

TOP SECRET-NODIS AttachmentsDEPARTMENT OF STATE  
EXECUTIVE SECRETARIATUS-GVN  
re: Elusorship's

April 23, 1968

THE SECRETARY

Your Luncheon Meeting with the President Today1. US/DRV Contacts Sites

Copies of last night's outgoing message and Sullivan's cable on delivery are attached, as well as a draft message to the TCC's advising them of our move (TAB A).

2. Contingency Planning for NVN bombing resumption in the event of major DRV/VC offensive in South. The President has asked for the views of SecDef and General Wheeler.

3. MACV Announcement of Daily Mission Totals

The President has indicated his objection to the announcement of daily mission totals and records during the present partial stand-down. As you will see from the attached table the mission totals bear no necessary relationship to the actual number of Sorties flown, but EA notes that we will have press creditability problems if the present system is altered (TAB B).

4. Strategic Missile Limitation Talks: New Approach to USSR

cleared

You have/a draft Presidential letter to Kosygin (3 copies at TAB C) and an oral statement by Thompson (3 copies at TAB D) on this subject. The letter proposes a US/Soviet announcement during the UNGA NPT debate that bilateral negotiations on an agreement to limit strategic offensive and defensive missiles would begin "within a specified time period." The oral statement proposes (1) "cessation of initiation of construction of any additional strategic offensive missile launchers" with range over 1,000 KM, which can be verified by national means for fixed land based missile systems. The offer is also made to discuss sea based and mobile land based missile launcher limitations with necessary supplementary inspection arrangements; and (2) "an agreed number of anti-missile launchers and associated radars." You will recall Dobrynin told Thompson/Bohlen 4/5 that a concrete US suggestion will be helpful. (TAB E) Sec. Clifford concurs in this proposed new approach to the Soviets, but JCS opposes giving the Soviets any specific US freeze proposal (TAB F).

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5. NPT and Non-Use Declaration

Goldberg, Foster and Bohlen favor your recommending to the President that he authorize our representative during the NPT debate to affirm US intent (already communicated to the Soviets) "to refrain from the threat or use of nuclear weapons against any non-nuclear weapon State, Party to the NPT treaty, that is not engaged in an armed attack assisted by a nuclear-weapon State." (TAB G). JCS opposes making such a declaration, although this has been authorized in the past, for the reasons set forth in the memo at TAB H. Leddy urges you to retain the right to decide when and under what circumstances we would publicly state our non-use formula (TAB I). Foster's UNGA prognosis att'd (TAB N)

6. Misc. DOD Items (at SecDef's request)

- (a) Report on Hague Discussions
- (b) US Ground Entry into Ashau Valley in Laos - The proposal EA and Sullivan's statement of opposition is attached (TAB J)
- (c) Bombing in Northern Laos - Sullivan and EA concur in DOD proposal to resume full bombing north of the 20th (TAB K)
- (d) FY 68 DOD Supplemental -
- (e) M-16/Helicopters
- (f) Casualty Reporting - General Wheeler proposes announcing as wounded casualties only those evacuated or treated at medical facilities. EA notes the creditability problem which would be caused by any change of the present reporting system.

7. Briefing of Candidates

On April 20, 1964, President Johnson instructed State, DOD and CIA "to provide all major (Presidential) candidates ... with all possible information helpful to their discussion of American policy." On April 22, 1964 you wrote Goldwater, Rockefeller, Stassen, Nixon, Scranton, Wallace and Maggie Smith informing them that you, SecDef and Director McCone were prepared to give such briefings. Scranton and Stassen accepted. Practice in earlier

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years was limited to post convention periods (TAB L). Does the President want to make a similar offer now? to whom?

8. Other

- (a) Personnel - If you wish to discuss personnel an up-dated Chief of Mission list is attached (TAB M).

BHR

Benjamin H. Read

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THE SECRETARY OF STATE  
WASHINGTON

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MEMORANDUM FOR THE PRESIDENT

SUBJECT: Negative Security Assurances in Connection  
With the Non-Proliferation Treaty

In view of the reconsideration requested by the Joint Chiefs of Staff in the memorandum at Tab A, Secretary Clifford, Ambassador Goldberg, Ambassador Foster and I have taken another look at the approved position on including a statement on the non-use of nuclear weapons in the U. S. Declaration on security assurances in connection with the NPT.

The Current Situation

The Soviets have insisted that the only non-use formulation in which they could join would be the Kosygin proposal, which would limit the promise of non-use to countries which do not have nuclear weapons on their territory. In response to their insistence on this unacceptable formula, Ambassador Foster, under instructions, indicated to the Russians our willingness to accept the following alternative formulation:

"The United States affirms its intention to refrain from the threat or use of nuclear weapons against any non-nuclear-weapon State, Party to the Treaty on the non-proliferation of nuclear weapons, that is not engaged in an armed attack assisted by a nuclear-weapon State."

