

Feb 6, 1971

EYES ONLY

TO: NANCY MEINKING

FROM: JEANNE W. DAVIS

MEMORANDUM

25730X

NATIONAL SECURITY COUNCIL

~~TOP SECRET / SENSITIVE~~

URGENT ACTION

2-5-71

MEMORANDUM FOR DR. KISSINGER

FROM: K. Wayne Smith/Hal Sonnenfeldt *KWS* *B.*

SUBJECT: How to Proceed with a Unilateral Declaration

Introduction

You asked for a game plan for some "arrangement" based on a Unilateral Declaration or tacit agreement as outlined in our memorandum of January 12 (see Tab A).

In this memorandum we have formulated a unilateral U.S. declaration and specified some of its political and strategic implications.

The Conditions of the Declaration

The following formulation is the one that could be presented privately to the Soviets as the first step in the process. This is not necessarily the way we would handle the public announcement nor is it the final word in the provisions upon which we would insist. Considerations of various ways of handling certain aspects are discussed later.

We might tell the Soviets that the U.S. is prepared to make a public announcement which:

- halts further construction of the Safeguard system; and,
- guarantees no increase in the number of our offensive systems, except for partial modernization programs for offensive

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Authority NLN 02-19, 53- Appeal
NARA PMH Date 9/9/2011

forces already underway, e. g., Minuteman III and Poseidon;

-- guarantees that we will not develop a new MIRV warhead and will limit our deployments to only one-half the Minuteman force and about three-quarters of our submarine-based missiles;^{1/}

-- announces the reduction of heavy bombers (i. e., B-52) in active status;^{2/}

-- announces the phase-out of heavy Titan missiles.^{2/}

We do this in direct response to the apparent leveling-off of their SS-11 and SS-9 missile deployments. We infer that their actions indicate a basic political decision to stabilize our strategic relationship.

We still seek to negotiate a comprehensive and formal strategic arms limitations agreement and take these actions in order to further that end. We will continue to negotiate such agreement in the Strategic Arms Limitations Talks also.

Our decisions, while unilateral, are dependent upon unambiguous, reciprocal Soviet actions that indicate an equal interest in an agreement.

Accordingly, our actions depend on whether the USSR exercises equivalent restraint by:

^{1/} This is the current MIRV program.

^{2/} These reductions would take place in any event. This provision could be withheld at first and used later for bargaining.

-- completing only those ICBM groups and SSBNs "on which there is now on-going construction" (or "currently under construction") -- considering that the U.S. is foregoing a missile defense to further the cause of arms control.

-- starting construction of new SSBNs only if the completion of such new construction is marked by a retirement of a number of land-based ICBMs equal to the SLBM launchers and producing and deploying new bombers only in exchange for existing heavy bombers;^{3/}

-- neither adding to nor improving in any way the existing ABM defenses;

-- taking no other actions which will tend to upset the strategic nuclear balance. In this connection, the U.S. would view with concern:

-- indications (e. g., testing) of any deployment of SAMs with ABM capability or upgrade of existing SAMs;

-- development of advanced multiple independently targetable warhead systems involving systems other than the three re-entry vehicle warhead already tested by the USSR.

Having halted our ballistic missile defense the U.S. would view continued testing of multiple warheads with more than three re-entry vehicles as unacceptable.

The U.S. would continue research and development on defensive systems, but production and deployment of such systems would be dependent on the continuing restraint on Soviet offensive systems.

^{3/} As an alternative we could insist on a simple freeze and go into questions of replacements later. Although, the Soviets could be faced with a decision to start a new submarine within a couple of months. We could also hold on this at first but use it in discussion with the Soviets. Hal Sonnenfeldt feels strongly that we should make the declaration a simple freeze and worry about the freedom to mix as it comes up. He also notes that there are serious verification problems associated with freedom to mix.

Tactical Considerations

In working out the details of the declaration, we think there are certain things which should be kept in mind:

-- Whatever the details of the declaration, we may want to go over them informally with the Soviets before making a public statement but not get into long negotiations or haggling. If the USSR doesn't accept the terms we postulate, we can decide either to go ahead with a public announcement or negotiate some of the issues.

-- The provisions should be as simple as possible. If we get involved in a long list of collateral constraints, indicators, and the like, we will defeat one of the purposes of the declaration, i. e., freezing strategic deployments and hopefully facilitating negotiations.

-- The timing of the declaration should be resolved. While we have said that this option is open any time -- in fact, that may not be true:

(1) It might be preferable to wait for the opening round of SALT IV, and use the declaration to break an expected deadlock. The longer we wait, the greater is the chance that the Soviets will do something which weakens the rationale for the declaration.

(2) If we wait until this summer there is the chance that Administration opponents in the Senate will defeat or cut back on Safeguard, thereby sharply reducing our bargaining leverage.

(3) In any case, the closer we get to 1972, the more the Soviets will consider the effect of SALT on the U.S. Presidential election. On one hand, if they want to oppose the President, they can deadlock SALT if they assume that this will count against him in the campaign. On the other hand, they could calculate that by

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waiting until late 1971 the pressure on the President for an agreement will increase and lead to greater concessions by the U.S.

-- The level of presentation is another issue:

(1) The announcement could be made by the President. This would be the most dramatic and politically effective way of presenting the U.S. decision. It would give the President the greatest credit and make the declaration more important -- more substantial.

(2) At a lower level, DOD or the SALT Delegation could announce with mild fanfare a temporary slow-down in Safeguard activity. The net result for U.S. programs would be the same, but such an announcement would be less formal and less binding. This would permit our programs to be revised with less difficulty, but would also allow the Soviets to break the agreement with greater political ease. Hence, this would be less a contribution to a serious limit on strategic arms.

We believe that the interests of the President (and the future of SALT) are best served by a Presidential announcement, for the following reasons:

(1) Such announcement gives the President a personal role in Strategic Arms Limitation. It makes those who are clamoring for an NCA-only agreement appear to have very narrow vision. In its scope and lack of a time limit it is a far more significant act of statesmanship than the limited moratoria currently proposed by Senator Humphrey, et al.

