint Chiefs of Staff (NSC Meeting of 12 March 1969)

SUBJECT: National Security Council Study Memorandum 20 -
Preparation for ENDC Session

ISSUE: The Eighteen-Nation Disarmament Committee resumes its sessions on Tuesday, 18 March 1969, in Geneva. The agenda includes three major issues on which the United States should have a position at the beginning of the meeting: (1) The Comprehensive Test Ban (CTB); (2) The Cutoff of Production of Fissionable Material (Cutoff); and (3) Seabed Arms Control (Seabeds). The issues papers to be discussed address two basic questions on each of the three proposals:

1. Is the proposal in the net security interest of the United States?
2. What position should the U.S. Delegation take on the proposal at the ENDC meeting?

BACKGROUND/DISCUSSION: The issues papers at TAB A were prepared by the staff of the NSC after review by the NSC Review Group of a series of papers prepared by the steering committee formed pursuant to NSSM 20 (TAB B). The views of OSD and JCS were considered in the preparation of these issues papers. At TAB C is the joint OSD/JCS response to the penultimate issues paper. This tab includes three attachments of information specifically requested by the NSC Review Group.

The CTB and Production Cutoff have been basic elements of the United States Arms Control position for the past decade. The question of Seabed Arms Control is currently a matter of particular interest, stimulated by recent United Nations activities on the subject of peaceful uses of the seabeds. The United States and the Soviet Union have taken the position in the UN that seabeds arms control should be dealt with by the ENDC, rather than the 42-nation UN Seabeds Committee. At TAB D is a copy of charts on production of fissionable material to be presented by the AEC at this NSC meeting.

Comprehensive Test Ban (CTB)

ISSUES:

1. Would agreement on a CTB be in the net security interest of the US now? - in three years if, as now scheduled, we complete testing of initial operational ABM and MIRV warheads?

~~TOP SECRET~~

OSD-JCS VIEWS:

a. No. Continuation of testing is essential to the maintenance of the U.S. strategic posture. In particular, testing is necessary to develop the ABM and MIRV systems. When the results of these testing programs have been evaluated, we will be in a better position to judge the U.S. interest with respect to a CTB. We may also be faced, at that time, with a need to test new systems and this factor would have to be considered as well.

b. The premise in the hypothetical question pertaining to three years from now is uncertain. Experience in the MIRV program indicates the achievement of specified time goals is unlikely. Granting the premise, the DOD would have to look at the situation at the time. The only firm position of the JCS is that it is not now in the net security interest of the United States to have a CTBT.

2. Should the United States reiterate its support for a verified CTB in the ENDC?

OSD VIEWS:

a. Yes. Although, as noted above, OSD agrees with the JCS position from the technical and military point of view, the political considerations are overriding and therefore the United States should not reverse its long-standing commitment to a CTB with adequate verification. The pros on the issue of the U.S. continuing to indicate public support for a verified test ban outweigh the cons. This matter is directly related to the progress of talks with the Soviet Union on offensive and defensive strategic weapons limitations and to the current review of U.S. Military Posture and Balance of Power (NSSM #3).

b. A reversal of our position at this time could be used by opponents of the NPT to support their charges that the Treaty is aimed only at non-nuclear states and puts no meaningful obligations on the nuclear powers. Also, a reversal of the U.S. CTB position would inevitably be seen throughout the world as an inauspicious beginning for the new Administration in the field of arms control.

c. There is, however, one potential danger. Despite the fact that we in the U.S. see continued technical problems which would make unacceptable a CTB based on unilateral verification--i.e., no on-site inspection or in-country monitoring stations--other countries may not support us on this. The progress which is being made on seismic identification techniques will very likely cause other countries to be optimistic about a CTB based on unilateral verification, and to interpret the U.S. technical view as politically inspired.

JCS VIEWS: No. The United States should not reiterate its support. On the contrary, it should publicly state its need for continued testing, thus reversing the U.S. position.