Because we could not agree on a formulation, we and the Soviets decided to omit any non-use statement from the Declarations which we propose to make. However,

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Ambassador Foster informed the Soviets, as instructed, that we reserved the right to make our formulation public during the General Assembly debate if this issue becomes a major focal point for criticizing the NPT package. The Soviets reserved a similar right.

We expect at the UNGA there will be considerable pressure from the non-nuclear powers for a non-use formulation, but that we and the Soviets will continue to be unable to agree on non-use language, and therefore will include none in our Declarations.

Re-examination of the Issue

Based on our re-examination, we continue to believe that we must be prepared to state in the General Assembly our willingness to agree on the above non-use formulation in order to get an endorsement of the Treaty. If, as Ambassador Goldberg and Ambassador Foster fully expect, the issue is raised, and the Russians state publicly their willingness to accept the Kosygin formula, we must be in a position to state our willingness to accept our alternate formula, not only to counter Soviet propaganda, but more important, to make it clear that we, as well as the Russians, would be prepared to limit our option to use nuclear weapons as a means of facilitating approval of the NPT.

We believe that our proposed statement of non-use is sufficiently flexible to permit us to maintain the credibility of our deterrent in situations in which we would want to threaten or actually use nuclear weapons. We find it inconceivable that we would want to use nuclear weapons in a situation in which the country engaged in an armed attack was not in some way assisted

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by a nuclear power, viz, the Soviet Union or China. The statement that we propose to make leaves it to us to interpret whether such assistance is being rendered, and, of course, does not limit that assistance to provision of troops.

We believe that there will be no adverse effect in Europe from our stating our willingness to accept our non-use formulation. We presented our proposed language to the North Atlantic Council and did not receive any objections. (The U. K. later indicated that it had reservations and we will be talking to them further in New York.) Any Warsaw Pact attack on NATO would, of course, occur in circumstances in which our pledge of non-use would be inoperable, and this would be so obvious to the Warsaw Pact and our allies as not to degrade in any way the credibility of our deterrent in Europe.

JCS Views

The Joint Chiefs of Staff recommend that we not be prepared to issue any form of non-use statement. The JCS believe that any form of negative security assurances outside the American hemisphere "weakens the credibility of the U. S. nuclear deterrent, reduces military flexibility, and establishes a precedent that could lead to further restrictions on U. S. nuclear options." Their views are at Tab A.

Congressional Consultation

Key members of Congress and their staffs were previously consulted by ACDA on the proposed non-use statement and did not raise any objection to it. (Memorandum at Tab B).

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Recommendation

That you authorize Ambassador Goldberg, if this issue is made a major focal point for criticizing the NPT package, to state the non-use formulation that the U. S. would be prepared to include in its Declaration on security assurances if agreement could be reached on the wording of that formulation among the nuclear powers which intend to sign the NPT.

Secretary Clifford and Ambassadors Goldberg and Foster concur in this recommendation.

Dean Rusk

APPROVED \_\_\_\_\_

DISAPPROVED \_\_\_\_\_

DATE \_\_\_\_\_

## Attachments:

Tab A - Memorandum from the Joint  
Chiefs of Staff

Tab B - ACDA Congressional Consultations

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B. H  
TADA

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By 6U NARA Date 6/18/08

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

JCSM-249-68

17 APRIL 68

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: Security Assurances and the Nonproliferation Treaty (NPT) (U)

1. (U) Reference is made to:

a. A memorandum by the Deputy Assistant Secretary of Defense (ISA), I-22089, dated 16 April 1968, subject as above.

b. CM-3023-68, dated 19 February 1968, subject: "NPT and Security Assurances."

c. JCSM-230-68, dated 10 April 1968, subject: "NPT and Security Assurances."

2. (C) Reference 1a requests the views of the Joint Chiefs of Staff regarding ACDA's proposed instructions to the US Delegation to the United Nations on the subject of the NPT and security assurances. These ACDA proposals would be applicable to the resumed session of the UN General Assembly which convenes on 24 April 1968.

3. (S) The Joint Chiefs of Staff consider the present drafts of the NPT and the UN Security Council Resolution on positive security assurances to be consistent with their previously stated views. They have no objections to ACDA's proposed instructions to the US Delegation to the United Nations with the exception of that part which would authorize the US Delegation to commit the United States not to use nuclear weapons against an attacking nation not assisted by a nuclear weapon state.

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4. (S) On 19 February 1968 (reference 1b), the Chairman, Joint Chiefs of Staff, informed the Secretary of Defense that the Joint Chiefs of Staff consider that any form of negative security assurances to geographical areas outside the American Hemisphere, including the current US nonuse formulation, weakens the credibility of the US nuclear deterrent, reduces military flexibility, and establishes a precedent that could lead to further restrictions on US nuclear options. In consideration of these views, and the current tense international situation, the Chairman, Joint Chiefs of Staff, recommended that the US policy on nuclear nonuse be changed to reject any form of nonuse commitment outside the Treaty of Tlatelolco.