(2) A Presidential announcement is not as susceptible to ambiguous interpretation or diplomatic haggling. ~~The Soviets~~

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are less likely to question what the U.S. policy is when it is declared by the President. Thus, a clear Soviet response and, more likely, a favorable one would seem required.

-- The tone of the declaration is also important. It would be important to give full credit to the Soviets for the ICBM leveling-off so that it doesn't appear that the entire move is politically motivated.

-- Another important aspect is the degree of consultation within the Government before a declaration.

We believe that it would be a mistake to try to design the U.S. declaration in an inter-agency forum. The result would inevitably be a myriad of added constraints, and a variety of agency caveats and reservations which preserve the right of various agencies to disassociate themselves from the decision, all of which would dilute the impact of the idea and reduce the chances of Soviet acceptance. Moreover, the added time required for consultation and the additional people involved increases the chances for extensive press leaks and public discussion -- thereby robbing from the President the credit which should accrue.

We think the President (or you) should discuss the President's decision at an NSC or Verification Panel meeting limited to principals only pointing out that he is proposing to give up very little while our position is stronger for having made a serious effort to deal with arms limitation if the Soviets fail to meet the conditions announced. Moreover, there should probably be a session with key Congressional leaders which sets forth the same basic arguments and reasons for this effort.

Implications of the Above Formulation

There are a number of substantive issues involved in this formulation aside from the matters of timing, emphasis and consultation.

ABM

By this formulation we would stop the actual construction work on Safeguard sites but not necessarily stop all production and procurement of long lead-time hardware. The latter decision can be made separately.

Since Safeguard provides only a limited Minuteman defense and we have decreasing interest in NCA, Safeguard is not relevant unless SALT collapses and we could, in theory, get an area defense.

Note that we are leaving ABM testing open in order to test for Hard-Site Defense. This, of course, means that the Soviets can also test ABMs and we will worry about SAM upgrade, SA-X and clandestine improvements on the Moscow system. The point to remember, however, is that we are no worse off than we would be without some arrangement and, to the extent we limit the Soviets, we are better off.

We could consider an ABM test prohibition or moratorium in the declaration since we will not need to test Hard-Site Defense for several years and, indeed, may not need to do testing for many years if the potential threat to Minuteman doesn't materialize.

On balance, however, we believe that it is better to allow ABM testing. If the Soviets are going to cheat they can probably do so. As long as we have MIRVs, we shouldn't be too concerned about

the issue. If we first banned testing and then decided we need to test Hard-Site Defense based on probably ambiguous indication of offensive threats, we might find ourselves in a difficult situation.

Numerical Limits

If we allow the Soviets to complete systems under construction we are accepting numerical inferiority in delivery vehicles. (See table on the next page.) However, if we constrain their MIRV/MRVs to triplet warheads we will be maintaining far more RVs [redacted] although it is possible for the Soviets to nearly equal that number after several years with three RVs for all missiles. Of course, we could add about [redacted] more RVs with full MIRV deployment on Minuteman and Poseidon.

3.3(b)(4)
3.3(b)(5)

If we should ask for a "freeze" on land-based missiles with no further construction while allowing them to complete SLBMs under construction, the number of delivery vehicles would be about equal at around 2,200. This is more complicated but not ridiculous approach since we have continued to express our concern over land-based missiles.

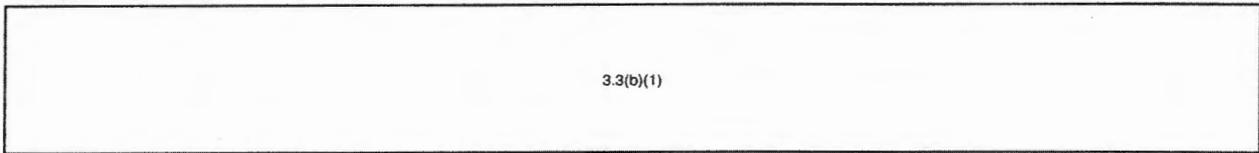
Freedom to Mix

A simple limitation to only those systems currently under construction might meet serious Soviet resistance since it eventually stops the submarine program and the Kaz-A bomber program. However, Hal Sonnenfeldt feels that the simplicity of a limitation which bans new construction outweighs such considerations. He points out that we would be faced with inevitable ambiguities in ascertaining that sixteen silos had in fact been destroyed to compensate for a new SSBN.

TABLE 1
DELIVERY VEHICLES

	<u>U.S.</u>	<u>SOVIETS</u>		<u>Total ^{a/}</u> <u>(expected</u> <u>mid-72)</u>
	<u>Operational</u> <u>1 Jan 71</u>	<u>Operational</u> <u>on 1 Jan 71</u>	<u>Under</u> <u>Construction</u>	
ICBMs				
SS-9		258	48 ^{c/}	306 ^{c/}
SS-11		930 ^{b/}	40 ^{b/}	970 ^{b/}
SS-13		40	40 ^{c/}	80 ^{c/}
Other	1,054	209	=	209
Total	1,054	1,437	128	1,565
SSBs /SLBMs				
SSBs ^{e/}	41			
-- Y-class	-	16	12 - 13	28 - 29
-- H-class		9	-	9
-- G-class		22 ^{e/}	-	22 ^{e/}
SLBMs	656	352		556 - 72 ^{e/}
HEAVY BOMBERS	509 ^{f/}	195 ^{d/}	-	195 ^{d/}
TOTAL DELIVERY VEHICLES	2,219	1,984		2,316 - 32

- ^{a/} The number if all presently identified ICBM groups are completed. Could be done by mid-72.
- ^{b/} Includes 90 launchers at MR/IRBM sites for 1 Jan 71, 30 under construction and 120 total. Does not count test and training launchers.
- ^{c/} Counts the two SS-9 groups (6 launchers each) and the one SS-13 group (10 launchers) where construction has been suspended. If work is not resumed on these groups, there would be a total of 1,542 launchers in mid-72.
- ^{d/} About 50 are tankers.
- ^{e/}



^{f/} Present DOD plans are a decline to 491 by end FY 71.

