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ADRIAN S. FISHER ORAL HISTORY, INTERVIEW II

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By Adrian S. Fisher

to the

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ACCESSION NUMBER 74-105

LYNDON BAINES JOHNSON LIBRARY
ORAL HISTORY COLLECTION

Narrator Adrian S. Fisher

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Interviewer Paige Mulhollan

Position or relationship to narrator U. T. Oral History Project

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Discusses his career in law and in government.

INTERVIEWEE: RIAN FISHER (Second interview) Tapes 3 & 4

INTERVIEWER: Paige Mulhollan

November 7, 1968

M: I listened to that small part of the second tape we did last time just to refresh me as to where we were, and you had just made sort of a general statement about the original Presidential message that included in it, among other things, the suggestion that a non-proliferation treaty be worked toward. I think this was in the 1964 Presidential message.

F: I have it here. It's a message from President Johnson to the eighteen-nation Disarmament Committee, January 21, 1964. It has a five-point program.

The first was a reference to an exchange of correspondence that he had already had with Khrushchev at the end of the year--to the use of force in the solution of territorial disputes. But he rather raised the ante on the sort of Khrushchev bland nonaggression pact, worldwide nonaggression pact, saying in effect, "Listen, if you mean that, this means directly or indirectly, forced by aggression, subversion or clandestine supply of arms, to interfere with access to territory, or extend control or administration of the territory by displacing established authorities,"-- That was, let us face it, largely just one-upping Mr. Khrushchev and preventing him from--

M: The Russians have been pretty good at that on their side.

F: Then we were just taking the notion of a nonaggression pact--East-West nonaggression pact--out of play. This was really checking his queen so to speak.

M: This was the speech that Mr. Johnson offered a reduction--what was it, a 25% of production of enriched uranium if presumably the Russians would--

F: Well, no, he did it a little bit later.

M: Was that in a later message?

F: Well, he didn't put a percent on it.

The second part was the thing that's now so current. The second point was the so-called freeze, offering to--he said, "Look, we've been sitting around talking about big reductions on delivery systems all the time we've been building, them. Let's agree to stop building them and then talk about reducing them."

M: The systems freeze.

F: Yes, that's right. Although I'm frank to confess at that stage we were thinking of it primarily on manufacture and not on deployment, although it wasn't spelled out. He said,

"Let us agree to explore a verified freeze and the number of characteristics of strategic nuclear offensive and defensive vehicles."

M: You were thinking in terms of the future creation of them, not the utility of those that already existed?

F: Yes. We try to stop making more and then decide what you can do by cutting down the ones you've got. It's sort of putting the cart before the horse to do it the other way around. We've pointed that out, that the inventories have gone up drastically since we agreed to stop them.

Now, third, was the thing that you mentioned. The U.S. believes in a verified agreement to halt all production of fissionable material for weapons use, and we would be able to close down plant by plant if the Soviets agreed to do the same thing.

M: The Soviets ultimately declined to pick up that--

F: Well, they declined to do it on any sort of an agreed basis. They said and about two months later that they agreed to a simultaneous announcement that they were cutting down their planned increases in fissionable material production facilities.

M: To increase at a slower rate.

F: And they announced that at the same time we announced the fact that we were shutting down more. This wasn't a negotiated arrangement because we were shutting down a couple more as part of our overall program. We would have done it whether or not the Soviets did.

M: This was not strictly an arms control program--

F: It was not. It was done primarily, basically, for atmosphere. The notion was put to them on the ground that "We're going to announce it whether you do or not. What about a joint announcement? You announce what you are going to do, we announce what we're going to do. Wouldn't that be on the whole better than us doing it otherwise?"

And this was duly read to the Geneva Conference the 16th of April by the U.S. representative. I remember it because I was the U.S. representative.

The fourth part of this five-point program that the President put was the system of observation posts to prevent surprise attack. Now, people have gotten sort of cynical about that, but you know if we'd had observations posts all along on both sides the European curtain, we might have known a little bit more about Czechoslovakia than we did. I'm not sure what we could have done about it, but the knowledge of it would have been there.

Then finally, fifth and finally, to stop the spread of nuclear weapons to nations not controlling them, let's agree:

(a) That nuclear weapons not be transferred to the national control of states which do not now control them and everything for peaceful purposes be under safeguard;

(b) That the major nuclear powers accept in increasing number their peaceful nuclear activities the same inspection they recommend for other states; and

(c) On the banning of all nuclear tests under effective verification control.

As I told you initially we had a "d." in there dealing with nuclear free zones in certain places. But that got eliminated due to the objection of Max Taylor, Chairman then of the Joint Chiefs of Staff, and my acquiescence in that on the ground that it was better to have them present this as an agreed program than to say the Joint Chiefs only disagreed with a little bit of it.

M: You're better than I am. You had it down to the word almost where we stopped. I had to get the tape out and listen to it.

Let us take the non-proliferation treaty then on up. Did Mr. Johnson from this earliest message in 1964 play any, to your knowledge, direct personal role in pushing forward what ultimately became the agreement of 1968? For instance, the Glassboro meeting came to my mind then.

F: Well, he played a personal role in a couple of particulars. And some of this you'll have to get from the White House and from Mr. Spurgeon Keeney, because there are some things that he knows-- There was a Camp David meeting in the fall of 1966 that he knows about better than I do.

Mr. Johnson's role in this and here we get into-- One of the problems that you will see in the thing that I read, about the non-proliferation treaty, was you will note that I read that the nuclear weapons not be transferred into the national control of states which do not now control them. Now, why the word national? That was meant to hold open an option that we might create a European army that had its own nuclear weapons, the so-called MLF.

M: I've got a lot of questions about that when we get to it.

F: And we kept that going for some period of time. The negotiations didn't really get very far during this session--during 1964--except for this almost atmospheric simultaneous announcement made in April based on President Johnson's statement before the Associated Press April 20, 1964, and as I say read into the record in Geneva on April 21 of 1964. At the same time with an offer to negotiate a treaty on this basis if we wanted. This was fissionable material production reductions but which would be an effective non-proliferation treaty--one aspect of it--if all fissionable material was under safeguards. We'd put our own under and the other countries put theirs under. But the actual working on the treaty had fairly hard going, because the Soviets were taking the position that we wanted to turn over weapons to the Federal Republic of Germany through the MLF which would be dominated by the Germans.

- M: Incidentally, a question on that that is going to be asked, I think it is an obvious question--is it possible that the Russians used our fairly obvious desire for the non-proliferation treaty as a conscious tactic to kill any chance of the MLF?
- F: Oh, I think they did on the one hand, but I think they had--giving the Devil his due--a real concern that the MLF was going to be a way by which the Federal Republic of Germany got basically effective control over U.S. nuclear weapons. And there had been, frankly, in the discussions of the MLF--the problem as to who had the final authority to push the button was always left sort of vague. Now this matter was studied and until quite late in the game, until some time in 1966, the U.S. drafts all had so-called European clauses in them, designed to make it possible for there to be a new state, a new non-state, something that was an association of states, come into being to which we would feel free to transfer our own U.S. nuclear weapons free and clear. Now that's not permitted by U.S. law. And I think the real breaking point in this, and there were various studies that the President commissioned on this to look at it at various times through 1965-1966, came primarily with the so-called Pastore resolution.
- M: Senator [John O.] Pastore [D-R.I.]?
- F: Yes, which was a Senate resolution that was passed eighty-four to zero. After hearing a series of administration witnesses, the administration witnesses being the Secretary of Defense, the Secretary of State, the Director, William Foster (the Director of this agency). Now that was a resolution which generally speaking just urged the Administration to get on with negotiations of the non-proliferation treaty. But in the hearings of this resolution, both the Secretary of State and the Secretary of Defense and the Senate made it quite clear that no one was about to pass out a U.S. weapon in ways that the other country could get information about its design or in ways that another country or another entity, be it a country or not, an association of countries, could make an independent decision to fire.
- M: So in this sense the whole MLF controversy was never about transferring what the papers called a finger on the nuclear trigger, deciding to pull the trigger?
- F: That's the trouble. One of the difficulties in arguing about the MLF is it took Protean forms. There was an MLF, then an ANF, but in all of them the people that we were asking to participate in this force had sort of the view they'd get an independent decision and we had the view that they wouldn't. This was made quite [clear]. This thing was always threshed out within the intricacies of the bureaucracy, so to speak; it wasn't discussed publicly until the hearings in the early spring or late winter--I forget which--of 1966, where it was made very clear by the Secretary of State, Secretary of Defense, and the Director of Arms Control Agency. And also amended by the Senate each time. They'd say, "Well, look, this is not permitted by the U.S. law, and we don't propose to change the U.S. law."

I'm not going to get into a Bricker amendment type argument whether the treaty would or wouldn't have changed it. You couldn't have gotten the treaty through if they didn't like the policy. Whether by treaty or otherwise, nobody in the Senate was

advocating, with very few exceptions, that the arrangement be changed so that other countries could have the ability to make independent decisions to start a nuclear war. That being the case, it was recommended, and based on some exploratory discussions that went on in Geneva, that we ought to sort of reformulate our position--try to reformulate it. There was very little the Russians appeared to want out of this treaty that wasn't already a requirement of U.S. law. And a requirement of U.S. law that no one in the Senate appeared to be not only wanting to change but willing to permit being changed.

M: In this instance the Senate had already ratified it by passing previous laws.

F: That's right. In a very real sense that's true. Now, of course, the second you have a treaty someone else is in the act. You know, the other parties to the treaty are in the act; it isn't purely unilateral. So there is a difference.

