NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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July 18, 1975

National Security Decision Memorandum 301

TO: The Secretary of Defense
The Deputy Secretary of State
The Director, Arms Control and Disarmament Agency
The Chairman, U.S. SALT Delegation

SUBJECT: Instructions for the SALT Talks in Geneva, July 2, 1975

The President has approved the following instructions for the Strategic Arms Limitation Talks beginning on July 2, 1975 in Geneva. These instructions supplement those contained in NSDM 285.

1. At an appropriate time, and in a manner of its choosing, the Delegation should indicate willingness to consider the Soviet proposal to ban the development, testing, and deployment of systems for placing nuclear weapons or any other kind of weapons of mass destruction into earth orbit if the provision is broadened to include present and future fractional orbit bombardment systems (FOBS). Prior to discussing treaty language for dealing with this system, alternatives to the Soviet language should be submitted to Washington for approval.

2. With respect to the effective date of the 2,400 aggregate limitation, while it is the US view that both sides should be at this level by October 3, 1977, the US is prepared to consider a reasonable proposal (a few months) from the Soviet side as to what mutually agreed period of time after that date might be required in order to attain that level. The agreed period of time should reflect an expedited program of dismantling and destruction of those strategic delivery vehicles in excess of 2,400.

3. In connection with discussion of the effective date of the 2,400 aggregate limitation, the Delegation should note that the US believes the other obligations in the agreement, which are not inconsistent with the Interim Agreement, should become effective upon entry into force (i.e., exchange of instruments of ratification) of the new agreement.

4. On the question of impeding verification by national technical means contained in Article XVII of the Joint Draft Text, paragraph 3 should be reworded as follows:

> Each Party undertakes not to use any measure or practice, including measures and practices associated with testing and development, which deliberately impedes verification by national technical means of compliance with the provisions of this agreement. This obligation shall not require changes in current construction, assembly, conversion, or overhaul practices. The parties undertake to avoid measures or practices which result in unintended interference with national technical means of verification of the other party.

5. The following language should be substituted for the current US version of Article XVI of the Joint Draft Text:

> "The Parties undertake to continue active negotiations for limitations on strategic arms, beginning no later than one year following entry into force of this agreement, with the objective of achieving further limitations and reductions of strategic arms at the earliest possible date. The Parties shall also have the objective of concluding negotiations, well in advance of the expiration of this Agreement, on an agreement limiting strategic offensive arms to become effective upon such expiration."

6. The Delegation should indicate to the Soviets that the unbracketed portions of the JDT are acceptable to the US Government with the exception of Article VII and paragraph 3 of Article XVII which should be modified as described above. Concerning some issues contained within the bracketed portions of the JDT:

a. Preamble: Either bracketed formulation would be acceptable and resolution of this issue is left to the Delegation.

b. Article II: The phrase "capable of ranges" should be substituted for "with a range" in the US definition of ICBMs, ASBMs, and any subsequent definitions based on range.

c. Article IV: The term "depth" may be used in place of "length" provided the negotiating record reflects the understanding of both sides that "depth" is defined as the total internal distance from the top to the bottom of an ICBM silo launcher. In connection with discussion of this Article, if the Soviet side continues to reject the US formula set forth in the JDT the Delegation should explore alternative formulae.

Henry A. Kissinger

cc: The Chairman, Joint Chiefs of Staff
The Director of Central Intelligence