

WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
#1 report	Rpt to the Pres by the Committee on Nuclear Proliferation S 22 pp <i>Open NLJ 97-179 9.29.98</i> [duplicate of #34, 43] [dupl #3, NSF Comm. File, Committee on Nuc. Prolif, Final Rpt, box 8] [sanitized 7/20/90, NLJ89-44]	1/21/65	A
#2b draft	Draft NSAM on Prevention of Proliferation of Nuc Weapons S 14 pp " " " [duplicate of #35] [dupl #3a, NSF Comm. File, Committee on Nuc. Prolif, Final Rpt, box 8]	n.d.	A
#3a memo	Keeny to Bundy C 3 pp " " " " " "	6/22/65	A
#4 memo	Memorandum of Law by Meeker S 14 pp	6/11/65	A
#8 memo	Keeny to Bundy <i>Open NLJ 97-179 9.29.98</i> S 1 pp	4/12/65	A
#8a draft	Draft NSAM on Prevention of Proliferation of Nuc Weapons S 2 pp " " " " " "	n.d.	A
#8b memo	Bundy to Sec of State & Sec of Defense S 1 pp " " " [duplicate of #9, 9a]	3/27/65	A
#8c memo	Keeny to Bundy S 3 pp " " " " " "	3/26/65	A
#9 memo	copy of #8b, 9a S 1 pp " " " " " "	3/27/65	A
#9a memo	copy of #8b, 9 S 1 pp " " " " " "	3/27/65	A
#11 memcon	2/15/65 Meeting <i>Open 9-18-93 NLJ 97-173</i> C 3 pp	2/15/65	A

FILE LOCATION

NSF, SUBJECT FILE, "Presidential Task Force Committee on Nuclear Proliferation", box 35

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FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
#16 note	Read to Bundy TS 1 pp	12/22/64	A
#16a memcon	Bail & Gilpatric <i>sanitized 8/3/99 NLJ 97-177</i> S 4 pp <i>open 3/10/93 per NLJ 01-290</i>	12/15/64	A
#19 memo	Califano to Bundy <i>open NLJ 97-175 (4/98)</i> C 2 pp <i>(dup. # 22, NSF, NSAM, "NSAM 321") box 6</i>	12/10/64	A
#23h draft	Rostow Working Draft - Selected Issues C 6 pp <i>Open NLJ 97-169 9-50-98</i>	n.d.	A
#32 memo	Rusk to the President S 6 pp <i>Open NLJ 97-177</i>	n.d.	A
#33 memo	Bundy to Sec State, Sec Def, et. al. S 1 pp <i>Open NLJ 97-179 9.29.98</i> <i>(dup # 1, file below)</i>	1/23/64	A
#34 report	copy of #1, 43 S 22 pp [dupl #3, NSF Comm. File, Committee on Nuc. Prolif., Final Rpt, box 8] [sanitized 7/20/90, NLJ89-44]	1/21/65	A
#35 memo	copy of #2b S 14 pp [dupl #3a, NSF Comm. File, Committee on Nuc. Prolif., Final Rpt, box 8]	n.d.	A
#38 memo	Keeny to Bundy <i>Open NLJ 97-179 9.29.98</i> S 1 pp	3/5/65	A
#43 report	copy of #1, 34 S 22 pp [dupl #3, NSF Comm. File, Committee on Nuc. Prolif., Final Rpt, box 8] [sanitized 7/20/90, NLJ89-44]	1/21/65	A
#45a report	Draft Rpt to Pres by Comm on Nuclear Proliferation S 20 pp <i>Open NLJ 97-179 9.29.98</i> [dupl. #14b, NSF Committee File, Report - Working File, box 9]	n.d.	A
#47 draft	Draft NSAM re Prevention of Proliferation of Nuc Weapons S 13 pp	n.d.	A

FILE LOCATION

NSF, SUBJECT FILE, "Presidential Task Force Committee on Nuclear Proliferation", box 352

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E.O. 12958, Sec. 3.6

NLJ 97-129

By us, NARA Date 9-29-98

THE WHITE HOUSE

WASHINGTON

January 21, 1965

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A REPORT TO THE PRESIDENT

BY

THE COMMITTEE ON NUCLEAR PROLIFERATION

At your request, we have studied the problem of preventing the spread of nuclear weapons. In our examination, we consulted widely with your principal officers from relevant agencies of the Government. In the process, we considered a range of possible policies for the future and their consequences for the Nation. We have noted a significant diversity of views within the Government about the feasibility and the costs of preventing nuclear proliferation, and consequently about appropriate policies for the United States.

Among ourselves there was also a diversity of opinions at the outset of our study. As a result of our study, however, the Committee is now unanimous in its view that preventing the further spread of nuclear weapons is clearly in the national interest despite the difficult decisions that will be required. We have concluded, therefore, that the United States must, as a matter of great urgency, substantially increase the scope and intensity of

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our efforts if we are to have any hope of success. Necessarily, these efforts must be of three kinds: (a) negotiation of formal multilateral agreements; (b) the application of influence on individual nations considering nuclear weapons acquisition, by ourselves and in conjunction with others; and (c) example by our own policies and actions.

Specifically, we have concluded that:

1. The spread of nuclear weapons poses an increasingly grave threat to the security of the United States. New nuclear capabilities, however primitive and regardless of whether they are held by nations currently friendly to the United States, will add complexity and instability to the deterrent balance between the United States and the Soviet Union, aggravate suspicions and hostility among states neighboring new nuclear powers, place a wasteful economic burden on the aspirations of developing nations, impede the vital task of controlling and reducing weapons around the world, and eventually constitute direct military threats to the United States.

As additional nations obtained nuclear weapons, our diplomatic and military influence would wane, and strong pressures would arise to retreat to isolation to avoid the risk of involvement in nuclear war. Nevertheless, even then, we could not escape the

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problem. There would be additional nuclear powers -- perhaps some in this hemisphere -- individually possessing the capability of destroying millions of American lives. Major defensive efforts might help substantially to diminish such limited threats, but millions of American lives would always be at risk.

2. The world is fast approaching a point of no return in the prospects of controlling the spread of nuclear weapons.

Nuclear power programs are placing within the hands of many nations much of the knowledge, equipment and materials for making nuclear weapons. The recent Chinese Communist nuclear explosion has reinforced the belief, increasingly prevalent throughout the world, that nuclear weapons are a distinguishing mark of a world leader, are essential to national security, and are feasible even with modest industrial resources. The Chinese Communist nuclear weapons program has brought particular pressure on India and Japan, which may both be approaching decisions to undertake nuclear weapons programs.

Although one might be tempted to accept Indian or Japanese nuclear weapons to counterbalance those of China, we do not believe the spread of nuclear weapons would or could be stopped there. An Indian or Japanese decision to build nuclear weapons

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would probably produce a chain reaction of similar decisions by other countries, such as Pakistan, Israel and the UAR. In these circumstances, it is unrealistic to hope that Germany and other European countries would not decide to develop their own nuclear weapons.

We are convinced, therefore, that energetic and comprehensive steps must be taken in the near future to discourage further acquisition of nuclear weapons capabilities or an accelerating increase in the number of nations engaged in nuclear weapons programs will occur -- possibly beginning within a matter of months.

3. Success in preventing the future spread of nuclear weapons requires a concerted and intensified effort. Although non-proliferation has been a declared part of United States foreign policy since 1945, we must now greatly intensify our efforts -- both to obtain appropriate multilateral agreements and to affect directly the motivations of individual nations -- if we are to have any hope of success in halting the spread of nuclear weapons.

We have been impressed in the course of our study by the fact that actions affecting the spread of nuclear weapons also relate to a very broad range of United States interests: relations with our allies and with other nations, weapons deployments at home

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and abroad, programs in peaceful atomic energy, and commerce with foreign nations. In order that our efforts to stop nuclear proliferation may succeed, each of these areas of interest, as well as the agencies of Government which deal with them, must be truly responsive to our non-proliferation policies, and must give such non-proliferation policies far greater weight and support than they have received in the past.

We must acknowledge the importance of participation by the Soviet Union in efforts to stop proliferation. Furthermore, it is unlikely that others can be induced to abstain indefinitely from acquiring nuclear weapons if the Soviet Union and the United States continue in a nuclear arms race. Therefore, lessened emphasis by the United States and the Soviet Union on nuclear weapons, and agreements on broader arms control measures must be recognized as important components in the overall program to prevent nuclear proliferation.

4. A major effort on our part has promise of success in halting or retarding the spread of nuclear weapons. The dangers of proliferation affect all countries, creating a widespread common interest in early and effective steps to halt the nuclear spread. To date, initiatives within the United Nations and in disarmament

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negotiations have been only partially successful, but the Irish Resolution of 1961 and the limited nuclear test ban treaty of 1963 continue to offer a basis on which to take more comprehensive and effective steps. There remains broad support for multilateral measures to control nuclear proliferation.

We believe that the Soviet Union, because of its growing vulnerability to proliferation among its neighbors, probably shares with us a strong interest in preventing the further spread of nuclear weapons. Further, we believe that the change of leadership in the Soviet Union and the possible resulting review of Soviet nuclear policies may now provide an immediate opportunity for joint or parallel action in the near future to stop the nuclear spread.

Of course, even major efforts on our part may not be successful in halting or greatly retarding the spread of nuclear weapons. But we are unanimous in our agreement that such efforts should be made. The rewards of long-term success would be enormous; and even partial success would be worth the costs we can expect to incur.

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RECOMMENDATIONS

We therefore recommend that the United States undertake the following measures to implement its policy to prevent the spread of nuclear weapons:

1. Multilateral agreements.

Measures to prevent particular countries from acquiring nuclear weapons are unlikely to succeed unless they are taken in support of a broad international prohibition applicable to many countries. We should seek to obtain on a multilateral basis formal treaty commitments of three kinds:

- a. Non-proliferation agreement. We should intensify our efforts for a non-proliferation agreement and seek the early conclusion of the widest and most effective possible international treaty on non-dissemination and non-acquisition of nuclear weapons. We should be prepared to bring strong pressure on significant countries (including Germany, France, India, Japan, Israel, the UAR and Sweden) to achieve their participation in such an agreement. Our initiatives in this area should not wait, or be dependent upon, the resolution of any issues relating to an Atlantic nuclear force, however helpful such resolution might be.

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As recommended in paragraph 3 below, we should intensify our efforts to persuade the Soviets of our strong non-dissemination objectives in connection with any Atlantic Nuclear Force in order to make it possible for the Soviets to take the lead with us in seeking worldwide support for a non-proliferation treaty. In any event, any conflict between our non-proliferation and ANF objectives may not become critical until the future of the MLF/ANF is known; but if it arises strongly before then, the priorities of the two proposals with respect to our overall national security should be carefully reviewed.

b. Comprehensive test ban. We should renew our efforts to negotiate a verified comprehensive test ban with the Soviet Union. Assuming there will be an adequate withdrawal provision in the treaty, we should be prepared to go ahead without the participation of either France or China. We should be prepared to accept the minimum number of on-site inspections in the Soviet Union that would be consistent with a viable treaty. In this connection, we should consider our anticipated improved capabilities for seismic detection and identification, and our other relevant unilateral intelligence capabilities. Inspection procedures and quotas covering other countries should also be reviewed to facilitate the widest and most effective application of the treaty. We

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should be prepared to propose an exception to such a treaty for peaceful nuclear explosions if a satisfactory procedure can be promptly devised that would preclude the development of nuclear weapons under the guise of a peaceful explosives program and if such an exception would be acceptable to other nations. An early approach should be made to the Soviet Union, and we should seek the widest adherence to the agreement and be prepared to bring strong influence to bear on significant countries to participate in it.

c. Nuclear free zones. We should actively support the establishment of Latin American and African (including, if possible, Israel-UAR) nuclear free zones. To facilitate such agreements, we should be prepared to modify our requirement for verification and our position on transit rights and declarations with respect to United States nuclear weapons to the maximum extent consistent with demonstrable United States security needs.

2. Policies toward non-nuclear powers.

In conjunction with the multilateral measures described above, we should intensify our efforts on a country-by-country basis to influence the decisions of individual non-nuclear powers not to undertake the development or acquisition of nuclear weapons and to secure workable commitments to this effect. We should ourselves

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refrain from actions that would contribute to or suggest a future contribution to the development of nuclear weapons by these countries.

The State, Treasury and Commerce Departments should develop programs of economic restrictions and other measures which could be quickly imposed by Executive action and which would be strong enough to produce a reversal of any decision to manufacture or otherwise acquire nuclear weapons.

a. India - to deter India from building nuclear weapons:

(1) While attempting, if possible, to avoid formal guarantees, we should be prepared, to the extent necessary and if requested by the Indians, to offer credible assurance of United States action in the event of a nuclear attack on India in exchange for an Indian commitment not to acquire nuclear weapons. We should be prepared to undertake, if requested by the Indians, parallel action with the Soviets and/or the United Kingdom. Appropriate agencies of the Government should give early consideration to the form such United States assurances might take.

(2) We should assist India in reasonable and economically justifiable scientific programs designed to build the

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prestige she might otherwise attempt to obtain from the development of a nuclear device. Such programs should be of a character that will not contribute significantly to future nuclear weapons capabilities. Particular attention should be given to those areas (such as natural resources, health and birth control) most relevant to India's economic and social problems. We might also initiate a major coordinated United States-Indian program of scientific, cultural and educational exchanges. In consultation with appropriate agencies, your Science Advisory Committee should be called upon to submit recommendations regarding United States assistance to Indian scientific activities and United States-Indian exchanges.

(3) We should back India for a larger role in the United Nations. Such support, and, to the extent feasible, any new role, should be conditional on India's remaining a non-nuclear power.

(4) We should reconsider the level of our economic and military assistance to India in the event she decides to develop or otherwise acquire nuclear weapons. To the extent that advance knowledge of this intention by Indian officials would

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be likely to have a constructive influence, it should be disclosed to them.

b. Japan - to deter Japan from building nuclear weapons:

(1) We should reaffirm, and if necessary, reinforce our present defense commitment. As in the case of India, early consideration should be given to the form these commitments might take.

(2) We should, as in the case of India, attempt to help the Japanese with appropriate prestige alternatives.

(3) We should support Japan's desire for a more important role as a world leader.

c. Israel-UAR

(1) Israel. As long as Israel remains a non-nuclear power, we should continue to give Israel assurances against being overrun by the UAR. We should make clear to Israel that these assurances would be withdrawn if she develops a nuclear weapon capability and that we would be prepared to consider other measures as well.

(2) UAR. We should make it clear to the UAR that our policy restraining an independent Israeli nuclear force is

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unlikely to be effective if the UAR acquires nuclear weapons.

If the UAR should make a decision to do so, we should be prepared to take measures designed to reverse that decision.

(3) We should make major efforts to persuade France, Germany or others against providing missile or nuclear assistance to Israel or the UAR, and should work for Soviet cooperation in keeping the Israeli-UAR confrontation non-nuclear.

d. Spread of weapons technology. We should revise and broaden NSAM 294 so that it will restrict United States contributions to the development of nuclear warheads or strategic nuclear delivery capabilities of any country (including the United Kingdom if she can be induced to fold her strategic nuclear force into the ANF). Moreover, we should seek to enlist the cooperation of other advanced nations in parallel actions designed to complement the actions of the United States.

3. Policies toward Europe and the Atlantic Nuclear Force.

Our present policies in this area are defined in NSAM 322. In dealing with the Soviet Union, it should be made clear that any Atlantic Nuclear Force must reinforce and contribute to our basic policy of non-proliferation of nuclear weapons. To this end, it should be emphasized that any treaty establishing such a Force

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would include undertakings whereby the nuclear members would agree not to disseminate nuclear weapons to the independent control of non-nuclear members and the non-nuclear members would undertake not to develop or acquire or obtain control over nuclear weapons; that in all cases the agreement of the United States would be required in order to have the Force fire nuclear weapons; and that the voting procedures could be revised only with the unanimous agreement of all participating nations. Moreover, it should be emphasized that any ANF agreement would prevent the proliferation of individual nuclear capabilities among the participants and may reduce the number of nations having independent strategic nuclear capabilities by at least one (the United Kingdom).

