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United States Senate

COMMITTEE ON ARMED SERVICES
 WASHINGTON, D.C. 20510

T. EDWARD BRAGWELL, JR., CHIEF COUNSEL AND STAFF DIRECTOR

February 15, 1977

The President
 The White House
 Washington, D.C.

Dear Mr. President:

In accordance with our discussion at the White House breakfast on Friday, February 4 I am enclosing a memorandum addressed to you on SALT, together with a summary comment. I will of course be pleased to discuss with you personally these important matters.

Sincerely yours,

Henry M. Jackson, U.S.S.

Enclosure

for the President on SALT,
 Source: "Memorandum ~~of~~ Henry M. Jackson to
 Jimmy Carter, February 15, 1977. Henry M.
 Jackson Papers, accession no. 3560-S, box 315,
 folder 35, University of Washington Libraries.

See T. L. List of Enclosures, pp 52-54

MEMORANDUM FOR THE PRESIDENT ON SALT

Summary Comment

In what follows I have tried to review those SALT issues that will determine the success of your administration in realizing its goal of reducing dependence on the resort to nuclear destruction while providing for the security of our country and its allies.

A sound SALT agreement could be an important element in your efforts to achieve this goal; an unsound agreement could impair those efforts and make that goal more remote.

It is essential to remember that not all negotiable agreements are in our interest; that some agreements may be worse than none; that the failure to obtain an agreement now does not necessarily foreclose the possibility of doing so in the future; and that an unsound agreement now could make it difficult or impossible to obtain a sound one later.

The previous administration often forgot these obvious truths. Too often it persuaded itself that its choice had narrowed to a risky agreement on Soviet terms or no agreement at all. Too often it lost sight of the goals that a sound SALT agreement could promote; often agreement itself became its goal.

The previous administration helped to create a climate of urgency that made it difficult to think carefully about these complex issues. Cliches about the spiraling "arms race" have obscured the fact that we have been spending and doing less while the Soviets were spending and doing more. Despite a general impression to the contrary, the U.S. strategic budget actually peaked in the 1950's and declined from then until FY 1976. Indeed, from FY 1961 to FY 1976 the U.S. strategic budget declined at an average annual rate, in constant dollars, of eight percent -- while the Soviet strategic budget increased rapidly after 1964.

In form the SALT negotiations have been and remain bi-lateral. In substance they have come increasingly to affect our allies, particularly NATO. They affect the triangular balance among the United States, the Soviet Union and China. Success at SALT now requires intense consultations with our allies; more thorough study of our common defense requirements and the ways in which those requirements are affected by SALT; and concern for its impact on our, and the Soviet, relationship with China.

Originally SALT was intended to deal with the strategic nuclear forces of the Soviet Union and the United States. Increasingly it has come to affect the potential development of conventional defense forces and theater nuclear deployments. The negotiations have now evolved in such a way as to put at risk the most promising new approaches to the conventional defense of Europe. We can and should resist the hasty conclusion of a treaty that would permit the threat to NATO to grow graver than it now is while limiting our freedom to protect against that threat.

On an interim basis it may be possible to achieve a limited follow-on to the SALT I agreement that would neither worsen our security or that of our allies nor impede your long term efforts to achieve the goals you have set for the administration. But even this modest short-term goal will require great skill and patience and determination. I fear that you will get little help from a bureaucracy that has become increasingly committed to an improvident search for easy solutions to hard problems.

Both in this memorandum and elsewhere I have discussed the issue of serious reductions of strategic forces. I believe that carefully negotiated reductions, if they do not require the sacrifice of essential security interests, could do much to promote our goals. This is a complex subject and one that requires elaboration, perhaps in a follow-on to this memorandum.

I believe that the Congress will support you in your effort to take the time that is necessary to avoid hasty decisions or truncated negotiations against deadlines that work to the advantage of the Soviet Union. I am confident that you will get our strong support for a long-term effort to design defense and negotiating policies that stand a fair chance of realizing your goals.

I believe that this memorandum approaches these issues in a deliberate and thoughtful manner. It is the product of a careful review by me and some hard work by my staff. Much of what I have had to say is in conflict with much of the advice that you will receive from executive departments which, even now, are largely following the path of the previous administration. I welcome the further opportunity to elaborate these ideas and to continue to provide an essential perspective that I am persuaded you ought to have.

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February 15, 1977

MEMORANDUM FOR THE PRESIDENT ON SALT

The national security goals I understand your Administration has set for itself are to protect our own safety and that of our allies as economically as we can, and with less dependence on the resort to nuclear weapons; and to limit the spread to more countries of nuclear explosives. These are goals that I and my colleagues in the Congress firmly share. Achieving them will require persistence, imagination and realism, both in negotiation and in the design of our military forces. We will not succeed if we ignore the worsening situation of our own defense posture and that of our allies, or by trying to substitute the threat of a suicidal nuclear attack for measures to improve and protect our forces. We cannot reduce our dependence on nuclear weapons unless we overcome an inferiority in conventional arms that is increasingly dangerous. And we cannot succeed in these goals by claiming that superiority in the hands of our adversaries is meaningless.

Realistic agreements with potential adversaries might usefully supplement, but they can hardly supplant, our own and allied efforts to increase the safety of our common defense. The Soviet Union may share some of our purposes; surely it does not share all. Whether it will accept and abide by restraints that would make its security less dependent on threats of nuclear devastation remains, in any prudent judgment, to be proven.

One critical test will come in the attempt to negotiate agreements that genuinely constrain the growth of Soviet power as well as that of the United States. Such a test could fail in two distinct ways. First, by advancing unwise proposals or relying on misplaced optimism, we could offer to the Soviet Union terms which, because they adversely affect the military balance, would endanger our interests, the interests of our allies, and our ability to contain or diminish the risks of war. Second, the Soviet Union could prove unwilling to agree to terms we wish to achieve, or we, through short-sightedness or unwarranted risk-taking, or a failure of resolve could confer on the Soviets military advantages that they would be tempted to exploit--and whose exploitation would increase rather than diminish the role of military power in shaping our future.

