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THE OFFICIAL WEEKLY RECORD OF UNITED STATES FOREIGN POLICY

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THE DEPARTMENT OF STATE BULLETIN

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The Department of State BULLETIN a weekly publication issued by the Office of Media Services, Bureau of Public Affairs, provides the public and interested agencies of the government with information on developments in the field of U.S. foreign relations and on the work of the Department and the Foreign Service.

The BULLETIN includes selected press releases on foreign policy, issued by the White House and the Department, and statements, addresses and news conferences of the President and the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the function of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and on treaties of general international interest.

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The Secretary of State has determined that the publication of this periodical is necessary in the transaction of the public business required by law of this Department. Use of funds for printing this periodical has been approved by the Director of the Office of Management and Budget through January 31, 1981.

U.S.-U.S.S.R. Treaty on Peaceful Nuclear Explosions Signed at Washington and Moscow

The U.S.-U.S.S.R. Treaty and Protocol on Underground Nuclear Explosions for Peaceful Purposes were signed on May 28 by President Ford at Washington and by Leonid I. Brezhnev, General Secretary of the Central Committee of the Communist Party, at Moscow. Following is a statement made by President Ford upon signing, together with the texts of the treaty and protocol and an agreed statement initialed at Moscow on May 13 by U.S. Ambassador Walter J. Stoessel, Jr., and Igor Morokov, head of the U.S.S.R. delegation which negotiated the treaty.

STATEMENT BY PRESIDENT FORD

Weekly Compilation of Presidential Documents dated May 31

The treaty we are signing today is an historic milestone in the history of arms control agreements. For the first time it provides for extensive cooperative arrangements for onsite inspection and observation in monitoring underground nuclear explosions.

This means that the Soviet Union will allow American observers to witness certain larger tests on their territory and if we should have such a test we would reciprocate and allow Soviet observers here in order to verify at first hand that our control agreements are being adhered to.

This accomplishment in agreeing to onsite observation demonstrates that our two countries can soberly negotiate responsible and beneficial agreements despite the difficulties of the challenge. The negotiations culminating in this treaty raised very unique problems. The discussions were long and complex. But the result: Real progress has been made in the field of arms control. A significant step has been taken toward a more stable, peaceful world and a more constructive relationship between the United States and the Soviet Union.

The new treaty, together with the Threshold Test Ban Treaty, will govern the conduct of every underground nuclear explosion for military or peaceful purposes for both parties.[1] The two treaties impose the same limit of 150 kilotons on all individual underground nuclear explosions.

The ultimate purpose of the network of arms control agreements we have already negotiated, and which are currently being negotiated, is to bring about a more peaceful world. Pushing back the shadow of nuclear war must be our constant concern. That, indeed, is the underlying purpose of all of the numerous agreements for constructive cooperation which our two countries have concluded in recent years.

I welcome the accomplishments we mark here today. And I hope it will lead to further achievements in building a stable and a just peace for our two peoples and for all mankind.

I will send these two treaties to the Senate for the earliest possible consideration and urge that the Senate grant its advice and consent to their ratification.

I will now sign the Treaty and the Protocol on Underground Nuclear Explosions for

[1] For texts of the U.S.-U.S.S.R. Treaty and Protocol on the Limitation of Underground Nuclear Weapon Tests, signed at Moscow on July 3, 1974, see BULLETIN of July 29, 1974, p. 217.

Peaceful Purposes between the United States and the Soviet Union.

I have signed these documents which will contribute significantly to lasting peace and a future of better relations among all nations, and I thank you all for being here today.

Thank you very much.

TEXTS OF TREATY AND PROTOCOL AND AGREED STATEMENT

Text of Treaty

TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Proceeding from a desire to implement Article III of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests, which calls for the earliest possible conclusion of an agreement on underground nuclear explosions for peaceful purposes,

Reaffirming their adherence to the objectives and principles of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, the Treaty on Non-Proliferation of Nuclear Weapons, and the Treaty on the Limitation of Underground Nuclear Weapon Tests, and their determination to observe strictly the provisions of these international agreements,

Desiring to assure that underground nuclear explosions for peaceful purposes shall not be used for purposes related to nuclear weapons,

Desiring that utilization of nuclear energy be directed only toward peaceful purposes,

Desiring to develop appropriately cooperation in the field of underground nuclear explosions for peaceful purposes,

Have agreed as follows:

ARTICLE I

1. The Parties enter into this Treaty to satisfy the obligations in Article III of the Treaty on the Limitation of Underground Nuclear Weapon Tests, and assume additional obligations in accordance with the provisions of this Treaty.

2. This Treaty shall govern all underground nuclear explosions for peaceful purposes conducted by the Parties after March 31, 1976.

ARTICLE II

For the purposes of this Treaty:

(a) "explosion" means any individual or group underground nuclear explosion for peaceful purposes;

(b) "explosive" means any device, mechanism or system for producing an individual explosion;

(c) "group explosion" means two or more individual explosions for which the time interval between successive individual explosions does not exceed five seconds and for which the emplacement points of all explosives can be interconnected by straight line segments, each of which joins two emplacement points and each of which does not exceed 40 kilometers.

ARTICLE III

1. Each Party, subject to the obligations assumed under this Treaty and other international agreements, reserves the right to:

(a) carry out explosions at any place under its jurisdiction or control outside the geographical boundaries of test sites specified under the provisions of the Treaty on the Limitation of Underground Nuclear Weapon Tests; and

(b) carry out, participate or assist in carrying out explosions in the territory of another State at the request of such other State.

2. Each Party undertakes to prohibit, to prevent and not to carry out at any place under its jurisdiction or control, and further undertakes not to carry out, participate or assist in carrying out anywhere:

(a) any individual explosion having a yield exceeding 150 kilotons;

(b) any group explosion:

(1) having an aggregate yield exceeding 150 kilotons except in ways that will permit identification of each individual explosion and determination of the yield of each individual explosion in the group in accordance with the provisions of Article IV of and the Protocol to this Treaty;

(2) having an aggregate yield exceeding one and one-half megatons;

(c) any explosion which does not carry out a peaceful application;

(d) any explosion except in compliance with the provisions of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, the Treaty on the Non-Proliferation of Nuclear Weapons, and other international agreements entered into by that Party.

3. The question of carrying out any individual explosion having a yield exceeding the yield specified in paragraph 2(a) of this article will be considered

by the Parties at an appropriate time to be agreed.

ARTICLE IV

1. For the purpose of providing assurance of compliance with the provisions of this Treaty, each Party shall:

(a) use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law; and

(b) provide to the other Party information and access to sites of explosions and furnish assistance in accordance with the provisions set forth in the Protocol to this Treaty.

2. Each Party undertakes not to interfere with the national technical means of verification of the other Party operating in accordance with paragraph 1(a) of this article, or with the implementation of the provisions of paragraph 1(b) of this article.

ARTICLE V

1. To promote the objectives and implementation of the provisions of this Treaty, the Parties shall establish promptly a Joint Consultative Commission within the framework of which they will:

(a) consult with each other, make inquiries and furnish information in response to such inquiries, to assure confidence in compliance with the obligations assumed;

(b) consider questions concerning compliance with the obligations assumed and related situations which may be considered ambiguous;

(c) consider questions involving unintended interference with the means for assuring compliance with the provisions of this Treaty;

(d) consider changes in technology or other new circumstances which have a bearing on the provisions of this Treaty; and

(e) consider possible amendments to provisions governing underground nuclear explosions for peaceful purposes.

2. The Parties through consultation shall establish, and may amend as appropriate, Regulations for the Joint Consultative Commission governing procedures, composition and other relevant matters.

ARTICLE VI

1. The Parties will develop cooperation on the basis of mutual benefit, equality, and reciprocity in various areas related to carrying out underground nuclear explosions for peaceful purposes.

2. The Joint Consultative Commission will facilitate this cooperation by considering specific areas and forms of cooperation which shall be determined by agreement between the Parties in accordance with their constitutional procedures.

3. The Parties will appropriately inform the International Atomic Energy Agency of results of their cooperation in the field of underground nuclear explosions for peaceful purposes.

ARTICLE VII

1. Each Party shall continue to promote the development of the international agreement or agreements and procedures provided for in Article V of the Treaty on the Non-Proliferation of Nuclear Weapons, and shall provide appropriate assistance to the International Atomic Energy Agency in this regard.

2. Each Party undertakes not to carry out, participate or assist in the carrying out of any explosion in the territory of another State unless that State agrees to the implementation in its territory of the international observation and procedures contemplated by Article V of the Treaty on the Non-Proliferation of Nuclear Weapons and the provisions of Article IV of and the Protocol to this Treaty, including the provision by that State of the assistance necessary for such implementation and of the privileges and immunities specified in the Protocol.

ARTICLE VIII

1. This Treaty shall remain in force for a period of five years, and it shall be extended for successive five-year periods unless either Party notifies the other of its termination no later than six months prior to its expiration. Before the expiration of this period the Parties may, as necessary, hold consultations to consider the situation relevant to the substance of this Treaty. However, under no circumstances shall either Party be entitled to terminate this Treaty while the Treaty on the Limitation of Underground Nuclear Weapon Tests remains in force.

2. Termination of the Treaty on the Limitation of Underground Nuclear Weapon Tests shall entitle either Party to withdraw from this Treaty at any time.

3. Each Party may propose amendments to this Treaty. Amendments shall enter into force on the day of the exchange of instruments of ratification of such amendments.

ARTICLE IX

1. This Treaty including the Protocol which forms an integral part hereof, shall be subject to ratification in accordance with the constitutional procedures of each Party. This Treaty shall enter into force on the day of the exchange of instruments of ratification which exchange shall take place simultaneously with the exchange of instruments of ratification of the Treaty on the Limitation of Underground Nuclear Weapon Tests.

2. This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations.

Done at Washington and Moscow, on May 28,

1976, in duplicate, in the English and Russian languages, both texts being equally authentic.

For the United States of America:

GERALD R. FORD
The President of the United States of America

For the Union of Soviet Socialist Republics:

L. I. BREZHNEV
General Secretary of the Central Committee of the CPSU

Text of Protocol

PROTOCOL TO THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Having agreed to the provisions in the Treaty on Underground Nuclear Explosions for Peaceful Purposes, hereinafter referred to as the Treaty,

Have agreed as follows:

ARTICLE I

1. No individual explosion shall take place at a distance, in meters, from the ground surface which is less than 30 times the 3.4 root of its planned yield in kilotons.

2. Any group explosion with a planned aggregate yield exceeding 500 kilotons shall not include more than five individual explosions, each of which has a planned yield not exceeding 50 kilotons.

ARTICLE II

1. For each explosion, the Party carrying out the explosion shall provide the other Party:

(a) not later than 90 days before the beginning of emplacement of the explosives when the planned aggregate yield of the explosion does not exceed 100 kilotons, or not later than 180 days before the beginning of emplacement of the explosives when the planned aggregate yield of the explosion exceeds 100 kilotons, with the following information to the extent and degree of precision available when it is conveyed:

(1) the purpose of the planned explosion;

(2) the location of the explosion expressed in geographical coordinates with a precision of four or less kilometers, planned date and aggregate yield of the explosion;

(3) the type or types of rock in which the explosion will be carried out, including the degree of liquid saturation of the rock at the point of emplacement of each explosive; and

(4) a description of specific technological features of the project, of which the explosion is a part, that could influence the determination of its yield and confirmation of purpose; and

(b) not later than 60 days before the beginning of emplacement of the explosives the information specified in subparagraph 1(a) of this article to the full extent and with the precision indicated in that subparagraph.

2. For each explosion with a planned aggregate yield exceeding 50 kilotons, the Party carrying out the explosion shall provide the other Party, not later than 60 days before the beginning of emplacement of the explosives, with the following information:

(a) the number of explosives, the planned yield of each explosive, the location of each explosive to be used in a group explosion relative to all other explosives in the group with a precision of 100 or less meters, the depth of emplacement of each explosive with a precision of one meter and the time intervals between individual explosions in any group explosion with a precision of one-tenth second; and

(b) a description of specific features of geological structure or other local conditions that could influence the determination of the yield.

3. For each explosion with a planned aggregate yield exceeding 75 kilotons, the Party carrying out the explosion shall provide the other Party, not later than 60 days before the beginning of emplacement of the explosives, with a description of the geological and geophysical characteristics of the site of each explosion which could influence determination of the yield, which shall include: the depth of the water table; a stratigraphic column above each emplacement point; the position of each emplacement point relative to nearby geological and other features which influenced the design of the project of which the explosion is a part; and the physical parameters of the rock, including density, seismic velocity, porosity, degree of liquid saturation, and rock strength, within the sphere centered on each emplacement point and having a radius, in meters, equal to 30 times the cube root of the planned yield in kilotons of the explosive emplaced at that point.

