

THE WHITE HOUSE
WASHINGTON

July 10, 1992

NATIONAL SECURITY DIRECTIVE 70

MEMORANDUM FOR THE VICE PRESIDENT
 THE SECRETARY OF STATE
 THE SECRETARY OF THE TREASURY
 THE SECRETARY OF DEFENSE
 THE ATTORNEY GENERAL
 THE SECRETARY OF COMMERCE
 THE SECRETARY OF ENERGY
 THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
 THE CHIEF OF STAFF TO THE PRESIDENT
 THE ASSISTANT TO THE PRESIDENT FOR
 NATIONAL SECURITY AFFAIRS
 THE DIRECTOR OF CENTRAL INTELLIGENCE
 REPRESENTATIVE OF THE UNITED STATES TO THE
 UNITED NATIONS
 DIRECTOR OF THE OFFICE OF SCIENCE AND
 TECHNOLOGY POLICY
 THE CHAIRMAN, JOINT CHIEFS OF STAFF
 DIRECTOR OF THE ARMS CONTROL AND DISARMAMENT
 AGENCY
 ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND
 SPACE ADMINISTRATION
 CHAIRMAN OF THE NUCLEAR REGULATORY COMMISSION

SUBJECT: United States Nonproliferation Policy (U)

The spread of the capability to produce or acquire weapons of mass destruction and the means to deliver them constitutes a continuing threat to U.S. national security interests. We must seek to minimize and reverse the spread of these capabilities and to prevent the use of such weapons. (U)

Background

Much has been done in recent years to reduce the dangers of proliferation. The accession to the Nuclear Non-Proliferation Treaty (NPT) of China, South Africa and several other African states, and the Baltic states, soon to be joined by France and (as non-nuclear weapon states) Belarus, Kazakhstan, and Ukraine, will represent a signal accomplishment. Argentina and Brazil adopted full-scope International Atomic Energy Agency (IAEA) safeguards and are moving toward bringing the Treaty of Tlatelolco into force. Membership in multilateral export control regimes, such as the Nuclear Suppliers Group (NSG), Missile

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Technology Control Regime (MTCR), and Australia Group, has broadened. Export control lists in these regimes have been updated and strengthened. Countries such as Argentina, Israel, and Russia now seek to join the MTCR, while China has agreed to observe its guidelines and parameters. After years of intransigence following its 1985 accession to the NPT, North Korea in December agreed with South Korea to declare the Korean peninsula free of nuclear weapons and related facilities, in April ratified an IAEA safeguards agreement, and in May accepted its first IAEA safeguards inspection. (C)

The United States has played a leading role in these and other developments. Under the December 1990 Enhanced Proliferation Control Initiative, the United States substantially strengthened its own nonproliferation export controls, including penalties for U.S. citizens who knowingly contribute to proliferation-related activities abroad. The NSG, MTCR, and Australia Group, along with several key supplier nations, have followed the United States' lead in adopting significantly tougher nonproliferation export controls. Under the May 1991 Middle East Arms Control Initiative, the United States launched a process among the five leading conventional arms suppliers -- the United States, United Kingdom, France, Soviet Union (later replaced in the process by Russia), and China -- to establish guidelines of restraint for transfers to that troubled region. The special regime created to dismantle Iraq's weapons of mass destruction is unprecedented. (U)

Dangers Ahead

Yet dangers remain. On the demand side, in key areas such as Northeast Asia, South Asia, the Middle East, and the Persian Gulf, countries still seek possession of weapons of mass destruction and the missiles that deliver them. Clearly, the underlying motivations to acquire these weapons persist, with many governments still seeing them as an avenue to power, prestige and influence. Strong advocates of nuclear weapons exist in several countries. (C)

On the supply side, export controls have not -- and cannot -- completely shut off sales of goods or technology intended for development of weapons of mass destruction. In addition, countries of longstanding concern as developers of these weapons are now beginning to emerge as suppliers of related technologies. North Korea is the leading example, but there are several sources of concern on the supply side of proliferation. The breakup of the Soviet Union and the emergence of independent Eastern European states may increase the possible sources of supply of these weapons or related technology, especially if the democratic and economic reforms in these countries should falter. (C)

These dangers require further broadening and strengthening of existing mechanisms, including multilateral export controls and other measures under the IAEA, NSG, Australia Group, and MTCR. They also require efforts to ensure that changes within the Coordinating Committee for Multilateral Export Controls (COCOM) do not undermine our collective nonproliferation objectives.