Agreements that failed to achieve their intended effect, particularly in the area of arms control, are the stuff of history and of history's most tragic moments. The danger continues to exist that we, like the allied powers in the 1930's, will slide into a series of improvident risks, no one of which is in itself large enough to arouse concern, but the cumulative result of which could be irreversible by political means and cause the very resort to force that it is our desire to avoid.

It is, in my judgment, worth repeating the obvious truth that not all negotiable agreements are in our interest; that some agreements are worse than none; that the failure to obtain an agreement in the present does not necessarily foreclose the possibility of doing so in the future; and that not all of our interests can be assured, or even enhanced, by agreements with an adversary which in important respects, remains hostile to our interests.

Too often the previous administration persuaded itself that its choice had narrowed to, on the one hand, a risky and unbalanced agreement based on acquiescence to Soviet demands; or, on the other hand, no agreement at all. However valid that dichotomy might appear at any given moment, it is almost never so from a longer perspective. Where the basis for a genuinely stabilizing agreement exists, it is worth waiting for. Where it does not, the hasty acceptance of an unsound agreement will only make the genuine article more remote.

In what follows I have tried (1) to identify the criteria for a sound agreement, (2) to measure recent Soviet and U.S. proposals against those criteria, and (3) to outline the minimum requirements for a near-term follow-on to the SALT I interim agreement. I have tried also (4) to set forth some observations on the tactics of negotiation that in my judgment are best calculated to achieve what I understand to be our common purpose.

I. THE CRITERIA FOR A SOUND SALT AGREEMENT

Any discussion of the criteria for a sound agreement must begin with this observation: that as negotiations proceed, and in the process of making Presidential decisions about the course we wish them to follow, a sense of our fundamental objectives is easily obscured or even lost. The very process--the endless tinkering with options; the inevitable concern with essentially small points (which appear, at the time, larger than life); the natural desire to make "progress" by narrowing differences; the approach of deadlines--this very process so crowds one's field of vision as virtually to exclude a steady view of our fundamental purposes; objectives

and criteria. What counts most is most easily counted out. We readily forget that sound agreements are based on sound purposes--in this case, to achieve safety with reduced dependence on nuclear threats--as agreement itself becomes our goal and signatures alone our purpose.

In the effort ultimately to reduce our dependence on nuclear weapons, a SALT II agreement should not:

- ## Impair our security by increasing the vulnerability of our strategic forces, or decreasing their controllability, or the credibility that they could and would be responsibly used if necessary to defend against attack;
- ## Foreclose promising programs and approaches for maintaining the equilibrium of regional force balances or enhancing our ability to deter conventional attack by conventional means;
- ## Fail to admit of adequate verification that can be demonstrated clearly and without compromising our sources and methods of intelligence collection;
- ## Discourage research and development, especially with respect to weapons whose deployment is constrained or banned;
- ## Leave the United States vulnerable to the rapid acquisition of a significant Soviet advantage if the agreement is abrogated or violated;
- ## Increase the vulnerability of our allies (or of other nations whose resistance to Soviet military pressure is important to us), either by impairing our ability to assist in their defense or by channeling the growth of Soviet military capabilities into regional or conventional forces;
- ## Confer or legitimize an impression of Soviet superiority that could be exploited to our political disadvantage;
- ## Alter the terms of what must be assumed to be a continuing competition in a direction adverse to the United States, by prohibiting new systems that could more economically

achieve reduced vulnerability and greater controllability or counter Soviet systems unconstrained by the agreement.

Foster illusions that we or our allies can reduce our defense effort or that the strategic and conventional military balances are self-maintaining.

Establish harmful precedents for future agreements or prematurely limit U.S. systems so as to reduce Soviet incentives for future limitations on their own forces.

By identifying those results that a sound agreement must not produce, I have purposely stated the most important criteria in the negative. Given the momentum of the Soviet build-up of offensive forces and the weight of the burdens resulting from actions and decisions of the previous administration, it is perhaps too much to expect that we can realize the positive obverse of all, or even many, of these criteria.

Obviously, an ideal agreement, as distinguished from a merely sound one, would enhance our security. It would reduce the vulnerability of our strategic forces; it would open the door to programs and approaches that can strengthen our conventional defense capability; it would discourage illusions that we can relax our vigilance, and encourage a prudent program of research and development; it would make the strategic balance less sensitive to rapid Soviet moves; it would reduce the vulnerability of our allies and confer an impression of American resolve; it would alter the terms of competition so as to reduce the expense of maintaining an adequate defense and would reduce our vulnerability to a Soviet deception effort by fostering greater openness; finally, it would establish useful precedents and strong U.S. bargaining positions for future negotiations.

While I recognize that we are unlikely to achieve all of the above, these are, I believe, the appropriate criteria by which a SALT II agreement ought to be judged.

II. SALT AGREEMENT CRITERIA AND THE SOVIET POSITION

The application of these criteria to the proposals which Secretary Kissinger made to the Soviets last January is, unhappily, a matter of more than just historical interest. After Kissinger's departure there are many in key positions in the bureaucracy--both hold-overs from the previous administration and new appointees--who advocate that we continue

down the prior negotiating track, moving still closer toward the Soviet position from the already dangerously defective Kissinger proposal of last January. Their advocacy stems in part from a failure to appreciate the dangers in such an agreement, and in part from an erroneous judgment--based on a misunderstanding of the previous administration's negotiating experience--about the kind of agreement the Russians would accept.

Last year we may have been saved from our own mistakes by Soviet expectations--encouraged by Kissinger--that we would ultimately accept the Soviet position of January 1976 in its unbalanced entirety. While there were some within the government who argued vigorously against the Kissinger proposal, I believe that only the likelihood of substantial opposition within the Senate and a changing public mood persuaded President Ford to abandon the effort to conclude an agreement that would have been essentially on Soviet terms prior to the election.