Several of the members of the Committee believe that an MLF/ANF or something like it may be essential if the Germans are to be inhibited from eventually acquiring an independent nuclear capability. Others feel that more modest measures such as increased sharing in nuclear consultation and planning and further exploitation of bilateral arrangements for nuclear weapons systems would suffice to deter the Germans from an independent nuclear course, particularly since the Germans are aware that such a course would be strongly opposed by France and the Soviet Union.

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In addition, it could be made clear to the Germans that the maintenance of United States forces in Germany would be inconsistent with the independent possession of nuclear weapons by Germany. Others of the Committee, seeing a basic incompatibility between the goal of German reunification and German acquisition of nuclear weapons, feel that greater emphasis should be placed on reunification as a means of shifting German interests away from nuclear weapons toward an objective more consistent with long-term European stability.

In any case, all members agree that the appropriate agencies of the Government should continue urgent exploration of possible alternatives to an MLF/ANF which would permanently inhibit Germany from acquiring nuclear weapons, but would nevertheless assure that, in the absence of German reunification, West Germany would remain as a real ally on the Western side.

4. Policies toward existing nuclear powers.

a. France. While maintaining a place for France in the structure of any ANF, as provided in NSAM 322, we should make it clear to France that her insistence upon the development of an independent nuclear-strategic capability and upon atmospheric testing are unacceptable. Accordingly:

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(1) We should in no way assist the French atmospheric or underground nuclear test program and should be prepared to support international measures initiated by others having the effect of impeding or penalizing French nuclear tests.

(2) Insofar as France is concerned, we should interpret NSAM 294 strictly.

b. United Kingdom.

(1) We should continue to favor the incorporation of the United Kingdom independent strategic nuclear deterrent in an ANF-type arrangement.

(2) In consultation with the United Kingdom, we should undertake an appropriate revision of the 1958 amendment of the Atomic Energy Act authorizing nuclear assistance to nations with advanced weapons capabilities that would be consistent with the future course of a special relationship with the United Kingdom while removing the implicit encouragement of existing law to other countries to achieve advanced nuclear capabilities.

c. Soviet Union. In view of the great importance of Soviet support and cooperation in connection with efforts to stop

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nuclear proliferation, we should undertake new initiatives to obtain such support. We should make early approaches to the Soviets, seeking cooperation on as broad a basis as possible in achieving the objectives described in this report, and to the extent possible, the relevant specific actions set forth in paragraphs 1, 2 and 5 of these recommendations.

In addition to the direct non-proliferation measures described in paragraph 1 above, we should undertake early initiatives toward the following United States-Soviet arms control agreements as a means both of reducing tensions between the United States and the Soviet Union and creating an atmosphere conducive to wide acceptance of restraints on nuclear proliferation:

(1) A verified fissile materials production cutoff for weapons purposes, to be established by treaty (with appropriate provisions permitting the production of tritium).

(2) A verified strategic delivery vehicle freeze coupled with significant agreed reductions (e.g. 30%) in strategic force levels, to be established by treaty.

(3) An 18 to 24-month halt in the construction of new ABM or ICBM launchers, to be accomplished by reciprocal Executive action based on unilateral verification capabilities.

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d. China. We believe that it will prove difficult over the long term either to halt nuclear proliferation or to obtain worldwide peace and stability until China has joined the society of nations and is willing to participate responsibly in arms control measures. In view of the complexity and difficulty of the problem, we recommend that the Government undertake a major high-level reexamination of our policies toward China, taking into account the effect of those policies upon all aspects of our national security and our alliances in the Far East.

5. Peaceful uses of atomic energy.

While we recognize that in the long run fissionable materials will probably be available in all industrial countries as a result of nuclear power programs, we believe that every effort should be made at this time to ensure that peaceful atomic energy programs do not unreasonably contribute to potential proliferation of nuclear weapons capabilities. We should in all cases insist on adequate safeguards for all peaceful programs. Moreover, our support should be limited to those programs which will advance the economic development of friendly countries; and we should not press such programs with special subsidies. Careful consideration should be given to the political stability and

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reliability of countries where such programs are undertaken.

We should make an effort to get all potential suppliers to agree to offer materials and facilities only under adequate safeguards.

We should take the following actions with regard to IAEA and Euratom:

a. IAEA.

(1) We should increase our efforts to build up the IAEA, including broader responsibilities, increased operational activities, larger budgets and improved technical capabilities.

(2) We should exert stronger influence on all nations, including supplying nations and the Soviet Bloc to accept IAEA safeguards on reactors and separation plants and should offer, in return, to extend safeguards to additional United States facilities.

(3) We should explore additional means of establishing control practices with respect to uranium and fuel elements which would reduce the risk of nuclear power facilities being used for military purposes.

b. Euratom.

(1) We should press Euratom in order to obtain satisfactory United States verification of Euratom safeguards.

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(2) We should work toward Euratom acceptance of IAEA safeguards and IAEA acceptance of Euratom.

While we recognize that the peaceful uses of nuclear explosives (Project Plowshare) may have long-term economic importance, we do not believe that that program should be allowed to jeopardize a comprehensive test ban treaty or to encourage interest in nuclear weapons. Undue emphasis on such programs tends to make nuclear explosives appear desirable, necessary and acceptable for countries presently considering undertaking nuclear weapons programs. In addition, attempts to incorporate provisions permitting such programs under a comprehensive test ban treaty may be difficult, if not impossible, without providing a loophole under which nuclear weapons could be developed. We should not, therefore, actively seek to interest other countries in such programs until we better understand their relationship to the comprehensive test ban and the general nuclear proliferation problem.

6. United States weapons policies.

If we are to minimize the incentives for others to acquire nuclear weapons, it is important that we avoid giving an exaggerated impression of their importance and utility and that we stress the current and future important role of conventional armaments. It

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is also important that our physical arrangements minimize the possibility of unauthorized seizure or compromise of design information regarding United States nuclear weapons deployed abroad. Accordingly, we should take the following actions:

a. NATO strategy. We believe that the prospects for success of our effort to stop the spread of nuclear weapons will be enhanced by adoption of a revised NATO strategy, along the lines now being proposed by the Secretary of Defense and the Joint Chiefs of Staff, placing greater stress on a non-nuclear option and relying less upon tactical nuclear weapons. (Such a policy would of course maintain a tactical nuclear capability for deterrence, credibility and flexibility.)

b. Physical security. The program for the installation of Permissive Action Links (PALs) in weapons deployed in Europe should be continued and expanded to apply to all weapons deployed overseas. Intensified research to develop improve safeguards against seizure or unauthorized use should be continued. We should consider appropriate assistance to the United Kingdom, France and the Soviet Union in connection with the development of PALs and safety devices for their respective weapons.

c. Research and development. The Department of Defense should reexamine future requirements in the light of the

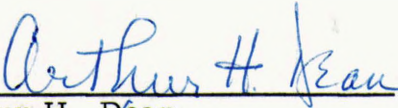
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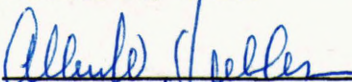
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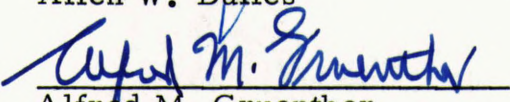
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policies recommended in this memorandum. Consideration should be given, among other matters, to damage limitation systems effective against lesser nuclear threats; to detection and identification systems related to such threats; and to the development of any weapons systems necessary to back our commitments to nations electing not to develop their own nuclear weapons.

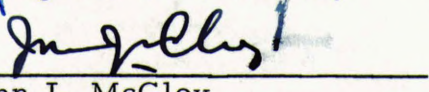
The program outlined above should not preclude other measures to prevent nuclear proliferation and the appropriate agencies of the Government should be called upon to undertake to develop additional proposals to that end. All agencies should carefully consider the implications for nuclear proliferation of all their actions and information policies, and their progress on non-proliferation matters should, we think, be followed closely by you and your senior advisers.

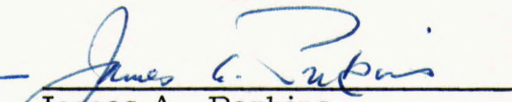

Arthur H. Dean

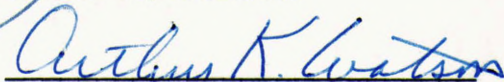

Allen W. Dulles

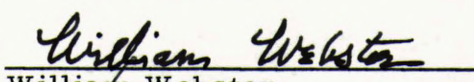

Alfred M. Gruenther

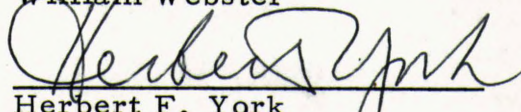

George B. Kistiakowsky

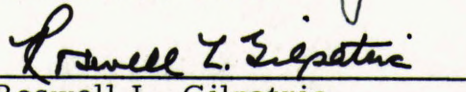

John J. McCloy


James A. Perkins


Arthur K. Watson


William Webster


Herbert F. York


Roswell L. Gilpatric
Chairman

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THE WHITE HOUSE
WASHINGTON

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Copy of final

Gilpatrick report
to S/S Mr. Reed only

Sent 8/4/65 - Xerox cy
Rept # 309

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Saturday, July 3, 1965 - 11 AM

MEMORANDUM FOR THE PRESIDENT

Re: More on Disarmament

In the light of the fact that the Gilpatric Panel has not worked out to your satisfaction, I want to be quite sure that our next efforts in this critically important field are along lines you approve.

I therefore attach the NSAM which I sent out last week in accordance with what I understood to be your desires. It is intended to make sure we carry through on your assurance in San Francisco that the United States will have "proposals" at the next international meeting on disarmament. It is also designed to bring the issues up clear and clean where you can see them and hear the arguments of the different parties at interest.

Approved _____

Disapproved _____

Simply because the subject may come up on Thursday, and because a number of members of your Foreign Affairs Panel are also members of the Gilpatric Committee, I attach a list of the members of the Gilpatric group. I have starred the names of those who will be meeting with you on Thursday at 6:15.

McG. B.

DECLASSIFIED

E.O. 12958, Sec. 3.6

NLJ 97-179

By is, NARA Date 9-29-98

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NATIONAL SECURITY ACTION MEMORANDUM NO. _____

TO: The Secretary of State
 The Secretary of Defense
 The Secretary of Commerce
 The Director of Central Intelligence
 The Chairman, Joint Chiefs of Staff
 The Chairman, Atomic Energy Commission
 The Administrator, National Aeronautics and
 Space Administration
 The Director, Arms Control and Disarmament
 Agency

SUBJECT: Prevention of the Proliferation of Nuclear Weapons

It is the policy of the United States to prevent the proliferation of nuclear weapons to the control of other nations. The recent Chinese nuclear explosion has increased the urgency and complexity of this problem by creating strong pressures on India and Japan to develop independent nuclear forces, which, in turn, could strongly influence the plans of other potential nuclear powers. To meet this situation, we must take immediate steps on a broad front to intensify and expand our efforts to implement our non-proliferation policy. There will be instances where the objective of preventing proliferation of nuclear capabilities may conflict with other United States objectives. In the resolution of such conflicts, I desire that our non-proliferation policy receive substantially more weight than has been the case in the past. The program to implement this policy will include, but not be limited to, the following measures:

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1. Multilateral agreements.

a. Non-proliferation agreement. We will intensify our efforts for a non-proliferation agreement and seek the early conclusion of the widest and most effective possible international treaty on non-dissemination and non-acquisition of nuclear weapons. Our initiatives in this area should not await, or be dependent upon, the resolution of any issues relating to an Atlantic Nuclear Force. We will be prepared to bring strong pressure on significant countries (including Germany, France, India, Japan, Israel, the UAR and Sweden) to achieve their participation in such an agreement.

b. Comprehensive test ban. We will renew our efforts to negotiate a verified comprehensive test ban with the Soviet Union. As soon as possible, the Committee of Principals will recommend to me the minimum number of on-site inspections in the Soviet Union that would be consistent with a viable treaty, taking into account our anticipated improved capabilities for seismic detection and identification and our other relevant unilateral intelligence capabilities. Inspection procedures and quota covering other countries will also be reviewed to facilitate the widest and most effective application of the treaty. We will be prepared to propose an exception to such a treaty for peaceful nuclear explosions if a

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satisfactory procedure can be promptly devised that would preclude the development of nuclear weapons under the guise of a peaceful explosives program, and if such an exception would be acceptable to other nations. While the initial approach will be to the Soviet Union, we will seek the widest adherence to the agreement and be prepared to bring strong influence to bear on significant countries to participate in it.

c. Nuclear free zones. We will actively support the establishment of Latin American and African (including, if possible, Israel-UAR) nuclear free zones. To facilitate such agreements, we shall be prepared to modify our requirement for verification and our position on transit rights and declarations with respect to United States nuclear weapons to the maximum extent consistent with demonstrable United States security needs.

2. Policies toward non-nuclear powers.

In conjunction with the multilateral measures described above, we shall intensify our efforts on a country-by-country basis to influence the decisions of individual non-nuclear powers not to undertake the development or acquisition of nuclear weapons and to secure workable commitments to this effect. We shall ourselves refrain

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from actions that would contribute to or suggest a future contribution to the development of nuclear weapons by these countries.

The Departments of State, Treasury and Commerce shall develop a program of economic restrictions and other measures which could be quickly imposed by Executive action and would be strong enough to produce a reversal of any decision to manufacture or otherwise acquire nuclear weapons.

a. India - to deter India from building nuclear weapons:

(1) While attempting, if possible, to avoid formal guarantees, we will be prepared, to the extent necessary and if requested by the Indians, to offer credible assurance of United States action in the event of a nuclear attack on India in exchange for an Indian commitment not to acquire nuclear weapons. We will be prepared to undertake, if requested by the Indians, parallel action with the Soviets and/or the United Kingdom. Appropriate agencies of the Government should give early consideration to the form such United States assurances might take.

(2) We will assist India in reasonable and economically justifiable scientific programs designed to build the prestige she might otherwise attempt to obtain from the development of a nuclear device. Such programs should be of a character

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that will not contribute significantly to future nuclear weapons capabilities. Particular attention should be given to those areas (such as natural resources, health and birth control) most relevant to India's economic and social problems. We will also initiate a major coordinated United States-Indian program of scientific, cultural and educational exchanges. In consultation with appropriate agencies, my Science Advisory Committee will submit recommendations regarding United States assistance to Indian scientific activities and United States-Indian exchanges.

(3) We will back India for a larger role in the United Nations. Such support and, to the extent feasible, any new role should be conditional on an Indian commitment not to become a nuclear power.

(4) We will reconsider the level of our economic and military assistance to India in the event that she decides to develop or otherwise acquire nuclear weapons. To the extent that advance knowledge of this intention by Indian officials would be likely to have a constructive influence, it should be disclosed to them.

b. Japan - to deter Japan from building nuclear weapons:

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(1) We will reaffirm and, if necessary, reinforce our present defense commitment. As in the case of India, early consideration should be given to the form these commitments might take.

(2) We will, as in the case of India, attempt to help the Japanese with appropriate prestige alternatives.

(3) We will support Japan's desire for a more important role as a world leader.

c. Israel-UAR.

(1) Israel. As long as Israel remains a non-nuclear power, we will continue to give Israel assurances against being overrun by the UAR. We should make clear to Israel that these assurances would be withdrawn if she develops a nuclear weapon capability and that we would be prepared to consider other measures as well.

(2) UAR. We should make it clear to the UAR that our policy restraining an independent Israeli nuclear force is unlikely to be effective if the UAR acquires nuclear weapons. If the UAR should make a decision to do so, we should be prepared to take measures designed to reverse that decision.

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(3) We shall make major efforts to persuade France, Germany or others against providing missile or nuclear assistance to Israel or the UAR, and shall work for Soviet cooperation in keeping the Israeli-UAR confrontation non-nuclear.

d. Spread of weapons technology. In accordance with the provisions of NSAM 294, we will restrict our contributions to the development of the nuclear weapons or strategic nuclear delivery capabilities of any country (including the United Kingdom if she can be induced to fold her strategic nuclear force into the ANF). Moreover, we shall seek to enlist the cooperation of other advanced nations in actions to carry out the provisions of NSAM 294.

