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THE WHITE HOUSE

WASHINGTON

January 19, 1976

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: BRENT SCOWCROFT  
FROM: JAMES E. CONNOR  
SUBJECT: SALT Compliance

The attached was returned in the President's outbox with the following notation:

"Seems OK to me and may answer responsible critics."

Please follow-up with appropriate action.

cc: Dick Cheney

Attachment:

Copy of Memos from James R. Wade Jr. of DOD to Brent Scowcroft and Helmut Sonnenfeld regarding SALT Compliance dated 1/12/76



THE WHITE HOUSE  
WASHINGTON

Dick Cheney Brent S.

Seems OK to me.  
I may answer responsible  
critics!



THE PRESIDENT HAS SEEN....

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

*MRJ*

12 January 1976

MEMORANDUM FOR MR. HELMUT SONNENFELDT, COUNSELOR FOR THE DEPARTMENT  
OF STATE

SUBJECT: SALT Compliance

Attached for your review is a letter from the Secretary of Defense responding to a recent letter from Senator Proxmire on the subject of SALT Compliance. The letter includes as an attachment an unclassified annex which addresses in detail the recent SALT Compliance issues raised by both the US and USSR.

We would first forward the letters to the Chairmen of the Senate and the House Armed Services Committee.

Of particular importance in your review is the reference to the SCC and discussion therein on the various issues. In this light, it may be appropriate to notify the Soviets of our action at the same time as the letters are released to the Congress.

Would appreciate Secretary Kissinger's review. If possible, your response would be appreciated by COB Wednesday, 14 January 1976. A similar memorandum has been forwarded to Lieutenant General Scowcroft.

*for J. R. Wade, Jr.*  
JAMES R. WADE, JR.  
Director  
DoD SALT Task Force

Attachments  
a/s





THE PRESIDENT HAS BEEN

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

*Copy furnished  
Mr. Hyland w/  
adaptation  
Sen. Proxmire  
3 EEE0 at  
his request  
1/13/76*

12 January 1976

MEMORANDUM FOR LIEUTENANT GENERAL BRENT SCOWCROFT, ASSISTANT  
TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

SUBJECT: SALT Compliance

Attached for your review is a letter from the Secretary of Defense responding to a recent letter from Senator Proxmire on the subject of SALT Compliance. The letter includes as an attachment an unclassified annex which addresses in detail the recent SALT Compliance issues raised by both the US and USSR.

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Would appreciate your response by COB Wednesday, 14 January 1976.

*for* *L. J. DeWalt*  
JAMES P. WADE, JR.  
Director  
DoD SALT Task Force

Attachments  
a/s

Copy furnished:  
Mr. William Hyland



*Cy furnished  
Jm. Greener/PA  
1/13/76*

## COMPLIANCE WITH THE SALT AGREEMENTS.

### I. INTRODUCTION

Since late 1974, compliance with the ABM Treaty and the Interim Agreement on Strategic Offensive Arms of May 26, 1972, has been discussed widely in the Congress and press. A number of statements have been made charging that the USSR has violated specific provisions of the Agreements or, at the very least, their intent and objectives, and questioning the Administration's handling of these matters.

Responsible Administration officials have made public statements that neither the USSR nor the US have violated the SALT ONE Agreements, while acknowledging that there have been ambiguities which have occurred on both sides. Nevertheless, the controversy has continued with no signs of abating in the near future. This paper is intended to provide an explanation of the details of compliance with the SALT ONE Agreements. Support of SALT agreements requires public confidence in both sides' adherence to the provisions of earlier agreements.

### II. THE COMPLIANCE PROCESS

SALT, which began in November, 1969, has entered its seventh year. Even prior to the opening of the negotiations, the US had established a Verification Panel to review questions concerning verification and other issues related to a future SALT agreement. As early as the second week of the initial negotiations, the US proposed establishment of a forum in which the sides could discuss, among other subjects, questions which might arise concerning compliance with the agreements to be reached. Thus, there was early recognition within the Government of the probability that compliance issues would arise in connection with any agreement as complex as one limiting US and USSR strategic weapons.

Article XIII of the ABM Treaty signed in May, 1972, provided that the Parties should promptly establish a Standing Consultative Commission (SCC) within the framework of which they would, among other things:

" (a) consider questions concerning compliance with obligations assumed and related situations which may be considered ambiguous."

Article VI of the Interim Agreement stated that the Parties would use the SCC in a similar manner for that Agreement.