5. (S) On 11 April 1968 (reference 1c), the Joint Chiefs of Staff, while recognizing that introduction of the US nonuse formulation by the US Delegation to the United Nations is intended as an inducement to nonnuclear states to sign the NPT, concluded that the extent to which this nonuse guarantee is effective politically is the same extent to which the credibility of the US nuclear deterrent will be weakened. A US nonuse commitment could encourage increased "adventurism" on the part of US enemies or potential enemies who view themselves as free from the threat of US nuclear attack and relatively safe from a significant conventional response because of heavy US commitments elsewhere, such as in South Vietnam. Moreover, as was recently affirmed by the US Ambassador to NATO, it would almost certainly have a divisive impact on the NATO Alliance. The Joint Chiefs of Staff, therefore, again recommended that the US policy on nuclear nonuse be changed to reject any form of nonuse commitment other than that required by the Treaty of Tlatelolco.

6. (S) The Joint Chiefs of Staff conclude that the risks to US national security of publicly committing the United States to nuclear nonuse clearly outweigh any supposed advantage from US receptiveness to the idea of nuclear nonuse. In consideration of these risks, the Joint Chiefs of Staff strongly oppose the United States becoming a party to an NPT that has a nuclear nonuse commitment in any form associated with it. Accordingly, the Joint Chiefs of Staff request that you take the necessary action to have the authorization which commits the United States

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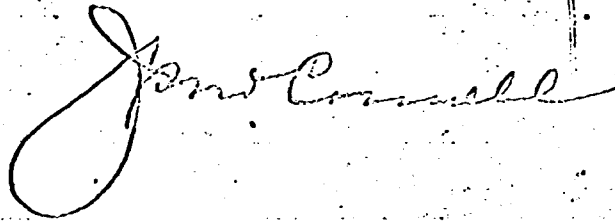
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to a nonuse obligation removed from the instructions to the US Delegation to the United Nations. If the authorization is not removed, the Joint Chiefs of Staff request that their views be brought to the attention of the President.

For the Joint Chiefs of Staff:



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DEPARTMENT OF STATE  
WASHINGTON  
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MEMORANDUM

APR 19 1968

TO: The Secretary

THROUGH: S/S

FROM: EUR - John M. Leddy *JML*

SUBJECT: Security Assurances: Non-Use  
ACTION MEMORANDUM

I understand the JCS is recommending that we drop our present non-use formula which we told the Soviets we might surface if non-use becomes a major NPT sticking point. I have been asked to concur in an ACDA memorandum which rebuts the Chiefs' views (both are at Tab 1) and asks you to request the President's authorization for Ambassador Goldberg to state the US non-use formulation if "this issue is made a major point for criticizing the NPT package..." While I do not support the Chiefs' recommendation, neither do I feel the Department's position would be adequately protected were ACDA's recommendations accepted.

For twenty years, we resisted ban-the-bomb and non-use type gestures as being either meaningless or harmful to our deterrent. None of our allies - who depend on our nuclear deterrent - like the idea of the US getting involved in non-use assurances. The UK, in particular, and our other allies may well be sticky on this point. Further, Harlan Cleveland suggests that, at a minimum, consultations be carried on in the NAC before our non-use formulation is tabled publicly.

Politically, I believe we get onto a very slippery slope if we try competing with the Soviets in such largely propaganda exercises. Moreover, we should recognize that once made, our non-use pledge will continue to be the object of pressures to broaden it. I have been concerned, therefore, that the unveiling of our non-use formula will make our position more difficult rather than easier - particularly if we get involved in a popularity contest with the Kosygin proposal in the UN.

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At the same time, I recognize that a non-use undertaking may become critical to favorable GA action on the NPT. For this purpose, I agree that for the present we should retain the option of stating our non-use formula. However, I also believe that the serious political and security implications of such an undertaking require that the decision to take such a step not be left solely to UN tactical considerations as perceived in New York. ACDA assumes it already has the authority to take this decision by virtue of Para 5, State 117238 attached. I disagree because I believe that the decision to state publicly our non-use formulation should be exercised only in light both of the tactical situation in the UN and of the advantages and disadvantages obtaining at the time. One of the principal possible disadvantages might well be a negative reaction from those countries, e.g., FRG, Italy, whom we have been at such pains to bring along on the NPT. I believe, therefore, that the final decision to state our non-use formula should be retained in your hands.

Moreover, since the Soviets also seem to be having some second thoughts on non-use, perhaps our priority concern should be to get Soviet agreement to keep this issue under control and not get into a debate as to whose is the better formula. With the Kosygin formula already on the record, this means we would have to tolerate some mention of that formula without springing to reveal our own contingency position.

Finally, I find that the memo prepared by ACDA does not conform to my understanding of the history of this issue, and I would hesitate to use it to brief the President. I think the memo should make clear that the desirability of our undertaking a non-use assurance may be marginal, and that such an undertaking would constitute a departure from long standing policy. I also believe the memo should make clear we are not pre-delegating authority to decide on undertaking a non-use commitment but are reserving this for your decision.

Recommendation:

I recommend that you reject the ACDA memorandum in its present form and that you personally retain the right to decide when and under what circumstances we would publicly state our non-use formula.

Attachment

State 117238

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