The Soviet Proposal

The terms which the Soviets have proposed, and which many in the previous Administration (as well as your own) seem prepared to accept, include:

- ## a continuation of the 1972 freeze on modern large ballistic missiles, which allows the Russians more than 300 heavy SS-9 and SS-18 ICBM's to our 54 ancient Titan II's.
- ## a definition of "light" missile that would have included the new Soviet SS-19--a missile with three times the throw-weight of our own Minuteman III and which is clearly "heavy" according to the U.S. unilateral statement on the basis of which the Senate approved the 1972 SALT accords;
- ## a provision that would count heavy bombers equipped with cruise missiles of ranges greater than 600 kilometers as MIRVed vehicles subject to the 1320 ceiling;
- ## a ban on cruise missiles of ranges greater than 600 kilometers on submarines, surface ships, aircraft other than heavy bombers, and land launchers;

a definition of heavy bomber that would exclude the Soviet Backfire bomber from SALT limitations, except for some largely unverifiable or ineffective assurances that this airplane would not be given an enhanced capability against targets in the continental U.S.;

a treatment of mobile missiles that would have left Soviet deployment of mobile IRBM's unconstrained, but would probably have banned mobile ICBM's (although the Soviet position on the latter point remains undefined).

The Consequences of Such an Agreement

In my judgment, the conclusion of such an agreement would have had serious adverse consequences for the interests of the United States and its allies and for the cause of arms control then and in the future.

(1) Perhaps the most serious consequence of such an agreement would be its adverse effects on the balance of non-strategic weapons in vital regions where the Soviets already enjoy an ominous and growing superiority over the United States and its allies. Primarily through the imposition of bans on long-range cruise missiles, the Soviet proposal would:

a) Prevent important improvements to NATO's conventional capabilities that would enhance our ability to deter attack by conventional means and thereby reduce our reliance on the threat of nuclear escalation.

b) Eliminate important options for reducing the vulnerability and enhancing the effectiveness of NATO's theater nuclear forces in the face of a rapidly growing Soviet theater nuclear capability (and one that would be unconstrained by such an agreement).

The modern cruise missile, as well as the emerging doctrine associated with its application to theater nuclear and non-nuclear forces, is in its infancy. Like all infants, the affection lavished upon it by its technological and

doctrinal parents is not yet shared by the neighborhood; and it is, at times, resented by its sibling weapon systems (e.g., fighter aircraft, attack helicopters and the like) and their spokesmen in the military services who rightly worry that it may perform some of their missions more effectively or at greatly lower costs. The potential of a small, relatively cheap vehicle capable of delivering a weapon to within tens of feet of its target over even very long ranges is only dimly perceived. But if service parochialism or unwise SALT agreements do not strangle it in its infancy, the cruise missile could provide improvements of fundamental importance in our conventional posture.

This is not the place for a detailed assessment of the enormous potential of cruise missiles, particularly in their most promising conventional role. Suffice it to say that with increasing study and attention it is coming to be regarded as a breakthrough in sophisticated weaponry of far-reaching implications. By providing a cheaper and less vulnerable basis for NATO's theater nuclear strike forces it could not only improve our theater nuclear posture and make it more secure but it could release dual-capable aircraft to enhance our conventional forces, even in the very near term. Further in the future, very long-range cruise missiles can be made accurate enough to deliver even conventional high explosives, thus preserving the effectiveness of NATO's conventional airpower in the face of rapidly improving Soviet air defenses. If we foreclose these options through SALT, we could weaken our conventional posture and dangerously increase our dependence on nuclear weapons as a deterrent even to conventional attack. This is certainly not what SALT was supposed to achieve.

These dangers are only now beginning to be appreciated in the United States. It comes as a surprise to many that strategic arms limitations can affect non-strategic and even conventional weapons. But there is no precise definition of what weapons are strategic, and the Soviets have consistently sought to exploit this imprecision to their advantage. The Soviet position on cruise missiles is only the most recent of many efforts to define strategic weapons in a manner which would place as many of our weapons as possible, and as few of theirs, under negotiated strategic arms limitations.

Cruise missiles were not discussed at Vladivostok. The Vladivostok aide memoire contained a reference to air-to-surface missiles on heavy bombers which our negotiators say referred only to ballistic missiles, but which the Soviets claim included cruise missiles as well. When negotiations resumed after Vladivostok, the United States specifically decided not to raise any issues that went beyond the Vladivostok aide memoire, on the doubtful grounds that doing so would impede "progress" toward an agreement.

The Soviets, to the contrary, introduced a whole series of additional proposals to ban cruise missiles of range greater than 600 km on aircraft other than heavy bombers, on surface ships and on submarines, and to ban intercontinental land-based cruise missiles, none of which were mentioned in the Vladivostok aide memoire. These proposals would have eliminated important U.S. cruise missile options while imposing no constraints on the hundreds of Soviet cruise missiles already deployed on submarines, surface ships and aircraft.

Then, in January of last year, the Soviets suddenly explained that the ban on intercontinental land-based cruise missiles was meant to cover all missiles of ranges greater than 600 km. Once again the Soviets were attempting to foreclose important improvements in the posture of U.S. and NATO forces in Europe, even though there would be no SALT limits on the hundreds of Soviet medium and intermediate-range ballistic missiles with ranges up to 5500 kilometers.

In developing the propulsion and guidance systems technology for advanced cruise missiles, the United States has achieved a significant--and I believe sustainable--lead. What is striking about the previous administration's apparent willingness to accept severe cruise missile constraints is how little the Soviets seemed prepared to offer in return. With respect to Europe, for example, the agreement would have done nothing to constrain the proliferation of nuclear and conventional systems deployed by the Soviet Union. The Soviets would be free to deploy both the Backfire and the MIRVed SS-20 in unlimited numbers, increasing the already considerable threat to the survivability of U.S. and allied theater forces. The 600 km range limit would have permitted the Soviets to continue their present deployments of hundreds of air- and sea-based cruise missiles, and to develop further this technology for theater application in Europe--where most targets are easily accessible with missiles of 600 km range.