As written, the declaration would allow the Soviets to start construction on new SSBNs if they are willing to trade in appropriate numbers of ICBMs and to deploy new bombers in exchange for old. This provision is designed to avoid serious Soviet resistance to:

-- Stopping their SSBN program which they have vigorously pursued even when slowing down ICBM deployments. (The 28 or 29 Y-class SSBNs already launched or under construction fall short of the 41 U.S. Polaris/Poseidon boats.) Since a new SSBN is launched every few months, a freeze on starting new construction would require an early Soviet decision whether to proceed with new construction and thereby violate the provisions of the declaration.

3.3(b)(1)

Wayne Smith feels that not allowing this freedom to mix seriously prejudices both the likelihood of Soviet acceptance and the public credibility of the declaration while not affecting significantly the strategic balance, although we might reserve freedom to mix for negotiations.

MIRVs

The proposal to limit Soviet warheads to three RVs each is an attempt to slow down possible Soviet MIRV developments and

to show good-faith efforts to limit the proliferation of RVs, a matter of considerable public concern. Assuming the Soviets accept the condition and put only three RVs on all missiles (for some it would take a number of years), they would have a total of about 6950 - 7000 RVs. In contrast, present U.S. programs envision a numerical edge -- about [redacted] warheads (see Table II). By putting three RVs on all Minutemen or 14 RVs on Poseidon SLBMs, the U.S. could go even higher. However, for reasons of effectiveness and cost, DOD has decided not to pursue these additional programs.^{4/} We could allay Soviet fears and give a public appearance of self-constraint by limiting ourselves to present plans as part of the proposal.

3.3(b)(5)

Even with the constraint, the U.S. would maintain a potential edge of about 500 RVs and a considerably greater edge for at least the next five years since our MIRV programs are considerably more advanced than the Soviets. This would be justified to the Soviets and the public by the fact that:

-- the rest of our proposal gives the Soviets a slight edge in delivery vehicles, and

-- most of the Soviet ICBMs carry much greater payload than our missiles, and, consequently, can carry larger RVs.

In short, our numerical edge in RVs is offset by Soviet advantages elsewhere.^{5/}

^{4/} We now plan to put Minuteman III warheads (3 RVs) on only 500 Minuteman and to convert only 31 of 41 SSBNs to carry Poseidons.

^{5/} [redacted]

3.3(b)(4), 3.3(b)(5)

3.3(b)(4), 3.3(b)(5)

TABLE II

Re-entry Vehicles (RVs)

	<u>RVs</u>	<u>Launch Vehicles</u>	3.3(b)(4), 3.3(b)(5)	
<u>United States</u>				
Titan	1	54	54	54
Minuteman II	1	500	500	500
Minuteman III	3	500	1500	1500
Polaris A-3 SLBMs	3	160	480	480
Poseidon SLBMs		496		
			3.3(b)(4), 3.3(b)(5)	
Total RVs (Bombers)				
<u>USSR</u>				
ICBMs & SLBMs	3	2316 - 32	6948 - 6996	
Total RVs (Bombers)			6948 - 6996 (195)	

Since the rest of our proposal stops Soviet ABM deployments (the main rationale for MIRVs) and we could relatively quickly add MIRVs to Minuteman and SSBNs if necessary, we might even be willing to sweeten our declaration and postpone some of our programs so that our planned RV number would be about equal to the Soviets' theoretical total. This would not be difficult. For instance, we would simply not convert to carry Poseidons 4 of the 31 SSBNs now planned for conversion and retire 54 Titans as planned. (Again, it would be many years before the Soviets could actually deploy three RVs on all missiles and we would have an actual lead in RVs.)

This proposal to limit RVs does have its problems. It is unlikely that we could be totally certain that the Soviets were not developing a warhead with more RVs. However, at some point they would have to test an improved warhead and we should be able to detect this testing. By cheating, the Soviets might start deploying a six-MIRV for the SS-9 by 1973. And, unless this part of the proposal ripened into a permanent ban (e. g., as part of a SALT agreement), the Soviets could decide not to cheat and still could have a MIRV with more than three RVs within a few years after expiration of the deal.

Hal Sonnenfeldt thinks the three-RV limit is an absolute essential aspect of the declaration. Wayne Smith feels that since it might slow Soviet MIRV development and would have obvious attractiveness to the public, we should include the ban at least in our initial proposal. However, he would not feel strongly about dropping it if it appeared necessary to do so, considering the possibility for Soviet cheating.

There are alternative ways to limit the Soviets. We could ask that there be no additional MIRV testing at all since we are

probably well ahead of the Soviets. However, it is unlikely that they will accept such a constraint since we are so far ahead.

The Soviets would, of course, be interested in any proposal that stopped our deployment of MIRVs (and possibly even removes existing MIRVs). However, we could have no feeling of assurance that they had not deployed a triplet MIRV on the SS-9 for use against Minuteman. Of course, unless the Soviets upgraded their SAMs or clandestinely deployed an ABM system, our SLBMs, surviving Minutemen, and bombers would still guarantee us considerable retaliatory capability. (And, at the first sign of cheating, we could resume MIRV deployments.) This would be little satisfaction, though, to many in the U.S. and seems untenable for the President.

The Domestic Reaction

Such a declaration will be received with enthusiasm in most quarters. Within the bureaucracy all but the Joint Chiefs of Staff have in one way or another indicated an interest. I doubt that you would get as much opposition from the Chiefs themselves as we would get from their staff who are conditioned on this subject.

As for potential problems in the Congress, we, unfortunately, may be faced with problems with our supporters. And, the Congressional problem is compounded by the fact that the Administration's friends in Congress have invested a lot of political coin in the Safeguard system which we would now so blithely give up.

Thus, our rationale for the move must be very clearly drawn.