3. Policies toward Europe and the Atlantic Nuclear Force.

Our present policy in this area is defined in NSAM 322. In dealing with the Soviet Union, it should be made clear that any Atlantic Nuclear Force must reinforce and contribute to our basic policy of non-proliferation of nuclear weapons. To this end, it should be emphasized that any treaty establishing such a Force would include undertakings whereby the nuclear members would agree not to disseminate nuclear weapons to the independent control of non-nuclear members and the non-nuclear members would

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undertake not to develop or acquire or obtain control over nuclear weapons; that in all cases the agreement of the United States would be required in order to have the Force fire nuclear weapons; and that the voting procedures could be revised only with the unanimous agreement of all participating nations. Moreover, it should be emphasized that any ANF agreement would prevent the proliferation of individual nuclear capabilities among the participants and may reduce the number of nations having independent strategic nuclear capabilities by at least one (the United Kingdom).

4. Policies toward existing nuclear powers.

a. France. While maintaining a place for France in the structure of any ANF, as provided in NSAM 322, we will make clear to France that her insistence upon the development of an independent nuclear-strategic capability and upon atmospheric testing are unacceptable. Accordingly:

(1) We will in no way assist the French atmospheric or underground nuclear test program and should be prepared to support international measures initiated by others having the effect of impeding or penalizing French nuclear tests.

(2) Insofar as France is concerned, we should interpret NSAM 294 strictly.

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b. United Kingdom.

(1) We should continue to favor the incorporation of the United Kingdom independent strategic nuclear deterrent in an ANF-type arrangement.

(2) In consultation with the United Kingdom, we should undertake an appropriate revision of the 1958 amendment of the Atomic Energy Act authorizing nuclear assistance to nations with advanced weapons capabilities that would be consistent with the future course of a special relationship with the United Kingdom while removing the implicit encouragement of existing law to other countries to achieve advanced nuclear capabilities.

c. Soviet Union. We will undertake new initiatives to obtain the support and cooperation of the Soviet Union in our efforts to stop nuclear proliferation. Accordingly, we should make early approaches to the Soviets seeking cooperation on as broad a basis as possible in achieving the objective of this NSAM, and to the extent possible, the relevant specific actions set forth in paragraphs 1, 2 and 5 of this NSAM.

In addition to the direct non-proliferation measures described in paragraph 1 above, we would undertake early initiatives

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toward the following United States-Soviet arms control agreements as a means both of reducing tensions between the United States and the Soviet Union and creating an atmosphere conducive to wide acceptance of restraints on nuclear proliferation:

(1) A verified fissile materials production cutoff for weapons purposes, to be established by treaty (with appropriate provisions permitting the production of tritium).

(2) A verified strategic delivery vehicle freeze coupled with significant agreed reductions (e.g. 30%) in strategic force levels, to be established by treaty.

(3) A reciprocal 18 to 24-month halt in the construction of new ABM or ICBM launchers, to be accomplished by Executive action based on unilateral verification capabilities.

d. China. The future course of our relations with the Chinese Communists will have a critical bearing on our ability to achieve our non-proliferation objectives. Accordingly, in a separate NSAM, I intend to establish a special study to review and make recommendations with regard to our policies toward China.

5. Peaceful uses of atomic energy.

Every effort shall be made to assure that peaceful atomic

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energy programs do not unreasonably contribute to potential proliferation of nuclear weapon capabilities. In all cases, we will insist on adequate safeguards for all peaceful programs. Moreover, our support will be limited to those programs that will advance the economic development of friendly countries; and we should not press such programs with special subsidies. Careful consideration shall be given to the political stability and reliability of countries where such programs are undertaken. We will make an effort to get all potential suppliers to agree to offer materials and facilities only under adequate safeguards.

We will take the following actions with regard to IAEA and Euratom:

a. IAEA.

(1) We will increase our efforts to build up the IAEA, including broader responsibilities, increased operational activities, a larger budget, and improved technical capabilities.

(2) We will exert stronger influence on all nations, including Western supplying nations and the Soviet Bloc, to accept IAEA safeguards on reactors and separation plants and shall offer, in return, to extend safeguards to additional United States facilities.

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b. Euratom.

(1) We will press Euratom in order to obtain satisfactory United States verification of safeguards.

(2) We will work toward Euratom acceptance of IAEA safeguards and IAEA acceptance of Euratom.

In addition, we should not actively seek to interest other countries in the peaceful uses of nuclear explosives (Project Plowshare) until we better understand its relationship to the comprehensive test ban and the general anti-nuclear proliferation problem.

6. United States weapons policies.

If we are to minimize the incentives for others to acquire nuclear weapons, it is important that we avoid giving an exaggerated impression of their importance and utility and that we stress the current and future important role of conventional armaments. It is also important that our physical arrangements minimize the possibility of unauthorized seizure or compromise of design information regarding United States nuclear weapons deployed abroad. Accordingly, we will take the following actions:

a. Overseas deployments. We will work for the adoption of a revised NATO strategy which places greater stress

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on a non-nuclear option and relies less upon tactical nuclear weapons (though maintaining a tactical nuclear capability for deterrence, credibility and flexibility).

b. Physical security. The program for the installation of Permissive Action Links (PALs) in weapons deployed in Europe will be continued and expanded to apply to all weapons deployed overseas. Intensified research to develop improved safeguards against seizure or unauthorized use shall be continued. We will consider appropriate assistance to the United Kingdom, France and the Soviet Union in connection with the development of PALs and safety devices for their respective weapons.

c. Research and development. The Department of Defense shall reexamine future requirements in the light of the policies expressed in this memorandum. Consideration should be given, among other matters, to damage limitation systems effective against lesser nuclear threats; to detection and identification systems related to such threats; and to the development of any weapons systems necessary to back our commitments to nations electing not to develop their own nuclear weapons.

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The program outlined above is not intended to preclude other measures to prevent nuclear proliferation. The appropriate agencies should undertake to develop additional proposals to that end. I further desire that all agencies carefully consider the implications for nuclear proliferation of all their actions and information policies. I intend to follow closely their progress in these matters.

Copy to: Secretary of the Treasury
Director, Bureau of the Budget
Director, Office of Science and Technology

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Copy given Bundy

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June 22, 1965

MEMORANDUM FOR THE PRESIDENT

Subject: Senator Robert Kennedy's Statement on Nuclear Proliferation.

At Mr. Bundy's request, I prepared the attached comments for him on Senator Robert Kennedy's Statement on Nuclear Proliferation, scheduled for delivery tomorrow. I have read the main points to Mr. Bundy on the phone, and he asked me to send the memorandum directly to you for your evening reading.

Spurgeon Keeny

CC: Mr. Bundy
/

UPI A54

ADVANCE FOR NOON EDT TODAY
BY WILLIAM THEIS

UNITED PRESS INTERNATIONAL

WASHINGTON, JUNE 23 (UPI)--SEN. ROBERT F. KENNEDY (D-N.Y.) TODAY CALLED ON THE JOHNSON ADMINISTRATION TO BEGIN NEGOTIATIONS AT ONCE ON A TREATY TO HALT THE SPREAD OF NUCLEAR WEAPONS, CALLING THE PROBLEM MORE URGENT THAN THE WAR IN VIET NAM.

REPEATING GRIM WARNINGS MADE BY HIS ASSASSINATED BROTHER, KENNEDY URGED THE PARTIAL NUCLEAR TEST BAN TREATY OF 1963 BE EXTENDED TO COVER CERTAIN UNDERGROUND TESTS. HE SAID IN A PREPARED SENATE SPEECH:

"WE CANNOT ALLOW THE DEMANDS OF DAY-TO-DAY POLICY TO OBSTRUCT OUR EFFORTS TO SOLVE THE PROBLEM OF NUCLEAR SPREAD. WE CANNOT WAIT FOR PEACE IN SOUTHEAST ASIA--WHICH WILL NOT COME UNTIL NUCLEAR WEAPONS HAVE SPREAD BEYOND RECALL.

"WE CANNOT WAIT FOR A GENERAL EUROPEAN SETTLEMENT--WHICH HAS NOT EXISTED SINCE 1914. WE CANNOT WAIT UNTIL ALL NATIONS LEARN TO BEHAVE -- FOR BAD BEHAVIOR ARMED WITH NUCLEAR WEAPONS IS THE DANGER WE MUST TRY TO PREVENT."

THE FORMER ATTORNEY GENERAL RECALLED STATEMENTS OF HIS OLDER BROTHER, THE LATE PRESIDENT JOHN F. KENNEDY, BY SAYING THERE COULD BE "NO STABILITY" ANYWHERE WITH WIDESPREAD NUCLEAR WEAPONS.

CITING RECENT WORLD TROUBLE SPOTS, HE SAID THEY "MIGHT BE USED BETWEEN GREEKS AND TURKS OVER CYPRUS; BETWEEN ARABS AND ISRAELIS OVER THE GAZA STRIP; BETWEEN INDIA AND PAKISTAN IN THE RANN OF KITCH."

OR, HE ADDED, THEY MIGHT BE USED "BY AN UNSTABLE DEMAGOGUE, OR BY THE HEAD OF ONE OF THE INNUMERABLE TWO-MONTH GOVERNMENTS THAT PLAGUE SO MANY COUNTRIES, OR BY AN IRRESPONSIBLE MILITARY COMMANDER, OR EVEN BY AN INDIVIDUAL PILOT.

"...THE NEED TO HALT THE SPREAD OF NUCLEAR WEAPONS MUST BE A CENTRAL PRIORITY OF AMERICAN POLICY. OF ALL OUR MAJOR INTERESTS, THIS NOW DESERVES AND DEMANDS THE GREATEST ADDITIONAL EFFORT. THIS IS A BROAD STATEMENT, FOR OUR INTERESTS ARE BROAD."

KENNEDY'S SPEECH CAME JUST A DAY AFTER DISARMAMENT DIRECTOR WILLIAM C. FOSTER TOLD A SENATE SUBCOMMITTEE THAT RED CHINA'S TWO NUCLEAR EXPLOSIONS HAVE MADE PREVENTION OF NUCLEAR PROLIFERATION MORE THAN EVER HIS AGENCY'S "MOST URGENT MISSION."

THE NEW YORK SENATOR NOTED THAT FIVE NATIONS NOW HAVE THE CAPACITY TO EXPLODE NUCLEAR BOMBS AND THAT "AT LEAST A DOZEN, PERHAPS A SCORE," OF OTHERS ARE IN POSITION TO DEVELOP SUCH WEAPONS WITHIN THREE YEARS. HE SAID ISRAEL AND INDIA COULD "FABRICATE AN ATOMIC DEVICE WITHIN A FEW MONTHS."

KENNEDY RECOMMENDED THESE OTHER STEPS BESIDES EXPANDING THE TEST BAN:

CREATION OF FORMAL NUCLEAR-FREE ZONES IN THE WORLD; HALTING AND REVERSING GROWTH OF NUCLEAR CAPABILITIES IN THE UNITED STATES AND RUSSIA; STRENGTHENING THE INTERNATIONAL ATOMIC ENERGY AGENCY, PARTLY BY INSISTING THAT ALL REACTORS BUILT WITH HELP OF OTHER NATIONS BE SUBJECT TO THE AGENCY'S INSPECTION; AND A LESSENING OF U.S. RELIANCE ON NUCLEAR WEAPONS.

CM655AED

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June 22, 1965

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MEMORANDUM FOR

Mr. Bundy

Subject: Senator Robert Kennedy's statement on nuclear proliferation.

DECLASSIFIED
E.O. 12958, Sec. 3.6
NLJ 97-179
By iso, NARA Date 9-29-98

The proposals contained in Senator Kennedy's speech (attached) have for the most part been widely discussed in disarmament circles both inside and outside of government. Much of the material was in fact included in Governor Stevenson's opening speech before the United Nations Disarmament Committee. I have reviewed the texts of the Gilpatric Report, Secretary Rusk's Memorandum to the President on the San Francisco speech, and the ACDA Memorandum to Secretary Rusk on the San Francisco speech and have concluded that Senator Kennedy's speech was not drawn directly from any one of these documents. At the same time, I believe that the author may well have been familiar with the content of the Gilpatric Report and was almost certainly aware of the current proposals being made in connection with the San Francisco speech.

I base the above conclusions on the following observations on the contents of the speech:

1. The first proposal, calling for a non-proliferation treaty, is fundamental to this entire subject as is the concept of guarantees to non-nuclear countries against nuclear blackmail. However, coupling the two ideas in a single package is somewhat distinctive. While both suggestions were mentioned separately in the Gilpatric Report, they were specifically coupled in both the ACDA and Rusk Memoranda on the San Francisco speech. Although the subject is frequently discussed in disarmament circles, it is significant that none of these documents suggests that we modify our MLEF plans to overcome Soviet objections to a non-proliferation treaty as Senator Kennedy's statement suggests.

2. The second proposal, the concept of nuclear free zones, is also fundamental to the problem and was emphasized by the Gilpatric Report. Neither the ACDA nor Rusk Memorandum includes this point.

3. The third proposal, suggesting that the partial test ban treaty be extended to underground tests presumably without on-site inspection, is a new proposal that has very recently been pushed by ACDA and was not contained in the Gilpatric Report. This proposal was included in the ACDA Memorandum on San Francisco but was dropped in the Rusk Memorandum. Although the concept of a threshold treaty is very old and was at one time in fact the U.S. position, it has recently to my knowledge only been discussed in inner government disarmament circles.

4. The fourth proposal that suggests we couple reductions in our strategic nuclear forces to our existing proposal for a freeze on strategic nuclear delivery vehicles, has been discussed in disarmament circles inside and outside of government. However, it is significant that this was the principal new proposal in both the ACDA and Rusk Memoranda on San Francisco. This point was touched on but was not central to the argument in the Gilpatric Report.

5. The fifth proposal that we should strengthen and support the International Atomic Energy Agency is, of course, central to present U.S. policy. The problem of the peaceful uses of atomic energy and the IAEA was emphasized in the Gilpatric Report and was not mentioned in either the ACDA or Rusk Memorandum. The speech mentions one special aspect of this problem that has not been widely discussed but was of considerable concern to the Gilpatric Panel, namely, the fact that Euratom operates outside of IAEA safeguards. It also repeats a rather specialized suggestion that was touched on in the Gilpatric Report but was not mentioned in either the ACDA or Rusk Memoranda, namely, that we consider IAEA controls for fabricating and processing of all fuel for all peaceful reactors.

6. The sixth proposal that we continue our present efforts to lessen our own reliance on nuclear weapons is a point generally not included in lists of non-proliferation measures. It was emphasized, however, in the Gilpatric Report. There is no reference to this subject in either the ACDA or Rusk Memorandum or in any other recent discussions of this subject of which I am aware.

7. The final reference to the desirability of involving China in the disarmament negotiations has, of course, been proposed by many groups. The subject was discussed in general terms in the Gilpatric Report. Although a specific proposal along this line was made in Harlan Cleveland's memorandum to Rusk on the San Francisco speech, the subject was not discussed in the ACDA or Rusk Memorandum.

Although none of the above items is in itself unique, the overall package appears to be too close to the proposals for San Francisco to be coincidental. The connection with the Gilpatric Committee is much more tenuous but the overall organization and some of the details certainly suggest familiarity with the findings of the Gilpatric Committee.

Spurgeon Keeny

CC: Mr. Bundy

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THE LEGAL ADVISER
DEPARTMENT OF STATE
WASHINGTON

2500
Bundy
4
June 11, 1965

MEMORANDUM OF LAW

Question

This memorandum examines the power of the President to commit ground and air forces to South Viet Nam, above the present total of approximately 52,000 to an anticipated total of 95,000, and to authorize the use of ground forces in combat in accordance with the terms of the White House statement of June 9, 1965.

Summary

The President does have power, under the Constitution and under the Joint Resolution of Congress of August 10, 1964, to deploy United States ground and air forces to South Viet Nam in the numbers and for the purposes indicated above.