(2) Perhaps equally important, such an agreement would foreclose important options for maintaining the security and effectiveness of our nuclear deterrent forces. In particular, it would:

a) Reduce the ability of our existing bomber force to penetrate the large, growing and unconstrained Soviet air defense system, by seriously constraining--and perhaps effectively banning--air-launched cruise missiles (ALCM's) on heavy bombers.

b) Contribute to the growing and destabilizing vulnerability of our land-based ICBM force by banning the deployment of less vulnerable land-mobile ICBM's.

It would also eliminate possible future uses of land- and sea-based cruise missiles to reduce costs or vulnerabilities of strategic forces. (However, such options seem less important than the theater roles of cruise missiles discussed above.)

Such limits on our own freedom of action could only be justified if the agreement correspondingly limited the Soviet threat to our deterrent forces, but the proposed agreement would do nothing of the kind. It would not constrain Soviet air defenses and in fact by curtailing our freedom to deploy ALCM's, it would enhance the value to the Soviets of improvements in their air defense systems. It would do nothing to limit the developing Soviet capability to destroy our own land-based missile force. Even with significant reductions in the ceiling of strategic delivery vehicles such an agreement would fail to alleviate that threat, because it continues a 300 to 54 Soviet advantage in modern "heavy" missiles and because it acquiesces in the Soviet insistence that their new, large MIRVed SS-19 be defined as a "light" missile.

Our complete failure to place meaningful constraints on the growth of Soviet missile throw-weight is a striking illustration of how easy it is to lose sight of fundamentals while tinkering with options. Originally in SALT I the U.S. position was that there was no reason to concede an asymmetrical advantage in heavy ICBM's. Either the Soviets should dismantle theirs or we should have the option to build a like number. After months of negotiating, we conceded this point to the Soviets, rationalizing it as being preferable to no agreement. As a result, they are permitted more than three hundred heavy missiles while we are permitted none, nor is there any pressure on them to reduce these especially dangerous weapons. The grounds for this concession were unsound at the time and have not grown more sound since. But as time goes by we seem increasingly inclined to ignore our mistakes rather than to re-examine them. We have now compounded the original asymmetry in "heavy" missiles by our subsequent capitulation on the definition of "light" missiles, a capitulation incidentally which I believe we need not consider final.

(3) Among the most serious criticisms of the agreement which the Soviets would like us to sign is that it could not be adequately verified, and

would thus compromise a long standing and prudent insistence that we not enter into unverifiable agreements.

While many provisions of the proposed agreement raise serious verification problems--including the largely nominal limits on Backfire, the exemption of mobile IRBM launchers, and the limit of 1320 MIRV launchers--most of these problems are small compared to those associated with proposed limits on cruise missile range. Currently deployed types of Soviet cruise missiles have, in fact, already been tested to ranges somewhat in excess of the 600 kilometer limit which the Soviets have proposed. More important, with entirely unobservable modifications, many Soviet cruise missiles could fly 2,000 to 3,000 kilometers, or even farther. Replacing the very large warheads on Soviet ALCM's and SLCM's with lighter and smaller ones, for example, and using the extra space for fuel, could increase their range several-fold. So could changes in flight profile.

Like a manned airplane, cruise missiles which have been fully tested at 600 kilometers, could be flown much farther with very high confidence. A few longer range tests, if deemed necessary, could easily be hidden. In fact, we probably fail to detect a significant number of Soviet cruise missile tests, or at least fail to measure their flight distance, even with current practices. It should be observed that the possibility of an unverifiable increase in the range of the Soviet cruise missiles is no small matter. They have many and can have many more.

The apparent unwillingness of many who are responsible for shaping our SALT policy to face up to the seriousness of these problems is part of a broader pattern of the relaxation of verification standards in the face of pressures to reach agreement. If we hope to have more meaningful arms control in the future that can truly enhance national and global security, we must reverse this trend. We must strengthen, not relax, our verification standards, and we must ultimately insist on greater openness in Soviet society and in their military programs if the more ambitious goals you have outlined are ever to be realized.

First, this means we must arrest the tendency of our standards of verification to decline as negotiations continue. We simply get worn down. The assumptions that have to be made in order to believe that one or another provision is verifiable increase in number and tenuousness as time goes on and patience wears thin. Pressed to come up with means of verifying the inherently unverifiable, there is a tendency to rationalize, to turn to increasingly low confidence indicators, and to assume that the Soviets will not alter their standard practices so as to conceal surreptitious production, testing or deployment.

A case in point is the history of the previous administration's approach to the verification of MIRV limitations, an approach which became progressively more nonchalant until the argument began to emerge that it really doesn't much matter whether the 1320 ceiling is verifiable, "since it is of little or no military significance."

Second, we must resist the increasingly insistent Soviet demand for concessions from the United States in exchange for agreed measures essential to verification. Any agreement is presumed to be in the interests of both sides. There is no reason why we should make substantive concessions in order to extract from the Soviets rules of verification that are fundamental prerequisites to an agreement.

In the negotiations subsequent to Vladivostok, the Soviets have attempted to link measures necessary for MIRV verification to American concessions on cruise missiles. Linkage of this nature should be summarily rejected. If we pay for verification with the coin of national security, we will soon run out of means of payment, and the American people will run out of patience with the arms control process.

Third, it is essential to understand that even a perfect capability to verify compliance means little if we lack the means to redress the results of a violation; or if, as is often the case, the costs of taking corrective action are thought to be so high that we are deterred from doing so. In that event, our only recourse may be acquiescence, with all that implies for confidence in the agreement, our security interests and our national resolve.

The previous administration failed to respond to several Soviet moves to exploit loopholes in the SALT I agreement--not because those moves were without harmful consequences, but because the consequences of our responding were themselves deemed harmful. Thus I find unpersuasive the argument that while verification is uncertain, the Soviets would not risk the consequences of getting caught in a violation.

