



DEPARTMENT OF STATE
ACTION MEMORANDUM

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November 8, 1978

TO: The Secretary

FROM: ACDA - Spurgeon Keeny, Jr *smk*
PM - Leslie Gelb *JHG*
T/D - Joe Nye *JSN*

SUBJECT: Non-Proliferation Benefits of a CTB

The Chiefs have responded (Tab 2) to the memo you and Paul sent them in July (Tab 3) concerning the potential non-proliferation benefits of a 3-year CTB Treaty.

The Chiefs propose that an inter-agency paper be prepared to weigh the non-proliferation impact and the national security risks of a CTB, for consideration by the NSC. We believe that this is a bad idea. It would probably lead to a long acrimonious debate that would not resolve our disagreement. It might add to the polemics -- public as well as private -- that have recently surrounded the CTB.

We suggest you send Dave Jones a short response explaining in general terms why you do not believe such a study would be appropriate at this time. It doesn't make sense to continue a substantive exchange with the Chiefs on the question of CTB and non-proliferation for the time being. This won't change their minds. Paul Warnke sent you a memo opposing such a study (Tab 4).

Joe Nye and Jerry Kahan have discussed this issue with the JCS staff. At Tab 5 is a background paper that evaluates how a limited duration CTB can support non-proliferation. It repeats some of the points made in your July memo, but reflects the additional arguments that the JCS staff put to Joe and Jerry.

Recommendation

That you sign the letter at Tab 1 giving your view that an inter-agency study on the non-proliferation effects of a CTB is not necessary. Gerry Smith and Tom Pickering agree.

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Authority NND 52947
By R NARA Date 5-7-10

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Attachments:

- Tab 1 - Proposed letter for signature
- Tab 2 - Memo from JCS dated 26 September 1978
- Tab 3 - Your memo to JCS
- Tab 4 - Paul Warnke's memo of October 4
- Tab 5 - Background memo on non-proliferation
benefits of a CTB

PM/NPP:GSuchan
Ext. 21835

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THE SECRETARY OF STATE
WASHINGTONSECRET

Dear Dave:

I am pleased that our staffs have exchanged views on the non-proliferation benefits to national security of a non-discriminatory Comprehensive Test Ban Treaty (CTBT). We found these conversations useful.

I continue to believe that a limited duration CTBT would make a contribution to the effectiveness of our non-proliferation policy. However, it is unnecessary at this time to undertake an inter-agency study on this subject, as proposed in General Rogers' memorandum of September 26. The fundamental issues were addressed in the response to PRM-16 over a year ago, and the President has decided that the national security would be served by an initial CTBT of limited duration.

Once this treaty has been in force for a couple of years, we will want to assess its effect, including its impact on our non-proliferation objectives. By that time we will have more concrete evidence on which to base our judgments about future steps.

With warm regards,

Sincerely,

General David C. Jones, U.S.A.F.,
Chairman, Joint Chiefs of Staff,
Department of Defense.

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MEMORANDUM FOR THE SECRETARY OF STATE

Subject: Nonproliferation Value of a Comprehensive Test Ban (U)

(S) The Joint Chiefs of Staff have carefully studied your memorandum of 10 July 1978, subject as above. While they agree that proliferation of nuclear weapons is a serious US national security issue, they remain unpersuaded by the evidence you have presented on the potential nonproliferation benefits of a Comprehensive Test Ban (CTB) of the type currently under discussion.

2. (S) The Joint Chiefs of Staff have been unable to establish to their satisfaction any causative relationship between a ban on nuclear testing and the cessation of the development of nuclear weapons by states without such weapons. They feel at this point that a nation's decision to develop nuclear weapons is dependent upon perceptions of vital self-interest, not upon the existence of a CTB. Further, they believe the benefits stated in your memorandum would be uncertain and debatable in the case of a CTB of unlimited duration, and that significant nonproliferation benefits would not be derived from the type of CTB now being considered by the United States--one of 3- to 5-year duration with an announced option to resume testing.

3. (S) Clearly, there are divergent views concerning the nonproliferation benefits of a 3- to 5-year CTB followed by resumption of testing. The Joint Chiefs of Staff believe

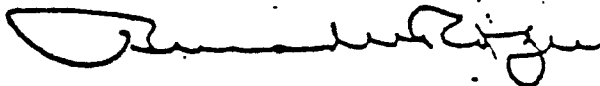
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Classified by Director, J-5
SUBJECT TO GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
AUTOMATICALLY DOWNGRADED AT TWO
YEAR INTERVALS
DECLASSIFIED ON 31 DECEMBER 1986

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that an interagency paper weighing the nonproliferation impacts and the national security risks of a CTB should be developed for consideration by the National Security Council. The Secretary of Defense has been so advised.