After the SALT ONE Agreements were signed, special procedures were established for dealing with compliance matters related to the Agreements. Under these procedures, intelligence information is analyzed in the context of the provisions of the Agreements, and recommendations for raising compliance issues with the USSR are forwarded to the President for his decision.

Special groups which include representatives of State, Defense, CIA, the Arms Control and Disarmament Agency (ACDA), and the National Security Council Staff handle intelligence monitoring associated with compliance matters. Because of the sensitivity of the intelligence information involved and the serious policy and diplomatic implications that a compliance issue may have, dissemination of the intelligence is restricted to a small number of policy-making officials in each Department or Agency.

As soon as analysis of the available intelligence is completed and it appears that a compliance issue could be involved, the results of the analysis are provided to the members of the Verification Panel Working Group on Compliance established in early 1973. This group reviews the intelligence analysis and determines whether a compliance question is, in fact, involved. Depending upon the seriousness of the issue and/or the degree of unanimity in the Working Group on how the matter should be handled, the Group's report may go first to the Verification Panel for consideration by the principals or directly to the NSC Staff for decision by the President.

The Verification Panel addresses all compliance matters of significant importance and matters of lesser importance on which the Working Group does not reach a unanimous position. The Verification Panel determines which of these matters should be addressed by the National Security Council or go directly to the President for decision.

In all cases, the President decides whether a particular compliance issue is to be raised with the USSR. This is done either through the US Component of the Standing Consultative Commission or diplomatic channels. Presidential instructions guide and control the positions taken by the US representatives.

III. COMPLIANCE ISSUES RAISED WITH THE SOVIET UNION BY THE US

A. Launch Control Facilities (Special Purpose Silos)

Article I of the Interim Agreement states:

"The Parties undertake not to start construction of additional fixed land-based intercontinental ballistic missile (ICBM) launchers after July 1, 1972."

At the time of the signing of the Interim Agreement on May 26, 1972, there were approximately 90 silos under construction in the USSR.

all of which were included in the US estimate that 1,618 land-based ICBM launchers were operational or under active construction in the USSR when the Agreement was signed.

In early 1973, construction of additional silos was initiated. If these were intended for ICBMs, they would have constituted a violation of Article I of the Interim Agreement.

The issue of these silos was raised by President Nixon with General Secretary Brezhnev during the latter's visit to Washington in late June, 1973. In addition, there were several exchanges of notes with the Soviet Government during late June, and early July, 1973, in which the US expressed its concern over the construction of the new silos. The Soviets responded that the silos were to be launch-control facilities. The Soviet assertion, while consistent with speculation in Washington, could not be confirmed by the US at that time.

During the remainder of 1973 and throughout 1974, construction of additional silos of the same type was initiated near older ICBM launch-control facilities. An intensive effort was made to determine the function of the new silos, and, as additional intelligence became available, the US concluded that they were probably to serve a launch-control function. This judgment applied not only to the silos initiated after the signing of the Interim Agreement, but also to some of those which were already under construction at that time.

The basis for continued US concern about these silos, despite our conclusion that they are intended to be launch-control facilities, was that they might, in the future, be converted to launch ICBMs. If the observed pattern of this construction were followed for the entire Soviet ICBM force, there could be approximately 150 such potential ICBM launchers.

Consequently, the President decided that the issue should be raised in the SCC during the special session (January 28-February 13, 1975) because of the ambiguity concerning the potential conversion of the silos from launch-control facilities to ICBM launchers.

When the US set forth in the SCC its concern over the future capabilities and eventual number of these new, large silos, the Soviets repeated their earlier assertions that they are launch-control facilities and cannot be used to launch missiles.

The current US judgment continues to be that these silos are, in fact, intended for use as launch-control facilities. However, since we have not yet identified any specific feature of these silos which would unambiguously preclude their future conversion into ICBM launchers, and since the USSR has not agreed to make any observable design change which would preclude such conversion, this issue remains open for further review and discussion in the SCC.

B. Concealment Measures

Article V of the Interim Agreement and Article XII of the ABM Treaty enjoin each Party "not to use deliberate concealment measures which impede verification by national technical means of compliance with the provisions of this (Interim Agreement) (Treaty)." Both also stated that: "This obligation shall not require changes in current construction, assembly, conversion, or overhaul practices."