But the people did come to the conclusion that if you reformulated this and just really put the treaty--based the treaty, based on coterminants with U.S. legal restrictions--

Incidentally, you may recall this had been almost an issue in the 1964 election when Barry Goldwater said that he wanted to give NATO commanders the independent authority to use nuclear weapons. Then he changed his mind as to what he meant by independent authority and the thing went back and forth.

But it was perfectly clear that the U.S. legal restriction presently imposed by U.S. law was just about all that was necessary to come to a deal on the treaty. And that decision was made, I think, by President Johnson at a meeting at Camp David, which you'll have to find out about from Mr. Keeney because I wasn't there.

M: And this was when--1966?

F: 1966.

M: Which would be before the Glassboro Conference?

F: Yes.

M: According to public accounts, at least, there was sort of an MLF lobby both in the State Department and in the Executive Branch. Did that group, to the extent it was a group, try to sidetrack the non-proliferation treaty in a very positive way?

F: Well, they didn't try to sidetrack the treaty but they wanted to have the treaty sufficiently broad so you could exercise the widest of options.

First, the U.S. treaty position was if you had a multi-national entity, the treaty wouldn't apply to it at all. You know, we could give weapons to it; it could develop its own; that's fine. The next position-- They finally retreated from that position to say that you wouldn't increase the number--total number--so that if you had an MLF and if, say,

France or England joined it and put its own forces in it, the total number wasn't increased. There were various variances on that that were considered. And all of those were an attempt in the U.S. government to make an accommodation (I hate to refer to these people as a lobby; they really weren't--they were people that were interested in European security), but attempt to accommodate them, their interests, in the context of the non-proliferation treaty. But it never worked because it held open an option which was (a) not satisfactory to the Soviets--their pathological fear of the Germans; and (b) was considerably wider, as the Pastore hearings indicated, than we would ever want to exercise ourselves, at least as far as U.S. weapons were concerned.

- M: So the existence of the MLF program, or the possibility of it, would have been unsatisfactory to the Soviets--the Soviets would not have agreed to the NPT in all likelihood had we gone ahead with the MLF?
- F: Well, I'm not sure. If we'd gone ahead with it, it depends on what sort of an understanding we had with it. If we'd gone ahead with and had this thing been created and had nuclear weapons available to it on what has been referred to in the newspapers, as a two-key arrangement--I can't tell you what this arrangement is, but it is an arrangement consistent with U.S. law obviously, and that means it has to be a U.S. decision before weapons can be used and no one can determine what's inside them. See, there's no reason in my judgment that you couldn't have that arrangement with an MLF like we have now with, say, Canadian forces in Europe, Germany--
- M: The reason I was going in that direction was I've seen in the press at one time or another the speculation that we ultimately were forced to (and I'm sure they intend to imply that it was a good deal less blunt than this) give up MLF as a quid pro quo for the non-proliferation treaty.
- F: Well, we didn't give up MLF. Some of the options that were being considered as possibilities by some people in the Executive Branch of the government were given up as a quid pro quo in the non-proliferation treaty.
- M: That makes it pretty clear. That's what I was trying to do.
- F: No option, this is a purely personal view-- I think no option that was politically realistic was given up at least so far as U.S. weapons were concerned. Now an option may have been given up as to whether or not an MLF would get its weapons from Britain or France and be completely free and have a completely independent control over them. I don't think that's any more politically realistic with respect to whether either Britain or France wanted to do than--
- M: Their position would be very much like ours.
- F: Their position would be very much like ours. It is fair to say that options were given up that were actively considered--MLF-type options were given up in this treaty that were considered and urged by perfectly honorable and patriotic men in the U.S. government. In

my judgment none of these options were politically realistic, and the air of political realism required that we really ask these fellows what it was they were getting that we were asking to pay a good deal for. There was a good deal of talk in this context about mixed manning of ships, you know, as one of the components of this. I remember one Congressman saying, "What's all this talk about mixed-manning? If the decision to go to war is made, I'd like to have it made by the Commander-in-Chief, not by people speaking three languages on some boat some place."

M: That also fits American law.

F: Exactly. Now: this decision really to make a big effort based on trying to negotiate a treaty with restrictions which as far as the U.S. were concerned were coterminous with the U.S. law was made some time in the fall of 1966 by the President. And I think probably came to his mind down at the Camp David meeting.

M: There's a suggestion that there was a network within the White House that was used by people who favored this, I'm thinking specifically about something that one of the current journalistic accounts calls the "Moyers network." Was this a source through which people like the Arms Control Agency went to try to push the President in the direction of the decision he made?

F: No. Well, we'd been in touch with- Occasionally we were in touch with [Bill] Moyers when he was there, but primarily our contact in the White House had been [McGeorge] Bundy and after he left, his successor [Walt W. Rostow].

M: You couldn't confirm that there was such a kind of sideways network to the President's ear on this matter?

F: No, I think the President's ear in this matter-- President Johnson, and this is not to make invidious comparisons for one or the other because any comparison is invidious. President Johnson is a much more through-channel President than President Kennedy was. I was never particularly surprised to get a phone call at home from President Kennedy if the Director was out of town or something else, and he'd ask about something that he had on his mind. We could go to see President Johnson in the White House, arranging it through the White House channels. He went a little bit more through channels and was a little bit less inclined to rely on the independent status of the agency and a little bit more inclined to rely on it as an adviser to the Secretary of State and the President, rather than the President and the Secretary of State.

M: That's an important insight because this is information that journalistic accounts can't be taken thirty years from now as gospel.

F: I can only say this with respect to my own experience. Now there are other people in the Department who will report Presidential phone calls, particularly based on news stories. I have never had one from President Johnson; neither to my knowledge has the Director. In no case I got them every day, that would be misleading; but particularly during periods of

crisis I got a couple from JFK; but President Johnson was more--through channels is a hard word because it reminds you of the army--but less apt to jump over the more established communications.

But I think this thing in 1966, the Camp David meeting, resulted in instructions which we got primarily through the Secretary to work out an arrangement based on the restrictions placed on the nuclear powers based on the inhibitions of U.S. law. The initial stage in that was--well, the fact that that might be doable on a completely exploratory basis was based on a recommendation by me in August of 1966, but I had no authority to do it and I didn't. I explored it purely personally and said, "Do you think this might be doable?" This was with [Aleksei A.] Roshchin.

Well, we're back to the fall of 1966. 1964, 1965, and to the fall of 1966 were basically just more or less hammering at each other with the U.S. and the U.S.S.R.

M: You were the chief representative during all of this time?

F: No, I was not. I was only partially. Less than a portion of the time. Mr. Foster went back to Geneva in the summer of 1964. The General Assembly in the fall of 1964 didn't take place very soon because of the argument about money. But then the Soviets called in 1965 the U.S. Disarmament Commission and wouldn't agree to Geneva until quite late in 1965. Mr. Foster was the Director at the U.S. Disarmament Commission and the representative at Geneva when it resumed in 1965. After the General Assembly in 1965 when Geneva resumed in January, I think, of 1966, Mr. Foster was the representative for the first six weeks; I was the representative until we broke for a spring recess. It was during that period that all these hearings and the Pastore Resolution were taking place.

Mr. Foster then returned to Geneva in the summer of 1966; I didn't go back until he and I sort of swapped in the late summer. I was there July and August, and it was in July and August that we had these quite exploratory and quite informal discussions that led to a recommendation that we could put it on a basis coterminous with U.S. law, primarily because Roshchin kept hitting so hard both publicly and privately at this concern that we were somehow going to let the Federal Republic of Germany have nuclear weapons which they could make an independent decision to use. Our nuclear weapons--and I just know that isn't the case. Everyone had testified that we weren't going to do it, so why not just try it on the basis of U.S. law? That was a recommendation based on exploratory discussions which were authorized, but only authorized to put it on an exploratory, you know, basis.

The President made the decision some time in the fall of 1966. Now when the decision was made in the fall of 1966 most of the work on that was done by the Director, Bill Foster, and Sam DePalma and George Bunn up in New York. Sam DePalma is an assistant director of the agency [ACDA] and George Bunn is the general counsel. They would be assisting Mr. Foster while he was a delegate to the U.N. in New York.

As you may have gathered, Mr. Foster and I--the way this agency is set up--have a tendency not to be at the same place when negotiations are going on, because one minds the

store when the other is doing the negotiating. Getting the instructions out and getting things cleared here is a--

M: You mentioned the time that the instructions were cleared while he was on the plane on the way--that's one example of that.

F: Yes, this is important. It's an important part of the job and so we have, on the whole, had a rule that one or other other of us is sitting here in order to be either director of acting director of the agency, as the case may be.

Now most of the work in the fall of 1966 which led to the drafting of Article 1, the treaty more-or-less in its present form, was done by the Director and Mr. DePalma and Mr. Bunn, mostly in New York. Once or twice here there was a lunch; there was a dinner with Mr. Foster and [Andrei A.] Gromyko, I believe, in Washington. But there were a good deal of discussions with primarily Roshchin, who is their principal disarmament negotiator. He succeeded Tsorophin in April of 1966 and has been their principal disarmament negotiator. He's a rather quiet, rather polite-- Well, every negotiator follows his instructions, but he's less inclined to stick his neck out than most. If you ask him the time of day, he'll say, "I have to find out in Moscow whether they'll let me tell you." But he actually personally is a very nice man, operating within the limits of his instructions, of course.

M: Which you, as a negotiator, do also.

F: Certainly. Both do. The penalties for making a wrong estimate there are probably a little higher than they are here. In other words it's harder to get another job over there once you've gotten fired. They don't shoot them any more, at least, outwardly they don't, but they still fire them and it's a little harder to get another job than it is here.