Not the least of the costs associated with reacting to a Soviet violation are political in nature. No administration is likely to welcome the controversy that would flow from Soviet violations of an agreement that it had negotiated. Thus it was not surprising that the previous administration became a virtual apologist for Soviet actions that clearly violated assurances that had been given to the Congress as to what the Soviets could and could not do under the constraints of the SALT I interim agreement.

Agreement to the kind of terms the Soviets have proposed would violate most of the other criteria for a sound agreement, in addition to these three fundamental ones. It would:

- ## Encourage the abandonment of research and development on those systems whose deployment it constrains, like cruise missiles, or bans, like mobile ICBM's.

On this point the fate of the U.S. program for R&D on ABM systems following the ABM agreement is instructive: The considerable lead that the U.S. maintained in ABM research at the time of the 1972 agreement has declined steadily since. While the Soviets have maintained and indeed expanded their ABM research with a view to closing the 1972 gap, we have reduced ours. The lesson is clear: if a weapon system is banned or constrained to the point of inutility, the Congress can be expected to curtail sharply vital research and development despite the dim prospect that the Soviets will show comparable restraint.

- ## Leave the United States vulnerable to the rapid acquisition of a significant Soviet advantage if the agreement is abrogated or violated.

The problem posed by the Soviet potential rapidly to enhance their capabilities beyond treaty boundaries is related to but distinct from the more general problem of verification during the period that a treaty is in force. There are a number of ways in which the Soviet proposal fails on this criterion, but three are of particular significance. First, under that proposal the Soviet SS-20 would be left unconstrained. But mobile launchers for the SS-20 could easily be employed to launch the intercontinental SS-16, which as you know utilizes the same first two stages as the SS-20. By stockpiling SS-16's or even just by stockpiling additional third stages, the Soviets could legally prepare for rapid and massive abrogation of treaty limits. Similar problems would exist if the United States were content to limit the Backfire by obtaining from the Soviets a pledge not to deploy them at Arctic bases or with "dedicated" tankers capable of extending its range by aerial refueling. The effect of either restriction could disappear in a matter of days, if not hours, in the event of a treaty abrogation or actual hostilities. (In any case, Backfire can attack the U.S. on one-way missions and land in neutral and friendly countries, e.g. Cuba. Most of our bombers are in fact programmed for this type of "one-way" mission.) Finally, cruise missile range limits, apart from their unverifiability, are equally vulnerable to rapid breakout.

- ## Channel the growth of Soviet military capabilities into theater weapons with a consequent worsening of the posture of our allies.

By excluding the Backfire and SS-20 from the Vladivostok ceiling we would, whatever their present plans for these weapons, virtually invite the Soviets to concentrate their effort on the further deployment of these and similarly unconstrained systems. This deflection of Soviet energies has not been lost on more thoughtful analysts in allied countries--nor, for that matter, on the Chinese, who view with alarm the tendency of some SALT proposals to worsen their already tenuous position vis-a-vis the Soviet Union. That the Europeans are not now more concerned than they are is more a reflection of forebearance growing out of utter dependency on our commitment and what they hope is our wisdom. It is predictable that in time, should we propose agreements which appear to protect our security at the expense of theirs, we shall place unbearable strain on an alliance which, after all, serves our purposes as much as theirs. The Chinese, who regard detente as a Soviet ruse to lull the West into complacency about the growth of Soviet military capabilities, are sensitive in the extreme to indications that we might purchase constraints on Soviet central systems at the price of actually promoting the deployment of Soviet weapons against them.

I stress the impact of a possible SALT agreement on the PRC-USSR balance because I am concerned that the Chinese could find themselves driven into a disadvantageous accommodation with the Soviets that they do not desire and that we ought not to encourage. Because I believe that the triangular balance between China, the Soviet Union and the United States is, for the foreseeable future, important to our security, I would urge careful study of the implications for that relationship of SALT agreements that encourage the Soviets to press further their already considerable advantage with respect to China, or which lead to Chinese questioning of U.S. resolve and staying power.

The Soviet proposals adversely affect our European allies in yet another important respect. The Soviets have throughout SALT insisted on provisions that they argue are necessary to prevent "circumvention" of the agreement by precluding the transfer by the United States to its allies of systems included within the agreement. The acceptance of severe constraints on the deployment of cruise missiles would, with the addition of so-called "non-transfer" provisions, prevent us from making important cruise missile technology available to our NATO allies. (The allies have, in fact, expressed mounting interest in cruise missiles, despite our reluctance to share information with them about this new technology. This awakening on their part is likely to parallel or even exceed our own.)

Confer and legitimize an impression of Soviet superiority that could be exploited to our political disadvantage.

With the right hand we negotiated, at Vladivostok, an equality implied by the common aggregate ceiling of 2400 strategic delivery vehicles. With the left hand the Soviets sought, and the previous administration came perilously close to granting, an agreement that would in effect raise the ceiling on the Soviet side while holding the United States at 2400. The exclusion of Backfire and the SS-20 is simply too fundamental to be dismissed as a peripheral issue arising from semantic differences over the terms "strategic" and "non-strategic." The addition of several hundred Backfire bombers and several hundred SS-20 launchers (with several missiles per launcher) to the Soviet force of 2400 ICBM's, SLBM's and Bear and Bison aircraft would have neither the appearance nor the reality of equality.

These inequalities would be in addition to the continuation in the SALT II agreements of the unequal freeze on heavy missiles of the SALT I Interim Agreement. This, like other inequalities of the Interim Agreement, was justified by one administration spokesman after another assuring Congress that inferior Soviet technology--particularly their lack of MIRV's-- would not permit them to gain actual advantages from these unequal rights during the five-year period of the agreement. This and similar arguments now require hard scrutiny. Extending such inequalities into a long-term agreement, when the Russians have already acquired and continue to improve MIRV technology, will convert legally permissible inequality into actually achieved inequality.