~~TOP SECRET~~

3

Short of this, the Soviets might accept the tabled U.S. offer at a most inopportune time for the United States. Although the JCS recognize the political disadvantages of such a reversal, they find the alternatives of temporization and low-keyed responses to initiatives undesirable.

Cutoff of Fissionable Material Production for Weapons Purposes

ISSUES:

1. Would a cutoff-transfer-destruction agreement now be in the overall U.S. security interest?

OSD VIEWS: Yes. Since the U.S. has adequate fissionable material for its current requirements and for those expected to arise in at least the next two years, we are in a position to reaffirm our position on a cutoff and accrue several advantages as stated in the pros on this issue. This matter, like the CTB issue, is directly related to the current review of U.S. Military Posture and the Balance of Power (NSSM #3) and to progress on SALT with the USSR.

JCS VIEWS: No. It would not be in the overall U.S. security interest as it would preclude meeting the JSOP weapons requirements FY 70-77.

2. Should the United States reiterate its support for a cutoff-transfer-destruction agreement?

OSD VIEWS: Yes. At the ENDC, the U.S. should reaffirm its cutoff proposal, omitting the demonstrated destruction (of sufficient weapons to obtain fissionable material for transfer) provision, and modifying the terms to call for verification similar to that of the NPT (TAB E). In taking the position, the U.S. should make clear that the progress of SALT and current reviews of the military balance will have an impact on future U.S. policy on this matter.

JCS VIEWS: No. It should not reiterate its support of a cutoff-transfer agreement. Such reiteration would subject the United States to additional pressure to agree to a proposal that would not be in its overall security interests.

3. Should the United States put forward a new proposal?

OSD AND JCS VIEWS: Should political considerations make negotiations on a transfer agreement mandatory, the OSD and JCS take the following positions on contemplated modifications to the current U.S. proposal:

~~TOP SECRET~~

a. On modifying the inspection procedures to require less inspection following the lines of the NPT inspection procedures. Yes, provided the United States is prepared to exercise immediately its right of withdrawal from an agreement in the event of detection of clandestine facilities neither OSD nor the JCS object to this modification.

b. On modifying the U.S. cutoff-transfer proposal to omit the demonstrated destruction of nuclear weapons but retain the offer to transfer agreed amounts of uranium 235 and plutonium to peaceful purposes. Yes. Neither the OSD nor the JCS have ever opposed a destruction provision provided:

(1) U.S. weapon design and construction would not be compromised.

(2) Procedures would guarantee that the USSR was positively destroying nuclear weapons.

(3) An inspection and verification system is tested to insure feasibility and practicality.

(4) Only weapons scheduled for retirement are destroyed.

However, since the United States does not have enough weapons scheduled for retirement to obtain the needed fissionable material, OSD and the JCS would support the elimination of the destruction provision.

c. On modifying the proposal to call for equal U.S. and Soviet transfers of fissionable material to peaceful uses, instead of our previous proposal for asymmetric amounts. Yes, because of the relative increase by the Soviet Union in cumulative production of fissionable material.

Seabed Arms Control

ISSUES:

1. Would an agreement be in the overall U.S. security interests?

OSD/JCS VIEWS:

a. No, for the reasons set forth in the cons on page 2 of the Seabeds issues paper.

b. While it is premature to decide whether the U.S. should emplace weapons on the seabeds in order to maintain the necessary strategic nuclear capacity in the future, such a requirement is a possibility. It is not a question of

current programs but the risks to possible future U.S. strategic nuclear programs that must be the primary consideration.

c. The question of an arms control regime to be applied to the seabeds is one of great complexity and one which requires an acute awareness of the technological and scientific features of this environment. In light of the current ignorance about the oceans and the seabeds, it is impossible to envision all the ramifications which an arms control regime could impose upon the security interests of the U.S.

d. There are four complex and inter-related problems arising from currently active ocean-oriented issues:

1. The outer limit of the continental shelf;
2. The breadth of the territorial sea;
3. Arms Control and demilitarization of the seabed and ocean floor;
4. The legal regime applicable to the seabed and ocean floor beyond the limits of national jurisdiction.