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Indeed, our COCOM partners have accepted the recent United States proposal to establish a COCOM Cooperation Forum, reflecting our willingness to move from an adversarial to a cooperative basis for relations, while providing a forum to address new strategic threats, including proliferation. (C)

Global nonproliferation norms have played a vital role in discouraging the spread of weapons of mass destruction. They underpin -- and legitimize -- our regional and bilateral nonproliferation efforts. At the same time, preventing the spread of these weapons is a vital element of our overall national security and must be viewed in that context. We therefore will rely on global norms where possible and tailored approaches where necessary. (C)

United States Policy

It is United States policy to discourage the spread of the capabilities to develop weapons of mass destruction and the missiles that deliver them, through diplomatic, political, economic, and other necessary means. It is also United States policy to prevent the use of these weapons. In pursuing its nonproliferation objectives, it is United States policy to work with other nations through bilateral and multilateral security relationships, alliances, organizations, and export control regimes, and to broaden and strengthen these mechanisms as appropriate. (U)

United States nonproliferation policy will be guided by the following principles:

First, the United States will build on existing norms and institutions against proliferation and, where possible, strengthen and broaden them. To be truly effective, nonproliferation export controls need maximum multilateral support, including through the establishment of common standards of enforcement by licensing and customs authorities. These standards should seek to ensure that items licensed to one destination are not retransferred to another to assist in developing weapons of mass destruction or the missiles that deliver them. Common standards of enforcement will not only enhance our nonproliferation efforts, but also support the competitiveness of U.S. industry. (C)

Second, the United States will focus special efforts on those areas where the dangers of proliferation remain acute, such as the Middle East, the Persian Gulf, South Asia, and the Korean peninsula. Also, as potential suppliers, the former Soviet Union and Eastern European states present new and potentially serious proliferation risks. In all of these areas, the problems are too difficult to be solved by generalized global norms alone. Therefore, those norms have begun to be supplemented by tailor-made approaches: the special inspection regime for Iraq, the Middle East Arms Control Initiative, confidence-building measures such as those proposed for India and Pakistan, the bilateral

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Argentine-Brazilian safeguards regime and the trilateral full-scope safeguards arrangements those two countries agreed with the IAEA, and the proposed bilateral inspection regime between the Koreans. The United States should also rely on its alliances to discourage development of weapons of mass destruction and the missiles that deliver them. (C)

Third, United States nonproliferation policy will seek the broadest possible multilateral support. Since the proliferation of weapons of mass destruction is an international problem, its treatment requires international cooperation. That means America must remain engaged in the world, supporting its friends and allies, opposing those who threaten its interests. We must be prepared as members of the international community to step in when crises arise, e.g., by seeking inspections by a body like the UN Special Commission or sanctions by the UN Security Council. That does not mean that the United States will never take unilateral actions. Indeed, the record shows that United States leadership has at times provided a beachhead from which to build multilateral consensus, as in the Enhanced Proliferation Control Initiative, the Middle East Arms Control Initiative, and the Nuclear Suppliers Group. (C)

Fourth, the United States will address the proliferation issue in its totality, taking into account the underlying motivations and security rationales leading to acquisition of weapons of mass destruction, the supply of and demand for related materials and technology, and the entire range of military, political, diplomatic, economic, intelligence, security assistance, and other options available to advance United States goals. This broad-gauged approach has already shown positive results, and will reinforce the first three principles. (C)

In pursuit of the foregoing principles, existing U.S. nonproliferation efforts will be supplemented by the measures described below. (U)

Global Norms and Institutions

Chemical Weapons Convention. The conclusion of the Chemical Weapons Convention this year remains a major objective, and the United States intends to take the necessary steps to meet that objective. The United States seeks universal adherence to the Convention, and calls on all nations to commit to become original signatories. (U)

NPT and Tlatelolco. The United States will seek the indefinite extension of the NPT in 1995 and full entry into force of the Treaty of Tlatelolco by 1993. (C)

International Atomic Energy Agency. The United States will work with its allies and others to strengthen the IAEA. In order to support strengthened IAEA inspection procedures and to meet the increased burdens on the IAEA safeguards budget occasioned by the new safeguards requirements for Argentina, Brazil, North Korea,

South Africa, states of the former Soviet Union, and others, the United States will support needed increases in the safeguards budget. (C)

Biological Weapons Convention. The United States will continue to strengthen the Biological Weapons Convention by seeking universal adherence and increased support of the confidence-building measures agreed by the parties at the 1991 Review Conference. (U)

Regional Efforts

Targeted approaches. The United States will work with the countries in sensitive regions as well as other states as appropriate to develop approaches tailored to the requirements of the particular region, as in Northeast Asia, South Asia, the Persian Gulf, and the Middle East. These regional efforts should take economic, security, and political factors into account in seeking comprehensive measures to restrain the proliferation of weapons of mass destruction and the missiles that deliver them. In addition to relying on existing security relationships, options to be considered include confidence-building measures, inspection regimes, and "free zones" for or freezes on particular capabilities, materials, or weapon systems. (C)

Strategy for Former Soviet Union (FSU). To minimize the risk of the spread of militarily-useful technologies from the former Soviet Union, United States policy will contain the following elements. (C)