4. For each explosion with a planned aggregate yield exceeding 100 kilotons, the Party carrying out the explosion shall provide the other Party, not later than 60 days before the beginning of emplacement of the explosives, with:

(a) information on locations and purposes of facilities and installations which are associated with the conduct of the explosion;

(b) information regarding the planned date of the beginning of emplacement of each explosive; and

(c) a topographic plan in local coordinates of the areas specified in paragraph 7 of Article IV, at a scale of 1:24,000 or 1:25,000 with a contour interval of 10 meters or less.

5. For application of an explosion to alleviate the

consequences of an emergency situation involving an unforeseen combination of circumstances which calls for immediate action for which it would not be practicable to observe the timing requirements of paragraphs 1, 2 and 3 of this article, the following conditions shall be met:

(a) the Party carrying out an explosion for such purposes shall inform the other Party of that decision immediately after it has been made and describe such circumstances;

(b) the planned aggregate yield of an explosion for such purpose shall not exceed 100 kilotons; and

(c) the Party carrying out an explosion for such purpose shall provide to the other Party the information specified in paragraph 1 of this article, and the information specified in paragraphs 2 and 3 of this article if applicable, after the decision to conduct the explosion is taken, but not later than 30 days before the beginning of emplacement of the explosives.

6. For each explosion, the Party carrying out the explosion shall inform the other Party, not later than two days before the explosion, of the planned time of detonation of each explosive with a precision of one second.

7. Prior to the explosion, the Party carrying out the explosion shall provide the other Party with timely notification of changes in the information provided in accordance with this article.

8. The explosion shall not be carried out earlier than 90 days after notification of any change in the information provided in accordance with this article which requires more extensive verification procedures than those required on the basis of the original information, unless an earlier time for carrying out the explosion is agreed between the Parties.

9. Not later than 90 days after each explosion the Party carrying out the explosion shall provide the other Party with the following information:

(a) the actual time of the explosion with a precision of one-tenth second and its aggregate yield;

(b) when the planned aggregate yield of a group explosion exceeds 50 kilotons, the actual time of the first individual explosion with a precision of one-tenth second, the time interval between individual explosions with a precision of one millisecond and the yield of each individual explosion; and

(c) confirmation of other information provided in accordance with paragraphs 1, 2, 3 and 4 of this article and explanation of any changes or corrections based on the results of the explosion.

10. At any time, but not later than one year after the explosion, the other Party may request the Party carrying out the explosion to clarify any item of the information provided in accordance with this article. Such clarification shall be provided as soon as practicable, but not later than 30 days after the request is made.

Article III

1. For the purposes of this Protocol:

(a) "designated personnel" means those nationals of the other Party identified to the Party carrying out an explosion as the persons who will exercise the rights and functions provided for in the Treaty and this Protocol; and

(b) "emplacement hole" means the entire interior of any drill-hole, shaft, adit or tunnel in which an explosive and associated cables and other equipment are to be installed.

2. For any explosion with a planned aggregate yield exceeding 100 kilotons but not exceeding 150 kilotons if the Parties, in consultation based on information provided in accordance with Article II and other information that may be introduced by either Party, deem it appropriate for the confirmation of the yield of the explosion, and for any explosion with a planned aggregate yield exceeding 150 kilotons, the Party carrying out the explosion shall allow designated personnel within the areas and at the locations described in Article V to exercise the following rights and functions:

(a) confirmation that the local circumstances, including facilities and installations associated with the project, are consistent with the stated peaceful purposes;

(b) confirmation of the validity of the geological and geophysical information provided in accordance with Article II through the following procedures:

(1) examination by designated personnel of research and measurement data of the Party carrying out the explosion and of rock core or rock fragments removed from each emplacement hole, and of any logs and drill core from existing exploratory holes which shall be provided to designated personnel upon their arrival at the site of the explosion;

(2) examination by designated personnel of rock core or rock fragments as they become available in accordance with the procedures specified in subparagraph 2(b)(3) of this article; and

(3) observation by designated personnel of implementation by the Party carrying out the explosion of one of the following four procedures, unless this right is waived by the other Party:

(i) construction of that portion of each emplacement hole starting from a point nearest the entrance of the emplacement hole which is at a distance, in meters, from the nearest emplacement point equal to 30 times the cube root of the planned yield in kilotons of the explosive to be emplaced at that point and continuing to the completion of the emplacement hole; or

(ii) construction of that portion of each emplacement hole starting from a point nearest the entrance of the emplacement hole which is at a distance, in meters, from the nearest emplacement point equal to six times the cube root of the planned yield in kilotons of the explosive to be emplaced at that point and continuing to the completion of the emplacement hole as well as the removal of rock core or rock fragments from the wall of an existing exploratory hole, which is substantially parallel with and at no point more than 100 meters from the emplacement hole, at locations specified by designated personnel which lie within a distance, in meters, from the same horizon as each emplacement point of 30 times the cube root of the planned yield in kilotons of the explosive to be emplaced at that point; or

(iii) removal of rock core or rock fragments from the wall of each emplacement hole at locations specified by designated personnel which lie within a distance, in meters, from each emplacement point of 30 times the cube root of the planned yield in kilotons of the explosive to be emplaced at each such point; or

(iv) construction of one or more new exploratory holes so that for each emplacement hole there will be a new exploratory hole to the same depth as that of the emplacement of the explosive, substantially parallel with and at no point more than 100 meters from each emplacement hole, from which rock cores would be removed at locations specified by designated personnel which lie within a distance, in meters, from the same horizon as each emplacement point of 30 times the cube root of the planned yield in kilotons of the explosive to be emplaced at each such point;

(c) observation of the emplacement of each explosive, confirmation of the depth of its emplacement and observation of the stemming of each emplacement hole;

(d) unobstructed visual observation of the area of the entrance to each emplacement hole at any time from the time of emplacement of each explosive until all personnel have been withdrawn from the site for the detonation of the explosion; and

(e) observation of each explosion.

3. Designated personnel, using equipment provided in accordance with paragraph 1 of Article IV, shall have the right, for any explosion with a planned aggregate yield exceeding 150 kilotons, to determine the yield of each individual explosion in a group explosion in accordance with the provisions of Article VI.

4. Designated personnel, when using their equipment in accordance with paragraph 1 of Article IV, shall have the right, for any explosion with a planned aggregate yield exceeding 500 kilotons, to emplace, install and operate under the observation and with the assistance of personnel of the Party carrying out the explosion, if such assistance is requested by designated personnel, a local seismic network in accordance with the provisions of paragraph 7 of Article IV. Radio links may be used for the transmission of data and control signals between the seismic stations and the control center. Frequencies, maximum power output of radio transmitters, directivity of antennas and times of operation of the local seismic network radio transmitters before the explosion shall be agreed between the Parties in accordance with Article X and time of operation after the explosion shall conform to the time specified in paragraph 7 of Article IV.

5. Designated personnel shall have the right to:

(a) acquire photographs under the following conditions:

(1) the Party carrying out the explosion shall identify to the other Party those personnel of the Party carrying out the explosion who shall take photographs as requested by designated personnel;

(2) photographs shall be taken by personnel of the Party carrying out the explosion in the presence of designated personnel and at the time requested by designated personnel for taking such photographs. Designated personnel shall determine whether these photographs are in conformity with their requests and, if not, additional photographs shall be taken immediately;

(3) photographs shall be taken with cameras provided by the other Party having built-in, rapid developing capability and a copy of each photograph shall be provided at the completion of the development process to both Parties;

(4) cameras provided by designated personnel shall be kept in agreed secure storage when not in use; and

(5) the requests for photographs can be made, at any time, of the following:

(i) exterior views of facilities and installations associated with the conduct of the explosion as described in subparagraph 4(a) of Article II;

(ii) geological samples used for confirmation of geological and geophysical information, as provided for in subparagraph 2(b) of this article and the equipment utilized in the acquisition of such samples;

(iii) emplacement and installation of equipment and associated cables used by designated personnel for yield determination;

(iv) emplacement and installation of the local seismic network used by designated personnel;

(v) emplacement of the explosives and the stemming of the emplacement hole; and

(vi) containers, facilities and installations for storage and operation of equipment used by designated personnel;

(b) photographs of visual displays and records produced by the equipment used by designated personnel and photographs within the control centers

taken by cameras which are component parts of such equipment; and

(c) receive at the request of designated personnel and with the agreement of the Party carrying out the explosion supplementary photographs taken by the Party carrying out the explosion.

ARTICLE IV

1. Designated personnel in exercising their rights and functions may choose to use the following equipment of either Party, of which choice the Party carrying out the explosion shall be informed not later than 150 days before the beginning of emplacement of the explosives:

(a) electrical equipment for yield determination and equipment for a local seismic network as described in paragraphs 3, 4 and 7 of this article; and

(b) geologist's field tools and kits and equipment for recording of field notes.

2. Designated personnel shall have the right in exercising their rights and functions to utilize the following additional equipment which shall be provided by the Party carrying out the explosion, under procedures to be established in accordance with Article X to ensure that the equipment meets the specifications of the other Party: portable short-range communication equipment, field glasses, optical equipment for surveying and other items which may be specified by the other Party. A description of such equipment and operating instructions shall be provided to the other Party not later than 90 days before the beginning of emplacement of the explosives in connection with which such equipment is to be used.

3. A complete set of electrical equipment for yield determination shall consist of:

(a) sensing elements and associated cables for transmission of electrical power, control signals and data;

(b) equipment of the control center, electrical power supplies and cables for transmission of electrical power, control signals and data; and

(c) measuring and calibration instruments, maintenance equipment and spare parts necessary for ensuring the functioning of sensing elements, cables and equipment of the control center.

4. A complete set of equipment for the local seismic network shall consist of:

(a) seismic stations each of which contains a seismic instrument, electrical power supply and associated cables and radio equipment for receiving and transmission of control signals and data or equipment for recording control signals and data;

(b) equipment of the control center and electrical power supplies; and

(c) measuring and calibration instruments, maintenance equipment and spare parts necessary for ensuring the functioning of the complete network.

5. In case designated personnel, in accordance with paragraph 1 of this article, choose to use equipment of the Party carrying out the explosion for yield determination or for a local seismic network, a description of such equipment and installation and operating instructions shall be provided to the other Party not later than 90 days before the beginning of emplacement of the explosives in connection with which such equipment is to be used. Personnel of the Party carrying out the explosion shall emplace, install and operate the equipment in the presence of designated personnel. After the explosion, designated personnel shall receive duplicate copies of the recorded data. Equipment for yield determination shall be emplaced in accordance with Article VI. Equipment for a local seismic network shall be emplaced in accordance with paragraph 7 of this article.

6. In case designated personnel, in accordance with paragraph 1 of this article, choose to use their own equipment for yield determination and their own equipment for a local seismic network, the following procedures shall apply:

(a) the Party carrying out the explosion shall be provided by the other Party with the equipment and information specified in subparagraphs (a)(1) and (a)(2) of this paragraph not later than 150 days prior to the beginning of emplacement of the explosives in connection with which such equipment is to be used in order to permit the Party carrying out the explosion to familiarize itself with such equipment, if such equipment and information has not been previously provided, which equipment shall be returned to the other Party not later than 90 days before the beginning of emplacement of the explosives. The equipment and information to be provided are:

(1) one complete set of electrical equipment for yield determination as described in paragraph 3 of this article, electrical and mechanical design information, specifications and installation and operating instructions concerning this equipment; and

(2) one complete set of equipment for the local seismic network described in paragraph 4 of this article, including one seismic station, electrical and mechanical design information, specifications and installation and operating instructions concerning this equipment;

(b) not later than 35 days prior to the beginning of emplacement of the explosives in connection with which the following equipment is to be used, two complete sets of electrical equipment for yield determination as described in paragraph 3 of this article and specific installation instructions for the emplacement of the sensing elements based on information provided in accordance with subparagraph

2(a) of Article VI and two complete sets of equipment for the local seismic network as described in paragraph 4 of this article, which sets of equipment shall have the same components and technical characteristics as the corresponding equipment specified in subparagraph 6(a) of this article, shall be delivered in sealed containers to the port of entry;

(c) the Party carrying out the explosion shall choose one of each of the two sets of equipment described above which shall be used by designated personnel in connection with the explosion;

(d) the set or sets of equipment not chosen for use in connection with the explosion shall be at the disposal of the Party carrying out the explosion for a period that may be as long as 30 days after the explosion at which time such equipment shall be returned to the other Party;

(e) the set or sets of equipment chosen for use shall be transported by the Party carrying out the explosion in the sealed containers in which this equipment arrived, after seals of the Party carrying out the explosion have been affixed to them, to the site of the explosion, so that this equipment is delivered to designated personnel for emplacement, installation and operation not later than 20 days before the beginning of emplacement of the explosives. This equipment shall remain in the custody of designated personnel in accordance with paragraph 7 of Article V or in agreed secure storage. Personnel of the Party carrying out the explosion shall have the right to observe the use of this equipment by designated personnel during the time the equipment is at the site of the explosion. Before the beginning of emplacement of the explosives, designated personnel shall demonstrate to personnel of the Party carrying out the explosion that this equipment is in working order;

(f) each set of equipment shall include two sets of components for recording data and associated calibration equipment. Both of these sets of components in the equipment chosen for use shall simultaneously record data. After the explosion, and after duplicate copies of all data have been obtained by designated personnel and the Party carrying out the explosion, one of each of the two sets of components for recording data and associated calibration equipment shall be selected, by an agreed process of chance, to be retained by designated personnel. Designated personnel shall pack and seal such components for recording data and associated calibration equipment which shall accompany them from the site of the explosion to the port of exit; and

(g) all remaining equipment may be retained by the Party carrying out the explosion for a period that may be as long as 30 days, after which time this equipment shall be returned to the other Party.