With regard to Safeguard, we must point to Safeguard as having done the job we wanted, i. e., it convinced the Soviets that we would deploy the necessary systems to counter their build-up and that they must give evidence of serious intentions with respect to arms control. We would give full credit to Safeguard and its supporters in Congress who made this equilibrium possible.

As for our strategic posture, it should be made clear that we are no worse off, if not better off, than we would be in the absence of a declaration.

We are stopping Soviet ICBM and ABM deployments and putting limits on their MIRV development and the total number of delivery vehicles. While the declaration also constrains the U.S. from deploying new offensive systems, we do not plan to deploy any in the near future anyway, Minuteman III and the Poseidon program can continue as planned. We do stop Safeguard, but we will continue R&D on ABM systems to defend Minuteman to make sure we have the kind of system consistent with the technology of any future threat. Moreover, we will for the immediate future maintain a base for deploying the Safeguard defense.

This halt in the arms race is undertaken to allow us time to negotiate at SALT without the pressure of on-going deployments. Such a declaration seizes an important issue from those who are now pressing the President for an ABM-only agreement or some form of moratorium. By gaining the political initiative it would be difficult for the President's opponents to turn even a termination of SALT against him.

Will the Soviets Bite?

We don't know. If they have a real concern over Safeguard, and if their SS-9 slow-down is a signal, and unless they have some very ambitious ideas about a first strike, there is much to attract them and they do not stand to lose a great deal either.

If they have rough parity in numbers and can plan on exchanging older land-based missiles for submarines and building a replacement bomber this may be an acceptable formulation.

True, it doesn't deal with our nuclear-capable tactical aircraft. However, if they are at all serious about reaching an agreement, they may be attracted to the simple halt in major systems while negotiations continue on more difficult issues.

The element most likely to cause problems is the RV limitation. The Soviets may balk at the idea of limiting their systems to three RVs 3.3(b)(5) Wayne Smith thinks that we could probably give on this point since it might complicate new MIRV development, but it won't prevent it if they choose to cheat. Without the RV limitation, we may still be in no worse position than we would be without an arrangement. We are looking into the details of a limit on testing more than three RVs to see if there is any real value. Hal Sonnenfeldt believes that this limitation is absolutely essential to the declaration.

Resource Implications

While the resource implications do not dominate the issue they should be considered.

If we slow down Safeguard to the minimal level which maintains a reasonable capability to resume work we would save about \$750 million in FY 1972 while incurring a year's delay in competition and nearly \$1 billion increase in total cost.

We have, to date, invested about \$3 billion in the Safeguard program and, if we decided to cancel the program completely, it would cost us about \$600 million more in termination costs. However, if we complete just the 4-site defense we face about \$5 billion in completion costs (FY 72-77) for a system which provides no real defense of Minuteman.

Our Objectives and the Price

It is important to keep in mind our objectives:

- We want to limit Soviet land-based ICBMs, particularly SS-9s.
- We want to limit the USSR ABM program to the present system, if possible.
- We would like to limit the threat posed by qualitative improvements.
- We would like a rationale to shift to a dedicated Minuteman defense instead of the relatively ineffective 4-site Safeguard if it appears necessary to defend Minuteman. (An area Safeguard doesn't seem to be in the cards unless there is some dramatic event, e.g., a major Soviet arms build-up, in which case our position with the Congress should be stronger for having made a temporary halt.)

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-- We want to reach some SALT accomodation this year. If the arrangement ripens into an agreement before November, 1972 -- well and good. If, however, SALT drags on or the Soviets decide to play U.S. politics to defeat the President through SALT, this declaration is an effective defense. We would be in a far better position to point to Soviet intransigence as the basic obstacle, since we responded imaginatively to their only action which might have been a token of good faith, the SS-9 slow-down.

It seems to us that the plan outlined above accomplishes a number of our SALT objectives at the cost of a Safeguard ABM system which in its full deployment we are unlikely to get from the Congress and which we don't really want in any other form, e.g., NCA or 4-site defense.

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MEMORANDUM

NATIONAL SECURITY COUNCIL

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January 12, 1971

MEMORANDUM FOR DR. KISSINGER

FROM: ^{KWS} K. Wayne Smith/Hal Sonnenfeldt

SUBJECT: SALT -- Vienna Phase IV

The latest Helsinki round of SALT has left most people with great misgivings about:

- the future of the Talks, or
- the implications of U.S. Option E, or
- both.

Very clearly we are faced with some fundamental decisions before we return to Vienna in March for SALT IV. As you put it in the December 8 Verification Panel, "my instinct tells me that this time we better have it right." However, with countervailing arguments, institutional positions, normal uncertainties, et. al., it isn't a simple matter to determine what is "right" -- or even what is possible.

Analysis of where we are and how we got there can be both confused and confusing.

Where Are We? (In Relation to the Soviets)

In the negotiation context (i. e., with respect to the Soviets), it seems to us that we have made relatively little progress. To be sure, some progress has been made, but we remain in the position where:

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-- The Soviets continue to press us on our Forward Based Systems (FBS) in a way that is even less encouraging than their earlier discussions.

-- The Soviets have again proposed a non-verifiable MIRV ban.

-- There is no indication to date that we can expect the Soviets to agree to most of the detailed constraints we have included in our proposals.

-- There is no indication that the Soviets will accept a specific limitation on the SS-9.

On the other hand, the Soviets have:

-- Offered an ABM-only agreement (apparently because they are concerned about Safeguard).

-- Offered to agree on a joint commission but with functions much more limited than we envisioned.

-- Acknowledged that there should be no interference with "national means" of verification.

In addition, there are some other encouraging signs, e.g., we can probably agree on accidental and unauthorized launch notification, but the net progress, while important, leaves us a long way from a SALT agreement.