- Encourage implementation of all relevant international agreements, such as the Non-Proliferation Treaty, Biological Weapons Convention and, when opened for signature, the Chemical Weapons Convention. (U)
- Assist FSU authorities in developing procedures for internal accounting and physical protection against theft or diversion of materials and equipment related to nuclear, chemical, or biological weapons and the missiles that deliver them. (C)
- Assist FSU authorities in establishing and implementing effective export controls -- including appropriate laws, regulations, and multilateral standards -- as well as education of exporters and customs and enforcement officials. (C)
- Work to ensure that nuclear-weapon material extracted from dismantled warheads remains under effective controls, and is dealt with in a safe and secure manner. (C)
- Create opportunities for scientists and engineers to redirect their talents from military to peaceful endeavors. (U)

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- Consider requests for assistance in dismantling or destroying Russian biological weapons facilities or conversion of these facilities to production of vaccines and other pharmaceutical products. Such assistance could include technical expertise, credit guarantees, or limited direct assistance, and could involve U.S. companies establishing joint ventures in former biological weapon facilities in Russia. Any such assistance would be conditioned on satisfactory declaration by the Russian Federation of all its biological weapon activities and ceasing all such activities as is required by the Biological Weapons Convention. (S)

Multilateral Actions

Compliance with international nonproliferation norms. The United States should make clear to potential proliferators and suppliers that their relationship with the United States across the board, including such areas as technology transfer, will be affected by their performance on nonproliferation issues and conformity to key international nonproliferation norms. The United States will consult with its friends and allies to urge a similar approach.

(C)

Enforcement of international nonproliferation norms. The United States will propose that serious violations of international nonproliferation norms -- such as the transfer of any weapon of mass destruction, detonation of a nuclear device, confirmed use of chemical or biological weapons, or transfer of critical facilities for weapons of mass destruction -- be subject to appropriate international response. To implement this proposal, the United States will consult in the first instance with its friends and allies on steps including agreements on extradition, immigration restrictions against individuals who have knowingly contributed to proliferation, assistance to victims of attack by such weapons, inspections, United Nations Security Council embargoes and/or other sanctions. (C)

Support for special inspections and weapon destruction efforts. The United States will examine, in consultation with its friends and allies, establishment of multilateral funding efforts to ensure adequate support for special inspection regimes for countries engaged in proliferation-related activities and to help states destroy existing stocks of chemical or biological weapons and the missiles that deliver them. (C)

Enhancement of export control regimes. The United States will propose that all members of nonproliferation export control regimes adopt common standards of licensing and enforcement, including universal agreement that no exporting country will approve a proposed export that another has denied on nonproliferation grounds without first consulting with that other country. This "no undercut" rule already applies in the MTCR and NSG. The rule should be applied within all nonproliferation export control regimes, and should extend across regimes (i.e. if one government denies an export on nuclear grounds another should

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not approve it for missile-related purposes without consulting with the first government). In addition, the United States will seek universal adoption of domestic laws and regulations analogous to the Enhanced Proliferation Control Initiative (e.g., proscriptions against citizens assisting projects related to weapons of mass destruction, "safety-net" controls for nonlisted items). The United States will also promote exchange of licensing information on a real-time basis, to promote uniform implementation of agreed export control obligations. (C)

Nuclear Materials

Cessation of nuclear materials production. The United States shall not produce plutonium or highly-enriched uranium for nuclear explosive purposes. This step is intended to encourage countries in the Middle East and other regions of tension to take similar actions, such as those proposed in the May 1991 Middle East Arms Control Initiative. The United States will seek further multilateral support for concrete measures to discourage production or acquisition of weapons-usable nuclear materials in South Asia, the Korean Peninsula, or other areas where they would increase the risk of proliferation. (C)

Intelligence

Enhanced liaison activities. The Intelligence Community, in consultation with other United States agencies, shall enhance its nonproliferation-related liaison activities with Foreign Intelligence and Domestic Security Services around the world.

(S)

Strengthen support for multilateral institutions. The Intelligence Community, in consultation with other United States agencies, will strengthen its intelligence and analytical support to international nonproliferation regimes and institutions, such as the IAEA. (C)

Openness. The Intelligence Community shall undertake to ensure, with due attention to protection of intelligence sources and methods, that necessary information is made available for support of United States diplomatic initiatives and for public release.

(S)

Collection review. The Director of Central Intelligence shall undertake a zero-based review of Intelligence Community technical and other collection capabilities against proliferation targets and undertake necessary improvements. (S)

Training initiative. The Director of Central Intelligence shall undertake a major training initiative across all agencies of the Intelligence Community to enhance expertise and enlarge the pool of experienced, well-trained officers available for the nonproliferation mission. (S)

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Implementation

The Secretary of State, in consultation with appropriate agency and department heads, shall report by September 1, 1992, on the steps taken to implement this Directive, with special emphasis on regional efforts, multilateral actions, and nuclear materials.

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The Secretary of State, in consultation with appropriate agency and department heads, shall report by December 1, 1992, on further steps that should be taken to advance our nonproliferation objectives. This review should include consideration of additional measures against ballistic missile proliferation (such as a codified international norm), and possible modifications of current United States policy toward positive and negative security assurances. (C)

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