But this work was done mostly during the late fall of 1966. I forget when Geneva started again in 1967, but there was a period when we did not agree--hadn't agreed to table anything. Now here "table." You'll hear me use the word and those of you that have followed legislature always take a double-take when I say "table." Table in a legislative body means bury. Table in the international sense means offer; make a public offer. So I've had to watch my step on that. I've had a failure of communications with a couple of Senators once.

M: They get the habit of thinking of it the other way.

F: I've never had a failure of communication but every time I say table, that we were getting ready to table something, they'd say, "Well, if you're going to do that, what do you have to talk to me about? If you're getting ready to bury it, why is it interesting?"

I say, "Oh, no, when we say table, we mean make a public offer."

M: That's when it gets serious.

F: That's right. We didn't table anything until some time in 1967. Let me see--the date of the actual tabling-- And Geneva didn't start until quite late-- We didn't table something until quite late in the summer of 1967. And you say, "Why not?"

M: I was getting ready to say why not?

F: Well, there were two reasons. One is that during the early part of 1967 we were going through, both the Director and myself, rather elaborate consultations with our allies, primarily our NATO allies but some others as well.

M: Regarding non-proliferation?

F: Regarding the non-proliferation treaty, and we were doing that under a Presidential directive. We talked to Ambassador [Karl H.] Knappstein and then we talked to people who went over to see NATO. And then they sent over the Federal Republic special army representative, Ambassador [Swidbert] Schnippenkoetter to assist Ambassador Knappstein. This went on for quite a period of time and we got, generally speaking, a pretty good allied consensus on all of the treaty with one exception. That was the safeguards article. We didn't have a safeguards article. That's Article 3 of the treaty; we had certain statements that we thought ought to be in the Article, but we didn't have an agreed safeguards article. Well, again, why not?

Well, you had the problem in microcosm of the MLF all over again, although in this case it was the peaceful version. It was Euratom. And the problem as to what role Euratom safeguards played, would you have duplicate safeguards, i.e., safeguards on Euratom facilities, or were Euratom facilities adequate for-- And we were having quite a bit of time working that out. It was a hard problem to work out and I'll jump ahead--it wasn't worked out finally until January of 1968. But what we were then arguing with the Soviets to try to do was "Let's table a treaty with everything in it except the safeguards article." Now, that was discussed by, I think--the Glassboro records were pretty closely kept and you'll have to get-- I'm not the one to tell you about them because of what President Johnson himself did. I understand it was discussed by President Johnson, the whole notion of getting ahead with the treaty, at Glassboro in 1967; I know it was discussed by Secretary Rusk and Gromyko in the negotiations at New York that followed Glassboro, when everyone was over here from Glassboro. They didn't go home right away.

M: Kind of part of the conference but not part of what the President was in.

F: Yes. Because the Director then being in Geneva and the Secretary wanting someone with him, I flew up for it and was there and tried to get them to agree: (a) to table the treaty, leaving the Article 3 blank so we could work on the other aspects of the treaty while we were negotiating on Article 3. And the Soviets finally agreed to that some time during the summer of 1967 and the treaty was in fact tabled, more or less in the present form. There may have been some changes as the treaty was negotiated, but more or less in its present form.

How much there were independent Presidential decisions on this I really can't tell you. But this was the logical following out of the decision that was made at this Camp David meeting.

M: That was the critical point?

F: That was the critical decision, I think. I'm told that it was at Camp David that it was done. It was the logical conclusion of the President's decision to seek a treaty roughly paralleling the U.S. existing legal restrictions.

M: You mentioned the objections or the questions that our allies had that were a part of the negotiating problems in 1968--1967; is part of that what is commonly thought to be their fear that perhaps the United States and Russia will make some sort of bilateral division of things between themselves, leaving out future European activities--is this their basic general fear?

F: Well, you know, you never know. Actually the people that were the most active in expressing concerns were the Federal Republic of Germany, but they put them almost entirely on two or three bases.

The first basis was somehow the-- You know, the Federal Republic of Germany is committed, not to us, but to members of the European community; they've taken leave to develop their own nuclear weapons anyhow, you see. But they were concerned that somehow the safeguards or other things might inhibit them in the peaceful development of nuclear activity. Somehow by not agreeing to developing nuclear weapons they slow down in, say, reactors for power. Somehow the safeguards would be used for industrial espionage, and there is a whole range of objections based on the safeguard problem. As not having anything to do with weapons but somehow being--accepting a second-class citizenship as far as purely peaceful activities were concerned.

M: This is part of the fear that Europe apparently has of the American technological inroads and economic inroads, too?

F: Yes, and strangely enough, you know, while it was put in the terms of Soviet industrialist espionage, they really were as concerned about us as they were about the Russians.

M: Is that right?

F: Oh, sure, because in the last analysis-- Let's assume that fifteen-twenty years from now there's competition to sell reactors in developing countries. Let's assume there's competition for power purposes. The competitor they're most afraid of isn't the Soviet Union.

M: It's the United States?

F: Yes, what they're afraid of is the United States.

M: In other words, the problem here arises in weapons' control negotiations that's a long way for weapon controls.

F: That's right! The problem is that if you have safeguards in the peaceful activities, primarily that's a basis of materiel control to be sure that plutonium coming out of a power plant isn't refined and made into a weapon, which can be done. A lot of things have to be done to it before it's available for weapons. You just can't put your hand in the power plant and pull something out and make a weapon out of it. First thing is you'd get killed if you put your hand in. It's a fairly complicated process to convert plutonium from a power reactor into a weapon, but it can be done. For that reason the safeguards have to sort of follow the materials around; that means they follow the peaceful activities around. But the concern is that those safeguards would somehow put them in an inferior position to others. "In the peaceful activities itself, you know, you guys are doing things free; you don't have any inspectors bothering you, why should they be bothering us?"

That comes to another decision the President made later on, very important on this. We've got ourselves up to a point now-- Well, before I go over this Presidential decision which was made November 2, 1967; we're now at a point where with some limits we've got pretty much agreement on the basic provisions of the Article. And we've got provisions of the Article that we would tell our allies, and that we would tell the Russians, that during the course of the negotiations or in the course of ratification of the treaty by our Senate, there were going to be certain questions we knew we were going to be asked. That we would tell our allies what our answers were going to be; we would tell the Russians what the answers were going to be and tell them that if they publicly disagreed with this, they would take the responsibility for the consequences. They relate to two things: they relate primarily to existing arrangements and to the problem of the United States of Europe. You can get those in Executive H; you'll see that those were negotiated with our allies--

M: In advance.

F: In advance in the spring of 1967 all during this period. Well, you may say, "Gosh, you weren't doing very much then, but we were really working like mad." And cleared with the--told to the Soviets; we didn't expect them to say anything good about our existing NATO arrangements, or say much good about a future United Europe in the event that that country becomes what the international lawyers call it, it develops its own personality in international law. It becomes an entity in other words, not just an association. It becomes an entity in itself. You can't expect them to say nice things about that; they take the view that a United Europe is bad. But we told them "This is what we are going to say and if you contradict us--we don't expect you to underwrite any NATO arrangements, but when we say this is what we are going to do and you contradict us, you'll take the responsibility for what happens."

M: So they at least remained quiet?

F: Yes, that's right. That got us down to the problem of the safeguards, and it became apparent to us that to the extent that the concerns expressed by our allies about peaceful activities it was a competitive concern. This really came once when a German said, "You know, the commercial espionage that we might be concerned about might well be from an inspector named Ivanovich. It might also be a fellow named Johnson or Johnston." Johnston being an English pronunciation--I don't think they're talking about the President. They said Johnson but they wanted to get the impression that they were just as much concerned about--

M: Johnson is hardly a Russian name in other words.

F: Exactly. The first thing to do was for us to try to get some provision in the treaty or some provision that the safeguards would apply to the peaceful activities of nuclear states as well as non-nuclear states. And it was my job to try to persuade--that ball was duly thrown to me by Secretary Rusk up in New York in this meeting in the summer. And Mr. Gromyko, who is a pretty shrewd debater, actually, would say, "Young man, here you are," I appreciated his calling me a young man, "Here you're turning out nuclear weapons and we in the Soviet Union are turning out nuclear weapons, and there's nothing in this treaty that prohibits that. Wouldn't it be sort of silly for an inspector to come up to a peaceful activity and say, 'I demand seeing that peaceful activity is not being diverted to weapons use and told you can't see it because it's a weapons plant.' Does this have any relationship to the purposes of the treaty? I don't think so."

I would say, "Well, it does because our friends and allies are concerned that they shouldn't be put in a position where we're putting their peaceful activities under a form of inhibition that we are not accepting ourselves."

Now, I wasn't being terribly bold in saying that because let me reread to you the point 5-B in this January 21, 1964 statement.

M: Three years earlier than this time.

F: "That the major nuclear powers accept in an increasing number of their peaceful nuclear activities the same inspection they recommend for other states." That's President Johnson's statement. I'm not claiming I was breaking new ground in this argument--

M: What you were really doing was suggesting what he had already made public be the means of settling the Article 3 problem?

F: Exactly. Incidentally, President Johnson had authorized putting a couple of commercial reactors under peaceful inspection. One of them called the "Yankee Reactor"; it's run by a group of New England utilities in Massachusetts. It's a peaceful reactor. It's under IAEA inspection.

M: It's IAEA?

F: IAEA. International Atomic Energy Agency. It's a terrible thing because it has an acronym with no consonants in it and it's very hard to pronounce without fluffing.

And we were also getting ready to put one of our privately owned chemical separation plants under safeguards. This done with agreement of the people concerned. To make a long story short, while we were still negotiating with NATO and all that went into Article 3, December 2, 1967, President Johnson issued a statement, on the 25th anniversary of the first atomic reactor, that we were going to put all of our peaceful activities except those with direct national security significance under safeguards. The peaceful activities per se were going to be under IAEA safeguards. We'd decided to do that whether or not the Russians did.