The US has closely monitored Soviet concealment efforts in the area of strategic weapons since they were initiated in the 1960s. During 1974, the extent of Soviet concealment activities associated with strategic weapons programs increased substantially. Although none of the activities hindered US verification of the specific provisions of the ABM Treaty or the Interim Agreement, there was concern as to what they might portend for the future, if an expanding pattern of concealment efforts were permitted to continue. Consequently, it was decided to raise the issue in the special session of the SCC.

In the SCC the US voiced its concern over "the expanding pattern of concealment measures being undertaken in the USSR" and cited as examples: (1) concealment activities at missile test ranges (thought to be associated with flight testing of a new mobile ICBM); (2) a cover at an ABM test range which concealed equipment from US observation; and (3) the covering of hull sections of ballistic missile submarines under construction. The US proposed that the Soviet side cease these concealment activities.

The Soviet side responded by (1) noting that none of the examples provided by the US side were in violation of any provisions of the Interim Agreement or ABM Treaty and (2) asserting that there is no expanding pattern of concealment in the USSR. They also noted that Soviet SLBM submarine construction practices conform to past practices and are paralleled by extensive usage of covers at SLBM submarine construction shipyards in the US.

While this question was under discussion in the SCC, careful analysis of the current concealment activities in the USSR led to the conclusion in April, 1975, that some earlier practices had ceased and there no longer appeared to be an expanding pattern of concealment activities. Consequently, the US closed the discussion of this subject for the time being. The US Commissioner stated that the US would continue to follow Soviet activities closely and indicated that the US would not

reopen this subject, if Soviet actions in the future were consistent with the obligations assumed under the SALT agreements.

C. The SS-19 Issue

Throughout the SALT ONE negotiations, the US tried to limit Soviet heavy missiles by incorporating into the agreement provisions for (1) a quantitative limit on heavy-missile launchers; (2) a ban on increasing the dimensions of silos during the modernization and replacement process; and (3) an agreed definition of a heavy missile which would preclude increases in the size of Soviet light ICBMs. The first two objectives were achieved through Article II of the Interim Agreement and the Agreed Statements on increases in silo dimensions. The Soviet side rejected all proposals for a definition of a heavy missile which included quantitative criteria. As a result, the US made the following Unilateral Statement:

"The US Delegation regrets that the Soviet Delegation has not been willing to agree on a common definition of a heavy missile. Under these circumstances, the US Delegation believes it necessary to state the following: The United States would consider any ICBM having a volume significantly greater than that of the largest light ICBM now operational on either side to be a heavy ICBM. The US proceeds on the premise that the Soviet side will give due account to this consideration."

It should be noted that the Soviet Delegation responded to this statement in a manner which clearly indicated disagreement by the USSR.

By early 1975, deployment of the SS-19 which has a volume approximately 50% greater than that of the earlier SS-11 light missile was initiated. Even though there were no Soviet violations of Article II of the Interim Agreement or the agreed limitations on silo dimensions, the President decided to seek to prevent further erosion of the distinction between light and heavy ICBMs and directed that this matter be raised in the special session of the SCC in January, 1975.

The US noted that the volume of the SS-19 is "significantly greater" than the volume of the SS-11 within the meaning of the US Unilateral Statement and stated that any missile of a volume or throw-weight greater than the SS-19 must be considered a heavy ICBM.

The Soviet response to the US concern was to note that this question had been the subject of lengthy and careful consideration in the SALT negotiations and that the Interim Agreement established limitations on ICBM launchers but not on missiles. The Soviets asserted that this matter had been resolved in 1972 and there was no basis for considering it in the SCC in connection with the Interim Agreement.

In April, 1975, the US and Soviet Components agreed to defer further exchanges on this issue in the SCC because it was under active consideration in the current SALT negotiations.

Since that time, the US has continued to press strongly in SALT for resolution of this issue. The Soviets appear to have accepted in principle that there be a definition of a heavy missile in the new agreement, and the matter is still under discussion.

D. Possible Testing of an Air Defense System (SA-5) Radar in an ABM Mode

Article VI of the ABM Treaty states:

"To enhance assurance of the effectiveness of the limitations on ABM systems and their components provided by this Treaty, each Party undertakes: (a) not to give missiles, launchers, or radars, other than ABM interceptor missiles, ABM launchers, or ABM radars, capabilities to counter strategic ballistic missiles or their elements in flight trajectory, and not to test them in an ABM mode."