It was this aspect of the SALT I Interim Agreement that prompted the inclusion in the Congressional authorization for it of my amendment calling on the President to insist on a SALT II treaty that, "inter alia, would not limit the U.S. to levels of intercontinental strategic forces inferior to the limits provided for the Soviet Union." This legislation was and remains the only seriously deliberated Congressional judgment on the SALT I agreement and the only serious guidance to the President for the conduct of SALT II. Its passage, first in the Senate and then in the House, followed several weeks of debate and repeated attempts to weaken or defeat it. The point is simply that, despite the effort to paper over inequalities, an unequal agreement is certain to be seen for what it is.

In my judgment, an agreement early in a new administration that deepens the gathering sense of Soviet superiority would have serious and far-reaching political consequences at home and abroad. It would encourage the worst tendencies of the Soviets--which are seldom far beneath the surface of their conduct--to seek primacy in areas of the world where smaller and weaker nations look to the United States as the ultimate counter-weight to the Soviet Union. It would accelerate, within NATO, centrifugal forces that have, until now, been slowed more by European dependence on American economic policies than by the sense of mutual security the alliance is intended to foster.

The Soviets understand only too well the essentially unitary nature of the global military balance, and its political significance. Neat distinctions between tactical and strategic, conventional and nuclear, long and short range, obscure as much as they illuminate. Soviet objectives have, from the beginning, included the use of SALT to affect adversely the military strength and political cohesion of NATO. Thus their definition of the term "strategic" is admirably calculated to subject much of NATO's theater capability to SALT limitations while freeing them to expand the theater capability of the Warsaw Pact.

I do not suggest that a SALT agreement which aggravated the already large and growing Soviet military threat in Europe would greatly increase the likelihood of an actual Soviet attack. I do fear, however, that it will result in increasing Soviet political pressure on us and our allies. This in turn will precipitate crises, and manifest military inferiority in a crisis increases the pressure for political capitulation. This is precisely what the Soviet buildup seems designed to bring about.

An unbalanced agreement would, in a final irony, encourage the proliferation of nuclear weapons among countries that do not now have them and that until now have contented themselves with a place under our nuclear umbrella. On this latter point there is great confusion in the community of arms control experts, many of whom hoped an agreement based on the Soviet proposals might discourage the acquisition of nuclear weapons by additional countries. The likely result would be quite the opposite. It is no accident that many of the potential new members of the nuclear club are countries that have depended on the United States and whose apprehensions have mounted along with the growth of Soviet strategic (and conventional) forces and the apparent weakening of American alliance guarantees. They will not be reassured by the reflection of U.S. resolve contained in an unequal SALT agreement.

Alter the terms of competition in a direction adverse to the United States.

It is highly likely that this type of SALT agreement would encourage the further-deployment by the Soviets of those "grey area" systems like the Backfire and SS-20 which, whatever their capacity to attack targets in the United States, gravely threaten our conventional (and tactical nuclear) capability to deter regional conflict, particularly in Europe. Maintaining an adequate NATO conventional capability is difficult and costly. The budgets involved are large, and as manpower costs have risen they have grown larger. Moreover,

Soviet forces have improved greatly in recent years with the introduction of sophisticated tactical aircraft and air defenses, large numbers of tanks and mechanized infantry and new tactical nuclear weapons. Our own deployed forces are highly vulnerable to attack; our tactical nuclear forces especially are vulnerable to Soviet MRBM's and IRBM's, particularly now the SS-20. With virtually no warning we could lose a high percentage of our theater nuclear weapons and the airfields and storage sites from which they can be deployed.

A SALT II agreement that intensified the NATO-Warsaw Pact competition--as distinct from the U.S.-USSR competition in central systems--would force us to do more of the things that we find most difficult and costly while, for the Soviets, the reverse is true. The problem is compounded if an option for theater defense as promising as the cruise missile is severely constrained.

Can a Bad Agreement Be Good Politics?

A prominent relic of the previous administration's thinking about SALT is the argument that SALT is essentially "Political," and that, therefore, even a militarily bad agreement may be a politically valuable one. My own view is quite the contrary. Just as I believe that a doubtful agreement is bad politics at home, so I believe that it is bad politics abroad.

The previous administration never quite made up its mind whether SALT agreements were necessary to promote detente or detente was necessary to promote SALT. It held both views according to momentary convenience--and sometimes simultaneously. More frequently than not, however, detente was held to be the hidden asset in a balance sheet whose military account was deep in red ink.

Unlike us, the Soviets do not draw sharp distinctions between the military and the political. Even from a bureaucratic point of view the central responsibility for SALT on the Soviet side is lodged with the military who, along with their civilian counterparts, believe that military strength is a precondition of, and essential to, the exercise of political influence. Thus the Soviets regard concessions made by us at SALT not as an indication of generosity requiring reciprocity in the political sphere but as little more than the inevitable result of American weakness. Their literature is replete with analyses of SALT that attribute our willingness to accept Soviet demands to the increasing power of the Soviet Union--the changing "correlation of forces," as they put it.

Events like the Yom Kippur War, the Soviet-backed subversion of Angola and the crackdown on political dissidents have done much to make clear the limits of detente. What now needs to be said is that, whatever else they may do, unsound SALT agreements will not encourage the Soviets to moderate their political behavior; and, to the extent that those agreements confer military advantages, the Soviets are more likely than not to exploit that strength in support of their political objectives.

The confusion about SALT and detente fosters the notion that movement toward a SALT agreement is a reflection of overall soundness in the Soviet-American relationship. Thus when SALT is deadlocked (as any negotiation will sometimes be) detente is regarded as ailing; and from this view, a narrowing of differences over SALT suggests recuperation or even good health. This notion misses the central point: the real test of detente is not whether we are closer to or further from an agreement on SALT. Rather it is whether the Soviets are willing or unwilling to accept serious restraints on their growing military force. "Progress" toward an agreement that fails on this measure is hardly the basis for a positive prognosis for detente.