7. For any explosion with a planned aggregate yield exceeding 500 kilotons, a local seismic network, the number of stations of which shall be determined by designated personnel but shall not exceed the number of explosives in the group plus five, shall be emplaced, installed and operated at agreed sites of emplacement within an area circumscribed by circles of 15 kilometers in radius centered on points on the surface of the earth above the points of emplacement of the explosives during a period beginning not later than 20 days before the beginning of emplacement of the explosives and continuing after the explosion not later than three days unless otherwise agreed between the Parties.

8. The Party carrying out the explosion shall have the right to examine in the presence of designated personnel all equipment, instruments and tools of designated personnel specified in subparagraph 1(b) of this article.

9. The Joint Consultative Commission will consider proposals that either Party may put forward for the joint development of standardized equipment for verification purposes.

Article V

1. Except as limited by the provisions of paragraph 5 of this article, designated personnel in the exercise of their rights and functions shall have access along agreed routes:

(a) for an explosion with a planned aggregate yield exceeding 100 kilotons in accordance with paragraph 2 of Article III:

(1) to the locations of facilities and installations associated with the conduct of the explosion provided in accordance with subparagraph 4(a) of Article II; and

(2) to the locations of activities described in paragraph 2 of Article III; and

(b) for any explosion with a planned aggregate yield exceeding 150 kilotons, in addition to the access described in subparagraph 1(a) of this article:

(1) to other locations within the area circumscribed by circles of 10 kilometers in radius centered on points on the surface of the earth above the points of emplacement of the explosives in order to confirm that the local circumstances are consistent with the stated peaceful purposes;

(2) to the locations of the components of the electrical equipment for yield determination to be used for recording data when, by agreement between the Parties, such equipment is located outside the area described in subparagraph 1(b)(1) of this article; and

(3) to the sites of emplacement of the equipment of the local seismic network provided for in paragraph 7 of Article IV.

2. The Party carrying out the explosion shall notify the other Party of the procedure it has chosen

from among those specified in subparagraph 2(b)(3) of Article III not later than 30 days before beginning the implementation of such procedure. Designated personnel shall have the right to be present at the site of the explosion to exercise their rights and functions in the areas and at the locations described in paragraph 1 of this article for a period of time beginning two days before the beginning of the implementation of the procedure and continuing for a period of three days after the completion of this procedure.

3. Except as specified in paragraph 4 of this article, designated personnel shall have the right to be present in the areas and at the locations described in paragraph 1 of this article:

(a) for an explosion with a planned aggregate yield exceeding 100 kilotons but not exceeding 150 kilotons, in accordance with paragraph 2 of Article III, at any time beginning five days before the beginning of emplacement of the explosives and continuing after the explosion and after safe access to evacuated areas has been established according to standards determined by the Party carrying out the explosion for a period of two days; and

(b) for any explosion with a planned aggregate yield exceeding 150 kilotons, at any time beginning 20 days before the beginning of emplacement of the explosives and continuing after the explosion and after safe access to evacuated areas has been established according to standards determined by the Party carrying out the explosion for a period of:

(1) five days in the case of an explosion with a planned aggregate yield exceeding 150 kilotons but not exceeding 500 kilotons; or

(2) eight days in the case of an explosion with a planned aggregate yield exceeding 500 kilotons.

4. Designated personnel shall not have the right to be present in those areas from which all personnel have been evacuated in connection with carrying out an explosion, but shall have the right to re-enter those areas at the same time as personnel of the Party carrying out the explosion.

5. Designated personnel shall not have or seek access by physical, visual or technical means to the interior of the canister containing an explosive, to documentary or other information descriptive of the design of an explosive nor to equipment for control and firing of explosives. The Party carrying out the explosion shall not locate documentary or other information descriptive of the design of an explosive in such ways as to impede the designated personnel in the exercise of their rights and functions.

6. The number of designated personnel present at the site of an explosion shall not exceed:

(a) for the exercise of their rights and functions in connection with the confirmation of the geological and geophysical information in accordance with the provisions of subparagraph 2(b) and applicable provisions of paragraph 5 of Article III—the number of emplacement holes plus three;

(b) for the exercise of their rights and functions in connection with confirming that the local circumstances are consistent with the information provided and with the stated peaceful purposes in accordance with the provisions in subparagraphs 2(a), 2(c), 2(d) and 2(e) and applicable provisions of paragraph 5 of Article III—the number of explosives plus two;

(c) for the exercise of their rights and functions in connection with confirming that the local circumstances are consistent with the information provided and with the stated peaceful purposes in accordance with the provisions in subparagraphs 2(a), 2(c), 2(d) and 2(e) and applicable provisions of paragraph 5 of Article III and in connection with the use of electrical equipment for determination of the yield in accordance with paragraph 3 of Article III—the number of explosives plus seven; and

(d) for the exercise of their rights and functions in connection with confirming that the local circumstances are consistent with the information provided and with the stated peaceful purposes in accordance with the provisions in subparagraph 2(a), 2(c), 2(d) and 2(e) and applicable provisions of paragraph 5 of Article III and in connection with the use of electrical equipment for determination of the yield in accordance with paragraph 3 of Article III and with the use of the local seismic network in accordance with paragraph 4 of Article III—the number of explosives plus 10.

7. The Party carrying out the explosion shall have the right to assign its personnel to accompany designated personnel while the latter exercise their rights and functions.

8. The Party carrying out an explosion shall assure for designated personnel telecommunications with their authorities, transportation and other services appropriate to their presence and to the exercise of their rights and functions at the site of the explosion.

9. The expenses incurred for the transportation of designated personnel and their equipment to and from the site of the explosion, telecommunications provided for in paragraph 8 of this article, their living and working quarters, subsistence and all other personal expenses shall be the responsibility of the Party other than the Party carrying out the explosion.

10. Designated personnel shall consult with the Party carrying out the explosion in order to coordinate the planned program and schedule of activities of designated personnel with the program of the Party carrying out the explosion for the conduct of the project so as to ensure that designated personnel are able to conduct their activities in an orderly and timely way that is compatible with the

implementation of the project. Procedures for such consultations shall be established in accordance with Article X.

ARTICLE VI

For any explosion with a planned aggregate yield exceeding 150 kilotons, determination of the yield of each explosive used shall be carried out in accordance with the following provisions:

1. Determination of the yield of each individual explosion in the group shall be based on measurements of the velocity of propagation, as a function of time, of the hydrodynamic shock wave generated by the explosion, taken by means of electrical equipment described in paragraph 3 of Article IV.

2. The Party carrying out the explosion shall provide the other Party with the following information:

(a) not later than 60 days before the beginning of emplacement of the explosives, the length of each canister in which the explosive will be contained in the corresponding emplacement hole, the dimensions of the tube or other device used to emplace the canister and the cross-sectional dimensions of the emplacement hole to a distance, in meters, from the emplacement point of 10 times the cube root of its yield in kilotons;

(b) not later than 60 days before the beginning of emplacement of the explosives, a description of materials, including their densities, to be used to stem each emplacement hole; and

(c) not later than 30 days before the beginning of emplacement of the explosives, for each emplacement hole of a group explosion, the local coordinates of the point of emplacement of the explosive, the entrance of the emplacement hole, the point of the emplacement hole most distant from the entrance, the location of the emplacement hole at each 200 meters distance from the entrance and the configuration of any known voids larger than one cubic meter located within the distance, in meters, of 10 times the cube root of the planned yield in kilotons measured from the bottom of the canister containing the explosive. The error in these coordinates shall not exceed one percent of the distance between the emplacement hole and the nearest other emplacement hole or one percent of the distance between the point of measurement and the entrance of the emplacement hole, whichever is smaller, but in no case shall the error be required to be less than one meter.

3. The Party carrying out the explosion shall emplace for each explosive that portion of the electrical equipment for yield determination described in subparagraph 3(a) of Article IV, supplied in accordance with paragraph 1 of Article IV, in the same emplacement hole as the explosive in accordance with the installation instructions supplied under the provisions of paragraph 5 or 6 of Article IV. Such emplacement shall be carried out under the observation of designated personnel. Other equipment specified in subparagraph 3(b) of Article IV shall be emplaced and installed:

(a) by designated personnel under the observation and with the assistance of personnel of the Party carrying out the explosion, if such assistance is requested by designated personnel; or

(b) in accordance with paragraph 5 of Article IV.

4. That portion of the electrical equipment for yield determination described in subparagraph 3(a) of Article IV that is to be emplaced in each emplacement hole shall be located so that the end of the electrical equipment which is farthest from the entrance to the emplacement hole is at a distance, in meters, from the bottom of the canister containing the explosive equal to 3.5 times the cube root of the planned yield in kilotons of the explosive when the planned yield is less than 20 kilotons and three times the cube root of the planned yield in kilotons of the explosive when the planned yield is 20 kilotons or more. Canisters longer than 10 meters containing the explosive shall only be utilized if there is prior agreement between the Parties establishing provisions for their use. The Party carrying out the explosion shall provide the other Party with data on the distribution of density inside any other canister in the emplacement hole with a transverse cross-sectional area exceeding 10 square centimeters located within a distance, in meters, of 10 times the cube root of the planned yield in kilotons of the explosion from the bottom of the canister containing the explosive. The Party carrying out the explosion shall provide the other Party with access to confirm such data on density distribution within any such canister.

5. The Party carrying out an explosion shall fill each emplacement hole, including all pipes and tubes contained therein which have at any transverse section an aggregrate cross-sectional area exceeding 10 square centimeters in the region containing the electrical equipment for yield determination and to a distance, in meters, of six times the cube root of the planned yield in kilotons of the explosive from the explosive emplacement point, with material having a density not less than seven-tenths of the average density of the surrounding rock, and from that point to a distance of not less than 60 meters from the explosive emplacement point with material having a density greater than one gram per cubic centimeter.

6. Designated personnel shall have the right to:

(a) confirm information provided in accordance with subparagraph 2(a) of this article;

(b) confirm information provided in accordance with subparagraph 2(b) of this article and be provided, upon request, with a sample of each batch of

stemming material as that material is put into the emplacement hole; and

(c) confirm the information provided in accordance with subparagraph 2(c) of this article by having access to the data acquired and by observing, upon their request, the making of measurements.

7. For those explosives which are emplaced in separate emplacement holes, the emplacement shall be such that the distance D, in meters, between any explosive and any portion of the electrical equipment for determination of the yield of any other explosive in the group shall be not less than 10 times the cube root of the planned yield in kilotons of the larger explosive of such a pair of explosives. Individual explosions shall be separated by time intervals, in milliseconds, not greater than one-sixth the amount by which the distance D, in meters, exceeds 10 times the cube root of the planned yield in kilotons of the larger explosive of such a pair of explosives.

8. For those explosives in a group which are emplaced in a common emplacement hole, the distance, in meters, between each explosive and any other explosive in that emplacement hole shall be not less than 10 times the cube root of the planned yield in kilotons of the larger explosive of such a pair of explosives, and the explosives shall be detonated in sequential order, beginning with the explosive farthest from the entrance to the emplacement hole, with the individual detonations separated by time intervals, in milliseconds, of not less than one times the cube root of the planned yield in kilotons of the largest explosive in this emplacement hole.