Where the President determines that the defense of the United States requires immediate action, he is empowered under the Constitution to engage United States forces in combat without Congressional authorization. There are numerous precedents in United States history for deployment abroad of United States armed forces, and some of them include use in combat. In the Korean conflict, the United States maintained a troop strength in Korea of over 250,000.

If authorization from the Congress is considered requisite to sending 43,000 additional United States troops to Viet Nam at this time, the Joint Resolution of August 10, 1964 gives a broad authorization to the President. The Resolution declares:

"Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast

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Authority State Ltr 12/29/77 (L-4)
By 14/14, NARA, Date 1/9/97

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Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol State of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

While the Joint Resolution expresses no limitation on numbers of forces or on the missions they might be assigned, and while the legislative history does not disclose a purpose to effect any such limitations, the record shows that the Resolution was passed on the understanding that there would be consultation with the Congress "in case a major change in present policy becomes necessary." The committing of an additional 43,000 United States forces to South Viet Nam, with combat missions included in their assignment, could be argued to constitute a policy decision calling for Congressional consultation. Consultation would not require new affirmative action by the Congress, but would afford the Congress an opportunity for review.

Deployment by the President of United States forces as indicated in the question stated at the outset of this memorandum would not require the declaration of a state of war.

Discussion

The missions of the additional 43,000 American troops to be deployed to South Viet Nam would be governed by the terms of the White House statement dated June 9. The text of that statement is as follows:

"There has been no change in the mission of United States ground combat units in Vietnam in recent days or weeks. The President has issued no order of any kind in this regard to General [William C.] Westmoreland recently or at

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any other time. The primary mission of these troops is to secure and safeguard important military installations like the air base at Danang. They have the associated mission of active patrolling and securing action in and near the areas thus safeguarded.

"If help is requested by the appropriate Vietnamese commander, General Westmoreland also has authority within the assigned mission to employ these troops in support of Vietnamese forces faced with aggressive attack when other effective reserves are not available and when, in his judgment, the general military situation urgently requires it."

This memorandum will consider, in turn, four aspects of the question of Presidential authority:

1. The power of the President under the Constitution;
2. The authorization given by the Joint Resolution of Congress dated August 10, 1964;
3. The political commitment of the Administration in connection with the Joint Resolution, to consult with the Congress "in case a major change in present policy becomes necessary";
4. Whether any declaration of war is required.

1. The Constitution. Basic Presidential authority to deploy United States military forces abroad derives from Article II, Section 2 of the Constitution which provides that "The President shall be commander in chief of the army and navy of the United States". This power of the President is complemented by his position as Chief Executive: Under

Article

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Article II, Section 3, "he shall take care that the laws be faithfully executed". The power is also complemented by the special responsibilities of the President in the field of foreign affairs. U.S. vs. the Curtiss-Wright Export Corp., 299 U.S. 304 (1936).

The line between Executive and Legislative power is not marked out with precision in the Constitution. For example, Article I, Section 8, provides that Congress "shall have power...To declare war, ...To raise and support armies,... To provide and maintain a navy". However, the debate at the Federal Convention in 1787 when the Constitution was being drafted makes clear that the powers of Congress are without prejudice to the right of the President to take action on his own "to repel sudden attacks". In cases where the President considers the need of military measures to defend the United States so urgent as to brook no delay, the President is empowered to commit and use United States forces in hostilities without first securing an authorization from the Congress. In the case of Viet Nam, Congressional authorization has already been given in the Joint Resolution of August 10, 1964.

Since the Constitution was adopted, there have at least been 125 instances in which the President, without Congressional authority and in the absence of a declaration of war, has ordered the armed forces to take action or maintain positions abroad. These instances range from the war of the Barbary Pirates in Jefferson's time to the sending of troops to Lebanon in 1958 by President Eisenhower. Substantial numbers of troops have sometimes been involved; President Roosevelt in 1941 deployed over 10,000 United States troops to Iceland to secure that country against Nazi aggression, and President Eisenhower in 1958 dispatched 14,000 American troops to Lebanon. Some of the historical instances have involved the use of United States forces in combat; in the most notable case--the Korean conflict of 1950-53--the United States maintained a troop strength of over 250,000 in Korea.

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A memorandum detailing these historical events and discussing the question of the President's constitutional authority, prepared in the Department of State at the outset of the Korean conflict in 1950, is attached (Tab A). A further presentation of the views of the Executive Branch on this subject, published in 1951 as a Joint Committee Print of the Senate Committees on Foreign Relations and Armed Services, is also attached (Tab B).

Supreme Court decisions have not determined the extent of the President's authority to deploy and use United States armed forces abroad in the absence of express authorization from the Congress. The question has been the subject of Congressional debate at different times, and the power of the President to take action on his own responsibility has been generally supported. It has been supported on the theory that the President has both a right and a duty to take measures which he considers necessary for the defense of the United States. The view has sometimes been stated that the commitment of United States forces to combat may be made by the President on his own responsibility only when he judges the situation to be one of such urgency as to brook no delay and to allow no time for seeking the approval of Congress. Presidential decision that such an emergency exists is one which other branches of the Government are unlikely to try to overturn. There is, of course, a difference between (a) the participation in combat of individual U.S. military personnel attached to the armed forces of another country, and (b) the commitment of organized United States forces to combat. Congressional concern has been particularly with the latter, because of the clearer possibility it carries of involving the United States in large-scale hostilities.

If any question were raised as to the importance of Viet-Nam to the defense of the United States, this would be answered not only by the President's own evaluation, but by the fact that a Protocol to the Southeast Asia Treaty extends its protection to the Republic of Viet-Nam. Both the Treaty and Protocol received the advice and consent of the Senate. They represent a decision of the United States Government, in the constitutional form of a treaty, that the defense and security of Viet-Nam are necessary to the United States.

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2. Joint Resolution of the Congress. The August 10, 1964 Joint Resolution on Southeast Asia provides Congressional authorization for the sending of United States military forces to Viet-Nam and for their use in combat operations.

The Joint Resolution provides "That the Congress approves and supports the determination of the President, as Commander-in-Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression." In section 2 of the Joint Resolution, Congress has declared: "Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol State of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

In the course of Congressional consideration of this resolution, a number of statements were made bearing on the question of the President's authority to commit U. S. military forces to Viet-Nam and to use them in a combat role:

a. Statement by Secretary Rusk before House Committee on Foreign Affairs, August 6, 1964:

"I believe it to be the generally accepted constitutional view that the President has the constitutional authority to take at least limited armed action in defense of American national interests... As I have said before, we cannot now be sure what actions may be required."

b. On the floor of the Senate, August 6, 1964:

"Mr. Brewster: ...So my question is whether there is anything in the resolution which would authorize or recommend or approve the landing of large American armies in Viet-Nam or in China.

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"Mr. Fulbright: There is nothing in the resolution, as I read it, that contemplates it. I agree with the Senator that that is the last thing we would want to do. However, the language of the resolution would not prevent it. It would authorize whatever the Commander-in-Chief feels is necessary. It does not restrain the Executive from doing it."

c. On the floor of the Senate, August 6, 1964:

"Mr. Nelson: Am I to understand that it is the sense of Congress that we are saying to the executive branch: 'If it becomes necessary to prevent further aggression, we agree now, in advance, that you may land as many divisions as deemed necessary, and engage in a direct military assault on North Vietnam if it becomes the judgment of the Executive, the Commander-in-Chief, that this is the only way to prevent further aggression'?"

"Mr. Fulbright: If the situation should deteriorate to such an extent that the only way to save it from going completely under to the Communists would be action such as the Senator suggests, then that would be a grave decision on the part of our country as to whether we should confine our activities to a very limited personnel on land and the extensive use of naval and air power, or whether we should go further and use more manpower.

"I personally feel it would be very unwise under any circumstances to put a large land army on the Asian Continent.

"I do not know what the limits are. I do not think this resolution can be determinative of that fact. I think it would indicate that he would take reasonable means first to prevent any further aggression, or repel further aggression against our own forces, and that he will live up to our obligations under the SEATO treaty and with regard to the protocol states.

"I do not know how to answer the Senator's question and give him an absolute assurance that large numbers

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of troops would not be put ashore. I would deplore it. And I hope the conditions do not justify it now."

d. On the floor of the Senate, August 6, 1964:

"Mr. Nelson: ...But I would be most concerned if the Congress should say that we intend by the joint resolution to authorize a complete change in the mission which we have had in South Vietnam for the past 10 years, and which we have repeatedly stated was not a commitment to engage in a direct land confrontation with our Army as a substitute for the South Vietnam Army or as a substantially reinforced U. S. army to be joined with the South Vietnam Army in a war against North Vietnam and possibly China.

"Mr. Fulbright: Mr. President, it seems to me that the joint resolution would be consistent with what we have been doing. We have been assisting the countries in Southeast Asia in pursuance of the treaty. But in all frankness I cannot say to the Senator that I think the joint resolution would in any way be a deterrent, a prohibition, a limitation, or an expansion on the President's power to use the Armed Forces in a different way or more extensively than he is now using them. In a broad sense, the joint resolution states that we approve of the action taken with regard to the attack on our own ships, and that we also approve of our country's effort to maintain the independence of South Vietnam...

"In frankness, I do not believe the joint resolution would substantially alter the President's power to use whatever means seemed appropriate under the circumstances. Our recourse in Congress would be that if the action were too inappropriate, we could terminate the joint resolution, by a concurrent resolution, and that would precipitate a great controversy between the Executive and the Congress. As a practical question, that could be done."

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- 9 -

e. On the floor of the Senate, August 6, 1964:

"Mr. Cooper:... The Senator will remember that the SEATO Treaty, in article IV, provides that in the event of an armed attack upon a party to the South-east Asia Collective Defense Treaty, or upon one of the protocol states such as South Vietnam, the parties to the treaty, one of whom is the United States, would then take such action as might be appropriate, after resorting to their constitutional processes. I assume that would mean, in the case of the United States, that Congress would be asked to grant the authority to act.

"Does the Senator consider that in enacting this resolution we are satisfying that requirement of article IV of the Southeast Asia Collective Defense Treaty? In other words, are we now giving the President advance authority to take whatever action he may deem necessary respecting South Vietnam and its defense, or with respect to the defense of any other country included in the treaty?

"Mr. Fulbright: I think that is correct.

"Mr. Cooper: Then, looking ahead, if the President decided that it was necessary to use such force as could lead into war, we will give that authority by this resolution?

"Mr. Fulbright: That is the way I would interpret it. If a situation later developed in which we thought the approval should be withdrawn, it could be withdrawn by concurrent resolution.

f. Senator Nelson, on August 7, proposed an amendment to the Joint Resolution which read, in part:

"Our continuing policy is to limit our role to the provision of aid, training assistance, and military advice,

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- 10 -

and it is the sense of Congress that; except when provoked to a greater response, we should continue to attempt to avoid a direct military involvement in the Southeast Asian conflict.

Mr. Fulbright: (in rejecting the amendment)
"It states fairly accurately what the President has said would be our policy, and what I stated my understanding was as to our policy; also what other Senators have stated.

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- 11 -

3. Political commitment of consultation.

On August 6, 1964 Secretary Rusk, in testifying in executive session before a joint meeting of the Senate Committees on Foreign Relations and Armed Services concerning the Southeast Asia resolution assured the members of Congress that there would be close and continuing bipartisan consultations between the Executive and Legislative Branches on the problems in Southeast Asia, especially if the situation there developed "in ways which we cannot now anticipate."

In the Senate on August 6, Senator Fulbright made the following response after a brief statement by Senator Cooper:

"Mr. Fulbright: I have no doubt that the President will consult with Congress in case a major change in present policy becomes necessary."

The language of the Resolution and the statements made on the floor evidently recognized that the President might find it necessary to deploy large numbers of American forces in a combat role to accomplish the goal set forth in the Resolution. At the same time, the Congress passed the Resolution on the understanding that the President would consult with Congress in case a major change in policy became necessary. The commitment of substantially larger numbers of American troops in a short period of time and their assignment to combat would appear to be the kind of policy change which would call for such Congressional consultation. Consultation would not require new affirmative action by the Congress, but would afford the Congress an opportunity to express its views.

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- 12 -

Supplemental Appropriation for Southeast Asia

Congress reaffirmed its support of the Administration policy in Viet Nam as recently as May 6, 1965 when it appropriated at the President's request an additional \$700,000,000 for United States military activities in Southeast Asia. The President stated in his message of May 4:

"This is not a routine appropriation. For each Member of Congress who supports this request is also voting to persist in our effort to halt Communist aggression in South Viet Nam."

The Congress adopted the resolution by an overwhelming vote -- 408 to 7 in the House and 88 to 3 in the Senate. However, a number of Congressmen stated for the record that their vote should not be construed as a blanket endorsement of any future action on the Asian mainland of a different character than the policy then in effect.

Senator Stennis who sponsored the resolution in the Senate was asked directly by Senator Church whether he believed a vote in favor of the resolution endorsed whatever action might be taken in the future. Stennis replied that the resolution placed no limitations on the President's judgment but that each Senator must interpret his own vote. Stennis added:

"I do not believe we are signing a blank check. We are backing up our men and also backing up the present policy of the President. If he substantially enlarges or changes it, I would assume he would come back to us in one way or another."

The appropriation by Congress neither enlarged nor restricted the legal authority of the President to send combat troops to South Viet Nam. The vote did express strong support for the policy which the President was pursuing to

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-13-

defend South Viet-Nam, with the expectation that a substantial change in character of U. S. actions would be preceded by the President's going back to Congress "one way or another."

4. Declaration of War

A declaration of war by Congress is not necessary to commit American forces to South Viet-Nam for the purposes set forth earlier.

The President's powers under the Constitution exist side by side with the authority of Congress in this area. In addition to the power to raise and support armies and to provide and maintain a navy, the power to express Congressional policy and the power of the purse, the Congress has the power to declare war. As Constitutional history will show, this is not the same as the power to "make" war -- a power which the Federal Convention in 1787 deliberately withheld from the Congress.

Our Constitutional arrangements are such that the President is endowed with power to take actions which may eventuate in armed conflict. It remains for the Congress to give the legal characterization of "war", with the resulting legal consequences, to a particular conflict if it so decides. Thus no declaration of war is necessary for hostilities to occur or for U. S. forces to be major participants in them. The Korean conflict illustrates these points well.

By reason of the general legislative power of Congress, including its power over finances, there must be a basic concurrence and collaboration between the Executive and Legislative Branches of Government if any given policy and

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-14-

course of action of the President is to be sustained over a period of time. The Congress thus has a major role, and indeed a major influence, on the decisions made by the President both as Commander-in-Chief and in the field of foreign relations.

Leonard C. Meeker

Leonard C. Meeker

~~SECRET~~

MEMBERS OF THE COMMITTEE ON NUCLEAR
PROLIFERATION

Mr. Roswell L. Gilpatric, Chairman

Mr. Arthur H. Dean

Mr. Allen W. Dulles

General Alfred M. Gruenther

Dr. George B. Kistiakowsky

Mr. John J. McCloy

Dr. James A. Perkins

Mr. Arthur K. Watson

Mr. William Webster

Dr. Herbert F. York

5a

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5-b

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Mr. Arthur K. Watson

Mr. William Webster

Dr. Herbert F. York

From Adrian Fisher 5/10/65

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6

In making this balance the Soviets could assume that they could include any non-proliferation agreement that might be negotiated a withdrawal clause similar to that found in the limited test ban treaty.

THE WHITE HOUSE
WASHINGTON

✓
2

April 23

Mac,

I think that you will be interested
in the attached article by Carles
Bartlett on the Gilpatric Report?

Spurgeon

Mr. Keeney - OST

THE EVENING STAR
Washington, D. C., Tuesday, April 20, 1965

A-9
★

CHARLES BARTLETT

Confronting the Nuclear Gorgon

The administration's delay in confronting the Gorgon of nuclear proliferation has stirred concern that President Johnson's preoccupation with the day-to-day aspects of foreign policy is causing him to lose sight of this crucial problem.

