

[Omitted here is discussion unrelated to the October 14 Under Secretaries Meeting]

At 4:10 p.m. I attended a meeting at the State Department of the Under Secretaries Committee. Present were: Chairman Elliot L. Richardson, Jack Stevenson, Herman Pollack, Nelson Sievering, Arthur A. Hartman, Biltchik, and Wolfgang Lehmann of the State Department; General Robert E. Cushman and Peter Jessup of the CIA; Colonel Robert M. Behr of the NSC staff; General Earle Wheeler and Major General Demler of the JCS; Henry Loomis of the USIA; David Packard of the DOD; Commissioner Theos Thompson, John Kelly, and Allan Labowitz of the AEC; Gerard C. Smith of the ACDA; James Schlesinger of the BOB; and Hubert Heffner and David Freeman of the Office of Science and Technology. The meeting opened with Richardson asking me to summarize the excavation shots that are required before the decision can be made as to whether nuclear methods can be applied to the digging of a second canal across the Isthmus. I said that only two shots, the STURTEVANT and the YAWL would be required. The STURTEVANT shot is ready for execution next month, whereas the YAWL shot could be executed next spring. In addition, the excavation program

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contemplates two other experiments, the GALLEY experiment, which would be some seven shots about a year from now, and the GONDOLA experiment to be conducted in a different medium--a wet clay shale medium-- scheduled for the spring of 1971. I emphasized, however, that only the first two shots are required in order to give information for a decision on the canal across the Isthmus.

The discussion then turned to the question of the interpretation of the Limited Test Ban Treaty in the matter of detectable amounts as opposed to a de minimis interpretation. In order to compare the impending STURTEVANT shot with the SCHOONER experiment I handed out and explained the attached sheet. I emphasized the low level of the radioactivity involved and pointed out that even the background in our meeting room amounted to some 100 picocuries per cubic meter, much greater than the levels we expect at the Canadian border from the STURTEVANT shot. I also pointed out how much larger the maximum permissible concentration of tungsten-187 (the main isotope that will be released in the STURTEVANT experiment) is than the expected level to be released is. There was a great deal of discussion as to the interpretation of the Limited Test Ban Treaty that equates a violation with the ability to detect any radioactivity at all at the border. I emphasized that I didn't think this is a reasonable interpretation of the Limited Test Ban Treaty and suggested that the phrase, "radioactive debris," or the Russian translation of this phrase, "radioactive fallout," implied more than an insignificant detectable amount at the border.

Richardson asked one of the State Department lawyers present, Jack Stevenson, if my interpretation is viable, and he indicated that this is probably the best connotation that could be put on any concept that allows higher levels at the extremely small detectable levels. I said that I believe that the Limited Test Ban Treaty would never have been passed by the Senate (due to opposition by people like Senators Anderson and Jackson) if I hadn't testified that I thought excavation shots (larger than STURTEVANT) could be carried out under a reasonable interpretation of its provisions.

Packard argued for an immediate approval of the STURTEVANT event on the basis that we shouldn't give in to the unreasonable attitudes and the public clamor against testing and Wheeler supported him in this. Heffner and others raised the issue of increasing public pressures against activities that are thought to create environmental hazards. He expressed the view that this pressure would become extremely great in the case of STURTEVANT. I agreed with him that this is a serious problem and said that I consider it more serious in the case of STURTEVANT than the question of the interpretation of the Limited Test Ban Treaty. Smith expressed doubt that we should go ahead with the STURTEVANT shot and recalled that the study group had suggested that it be handled separately and that we limit the present recommendation in the suggested draft report to the President, which is concerned primarily with the derivation of an interpretation to the Limited Test Ban Treaty. I expressed agreement with that position and suggested that there are some recommendations in the draft memorandum, such as the recommendation that we resume our bilateral technical talks with the U.S.S.R. at an early date, which the AEC would like to see implemented as soon as possible. Richardson indicated that he thought it would be possible to go ahead

with the bilateral technical talks with the U.S.S.R. without further approval from the President and there seemed to be general agreement on this. Richardson also expressed the view that since the draft memorandum to the President (copy attached) doesn't recommend any particular position, it is doubtful that it should be sent to the President. He suggested instead that staff might restructure the memo so that the main courses of action recommended could be authorized without involvement of the President. These courses of action are: (1) that the AEC will promptly complete the development of the data necessary to establish objective criteria for acceptable levels of radioactivity, (2) on the basis of this, an attempt will be made to find an agreed upon interagency position that will allow a determination of what levels of radioactivity are consistent with the Limited Test Ban Treaty, and (3) resumption of the bilateral technical talks with the U.S.S.R. will be undertaken at an early date.

At 5:45 p.m. I had a conversation with Under Secretary of State Elliot L. Richardson in his office. I told him that I thought the matter of domestic public acceptance of the STURTEVANT shot is more important than the interpretation of the Limited Test Ban Treaty. I thought that a smaller group should discuss this and then perhaps discuss it with the President. I pointed out that in the case of the MILROW and RULISON shots it had been touch and go up to the very end and that the President had been involved in the final decision to go ahead at the very last moment in the case of the MILROW shot. I said that I thought this would also be the case with the STURTEVANT shot and that if the pressure became so great that it became necessary for the President to cancel the shot at the last moment, this would do great harm to both the President and the Plowshare program. I said I thought, therefore, that these hazards should be frankly discussed with the President so that, if he decides to go forward despite the tremendous public pressures that will build up, we would be in a position of not being subject to a last minute cancellation, which would do so much harm to all concerned.

I said that I had particularly in mind protecting the President on this matter, and that I certainly wouldn't push for carrying out the STURTEVANT experiment if an examination of these questions of public pressures should make it seem unwise. I pointed out that it could still be conducted as a completely contained device development test as was originally planned if we wanted to go ahead on this basis. Richardson seemed quite impressed by these arguments and suggested that a paper might be drawn up summarizing this situation by a small group, including a representative of his office, the AEC, the ACDA, and the DOD. He will take steps to have this done.

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