ARTICLE VII

1. Designated personnel with their personal baggage and their equipment as provided in Article IV shall be permitted to enter the territory of the Party carrying out the explosion at an entry port to be agreed upon by the Parties, to remain in the territory of the Party carrying out the explosion for the purpose of fulfilling their rights and functions provided for in the Treaty and this Protocol, and to depart from an exit port to be agreed upon by the Parties.

2. At all times while designated personnel are in the territory of the Party carrying out the explosion, their persons, property, personal baggage, archives and documents as well their temporary official and living quarters shall be accorded the same privileges and immunities as provided in Articles 22, 23, 24, 29, 30, 31, 34 and 36 of the Vienna Convention on Diplomatic Relations of 1961 to the persons, property, personal baggage, archives and documents of diplomatic agents as well as to the premises of diplomatic missions and private residences of diplomatic agents.

3. Without prejudice to their privileges and immunities it shall be the duty of designated personnel to respect the laws and regulations of the State in whose territory the explosion is to be carried out insofar as they do not impede in any way whatsoever the proper exercising of their rights and functions provided for by the Treaty and this Protocol.

ARTICLE VIII

The Party carrying out an explosion shall have sole and exclusive control over and full responsibility for the conduct of the explosion.

ARTICLE IX

1. Nothing in the Treaty and this Protocol shall affect proprietary rights in information made available under the Treaty and this Protocol and in information which may be disclosed in preparation for and carrying out of explosions; however, claims to such proprietary rights shall not impede implementation of the provisions of the Treaty and this Protocol.

2. Public release of the information provided in accordance with Article II or publication of material using such information, as well as public release of the results of observation and measurements obtained by designated personnel, may take place only by agreement with the Party carrying out an explosion; however, the other Party shall have the right to issue statements after the explosion that do not divulge information in which the Party carrying out the explosion has rights which are referred to in paragraph 1 of this article.

ARTICLE X

The Joint Consultative Commission shall establish procedures through which the Parties will, as appropriate, consult with each other for the purpose of ensuring efficient implementation of this Protocol.

Done at Washington and Moscow, on May 28, 1976.

For the United States of America:

GERALD R. FORD
The President of the United States of America

For the Union of Soviet Socialist Republics:

L. I. BREZHNEV
General Secretary of the Central Committee of the CPSU

Text of Agreed Statement

The Parties to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes, hereinafter referred to as the Treaty, agree that under subparagraph 2(c) of Article III of the Treaty:

(a) Development testing of nuclear explosives

does not constitute a "peaceful application" and any such development tests shall be carried out only within the boundaries of nuclear weapon test sites specified in accordance with the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests;

(b) Associating test facilities, instrumentation or procedures related only to testing of nuclear weapons or their effects with any explosion carried out in accordance with the Treaty does not constitute a "peaceful application."

MAY 13, 1976.

King Juan Carlos of Spain Visits the United States

King Juan Carlos of Spain made a state visit to the United States June 2–5. While at Washington June 2–4, he met with President Ford and other government officials and addressed a joint meeting of the Congress. Following are remarks by President Ford and King Juan Carlos at a welcoming ceremony on the South Lawn of the White House on June 2.[1]

Weekly Compilation of Presidential Documents dated June 7

PRESIDENT FORD

Your Majesties: On behalf of the American people I take great pleasure in welcoming you to the United States. Your first visit as King and Queen of Spain to the United States renews the historic and deep ties between our two countries.

Nearly 500 years ago Spain was a leader in the great age of exploration that opened this continent to settlement and to development. Now in this Bicentennial year the people of Spain and America can recall with pride a group of brave Spaniards led by Bernardo de Galvez, who helped 200 years ago in our struggle for national independence.

In 1776 Galvez, then Governor of Louisiana, provided needed arms and supplies to those struggling for freedom in the American colony. Later, his expeditions near Pensacola, Mobile, and Natchez helped to keep the Mississippi River and the Gulf of Mexico open, protecting the southern and western flanks of the Americas.

The formal entrance of Spain into our War of Independence in 1779 brought valuable support to the American cause. The city of Galveston, Texas, today honors the name of Bernardo de Galvez. The city of Washington soon will have a statue of Galvez, a generous Bicentennial gift of the Spanish people, to commemorate the contribution of this gallant Spanish soldier-statesman to the independence of the United States.

The understanding and traditional friendship between our two countries continues to endure. Today, we look forward to even closer cooperation with Spain.

I last visited Spain just over a year ago. I was deeply moved by the warm welcome accorded by the Spanish people and particularly by you, Your Majesties.

Since then great changes have taken place. Your country has entered a new era under your wise and able leadership. It holds great promise for the future of Spain and for the Western community of nations. I am confident that your leadership will prove more than equal to the great task ahead and that the promise of the future will be fulfilled.

Both of our countries today face very complex challenges. We look to our own future with confidence, and we take great confidence from the assurance that the Spanish people will meet these challenges with the qualities they have shown in their long and illustrious history—courage, dignity, strength, and pride.

Our bilateral relationship, as confirmed in the recently concluded Treaty of Friendship and Cooperation, is excellent. I stated last year and I reaffirm today that Spain, through its bilateral defense cooperation with the

[1] For exchanges of toasts between President Ford and King Juan Carlos at a dinner at the White House on June 2 and a dinner at the Spanish Embassy on June 3, see Weekly Compilation of Presidential Documents dated June 7, 1976, pp. 992 and 997; for King Juan Carlos' address before a joint meeting of the Congress, see Congressional Record of June 2, 1976, p. H 5119.

United States, makes a major contribution to the Western World. We are agreed on the interests of our two countries, share in common objectives and common burdens promoting the prosperity, security of the Atlantic and Mediterranean region.

We are very proud of our historic ties with Spain. We are encouraged by Spanish progress under your leadership. We look forward to building and strengthening our relationship. Your Majesties, I am privileged to extend to you the sincere welcome of the people of the United States.

KING JUAN CARLOS [2]

Mr. President, Mrs. Ford: The Queen and I thank you most sincerely for your invitation, for your hospitality which at this moment we are beginning to enjoy, and for your words of welcome.

Mr. President, I should like you to consider this visit—the first we have made overseas since my proclamation as King of Spain—as a proof of our personal interest and a confirmation of the affection and friendship that the Spanish people feel toward the United States of America.

It is, for the Queen and myself, very gratifying that this visit should coincide with the celebration of the Bicentennial of the independence of the United States. It rounds off, so to speak, the part that Spain has wished to play in the ceremonies of this commemoration which will enable the American people to assess the importance of the assistance that Spain gave to their country's struggle for independence and will make them show, I hope, an even greater interest in the history and in the present of Spain.

Our two countries are bound by so many ties that it may well be said that in a certain way your history and geography have been, to a large extent, ours too. This explains the numerous invitations which the Queen and I have received as a result of our visit to the United States and which, unfortunately, it has been physically impossible for us to accept. Allow me, Mr. President, to take advantage of this opportunity to place on record our gratitude for these kind invitations.

The time of transition that the world is living through demands clarity of thought, a firm purpose, a resolute acknowledgment of the supremacy of spiritual values, and a constant exercise of the virtue of prudence, a virtue which is so particularly extolled in your Declaration of Independence. But this objective could not be achieved without the certainty of being able to rely, should the need arise, on the many benefits derived from all good friendships.

At this moment my greatest wish is that our visit should contribute to reinforcing these bonds of friendship between us for the good of our two countries and all those who aspire to attain the same ideals of faith, freedom, and justice.

Mr. President, once again receive our sincerest thanks for your invitation.

[2] King Juan Carlos spoke in Spanish.

Secretary Kissinger's News Conference at U.N. Headquarters June 5

Following is the transcript of a news conference held by Secretary Kissinger at U.N. Headquarters on June 5 after a meeting with U.N. Secretary General Kurt Waldheim.

Press release 284 dated June 5

Secretary Kissinger: I wanted to express my appreciation to the Secretary General. We had a very good talk. I complimented him on his mission to Damascus, and we exchanged ideas on the Middle East, Cyprus, southern Africa, the problems of development in the light of the recent UNCTAD Conference [U.N. Conference on Trade and Development], and a number of odds and ends involving the United Nations and the United States. I think it was an extremely useful talk, and of course, we greatly appreciate the role that the Secretary General plays in so many international problems of our time. We'll be glad to answer a few questions.

Q. Mr. Secretary, there have been a lot of

charges recently that you were personally responsible for the increased bloodshed in Lebanon. I refer specifically to the recent column by Nick Von Hoffman and similar charges made by Lebanese leaders [inaudible] Jumblatt, and Le Monde also recently made similar statements. This would seem supported by statements made by Dean Brown following his previous trip to the Middle East, to the effect that he was very unhappy that while he was there the White House intervened to prevent the Syrians from intervening. Now, I wonder if these charges are in any way true, and if so, are they aimed at you personally trying to sabotage President Ford's peace initiatives? He stated recently that he is opposed to your step-by-step diplomacy.

Secretary Kissinger: It is a very eloquent statement. I am not aware that President Ford has ever indicated that he is opposed to any of the policies that he and I are jointly carrying out, so that statement—the last statement is total nonsense. President Ford and I are working in complete unity, and the policy we are pursuing in the Middle East has been pursued up to now on a step-by-step basis and will be pursued in the future by whatever methods are most likely to produce peace in the Middle East.

With respect to the situation in Lebanon, the United States, as the party that has had access to more of the factions and other countries involved than almost anyone else, has unceasingly used its efforts in order to bring about an end of the conflict and a moderation of violence where the conflict couldn't be ended.

The quotation you ascribed to Ambassador Brown is totally incorrect. I have checked it with him.

The United States has attempted to maintain the sovereignty and integrity of Lebanon. It has supported every U.N. and other efforts, and it has exerted all its efforts to bring an end to the conflict and to save human lives; and when the record becomes known, I think it will be understood that we've played a credible and important role.

Q. Can you tell us whether you and Mr. Waldheim have discussed a new initiative which you might make together to start again the diplomatic process in the Middle East?

Secretary Kissinger: There have been press reports that a specific new initiative is started, which are incorrect. There are ongoing talks on which we exchanged ideas. Of course the Secretary General, having been in the Middle East more recently than I, could give me some of his firsthand impressions, but there is no specific new initiative. There are the proposals and ideas which we have been discussing since February and March, and we exchanged ideas with respect to those.

Q. The Syrian intervention—what is this government's point of view about that?

Secretary Kissinger: The United States has consistently warned against foreign intervention as involving a significant risk of escalation. We have supported the program—the political program—that Syria also supported at the end of January and that had led to an understanding among the parties. We still believe that with adaptations for what has happened in the interval this would be a reasonable basis to come to a solution. But we believe that outside countries should show the greatest restraint because of the explosiveness of the situation.

Q. What about the results of the UNCTAD Conference in Nairobi?

Secretary Kissinger: The United States has been strongly committed to the development process. We have made major efforts within our government to develop a forward-looking and complete program. We put one forward at the seventh special session [of the U.N. General Assembly]. I personally went to Nairobi to put forward another considerable step forward, and we worked closely with the less developed countries to come up with a common approach to the commodities issue, for example. Considerable progress was made on many issues.

We believe that on one of our major proposals, the International Resources Bank, the parliamentary maneuvers that led to the

refusal of its study do not augur well for the kind of dialogue which we would like to encourage. It isn't sensible that a proposal like this is rejected even for study by a vote of 33 to 31, with 90 nations who would be the chief beneficiaries not even expressing an opinion. And so we expressed our disappointment with respect to that one particular vote, and at the same time we want to say that some positive achievements were made at UNCTAD and that the United States would like to work in the spirit of cooperation with the other nations on the problems of development, which we consider one of the major problems of our time.

Q. Do you foresee any reconvening of the Geneva Conference on the Middle East at all in the near future?

Secretary Kissinger: I don't foresee it in the near future. It requires a great deal of preparatory work and the settlement of a lot of procedural issues on which we have not yet made final progress.

Q. Why don't you take with you to Santiago, Chile, Mr. Waldheim to improve relations between the United Nations and Pinochet [Maj. Gen. Augusto Pinochet Ugarte, President of Chile]?

Secretary Kissinger: We had a discussion about the human rights problem in Chile, and the United States will express its views on that problem at Santiago and elsewhere during my trip to Latin America.

Q. Mr. Secretary, Ambassador Moynihan [Daniel P. Moynihan, former U.S. Representative to the United Nations] recently said that he knew of instances where votes were sold and bought at the United Nations. Did he ever report this to you during his service as Ambassador and afterward?

Secretary Kissinger: I have never heard any such reports.

Q. Would you say that the United States supports the political efforts by Syria to solve the Lebanese situation? Are you saying also that the United States views with significant alarm the latest military moves into that country?