Although it was anticipated, the Communist Chinese test last October obviously intensified the danger that the reach for nuclear weapons will spread beyond the five major powers. The President recognized this danger in early November by asking Roswell Gilpatric, a lawyer with distinguished experience in the Pentagon, to head a committee to propose ways to stem the nuclear tide.

Gilpatric reported back to the President on Jan. 21 and his recommendations were distributed on a stringently restricted basis at the top of the government. Since that day there have been no meetings or known discussions on the report. "The matter is in the President's hands," officials say discreetly.

The Gilpatric report's lack of momentum is disturbing because there is no cohesion on the problem within the government and no master policy upon which daily decisions can be hung. For example, should the Pentagon continue to develop better and cheaper small nuclear weapons when we are trying to discourage other nations from embarking upon their manufacture?

The Defense Department and Atomic Energy Commission are reported to favor strenuous steps to curb the spread of the weapons. The State Department is described as divided within itself and generally opposed to new policies that might muddy the Cold War alignment.

The State Department stand has impeded top level consideration of the intriguing Indian proposal that the United States and the Soviet

Union join in pledging to provide nuclear deterrence against Chinese aggression.

Johnson gave one pledge last Oct. 18 when he asserted, "The nations that do not seek nuclear weapons can be sure that if they need our strong support against some threat of nuclear blackmail, then they will have it." This move by the President to calm Asian alarm over the Chinese bomb was a key factor in New Delhi's decision against an immediate start on nuclear weapons.

American officials have two main concerns. They do not believe that the President's pledge will permanently suffice to keep India from seeking her own deterrent and they fear that if India, non-aligned and under-developed, launches a nuclear program, many similar nations will follow suit.

This pivotal view of India prompts some to worry that the White House is not according enough priority to the problem. The Vietnamese crisis has served to delay Johnson's projected meetings with the Indian and Russian leaders. This will postpone his opportunity to explore the feasibility of the joint guarantee.

The absorption with Viet Nam has also precluded the coordinated assault upon the Gorgon that was contemplated by the Gilpatric committee. No one has found any magic means of slaying the monster. No one is sure that it is even possible. But the implications of nuclear spread are severe enough to lend urgency to the need for a master plan embracing all the practical counter-measures.

There are hopeful factors. The gas centrifuge process, which once threatened to bring fissionable materials within reach of many, has run into difficulties. The safeguards program of the International Atomic Energy Agency shows promise of

restraining the diversion of fissionable materials from the plutonium power reactors of non-nuclear nations. The "MLF" scheme may come back to life in Europe after the West German elections.

A Communist Chinese general predicted correctly some years back, "We won't have any pants but we will have nuclear weapons." The United States could do more to convince poor countries that they would be wiser to reach for the pants.

© 1965

Virginia CORE Unit Finds No Need for Pickets

Several pickets from the Northern Virginia chapter of CORE packed up their signs and went home happy yesterday after talking with officials of the Office of Economic Opportunity.

John Robinson, chairman of the CORE unit, said he set up a picket line of six persons at about 11:30 a.m. yesterday to protest a delay in anti-poverty funds for the suburban area. The CORE group was quickly invited into the building at 19th and M Streets NW to discuss their grievances.

When they learned that a program development grant of \$113,635 for three suburban area counties had been announced on Friday, they decided not to picket any longer.

The program development money will go to the United Planning Organization for a survey of the problems and needs of Arlington and Fairfax Counties in Virginia and Prince Georges County in Maryland.

Samuel Yette, special assistant to Sargent Shriver, head of the anti-poverty program, invited the group in for talks. "We operate with public funds," Yette said, "and we're quite willing to talk over problems with any interested parties from the local areas."

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EXECUTIVE OFFICE OF THE PRESIDENT
NATIONAL SECURITY COUNCIL
WASHINGTON 25, D.C.

~~SECRET~~

April 12, 1965

MEMORANDUM FOR MR. BUNDY

SUBJECT: Item for Tuesday Luncheon

I would like to remind you that you were planning to take up the problem of the future handling of the Gilpatric Report at your luncheon tomorrow with Rusk and McNamara.

A meeting of the Committee of Principals is now scheduled for Thursday, April 22. There are two pressing action items for this meeting: our position for the United Nations Disarmament Commission and our bi-lateral relations with India. Before taking up these specific problems, the Principals should clarify our basic non-proliferation policy since it is critical to decisions on both problems. This would present an excellent opportunity to make appropriate references to the Gilpatric Report for the record.

I believe that the best way to accomplish this would be for you to obtain Rusk and McNamara's approval of the draft NSAM on non-proliferation that I prepared for you and to circulate the NSAM in advance of the Principals meeting. The Principals could then discuss the NSAM in general terms before turning to the specific action items on their agenda.

Spurgeon
Spurgeon Keeny

DECLASSIFIED
E.O. 12958, Sec. 3.6
NLJ 97-179
By us, NARA Date 9-29-98

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~~SECRET~~

DRAFT

NATIONAL SECURITY ACTION MEMORANDUM NO. _____

TO: The Secretary of State
The Secretary of Defense
The Secretary of Commerce
The Director of Central Intelligence
The Chairman, Joint Chiefs of Staff
The Chairman, Atomic Energy Commission
The Administrator, National Aeronautics and
Space Administration
The Director, Arms Control and Disarmament
Agency

SUBJECT: Prevention of the Proliferation of Nuclear Weapons

It is the policy of the United States to prevent the proliferation of nuclear weapons to the control of other nations.

The recent Chinese nuclear explosion has increased the urgency and complexity of this problem by creating strong pressures on India and Japan to develop independent nuclear forces, which, in turn, could strongly influence the plans of other potential nuclear powers. To meet this situation, I desire that all branches of the government intensify their efforts to implement our existing policy against the proliferation of nuclear weapons. The program to implement this policy will include, but not be limited to, the following measures:

- (1) Continued efforts to obtain international agreements covering the non-dissemination and non-acquisition of nuclear weapons and a verified comprehensive nuclear test ban;
- (2) Active support for the establishment of Latin American and African nuclear free zones;
- (3) Intensified efforts on a country by country basis to influence individual

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*Alvin
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*Staff
Manning*

*[When does
DR get back?]
8a
Gail 11*

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E.O. 12958, Sec. 3.6
NIJ 97-179
BY id, NARA Date 9-29-98

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- 2 -

non-nuclear powers not to undertake a nuclear weapons program; and

(4) Careful review of our participation in foreign peaceful atomic energy programs to assure that these activities do not contribute to the potential proliferation of nuclear weapons.

The Committee of Principals will be responsible for undertaking a continuing study of appropriate measures to implement our non-proliferation policy. All agencies are directed to consider carefully on a continuing basis the implications for nuclear proliferation of their actions and information policies. When these policies appear to be in conflict with our objective of preventing the proliferation of nuclear weapons, the problem should be referred to the Committee of Principals for resolution.

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E.O. 12958, Sec. 3.6

NLJ 97-129

By us, NARA Date 9-29-98

EXECUTIVE OFFICE OF THE PRESIDENT
NATIONAL SECURITY COUNCIL
WASHINGTON 25, D.C.

~~SECRET~~

March 26, 1965

MEMORANDUM FOR MR. BUNDY

SUBJECT: Status of the Gilpatric Report

Following up our conversation last week, I would like to summarize my views on the current status of the Gilpatric report.

I do not believe that it is possible or desirable to sweep the report under the rug. Although the final report has apparently been very closely held in accordance with the President's wishes, it is generally taken for granted in interested government circles that the Gilpatric report came out for a strong non-proliferation policy. At the same time, there is a widespread belief in the same government circles that Secretary Rusk and Ambassador Thompson do not place a very high priority on non-proliferation in the development of U. S. foreign policy and there is even a general suspicion that they are probably in favor of selected proliferation of nuclear weapons.

- Failure to follow up in any way on the report will be interpreted within government as a positive decision to back off from the President's stated non-proliferation objectives. When coupled with the lack of action in reviewing any of ACDA's current proposals, I believe that this will lead to further confusion and demoralization in the government disarmament community. In these circumstances, I think it is safe to predict that we can expect leaks to the press and to Congress by both proponents and oponents that there has been a basic change in our non-proliferation policy. This could come at a very bad time and needlessly embarrass the President. Moreover, it would assist Soviet propaganda and possibly confuse them as to our intentions.

With regard to the substance of the Gilpatric Committee Report, I think that it would be a very serious mistake at this time to abandon or play down the multilateral approaches to the non-proliferation problem. Historically, the non-dissemination non-acquisition treaty and the comprehensive test ban treaty have been central to our entire arms control position. To back away from these two proposals now would raise the question in many quarters as to whether we continued to have any serious interest in arms control. Even if these proposals are not considered practicable of attainment in the foreseeable future, they represent important background mood music to general international discussions.

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Spurgeon: 8-c
draft a memo
from me to Rusk +
McNamara
advise a NSAM letter
one added from Fitzgerald's
reassured him that memo.

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- 2 -

While it is true that the most immediate proliferation problems must involve bilateral arrangements with India and Israel, I believe that the non-dissemination non-acquisition treaty is also central to holding the line with these and other countries. It will be much easier to deal with India in the context of an international moral initiative such as this treaty than it will be isolated bilateral arrangements, particularly if we are not willing to set the price of our incentives very high.

It is clearly undesirable to pursue fruitless debates on the MLF at this time. This could be a problem in the UNGA or the ENDC in Geneva. However, it is not a problem in the context of pen-pal exchanges, high level private bilateral negotiations, and public announcements.

The comprehensive test ban with adequate inspection has been the central proposal in U. S. disarmament policy for the past seven years. While it was initially looked upon as an arms control measure primarily affecting the nuclear powers, it has greater significance today as a measure to deter further nuclear proliferation. Although it is very improbable that we will achieve early agreement on this issue, I can see no merit in retreating from our former public and private position. If there is no agreement, we should get credit for our good intentions. If there should be an agreement, I think it will be a major accomplishment at no serious cost to ourselves. The precedent of inspection would be very significant. India, Japan, and most of the rest of the world would almost certainly be swept into the treaty on the momentum of past public opinion against nuclear testing. Unless he has undergone a complete change of mind, McNamara is more concerned about nuclear proliferation than the potential value of a nuclear test program to this country. McNamara and his associates are well prepared to handle the security arguments with Congress. In any event, this one has been on the books a long time and we don't have to worry about doing anything new with Congress until the Soviets agree to something.

Finally, I do not agree with the oft stated criticism that the comprehensive test ban and non-dissemination non-acquisition treaty would not be effective since the countries concerned could always withdraw on the grounds that their basic national security required them to test. While this is true in theory, I believe that in practice both of these agreements would be of major constraint on the signatories, particularly Japan and India, where there would be strong public support for the agreements. The resulting international and domestic pressures would both greatly complicate a

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- 3 -

governmental decision to test and support a governmental decision not to test.

The Gilpatric report deals with other aspects of the nuclear proliferation problem such as peaceful uses of atomic energy and the export of relevant technology, on which there is a developing concern within the government. However, if the Gilpatric report dies without a trace, the various government agencies with vested interests in various aspects of nuclear proliferation will feel themselves vindicated and it will become increasingly difficult to deal with these problems on a day-to-day basis at the staff level.

In view of the above considerations, I recommend that the following steps be taken to follow up the Gilpatric report:

- (1) The Secretary of State and the Committee of Principals should review the report as the President requested. I think that they will find that except in the degree of urgency expressed, it does not differ radically from what most people think our policy is in each of the areas considered.
- (2) A short NSAM should be issued setting forth our non-proliferation policy in general terms and directing that no relevant actions be taken until they are carefully considered in the light of this policy.
- (3) The President should briefly restate our nuclear non-proliferation policy in an appropriate major address.
- (4) The pen-pal correspondence should continue to emphasize our concern with this problem including our support for comprehensive test ban and a non-dissemination non-acquisition treaty.

Spurgeon
Spurgeon Keeny

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3/29 Staff
(Keamy)
will send
NSM
8-b 3/30

March 27, 1965

MEMORANDUM TO:

The Secretary of State
The Secretary of Defense

The Gilpatric Committee Report continues to be part of the unfinished business on my desk.

Our last discussion focussed attention -- I think correctly -- on the problem of India as the one which is immediate and urgent in operational terms. In those terms we agreed that non-dissemination and a comprehensive test ban were not likely to be the subjects of actual agreement in 1965. So we have asked for hard work on the Indian problem, and I understand that Tommy Thompson has this mission.

It seems to me important, however, that we not seem to bury the Gilpatric Report or reject its general purpose of limiting the spread of nuclear weapons. The President's repeated insistence on this purpose is what underlay his decision to create the Gilpatric Committee, and I think it would be bad if an impression should spread that we have turned away from this basic policy.

I am therefore inclined to suggest that we should proceed soon with a meeting of the Committee of Principals in which we could review the report and see if we cannot reaffirm our basic support for the principle of non-dissemination and the principle of a comprehensive test ban treaty. The Gilpatric Committee Report may be unbalanced in its apparent feeling that immediate progress is possible in these areas, but we do not want to let our policy get unbalanced in the other direction.

Unless you see objection, I would hope we might discuss this matter briefly with the President on Tuesday to get his general guidance and then move on to a meeting of the Principals.

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E.O. 12958, Sec. 3.6

NLJ 57-179

By iso, NARA Date 9-29-98

McGeorge Bundy

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THE WHITE HOUSE

WASHINGTON

~~SECRET~~

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Ind. A.

McGeorge Bundy

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E.O. 12958, Sec. 3.6

NLJ 97-179

By us, NARA Date 7-29-98

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March 27, 1965

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McGeorge Bundy

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E.O. 12958, Sec. 3.6

NLJ 97-129

By iso, NARA Date 9-29-98 ~~SECRET~~

January 31, 1965

Gilpatrick

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Dear Ros:

I am slow in acknowledging your thoughtful letter of January 22. I am delighted, but not surprised, to know that Keeny, Johnson, and Rivkin did a good job, and it is nice of you to say so.

Funerals and flu have got in the way of expeditious consideration of your Committee's recommendations, and I think there may be a further interruption for recuperation by some of the Principals. But I can assure you that the Committee's report will not be allowed to gather dust in the long run.

As ever,

McGeorge Bundy

The Honorable Roswell Gilpatrick
Cravath, Swaine & Moore
1 Chase Manhattan Plaza
New York, N. Y. 10005

January 31, 1965

10a

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The Honorable Roswell Gilpatric
Cravath, Swaine & Moore
1 Chase Manhattan Plaza
New York, N. Y. 10005

10-6

MAURICE T. MOORE
BRUCE BROMLEY
ROSWELL L. GILPATRIC
CARLYLE E. MAW
EDWARD S. PINNEY
THOMAS A. HALLERAN
ALBERT R. CONNELLY
L. R. BRESLIN, JR.
BENJAMIN R. SHUTE
GEORGE B. TURNER
FRANK H. DETWEILER
GEORGE G. TYLER
JOHN H. MORSE
HAROLD R. MEDINA, JR.
CHARLES R. LINTON
WILLIAM B. MARSHALL
RALPH L. McAFEE
ROYALL VICTOR, JR.
ALLEN H. MERRILL
HENRY W. DE KOSMIAN
ALLEN F. MAULSBY
STEWART R. BROSS, JR.
HENRY P. RIORDAN
JOHN R. HUPPER
SAMUEL C. BUTLER
WILLIAM J. SCHRENK, JR.
BENJAMIN F. CRANE
FRANCIS F. RANDOLPH, JR.
JOHN F. HUNT, JR.
GEORGE J. GILLESPIE, III
RICHARD S. SIMMONS
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PARIS 8^e
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CABLE ADDRESSES
CRAVATH, N. Y.
CRAVATH, PARIS

January 22, 1965

Dear Mac:

By this note I want to record the Committee's appreciation of and thanks for the outstanding services rendered by its staff, particularly those members made available to it through your good offices. Joe Kraft was certainly right in terming the staff "superb".

Can I see
this?
my

I have always had a high opinion of Spurge's abilities and now I am doubly sure that I am right. He proved to be an ideal choice for a staff director, and without his guiding hand the Committee could not have completed its work as expeditiously as we did.