For the Joint Chiefs of Staff:



BERNARD W. ROGERS
General, USA
Acting Chairman
Joint Chiefs of Staff

Copy to:

Secretary of Defense
Secretary of Energy
Assistant to the President
for National Security Affairs
Director, Arms Control and
Disarmament Agency

DEPARTMENT OF STATE
WASHINGTON

July 10, 1978

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COPIES TO:

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S/P
PM
OES
AGDA
S/AS
RF/hjbMEMORANDUM FOR THE CHAIRMAN,
JOINT CHIEFS OF STAFFSUBJECT: Non-Proliferation Value of a Comprehensive
Test Ban (CTB)

One of the most serious potential threats to our national security is the further spread of nuclear weapons. We believe that a major national security advantage of a CTB -- in addition to the constraint it would impose on Soviet strategic force modernization -- would be CTB's contribution to the achievement of non-proliferation objectives.

By demonstrating the willingness of the nuclear powers to accept restraints on their own nuclear capabilities CTB would put the U.S. in a stronger position to carry out our non-proliferation strategy. We could better press key non-nuclear states to accept restrictions on their activities.

The President has publicly repeated his commitment to a test ban; and the intense interest of the non-aligned nations, as well as our allies, in a test ban was expressed in the recent U.N. Special Session on Disarmament. Continued failure to reach a CTB would seriously impede our non-proliferation efforts and could result in considerable erosion of what we have achieved.

We believe that the longer the duration of the CTB, the greater the benefits. But even a three-year ban, if non-discriminatory, would have significant non-proliferation value. Following are some specific benefits.

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1. Prevent Testing by Threshold States.

A CTB would commit non-nuclear weapon parties to accept constraints upon nuclear weapon development. These nations would be unable to obtain either the political benefit or the initial proof of weapons afforded by tests. This would be important politically for nations which have not joined the NPT -- notably India, Pakistan, Egypt, Israel, Argentina, Brazil, Spain, South Africa, and Saudi Arabia. Six of these nations are parties to the Limited Test Ban Treaty. A widely supported CTB -- one that, unlike the NPT, could not be attacked as discriminatory -- would be politically very costly for such states to reject. There are reasonable prospects that a substantial number of them will join. Even for those that choose not to adhere, the existence of a CTB could well be a factor inhibiting any decision to test.

2. Strengthen the NPT

Most of the non-nuclear parties to the NPT have stressed the importance they attach to fulfillment of the reciprocal undertakings of nuclear weapons states to curb vertical proliferation. One of the steps most persistently urged is a comprehensive test ban treaty, which is considered a litmus test of nuclear power intentions. A CTB could make it easier to persuade additional states to join the NPT, and reduce charges of discrimination and of failure to fulfill our obligations under Article VI of that Treaty. It would also minimize the chances of withdrawal by countries, such as Yugoslavia and Nigeria, that have hinted at that possibility. If a CTB is in effect by 1980, it will improve the negotiating position of the United States in the NPT Review Conference.

3. Reinforcement of the Treaty of Tlatelolco

Argentina and Brazil, two states of primary proliferation concern who have not joined the NPT, have interpreted the Treaty of Tlatelolco as not foreclosing "peaceful" nuclear explosives. Since Tlatelolco could well enter into force at about the same time as a CTB, the latter would close out this possibility.

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4. India.

While Prime Minister Desai has declared that he will not authorize any further explosions, it is important to translate this into a treaty obligation binding India. Desai states that India will "support all non-discriminatory measures toward nuclear disarmament," and indicated that a CTB would "remove a sensitive element of discrimination and bring the chances of acceptance of a non-proliferation treaty both internationally and nationally much nearer." Last month Foreign Minister Vajpayee told U.S. Congressmen that India would join a non-discriminatory CTB. Given India's standing in the non-aligned movement as well as the importance of Indian actions in this area in the wake of its 1974 test, Indian adherence to the CTB would have a beneficial effect on other countries, particularly Pakistan.

Our other major non-proliferation objective in India -- full scope safeguards -- would be promoted by a CTB. At his January 5 press conference, Desai said "India will agree to full scope safeguards only if the nuclear powers, at least the big two, the United States and the Soviet Union, signed a comprehensive treaty to avoid all types of tests" and took certain other steps. In his recent meetings with Prime Minister Desai, the President placed great emphasis on the CTB as a major part of the solution to the safeguards problem. Since the Non-Proliferation Act of 1977 requires termination of U.S. nuclear aid to India if full scope safeguards are not in place in 18 months, a CTB may avert a serious division between the United States and India.

