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For J-5

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NATIONAL SECURITY COUNCIL  
WASHINGTON, DC 20506

2568/209-00

December 13, 1990

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REPLY

NO OBJECTION TO FULL  
RELEASE

OSD 3.3(b)(1)

MEMORANDUM FOR

MR. CARNES LORD  
Assistant to the Vice President  
for National Security Affairs

MR. ROBERT E. HOWARD  
Associate Director for  
National Security and  
International Affairs  
Office of Management and  
Budget

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Executive Secretary  
Department of State

COLONEL JOHN A. DUBIA  
Executive Secretary  
Department of Defense

MR. MIKE P. SKARZYNSKI  
Chief of Staff  
Department of Commerce

COLONEL GEORGE L. SUMRALL, JR.  
Administrative Assistant to  
the Chairman  
Joint Chiefs of Staff

MS. ANN LAVIN  
Director, Executive Secretariat  
Department of Energy

MS. BARBARA STARR  
Executive Secretary  
Arms Control and Disarmament  
Agency

SUBJECT: Arms Control CW PCC Meeting on December 14, 1990 (U)

The Arms Control PCC will meet on Friday, December 14, 1990,  
10:00 a.m. to noon, in Room 474, Old Executive Office  
Building.

Inspection Protocol issues will be discussed. The National  
Security Council staff will circulate a discussion paper.

The meeting will be limited to principal plus one. Please call  
in names and birthdates of attendees to Michael Fry (395-5010)  
NLT COB December 13. (U)

Office of the Secretary of Defense *SUSC. 5552*  
Chief, RDD, LSD, WHS  
Date: *28 FEB 2014* Authority: EO 13526  
Declassify: \_\_\_\_\_ Deny in Full: \_\_\_\_\_  
Declassify in Part: *X*  
Reason: *3.3(b)(7) + SUSC. 5552(b)(2)(G)*  
MDR: *12-M-0647*

*William F. Sittmann*  
William F. Sittmann  
Executive Secretary

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Chief, Records & Declass Div, WHS  
Date: FEB 28 2014

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12-M-0647

# WASHFAX RECEIPT

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MESSAGE NO. 1715 CLASSIFICATION ~~SECRET~~ PAGES 3  
 FROM MIKE FRY  
 (NAME) (EXTENSION) (ROOM NUMBER)

MESSAGE DESCRIPTION CW PCC

TO (AGENCY) DELIVER TO: DEPT/ROOM NO. EXTENSION

<u>TO (AGENCY)</u>	<u>DELIVER TO:</u>	<u>DEPT/ROOM NO.</u>	<u>EXTENSION</u>
	[REDACTED] JCS	OSD 5 U.S.C. § 552(b)(6)	
	[REDACTED]		
	[REDACTED]		
	RICHARD CLARKE STATE ROOM 7327 647-9022	OSD 3.3(b)(1)	
	VICTOR ALESSI DOE ROOM 4B014 586-2102		
	STEVE HADELY OSD [REDACTED]		
	KENNETH CUTSHAW COMMERCE ROOM 3727 377-3618	OSD 5 U.S.C. § 552(b)(2)(G)	
	MICHAEL MOODIE ACDA ROOM 5499 647-7450		

REMARKS \_\_\_\_\_

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December 13, 1990

The attached paper will be discussed at the Arms Control CW PCC meeting, December 14, 1990 at 10:00 a.m.

Attachment

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MAJOR CW INSPECTION PROTOCOL ISSUES

There are several unresolved issues in the Inspection Protocol. Some reflect substantial differences on major issues that will not be resolvable unless one or both sides change their positions significantly. This raises the prospect that the Protocol will not be completed on time (the June Destruction Agreement says that the parties "shall work to complete this document by December 31, 1990"), which in itself could become an issue for consideration. The principal issues in the Protocol negotiation are use of CW production facilities, sampling, and destruction.

USE OF CW PRODUCTION FACILITIES.

The U.S. position is that former CW production facilities should be completely inactivated. The Soviets want to use such facilities for civil industrial activities that are not related to CW. The Soviets have provided very little information about the specific facilities and activities they have in mind, but they apparently include both current activities and planned activities that have not yet started. The issue is complicated by a Soviet statement made in Houston which indicates they want to change the CWC rolling text on CW production facilities (which currently calls for destruction) to permit their retention and use, and will seek our support for the change.

Inactivation would not affect U.S. facilities because we plan to do so anyway. It would facilitate monitoring declared Soviet production facilities, although it would not preclude clandestine production there or, more likely, at undeclared sites. It would be more consistent with our CWC position that production facilities should be destroyed. The Soviets argue that their economic situation does not allow them to waste any production capacity, and say they are willing to provide extensive access to assure us that CW production is not taking place (such a regime would be extremely intrusive and expensive and only useful for known sites). This position may also reflect an internal domestic politics debate.

The U.S. could hold to our current position, accept the Soviet position, or seek a compromise. A general compromise could be along the lines "no production activities except as specifically agreed in advance on a case-by-case basis." This would provide more time to resolve the issue but would not address the basic differences in our two positions. A specific compromise could include elements related to:

-What activities would be permitted/prohibited (e.g. agreement on specific facilities for specific purposes, removal/destruction of CW related equipment, use only of empty buildings, converted facilities must not differ from other facilities performing the same function).

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- Timing (e.g. Soviets must provide details of all converted facilities by a date certain, no facilities converted after entry into force, facilities could only be operated for a period of time or until the CWC is signed or Phase II).
- Monitoring (e.g. use of whatever seals or other equipment we might want, frequent unimpeded short-notice inspections, inspections costs to be paid by the Soviets).
- CWC (i.e. a specific commitment that the USSR would not attempt to change the Convention requirement to destroy CW production facilities).

Sampling.

The biggest sampling issue is whether parties will have the right to take samples out of the host country. The U.S. position is that we must have the right, the Soviets insist that all samples be analyzed in the host country. The U.S. position implies that we have no objection to the Soviets collecting samples here and taking them out of the U.S. Batsanov has recently indicated that they might be willing to allow a sample from a production facility to be exported in some unusual unspecified circumstances (perhaps a compliance concern) if we accede to their position on production facility use.

Our technical analysis generally suggests that known agents can be identified by mobile equipment we could take into the Soviet Union. Analysis and confirmation of unknown compounds require capabilities that cannot be configured into a mobile laboratory.

Destruction.

The problem is the likelihood that the Soviets will be unable to meet the schedule in the Destruction Agreement. The U.S. interprets the requirement to begin destruction by the end of 1992 to mean the practical destruction of a credible amount of agent (i.e. 100 tons). The Soviets seek agreement that neutralization of lewisite into an immediate CW precursor and the destruction of small amounts of agent in 1992 will constitute the beginning of destruction. They argue that they must use neutralization techniques in the short-term, and that the amount of 100 tons adds a new requirement not included in the Destruction Agreement.

Reducing pressure would be counterproductive in getting the Soviets to begin destruction, but getting them to agree to a specific target they are likely to miss could tend to undermine the agreement. The fundamental issue is whether the agreed overall destruction schedule (beginning by 1992, at least 1000 tons by 1995 and thereafter, one-half the aggregate stockpile by the end of 1999, etc.) needs to be reevaluated.

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