Chuck Johnson and Steve Rivkin were also of great help, and all of us on the Committee are grateful for their services.

Sincerely,



Mr. McGeorge Bundy,
Special Assistant to The President,
The White House,
Washington, D. C. 20501.

X

JOSEPH KRAFT

Study Unit Raises A-Policy Issues

By far the most interesting exercise currently going on in Washington lies in the work of the Gilpatric committee studying the dissemination of nuclear weapons. For the committee is raising questions for President Johnson that cut across this country's whole defense and foreign policies.

That in itself was not exactly expected. The committee was formed in the thick of the presidential campaign. It includes some of the most prestigious names in the country. Besides the chairman, former Deputy Secretary of Defense Roswell Gilpatric, there is the former NATO commander, Gen. Alfred Gruenther, the former high commissioner in Germany, John McCloy, the former head of the Central Intelligence Agency, Allen Dulles, and the former chief White House scientific adviser, Dr. George Kistiakowski.

Given those names and that timing, the tendency was to write off the committee as political window dressing. But in fact the committee has not been mere theater. Thanks in part to a superb staff, it has come to grips with a series of basic issues thrown up or intensified by the development of a Communist Chinese nuclear weapon and the French force de frappe.

One obvious issue involves U. S. defense policy. For 15 years that policy has been based on the calculation that the Soviet Union would be deterred from using its nuclear weapons by the threat of retaliation in kind.

But it is one thing to be faced with a single adversary, sophisticated in nuclear knowledge and therefore mindful of its vulnerability to nuclear attack. It is another thing to live in the same

world with several nuclear powers, inexperienced in the business and therefore prone to underestimate dangers. With respect to these countries, the United States may want to let down somewhat the iron bars it has set up against launching nuclear weapons against the Soviet Union. It may want to set more store by the development of a defense against ballistic missiles with nuclear weapons.

A second issue turns on the matter of the so-called "second tier" nuclear countries. These are the countries that have refrained from producing nuclear weapons although they already have the technical capacity to do so. The list includes Canada, Sweden, Israel, India, Japan, and most of the West European countries.

The problem here is to sustain the resolve of these nations not to exploit their present nuclear know-how in the weapons field. It is a delicate problem because it involves the domestic politics of the "second tier" countries. And it is an urgent problem because some of the countries, notably India in the light of the Chinese Reds' bomb, are having second thoughts about past abstinence.

One possible approach is to work out a non-proliferation treaty with the Soviet Union. Like the test-ban, such a treaty would be open to signature by other countries; it might complete the test-ban with a prohibition of underground testing, thus forbidding all testing.

Another, perhaps complementary approach is to set up international systems that would give the "second tier" countries a greater sense of nuclear security, short of their

developing their own nuclear weapons. There could be, for example, a joint U.S.-Soviet nuclear protection guarantee for India. For the European countries, some model of the Multilateral Force, or MLF, might serve.

Lastly, there is the issue of the so-called "ripple effect." This involves countries not presently equipped with the capacity to produce nuclear weapons, but apt to develop an itch for nuclear weapons programs if other countries undertake such programs. Most of the nations of the world fall into this category.

Presumably a non-proliferation treaty would go some way toward dulling the nuclear appetites of all such nations. In addition, there are restrictive measures that can be taken, either by the United States alone, or jointly with other nuclear powers. These measures range from curtailment of programs for peaceful uses of atomic energy to export controls on materials and machinery useful to the development of nuclear weapons. The net effect would be to stretch out, if not to disrupt entirely, the "ripple effect."

The Gilpatric committee has not yet reached conclusions on any of these matters. It will probably not report to the President until the end of the month, and then its findings are likely to be tightly held inside the government. But even now, it is evident that the President will be confronted with some important decisions. If nothing else, he will have to decide in the near future whether to give a top priority to the conclusion of a non-dissemination treaty with the Soviet Union.

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UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

ACDA/ST: HMyers:bh
Feb. 18, 1965

Memorandum of Conversation

APPROVED: ACDA/D *W.C.F.*
ACDA/ST *107*

DATE: February 15, 1965
TIME: 1:00PM to 2:45PM
PLACE: Cosmos Club

SUBJECT: February 15 Meeting with Academician
Millionshchikov (C)

DECLASSIFIED

E.O. 12958, Sec. 3.6

NLJ 97-173

By *is*, NARA Date 8-28-97

PARTICIPANTS: See page 3 Attached List

Soviet Embassy

COPIES TO: ACDA (15)
SOV
SCI
CIA
RPM
G/PM

AEC- Dr. Labowitz

INR-8

The White House - Mr. Keeny

Amembassy Moscow

USUN

US Mission Geneva DISDEL (3)

DoD/ISA - Mr. Barber

39

Mr. Foster referred to his discussion in New York with Mr. Tsarpkin regarding the resumption of ENDC meetings. Mr. Foster pointed out that it was useful to hold these meetings in order that each side might come to understand the other's position and therefore the meetings would facilitate the achievement of agreements. Mr. Karpov replied that each side already understood the other's position and that it was not clear to him that the ENDC was going to lead to anything useful. Mr. Foster repeated his belief to the contrary.

Mr. Foster and Dr. Scoville both emphasized the desirability of reaching non-proliferation agreements and pointed out that these were in the mutual interest of the US and the Soviet Union. Dr. Millionshchikov agreed that non-proliferation was desirable but that unless both sides showed good will it would not be possible to reach agreements. In the course of the conversation Dr. Millionshchikov made this point several times.

Mr. Karpov pointed out that there could be no non-proliferation agreements if the MLF were to come into existence. Mr. Foster said that if the Soviet concerns over the MLF were what they said they were, they should sign a non-proliferation agreement of the type

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intervals; not
automatically declassified

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- 2 -

we had been discussing so that they could have the assurance of the US that when and if the MLF comes into existence it would not turn from what the US says it will be into what the Soviet Union says it fears it will become--an independent German national nuclear force.

Dr. Scoville indicated that our interest in a cooperative seismic experiment in the Aleutians stemmed from our desire to increase our capabilities to identify earthquakes. Dr. Million-shchikov said that it was already possible to identify earthquakes. Mr. Foster and Dr. Scoville said that the US had spent \$150,000,000 on this problem and that as far as we could now tell there would always be a significant residual of unidentified events. It was pointed out that if the Soviets really believed there were no unidentified events that they should produce data to back up this assertion. The US had often asked for such data but had not received any. It was emphasized by Dr. Scoville that any comprehensive test ban treaty would have to contain provisions which provided reassurance regarding the nature of unidentified seismic events since otherwise there would be no way of keeping suspicion from accumulating as unidentified events occurred.

Mr. Foster remarked that it was unfortunate that the Soviets had not accepted our offer to scrap B-47's and TU-16's when it was first suggested since this would have reduced concern over proliferation in some areas. Mr. Karpov implied that this offer had not been genuine since we had intended to get rid of our B-47's in any case. There was then some discussion about whether stability between the US and USSR existed. The US participants argued that there was US-USSR stability but Mr. Karpov said that the problem was not one of two nations but of many nations and that as long as other nations were not taken into account that there would be no overall stability. The US participants agreed and said that was why it was necessary to do something about proliferation.

Attachment:

List of Participants

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

- 3 -

LIST OF PARTICIPANTS

Soviet Union

Professor Millionshchikov, Soviet Academy of Sciences
Mr. Karpov. First Secretary, Embassy of USSR

United States

Mr. Foster, Director, ACDA
Mr. Fisher, Deputy Director, ACDA
Dr. Scoville, Assistant Director, ACDA/ST
Dr. Rathjens, ACDA/D
Mr. Graybeal, ACDA/ST
Dr. Myers, ACDA/ST
Dr. Ruina, IDA
Mr. Mitchell, NAS

~~CONFIDENTIAL~~

Gilpatrick

January 21, 1965

12

MR. PRESIDENT:

This is the Gilpatric report and the draft NSAM which you asked to have in the evening reading. I wanted you to have it alone overnight, but tomorrow, if you agree, I will send individual copies to those of your senior advisors who must have a chance to comment -- with an absolute prohibition on duplication.

McG. B.

Gilpatrick

IMMEDIATE RELEASE

January 21, 1965

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Office of the White House Press Secretary

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THE WHITE HOUSE

STATEMENT BY THE PRESIDENT
TO THE COMMITTEE ON NUCLEAR
PROLIFERATION

Yesterday the Nation reaffirmed its dedication to the pursuit of peace. Today, we find that problem, once again, first on our national agenda.

Tomorrow and in the years ahead, our future and the future of the world will be shaped in no small measure by what we now do in the face of the complex and difficult problems posed by the spread of nuclear weapons.

I am grateful, therefore, that such distinguished and experienced men have today given me and my advisors the benefit of their patient and searching counsel.

#

**MEMBERS OF THE COMMITTEE ON NUCLEAR
PROLIFERATION**

Mr. Roswell L. Gilpatric, Chairman

Mr. Arthur H. Dean

Mr. Allen W. Dulles

General Alfred M. Gruenther

Dr. George B. Kistiakowsky

Mr. John J. McCloy

Dr. James A. Perkins

Mr. Arthur K. Watson

Mr. William Webster

Dr. Herbert F. York

NATIONAL SECURITY COUNCIL

15

January 6, 1965

Mac,

Attached is the agenda for the meeting of the Gilpatric Committee on 7 and 8 January. Note that the Committee will meet separately with the various Principals on Thursday. The next, and tentatively final, meeting of the Committee will be on 19 January. At that time, Gilpatric hopes to be able to prepare its report to the President.

Do you want to talk to the Committee (or Gilpatric) at either this meeting or the 19 January meeting before the report is prepared?

to Gilpatric

if he wants

Spurgeon
Spurgeon

to talk to me

my

15a

AGENDA

COMMITTEE ON NUCLEAR PROLIFERATION

January 7 - 8, 1965

January 7 (Room 303, EOB)

9:50 AM	Executive Session
10:00	Dr. Seaborg
11:00	General Wheeler
12:00	Lunch - White House Mess
1:00 PM	General Discussion
1:30	Secretary McNamara
3:00	Secretary Rusk at the State Department
5:00	Mr. Foster
6:00	Adjourn

January 8 (Room 303, EOB)

9:00 AM	Executive Session
	Choice Among Alternative Policies and Consequences and General Discussion of Problem Areas
12:00	Lunch - White House Mess
1:00	General Discussion of Problem Areas (cont'd)
5:00	Adjourn

~~TOP SECRET - EXDIS~~
CLASSIFICATION

DEPARTMENT OF STATE
Executive Secretariat

December 22, 1964

Date

FOR: Mr. McGeorge Bundy
The White House

FROM: Benjamin H. Read
Executive Secretary

For your information and
files.

Enclosures: S/S 17749 #10
To Vientiane 544 #2,7
To Saigon 1324 #2,6

TOP SECRET - EXDIS
CLASSIFICATION

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
NOT NAT'L SECURITY
INFORMATION, E. O. 12356,
SEC. 1.1(a).

BY MR ON 1-8-97

G/PM:RLGarthoff:pep
(Drafting Office and Officer)

~~SECRET~~

EXDIS

DEPARTMENT OF STATE

17749

Memorandum of Conversation TO

DATE: December 15, 1964

SUBJECT: Non-Proliferation of Nuclear Weapons

PARTICIPANTS: The Acting Secretary of State, Mr. George W. Ball
Mr. Raymond L. Garthoff, G/PM

Mr. Roswell Gilpatric, Chairman, Committee on Nuclear Proliferation
Mr. Arthur H. Dean Dr. James A. Perkins
Mr. John J. McGloy Mr. Arthur K. Watson

COPIES TO:

S ACDA
U EUR
M White House
G
G/PM

Mr. Ball met on December 14, 1964, for luncheon with the panel of the Gilpatric Committee on Nuclear Proliferation concerned with the proliferation problem in the European context.

Mr. Ball noted the intimate interrelationship between our policy of not favoring proliferation of national nuclear capabilities and other broad objectives of our foreign policy. He noted that this policy, and our more general support for European and Atlantic unity, had brought us into conflict with General de Gaulle's policy of seeking the hegemony of France in Europe. He did not ascribe particular significance to the MLF as a factor causing strain in relations between the US and France. Mr. Ball emphasized the need to avoid isolating Germany and leaving German grievances, which was our mistake after the First World War. History need not repeat itself monotonously to our detriment. Moreover, in facing the need for Western deterrence and defense, there are clearly two alternative paths. Either we seek security individually, or collectively. There are a variety of possible collective arrangements for defense, but we firmly believe that some form of collective arrangement is preferable, if not indeed necessary.

Mr. Ball commented that he had made these points to M. Couve de Murville, and he believed the French understood our position. We had always indicated to the French our preference that they join us, and that the door was always open for them. This is the chief message which Dean Rusk was conveying to General de Gaulle that same day. Nonetheless, the French have set on their

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E.O. 12958, Sec. 3.6

NLJ 01-290

By com, NARA, Date 3-3-03

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GPO 908992

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own path. With respect to Germany, Couve agreed that Germany should not have its own nuclear capability, but Germany was after all not really a "nation." General de Gaulle, on the other hand, has said that in time Germany will have its own nuclear weapons.

In the light of the position taken by the new British Labour Government, and particularly the exchange of views with Harold Wilson held in Washington, the question of a collective nuclear deterrent has been placed on a new basis. Mr. Ball noted that the British needed to find a way to give up their national nuclear force, and we wanted to help them do this. For a variety of reasons, the British remain unenthusiastic about a multilaterally manned surface force. In addition, due to domestic political repercussions, Wilson wants to proceed with construction of three or four Polaris submarines under the Nassau Accords. However, the British are willing to place their three or four Polaris submarines, and the strategic nuclear elements of their V bomber force, into a new broadened Atlantic Nuclear Force. These elements would form, so to speak, the capital contribution of the British to an ANF. Wilson had asked our view on meeting with Erhard, and we encouraged him to go to Bonn. Despite the British reservations, Mr. Ball indicated confidence that the British would participate, even though on a small scale, also in a multinationally manned surface Polaris force which would be established by the US, UK, Germany, Italy, and the Netherlands. No doubt others would also join when this constellation of participants was agreed; it would be a lodestar. Mr. Ball noted that the major parties in Germany both favored the collective nuclear defense path. Only the CSU and a few individuals were playing a Gaullist policy for their own ends. Mr. McCloy confirmed this assessment of the German scene. The French of course would not, at least at this time. Mr. Gilpatric inquired as to what the French reaction would be. Mr. Ball replied that he did not believe the French would leave either the NATO Alliance or the Common Market. France had too much to gain from the grain price arrangements of the EEC. Returning to discussion of the possible ANF, Mr. Ball noted that there would be certain problems with respect to the organizational command of the ANF (under SACEUR, or as a co-equal SACSTRAT), and with respect to US assistance in meeting certain British commitments east of Suez. But these problems were, Mr. Ball believed, soluble.

Mr. Ball replied, in answer to a question, that he did not believe the Soviets should be or would be unduly concerned about an MLF or an ANF. He noted that with a new leadership in Moscow we could not be quite so sure of specific Soviet reactions. As the terms of a collective arrangement were worked out we could then give more explicit assurances that such a force could never be used by Germany alone.

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Mr. Ball stated that the Germans had made quite clear that they were not prepared to extend the 1954 WEU restrictions more broadly until such collective arrangements were made; we believe that at that time they would do so.

Mr. Ball concluded discussion on this theme by stressing the great promise of an arrangement which would knit Germany closely into a broader community, merge the British nuclear force into a collective arrangement, and offer a viable long-term arrangement for the Atlantic Community--in the long run hopefully also including France. Mr. Ball was asked about the "European Clause," and replied that we were now thinking in terms of a very general statement which would provide only that the treaty would be reconsidered--after all the parties agreed--at such time as a European political unity was created which had been given the ultimate sovereign right of declaring war. The form of new arrangements, if any, would be left open. The present arrangement would have an ironclad US veto.