Secretary Kissinger: We were not consulted about the latest military move, and we have—our basic position has been to oppose outside intervention. At the same time, it is an extremely delicate situation in which we are still trying to bring all of the factions together and in which we are encouraging restraint by all of the parties—and we continue to call for restraint by all of the parties.

Q. How active is that opposition?

Secretary Kissinger: Well, I don't know what the definition of "active opposition" is. We have stated clearly our view, and as you have heard in the eloquent opening question, we are being criticized both for opposing and supporting the Syrian intervention. Our position is that all parties should exercise great restraint and that we are trying to act as an honest broker between the parties, but of course we cannot by ourselves create the framework of good will. We can contribute our maximum effort, which is what we are doing now.

Q. What do you predict will happen if Syria follows through with this military intervention?

Secretary Kissinger: Well, we hope that, as we understand the parties, the various factions in Lebanon are beginning to talk to each other. We can only urge the most rapid political solution, because once there's an established government in Lebanon it can call for the withdrawal of outside forces, and then the situation can be returned to one where the central government exercises authority and the sovereignty and territorial integrity of Lebanon is preserved and the two communities can, hopefully, live side by side.

Q. Many political leaders in the Republican and Democratic Parties are talking and saying very emphatically that your policies of détente are very much on the basis of appeasement, implying that you are the "Chamberlain" of the Western World.

Secretary Kissinger: Well, you know this is a political year in the United States, and

the rhetoric is not excessively restrained. The problem any American President and any American Secretary of State will face is the problem that in the nuclear age peace must be one of our paramount objectives. Our policy has been to preserve both peace and the basic principles and interests of the United States and its friends and the free peoples around the world.

I do not believe that anyone has been able to mention any agreements that have been made to the disadvantage of the United States. But we are dedicated to bringing about a more peaceful and a safer world. We have this obligation to future generations, and any President and any Secretary of State has that duty.

Thank you.

President Ford Interviewed on CBS's "Face the Nation"

Following is an excerpt from the transcript of an interview with President Ford for CBS's "Face the Nation" recorded on June 5 and broadcast on television and radio on June 6. Interviewing the President were George Herman and Bob Schieffer of CBS News and Helen Thomas of UPI.[1]

. . . . .

Miss Thomas: Are you working for a Middle East conference this year? You said you were talking actively to the Israelis and other governments to move off dead center, the status quo. Is there a possibility that there could be a Geneva Conference this year?

President Ford: It is not likely that there would be a Geneva Conference this year. I don't rule it out entirely, but it is not likely. We are, however—I am talking to the heads of government when I see them, as I did with Prime Minister Rabin of Israel when he was here. We are talking with foreign secretaries. We think momentum has to keep going beyond the Sinai II agreement.

If we stop the momentum, the pot begins to boil again, so we are trying to deal bilaterally, urging other nations to get together to move forward. But the prospect of a Geneva Conference in 1976 I think is somewhat remote.

Miss Thomas: Does the Syrian intervention in Lebanon have your blessing?

President Ford: We have objected to any foreign intervention in Lebanon. We don't believe that military intervention is the right way to solve Lebanon's political problems. About eight weeks ago I sent Ambassador Dean Brown as my special emissary to Lebanon, and he was very helpful in trying to bring some of the parties together, and I think we made a significant contribution in seeking a political settlement without any military intervention.

I repeat: The U.S. Government is opposed to any military intervention in Lebanon. I think it could be destabilizing, even though thus far it has been done with restraint.

Miss Thomas: Are you doing anything about it?

President Ford: We have let all parties know that we oppose any military intervention.

. . . . .

President Hails Japanese Diet's Vote To Ratify Nonproliferation Treaty

Statement by President Ford[1]

I welcome the Japanese Diet's approval for ratification of the Treaty on the Nonproliferation of Nuclear Weapons. This action is a singularly important event in the life of the treaty, which is a pillar of international efforts to prevent the spread of nuclear weapons and to contribute to the broader goal of nuclear arms control.

Japan, one of our closest allies, has one of

[1] For the complete transcript, see Weekly Compilation of Presidential Documents dated June 14.

[1] Issued at Anaheim, Calif., on May 24 (text from White House press release).

the world's most extensive peaceful nuclear programs. Ratification of the treaty will clearly add to the treaty's vitality and effectiveness and to the extension of the international safeguards regime. It should also facilitate Japan's peaceful nuclear endeavors and enhance Japan's influence on nuclear arms control.

As I have frequently stated, our efforts to prevent nuclear proliferation are receiving high priority. I am encouraged by the progress being made in this field. We are thus especially gratified by this further demonstration of Japanese dedication to the same goal. We trust that Japan's example will encourage yet broader adherence to the treaty and its objectives.

President Comments on OPEC Decision on International Price of Oil

Statement by President Ford [1]

I am encouraged by OPEC's [Organization of Petroleum Exporting Countries] decision, announced today in Bali, not to increase the international price of oil at this time.

This decision was a responsible one for the world's economy, which is just beginning to recover from recession and adjust to existing high oil prices. In today's interdependent world, a stable and growing world economy is in every country's interest, and the United States looks toward further improvements in the relationships between oil producing and consuming countries.

However, this decision should not lead us to lessen our drive toward energy independence. In my first state of the Union message, I put before the Congress a complete program for significantly reducing our dependence on imported oil over the next 10 years. While some of the legislation I requested has been passed by the Congress, much more needs to be done.

The program I proposed consists of five fundamental parts:

1. Maximizing energy conservation.
2. Full development of domestic oil and gas reserves.
3. Doubling of domestic coal production.
4. Substantial increase in our nuclear power capacity.
5. Completion of a national petroleum storage program.

The plan I sent to the Congress addressed each of these areas, as well as focusing on our post-1985 requirements with legislation and an increased research and development budget to expedite the development of advanced technologies, such as solar energy.

This country cannot afford to have the price and supply of so vital a commodity controlled by other countries. Even without a price increase this year, American consumers will pay $35 billion for imported oil as compared to $27 billion last year, and only $3 billion in 1970.

The responsibility to reverse this situation now rests with the U.S. Congress. I regret that it has been unable to face up to the energy problem and pass the program that I requested.

[1] Issued on May 28 (text from White House press release).

Department Urges Congressional Approval of OECD Financial Support Fund Agreement

Statement by Deputy Secretary Charles W. Robinson [1]

I welcome this occasion to come before your committee to testify on the OECD [Organization for Economic Cooperation and Development] Financial Support Fund Agreement. I will concentrate my remarks on defining the urgent need for the Support Fund and explaining its relation to overall U.S. foreign economic and political objectives while at the same time trying to answer some of the specific questions which I believe are of particular interest to this committee.

We are at a delicate point now in terms of our economic relations with our industrial nation partners and with our friends in the developing world. The U.S. economy is rapidly pulling out of the longest and deepest recession of the postwar era, and our expansion, along with that of some other key industrial nations, is helping the rest of the world pull out of its recession.

At the same time, we must all guard against rekindling the inflationary conditions which precipitated and prolonged the recession. This includes maintaining the reinforcing policies which will lessen the danger of still higher oil prices.

The industrial nations continue to be heavily dependent on imported oil. The burden of this continued high oil-import bill may not be intolerable for the stronger industrial nations—albeit it represents a major transfer of income—but for the weaker ones already suffering from balance-of-payments problems, it is critical.

The OECD Financial Support Fund is a financial safety net which provides potential relief to OECD members which have severe financing problems that cannot be met from other sources. The Support Fund is needed now to assure that such contingency financing is available. Unless the Support Fund is available for needed financing, those weaker industrial nations which are already in delicate balance-of-payments positions could be forced to decrease economic growth precipitously and possibly apply new protectionist measures that would not tend to solve the problem of energy prices but would aggravate its consequences manyfold.

This immediate relevance of the Support Fund in view of world economic expansion, continued financing problems for weaker OECD members, and the continued potential for disruptive action on oil prices by the OPEC [Organization of Petroleum Exporting Countries] cartel should be placed in the policy perspective of our overall relations with the other industrial nations, the oil-consuming developing countries, and the oil producers belonging to the OPEC cartel.

First, most of our trade is with the other members of the 24-nation OECD. This group also includes our major military and politi-

[1] Made before the Senate Committee on Banking, Housing, and Urban Affairs on June 4. The complete transcript of the hearings will be published by the committee and will be available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

cal allies. We are dependent on them for many goods and services. They in turn depend upon our production, our purchases, and our overall military strength in the framework of global relations. These are the nations which we are cooperating with in order to reduce dependence on OPEC oil supplies through reduced consumption, increased energy research and development, and plans for sharing of oil supplies in event of a renewed oil embargo.

The signing of the Support Fund agreement last April has helped to create greater solidarity among all of these industrial OECD countries. This solidarity has facilitated progress in the North-South dialogue in the Conference on International Economic Cooperation with a selected group of OPEC members and non-OPEC developing countries. It has bolstered confidence in the belief that our growing interdependence with the other industrial nations will have its counterpart in increased modes of cooperation, including financial assistance in the event last-resort-type lending is necessary for some weaker industrial countries.

Second, the OECD Financial Support Fund also enhances prospects for prosperity in the developing countries. The developing countries have already suffered considerably from the recent worldwide recession. Their hope for economic improvement now hinges on the trading opportunities inherent in renewed economic expansion in the industrial countries. To the extent that the OECD Financial Support Fund facilitates the renewed economic expansion among industrial nations by protecting against the threat of derailment for lack of last-resort supplementary finance, it also benefits the developing countries.

Third, the OECD Financial Support Fund also plays an important role in our relations with the oil-producing nations belonging to the OPEC cartel. The signing of the Support Fund agreement last April testified to the solidarity among oil-consuming industrial nations and demonstrated to the OPEC nations that consumers, too, are united on a broad front and are willing to support each other not only in the energy field but also with regard to financing where necessary. Moreover, while the Support Fund does not relieve the oil producers of the responsibility for the impact of their pricing decisions on the economies of others, not to have the Support Fund would leave us more vulnerable to OPEC decisions on prices.

What should one conclude from this interlocking matrix of foreign policy considerations? If anything, I would say it is that the OECD Financial Support Fund is more vitally important to U.S. interests today than it was when proposed in November 1974. The Support Fund is our insurance policy that the present global recovery from recession will not be sabotaged by the financial repercussions of external shocks. It is consistent with the awareness of our rapidly growing interdependence with our industrial country partners. The Support Fund represents a new and innovative mode of cooperation to solve common problems.

Moreover, the Fund shows the OPEC cartel that they are dealing with a fairly solid bloc of major oil consumers, who, because they are financially supportive of each other, cannot be intimidated individually into giving up on energy cooperation which is designed to lessen vulnerability to the cartel's power.

Having tried to outline how the OECD Support Fund relates to overall U.S. foreign economic and political interests, I would like to add a few comments about several concerns which have been expressed about the Support Fund's relationship to private banking activities, the role of the IMF [International Monetary Fund], and the necessity for policy conditions on any loans extended by the new Fund.

First, the Support Fund is not a bailout for private banking interests, nor will it or should it in any way substitute for banks' own prudence in making foreign loans. Mere existence of the Support Fund may enhance private banks' belief that a borrowing country can find financing elsewhere than from themselves and is therefore perhaps a marginally better credit risk. On the other hand,

no private bank is likely, in my experience, to ignore a country's basic policy measures and its underlying prospects for bringing about needed internal and external adjustment with which to service both new and old debt.

Rather than bail out private banks, the Support Fund assures member countries that, provided they will meet energy and other economic policy conditions, they can find needed financing. What the Support Fund does is assure that this financing will be available after other sources of financing have been appropriately used. In essence, the Support Fund is a more efficient and lower cost option for the United States than if we had to rush unilaterally into an emergency financial operation for one of our friends and allies for whatever reason.

Second, the Support Fund cannot in any way be viewed as duplicative of the IMF, any special IMF lending facility, or any other official international lending mechanism now existing, including those of the European Economic Community. It supplements all these other sources of financing rather than replaces them. Only when and if existing mechanisms provide inadequate financing to meet an OECD member country's needs does the Support Fund come into play.

The Support Fund is unique also in terms of the possible size of its loans, the spreading out of the creditor burden over a wide spectrum of industrial countries, and the link which exists in its lending terms between energy policies and eligibility to borrow. Importantly, it is a temporary facility designed to meet special transitional circumstances, and we did not feel it was appropriate to build the large amounts which may be required in this temporary period into the IMF's permanent financial structure.

Third, the Support Fund does not lend money without stipulating policy conditions on the borrower which will assure that appropriate adjustment is undertaken and enable repayment to be made on schedule. This is clear from the terms of the Support Fund agreement and the proposed legislation for authorizing U.S. participation in the Support Fund.