On a number of occasions during 1973 a new radar signal similar to that of the SA-5 air-defense radar was detected during Soviet tests of ballistic missiles. In April, 1974, the signal was associated with flights and reentries of ballistic missiles. This provoked sharp interest in the signal, given its similarity to the SA-5 air-defense radar. By early 1975, the US was reasonably confident that the radar involved was the SA-5 radar and that it was being used to track strategic ballistic missiles during flight.

The US first raised this issue late in the special SCC session, in February, 1975. Specifically, the US stated that information indicated that an SA-5 radar may have been tracking ballistic missiles during the re-entry portion of their flight trajectory into the Soviet ABM test range near Sary Shagan. The US requested Soviet clarification at the next regular session of the SCC.

During the session of March-May 1975, the Soviets responded that no Soviet air-defense radar had been tested in an ABM mode, including tracking of strategic ballistic missiles during reentry. The Soviets noted that the use of non-ABM radars for instrumentation was not limited by the ABM Treaty and indicated that the SA-5 radar was being used for instrumentation purposes.

US national technical means of verification have not detected the activity of concern during any ballistic-missile tests since late February, 1975. In light of this, the US stated in late April that: the use of this radar to track strategic ballistic missiles or their components in flight trajectory had apparently ceased; the US assumed that both sides now agreed that such use of an operational air-defense radar would be inconsistent with the obligations assumed under Article VI of the ABM Treaty; and, given the prevailing situation (i.e., cessation of testing), the US was willing to consider the matter closed. The Soviets subsequently stated that this issue had been settled.

The US continues to carefully monitor Soviet activities for any indications that such testing might be resumed and will reopen the issue if testing is resumed.

A question of particular importance in relation to this activity is the actual purpose of the activity. The Soviets could have been using the radar in a range-instrumentation role to obtain precision tracking as permitted by the Treaty. On the other hand, the activity could have been part of an effort to upgrade the SA-5 system for an ABM role or to collect data for use in developing ABM systems or a new dual SAM/ABM system.

#### E. New ABM Radar on Kamchatka Peninsula

A newly-constructed radar at the Kamchatka impact area of the Soviet ICBM test range was recently identified as an ABM radar. This could be a violation of Article III of the Treaty and the 1974 Protocol thereto which permit the deployment of only one operational ABM system, inasmuch as the USSR still has an operational system around Moscow. It could, however, given certain conditions, be permitted under Article IV of the Treaty which permits deployment of ABM radars at current or additionally agreed ABM test ranges. This situation is complicated by the fact that, prior to the conclusion of the SALT negotiations in 1972, the US provided a list of US and Soviet ABM test ranges. The list did not mention Kamchatka as an ABM test range. The Soviet side neither confirmed nor denied the US listing and stated that national technical means of verification permitted identifying current test ranges.

The US SCC Commissioner raised this issue with the USSR Commissioner on December 8, 1975. A Soviet response was received on December 19, 1975, and is currently under study. It is likely that further discussion of the issue will be continued during the next SCC session in March, 1976.

#### IV. COMPLIANCE ISSUES RAISED WITH THE US BY THE SOVIETS

The Soviet Union has raised four issues related to US compliance with the SAL Agreements.

##### A. Minuteman Shelters

The first issue raised by the USSR was US compliance with Paragraph 3 of Article V of the Interim Agreement which states:

"Each Party undertakes not to use deliberate concealment measures which impede verification by national technical means of compliance with the provisions of this Interim Agreement. This obligation shall not require changes in current construction, assembly, conversion, or overhaul practices."

Since 1962, the US has been placing shelters over its Minuteman ICBM silos to provide environmental protection during construction and modernization activities. Beginning in 1972, eight shelters of a different design than that of the shelters previously utilized have been used for maintenance of suitable environmental conditions for concrete curing and bonding and for certain welding operations required in the Minuteman-3 silo-hardening program.

This issue was first raised by the Soviets in diplomatic channels in 1973 as being inconsistent with Article V of the Interim Agreement. In January, 1975, the Soviets raised the issue in the SCC. In response, the US side explained that the shelters are strictly for environmental purposes, not for concealment. However, the Soviets have continued to take the position that these shelters conceal activities from national technical means of verification and that the use of such shelters should be immediately discontinued. The issue is still under discussion.

##### B. Atlas/Titan Launchers

Paragraph 3 of the SCC Protocol on Procedures Governing Replacement, Dismantling or Destruction, and Notification Thereof, for Strategic Offensive Arms signed in July, 1974, states:

"Dismantling or destruction procedures for ICBM launchers and associated facilities . . . shall be such that reactivation time of those units would not be substantially less than the time required for new construction . . .".