M: This ends up as Article 3, not applying to the Soviet Union?

F: No, it ends up as not under Article 3 but something we do voluntarily. It would be pretty bad to write a treaty that says, "All major nuclear powers except the Soviet Union have safeguards." We decided to accept the safeguards outside of the treaty.

Now at this point there wasn't any Article 3 yet. Article 3 was still in a treaty tabled at Geneva--Article 3 blank to be supplied later. We put it that way to be sure we hadn't given up on it.

But the President's December 2, 1967 statement was a critical thing at sort of breaking a log-jam on this. Without going into too much of the detail of the negotiations, we were discussing Article 3 with NATO in Brussels; we were discussing it--following that discussion we discussed various alternatives with the Soviets at Geneva; and then we had another one of the switches. Bill had been in Geneva during the summer of 1967--Bill Foster. He came back in the early part of September of 1967, and I went over. I stayed there until the first of November when we switched again. What was the reason for this switch--Bill had taken an awful lot more of the out-of-town duty than I had at this point. He's a very vigorous man, but he was at that point 71 or 72, and really he hadn't had a vacation in a year or two; so he decided to take a couple of weeks off. Also he decided that he'd had the General Assembly duty for three years in a row, and for the 22nd General Assembly beginning the fall of 1967 I was the delegate. But that meant I could be in Geneva until the early part of November, but when the disarmament discussion began at the U.N. I had to get back to New York. So during the summer with Bill Foster and the early fall with me and the late fall with Foster, we were still discussing (a) problems of the basically Article 3 with our allies and various suggestions with the Russians. Then we were discussing the whole problem at the U.N.

Now at the U.N., we had a strange problem. People don't generally realize how critical it was. There was a proposal for a non-nuclear weapons conference. A conference of non-nuclear weapons states. To which the nuclear states would be invited to participate but without a vote. And that was tentatively scheduled in Geneva in March 1968.

The strong supporter of that initiative had been the Pakistanis. It had been passed by a U.N. resolution in the fall of 1966, with more abstentions than positive votes, but that's become a U.N. practice now. And only about two or three people voting against it--I think only India actually voted against it.

M: Because the Pakistanis--

F: And probably the origin of that was because the Pakistanis were mad because they didn't think the Indians were representing their point of view in the Middle East at the ENDC. They were supposed to be a sort of regional representative. But well, the people that were supporting the non-proliferation treaty were very much concerned that if the non-nuclear conference were held before the completion of the ENDC and the U.N. deliberation on the non-proliferation treaty-- If the non-nuclear weapons conference were held earlier, it would be the non-nuclear powers getting together and having an advance caucus for making a rather high price with going along with the non-proliferation treaty. So the timing of these two actions was fairly critical. This was resolved in a weekend meeting in which Justice [Arthur] Goldberg and myself represented the U.N. and [Vasili V.] Kuznetsov-- Oh, they had practically everybody up there from the Soviet Union. They had the Under Secretary of State, that's Kuznetsov who is one of their Under Secretaries, and their representative to the U.N.--the old one, [Nikolai T.] Fedorenko, who was getting ready to be fired, I think; they had Mendelevich and they had a pretty heavy delegation.

M: The first team.

F: We worked out an arrangement with the non-nuclear weapons conference people whereby we would agree to support the conference and participate in its activities, but they would agree to hold it in August of 1968. There could be a resumed session; we would call upon the ENDC to complete its work on the non-proliferation treaty by the 15th of March and with a resumed session in the U.N. to be held shortly thereafter to consider the results of that deliberation. Well, that was what was described in U.N. terms as a package deal; that's not unrelated to labor negotiations terms, but this package deal was agreed to.

Geneva resumed on the 18th of January, as previously agreed, 1968. Now, we had given to the Soviets-- We had cleared with NATO the various drafts of an Article 3 that held open the possibility of an agreement between IAEA and Euratom, making maximum use of the Euratom safeguards. Now here, we're back to our old friend of the European institution again, which the Soviets aren't expected to be sympathetic to. But it's quite a different one from the non-existent MLF. There were no options being held open to protect Euratom that we didn't think were not only politically realistic but wished they were better. In other words, Euratom is having its troubles right now but there's nothing--I am giving it the strong good thought--there's nothing in the joint European development of nuclear energy that I don't think is good, and I don't think it's something we ought to--it's part of the growth of European institutions we ought to support 100% and can realistically do it.

M: It exists; it's not like the MLF.

F: Well, it's a little bit more than that. I have always felt that if you're going to work toward European unity, and that means a strong Europe, you don't start with the bomb. Even if our own U.S. politics would let us start with particularly an American bomb--you start with other institutions. You start with economic institutions; you start with--and that's what the whole common market's structure is. We support it. And so we had to fight for this, and we really did fight for it. The reason a treaty wasn't tabled until January 18, 1968 was because we were fighting for a verification article--an article on inspection that kept open a respectable role for Euratom. And that was a hard fight. And we didn't finally make it until the 18th of January.

Well, when Geneva resumed, I had every expectation that the Director would go back. Unfortunately he, in the late fall of 1967, had to have an operation. He has recovered from it now, but it was one that put him in the hospital for a couple of months, or a month. And he was laid up at this point. So, I was sort of violating our normal rule here of having neither he nor I at this office where he can send a telegram, but I felt that there was going to be a certain amount of jockeying and going on at Geneva, so I went back to Geneva for the weekend, I think, of the 13th-- Sunday was the 13th, a big snow. Got over to Geneva the 14th, discovered it was even snowing in Geneva, which is strangely enough fairly rare. All the snow in the mountains around there, Geneva itself very seldom--

I went out to see Roshchin and discovered they were prepared to buy, probably, the Article that we had put down on safeguards, but he had some other things that he wanted and-- It was four or five days. I first met with him on a Monday, and the conference wasn't scheduled to resume until Thursday afternoon--Thursday being January 18, unless my memory is playing tricks with me. We had one problem here. The State of the Union message was going to be delivered on the evening of January 17. Well, you can't time all these things. And the President wanted to say something about it.

Incidentally, purely a personal sidelight on that--when Roshchin made sort of a counter-proposition which was pretty clearly in the ball park, I went out there. Our regular driver at Geneva was ill. And we had a substitute driver that wasn't very good, and he got himself stuck in the snow outside of the Soviet villa. And after we finished it was then about 7:30, Geneva time, on the day of the 14th. Now 7:30 Geneva time is 12:30 the next day, midnight, Washington time [see correction below]. So if you want to get something acted on the first thing in the morning you've got to get your telegram out and do it quick. You see, because you've got a substantial time lag there. If you go on and get a telegram out and slug it at the proper priority, why it'll be on people's desks Tuesday morning; but you can't if you horse around.

M: So being stuck was critical then?

F: Being stuck was not well--critical, I could have gotten out--it wasn't that far, but I was in there sort of pushing the car with the driver and a couple of other people. Out came the second Russian, nice old guy, and the second man of the delegation. He said, "Now, look you fellows got to get a telegram out. You can't afford to waste your time pushing a car. Here, let me give you a ride."

So he gave us a ride and had some rather adverse comments about Swiss drivers that got stuck in three inches of snow. He said he'd driven from Moscow back after Christmas in two or three feet of snow and these Swiss really don't know what to do with it.

M: So the Russian driver took you down to send the critical telegram?

F: Yes. That's right. It's intriguing.

The timing was very close. Well, we were going back and forth there and by the evening of the 17th, I was almost certain but not certain that we were going to table a complete draft the next day. For some reason until fairly late in the game, the Soviets didn't want to call it a joint tabling-- You tabled identical drafts, separate drafts. They even insisted they have separate document numbers. They were exactly the same, but they didn't say it was a joint tabling. Precisely why they felt that way I'm not sure. They did that I believe, although I'll have to check, even on the 18th. Now, late in the Geneva time, and I've got my times backwards here. What I said about the guy giving me a ride, I wanted to get it in time so it could be on the people's desk the afternoon of the same day. Geneva at 7:30--

M: You're ahead.

F: Ahead. Geneva at 7:30 is 2:30 Washington time, which was even more critical. If you really do it right what you do is you get your telegram out really fast--excuse me for getting backwards on this-- get your telegram out fast Geneva and it gets to people here before they go home.

M: On the same day.

F: On the same day, and they can get something out then, if they're working--sometimes it makes it sort of hard on the family because they work late--and they get something out that you find on your desk, when things are going right, the next morning. There are a couple of times that happened, and there were a couple of rather critical telegrams that I knew because I told them they were coming on the telephone and said we were going to have a meeting at such and such a time, and you can't produce the Secretary, you know, at one moment's notice, so one of these meetings I called the acting--Archie Alexander, who was the senior assistant director (of ACDA], and told him I thought it was coming and could he have a meeting called and I'd try to get this thing to him by the proper time, very close timing because we had the 14th, 15th, 16th, 17th, and 18th. No, we had less than that, we had Monday, Tuesday, Wednesday to come to an agreement for tabling it on Thursday afternoon, when the conference was going to begin. For some reason the first day of a conference over at Geneva, the practice has been to have it in an afternoon and other days it was in the morning. Well, I was down at the office. I was morally certain that we were going to be able to table something the next day in the afternoon. But I didn't have the word yet. But I was prepared to talk for use in the event that we did. You know, the statement. You know, we had pretty detailed instructions on this. It's almost a scissors and paste job,

you know, at what you're supposed to say and, you know, it's not suggesting I was making any new policy down there at that point. I wasn't. All with existing instructions. But I got a call from Walt Rostow who said, "The President's going to say something about this in the State of the Union message--what can he say? Are you going to table tomorrow?"

