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THE JOINT CHIEFS OF STAFF  
WASHINGTON, D. C. 20301

CM-4596-69  
26 September 1969

MEMORANDUM FOR THE SECRETARY OF DEFENSE

SUBJECT: Treatment of Marginal Waters in Seabed Arms  
Control Treaty (U)

1. (U) Reference is made to Assistant Secretary of Defense (ISA) memorandum, I-24,880/69, dated 24 September 1969, subject as above, with its enclosed ACDA memorandum, subject as above, dated 24 September 1969.

2. (S) The Joint Chiefs of Staff believe that measuring the coastal band from the sinuosities of the coast is the option on base lines least detrimental to the US security. The US draft treaty given to the Soviets on 15 September 1969 essentially reflected this "sinuosities of the coast" position. Unfortunately, both the Soviets and the Canadians found the language that reflected this position unacceptable.

3. (S) Of the alternatives proposed by ACDA, the Joint Chiefs of Staff find alternative 2 the least detrimental to the US security since this alternative does not recognize Soviet "historic waters" claims. The treaty formulation should not permit the USSR, or other adversaries, to deploy weapons or installations in historic waters claimed by them but not recognized by the United States. In addition, the treaty should not preclude observation activities in any area covered by the treaty. Since the zone of application is not clearly defined by the language of alternative 2, questions inevitably will be asked on the extent of this zone. However, should any future dispute on this issue be resolved in a manner which would prejudice US security interests, the withdrawal provision of Article V could be invoked. This must be clearly understood within the US Government.

(Sgd) EARLE G. WHEELER

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Chairman  
Joint Chiefs of Staff

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