There are 177 launchers for obsolete Atlas and Titan-1 ICBM systems at various locations in the United States. All were deactivated and declared excess by 1966. All but five have been salvaged, with silo lids and facility doors welded shut. Over 85 percent of the former launchers are no longer under US Government control but are owned by private individuals or firms, or leased to state and local governments.

The Soviets raised these deactivated launchers as an issue in February, 1975, in the SCC. They asserted that the small amount of dismantling accomplished had left the launchers in such a condition that they could be reactivated in substantially less time than is required for construction of new launchers.

The US responded that, since the launchers had been made non-operational years before the Interim Agreement was signed, they were subject neither to that Agreement nor to the Procedures which had been worked out in the SCC. In addition, the Soviets were provided with some factual data on the condition of these inactive and obsolete launchers which illustrated that they could not be reactivated easily or quickly. The Soviet side did not address the issue during the last SCC session.

C. Shemya Radar

In 1973 the United States began construction of a new phased-array radar on Shemya Island, Alaska, which is planned to have an initial operational capability in March 1976.

The Soviets raised this radar as a compliance issue in the SCC in April, 1975. They stated that this radar complex, located outside US ABM test ranges, incorporated components tested and developed for ABM purposes. They requested clarification of this situation which, they said, was ambiguous and caused them concern.

The US Commissioner replied that: (1) the Shemya radar complex incorporated no ABM components and no ABM radars developed and tested in an ABM mode; (2) the new radar will be used for national technical means of verification, tracking objects in space, and early warning; and (3) therefore, its deployment is in full compliance with the ABM Treaty. At the final meeting of SCC-VI in May, 1975, the Soviet Commissioner reserved the right to continue discussion of this question following further study

of the information presented by the US side. The Soviet side did not reopen the issue during the last SCC session in the fall of 1975.

#### D. Confidentiality

Paragraph 8 of the Regulations of the SCC states:

"The proceedings of the Standing Consultative Commission shall be conducted in private. The Standing Consultative Commission may not make its proceedings public except with the express consent of both Commissioners."

In January, 1975, the Soviet Commissioner pointed out that both sides have stated that confidentiality in the work of the SCC is important, and that the regulations of the Commission provide that the SCC not make its proceedings public, except with the express consent of both Commissioners. Referring to several items related to compliance which had appeared in the US press in November and December, 1974, he called them a violation of the principle of confidentiality, and expressed the hope that there would be no further occurrences.

In response, the US side drew attention to the difference between statements by US officials and speculation by the press. The President's statement at the press conference of December 2, 1974, was provided to the Soviets as an example of the degree to which the US was concerned about stopping speculation on SCC proceedings at an early date. This issue was raised again by the Soviet side in the SCC in February, 1975, when the Soviet Commissioner noted again the importance of privacy in ensuring effective SCC work. The Soviet side indicated in April, 1975, that the issue was closed, provided that there were no further leaks concerning SCC proceedings.

#### V. POSSIBLE COMPLIANCE ISSUES

The US raised with the USSR the five issues described in Section III after analysis of the information collected by intelligence sources and study of the facts by the Verification Panel Working Group, the Verification Panel or the National Security Council, and the President.

US intelligence sources have also gathered information related to other areas covered by the SALT Agreements. When collected, some of the information suggested the possibility that the USSR was undertaking actions prohibited by the Agreements.

One example of this occurred in October and November, 1975, when a US early warning satellite detected several events in various areas of the Soviet Union. The nature of the events raised the possibility that the USSR was using lasers to interfere with US national technical means of verification in violation of Article XII of the ABM Treaty and Article V of the Interim Agreement.

Analysis of the events, which were reported in the press, has essentially eliminated the initial concerns. The events are believed to have resulted from large fires caused by breaks at several places along Soviet natural gas pipelines. The events were local in nature and did not reduce the satellite system's capability of providing early warning of ballistic missile launches. The Intelligence Community is maintaining a careful watch for possible repetitions of the events or other indications of interference with US national technical means of verification.

VI. CONCLUSIONS

The intelligence and decision-making structures established to monitor Soviet compliance with the SALT ONE agreements have been effective. They have ensured that information related to USSR compliance has been discovered early, analyzed rapidly, assessed at high-level by appropriate Departments and Agencies, brought to the President's attention for prompt decision, and raised with the USSR in a timely manner, before erosion in US security could result.