Seabed arms control cannot be resolved separately from the other seabed issues of importance. With four variables to consider, it is impossible at this time for the OSD or the JCS to jointly or separately make sound judgments regarding the security implications of a seabed arms control agreement.

e. Based on a Special National Intelligence Estimate (SNIE 11-12-68, dated 15 August 1968), it is the OSD/JCS judgment that national verification capabilities are not adequate to insure compliance with a seabed arms control agreement.

2. Should the U.S. put forward a specific proposal rather than merely discuss the factors vital to such an agreement?

OSD/JCS VIEWS:

a. No, for the reasons set forth in the Cons on page 4 of the Seabeds issues paper.

b. The Department of Defense has previously agreed to the ENDC taking up the question of arms control with a view to defining those factors vital to a workable, verifiable

~~TOP SECRET~~

and effective international agreement which would prevent the use of this environment for the emplacement of weapons of mass destruction. A serious study of this question has not yet taken place in the ENDC or within the U.S. Government. A clear definition of these vital factors is far more important to our security interests than the phrase "mere discussion" would make it appear. This study of vital factors should precede negotiations toward any specific arms control agreement.

c. The United States is currently engaged in very delicate bilateral negotiations with the Soviet Union on the matter of the breadth of the territorial sea. The most recent discussions took place at the end of December 1968 and an agreement was reached, ad referendum, in which the United States would go to a twelve-mile limit provided that the right of navigation and overflight could be guaranteed through and over some 116 straits which would be overlapped by territorial waters under a 12-mile rule. Certain preferential fishing rights for coastal states have been included in the agreement with the Soviets as a quid pro quo for the straits issue. We are now engaged in a series of discussions with our allies and friends, attempting to gain their acceptance and support for this agreement. Department of Defense interest in the successful outcome of these negotiations is such that we must strongly oppose any other discussions on boundaries which could influence the outcome of the territorial sea issue. Consideration of seabed arms control boundary in the ENDC, even in context of "a narrow band" could jeopardize our interests in this critical area. Since we will know where we are going with the Soviets in the course of the next year or so, we should wait to discuss the boundary question in the ENDC until after that time.

d. There are several subjects which can be discussed in the ENDC relative to seabeds arms control without the question of boundaries being addressed, such as: activities to be prohibited; zones of application; verification and inspection measures; and definition of terms to be used. U.S. interests would be better served if discussion of the boundary question were deferred.

RECOMMENDATIONS:

Comprehensive Test Ban -

OSD RECOMMENDATION: Support the reiteration of the previous U.S. position on a verified CTB.

JCS RECOMMENDATION: Oppose the reiteration of the U.S. position on a CTB and recommend a public statement of the U.S. need for continued testing.

~~TOP SECRET~~

~~TOP SECRET~~

Cutoff

OSD RECOMMENDATION: Support the reaffirmation of the U.S. position on a cutoff-transfer agreement.

JCS RECOMMENDATION: Oppose the reaffirmation of the U.S. position as not being in our overall security interests.

If a decision is made to reaffirm the U.S. position on the matter,

OSD/JCS RECOMMENDATION - Support the following modifications:

1. Change the inspection procedures to require less inspection.
2. Eliminate the provisions for demonstrated destruction of nuclear weapons.
3. Require equal U.S. and USSR transfers of fissionable material to peaceful uses.

Seabeds

OSD/JCS RECOMMENDATION -

1. That the Secretary of Defense and the Chairman, JCS, oppose the proposal that the U.S. offer to negotiate, at this session of the ENDC, an international agreement to prohibit the emplacement on fixing of nuclear weapons or other weapons of mass destruction on the seabed.
2. That the Secretary of Defense and the Chairman, JCS, support the proposal that the ENDC discuss the factors vital to a seabed arms control agreement.

Approved by



Approved by



~~TOP SECRET~~