I say, "Walt, I think so, but he can't predict it, because if he says so before they have indicated, they might very well turn around-- Well, can he say," said Walt, "can he say on the basis of the report received from Geneva he is confident that they will soon be able to table an agreed complete treaty?"

I said, "Yes, I think so." And so I duly made a note of that. Certain calls to Geneva after certain periods of time, the switchboard closes and you get them at the Marine guard down at the reception desk--the Marine guard calls you and says, "I'm down at the reception desk and there's a call coming in from the White House. Will you come down and take it?"

So I went steaming down there, people wandering in and out and here's Walt Rostow on the phone. But I said, "All right." And I also was told that if anything happened, as soon as I knew anything happened, to let the watch officer know. The watch officer at the White House.

Well, I then went to bed about 1:00 that night, having finished the statement, came in to work the next morning, no sense of premonition, and discovered the President had said verbatim what I had read to Walt Rostow in the State of the Union message. So when Walt called me, it was 11:30 or thereabouts, and there was a five-hour time lag, it was 6:30, the State of the Union was made at 9:00, I think--Washington time--

M: It was a last moment--

F: Yes, this was a last moment check on it. I discovered he said it more or less the way Walt and I discussed it over the phone, except he said it on the basis not of reports received from Geneva; he said, "On the basis of reports received from Ambassador Fisher at Geneva, I am confident that. . . ." "Well, I appreciated the honor but it was perfectly clear where the responsibility was at that point, you see. So I told my staff, I said "I didn't realize it was going to be that way; I think it's probably right" and I also said, "Either today is going to be a fairly successful day or it's going to be one of the greatest fiascoes in history."

So at that point I went out to see Roshchin at 10:00 and he said, "We have a deal," and we went over the papers that we were going to table to see if they were the same. I then went back and called the situation room in the White House and told them we had a deal. Now if you'll read in our annual report; you know, people tend to be dramatic in playing with these-- You can always play games with the time gap because you can describe the time as whichever one makes it sound most dramatic. It has a phone call from Ambassador Adrian Fisher at 4:30 or something, or 5:15 or 5:30 in the morning, saying that we had reached an agreement and it was going to be tabled later on that day. That would lead you to the impression that we'd been up all night hammering at each other's heads and finally come to the deal; well, I'd done that in labor negotiations, but international negotiations

don't always work that way, because you operate on a much more closely instructed basis. And that's quite proper.

What it really was was that after a very pleasant not-too-long a night's sleep, because I'd worked fairly late, I'd gone out to the Soviet villa after a staff meeting at 9:00, gone to the Soviet villa at 10:00, and then gotten back to the office after a fairly quick meeting with the Soviets at 10:30 and then called the White House who had taken the call at 5:30, Washington time.

M: Hardly a crisis hour in Geneva, where you were.

F: When I went in to see Roshchin at that point, I sort of said to myself, "Well, either we're going to have a pretty good day today, or it's going to be a real fiasco." But it turned out it was, and we were able to table the treaty in the way the President indicated.

Now, I had one other discussion with the President at that point. All during this period, he was giving this his personal attention-- I cannot tell you the number of times-- I didn't see him personally very many times myself, but I had lots of calls, particularly from Walt Rostow.

M: Which indicated the President was--

F: Which indicated the President was personally involved. I only saw the President on it once and almost got fired. This was a meeting to discuss one of the so-called "cratering" shots. Who names these shots, I don't know. This was called Cabrollet. And that was a shot designed to experiment about how you dig things--how you dig canals. Basically that was our own Panama Canal problem. Now, you're going to have to amend the limited test ban treaty to dig the Panama Canal--everybody agrees on that. On the other hand, you can conduct certain tests--experimental tests--which are permitted under the limited test ban treaty if the debris--radioactive debris--doesn't get outside of this country. It's all right for us to do things to ourselves, just keep it from other people, you see.

Well, now you have a problem as to how much, and this always gets this agency and the AEC and sometimes the Panama Canal people in sort of an argument about it. And I've always felt that the thing to do was to amend the treaty in a way that makes not only the test but the actual excavation possible. And I felt the best time to do that was after the non-proliferation treaty. And the Director, being over in Geneva at that point--this was before he had to go into the hospital, this is the late fall, some time in November, 1967--I flew down from New York to participate in a White House meeting. And we were talking about this and I said:

Well, you know, he asked me my view, and I said, "Mr. President, I think what you ought to do is to delay this and put this whole process of excavating tests as part of an amendment to the test ban which would be a follow-on to the non-proliferation treaty, where the non-nuclear countries would really support you. They really would, because they're really interested in this themselves, since we've promised in the non-proliferation

treaty to do everything to others as we do for ourselves in the peaceful area. So they're with us on this now. There wouldn't be any trouble getting the thing amended as a follow-on to the non-proliferation treaty. Now you know the non-proliferation treaty; we've been negotiating on that for four years."

So he said--the President looked at me in a sort of saturnine look and says, "Well, when you get the non-proliferation treaty--" he says, "when are you going to do that, Butch, tomorrow?"

And we were still arguing about the nature of the Article 3 we should have. And I said, "No, sir, but I think I could get it in a couple of weeks if you would make the right decision on Article 3."

And I said, "Well, maybe I shouldn't have said that."

Well, I was wrong and he was right. He stuck for a harder--he decided, the President did, for a harder-nosed version of Article 3 than I was recommending. Harder-nosed from the point of view of protecting Euratom, and the Russians agreed to it. So I have to frankly admit that I was arguing for an article, an Article 3, that described the safeguards as more IAEA safeguards than in fact we got. And when I said, "You could have it in a couple of weeks, if you made the right decision," I was not only being flip, I was in error, because we got it in six weeks on the basis of the decision that I was recommending against. All these were nuances. All these nuances were in the safeguards article--how much you describe the thing as IAEA safeguard period and how much you described them as safeguards worked out with the IAEA to be sure there is no diversion. But the more you did it in the latter, that sounds weaker you know. And a lot of people attacked this treaty on the grounds that somehow the Russians euchred us into sort of a softie version of safeguards. They didn't euchre us into that; we insisted on it. Once we had to accept their principle on failure--no treaty safeguard on nuclear powers--with Gromyko, if they were going to take the safeguards themselves because they were a nuclear power, they became the great advocate of hard-boiled-- IAEA walks in and takes over; you know--

M: As long as it was going to be for everybody else.

F: Well, it's going to be for their satellites though.

M: It is. It'll apply to their satellites.

F: Yes, I mean their country satellites. Not satellite-satellites. But in other words, Russian and Polish economic atomic relationships are going to be under IAEA safeguards. And to the extent that they helped any of the Iron Curtain countries in peaceful nuclear activities those have to be safeguarded.

M: Well, that's a rather big concession.

F: So, their new-found enthusiasm for safeguards for somebody else, not them, doesn't exempt the entire quote Iron Curtain unquote.

But the one thing that gives me the sense of mild outrage of this is to see critics of this treaty attacking on this ground. It would have been the easiest thing in the world to negotiate with the Russians "peaceful activities of non-nuclear weapons shall be under IAEA safeguards right away period." There would really have been smiles. We fought for seven or eight months to get the negotiated concept in.

M: Because it would be easier.

F: Because it would make it possible for Euratom to survive. It didn't bother us, because it would make it more possible to work out an arrangement in which the IAEA made full use of the Euratom internal safeguard structure.

M: Which our allies wanted.

F: Our allies wanted. That was a U.S. objective which we fought, bled and--not died--but we really fought and bled for.

M: And accomplished.

F: And accomplished. And in fact we accomplished it on a somewhat better basis than I thought was possible as is shown by my rather flip exchange and rather disrespectful exchange with the President. He didn't throw me out of the room, he just sort of gave me a glance. Now, that was a sort of bad day for me all around, all the dire predictions I had as to what was going to happen if they went ahead with this business--none of them took place, and that's the-- Well, you can't win them all.

Well, January 18, everything was tabled and I had to leave so the President made the man who was over there with me, our Assistant Director for International Relations, Mr. DePalma, gave him the personal rank of Ambassador to continue on with the negotiations until Bill was-- I don't know whether Bill got over there that period--no, he didn't. He still was not in a position to move.

The treaty was duly--the formal treaty was tabled--a lot of suggestions were made about it--

[telephone rings]

Let's see, where are we now?

M: Well, into the spring--the early summer of 1968.

F: Once the final treaty was tabled, all the ENDC people had some various comments to make on it, and they were handled by Sam DePalma as the U.S. representative with the personal

rank of Ambassador given him by the President, and the deadline of a report by March 15 was met. No one thought we were going to make it actually, but once we tabled on January 18 it was perfectly possible in a six weeks session, or rather a seven weeks session, to do what you had to--take various other concerns into account. And well, the U.N. session was called, and we tried to get it right away, you know, in a couple of weeks, but there was Easter vacation and the U.N. business was finally called I think on the 15th of April. And it went from the 15th of April to-- The General Assembly went from the 15th of April to the 12th of June of this year, 1968. And the final vote in the General Assembly was 95 to 4 with 15 or so abstentions--you can check the record on that. There was a statement--the President flew up--horrible day, raining cats and dogs, I was afraid he was going to have to land some place in Arizona; he couldn't make it in New York. He felt sufficiently strong about this that he flew up and addressed the General Assembly about this thing; about how much he had worked for this treaty.

M: Was this before the vote or after the vote?

F: I think it was before the vote. Let me check the records on that.

M: That's easy enough to check.