5. South Africa.

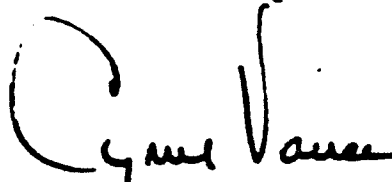
A CTB which South Africa joined would convert into a treaty obligation the assurance Prime Minister Vorster gave the President that South Africa would not explode a nuclear device. This would help reduce regional apprehensions about South African intentions as well as the risk of consequential decisions by others to go nuclear. In the near term, a CTB could advance the progress begun during Ambassador Smith's recent visit in achieving South African adherence to the NPT and full scope safeguards.

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In summary, we believe that a CTB is a central element of our efforts to prevent the further proliferation of nuclear weapons.


Cyrus Vance


Paul C. Warnke

cc: Harold Brown
James Schlesinger
Zbigniew Brzezinski

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October 4, 1978

OFFICE OF
THE DIRECTOREYES ONLYMEMORANDUM

TO: The Secretary of State

FROM: Paul C. Warnke *PCW*

SUBJECT: JCS Comments on Non-Proliferation Value of a CTB

The JCS memorandum of September 26 questions the non-proliferation value of the CTB and proposes an interagency paper "weighing the non-proliferation impacts and the national security risks."

I believe such a study at this time would be unconstructive and undesirable.

On the basis of PRM-16 (issued in February 1977), which addressed the non-proliferation implications and national security risks of a CTB, the President decided to seek a comprehensive ban on nuclear testing. He has repeatedly stated his intention to continue to seek such a ban. As you know, he did so most recently in his conversation with Foreign Minister Gromyko. We have been engaged for more than a year in implementing the President's decision.

PRM-16 was not, of course, prepared in the context of a limited-duration treaty. Shifting to a treaty of limited duration, in order to reduce the national security risks of a CTB, undoubtedly will reduce the non-proliferation value of the treaty somewhat. Nevertheless, the value of a meaningful Comprehensive Test Ban for non-proliferation is extensively documented in the recorded reactions of many nations throughout the world; and I believe the treaty can

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still be quite useful in this regard. The long term impact will obviously depend on whether or not we decide to resume testing in three years. In any case, the President has already decided to seek a limited-duration CTB, and we are engaged in implementing that decision.

I believe it would be singularly inappropriate to conduct a study that purports to question the President's judgment on the international non-proliferation consequences and the national security implications of the treaty we are already negotiating. These issues will of course be examined about three years from now, in relation to determining whether we want a replacement treaty. At that time we should have a much better basis for judging both the non-proliferation benefits and any security risks, and that would be the appropriate time to undertake the study the Chiefs have proposed. No constructive purpose would be served in undertaking such a study at present, and the almost inevitable result would be a further ventilating of differences.

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SECRETBACKGROUND PAPERNON-PROLIFERATION VALUE OF
A 3-YEAR COMPREHENSIVE TEST BAN

1. Testing and non-proliferation: Continued testing by the nuclear weapons states (NWS) weakens the effectiveness of our non-proliferation policy by stimulating the criticism of the non-nuclear weapons states (NNWS) that their voluntary renunciation of nuclear weapons has not been balanced by significant arms control efforts (as required by Article VI of the NPT) by the NWS.

We believe that Article VI is taken seriously by some NNWS; Yugoslavia, for example, has threatened to withdraw from the NPT over this issue. At the 1975 NPT Review Conference and the UNSSOD, the NWS were heavily criticized for not concluding a CTBT, and this pressure is likely to increase by the time of the 1980 NPT Review Conference.

By agreeing to a CTBT and accepting limits on their own nuclear weapons development programs, the NWS would make the constraints of the NPT more acceptable to the NNWS. A CTBT would reduce criticism of the NPT, diminish the likelihood of the withdrawal of NPT adherents and promote a 1980 Review Conference that focuses on more positive issues.

On the other hand, failure to agree to a CTBT could undermine the effectiveness of the NPT regime and weaken US non-proliferation policy.

2. Testing and weapons development: A CTBT would prohibit its adherents only from conducting nuclear tests, not from engaging in any other weapons development activity. The importance of testing to the acquisition of nuclear weapons is therefore an element in the non-proliferation benefits of a CTBT, even though we do not anticipate any

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NNWS will detonate a device during the Treaty's initial duration.