Finally, the Support Fund is not a giveaway program. Its lending terms will be market related, and the borrower will pay any administrative costs. This is befitting of a special financial mechanism which is designed to bolster the benefits of interdependence among industrial democracies at either high or relatively high levels of per capita income.

I hope that my statement has conveyed the urgency of congressional approval of the OECD Financial Support Fund Agreement. Eleven of the other OECD nations have now deposited their instruments of ratification with the OECD Secretary General in Paris. I understand that all or most of the others will probably have done so before July 1. Under circumstances where the United States initiated the Support Fund concept, and our friends and allies have done their fair share to bring it near to being a reality, the consequences of failure by the United States to ratify the agreement now would be severe in terms of our overall credibility and continued ability to lead the other advanced nations in international economic cooperation. I urge you to give this authorizing legislation your fullest support.

Department Discusses International Aspects of Legislation Requiring Vertical Divestiture of U.S. Oil Companies

Statement by Julius L. Katz
Deputy Assistant Secretary for Economic and Business Affairs [1]

I appreciate this opportunity to testify on behalf of the Department of State on the international aspects of S. 2387, which would require the vertical divestiture of a number of major U.S. oil companies.

Before examining in some detail certain of the possible international ramifications of the proposed legislation, I would like to express the concern of the Department of State over the adverse impact which this bill could have on our domestic energy objectives. Growing dependence on imported oil has made us unacceptably vulnerable, politically as well as economically, to embargoes and arbitrary increases in oil prices. We are vulnerable both directly, through our own large dependence on imported oil, and indirectly, through the import dependence of the other major industrialized countries, with whom we have a tightly woven political, economic, and security relationship.

Since the October 1973 crisis, our international energy policy has concentrated on the need to eliminate this vulnerability:

—We have successfully established the International Energy Agency (IEA), providing a vehicle for close cooperation in energy by the 19 industrialized-country members;

—We have negotiated and placed in operational readiness an integrated emergency program in the IEA to enhance our ability to withstand the economic impact of an embargo should one occur;

—We have adopted in the IEA a comprehensive program of long-term energy cooperation to reduce our dependence on imported oil through joint efforts in conservation, the accelerated production of alternative energy sources, and energy research and development;

—We have agreed in the OECD [Organization for Economic Cooperation and Development] to establish a Financial Support Fund (subject to congressional approval) as a safety net for countries who experience acute balance-of-payments problems resulting from the massive increase in oil prices; and finally,

—We have established a new cooperative dialogue between oil producers and consumers in the Energy Commission of the Conference on International Economic Cooperation.

These efforts at consumer-country cooperation have provided some protection against another embargo.

Over time, consumer cooperation, particularly the long-term cooperative program, together with strong national efforts, can eliminate our vulnerability by reducing substantially our dependence on OPEC [Organization of Petroleum Exporting Countries] oil. But here, the efforts of the United States are absolutely essential. We are the

[1] Made before the Senate Committee on the Judiciary on June 3. The complete transcript of the hearings will be published by the committee and will be available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

largest consumer and the largest importer of oil. Because of our endowment of natural resources, we also have the greatest potential for the development of new sources of energy to displace imported oil. Unless we make the commitment of manpower, capital, and technology necessary to develop these new energy supplies, we cannot expect that the other industrialized countries, for most of whom reduced dependence on imports will be ultimately more difficult and expensive, will themselves make serious efforts.

As Mr. Zarb [Frank G. Zarb, Administrator, Federal Energy Administration] has pointed out, it is likely that the forced divestiture of our major oil companies would jeopardize our ability to achieve our reduced-dependence goals. These companies are a crucial source of technology, capital, and know-how for developing our domestic energy resources.

OPEC Power in World Oil Market

One of the major arguments advanced in favor of divestiture is that it would support consumer interests for lower oil prices by restricting the ability of the international companies to perform an essential role of prorationing production among OPEC members. This argument is based on a mistaken analysis of the world oil market and its operation.

Over the past three years, there has been a major shift in power within the world oil market. The producing governments, working together within OPEC, have acquired virtually complete control over both the volume of oil available in the world market and the price at which that oil is available for purchase. Control over price results from the ability of the members of OPEC to limit production to match demand at the price set by the producers.

The international oil companies are able to shift purchases of oil among various producers, but as long as the producers all observe the basic OPEC price, the companies have little if any ability to influence the price paid by consumers.

With some exceptions, OPEC members with unused production capacity, for the most part, have been disinclined to sell oil at less than the market price in order to increase their market shares. In contrast, when world demand for crude was falling during the first half of 1975, producers such as Saudi Arabia and Kuwait, whose earnings far exceed their revenue needs, showed a willingness to accept a disproportionate share of the global reduction in production in order to preserve the OPEC price. This situation resulted simply from these countries adhering rigidly to the established price while changes in quality and transportation differentials made the oil of other OPEC producers relatively more competitive. The companies responded to these marginal, but economically significant price differences in their purchases of crude.

At present, the crude price-differential system reflecting quality and transportation differences has not been adjusted completely to reflect changes in demand for various crudes. In particular, the recession-induced drop in demand for heavy fuel oil caused a drop in demand for heavy crudes, which were overpriced relative to the lighter crudes. The international companies have demonstrated an ability and willingness to respond to this market situation, cutting back on their purchases of heavy crude and increasing purchases of the lighter varieties.

Thus, prorationing now takes place informally within OPEC on the basis of small swings in differentials around the basic OPEC marker price [for Saudi Arabian Light crude]. The need to establish a formal prorationing of production among OPEC members could be a source of strain within the cartel.

Prorationing would become a critical problem for OPEC only if total demand for OPEC oil were declining. The prospect of a long-term declining market would limit the expansion possibilities of those producers who need high volumes of revenues and weaken the incentive of other producers to withhold production for sale in future years. However, with economic recovery now

underway, world demand for OPEC oil is rising, including demand for heavy crudes, and is likely to continue at present levels or even increase further over the next five years.

We must clearly understand that OPEC's power arises not from its exploitation of the integrated structure of the oil industry but from the dependence of the consuming nations on OPEC oil. The integrated structure of the industry has existed for decades. OPEC was only able to quadruple the price when dependence and demand—especially U.S. dependence and demand—gave the producers the power to do so. Before 1973, the price of oil was moderate and, incidentally, provided the companies with a higher per-barrel profit than they are earning at the present price. Under the producers' current tax structures and sales policies, price increases increase producer-government take but not oil company profits.

Until the demand outlook for OPEC oil begins to change as a result of reduced import dependence by the United States and others, our vulnerability to OPEC price fixing will remain. It will certainly not be reduced by the divestiture of the integrated oil companies. While divestiture might cause certain temporary problems of disruption for OPEC during the transition period, OPEC's control over the world market might in the end be even more complete than at present.

Potential International Problems

As we understand the bill now before the committee, Mr. Chairman, it would not expressly require divestiture of foreign operations. However, it would not permit a company retaining a domestic operation covered by the statute to be affiliated with foreign integrated operations. If this is so, the practical effect would be to require a company to choose between divesting itself vertically on a worldwide basis and giving up its covered operations in the United States. It is impossible to know what any individual company would elect. It is further impossible to foresee the outcome of an attempt by a company to divest in foreign countries where its operations are subject to the jurisdiction of foreign governments and courts. It is difficult, therefore, to envision the likely shape and structure of the world oil industry after divestiture.

However, we can identify a number of potential international problems which seem to have received little attention thus far.

First, it seems clear to us that in no event would non-U.S.-based integrated firms divest their operations outside the United States. These companies, of course, include two of the largest international majors (Royal Dutch Shell and British Petroleum), other Western private and government companies, and the Communist and OPEC state oil companies. The divestiture by the U.S. companies of their foreign assets would create new opportunities for these non-U.S.-based companies to acquire divested assets of the U.S. firms and to take business away from U.S.-based firms.

This expanded position of foreign companies would diminish U.S. control over essential energy delivery systems and place our imported-energy requirements under even greater foreign influence than at present. In particular, it would provide members of OPEC, some of whom have the cash reserves needed to purchase the foreign assets of U.S.-based firms, with the opportunity to expand their downstream operations and thus increase the leverage they may exercise upon consuming countries.

Second, foreign governments could well twist the divestiture process to their own advantage. The U.S.-based international oil companies play an important role in virtually all free-world countries under arrangements subject to local jurisdiction. These countries regard the energy sector as of great national importance, just as we do. Foreign governments, whether in producer or consuming nations, would not remain unconcerned or passive if U.S.-based firms moved to implement structural or contractual changes arising from divestiture.

A foreign government's alternative options would seem to be broad. A government

concerned about access to supply or markets might prohibit implementation of divestiture within its country. A government aiming to strengthen its national oil industry might seize the occasion to impose its own restructuring of the divested assets of the U.S.-based firms within its country. Or it might decide to nationalize the assets of the U.S. firms.

The point is that we cannot foresee how individual foreign governments would react to the new situation which the United States could initiate but not control. But there would almost certainly be problems and friction which would inevitably draw the U.S. Government into disputes between U.S.-based companies and foreign governments.

We must also consider the extent to which divestiture would reduce the disposition of U.S.-based international oil companies to factor questions of U.S. national interest into their business decisions and whether this carries risks at this juncture for our import dependence. I must be tentative because we cannot know the postdivestiture domestic and international profiles of the companies that might be affected. Yet it seems possible that some companies would decide that the restrictions on U.S. operations do not justify a high concentration of their worldwide investment, research, planning, and management within the United States. Similarly, faced with a choice between worldwide divestiture or divestiture of substantial U.S. assets, some U.S. companies with large foreign operations may elect to keep these integrated foreign operations intact and even remove themselves from the United States. Divestiture might therefore have the effect of reducing the U.S. identification and association of the international oil companies while still leaving us dependent on them to deliver oil imports essential to us.

A more specific area of concern to the Department of State is the effect of divestiture on our ability to cope with an embargo. As has been widely acknowledged, the U.S.-based international oil companies played an important role in frustrating the attempt of the Arab producers to target the effects of the 1973–74 embargo. Using the flexibility afforded by their vertical structures, the companies allocated available oil among all of their marketing areas, substantially attenuating the impact of the embargo on any one country.

The IEA's emergency oil-sharing program—one of our main lines of defense in the case of another embargo—is heavily dependent on the cooperation of American and other international companies. The allocation of available oil in an emergency would be subject to formal guidelines established by the member governments. However, the companies would be responsible for moving the oil within these guidelines, redirecting imports from one country to another, providing essential data on the movement of oil, et cetera. In the event of divestiture, the implementation of this complex program would be much more difficult. The already intricate problem of allocation would be compounded by fractionalizing the companies involved into a much larger number of independent entities.

Finally, divestiture could threaten essential investment flows into new oil and gas exploration and development in the non-oil-producing developing countries. The rapid development of these potential new suppliers is important to our goal of achieving a more equitable balance of global supply and demand. Two factors could discourage these flows. One is the general uncertainty about cost and availability of capital to firms facing divestiture, as Mr. Zarb discussed in his testimony. The further question is whether companies will make such investments in the face of inevitable political risks and uncertain rates of return if they no longer are motivated by a desire to diversify sources of crude for their vertical operations.

In summary, Mr. Chairman, we do not find that the U.S. national interest would be served by passage of this legislation. It

would not reduce our vulnerability to continued OPEC price fixing—a vulnerability which can only be eliminated by reducing our dependence on OPEC oil. In addition, it would be likely to impact seriously on U.S. control over the delivery of our essential energy imports, creating the opportunity for foreign firms, including those controlled by OPEC governments, to acquire refining, distribution, and other foreign assets now held by U.S.-based companies. It would also seriously complicate our efforts to minimize the economic and political impact of any future oil embargo through the IEA's emergency program.

Message Transmitted to Congress on Disaster Relief for Italy

Message From President Ford[1]

To the Congress of the United States:

On May 6, an earthquake of great destructiveness hit the northeastern portion of Italy. The Italian Government currently estimates that this disaster has left over 800 persons dead, more than 2,300 injured, and from 40,000 to 60,000 people homeless.

In the message I sent to President Leone immediately following the news of the earthquake, I expressed our sympathy for those who are suffering and indicated that the United States stands ready to provide assistance. Initial U.S. aid, under U.S. Ambassador John Volpe's direction, has been speedy and has included:

—Emergency shelters, medical supplies and foodstuffs provided through the Agency for International Development and the Department of Defense.

—Transportation and medical facilities, including medical evacuation helicopters from the Department of Defense.

—Reconstruction and heavy earth moving equipment from three of our bases in Italy.