F: The vote was pretty well-- We knew with one or two exceptions how the vote was going to be at that point because in the U.N. you have committees there, major committees are committees of the whole. So if they are all committees of the whole, the first committee vote which had been 93, I think-- You knew there were a couple that we were going to get that we didn't get in the first committee because they'd abstained not as a matter of policy, but had abstained because they hadn't had instructions. And we thought we were going to get them, so we had a pretty good idea it was going to be 95--

M: On those abstentions, some of them are easily explained, I think, like France, for example. But why do countries like Argentina and Chile, I believe, abstain on that vote?

F: Did Chile abstain? I think--

M: Argentina and Brazil--

F: Argentina and Brazil abstained. Well, I'll tell you. Brazil abstained, they say, because they want to develop explosive devices for peaceful uses. Now here the U.S., twenty years after Hiroshima and billions of dollars spent, still has not completed yet a peaceful nuclear-explosion program. So it's really pretty unrealistic for Brazil to say that.

M: But that's the reason--

F: That's the reason they give. Whether it's in the back of their mind or not, I don't know. Now this non-proliferation treaty applies not only to nuclear devices--weapons--but to peaceful explosive devices. For one reason. From a nuclear point of view, they're the same. Now they may not look the same. They have a different case, but the nuclear

innards of a peaceful explosive device are the same as a bomb. I've never found any technical person to give you an argument on that. The politicians, not using that term in any invidious sense, initially react against any inhibitions of peaceful explosive devices. In fact, the nuclear innards are the same as a very, very, very highly developed one. A crude device, you know, has got too much radioactivity.

M: Developing one for one purpose would not clearly distinguish it from developing it for another purpose, then?

F: No, in fact you couldn't really develop a peaceful nuclear device without going beyond in technology what would be required for a simple weapon. So, it isn't a question of going up to a peaceful device and going on to weapons. It's the other way around. In other words, you have to--

M: Pass the weapon--

F: Go well past the weapon stage. You're in the stage of a very sophisticated weapon before you can highly develop--before you can have one for peaceful devices, both for reasons of economy and for reasons of radioactivity.

M: Now there's one big issue that came during this whole period of time that might be of influence on it that I'd like to go into a little bit. This was the anti-ballistic missile system announcement which came, I think, in September of 1967.

F: Yes, it did.

M: Did this play an important part in the negotiations for a non-proliferation treaty?

F: Well, it did and it didn't. It served as a rallying point, a variant of it, for some people who objected to the treaty. In other words, Dr. [Edward] Teller has made the argument that if we're going to develop an ABM system for ourselves that we should expect our allies to conform to the same thing, and a non-proliferation treaty prevents us from giving purely defensive weapons to an ally.

M: "Purely defensive weapons" is a very difficult concept--

F: Well, yes, I've explored that with Dr. Teller in a debate--or a discussion--before the administrative assistants of the Senate above the Monocle Restaurant just before these hearings started. And as you develop it, it has the following things in it. You have to have some sort of inertial system put into the warhead so that it can only be exploded over the territory of the country. Now, you have to be sure that that can't be jimmed. You have to also be sure that no one could take this weapon apart and use it as a model for making another weapon. So you end up with a pretty Rube Goldbergian device, in which we've told them, "It's yours, fellows, it's your weapon--of course, you can't look at it,"

M: Can't duplicate it--

F: "Can't duplicate it, and if you try to get inside the case, it'll blow up on you, but we'll send a man around to check on it every six months, but it's your weapon," and by the time you get through, this gets to be pretty Rube Goldbergian.

Now, the other aspect of the ABM decision, the announcement by [Robert] McNamara's speech in September--I remember the timing of that very well because it coincided with my return to Geneva--

M: Yes, you, I recall, had to explain that to the ENDC.

F: Yes. It was that it put an increased emphasis--of course, Mr. McNamara left open the possibility of negotiations to put a halt on offensive and defensive missiles. Again that had been a point--

M: Right.

F: Of the January 21, 1964 version. And there had been various discussions as to when that should or shouldn't take place and they were related to the NPT, and as the non-proliferation treaty was gradually worked on, the non-nuclear weapons powers wanted some changes in it. What were those changes. They wanted changes that increased the--well, one, that increased the more or less obligation of nuclear weapons powers to help them both (a) in the field of nuclear peaceful technology generally, and (b) the specific field of peaceful nuclear explosion. Those are Articles 4 and 5 of the treaty; now frankly, I've always felt that 4 was much more important, because I think that we have-- There used to be an old saying during the days of prohibition that liquor never had a friend on the floor but never had an enemy in the cloakrooms. Peaceful nuclear explosions may not be technologically feasible yet any place except in the delegates' lounge of the U.N. I think we've oversold them.

M: You said Article 4 was the peaceful application--

F: The peaceful application generally. And I'm all for that. I am an old public power man and the notion of an increased supply of public power being made available across other countries seems to me to be a key. I think that's great. All the obligations in 4 about cooperation generally, all they do again is institutionalize what our policy has been. Of cooperation in this area--the peaceful area. Subject to safeguards. But 5 I think is a little bit showboaty, because it makes--you read it, you'd think that we could be excavating swimming pools with nuclear devices in the next couple of weeks. Slight exaggeration. But these fellows of other countries said, "Now, look, what about you fellows agreeing to do something in terms of arms control talks? Now, I mean isn't this non-proliferation treaty just a treaty to disarm the already disarmed? What about you nuclear giants?"

M: That's the greatest, I think, criticism made here of the treaty--

F: Well, it is and we put it, "Look, if you hold up this treaty while we negotiate a comprehensive test ban or a cutoff or freeze on our offensive and defensive missile systems," or the Soviets would say--of the Gromyko proposal which means the reduction to 1% or 3% of existing missile structures--you will be like the old law that says two trains must stop and neither shall proceed until the other has passed. So there is in there an article obligating the nuclear powers, and all powers, to conduct good faith negotiations before they measure disarmament.

M: And that's Article 6?

F: That's Article 6. And there's a review clause calling for review conferences which will from time to time be occurring when this treaty goes into effect, and I'm confident that it will, in which the non-nuclear countries sort of put the finger on us. Say, "Okay, fellows, what have you done?" That, I think, is the best way to handle it.

But the restriction on offensive and defensive missile systems seems to me to be the primary candidate for action in that field.

M: Is Dr. Teller's opposition important in the fight to get it [NPT] consented to in the United States?

F: Oh, I think not. I think the second that thing is developed it becomes so clear that this again is holding open an option that we'd never want to exercise--this doesn't prohibit us, for example, from deploying an ABM system in someone else's territory. I think three things killed off the non-proliferation treaty this session.

One was just the pressures of time. We were working against the clock. Now when the final U.N. action, which was the Security Council action, was taken July 19, we urged--the signing was first. That's pretty quick. We tried to get it through the U.N. as fast as possible. We tried to get it signed as fast possible. We tried to get it to the Senate as fast as possible on the hopes that we could get Senate action before they went home-- before they went home for the conventions. We weren't sure there was going to be a special session-- I mean a resumed session--at that point in the Senate. We almost but didn't quite make it.

The second we came back in the resumed session we had three things going against us. We had the pressure of the clock. It got down to the clock at that point. Not just the calendar--it was a matter of hours, not days. The pressure of the clock, a pressure that was made more difficult by the debate on Abe Fortas. I think we could have licked that. We had the August 21 invasion of Czechoslovakia. Now, I think that not ratifying the non-proliferation treaty is not the right reaction to that, horrible as that was. On the other hand, you could expect it to cause at least some delay, so many people say now look, "Suppose they moved into Yugoslavia."

And then finally at the last minute when you had, you know, Senators delaying quorum calls by going off the floor and all the rest of that business, we had one major candidate who called for delay.

M: Is that delay really critical?

F: I think-- I hope not. It remains to be seen. There may be a special session-- That's up to the President. Now, the President's statement of--when was it--October--

M: It was in October.

F: --was too late to the end to really accomplish the objective. I'm sorry that it didn't come earlier. It's a good, firm, forthright statement.

M: There was a suggestion at one time or another that the Administration might be a little bit divided in pushing for a quick Senate action. Did you ever get in any sense of that?

F: Oh, there were some-- There was some that thought we should hold up for good after Czechoslovakia. Of course, there were some sort of mutterings about Czechoslovakia as far back, you know, as the spring. But it is like any administration. Decision isn't always unanimous. And there are some that are not terribly enthusiastic about this.

M: Did Mr. Johnson ever, to your knowledge, exercise any personal influence with various Senators in trying to get immediate action for you in addition to his statement?

F: I do not know. I think again, in fairness to the sense of history, there were times when Senators were saying that he did not, and knowing the President's ability to use Mr. Bell's invention as a means of arm-twisting, saying, "Look, if he hasn't done it, how do we know he wants it?" Well, my answer to that was, until the Fortas thing came to its unfortunate conclusion, he was so tied up with that--he's a man that--my knowledge of him (and I say it isn't intimate, as you know), but he's a man who tends to be a one-shot at a time, so to speak. And he was so preoccupied with the Fortas thing that by the time the Fortas thing was over, the Senate was voting with its air-line reservations, so to speak, in a way that made it hard for him to do anything about--

M: About the Fortas thing--this is a little bit aside but I think it's a proper thing for historians to ask and it applies to your very early experience, if you can remember back thirty years now--one of the things, it seems to me that the Senate most objected to in Mr. Johnson's appointment of Fortas was the disclosure that he had continued to act in some capacities apparently, as an adviser, after he became a judge; and yet every history book that I've read of the period of the Roosevelt Administration credits Justice [Louis] Brandeis with being a very close adviser or all sorts of things while he was a Justice and nobody seemed to think that that was an improper activity. Do you recall from the year that you worked with him that he really did play this kind of role and considered it proper as a Justice?