We think it was fairly clear at Helsinki that the Soviets are not now interested in the sort of comprehensive agreement we have proposed with its complicated collateral provisions to assist in verification. (This probably reflects their much different situation in verifying our actions and, perhaps, their uncertainties with respect to SALT.) Indeed, they may not be

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interested in any formal agreement except on ABM and may well be satisfied to negotiate nothing more than an informal agreement in any area. 1/

Exactly how far the Soviets are prepared to go in negotiations is not clear. If the price were right, they might negotiate both offensive and defensive systems in a formal agreement -- but that price may be the withdrawal of our tactical air from Europe or allowing them compensatory numbers of strategic systems.

It may be, however, that an informal agreement involving significant constraints on both offensive and defensive systems would be of interest to them. It isn't clear exactly how far the Soviets might go in an informal agreement -- but the slowdown of strategic missile deployments may be an indication that they are prepared to limit offensive systems as well as defensive systems. The key question is whether the slowdown (or, perhaps stoppage) is (1) a ploy to get a better ABM agreement, confuse the U.S. bureaucracy, etc.; or, (2) a normal event in the cyclical process of developing and deploying the SS-9; or, (3) a delay to wait for some qualitative improvement; or, (4) a serious message to the U.S. that the Soviets want some sort of understanding on offensive systems; or, (5) an indication that the current number of Soviet land-based missiles is adequate for their purposes.

Where Are We? (In the U.S. Bureaucracy)

The events in SALT of the past year (and, particularly, during the last phase in Helsinki) have had an interesting impact on the various interested constituencies in the governments. All are, in theory, supporting Option E. However:

-- Option E is constraining some potential military programs which the JCS want;

-- Option E leaves open certain opportunities for Soviet cheating -- most (reasonably) believe that the U.S. won't/can't cheat and that we must close all the openings for the Soviets;

1/ Our relationship with European allies who have nuclear forces may conflict with even an informal agreement. Hal Sonnenfeldt is doing a separate paper on the subject of European nuclear forces.

-- Option E leaves Minuteman vulnerable in that Soviet forces, without cheating or abrogation, can be improved qualitatively enough to seriously threaten Minuteman;

-- The NCA alternative in Option E provides great opportunity for Soviet ABM cheating/abrogation;

-- Option E (nevertheless) is not easily negotiable because: (1) it is complex; (2) from the Soviet view, imposes a number of asymmetrical constraints; and, (3) it does not take into account the strategic implications of our tactical aircraft.

One Source of Our Problem

At least part of the problem in the U. S. (and probably in the USSR) is that the prospect of a complete, comprehensive, "legalistic" agreement is a frightening one. Such an agreement demands we make force decisions now which normally would not be made until later. Moreover, decisions made in a formal SALT agreement would be irrevocable while our program decisions are always subject to review. For example, it means that we are having to make such decisions as to whether or not we might ever want to deploy mobile ICBMs or a hard-site ABM defense or whether we consider Minuteman preservation to be essential at all costs long before we would normally make these decisions.

These are difficult decisions even under the best of circumstances.

We have approached SALT from the view that we would be bound (by Congress and the public) by any form of agreement and, therefore, we should bind the Soviets as much as possible using a detailed and formal treaty. This forces us to more and more detailed system descriptions to insure that we have cut off every possible route for the Soviets to circumvent the intent of an agreement. And, we must do our strategic planning even further into the future (fighting unnecessary premature internal bureaucratic battles) to avoid constraining our own forces.

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Inevitably, we leave ourselves with the uncomfortable feeling that we haven't thought of everything. And, of course, we haven't.

In Option E the fear is that, with determined effort, the Soviets can put themselves in a position to threaten our Minuteman by making a first strike, particularly in a crisis situation, an attractive option.

But, we think this situation is not unique to Option E. If the Soviets were considering our MIRV ban/on-site inspection proposal, we would be just as concerned that we had not adequately protected against SAM upgrade which would negate our more restricted ability to penetrate Soviet defenses. If we were to propose Albert Wohlstetter's Option F -- permitting unlimited ABMs west of the Mississippi and in Siberia -- we would continually be troubled by the spectre of Soviet ABMs being transported quickly to the west and negating our penetration capability.

The basic problem is that we are in the position of considering the impact of a rigid agreement on a number of detailed issues without either country being ready for it.

We doubt seriously that we can design a reasonably negotiable, risk-free agreement. This is particularly true since much of the measure of risk has to do with the confidence we are willing to place in the other party.

ABM -- the Crux of the Issue

As it now stands, the ABM question is central to all of our considerations of SALT -- and a central problem for the government with or without SALT.

As you put it at the last Verification Panel meeting, we are:

-- building an ABM system designed for an area defense;

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-- justifying this system on the basis of a hard point defense and its utility as a bargaining chip; and,

-- proposing an NCA System in SALT.

There is reasonable justification for pursuing a program during negotiation that we plan on stopping as a result of negotiations -- that is in part what the negotiation is all about. But, we do have problems since we may face Congressional opposition to the current Safeguard program while we propose NCA in SALT. (Undoubtedly the Soviets will mount a serious effort to encourage the Congress to do what they were unable to do at Helsinki by proposing an NCA ABM only agreement.) Perhaps the most important point is that if we lose Safeguard to the Congress we will have lost a great deal of leverage in SALT.

In order to get past this issue and, also, to deal with concerns over Minuteman survivability, Secretary Laird and Packard have proposed that we re-define our NCA in a way to permit the 4-site defense of Minuteman.

Others will argue that, with the apparent halt in SS-9 deployment, we should bring our ABM plans in line with our SALT discussions by switching to an NCA.

In both cases we think we are courting a strategic and political disaster.

A unilateral cessation of Safeguard or redirection to an NCA Defense would:

-- Limit our primary on-going program which interests the Soviets without exacting from them any sort of price;

-- Alienate members of the Congress who, having supported Safeguard, would see their efforts sacrificed for no gain.

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On the other hand, continuing the 4-site Safeguard and trying to re-shape our SALT proposal to fit it poses similar problems:

-- The 4-site Safeguard is simply not the system to defend Minuteman, against the threats of interests; that task requires a dedicated hard point defense. On a fairly conservative basis it is estimated that the 4-site Safeguard will save only about 10 Minutemen more than no defense at all against the high 1979 threat (SS-9s with 10 RVs and [3.3(b)(5)] CEP; SS-11s with 3 RVs and [3.3(b)(5)] CEP -- all against Minuteman. It does better against less serious threats, but those threats don't reduce Minuteman below the assured destruction level and are, therefore, not as much concern).