We believe that states which accept a CTBT will have less incentive to develop nuclear weapons. For example, to acquire the full "prestige" of possessing nuclear weapons, a state would need to demonstrate its capability with a nuclear test. In addition, states motivated by national security concerns would encounter substantial uncertainties in perfecting their untested nuclear devices or designing more sophisticated weapons without testing. In general, the inability to test would reduce the advantages of acquiring nuclear weapons and would therefore diminish the incentive to undertake a weapons development program.

3. CTBT adherence: The acceptance of a limited duration test ban by the major states of non-proliferation concern is an important factor in its effectiveness as a non-proliferation instrument. We believe the CTBT will be accepted by several key NNWS.

A CTBT would make a substantial contribution to our non-proliferation policy toward non-NPT parties. Prime Minister Desai has indicated India is likely to agree to an adequate CTBT, which would at least temporarily obligate India to refrain from further nuclear tests. In addition, a CTBT and a successful conclusion of SALT II are two of Desai's conditions for acceptance of full-scope safeguards on India's nuclear facilities. While we cannot predict the final Indian decision, a limited duration CTBT would clearly be more likely to influence the Indians than no treaty at all.

If it is not possible to persuade South Africa to adhere to the NPT in the near future, a CTBT would provide a possible way of converting former Prime Minister Vorster's personal assurances not to explode a nuclear device into a binding international obligation.

The CTBT's principle of non-discrimination will be an important factor in its acceptability to the NNWS, particularly in the case of India and the other non-NPT parties. For example, four Latin American states which have refused

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to ratify the "discriminatory" NPT have nonetheless signed the "non-discriminatory" Treaty of Tlatelolco. Moreover, even if some states use the issue of discrimination only as an excuse to avoid signing the NPT, these states would find it more difficult to explain a refusal to accept the non-proliferation restraints of a non-discriminatory CTBT.

The very existence of a CTBT would create strong pressure for states to adhere to it. If a limited duration test ban initially gains the acceptance of even a few prominent NPT critics (e.g., India, Spain), the increased political isolation of the remaining states (e.g., Pakistan, Argentina, Brazil) would bring growing pressures on them to join an expanding non-proliferation consensus by subscribing to a CTBT.

4. Concern over resumption of testing: While the benefits of the CTBT would be enhanced by a treaty of longer duration, we believe a three-year test ban would retain substantial non-proliferation impact. Although some states may believe that a three-year treaty indicates an NWS intention to resume testing at the end of the initial duration, we would probably be able to persuade many states that the limited duration approach (with no commitment beyond three years) is a reasonable first step that deserves their support.

These states would be reminded that the CTB would be the third in a series of test bans in which the NWS have accepted increasingly severe restrictions on their freedom to conduct nuclear tests; with the CTB, this freedom disappears altogether.

We would be frank with the NNWS about the option to resume testing, but we would stress that it would be wrong for the NNWS to assume that the resumption of testing is a foregone conclusion. A decision not to renew the CTBT would be made only after an extensive review of the CTBT's effect on our overall national security, including our non-proliferation objectives. We would stress to the NNWS the importance of the CTB Review Conference, at which all treaty parties would be able to participate in the review process (although the Conference would not have a veto over the US decision).

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Future participation in the Review Conference would therefore be an additional incentive for a state to adhere to the CTBT.

While the resumption of testing would generate criticism, a failure to agree to any CTBT at all, given the high expectations raised in the course of the present negotiations, would certainly inflict great damage on our non-proliferation policy. A refusal to enter into a three-year CTBT would support the argument of our critics that the US is not prepared to take concrete steps toward the fulfillment of our arms control objectives.

5. Effect on Alliance Relations: While Western Europe and Japan support a CTBT (in large part because of its non-proliferation benefits), they must also retain confidence in the effectiveness of the US nuclear deterrent -- which, for our NNWS allies, supports our non-proliferation objectives. It is possible that some of our non-nuclear allies may prefer a treaty with an option to resume testing after three or five years, on the assumption that significant reliability problems uncovered by our stockpile inspection program would not be perpetuated under a limited duration CTBT.

6. Low Threshold Test Ban alternatives: The JCS continue to prefer a new TTBT, with lower permitted yields in the 3-5 kt. range, as an alternative to the CTBT. However, a new Threshold Test Ban Treaty would not provide significant non-proliferation benefits, especially when compared to a limited duration CTBT. A treaty which permits meaningful testing by the NWS would be denounced as discriminatory by the NNWS, and President Carter has already promised Prime Minister Desai that testing in the "kiloton range" would not be permitted. To reverse this decision would eliminate significant non-proliferation benefits from a new test ban treaty. The resulting concern among the NNWS would substantially reduce our influence in preventing the spread of nuclear weapons.

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