With respect to the problem of proliferation in the world at large, Mr. Ball envisaged that a general comprehensive test ban or non-proliferation agreement might be no more effective than the Kellogg-Briand Treaty. To commit nations on matters directly affecting their security requires satisfaction of their security needs, and they will not be bound by general undertakings limiting their freedom of action unless these security needs have in some way been met. The problem varies from country to country. Mr. Ball noted that the arrangements suitable in the Atlantic Community were not feasible in Asia. The context and background was too different. Consequently, we must consider each situation individually. Japan is in close alliance with the US; India is not. Israel is in yet a different situation. Probably the most critical point of next decision is New Delhi. Tel Aviv would rank second, Tokyo third, and Stockholm fourth. We have entered a dialogue with the Indians, but to date it has been only an exploratory probing to determine the nature of assurances and other steps that may be required. Mr. Gilpatric and Mr. Perkins commented that there appears to be a great need to stir up responsible strategic thinking in Japan. It was suggested that we should find appropriate ways to counter such things as the appearance in Japan of Gaullist ideas on national nuclear deterrence being propagated there by General Gallois. Mr. Ball mentioned that we might want to consider such possibilities as a "bank" of nuclear weapons in the Far East from which countries threatened by Chinese nuclear power might draw nuclear weapons when and if required.

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Mr. Gilpatric mentioned that Jeff Kitchen had briefed the Committee on US export control policy and NSAM 294. He then remarked that apparently some people felt that the restrictions we had placed on trade with France were a serious irritant in relations with that country. Mr. Ball stated that he believed the French understood very well our policy of hampering development of a national strategic capability; they expect it of us, because they would do the same if there were in our place. Mr. Gilpatric mentioned the pending case of two computers. Mr. Ball mentioned that he had only recently been visited by representatives of CDC. Mr. Watson said he was not making an intercession, but that he wanted to remark that he thought it was difficult in the case of computers to conclude that one was effectively denying the French Government anything strategic; computers are too widely available. He noted that while IBM had turned down a request from the Weissman Institute in Israel, CDC had given them one. Thus the computer capability was available if the Israeli Government wanted to use it in connection with a nuclear weapon development program. It was agreed that there are difficult problems in this area.

Mr. Gilpatric commented that he had been thinking a little about the possibility of direct action to roll back Chinese nuclear weapons development. He asked Mr. Ball's view on such a course. Mr. Ball replied that he did not consider such a course of action feasible at this time, but that it might appear in a different light if the Chinese were responsible for starting something up at some time in the future.

Mr. Gilpatric and his colleagues expressed their deep appreciation for the opportunity to meet with Mr. Ball for discussion of this problem.

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PRIVILEGED

THE WHITE HOUSE
WASHINGTON

COMMITTEE ON NUCLEAR PROLIFERATION

TENTATIVE AGENDA

December 13 - 14, 1964

Room 303, Executive Office Building

December 13 (Sunday)

- 10:00 AM - Executive Session
- 10:30 - U.S. Policies to Control Export of Technology and Equipment Related to Nuclear Weapons and Delivery Systems -- Mr. Jeffrey Kitchen, Deputy Assistant Secretary for Politico-Military Affairs, Department of State
- 11:30 - Executive Session
- 12:30 PM - Lunch
- 1:30 - U.S. Response to Pressures for Proliferation Outside Europe -- Mr. Walt W. Rostow, Counselor, Department of State
- 2:45 - Executive Session
- 4:00 - Status of the Multilateral Force - Mr. Gerard Smith, Special Assistant to the Secretary of State (MLF)
- 5:00 - Executive Session
- 6:30 - Adjourn
- Evening - Sub-group discussions

December 14 (Monday)

- 9:00 AM - Underground Nuclear Testing - Dr. Harold Brown, Defense Director of Research and Engineering
- 10:00 - Executive Session
- 1:00 - Adjourn

PRIVILEGED

Gilpatrick ✓
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THE WHITE HOUSE
WASHINGTON

*Mr. B
talked to
Spurgeon
on phone*

December 14, 1964

Mac:

In case you think it would still serve a useful purpose, I am attaching a revised version of the original press release on the Gilpatric Committee. Note that the last paragraph refers to the communique at the conclusion of the Johnson-Wilson meeting. If the statement is issued today, the timing of the release could be related by Reedy to the meeting of the Committee on Sunday and Monday.

Spurgeon
Spurgeon

18a

PRESS RELEASE

The President issued a statement today on the work of the Committee on Nuclear Proliferation, pointing to the "growing threat to humanity" caused by the spread of nuclear weapons.

The Committee, under the chairmanship of Roswell Gilpatric, former Deputy Secretary of Defense under Presidents Johnson and Kennedy, consists of ten distinguished citizens with broad experience in international and military affairs.

The Committee has been asked by the President to study the problem of preventing the spread of nuclear weapons in all relevant dimensions and to report its findings to him as soon as possible.

In addition to Mr. Gilpatric, who is currently a New York attorney, the members of the Committee are:

Mr. Arthur H. Dean, New York attorney; formerly Chairman, U.S. Delegation to the Geneva Disarmament Conference

Mr. Allen W. Dulles, formerly Director of Central Intelligence

General Alfred M. Gruenther, formerly Supreme Allied Commander Europe

Dr. George B. Kistiakowsky, Professor of Chemistry, Harvard University; formerly Scientific Adviser to President Eisenhower

Mr. John J. McCloy, New York attorney; formerly
U.S. High Commissioner for Germany

Dr. James A. Perkins, President, Cornell University

Mr. Arthur K. Watson, Chairman of the Board, IBM
World Trade Corporation

Mr. William Webster, Chairman of the Board, New
England Electric System

Dr. Herbert F. York, Professor of Physics, University
of California at San Diego; formerly Director, Research
and Engineering, Department of Defense

Mr. Spurgeon M. Keeny, Jr., Staff Member, National
Security Council, is serving as Staff Director.

In his statement, the President said:

"We have now lived in the nuclear age for two decades --
twenty years of danger in which nuclear weapons have become
increasingly numerous and destructive. They are also becoming
available to an increasing number of nations.

"This proliferation represents a peril to all men, everywhere.

"A year ago we took the first concrete step to control this
growing threat to humanity. The limited test ban treaty is serving
as a restraint, if only a partial one, on the development of new
nuclear weapons capabilities.

"But more must be done, and soon. Nuclear weapons are
coming within the economic resources and technical capabilities

of more than a dozen nations who can, if they choose, build a nuclear device.

"Surely it is in the best interest of all mankind that the world choose instead the higher and safer course of immediate efforts to stop the spread of nuclear weapons.

"In 1961, the United Nations General Assembly gave voice to this hope in a unanimous resolution urging a worldwide agreement to halt the nuclear spread. The United States has been working at the Geneva Disarmament Conference to negotiate such an agreement, and in the last few weeks I have reemphasized the American commitment to this vital task.

"Once again, I reaffirm that commitment.

"In the months ahead, the Government will be called upon to make major decisions to advance our policies to stop the nuclear spread. I will look to this Committee for advice and counsel in helping me reach those decisions."

(During the course of his October 18 address on radio and television the President stated the following U.S. policies for working against the spread of nuclear weapons:

("First: We will continue to support the Limited Test Ban Treaty, which has made the air cleaner. We call on the world -- especially Red China -- to join the nations which have signed that treaty.

("Second: We will continue to work for an ending of all nuclear tests of every kind, by solid and verified agreement.

("Third: We continue to believe that the struggle against nuclear spread is as much in the Soviet interest as in our own. We will be ready to join with them and all the world in working to avoid it.

("Fourth: The nations that do not seek national nuclear weapons can be sure that if they need our strong support against some threat of nuclear blackmail, then they will have it.")

(Subsequently, in the December 8th communique at the conclusion of President Johnson's two-day meeting with British Prime Minister Harold Wilson, the two leaders indicated that they ~~had~~ "agreed on the urgency of a world-wide effort to promote the non-dissemination and non-acquisition of nuclear weapons, and of continuing Western initiatives towards arms control and disarmament. They recognized the increasing need for initiatives of this kind in light of the recent detonation of a Chinese nuclear device.")



~~CONFIDENTIAL~~

OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

DECLASSIFIED

E.O. 12958, Sec. 3.6

NLIJ 92-175

By iso, NARA Date 4-14-98

10 DEC 1964

MEMORANDUM FOR Mr. McGeorge Bundy
Special Assistant to the President
(National Security Affairs)
The White House

SUBJECT: National Security Action Memorandum No. 321

Pursuant to the telephonic request from Mr. Johnson of your staff, the following representatives of the Department of Defense are designated as working members of the Special Committee on Strategic Stockpile Objectives established in conformance with National Security Action Memorandum No. 321, dated December 1, 1964:

Robert S. McNamara, The Secretary of Defense
Member of the Committee of Principals

Mr. Eckhart Bennewitz, Director of Weapons Systems
Scheduling and Analysis, Office of Assistant Secretary
of Defense (I&L), Working Member (OX5-6322)

Mr. Carl Rolle, Directorate of Weapons Systems
Scheduling and Analysis, Office of Assistant Secretary
of Defense (I&L), Alternate Working Member (OX7-6800)

Rear Admiral Nels C. Johnson, Strategic Plans and
Policy, J-5, Joint Staff, Working Member (OX7-8510)

Colonel R. C. Bulgin, J-5, Joint Staff, Alternate Working
Member (OX7-4612)

*Dr. Lee Niemela, Office of the Deputy Assistant Secretary
of Defense (Systems Analysis), Consultant Working Member,
(OX7-5056)

*Dr. Niemela will be available on a part-time basis to assist in the review of committee papers and to participate during working sessions of special concern to the Assistant Secretary of Defense (Comptroller).

~~CONFIDENTIAL~~

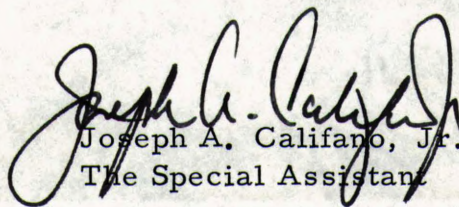
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~~CONFIDENTIAL~~

2

Mr. Bennewitz is designated point of contact for Department of Defense participants.


Joseph A. Califano, Jr.
The Special Assistant

~~CONFIDENTIAL~~

COMMITTEE ON NUCLEAR PROLIFERATION
~~PRESIDENT'S TASK FORCE ON NUCLEAR PROLIFERATION~~

Members of the Task Force

Honorable Roswell Gilpatric, Chairman
 Cravath, Swaine and Moore
 1 Chase Manhattan Plaza
 New York, New York

HAnover 2-3000 (Wash. DU 2-6011
 and 456-1414)

Honorable Arthur H. Dean
 Sullivan and Cromwell
 40 Wall Street
 New York, New York

HAnover 2-8100

Honorable Allen W. Dulles
 2723 Q Street, N.W.
 Washington, D.C.

ADams 2-0104

General Alfred M. Gruenther
 4101 Cathedral Avenue, N.W.
 Washington, D.C.

244-7693

Dr. George B. Kistiakowsky
 Department of Chemistry
 Harvard University
 Cambridge, Massachusetts

UNiversity 8-7600, Ext. 683

Honorable John J. McCloy
 Milbank, Tweed, Hadley and McCloy
 1 Chase Manhattan Plaza
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HAnover 2-2660

Dr. James A. Perkins
 President
 Cornell University
 Ithaca, New York

273-4321

Honorable Arthur K. Watson
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 821 United Nations Plaza
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Honorable William S. Webster
President
New England Electric System
441 Stuart Street
Boston, Massachusetts

COmmonwealth 6-5800

Dr. Herbert F. York
Chancellor
University of California Campus
at San Diego
San Diego, California

GLencourt 9-2388

Staff to the Task Force -- Room 300, Executive Office Building

Spurgeon M. Keeny, Jr. (NSC Staff) - Staff Director	DUDley 2-2386 DUDley 2-6011
Raymond L. Garthoff, (Special Asst. to Dep. Asst. Secy, Politico-Military Affairs, Dept. of State)	DUDley 3-2579 DUDley 3-2981 DUDley 2-6011
Charles E. Johnson (NSC Staff)	DUDley 2-1877
Richard Murray, (Asst. to the Dep. Asst. Sec. Def. (ISA))	LIberty 5-6700 Ext. 78552 DUDley 2-6011
Dr. George Rathjens (Special Asst. to Director, Arms Control and Disarma- ment Agency)	DUDley 3-8107 DUDley 2-6011
Steven R. Rivkin, (Technical Asst. for Legal Affairs, Office of Science and Technology)	DUDley 2-6011 DUDley 2-8954

~~CONFIDENTIAL~~

November 25, 1964

22

NATIONAL SECURITY ACTION MEMORANDUM NO. 320

TO: The Secretary of State
The Secretary of Defense
The Director of Central Intelligence
The Chairman, Atomic Energy Commission
The Director, Arms Control and Disarmament Agency

SUBJECT: Task Force on Nuclear Proliferation

The President has appointed a special Task Force on Nuclear Proliferation, under the Chairmanship of Mr. Roswell Gilpatric, to study means to prevent the spread of nuclear weapons. The Task Force has been asked to examine the problem in its broadest ramifications. It is expected that the Task Force report will be available for the President by the end of January 1965.

In addition to Mr. Gilpatric, the members of the Task Force are:

Mr. Arthur H. Dean
Mr. Allen W. Dulles
General Alfred M. Gruenther
Dr. George B. Kistiakowsky
Mr. John J. McCloy
Dr. James A. Perkins
Mr. Arthur K. Watson
Mr. William S. Webster
Dr. Herbert F. York

Mr. Spurgeon M. Keeny, Jr., National Security Council staff, will serve as Staff Director for the Task Force.

The President assigns great importance to the work of the Task Force and has asked that all agencies assist the Task Force in the execution of its assignment.

In view of the urgency of the nuclear proliferation problem, the responsible government agencies should continue their work in this field on a high priority basis in parallel with the work of the Task Force.

McGeorge Bundy

cc: Dr. Hornig
Mr. Keeny
NSC Files
Chas. Johnson
Col. Bowman
Lee White
Wm. J. Hopkins

DECLASSIFIED

Authority NLS 90-97
By Dfw/lp, NARA, Date 2/13/96

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December 7, 1964

MEMORANDUM TO HOLDERS OF NSAM 320

SUBJECT: Committee on Nuclear Proliferation

The Presidential study group covered in NSAM 320, formerly referred to as the Task Force on Nuclear Proliferation, will henceforth be referred to as the Committee on Nuclear Proliferation.

McGeorge Bundy

23 ✓
THE WHITE HOUSE
WASHINGTON

December 1, 1964

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Meeting with your Committee of Nuclear Proliferation - 6 PM.

I still hope that you will be willing to step into the Cabinet Room for not more than 7 minutes to talk with this group. We have changed its name from "task force" to "committee" so that there will be no invidious comparison with other groups which have had a quite different mission. This group represents the best effort the U. S. Government can make right now on what may well be the most dangerous single problem in our long-range foreign policy. It deserves a word of encouragement from you, and its members need to know that the President himself cares about this problem.

I have spoken to Lee White, and I understand the clearance problem. The committee is not taking White House appointments until that problem is settled, and their discussions today are based on what agencies are prepared to do from existing clearances.

I attach a single page of remarks you might make to them. I also attach a press release which will not be used without your specific approval in the light of the clearance problem, though my own recommendation is to go ahead with it.

McG. B.

McG. B.

Tab A - Proposed remarks

Tab B - Possible press release

23a

A

TAB A - Remarks

We have now lived in the nuclear age for two decades -- twenty years of danger in which nuclear weapons have become increasingly numerous and destructive. They are also becoming available to an increasing number of nations.

This proliferation represents a peril to all men, everywhere.

A year ago we took the first concrete step to control this growing threat to humanity. The limited test ban treaty is serving as a restraint, if only a partial one, on the development of new nuclear weapons capabilities.

But more must be done, and soon. Nuclear weapons are now coming within the economic resources and technical capabilities of more than a dozen nations who can, if they choose, build a nuclear device.

Surely it is in the best interest of all mankind that the world choose instead a higher and safer course by an immediate effort to stop the spread of nuclear weapons.