-- If we were to decide at this time to deploy a true hard-site defense along with the 4-site Safeguard we may risk abandoning any hope for SALT. We have yet to devise a workable way for us to define equivalent systems that wouldn't give the Soviets the capability for massive upgrade of their defensive capability. (We are continuing to look at such ideas as geographic limitations.) And it is highly unlikely that we could get agreement on an arrangement sufficiently asymmetrical to protect both Minuteman and our concerns over Soviet ABM.

-- The apparent pause in Soviet SS-9 deployments (along with the lack of a real capability to defend Minuteman) will bolster Safeguard critics in undermining the bargaining chip argument.

We haven't mentioned the other obvious ABM option, i. e., continue to press for the full area defense. The recent Chinese missile test is a reminder that they are serious about a strategic capability. However, deployment of an area system, given anything like symmetrical treatment for the Soviets, effectively closes the door on a meaningful SALT agreement. The judgment was made before the first session in Vienna that the strategic gains from limiting Soviet systems were more important than guarding against the early Chinese threat -- we don't think the recent tests invalidate that judgment.

Perhaps of equal importance is the stark reality that it is highly unlikely we will get approval for an area defense from the Congress. If we were to attempt to negotiate an area defense or to abandon SALT for Safeguard we might well find ourselves with neither an ABM defense nor limitations on the Soviets.

Where Do We Go Now?

There is no very clear or easy way out of this dilemma. Whatever the solutions one postulates there are inevitable difficulties. The choice of adhering steadfastly to Option E is the logical first candidate.

Option E

We could go to Vienna in March with the view that we would negotiate on Option E or not negotiate at all.

Arguments such as those advanced by Wohlstetter that Option E is a complete disaster and worse than no agreement at all are overstated in my view.

-- The Soviet capability to threaten Minuteman in upgraded silos, while not impossible, is based on some pretty fancy accuracies and advanced warhead designs. The Soviets may push to get a counterforce capability -- but they may not. (Wohlstetter's point that restricting numbers automatically forces competition into the technological area is a good one and probably true. But the direction and size of the competition is not completely foregone. Moreover, there is some reason to believe that the whole accuracy issue is distorted. We may be overstating both our own accuracies as well as theirs. The problem of bias errors, i.e., systematic errors such as gravitational effects, weather and the like, is not thoroughly understood, but there are many who believe that neither we nor the Soviets have very good accuracies. It should also be noted that bias errors are not of great significance until you get down around the [] CEP.)

3.3(b)(4), 3.3(b)(5)

3.3(b)(4)
3.3(b)(5)

-- Even if Minuteman becomes vulnerable we can replace them with other systems or leave them in a vulnerable state forcing the

Soviets to expend a significant number of their own RVs to destroy Minuteman. The true instability of this situation is not a foregone conclusion as long as we continue to have a significant capability in other areas.

-- If deemed in the national interest, we could abrogate the agreement if we judged the Soviet threat and the importance of Minuteman to be sufficiently great. Obviously, this is an undesirable course -- indicating we negotiated poorly -- but it is a safety valve.

On the other hand, it will take time to negotiate Option E; it is not that attractive to the Soviets. You will recall in Paul Nitze's view that the Russians currently have no intention of accepting any agreement with anything like the complex provisions of Option E. (Of course, if you accept this premise then you are forced to discard all but the very simplest of alternatives for now.)

As for the primary provisions of Option E we might be able to get the Soviets to make such an agreement -- but we would be very uneasy over the advantages accorded to the Soviets in the absence of corollary constraints.

If we assume that we can eventually negotiate a detailed Option, there are some variants which might appeal to us.

As mentioned, we may figure some way to include a hard-point defense in the agreement.

We might include a provision for each side to have either mobile ICBMs or modern large missiles totalling 250. This variation gives us the opportunity to improve Minuteman survivability through mobility and forces the Soviets to pay for mobiles, should they really want them, with a decrease in SS-9s.

The Survivability Study shows that 250 mobile Minuteman missiles (as part of a 1000 Minuteman force) could give us 191 survivors against the most extreme threat. (SS-9 with 10 RVs and [redacted] CEP; SS-11 with 3 RVs and [redacted] CEP -- all against Minuteman.)

3.3(b)(5)

Against a moderate threat (SS-9 with 6 RVs and [] CEP, SS-11 3.3(b) (5) with a single warhead and [] CEP all against Minuteman), 250 mobiles could allow 300 survivors.

Of course, the fall-back position in Option E is to permit mobile ICBM missiles as part of the aggregate force. This is a serious consideration in view of our concern over Minuteman survivability since a combination of 500 mobiles and 500 fixed Minuteman will provide for about 400 survivors against the most extreme threat. From the standpoint of negotiation, the situation is ripe for us to offer a "concession" on mobiles in return for a Soviet fall-back on the ship-based systems ban, should we deem it appropriate to do so after reviewing the considerable verification problems.

Other Detailed Options

As for other options which might be of interest, most have been disposed of in one way or another.

We can see no possibility for a MIRV ban in which we feel we have reasonable protection from cheating. This is even more the case now that we have observed what is almost certainly an SS-9 MIRV test.

Reductions such as in Option D do not seem to be of much interest -- although Options C and D are still on the table if the Soviets want to express some interest. To be sure, reductions and mobiles do a lot for our Minuteman survivability.

As for different ABM levels, we have already discussed that issue above.

Simpler Agreements

We might be able to negotiate a simpler agreement than any of those we have been considering if we are willing to forego the

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protection and verification contribution afforded by a number of the constraints in our option. For example, we might get agreement to an NCA ABM defense, without radar limitations, and an aggregate limit on offensive systems. If we were willing to constrain ourselves with respect to ship-based missiles we might also get a ban on mobiles but there are few other constraints which appear negotiable.