III. NEAR-TERM FOLLOW-ON TO THE SALT I INTERIM AGREEMENT

Within the Vladivostok framework only very modest achievements are possible. It is not possible to get a treaty which positively contributes to U.S. security--one that reduces our dependence on nuclear weapons or significantly lessens the need for modernization and adjustment of our strategic forces. However, it is possible, if we are very careful on a number of key points, to conclude an agreement based on Vladivostok which could serve as an interim measure, until a more satisfactory agreement is achieved, without causing serious harm to U.S. or allied security. To do so it is necessary to wipe the slate clean of many unwise and hasty concessions offered by the previous administration. These must include the following:

** Above all, there must be no constraints on U.S. or allied options for deploying cruise missiles, as a means of strengthening our theater nuclear and, most importantly, our conventional posture, in the face of growing Soviet theater nuclear and conventional capabilities.

** There must be no constraints on U.S. options to modernize our bomber and missile forces in the face of unconstrained Soviet threats to those forces. In particular there must be no limitations on the deployment of ALCM's on U.S. heavy bombers as a means of penetrating unconstrained Soviet air defenses.

** There must be freedom to deploy mobile missiles. If possible, this should be arranged in a manner which makes the deployment adequately verifiable. If necessary we should supplement national technical means with additional verification measures such as on-site inspection. But if adequate verification cannot be arranged, we should not attempt in the agreement nominally to limit mobile missiles.

** The agreement should not establish a permanent Soviet advantage in heavy missiles by carrying over unchanged the 1972 freeze on heavy missiles. The precedent could be established that reductions will come first from heavy missiles, so that this Soviet advantage will disappear early in the process of strategic force reductions. Alternatively, (and less satisfactorily) the U.S. must have symmetric rights to deploy heavy missiles if we should find it necessary to maintain a satisfactory balance.*

** The definition of a heavy missile must be made such that the Soviet SS-19 is not considered "light." The purpose of this is much more than merely the need for consistency with the U.S. position stated at the time of the SALT I Interim Agreement. It is a fundamental requirement if we ever hope to limit the offensive capability of individual launchers in a manner that could contribute to overall stability. It should be made clear to the Russians that failure to make this (admittedly) substantial change could result in U.S. deployment of a "light" M-X of equal if not superior offensive capability. Such a "matching" deployment by us of these pseudo-"light" ICBM's would be much less satisfactory than their elimination by the Soviets. Incidentally, in proposing this limitation we would be constraining our own capabilities as much, if not more, than Soviet ones.

** There must be no linkage between measures required for adequate verification of SALT limitations and substantive U.S. concessions on wholly unrelated substantive matters. In particular, if the agreement is to have limits on MIRVed launchers, which after all constrain us more than the Soviets, the U.S. should not have to pay for verifying these limits with unverifiable and one-sided limitations on cruise missiles.

** There must be timely and adequate consultation with our allies on all measures, such as cruise missile limitations, which affect their interests, especially any possible limitations on the transfer of U.S. systems or technology. The purpose of this consultation should not be to rush hasty proposals past ill-informed allied spokesmen, but rather to have serious discussions of our mutual security requirements.

*This is important principally to preserve our leverage with respect to SALT III. I am not proposing that we actually undertake to build such a system.

** Launchers like the SS-20, which are capable of launching ICBM's, must count in the SALT limits.

** Finally, the agreement must not grant the Soviet contention that the Backfire is not a heavy bomber. Given the actual capabilities of this aircraft, such a concession would undermine the fundamental claim of Vladivostok to have established a balance based on equal aggregates, and this omission would become particularly serious in the future, if, as we hope, it is possible to achieve deep reductions in the aggregate totals. It would also set a precedent prejudicial to the treatment of future Soviet large bombers and open the way to wholesale evasion of SALT limitations on heavy bombers.

I am aware that this change, more than any other, goes against what the Soviets have been led to expect we would concede. Even though we have never formally accepted exclusion of the Backfire from the agreement, Kissinger told the press in widely-publicized backgrounders, only days after Vladivostok, that Backfire would be excluded from the aggregate. He and others have said that the Soviets would never have accepted equal aggregate limits if Backfire deployments had to come out of their total. In effect, he seems to say, the Soviets would never have accepted equal aggregates if they were really equal.

Nevertheless, it may be impossible to get the Soviets to accept the consequences of a firm U.S. position on this issue before the present Interim Agreement expires. While I do not believe that expiration of that agreement would have alarming consequences, it is also obvious that there will be no limitations on Backfire deployment in the absence of an agreement. Therefore I believe it would be defensible to replace the present Interim Agreement by a new interim accord, which would at least codify the basic numerical equality and the MIRV limitations of Vladivostok, as long as it were made clear that this accord would be replaced within a relatively short period of time by a more satisfactory resolution of the bomber and throw-weight issues.

Our intention to achieve such a resolution should be buttressed by serious study of the possible utility to the U.S. of building a large bomber similar to the Backfire, or a "stand-off" bomber (using long-range air launched missiles) unconstrained in numbers by SALT as the Backfire. We need not and should not imitate Soviet deployments in detail but must make sure we are no more constrained by agreement than they. We should in no way indicate that we would consider vague, unverifiable or easily abrogated limitations on Backfire basing, training or employment patterns as an adequate resolution of this problem.

** It would be desirable if, in addition to the above provisions, an agreement were to provide for immediate reductions. However, the reductions that would be possible in the present context could only be symbolic ones. The reduction of even a few hundred older, unMIRVed Soviet systems will offset only a small fraction of the growth in Soviet capability resulting from their modernization program, paced by the deployment of "heavy" SS-18's and "light" SS-19's and would have no impact at all on the threat to our land-based ICBM force. The reduction of a hundred or more older Soviet Bear and Bison bombers will be empty symbolism if they are simply replaced by more Backfires.