—Disaster relief specialists to assist Italian Government authorities in planning and implementing relief programs.

While this initial assistance has been helpful, more aid is needed to help the survivors to rebuild their lives and to help the Italian nation recover from this tragedy. Accordingly, I have asked the Congress to provide $25 million in disaster relief as part of the Second Supplemental Appropriations Bill for FY 1976.

At the same time, at my request, Vice President Rockefeller will visit Italy this week to receive a firsthand report on the impact of the earthquake and on the ways in which the United States can best be of assistance. He will be accompanied by my Special Coordinator for International Disaster Assistance—AID Administrator Daniel Parker—who has been instructed to review the situation in the fullest possible detail. Based on the firsthand assessment resulting from this mission, I will immediately inform the Congress should there be further steps required to permit the United States to assist as fully and effectively as possible.

In the U.S.-Italian Joint Statement of [September 26] 1974, President Leone and I took note of the extraordinarily broad human ties between Italy and the United States of America, and the shared values and goals which bind together the Italian and American peoples. Now, at a time when natural disaster has brought such great tragedy to the people of Italy, Americans everywhere are moved to respond quickly and in the spirit of profound friendship between our countries.

The request I have sent to the Congress for $25 million in disaster relief assistance will enable us immediately to translate our concern into action to help alleviate the suffering in Italy.

GERALD R. FORD.

THE WHITE HOUSE, *May 11, 1976.*

[1] Transmitted on May 11 (text from White House press release).

Department Testifies on Foreign Sovereign Immunities Bill

Statement by Monroe Leigh
Legal Adviser [1]

I am grateful for the opportunity to testify today on a bill to which the Administration has given many years of careful thought and study. H.R. 11315, as introduced last December 19 by Chairman [of the House Committee on the Judiciary Peter W.] Rodino and Congressman [Edward] Hutchinson, deals with a question whose importance increases from year to year: How, and under what circumstances, can private persons maintain a lawsuit against a foreign government or against a commercial enterprise owned by a foreign government?

H.R. 11315 is a successor to a bill introduced in 1973. A hearing on the 1973 bill was held three years ago this very week. However, the bill did not proceed further in the legislative process. Although the State and Justice Departments had then devoted considerable effort to that bill, segments of the private bar had not been fully consulted. Attention was called to a few unforeseen problem areas, particularly with respect to maritime cases, the jurisdiction provisions, and the sections on attachment and execution. And so further legislative work on the 1973 bill was suspended.

Since 1973 the Departments of State and Justice have consulted extensively with members of the private bar and academic community. Gaps that existed in the predecessor bill have been filled. In short, the bill now before you for consideration represents the efforts not only of the Administration but also of many persons in the legal community who believe that legislative attention to this area of the law has now become necessary.

What function would the bill serve? On its surface, H.R. 11315 may seem somewhat technical. But the general purpose is simple: to assure that American citizens are not deprived of normal legal redress against foreign states who engage in ordinary commercial transactions or who otherwise act as a private party would.

At the heart of the bill are some modern-day realities. Increasingly, our citizens have legal rights that come into contact with foreign governments and their agencies. For example, a U.S. businessman sells goods to a foreign state enterprise, and a dispute arises as to the purchase price. A property-owner in Alabama, New York, or California sells his land to a real estate investor who turns out to be a foreign government; the American propertyowner needs to know what level remedies he would have if the foreign government investor fails to keep its part of the bargain. Or suppose an ordinary citizen crosses the street and is hit by an automobile owned by a foreign state.

Mr. Chairman [Rep. Walter Flowers], the Congress has never before been called upon to respond to these situations. Although

[1] Made before the Subcommittee on Administrative Law and Governmental Relations of the House Committee on the Judiciary on June 2. The complete transcript of the hearings will be published by the committee and will be available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Congress clearly has the constitutional authority—to define the jurisdiction of Federal courts, to define offenses against the law of nations, to make all laws necessary and proper for carrying into execution all powers vested in the government, including the judicial power over controversies between our citizens and foreign states—it is only in comparatively recent years that private parties in this country have come into frequent contact with foreign government entities.

Now, however, it seems clear that our judicial system requires comprehensive standards on *when* and *how* a citizen can maintain a lawsuit against a foreign state or its entities—and when a foreign state is entitled to sovereign immunity.

Sovereign immunity, of course, is a principle of international law under which domestic courts, in certain cases, refrain from exercising jurisdiction against a foreign state. Both in practice and in legal theory, it is different from diplomatic immunity. Diplomatic immunity, naturally, arises when one attempts to sue an individual diplomat. Sovereign immunity comes into play when one brings suit against the foreign state itself or one of its entities.

Under international law today, a foreign state is entitled to sovereign immunity only in cases based on its "public" acts. However, where a lawsuit is based on a commercial transaction or some other "private" act of the foreign state, the foreign state is not entitled to sovereign immunity. The specific applications of this principle of international law are codified in H.R. 11315.

With this as background, Mr. Chairman, I turn to the specific objectives, and some of the provisions, of H.R. 11315.

The bill has four basic objectives:

—First, H.R. 11315 would vest sovereign immunity decisions exclusively in the courts. Thus it would eliminate our peculiar and outdated practice of having a political institution, the State Department, decide many of these questions of law.

—Second, H.R. 11315 would codify the international law principle of sovereign immunity of which I have just spoken—again, that a foreign state is entitled to immunity only with respect to its public acts, but not with respect to its commercial or private acts.

—Third, the bill would set forth, for the first time in our judicial code, comprehensive methods for beginning a lawsuit against a foreign state through service of process and for obtaining personal jurisdiction over foreign government defendants. This in turn would obviate the necessity of attempting to begin a lawsuit by attaching a foreign government's property. Such attachments are the one area where an occasional diplomatic problem has arisen in the past.

—Fourth, H.R. 11315 would, for the first time, provide U.S. citizens with the remedy of execution to satisfy a final judgment against a foreign state.

Let us now consider in more detail how each of these four objectives is realized in the bill.

The first objective is to vest sovereign immunity decisions exclusively in the courts. H.R. 11315 would accomplish this by prescribing the standards the courts are to apply in deciding questions of sovereign immunity.

Under our current system, after a foreign state defendant raises the defense of sovereign immunity in court, it has an option: either the foreign state can litigate this legal defense entirely in court, or as is more usually the case, it can make a formal diplomatic request to have the State Department decide the issue. If it does the latter, and if the State Department believes that immunity is appropriate, the State Department asks the Department of Justice to file a "suggestion of immunity" with the court hearing the case. Under the Supreme Court's decision in *Ex Parte Peru* (318 U.S. 578 (1943)), U.S. courts automatically defer to such suggestions of immunity.

In response to developments in international law, the State Department in 1952

adopted its so-called Tate letter.[2] Prior to the Tate letter, the Department of State followed the so-called absolute rule of sovereign immunity: a state was immune from suit irrespective of whether it was engaged in a governmental or a commercial act. Under the Tate letter, the Department undertook to decide future sovereign immunity questions in accordance with the international legal principle which I have mentioned and which is known as the restrictive theory; namely, that a foreign state's immunity is "restricted" to cases based on its public acts and does not extend to cases based on its commercial or private acts. The Tate letter was based on a realization that the prior absolute rule of sovereign immunity was no longer consistent with modern international law.

The Tate letter, however, has not been a satisfactory answer. From a legal standpoint, it poses a devil's choice. If the Department follows the Tate letter in a given case, it is in the incongruous position of a political institution trying to apply a legal standard to litigation already before the courts. On the other hand, if forced to disregard the Tate letter in a given case, the Department is in the self-defeating position of abandoning the very international law principle it elsewhere espouses.

From a diplomatic standpoint, the Tate letter has continued to leave the diplomatic initiative to the foreign state. The foreign state chooses which case it will bring to the State Department and in which case it will try to raise diplomatic considerations. Leaving the diplomatic initiative in such cases to the foreign state places the United States at a disadvantage. This is particularly true since the United States cannot itself obtain similar advantages in other countries. In virtually every other country in the world, sovereign immunity is a question of international law decided exclusively by the courts—and not by institutions concerned with foreign affairs. For this reason, when we and other foreign states are sued abroad, we realize that international law principles will be applied by the courts and that diplomatic relations will not be called into play.

Moreover, from the standpoint of the private citizen the current system generates considerable commercial uncertainty. A private party who deals with a foreign government entity cannot be certain of having his "day in court" to resolve an ordinary legal dispute. He cannot be entirely certain that the ordinary legal dispute will not be artificially raised to the level of a diplomatic problem through the foreign government's intercession with the State Department.

The purpose of sovereign immunity in modern international law is *not* to protect the sensitivities of 19th-century monarchs or the prerogatives of 20th-century states. Rather, it is to promote the functioning of all governments by protecting a state from the burden of defending lawsuits abroad which are based on its public acts. However, when the foreign state enters the marketplace or when it acts as a private party would, there is no justification in the modern international law of sovereign immunity for allowing the foreign state to avoid the economic costs of the agreements it breaches or of the accidents it creates; the law should not permit the foreign state to shift these everyday burdens of the marketplace onto the shoulders of private parties.

These principles of international law are embodied in sections 1604 through 1607 of the bill, which are amply described in the section-by-section analysis. I note here only a couple of points. The substantive provision on commercial activities appears in section 1605(a)(2). However, the definition of a "commercial activity" is of central importance, and it appears in section 1603. Under the definition, one determines whether an act is commercial or not by looking at its "nature"—and not at its "purpose." This would mean, for example, that a foreign state's purchase of grain from a private

[2] For text of a letter dated May 19, 1952, from Acting Legal Adviser Jack B. Tate to Acting Attorney General Philip B. Perlman, see BULLETIN of June 23, 1952, p. 984.

seller would always be regarded as commercial, even if the grain was to serve some important government purpose such as the replenishment of government stores or the feeding of an army.

I call attention also to section 1605(b), concerning maritime liens. This provision did not exist in the 1973 bill. It was developed in consultation with representatives of the admiralty bar. It would establish a procedure similar to one which, under 46 U.S.C. 741 and 742, already applies to ships owned by the U.S. Government.

Section 1605(a)(5) is the provision that would govern automobile accident cases and other tort actions. It would deny the defense of sovereign immunity with respect to many torts that occur in the United States. I should point out again that this bill would not apply to suits against individual diplomats. However, if an automobile owned by a foreign embassy or by a foreign state trading company caused an accident while being driven by an official or employee acting within the scope of his duties, the foreign state or its trading company could not defeat a lawsuit against it by pleading sovereign immunity.

Some legal commentators have remarked that this would provide a new remedy not presently available under international law. In fact, however, as with other sections of H.R. 11315, the provision on tort actions has a substantial basis in international practice. There are a number of court decisions abroad, particularly in Austria, Italy, and Belgium, where immunity was denied in ordinary tort actions against foreign states. One could also point to the case of *Renchard* v. *Humphreys & Harding, Inc.*, decided here in the District of Columbia in 1974 pursuant to a State Department determination.

The procedural and jurisdictional objectives of the bill would be accomplished principally in sections 1330 and 1608. Section 1608 would, for the first time in this country, establish specific provisions on making service of process against a foreign state or its instrumentalities. Section 1330 provides that if service is made under section 1608 and if the foreign state is not entitled to immunity, then personal jurisdiction over the foreign state would exist. This is a subtle point. To determine whether it has personal jurisdiction over the foreign state, the court must not only look at whether proper service of process has been made; the court must also look at the sovereign immunity provisions in sections 1605 through 1607.

You will note that each of these immunity provisions requires some connection with the United States. These immunity provisions, therefore, prescribe the necessary contacts which must exist before our courts can exercise personal jurisdiction over a foreign state. In short, the jurisdiction section at the beginning of the bill, the immunity provisions, and the service-of-process provisions are all carefully interconnected.

Because of these new procedures for establishing personal jurisdiction over a foreign state, the current practice of starting a lawsuit by attaching a foreign state's property becomes largely unnecessary. Moreover, as I indicated earlier, our experience has shown that this type of attachment is the one area where diplomatic irritations occasionally arise. For these reasons, the bill would in effect preclude the commencement of a lawsuit through the attachment of a foreign state's property and, in its place, substitute a broad regime for beginning a suit through service of process.

The fourth and final objective of the bill, to permit attachment and execution to satisfy a final judgment, is realized in sections 1609 through 1611. Other commercially advanced countries, including Switzerland, the Netherlands, and Belgium, do permit execution against the commercial property of foreign states. U.S. citizens should receive the same benefits. But under current practice in the United States, a foreign government has absolute immunity from execution. H.R. 11315 would remedy this. It would, for the first time, permit execution against a foreign government's commercial property in order to satisfy a final judgment.