The problem with a simple agreement, again, is that the Soviets have the advantage in being able to cheat while our compliance is assured by the Congress and the open nature of our society.

(Even in a simple agreement, we have the issue of Forward Based Systems. The Soviets may be unprepared to negotiate any formal agreement which does not impose real limitations on our deployments.)

Temporary Arrangements

Regardless of the sort of final agreement we might be able to negotiate, we might consider interim actions which could remove some of the press of time and solve some of our immediate problems. An interim arrangement would not be an alternative to a formal agreement, rather it would allow time for the Soviets and us to work out the tougher problems in negotiation. One of the clear messages from Helsinki, according to the delegation, is that the Soviets believe it will take time to reach agreement.

Moreover, it would give us time to reconcile the anxiety of those who want an agreement with the dismay of those who fear we are giving the Soviets a strategic advantage.

As we have suggested earlier in this memorandum, a large part of our problem lies in overrating our ability for end-state prediction and underrating the importance of negotiations.

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One solution is to approach the negotiations in a gradual way and settle for something less than a comprehensive agreement. This, after all, is the first time two nations ever attempted a serious agreement on such a complex issue. A gradual approach to the negotiations may help us to avoid pitfalls in a longer term complete agreement. By making a series of arrangements which are not "permanent" we may be able to make the necessary mutual accommodations to set the stage for a more comprehensive and permanent agreement.

There are obvious dangers to such an approach. The most significant is that we might not be able to count on Congressional support; that we might delay certain deployments and then be denied the budgetary support if the Soviets should continue or resume their deployments.

Interim Agreements ^{2/}

While an "interim agreement" might take almost any form to accomplish its principal purpose (to allow more complex negotiations) it must be simple and we suppose the principal element would be a "freeze" or moratorium of some sort.

In the eyes of many, an interim agreement is only somewhat more flexible than a simple agreement would be in so far as the U. S. is concerned. The argument is that in any agreement the U. S. is not going to be the first to terminate except in the most extreme circumstances and that insufficient safeguards would not exist to protect our interests.

^{2/} We use Interim Agreement to refer here to a formal, negotiated but temporary arrangement on the order of a moratorium.

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On the other hand, we might be able to circumvent the FBS issue in a simple moratorium on strategic systems. This would allow the Soviet leadership to finesse the objections inside their government on the grounds that the arrangement is "ad interim."

Unilateral Declaration or Tacit Agreement ^{3/}

Similar to an interim agreement but much more flexible would be a unilateral declaration which took advantage of the apparent slowdown of Soviet deployments. The advantage of unilateral action is that we would have much more flexibility in what form the arrangement would take since we stipulate the conditions for both sides.

In many ways, given support of the Congress, this is the safest arrangement possible. It allows us to determine the future of the agreement solely on our own criteria. For example, we can stipulate both the actions we expect of the Soviets and the actions we are willing to take in return -- moreover, we determine when the conditions are not being met.

If we don't really know what a final agreement should look like, starting off with temporary arrangements may permit the sort of adjustments that would ripen into a solid agreement.

In this regard, our experience with nuclear test ban moratoria may be instructive.

In March 1958 the Soviet Union ordered a suspension of nuclear tests, reserving its freedom to resume testing if other states continued. The United States was then in the middle of a test series and did not respond. In August, however, the U.S. proposed negotiations for a treaty and offered to suspend testing for one year if the U.K. and USSR did likewise. The Soviet Union did not reply, but just after the last U.S. test was completed on October 31, the Soviet Union tested on November 1 and 3. The

^{3/} In theory these would be two different alternatives. However, since we would undoubtedly talk privately with the Soviets prior to a "unilateral declaration" the difference between that and a tacit agreement is simply a matter of degree.

U.S. then announced that it was relieved of any obligation not to test, but that it would continue the suspension for the time being and hoped the Soviet Union would again suspend testing. There then followed a period of nearly three years in which the U.S. did not test and did not detect Soviet testing. The Soviets, during this period, announced that they would not be the first to resume testing. They resumed in August 1961, before the U.S. but after a number of French tests. In 1963, after further testing by both sides, the U.S. announced a moratorium on atmospheric tests in order to help achieve a treaty; this continued for several months until it was replaced by the Test Ban Treaty.

This is far from being a history of orderly progress toward a specific goal. It is full of deceit and near-deceit by the Soviets and attempts by them to use our political process to their advantage. But then we had more flexibility too, and we exercised it.

How to Approach

The situation now may be singularly appropriate for our taking some unilateral actions. The Soviets have made it pretty clear that they are open to an informal agreement. The problem is to make certain that we treat both offense and defense equally. A formal agreement on ABM and an informal agreement on offensive systems simply would not do. (There may be some support for an agreement on ABM alone made contingent on an offensive freeze and subsequent agreement. Harold Brown suggests this possibility (see Tab A). However, we think this is too accommodating to the Soviets.)

Considering our position: (1) with respect to Safeguard; (2) with respect to the Soviets in SALT; (3) with respect to countervailing forces on the domestic scene in regards to SALT, we think there are actions we can take which offer some solution to our dilemma.

We could tell the Soviets we are going to stop work on Safeguard (except perhaps for limited site work), start initial planning on an NCA Defense, (they know we have no new offensive systems except for modernization programs, i. e., Poseidon, Minuteman III) as long as there are no further Soviet ICBM, and FBM deployments, no improvements in the ABM system and no increase in warhead RVs above 3 per warhead.

Meanwhile, we could plausibly argue in public that Safeguard was responsible for stopping the Soviet ICBM programs.

We would also continue a full R&D program on an effective hard site defense as a hedge against continuing Soviet deployments. Actually, this R&D effort may be even more productive since there are some

3.3(b)(4), 3.3(b)(5)

3.3(b)(4), 3.3(b)(5)

Such systems would be useful

in designing a final agreement where we had continuing concerns about Minuteman survivability.