Initially, there was a reluctance to give wide dissemination to the facts related to the various compliance issues. This reluctance was based on several factors:

- a concern over the risk of disclosure of information related to on-going negotiations;
- the danger of compromise of extremely sensitive intelligence sources and methods;
- recognition of the gravity of an accusation of a treaty violation.

While the restricted dissemination process did not result in delays in raising compliance issues with the USSR, it may have had that appearance because of the absence of reasoned public exposition of the facts involved. Thus, it may have contributed to rumors, faulty allegations, and distortions and may have been, in that respect, somewhat self-defeating.

The major questions to be answered in the light of the now public compliance discussion have to do with: (a) whether the USSR has, in fact, committed outright violations of the SALT ONE Agreements which affect the security of the US, and (b) the validity of the Administration's statements on this subject.

It is clear from the earlier outline of the issues of concern to the US Government that no single activity by the USSR related to its implementation of the SALT ONE Agreements constituted a clear-cut demonstrable violation of a specific provision of the agreements to the detriment of the US.

The one debatable exception in this regard was the SA-5 radar activity during strategic ballistic-missile tests. If the radar was used for range safety or instrumentation purposes, the use was, at best, questionable. The USSR has other types of radars which can be used for this purpose and thus eliminate the suspicions which naturally arose in the US. And, if the purpose of using the SA-5 radar was to make measurements of the flight trajectories of strategic ballistic missiles, the USSR has ABM radars which can accomplish this task with at least equal precision. The fact that use of the radar halted when the US raised this issue lends weight to a conclusion that the activity, if not a violation, could be called a circumvention of the Treaty obligation not to test non-ABM radars in an ABM mode.

Soviet deployment of the SS-19 missiles does not violate Article II of the Interim Agreement or the Agreed Statement limiting increases in silo dimensions to a maximum of 15 percent. It does, however, demonstrate utter disregard for the US Unilateral Statement as to what the US would regard as a heavy missile, as well as for the US view of what the intent of Article II was. The deployment might also be properly termed a circumvention of that Article in that continued application of the apparent Soviet interpretation of the Article would permit future deployments of missiles with volumes just under those of the heavy SS-9 or SS-18 missiles. Such deployments would render Article II of the Interim Agreement meaningless.

The objective of limiting increases in the size of present USSR missiles assumes importance not in terms of the Interim Agreement which remains in force only until October, 1977, but rather for the long-term. This is because the provisions of Article II of the Agreement are to be carried over into a new SALT agreement. Consequently, it is imperative that a resolution of the problem be achieved in a new SALT agreement.

The USSR's construction of silos for launch-control purposes and use of concealment practices were not violations of specific provisions of the SALT Agreements. They were of major concern to the US, however, in that, if permitted to go unchallenged, they might have become substantial threats to US security in the future.

The military significance of the recent deployment of a Soviet ABM radar on Kamchatka lies not in the fact that such a radar has been deployed, but rather that the USSR for the first time now has a capability for making precise measurements on ICBM heavy reentry vehicles tested to their full range. However, nothing in the SALT ONE Agreements was intended to deny this capability to either side.

The fact that there have been no demonstrable Soviet violations of the SALT agreements added to the difficulty faced by the Administration in publicly addressing the problem. The wording of Article XIII of the ABM Treaty -- "consider questions concerning compliance with the obligations assumed and related situations which may be considered ambiguous" -- provided the legal underpinning for raising the issues in the SCC. In this sense, the word "ambiguity," initially at least, may well have been an appropriate description of activities which may or may not have been clear-cut violations and Administration officials cannot be charged with distorting the discussions through use of the word. At the same time, such usage may well have contributed to the confusion concerning the situation which exists.

The essential facts to bear in mind are that the US has set up an apparatus which has been effective in alerting the President to Soviet activities which aroused (or may in the future arouse) concern and that the President, while fully cognizant of the legalistic and semantic difficulties and the uncertainties of the interpretations, has consistently made the decision to challenge the USSR forcefully and at an early date. He thereby precluded the very real possibility of a major diplomatic confrontation, had the activities in question been permitted to go unchallenged and assume the magnitude of clear violations. The US decisiveness has ensured an outcome wherein the Soviet activities, taken individually or collectively, resulted in no serious risk to US national security and no alteration of the strategic balance established by the SALT ONE Agreements. Finally, the President's action in raising compliance issues early undoubtedly has demonstrated to the USSR the firm resolve of the US that both Parties must comply with both the letter and spirit of present and future SALT agreements.