F: Well, he didn't-- Are you sure you're thinking of Brandeis? Not of [Felix] Frankfurter?

M: Well, both, you--

F: Well, I'll tell you. This is perfectly proper for history. I recall only one conversation. Justice Brandeis went to see President Roosevelt in the late fall or early winter of 1938 or 1939, as the case may be, but it was late fall or early winter, and talked to him about Zionist matters. I didn't have the feeling-- I didn't think that he was a terribly close adviser of President Roosevelt.

M: Well, perhaps I've overstated--

F: Felix Frankfurter was something else again. Brandeis at that stage of the game was a rather aloof man from a--aloof is a too cold word because he was a very nice man. An outstanding--that imposing face looked like a combination prophet Isaiah and Abraham Lincoln. I mean, it was the--really, a very imposing man.

M: Well, perhaps I'd better correct myself here. I was perhaps exaggerating. What I mean is that he's credited with having a large influence on policies because of the viewpoint he held, particularly in regard to trust matters.

F: Well, yes, I think that was so--as far as I know, though, with the exception of the Zionist activities where he was acting in almost an extra-judicial capacity, I don't recall any discussions that he had with President Roosevelt that I was aware of that weren't either official calls of the Court on the President or something like that.

M: But, of course, Frankfurter did apparently--

F: Frankfurter did, both as a professor and to a lesser degree but not necessarily too much, as a Judge. Looking at Frankfurter's correspondence with Roosevelt will give you that.

M: And that was not considered improper in the 1930's, was it?

F: No, but I don't think he attended, sort of, NSC meetings. But he did recommend cabinet appointments and one really pretty good one. That's Henry Stimson. And that wasn't considered improper. No, it wasn't. It's the sort of the notion that--

M: I think the Fortas nomination is obviously going to be a point of considerable questioning, you know, on the end of Mr. Johnson's Administration here, and this seems to me sort of a new concept in our consideration--

F: I was watching this from a distance, as an interested spectator--

M: Fortas is also a Memphian [as is Adrian Fisher].

F: He is. I've known Abe for years. He's a graduate of Southwestern University. I think it's the fairly large amount of money for the seminars that put the coup de grace on this. I think it inspired the others [charges].

M: That's the key that finally--

F: The key-- All the rest sort of weren't there. I know there was a judicial circuit suggestion of ethics for judges, and someone suggested that they ought to adopt a pay in which when they did this sort of thing, they took the general pay thing of professors and one judge said, "Well, why professors, why not Senators?"

M: If the Senators had been judged by the same standards, some of them might have been in difficulty, I'm sure.

F: I certainly don't think there's any sense--in the extracurricular activities as long as they don't affect the things coming before the court, teaching, lecturing, to hold judges to any different standards than the Senators.

M: Now, that's a little bit off the subject, but I do have just a few more or less specific type questions here I think we can clean up pretty quick in about five minutes here or so.

One of them is a very simplistic sounding one but a lot of words have been spent on it already and no doubt there will be a lot of questions asked. Involving the degree of the freedom of action of a negotiator in the kind of conferences which you have attended and secondly, if it can be phrased in the almost elementary sense, what's it like negotiating with the Russians?

F: I'll take those in order. The freedom of action of a negotiator. In the last analysis, you don't and shouldn't have too much. Your area of freedom of action depends on the confidence that you have in the people back home, and it involves--where it is freedom of action--the various nuances to the extent that you are prepared to say, "Look, I will recommend something; I don't have a position on it." Now, the second you've said that, but said you've recommended it, you've committed yourself just a little bit. The second you've said: "Here's a sort of a whole notion of a personal exploration"--there's a whole nuance of range between "something I am thinking about," "let's discuss this ad referendum," "this is a position for my government." I'm going a sliding scale. Nobody can say this is a position for my government unless he's got a telegram saying he can. Nobody except the President of the United States. Your freedom of action is found in the range that's short of that. And that is in large degree a function of your sense of confidence that you can-- How far up that ladder of nuances, and these are mixed metaphors, you can go is a function of your confidence that if they take you up on that you can put your money where your mouth is--to use a slang expression.

M: That's a very clear explanation of it, I think.

F: Now, negotiating with the Russians--they vary. Strangely enough, on a lot of small personal matters, they're very punctilious. Personally some of them, like Roshchin, Kuznetsov, are rather pleasant people. That doesn't have anything to do with it; but some of them make a point of being unpleasant. Fedorenko, their boy up at the U.N. who recently got canned, I guess, because they had Kuznetsov there watching him like a hawk last fall.

M: You can tell when it's coming, sort of, that way.

F: You could tell when it's coming. He was a man who took such a delight in being unpleasant that he was an utter failure as a U.N. representative because there were a lot of people of, particularly the new African countries, that were emotionally committed basically to be with him but just couldn't stand him, you see. One observation is that as far as negotiating signals are concerned, they have very few shades of amber lights. The light is either red or green, and when the green light comes, it comes usually very quick. They're sort of "strike while the iron is hot" fellows. Put it this way. We negotiated on and off with the Soviets on the test ban from 1958 until 1963. The critical period of decision was from the 1st of July until the end of July in one year, less than a month, and the actual signing up, as I told you earlier, was in a period of ten days.

M: When they got ready to go--

F: When they got ready to go, they go. I saw that same green light blinking at me on the 15th of January this year on the Article 3. We had been arguing about it for seven months, we'd been arguing about the whole problem for four and a half years, and when they wanted to wind it up-- You could see they wanted to go, they're going to go. And having that sense of understanding and timing is the--and if they aren't, there's no sense in making little dibs and dabs at concessions. It then becomes a forensic matter--and just keeping your public position so they don't make you look bad. But when they start, they're ready to move; when the light's green, it's green.

M: In this summer past you testified before the House committee involved, told Congresswoman [Frances] Bolton [R-Ohio], I believe, that you considered the greatest accomplishments of the Arms Controls Disarmament Agency to have been five; the hot-line; the limited test ban; limited weaponry in space; the nuclear freeze in Latin America; and finally the non-proliferation treaty. Some months have now elapsed since then-- Do you have any additions or corrections to that?

F: Yes. You have a question of order of importance, and I had those more or less chronologically.

M: Yes, these are chronologically, I think.

F: That doesn't necessarily put them in order of importance. That's probably a hard thing to do. My principal addition to that would be the preparatory talks for strategic arms limitations--the preparation for the talks for that. They have not taken place, but we are in a position--

- M: These are the ones that were scheduled this summer and got put off, presumably, because of Czechoslovakia?
- F: Yes. In that we have really used the last three or four years have been preparation for these talks. And this is an area where if this should happen either in this Administration with the agreement of the incoming one, or in the incoming one if they want to do it. But I think it's ultimately responsible for preventing the next, forgive the jargon, escalation of the arms race, caused by another generation of both offensive and defensive missiles. And I really can't go into that too much. It would just cause classification problems to go into too many details of what they are. But we are in the position right now where we are just about to start up another cliff. And we may end up spending billions, I mean fifty to a hundred billions, for systems that offensively are difficult to maintain, that we and the Soviets will end up just about where we are in respect to each other, and with an increasing likelihood that we turn the decisions of war and peace over to the computer, which is always a danger.
- M: In your judgment do you think that one of these green lights you mentioned before might be imminent or approaching in this regard?
- F: I don't know. I think so, but that's going to be a problem for-- It would be pretty hard to do this now without the agreement of the incoming Administration; and whether or not they will be prepared to go along with this or will be prepared to take it up themselves fairly promptly-- It's awful easy in this area to be platitudinous, and talk about negotiating from strength. I agree with that, you don't negotiate with the Russians in weakness, but you expect them to negotiate themselves in the position of permanent inferiority. You've really got to get to a point where all this talk about who was superior ceases to be relevant. The real question is--we both have enough now to destroy each other, we both are in a position of relative stability. Shouldn't we keep it from getting worse while we think of some way of making it better? Now, the preparation for those talks which has just been in the Executive Department level has been the responsibility of the Agency. There is at least a hint of a green light coming in this area. Whether or not we're in a position to get on it remains to be seen.
- M: It's kind of a critical time for us to change administration on this matter, but that happens because of our system.
- F: That's right and I think on the whole I have the feeling that the chronological basis for changing the administration rather than on a crisis basis which is what the parliamentary system has is probably better.
- M: Yes, I agree. The talks then have not been permanently crippled, you think, because of the Czechoslovakian thing?
- F: No, they have not. They have not been permanently crippled. They have been, however, delayed to a point where other things might happen that might make them that much harder.

M: Yes. Has the Czechoslovakian invasion changed the balance of power in Europe in such a way that our allies are going to be much more hesitant to cooperate on the disarmament negotiations?

F: Well, it has changed them in a sense. It hasn't really changed the balance of power in Europe. Those troops that are in Czechoslovakia were in Russia or in Hungary or wherever they were, you know, pretty close to the line anyhow, you see, and one might say that the Czechoslovakian invasion has discounted the satellite forces as factors in a military confrontation--the entire Czechoslovakian development, not just the invasion.

In other words, we now look at satellite countries--do we count those divisions as divisions that support the Russians or divisions the Russians have to contain? You know, one has to look at the entire balance. I wasn't thinking about another development like that. I was thinking, insofar as the talks have developed, we might get to a point where we had either deployed systems or had developed them so that momentum sort of takes over, if you see what I mean. Notwithstanding the name of this agency as Arms Control and Disarmament Agency, it's going to be very hard for the Soviets once something has been deployed to take it now. It would be very hard for us--very hard for us once the system has been really thoroughly developed and worked out.