Warmly as I would welcome early reductions they should not be purchased with one-sided and substantive U.S. concessions on other issues. They must not be permitted to mislead the American people about how much has actually been accomplished, or how much remains to be done.

Reshaping the U.S. position to take account of the points raised here would not be easy. While none of these considerations are really new ones, they are sufficiently far from the recent negotiating framework as to require fairly extensive staff work on matters of detail. If you are interested in considering the general outline I have sketched here in more detail, I would be pleased to elaborate these ideas more fully in a further memorandum.

IV. NEGOTIATING TACTICS

From the outset, the Soviets have tabled SALT proposals aimed at enhancing their military programs while slowing or halting ours. The United States, by contrast, has tended to table proposals designed at best to constrain both sides equally. Their denials notwithstanding, the Soviets have consistently sought unilateral advantages. We have not. Thus the Soviets have attempted to limit U.S. forward-based aircraft deployed in Europe for the defense of NATO without limiting the hundreds of Soviet medium bombers--and now the much more capable Backfire as well--which threaten NATO and our forces in Europe. They have insisted on limiting bombers, which are an important element of our deterrent, but are unwilling to limit bomber defenses, which are an important part of theirs. Where the issue was missile defenses, in which we were ahead, the Soviets responded to U.S. proposals to limit offenses by stressing the inseparability of offense and defense. Where the issue is air defenses, in which they are ahead, offense and defense at once become separable and there is no discussion of the latter. The Soviets urge restraint, which cannot be verified, but resist serious reductions in strategic forces which can. The Soviets argue that the SLBM's of Britain and France should be counted while the Soviet weapons aimed at France and Britain should not. They

have suggested that the B-1 bomber should count as three delivery vehicles while arguing that the Backfire should not count at all. In these and other ways they give substance to the classic caricature of the Soviet approach to bargaining: what's mine is mine and what's yours is negotiable.

There is nothing surprising in this. What is surprising is how naive and unresponsive our own negotiating tactics have been. For far from tabling proposals as self-interested on our side as the Soviet proposals are on theirs, we have tended to offer the Soviets fair, equitable and balanced proposals in which constraints on their programs are carefully matched with constraints on our own. In practice this approach has meant that, unlike the Soviets, we have had very little negotiating room. As a result, concessions on our side, inevitable in any negotiation, have required real sacrifices of our security interests while the Soviets have been able to limit their concessions to the modification of inflated and unreasonable demands. One is reminded of the retail sales practice of offering a seemingly generous discount on an overpriced item so as to lead the buyer to believe that he has gotten a bargain.

Often our screening of options with a view to offering the Soviets only those that we think are "negotiable" has led to the exclusion of sensible U.S. proposals. The question of Soviet air defenses is a case in point. At no time have we tried to constrain Soviet bomber defenses even though all their proposals to us since SALT I have included limitations on our bomber force. While the Soviets demand that we severely limit cruise missiles on our bombers (which would enable them partially to overcome Soviet bomber defenses), we recoil from proposing limits on those defenses. Some U.S. officials have gone so far as to argue that it would be "unfair" to ask the Soviets to limit bomber defenses because they have invested such large sums in deploying them. Others have simply argued that because the Soviets would not accept limits on bomber defenses (they are "non-negotiable") we ought not to propose them. But whatever the reason for our decision to do so, the failure to raise the bomber defense issue has meant, at a minimum, that we have that much less to offer in the give-and-take of negotiation.

One could cite a great many other examples of our failure to include reasonable demands on the strength of a priori judgments that they are likely to prove "non-negotiable." The result is that even before we approach the Soviets we have whittled down our proposals to such a degree that the inevitable further concessions involve trading away real security interests.

The fact is, of course, that no one really knows whether any proposal is negotiable until it is offered; and even then judgments will differ as to whether persistence and hard bargaining will eventually alter the Soviet position. Prior to Vladivostok Secretary Kissinger clung tenaciously to the belief that the Soviets would never accept equal aggregates. Indeed, Kissinger resisted even proposing equal aggregates. Only after President Ford overruled his Secretary of State was the proposal made and, in the end, accepted. One can only speculate as to how many other U.S. interests might have been realized had we not screened them for "negotiability" and refrained from putting them forward.

I have dwelt on this point at some length because I regard the single most important shift in our negotiating approach for SALT II and beyond to be an end to the practice of shelving reasonable U.S. positions on the grounds that they are "non-negotiable." If a proposal makes sense, if it meets the criteria discussed earlier, if it is, in short, in our interests, then we ought to make it. Conversely, we should not be unduly grateful when the Soviets make small retreats from unreasonable positions, even if these positions have been long and stubbornly held.

Among the shortcomings of our SALT negotiating tactics, the past practice of modifying our proposals in the face of Soviet intransigence is the most troubling. Thus it is that in 1976 we made five separate offers to the Soviets, each more generous than the last and all in the space of six months. Needless to say our mounting generosity did nothing to encourage similar Soviet behavior. On the contrary, it surely helped to persuade Brezhnev that his tactic of "stonewalling" was the posture most likely to elicit American concessions. Only Soviet greed in the face of a continuing cascade of American concessions led to an interlude within which many of the President's advisors drew the line against still further accommodation. The whole period was marked by an astonishing erosion of the American position to which the Soviet response was a predictable toughening.

We must not allow a repetition of this dangerous and improvident scramble, not only because it will inevitably fail to produce a satisfactory agreement, but because it betrays a fundamental weakness that the Soviets are likely to exploit in other areas as well.

Against this background, I urge you to consider making clear from the outset that U.S. proposals made subsequent to the Vladivostok summit were products of the previous administration and have significance only insofar as they can stand

the test of soundness. Since in the end these proposals were not accepted by the Soviet side, and because they have improvidently diminished our bargaining room, it is essential that the new administration move at once to recapture the concessions offered in that period. If further negotiations were to begin where the Ford-Kissinger negotiations left off you would unnecessarily assume the burden of past mistakes; and the options available to you will be few and narrow.