In 1961, the United Nations General Assembly gave voice to this hope in a unanimous resolution urging a worldwide agreement to halt the nuclear spread. The United States has been working at the Geneva Disarmament Conference to negotiate such an agreement, and just six weeks ago I reemphasized the American commitment to this vital task.

I reaffirm that commitment today.

In the months ahead, your Government will be called upon to make major decisions to advance further our policies to stop the nuclear spread. I look to you for wise judgment and experience in helping me reach those decisions.

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23-c

B

TAB B

PRESS RELEASE

23-d
Dec. 1, 1964

The President met today with his special Committee on Nuclear Proliferation and reviewed the "growing threat to humanity" caused by the spread of nuclear weapons.

The Committee, established on November 1 under the chairmanship of Roswell Gilpatric, former Deputy Secretary of Defense under Presidents Johnson and Kennedy, consists of ten distinguished citizens with broad experience in international affairs.

The Committee has been asked by the President to study the problem of preventing the spread of nuclear weapons in all relevant dimensions and to report its findings to him as soon as possible after the first of the year.

In addition to Mr. Gilpatric, the members of the Committee are:

Mr. Arthur H. Dean, formerly Chairman, U. S. Delegation to the Geneva Disarmament Conference

Mr. Allen W. Dulles, formerly Director of Central Intelligence

General Alfred M. Gruenther, formerly Supreme Allied Commander Europe

Dr. George B. Kistiakowsky, formerly Scientific Adviser to President Eisenhower

Mr. John J. McCloy, formerly U. S. High Commissioner for Germany

Dr. James A. Perkins, President, Cornell University

Mr. Arthur K. Watson, Chairman of the Board, IBM World Trade Corporation

Mr. William S. Webster, President, New England Electric System

Dr. Herbert F. York, formerly Director, Research and Engineering, Department of Defense

Mr. Spurgeon M. Keeny, Jr., White House Staff, is serving as Staff Director.

In addressing the Committee, the President said:

"We have now lived in the nuclear age for two decades -- twenty years of danger in which nuclear weapons have become increasingly numerous and destructive. They are also becoming available to an increasing number of nations.

"This proliferation represents a peril to all men, everywhere.

"A year ago we took the first concrete step to control this growing threat to humanity. The limited test ban treaty is serving as a restraint, if only a partial one, on the development of new nuclear weapons capabilities.

"But more must be done, and soon. Nuclear weapons are now coming within the economic resources and technical capabilities of more than a dozen nations who can, if they choose, build a nuclear device.

"Surely it is in the best interest of all mankind that the world choose instead a higher and safer course by an immediate effort to stop the spread of nuclear weapons.

"In 1961, the United Nations General Assembly gave voice to this hope in a unanimous resolution urging a worldwide agreement to halt the nuclear spread. The United States has been working at the Geneva Disarmament Conference to negotiate such an agreement, and just six weeks ago I reemphasized the American commitment to this vital task.

"I reaffirm that commitment today.

"In the months ahead, your Government will be called upon to make major decisions to advance further our policies to stop the nuclear spread. I look to you for wise judgment and experience in helping me reach those decisions."

During the course of his October 18 address on radio and television the President stated the following U. S. policies for working against the spread of nuclear weapons:

"First: We will continue to support the Limited Test Ban Treaty, which has made the air cleaner. We call on the world -- especially Red China -- to join the nations which have signed that treaty.

"Second: We will continue to work for an ending of all nuclear tests of every kind, by solid and verified agreement.

"Third: We continue to believe that the struggle against nuclear spread is as much in the Soviet interest as in our own. We will be ready to join with them and all the world in working to avoid it.

"Fourth: The nations that do not seek national nuclear weapons can be sure that if they need our strong support against some threat of nuclear blackmail, then they will have it."

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23-e

AGENDA

Task Force on Nuclear Proliferation
Room 303, Executive Office Building
December 1, 1964

10:00 AM	Opening Remarks - Mr. Gilpatric
10:15	General Discussion
11:00	Status U.S. - Soviet Non-Proliferation Proposals - Mr. Fisher/Mr. DePalma, ACDA
12:00	Lunch
12:45	Intelligence Briefing - Mr. Cline, CIA
2:30	U.S. Overseas Peaceful Uses Program - Mr. Palfrey, AEC
3:45	U.S. Dispersal and Control - Mr. Howard, DOD
4:30	General Discussion
6:00	Meeting with the President

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PRESIDENT'S TASK FORCE ON NUCLEAR PROLIFERATION

Members of the Task Force

Honorable Roswell Gilpatric, Chairman
Cravath, Swaine and Moore
1 Chase Manhattan Plaza
New York, New York

HAnover 2-3000 (Wash. DU 2-6011
and 456-1414)

Honorable Arthur H. Dean
Sullivan and Cromwell
48 Wall Street
New York, New York

HAnover 2-8100

Honorable Allen W. Dulles
2723 Q Street, N.W.
Washington, D.C.

ADams 2-0104

General Alfred M. Gruenther
4101 Cathedral Avenue, N.W.
Washington, D.C.

244-7693

Dr. George B. Kistiakowsky
Department of Chemistry
Harvard University
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UNiversity 8-7600, Ext. 683

Honorable John J. McCloy
Milbank, Tweed, Hadley and McCloy
1 Chase Manhattan Plaza
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Dr. James A. Perkins
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Cornell University
Ithaca, New York

273-4321

Honorable Arthur K. Watson
Chairman of the Board
IBM World Trade Corporation
821 United Nations Plaza
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PLaza 3-1900

Honorable William S. Webster
President
New England Electric System
441 Stuart Street
Boston, Massachusetts

COmmonwealth 6-5800

Dr. Herbert F. York
Chancellor
University of California Campus
at San Diego
San Diego, California

GLencourt 9-2388

Staff to the Task Force -- Room 300, Executive Office Building

Spurgeon M. Keeny, Jr. (NSC Staff) - Staff Director DUdley 2-2386
DUdley 2-6011

Raymond L. Garthoff, (Special Asst. to Dep. Asst. DUdley 3-2579
Secy, Politico-Military DUdley 3-2981
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Dr. George Rathjens (Special Asst. to Director, DUdley 3-8107
Arms Control and Disarma- DUdley 2-6011
ment Agency)

Steven R. Rivkin, (Technical Asst. for Legal Affairs, DUdley 2-6011
Office of Science and Technology) DUdley 2-8954

Mission of the Task Force

23-8

The Task Force shall study the problem of preventing the spread of nuclear weapons and make recommendations to the President for action to this end. In the course of its work, the Task Force shall consider the following aspects of the problem:

- 1) The spread of nuclear weapons to the national control of nations not now possessing them through transfer or through independent national programs of weapons manufacture.
- 2) The spread of basic nuclear technology, materials, and facilities useful for weapons research and production through the application of atomic energy for non-weapons purposes (i. e., power reactors and peaceful use of nuclear explosives).
- 3) Improvement in the military nuclear capabilities of existing nuclear powers (France and China) through direct or indirect assistance from the more advanced nuclear powers (U. S., U. K., USSR).
- 4) Attainment of additional or improved delivery capabilities for nuclear weapons through direct sale of strategic delivery systems or through technical assistance contributing to development of such systems.
- 5) Dispersal of nuclear weapons through U. S. bilateral and multi-lateral arrangement with countries not at present having an independent nuclear capability.
- 6) Dispersal of nuclear weapons outside U. S. through deployment of U. S. nuclear weapons to U. S. units overseas.
- 7) Measures to maintain the security of countries affected by any actions proposed in connection with the above problems.

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WORKING DRAFT

SELECTED ISSUES

23-h
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E.O. 12958, Sec. 3.6

NLJ 97-169

By is, NARA Date 9-25-98

1. The desirability of attempting to prevent proliferation of nuclear weapons capabilities.

Is it to the U.S. interest in all cases to attempt to prevent the acquisition by other countries of a nuclear capability, or are there special cases where it might be in the U.S. interest for particular nations to acquire such capability? If so, how can such selectivity in proliferation be exercised?

2. Europe, NATO, the German problem and the MLF.

a. Considering possible variations in the MLF,

(1) It is likely in fact to be effective in meeting a potential demand or in reducing the incentives for an independent German nuclear capability? What if other countries, e.g., India or Sweden, go ahead with nuclear weapons programs?

(2) Is it likely to strengthen NATO or might the divisive effects be dominant?

b. Does a Germany tightly tied to the U.S. with involvement in control of nuclear weapons as implied in the MLF offer a better long term hope for stability in Europe, for reunification of Germany, and for relaxation of the East-West confrontation than moving toward neutralization and denuclearization of Central Europe, or in the direction of a "third force" Europe?

c. What, if any, modification in the MLF would be acceptable as a price to get the USSR to go along with a non-proliferation agreement? Abandonment of European clause? Perpetual U.S. veto? Non-acquisition pledge by non-nuclear signers?

3. Inhibiting non-European countries from going ahead with nuclear weapons programs.

a. What pressures or sanctions could be applied and what inducements or guarantees might we offer the non-nuclear

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powers to get them to agree to a non-acquisition agreement or, more generally, to refrain from going ahead with nuclear weapons programs? What about India and Japan particularly?

b. What can we do to influence other countries to avoid helping non-nuclear powers in nuclear weapons programs?

c. Would arrangements similar to the MLF be desirable and effective as a means of meeting potential demands for nuclear capabilities in other areas: the Pacific, South Asia?

4. Multilateral treaties or agreements.

I. Comprehensive test ban

a. Should we accept a comprehensive test ban treaty without Chinese and/or French accession?

b. Is there any price that would be acceptable to us that might induce either or both to accede?

c. Considering the potential gains with respect to halting proliferation of nuclear capabilities and changes in technical capabilities, should we modify our position regarding a comprehensive test ban? Could we accept:

(1) a reduced number of on-site inspections, or

(2) a no-on-site inspection treaty?

II. A non-proliferation agreement.

a. Should we go ahead with a non-dissemination agreement without Chinese, French, and/or Soviet participation?

b. How much and what kind of pressure and inducements would be appropriate to get France and/or China to agree to a non-dissemination proposal?

c. Is it at all realistic to attempt to get a non-acquisition agreement to which the non-nuclear powers would

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subscribe without the nuclear powers agreeing to a non-dissemination agreement (or other constraints on what they do in the nuclear area)?

5. Peaceful uses.

a. Does the Atoms for Peace Program as currently conceived serve our non-proliferation interests by increasing U.S. influence and control over foreign nuclear programs or does it have the net effect of accelerating the capabilities of Nth countries to develop and produce nuclear weapons?

b. Are there countries, presently or potentially involved in Atoms for Peace where such programs should be curtailed or prohibited because of political instability or possible interest in attaining an independent nuclear capability?

c. Are present safeguards and controls (bilaterals, IAEA, EURATOM) on fissionable material transfers, reactors, and other technology adequate? If not, what improvements could be made?

d. Are present rights and procedures in both our bilateral and multilateral agreements adequate to permit us to repossess fissionable materials and facilities in the event they are not used for peaceful purposes or safeguards are not observed?

e. Do contingency plans exist to deal with situations arising when a country simply takes over Atoms for Peace fissionable materials or facilities for use in developing an independent nuclear weapons program or refuses to honor rights for repossession?

f. How would a Plowshare program operate under a comprehensive test ban? What would be the risk that such an arrangement to continue Plowshare would defeat the purposes of such a Treaty by contributing to nuclear proliferation or to the improvement of the weapon capabilities of existing nuclear powers?

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g. What constraints should we impose on our domestic and overseas Atoms for Peace programs (i.e. transfer of fissionable material, reactors, critical equipment, information and personnel exchange) in the interest of inhibiting proliferation of nuclear weapons technology?

6. Dispersal of U.S. nuclear weapons and controls.

a. Do present and contemplated arrangements provide adequate safeguards against seizure, unauthorized use, and compromise of design information?

b. Should the U.S. cut back on deployment of nuclear weapons for use abroad with delivery systems of our allies?

c. Should the U.S. cut back on its deployment of nuclear weapons overseas for use with U.S. forces? Is our present nuclear weapons deployment consistent with U.S. strategic and tactical policies?

d. Is the U.S. currently presenting the best "image" on nuclear weapons? For example, what are the negative implications of sending nuclear submarines on visits to ports of non-nuclear powers such as Japan?

e. Is U.S. intransigence on the questions of overseas basing and of transit rights for nuclear weapons unnecessarily limiting us in reaching agreements on, or in responding to, proposals for nuclear free zones, etc.? Could we live with some restrictions in these areas?

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7. Policies toward existing nuclear powers.

- a. What measures can the U.S. take to inhibit improvement by nuclear powers in their weapons or their delivery systems?
- b. What measures might we take, or encourage others to take, to make difficult or to frustrate French testing in the Pacific?
- c. What are the military possibilities and what are likely to be the political consequences of eliminating the Chinese nuclear capability?

8. Reducing the incentives to acquire nuclear weapons capabilities.

- a. Is stimulation of prestigious non-weapons technology achievements in the space, atomic energy, or other fields likely to prove feasible and effective in diminishing incentives to acquire nuclear capabilities in countries where a major component of the demand is the desire to demonstrate technical proficiency? What might we do in this area? What dangers might there be in indirectly building up technical capacity for later programs for nuclear weapons or delivery systems?
- b. Would the deployment of an effective anti-ICBM system by the principal nuclear powers, i.e., USA, USSR and UK, serve to deter the nuclear aspirations of "have not" nations?
- c. How far should we go in trying to inhibit proliferation of nuclear delivery system technology as an adjunct to inhibiting proliferation of nuclear weapons technology?
- d. What importance should we attach to other (than nuclear non-proliferation) measures in reducing the incentives to acquire nuclear weapons? For example, would negotiation of the U.S. proposal for a freeze on strategic nuclear delivery vehicles

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or of an agreement to transfer fissionable material from weapons to peaceful uses programs be interpreted by others as indicative of movement toward a world where nuclear capabilities may be of less military and/or political significance? Are the priorities we are giving to such measures and our evaluation of the risks implicit in them commensurate with the importance they may have in the medium and long term in reducing incentives for others to acquire nuclear weapons?

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PRESIDENT'S TASK FORCE ON NUCLEAR PROLIFERATION

Tentative Schedule of Meetings

<u>Dates</u>	<u>Subject Matter</u>
1. December 1 (one day)	Initial briefings and discussion, possible division into subgroups for interim substantive study
2. December 15-16 (two days)	Completion of formal briefings and Departmental presentations (first day); Substantive discussions (second day)
3. January 5 and 6 (two days)	Substantive discussions
4. January 18 (one day)	Consideration of report to President

23-j

PRESIDENT'S TASK FORCE ON NUCLEAR PROLIFERATION

Problem Areas and Possible Assignments

<u>Problems</u>	<u>Principals</u>	<u>Staff (and Consultants)</u>
1. Problems of Europe and NATO: German nuclear interests; MLF and possible modifications or alternatives; implications for Soviet behavior	McCloy Gilpatric Watson	Garthoff Murray Rathjens
2. Problems of nuclear proliferation outside Europe, especially India and Japan: pressures for and against acquisition; discouraging prolifera- tion by reducing incentives, applying sanctions, restricting trade on critical materials, offering guaran- tees and other security arrange- ments	Dulles Kistiakowsky Watson	Garthoff Rivkin Murray
3. Multilateral agreements: com- prehensive test ban; non-prolif- eration agreements; denuclearized zones; reductions and freezes in nuclear weapons and delivery systems	Dean Kistiakowsky Perkins	Garthoff Murray Rathjens
4. Peaceful uses of atomic energy out- side US: power and research re- actors; Plowshare; inspection, safe- guards, sanctions; transfer of technology and availability of fis- sionable material for weapons development	Perkins Webster York	Rathjens Rivkin (Palfrey)
5. US policies on weapons dispersal: re- quirements; control; physical security, relationship to incentives for pro- liferation; spread of operational and technological know-how	Dulles Gilpatric Gruenther	Murray Johnson
6. Policies toward existing nuclear powers: controls of technology to discourage improvements in weapons delivery systems, and testing; in- cluding psychological, political, eco- nomic and military pressures and incentives	Dean Gilpatric McCloy York	Garthoff Rivkin Johnson