Mr. Chairman, as stated in the letter of transmittal to the Speaker of the House from the Deputy Secretary of State and the Deputy Attorney General, the broad purposes of the bill are "to facilitate and depoliticize litigation against foreign states and to minimize irritations in foreign relations arising out of such litigation." H.R. 11315 would accomplish this. It would return decisions of legal questions of sovereign immunity to the courts, where they properly belong. It would relieve the Department of State of a situation where foreign governments have the initiative in choosing which lawsuits to raise to the diplomatic plane. And it would give the ordinary citizen a firm basis for predicting whether he will have his day in court to resolve a legal dispute with a foreign state or its instrumentality.

I respectfully submit that in this modern world of transnational commerce where foreign state enterprises are everyday participants, H.R. 11315 is a bill whose time has come. We believe that it deserves the urgent attention of the Congress.

Congressional Documents Relating to Foreign Policy

94th Congress, 2d Session

United States Contributions to International Organizations: Twenty-Third Annual Report. Communication from the Secretary of State transmitting the annual report for fiscal year 1974. H. Doc. 94–333. January 19, 1976. 129 pp.

Foreign Indebtedness to the United States. Hearing before the Subcommittee on International Finance and Resources of the Senate Committee on Finance. February 23, 1976. 33 pp.

Science Indicators 1974. Message from the President of the United States transmitting the seventh annual report of the National Science Board. H. Doc. 94–377. February 23, 1976. 250 pp.

Foreign Assistance and Related Programs Appropriation Bill, 1976. Report of the House Committee on Appropriations, together with separate, additional, minority, and dissenting views, to accompany H.R. 12203. H. Rept. 94–857. March 1, 1976. 98 pp.

Atlantic Convention. Report of the House Committee on International Relations, together with minority views, to accompany H.J. Res. 606. H. Rept. 94–858. March 2, 1976. 7 pp.

TREATY INFORMATION

North Pacific Fur Seal Convention Amended and Extended

Press release 241 dated May 10

Representatives of the Governments of Canada, Japan, the U.S.S.R., and the United States amended the Interim Convention on Conservation of North Pacific Fur Seals and extended it for four years by signing a protocol in Washington on May 7.

This convention was initially signed in 1957, amended in 1963, and extended in 1969. It controls and regulates the harvesting of fur seals in order to insure their conservation in relation to the other living marine resources in the area. The convention also provides for continuing scientific research on these stocks by the signatory parties.

The new protocol contains provisions for withdrawal on adequate notice and consideration of modifications to the convention before 1980, should the four parties so desire.

Current Actions

MULTILATERAL

Biological Weapons

Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction. Done at Washington, London, and Moscow April 10, 1972. Entered into force March 26, 1975. TIAS 8062.
Accession deposited: Paraguay, June 9, 1976.

Coffee

Protocol for the continuation in force of the international coffee agreement 1968, as amended and extended, with annex. Done at London September 26, 1974. Entered into force October 1, 1975.
Proclaimed by the President: June 2, 1976.
Ratification deposited: Guatemala, May 27, 1976.

International coffee agreement 1976, with annexes. Approved by the International Coffee Council at London December 3, 1975. Open for signature at

U.N. Headquarters January 31 through July 31, 1976.[1]
Ratification deposited: Nicaragua, May 21, 1976.
Notification of provisional application deposited: El Salvador, May 24, 1976.

Economic Cooperation

Agreement establishing a financial support fund of the Organization for Economic Cooperation and Development. Done at Paris April 9, 1975.[1]
Acceptance deposited: Japan, May 31, 1976.

Health

Amendments to articles 24 and 25 of the constitution of the World Health Organization of July 22, 1946, as amended (TIAS 1808, 4643, 8086). Adopted at Geneva May 17, 1976. Enters into force when two-thirds of the members of the World Health Organization have deposited an acceptance.

Load Lines

International convention on load lines, 1966. Done at London April 5, 1966. Entered into force July 21, 1968. TIAS 6331, 6629, 6720.
Accession deposited: Papua New Guinea, May 18, 1976.

Maritime Matters

Convention on the Intergovernmental Maritime Consultative Organization. Done at Geneva March 6, 1948. Entered into force March 17, 1958. TIAS 4044.
Acceptance deposited: Bangladesh, May 27, 1976.

Nuclear Weapons—Nonproliferation

Treaty on the nonproliferation of nuclear weapons. Done at Washington, London, and Moscow July 1, 1968. Entered into force March 5, 1970. TIAS 6839.
Ratification deposited: Japan, June 8, 1976.[2]

Postal

Second additional protocol to the constitution of the Universal Postal Union of July 10, 1964 (TIAS 5881, 7150), general regulations with final protocol and annex, and the universal postal convention with final protocol and detailed regulations. Done at Lausanne July 5, 1974. Entered into force January 1, 1976.
Ratification deposited: Bahamas, March 29, 1976; Singapore, March 24, 1976; United States, April 14, 1976.[3]

Money orders and postal travellers' checks agreement, with detailed regulations. Done at Lausanne July 5, 1974. Entered into force January 1, 1976.
Ratification deposited: United States (with statement), April 14, 1976.[3]

Safety at Sea

International convention for the safety of life at sea. Done at London June 17, 1960. Entered into force May 26, 1965. TIAS 5780, 6284.
Acceptance deposited: Papua New Guinea, May 18, 1976.

Convention on the international regulations for preventing collisions at sea, 1972. Done at London October 20, 1972.[1]
Accession deposited: Papua New Guinea, May 18, 1976.

Tin

Fifth international tin agreement, with annexes. Done at Geneva June 21, 1975.[1]
Ratification deposited: Thailand, May 24, 1976.

Trade

Declaration on the provisional accession of the Philippines to the General Agreement on Tariffs and Trade. Done at Geneva August 9, 1973. Entered into force September 9, 1973. TIAS 7839.
Acceptance deposited: Egypt, April 7, 1976.

Procès-verbal extending the declaration on the provisional accession of the Philippines to the General Agreement on Tariffs and Trade. Done at Geneva November 21, 1975. Entered into force January 6, 1976; for the United States January 19, 1976.
Acceptances deposited: Egypt, April 7, 1976; India, March 18, 1976; Poland, April 20, 1976.

Treaties

Vienna convention on the law of treaties, with annex. Done at Vienna May 23, 1969.[1]
Ratification deposited: Denmark, June 1, 1976.

Wheat

Protocol modifying and further extending the wheat trade convention (part of the international wheat agreement) 1971 (TIAS 7144, 7988). Done at Washington March 17, 1976. Enters into force June 19, 1976, with respect to certain provisions and July 1, 1976, with respect to other provisions.
Ratification deposited: India, June 7, 1976.
Accession deposited: Saudi Arabia, June 3, 1976.
Declaration of provisional application deposited: Portugal, June 7, 1976.

Women—Political Rights

Convention on the political rights of women. Done at New York March 31, 1953. Entered into force July 7, 1954; for the United States July 7, 1976.
Proclaimed by the President: May 18, 1976.

BILATERAL

Brazil

Agreement concerning shrimp, with annexes, agreed minutes, and exchange of notes. Signed at Brasilia March 14, 1975. Entered into force March 22, 1976.
Proclaimed by the President: May 27, 1976.

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[1] Not in force.
[2] With statement.
[3] Applicable to all the territories of the United States and all the territories whose international relations are assumed by the United States.

Canada

Agreement relating to the continued operation and maintenance of the torpedo test range in the Strait of Georgia and to authorize the installation and utilization of an advanced underwater acoustic measurement system at Jervis Inlet, with annex. Effected by exchange of notes at Ottawa January 13 and April 14, 1976. Entered into force April 14, 1976.

Agreement relating to the establishment, operation, and maintenance of the torpedo range in the Strait of Georgia, with annex. Effected by exchange of notes at Ottawa May 12, 1965. Entered into force May 12, 1965. TIAS 5805.

Terminated: April 14, 1976; superseded by the agreement of January 13 and April 14, 1976.

Dominican Republic

Loan agreement to assist the Dominican Republic in the development of its agricultural sector, with annex. Signed at Santo Domingo October 16, 1974. Entered into force October 16, 1974.

Agreement amending annex I to the loan agreement of October 16, 1974, relating to the development of the Dominican agricultural sector. Signed at Santo Domingo February 25, 1976. Entered into force February 25, 1976.

El Salvador

Agreement relating to the limitation of meat imports from El Salvador during calendar year 1976. Effected by exchange of notes at San Salvador April 23 and 30, 1976. Entered into force April 30, 1976.

Guatemala

Grant agreement to assist Guatemalan municipalities to recover from earthquake damage and to reinitiate public community services, with annexes. Signed at Guatemala May 14, 1976. Entered into force May 14, 1976.

Malawi

Project agreement relating to extension of the capacity of Bunda College of Agriculture to provide skilled agriculture technicians, with annexes and trust account agreement. Signed at Lilongwe April 29, 1976. Entered into force April 29, 1976.

New Zealand

Agreement relating to the limitation of meat imports from New Zealand during calendar year 1976. Effected by exchange of notes at Washington May 12 and June 4, 1976. Entered into force June 4, 1976.

Thailand

Agreement relating to a population planning project in Thailand, with annexes. Signed at Bangkok March 31, 1976. Entered into force March 31, 1976.

PUBLICATIONS

GPO Sales Publications

Publications may be ordered by catalog or stock number from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. A 25-percent discount is made on orders for 100 or more copies of any one publication mailed to the same address. Remittances, payable to the Superintendent of Documents, must accompany orders. Prices shown below, which include domestic postage, are subject to change.

Background Notes: Short, factual summaries which describe the people, history, government, economy, and foreign relations of each country. Each contains a map, a list of principal government officials and U.S. diplomatic and consular officers, and a reading list. (A complete set of all Background Notes currently in stock—at least 140—$21.80; 1-year subscription service for approximately 77 updated or new Notes—$23.10; plastic binder—$1.50.) Single copies of those listed below are available at 35¢ each.

Seychelles	Cat. No. S1.123:SE9	
	Pub. 8246	4 pp.
Uganda	Cat. No. S1.123:UG1	
	Pub. 7758	6 pp.

Double Taxation—Taxes on Income and Capital. Convention with Iceland. TIAS 8151. 117 pp. $1.50. (Cat. No. S9.10:8151).

Exhibition of Archeological Finds. Agreement with the People's Republic of China. TIAS 8154. 140 pp. $1.70. (Cat. No. S9.10:8154).

Early Warning System. Agreement with Israel. TIAS 8155. 7 pp. 50¢. (Cat. No. S9.10:8155).

Early Warning System. Agreement with Egypt. TIAS 8156. 7 pp. 50¢. (Cat. No. S9.10:8156).

Fisheries—King and Tanner Crab. Agreement with the Union of Soviet Socialist Republics. TIAS 8160. 16 pp. 45¢. (Cat. No. S9.10:8160).

Air Charter Services. Understanding with Switzerland. TIAS 8161. 10 pp. 35¢. (Cat. No. S9.10:8161).

International Civil Aviation. Protocol with Other Governments amending Article 48(a) of the convention of December 7, 1944. TIAS 8162. 10 pp. 35¢. (Cat. No. S9.10:8162).

Air Transport Services. Understanding with Peru relating to the agreement of December 27, 1946, as amended. TIAS 8163. 14 pp. 35¢. (Cat. No. S9.10:8163).

Name Index

Checklist of Department of State Press Releases: June 7–13

Press releases may be obtained from the Office of Press Relations, Department of State, Washington, D.C. 20520.

No.	Date	Subject
†289	6/7	U.S.-Bolivia joint communique.
*290	6/7	Kissinger: remarks, Santa Cruz, Bolivia.
†291	6/7	Kissinger: news conference, Santa Cruz.
*292	6/7	Kissinger: arrival, Santiago, Chile.
†293	6/7	Kissinger: OAS General Assembly, Santiago.
†294	6/9	U.S. declaration on official support for export credits.
†295	6/9	U.S.-Panama joint report to the OAS General Assembly.
†296	6/9	Kissinger: OAS General Assembly.
*297	6/11	Kissinger: departure, Santiago, June 10.
*298	6/10	Kissinger: arrival, Mexico City.
*299	6/10	Oceans Affairs Advisory Committee, July 6–7, Chicago.
†300	6/11	Kissinger: news conference, Mexico City.
†301	6/11	Kissinger: toast, Mexico City.
†302	6/11	U.S. delegation statement on reform of the OAS.
†303	6/11	U.S.-Mexico joint communique, Mexico City.
*304	6/12	Kissinger: remarks, Mexico City.

* Not printed.
† Held for a later issue of the BULLETIN.