M: It has to be nipped before it gets to that point--

F: The best way to do it is prevent it, and we're at a stage where just other forces set in motion may make that increasingly harder. The 1st of October, which is when I expected to accompany Ambassador [Llewelyn] Thompson and maybe Harold Brown, who is one of two deputies to Thompson, to Geneva to discuss this, or somewhere else to discuss it, wasn't too late. Maybe the 1st of February or the 1st of March when whoever goes there won't be too late, but we are sort of running out of time on this.

Now, I'm not suggesting that the world necessarily comes to an end, but it gets a little bit more dangerous, a little bit more expensive, and if one analyzes the command and control structure of ABM system, particularly if the ABM system here goes to an ABM system in Europe, which is not now on the drawing boards, don't misunderstand me, but if we get our own and they haven't--

M: That would be a step.

F: It's "what about us?" The command and control structure of one there is absolutely appalling. I mean the computer does the job and everyone is sufficiently close at that point so that you can't say it'll just be an ABM who cares, you see. I can see someone saying, "What do the Russians care if we should make a mistake and shoot down one of our--something over Chicago that turns out to be, you know, something else?" After all, it's Chicago and we and the Canadians would worry about it, but nobody else. But when you get into Europe, that's the--

M: The lines get pretty close.

F: The lines get pretty close, that's right. And it's the problem of predelegation that's required and everything else. Now, maybe we can stop it. So as far as being in a position to prepare for that, I think-- I would hope that when history of this period is written, I would hope that it could turn out to have been an accomplishment of the agency that is as important as any other, perhaps more so.

M: Are there other new initiatives that you see in the immediate future?

F: Well, there's one roughly comparable to outer space; that's seabeds, but that's roughly the same thing, but that's protecting against a danger which is a little bit further away. Maybe that's the time to get hold of it.

M: The time to do it.

F: It's not as critical.

[Interruption by telephone]

M: I had just asked about new initiatives that might be in the work beyond the limitation of various systems. You had mentioned seabeds. Is there any chance that the United States would be willing or interested in signing the 1925 Geneva protocol regarding chemical-biological agents?

F: Well, I think I would doubt very much if that would be the first thing that a new administration would do. I thought that it was something we might do since we have an independent policy on it and might do it on the same basis in which we have signed--basically really signed protocol, too, on the Latin American free zone. It's an area in which our becoming a participant might permit us to say somewhat more authoritatively what we consider the true nature of inhibitions are.

M: Well, it seems like a matter of more, perhaps, propaganda usage. As you say, it's our position for the most part. Is there some reason why we haven't signed it that is not apparent?

F: No. You can say it's a harder thing to verify, the preparation for it. It's obviously not hard to verify when it has been used.

M: If there's somebody around to verify that it had been used--

F: Well, I don't know-- People vary between arguments of "Let's go ahead and ratify it; it puts us in a better position since we aren't doing it anyhow." Then you get another whole group of people that say "It's obsolete, it doesn't take care of all the biological warfare, just bacterial isn't enough."

M: Technicalities--

- F: Technicalities, you have an updated convention and then you have people who say, "Why should we inhibit ourselves anyway? Anything that involves technical superiority--we're a technically superior country--why shouldn't we retain full freedom on that?" So there have been so many considerations going in this direction that we really never made up our mind what to do on this.
- M: That matter of technical superiority, also weapon superiority, which we talk about so much here is involved with a question, I think. It seems among those who are very interested in arms limitation, particularly arms reduction, that the Soviets frequently capture the propaganda battle in suggesting things far more extensive than they may be willing to accept and than we can negotiate for. Is this just going to be a continuing problem? Are they always going to be able to suggest comprehensive bans for example, because of the fact that we have established a past superiority?
- F: Oh, well, that isn't really why they do it. Very often what they do is suggest banning all bombers, a reduction of nuclear forces down to two or three per cent of existing--
- M: They're seeking parity really, aren't they?
- F: Well, they are and they aren't. In those proposals they don't really mean it. They're just playing for the galleries and relying on the good sense of the U.S. to keep them from having to put their money where their mouth is. That's a display of confidence in our good judgment which I find truly touching, although sometimes embarrassing. You know, here is the Soviet Union, with China on their borders, getting with a straight face and saying, "Let's get rid of all bombers." They aren't going to do that.
- M: I think most people understand that, but still they do use this as a tactic.
- F: Yes, they do. And they do for a variety of reasons. When they start talking that way, you know they're not serious. That's the red light and you might as well just stand still and argue with them.
- M: Let them talk.
- F: And keep your own guard up. For example, for two or three years they said-- Only thing they would talk about was general and complete disarmament. Now, we adopted a somewhat different tactic on that; we adopted what we refer to now-- This is a hard thing for a U.S. official to explain--We adopted what I call the road map technique. And we've been attacked because our general and complete disarmament plan is-- They say it's going to be world-government, but it isn't that. What it is is saying, "You fellows say you're for general and complete disarmament-- This is what it would take. This is what it would take in the form of strengthening international machinery. We don't know whether we're prepared to go that far or not. But we know that until you are prepared to go that far, it's sort of stupid to talk about general and complete disarmament. Now, what about you, what do you fellows think?"

M: This puts it back on them again.

F: Yes. Exactly. And a couple of years of doing that and we cut down the loose talk about GCD, pardon me--jargon.

M: General complete disarmament. I'm learning.

F: Someone always can say, "You mean that's just a bunch of propaganda." And I'd say, "No, I don't. I think it's just a way of making them put their money where their mouth is." Saying, "Look, you fellows say you want this, this is what it's going to take, if you really mean it." And as far as that sort of activity is concerned, I'm perfectly prepared to say that the Russians shouldn't have all the imaginative proposals or as someone said about the revised hymnal, when it was complained that it was a little bit too lively. The author of it said, "Well, we shouldn't let the devil have all the good tunes."

M: Connected to that is the problem as it gets involved in the public image of inspection. And I realize that the inspection systems and so on get into involved classified equipment, but is the general problem of inspection that is always a bugbear when we get down close to negotiating a settlement of some kind, is it as much political as actual?

F: Oh, I think so. I think the Soviet resistance to inspection, while they describe it as involving espionage; their view of espionage is as much political as it is what we consider actual.

M: What about here? Is our demand for inspection largely based on the political need to demand inspection?

F: In part but it depends on what the measure is. You know if you're going to have any sort of deep cut, you've got to be pretty satisfied that the other fellow is living up to it. I think it's probably true that if you'll analyze the Geneva records of what we spelled out as the inspection for our first proposal for freezing--for exploring the freeze of strategic offensive and defensive delivery system--it is pretty extensive. It involved inventory control over the production of missiles here and the Soviet Union. I'm not sure we could either tolerate it or insist on it. Or the other way around, insist on it or tolerate it here. But I say in general, we have been somewhat more realistic on that. The Soviet objection to it is political but of a different nature. An authoritarian system, even one that isn't quite as mean as it used to be, although Czechoslovakia shows to any who needed to be persuaded that the bear hasn't changed its claws completely. Any totalitarian system has a hard time permitting outsiders to check on it, you know. That permits nagging doubts as to who's in charge if people are permitted to check on it.

M: Among their own people--

F: Yes. When they arrested [Frederick Charles] Barghoorn for--they called it espionage because he took a note from the Soviet person who pressed it on him in a crowd; only

partially was that propaganda. Barghoorn was in there--he was a professor that studied Soviet attitudes. He was studying the attitudes of the Soviet people about their government. That's getting close to espionage from their point of view. I hope that some day we can persuade them that that isn't the case.

M: I think that so far as I have been able to summarize the necessary questions on this agency, of course you never can know what people thirty years from now are going to want to know, but before stopping I think it's only fair and valuable to ask you if there's anything that you think of that I haven't thought of that you'd like to add or go into.

F: Well, yes, I think one aspect of this agency's operations has been the one thing that has been giving us trouble increasingly as we go up for authorizations in appropriations and this is the relationship of the research program to the negotiating activities in the agency. Now it's very hard-- Now I'm discounting the fact that you occasionally have a wise guy professor who writes something flip and it permits Congressman X, Y, or Z to make fun of me on the floor--that's always going to happen.

M: Is this like the study FAIR? Is that the one you got in so much trouble about?

F: Well, I don't believe that was one of ours actually, but anything in this area that people don't like is blamed on us. And that's one of the facts of life that you deal with. But I think it will be relating this research program, which is a very large part of a small budget really, if one wants to look at it in governmental as opposed to private terms.

M: In absolute terms.

F: Yes, in absolute governmental terms--is to the extent to which that has been used. Now, I think one has to do that with a certain amount of realism and a recognition that any research program whose in-product is negotiation with the Russians, you're going to have a lot of misses, because you're never sure when that light is going to be green. On the other hand you don't want to start when it starts to blink. Otherwise it would be too late for you to get there. And that's one of the reasons I felt the strategic arms limitation talks, if they take place, would be one of the real accomplishments. To that extent I think there has been more utilization of--basically this agency started out really on the assumption--this first research program was based on the assumption that sooner or later you're going to have to in the nuclear field--that the primary restriction was going to be in the carrier, not on the warhead. It might have to be on the carrier, and we've been looking at all sorts of ways to verify that and what the nature of it should be. Now some of them have indicated things we thought weren't very good. Now I consider that perfectly good research.

M: But that has made you ready so if the light does blink these research programs which are sometimes the objects of criticisms will then prove their merit.

F: Yes, that's right. And you recognize that you're going to have some misses. There's no question about that, and a fairly high percentage of misses. You know, maybe a majority. Nowadays, you can say a baseball player hits 300, he's doing pretty good--

M: He leads the league. This summer at least. Well, sir, anything else you would like to go into?

F: No, sir.

M: That's fine. You have certainly helped us greatly and I really appreciate it.