We think it is important to note some aspects of such a tactic which make it attractive:

-- it gives us maximum flexibility in designing the limitations and the criteria for determining Soviet violations (depending upon to what extent we discuss this with the Soviets); consequently,

-- we give up very little since (1) we have no on-going offensive deployments, and (2) Safeguard is not effective for Minuteman defense;

-- it gives us a respectable rationale for abandoning the Safeguard 4-site defense;

-- it finesses for the time the Forward Based System problem which may be an effective ban to any formal agreement for some time.

Of course, there will be risks in such an approach. The main one, we believe, is that we may be limited in our ability to exploit the flexibility of such an arrangement because of opposing interpretations of evidence of violations and consequent problems in getting the support of the bureaucracy, the Congress and the public.

Moreover, our recent experiences in the Middle East and in Cuba do not inspire us to place confidence in any sort of informal agreements with the Soviets. And the foregoing discussion doesn't fully take into account the complexity of designing an arrangement which protects our interests. However, we believe that the very nature of the arrangement gives us a good deal of protection. Rather than meeting legal criteria of proof to permit our response to violations we define those criteria ourselves. (Exactly how detailed our declaration should be requires more thought; it seems that a general declaration subject to our later interpretation has greatest value.) 4/

It seems to us that we are just as well off after having made a unilateral declaration as we would be in its absence.

-- We are not currently building any new systems anyhow.

4/ By about 1974 using SS-9s with 3 RVs and SS-11s with one RV the Soviets could threaten 500 to 700 of our Minutemen. Assuming the Soviets also MIRVed the SS-11s (which they would do only if they could significantly increase accuracy) they could, by 1979, threaten 900 of our Minutemen.

However, there is a reasonable expectation that we would detect extensive testing necessary to SS-11 warhead development and warhead accuracy.

On the other hand, it is conceivable that the SS-9 could be equipped with more than 3 warheads in clandestine improvements and a lesser likelihood that the SS-11 developments could be concealed. We are having CIA look at the detectability of these improvements.

If we are concerned over concealed improvements we might be more inclined to leave the 3 RV restriction out of any public statement, communicating it only to the Soviets, to avoid the possibility of having to provide demonstrable proof of a violation.

-- While the Soviets want to get rid of Safeguard it has very little capability to defend Minuteman against the threats of concern to us.

-- We are no more or no less capable of detecting Soviet activity.

-- The nature of the situation is such as to impose minimum constraint on our future actions.

Another aspect already mentioned is that it is not in a real sense an alternative to a formal agreement but, instead, it is a preliminary step. We would continue to negotiate as our analyses and developments dictated.

Finally, it would give the President something to show for the extensive SALT negotiations and would avoid the internal agony that will occur if the negotiations produce nothing. Of course, it may be that we are grossly misinterpreting the Soviets' intentions with respect to SS-9s, et al. (You are familiar with the evidence we have gotten. Additionally, we understand Dobrynin told Senator Muskie that the Soviets had "stopped" deploying offensive weapons.) In any event, an interpretation such as we have made may be useful in itself -- whatever their intent, our interpretation and public offer may be attractive or may coerce them to respond as we want.

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There are several reasons for moving quickly if we elect to pursue this course. If we could agree to do so we could:

- save ourselves some problems by allowing us to make Safeguard decisions now instead of announcing Safeguard continuation in the budget and Foreign Policy address knowing we inted to change the approach later;

- impact on the Soviet force and economic decisions;

- make sure we caught the Soviets before they could get deployments going again.

- prevent the hardening of agency positions on various alternatives.

On the other hand, we may want to await Soviet early discussions at Vienna banking on the Soviets to reserve any major decision to change until they get to Vienna.

In addition to the question of timing, there are numerous questions as to how we go about making a unilateral declaration:

- in what ways would we want to "feel out" likely Soviet response before making a unilateral declaration;

- how much should we involve the bureaucracy in the formulation of any tacit agreement or unilateral action? [We are satisfied we could work out the provisions in the NSC staff.]

- how much importance should it be accorded (i. e., Presidential address? Pentagon statement?)

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Our Plan for Vienna

A separate issue is our style of negotiation at Vienna.

At the first Helsinki round we were only dealing with the preliminaries; at Vienna last year we were busy laying out our proposal; at the last Helsinki round we listened to the Russians -- we need to determine our plan for Vienna.

In this connection, we may now be at the point where we need to be following Harold Brown's suggestion that we try to identify "conditional offers" where we would offer to give on one point if they would give on another. Developing these trades will be difficult and take time, but we think this is all the more reason to try to look at the problem.

In any event, whether we get to detailed negotiations or not, we need a "game plan" for Vienna.

We probably want to open at Vienna on the same track as Helsinki, i.e., let the Russians continue to fill in their proposal. After that, however, it isn't clear how we should proceed.

What Work Needs to be Done?

There are certain obvious things that need doing to "clear up" options, e.g., define NCA Defense and the like. The Working Group pretty well understands where to go on these matters.

We need your guidance, however, on issues which have been brought up in this paper.

-- On balance, we think the idea of a unilateral declaration is a good one and that it offers a solution to some of the problems,

particularly the Safeguard problem and the need for time in the negotiations. We are inclined not to involve the bureaucracy in such a move, although there is reason to believe we could convince all agencies, including the JCS.

Please provide your guidance --

Yes, develop a plan for Unilateral Declaration in the NSC staff. _____

Yes, develop a plan for Unilateral Declaration, but do it with agency participation. _____

No, do not develop a Unilateral Declaration. _____

-- While we believe that an ABM only agreement is a mistake, you may want it studied in the inter-agency environment.

Yes, do a study of ABM only agreements. _____

No, do not study. _____

-- We intend to have the Working Group do a paper on how to proceed at Vienna. The major question is whether or not we initiate a study of "conditional offers" a la Harold Brown? We think, regardless of the likely difficulties, we should start this effort.

Yes, start the study. _____

No, let's not get into these issues until it is clear we need to do so. _____

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