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NON-PROLIFERATION OF NUCLEAR WEAPONS

I. The Problem

Our current estimate is that there could be a test of a Chinese Communist nuclear device at any time, but that it may not occur until late 1964 or early 1965. This estimate is being reviewed now but is still considered valid.

There are **today at least three or four states in addition to the nuclear powers which could make a national decision to produce nuclear weapons with assurance that they have the national capability to support this decision.** This number will increase as nuclear technology continues to develop throughout the world, as it becomes increasingly feasible to use manufacturing techniques amenable to clandestine operations, and as large nuclear power reactors are placed throughout the world producing thousands of kilograms of plutonium annually.

The detonation of a nuclear device by the Chinese Communists will place great pressure on these countries to make a national decision to develop nuclear weapons in some cases for reasons of security, and in other cases for reasons of prestige. Because of regional rivalries a national decision by any of these countries may force other countries perhaps technically less qualified to make a similar national decision to engage in an all-out effort to acquire nuclear weapons either by development or by other means. **Once this process starts it may be impossible to halt.**

The problem which faces the United States is how to prevent it from starting--how to develop political inhibitions against the development of further national nuclear capabilities which are sufficiently strong to stand the shock of a Communist Chinese nuclear detonation. **The problem which faces the United States is how to develop these political inhibitions against the development of further national nuclear capabilities within the limited period of time available to us.** If we do not solve this problem--either because of mistake or because of delay--we will soon be faced with a world in which there are ten and then possibly twenty states having national nuclear capabilities. This would be a world of the greatest danger and insecurity.

II. The United States Position

1. The United States should intensify its program to prevent the proliferation of national nuclear weapons capabilities which should include the following lines of action, which are mutually reinforcing and should be pursued in parallel. They should include:

- (a) efforts to discourage individual states from embarking on nuclear weapons programs;
- (b) efforts to impede the spread of the technical capabilities required for the development and production of nuclear weapons;
- (c) efforts to negotiate with the Soviet Union a nuclear non-proliferation agreement open to accession of all states; and
- (d) efforts to develop the widest possible political consensus favorable to such a non-proliferation agreement which will make a national decision to acquire a nuclear capability more difficult even before such an agreement comes into effect.

2. With respect to our efforts to discourage individual states from embarking on nuclear weapons programs we should examine on a case-by-case basis the feasibility and desirability of bringing appropriate arguments, pressures and inducements to bear on countries which are estimated to have both the technical capability and a strong incentive to manufacture, or otherwise acquire control of, nuclear weapons. Where legitimate security concerns may represent a principal source of the incentive to acquire nuclear weapons, the usefulness of security arrangements or guarantees, in which the United States might participate or assist, should be given special consideration. Consistent with the foregoing we should:

- (a) accord high priority to the development of an approach to the problem of the possible acquisition of nuclear weapons by India; and
- (b) develop approaches in the case of additional countries determined to warrant such consideration.

3. With respect to efforts to impede the spread of technical capabilities required for development and production of nuclear weapons, we should undertake the following courses of action.

(a) We should consider arrangements among major suppliers of nuclear materials and equipment to permit exports to only those nations prepared to accept adequate safeguards. We should not limit our consideration of this problem to formal agreements offered in arms control and disarmament negotiations.

(b) We should seek to strengthen arrangements to prevent or delay the dissemination of relevant technology, including such developments as the gas-centrifuge process.

(c) We should continue our efforts to strengthen the capabilities of the IAEA to assure the use of fissionable material for peaceful purposes only and continue our efforts to win acceptance of IAEA safeguards.

4. The U.S. should continue its efforts to negotiate, initially with the Soviet Union, a nuclear non-proliferation agreement. A revised text to be used for this purpose is attached as Annex A.

(a) As a government, we recognize that no agreement with the Soviet Union on non-proliferation would be possible in the foreseeable future were we to make inclusion of the Chinese Communists a precondition. The U.S. should refrain from raising the question of whether Communist China must be a party to a non-proliferation agreement. If the USSR asks for our views on this matter, we should state that Communist China in our view should be a participant in any such agreement both because of the problem of India and because of the desirability of having the agreement world-wide in scope. We should not indicate that we consider Soviet acceptance of this view a precondition to further discussions of the subject. We should indicate that we are prepared to defer consideration of this problem until we have completed the discussion of other aspects of the agreement.

(b) In order to increase the negotiability of the non-proliferation agreement by lessening the implication that Soviet acceptance of the U.S. text would constitute Soviet endorsement of the MLF, a letter to the Soviet Government (attached as Annex B)/2/ should be used in place of the earlier U.S. draft minute for the purpose of giving reassurance with respect to the MLF at the time of the conclusion of a non-proliferation agreement. The U.S. should give in the draft letter (final paragraph of Annex B) an assurance that the "European clause" of the MLF Charter would not be used to increase the number of independent decision-making entities controlling the use of nuclear weapons. The U.S. should support and encourage appropriate efforts which may develop among participants in the MLF to register a commitment on non-acquisition in connection with adherence to the MLF.

/2/Not printed.

(c) In discussing a non-proliferation agreement with the USSR, the U.S. should suggest that a willingness to accept International Atomic Energy Agency or similar international safeguards on peaceful nuclear activities of states not presently possessing nuclear weapons should preferably be made a part of the agreement. However, the U.S. should be prepared to adhere to the position already made known to the Soviets and accept an agreement without such international safeguard provisions if the USSR rejects such provisions.

5. The U.S. should continue its efforts to develop the widest possible political consensus favorable to a non-proliferation agreement, and thus make more difficult prior to such an agreement any national decision to acquire a nuclear capability. The Cairo OAU resolution of

July, 1964, in which the OAU member states declared their willingness to undertake in an international treaty "not to manufacture or acquire control of nuclear weapons," and called upon "all peace-loving nations to adhere to the same undertaking" should be used as a vehicle to obtain such a consensus by the following line of action:

(a) By means of private consultation with selected OAU member states at appropriate times, the U.S. should urge preparation of language for a draft U.N. resolution and a draft treaty which does not conflict with the MLF, U.S. transit rights, or other U.S. objectives, so as to assure that the proposed resolution and treaty could be supported by the U.S. and its allies when the disarmament discussions resume in the U.N.G.A.

(b) The United States should review the question of the desirability of the international conference called for in the OAU resolution and should also consider other means of developing the treaty called for if a conference is determined not to be in the best interests of the United States.

(c) We should continue to state publicly, at appropriate times, that we welcome the basic objectives of the OAU resolution as a valuable step toward such a consensus, and we should quietly encourage other states to associate themselves with the OAU resolution.

III. Discussion

A. Efforts to Discourage Individual States from Embarking on a Nuclear Weapons Program.

At the present time Israel, India, Sweden, Japan and the Federal Republic of Germany have the technical capability to support a national decision to produce nuclear weapons. The development of a national nuclear weapons capability by any one of these countries would exacerbate international tensions and tend to induce additional states to follow suit.

At the present time the United States has an on-going program to deal with the possible acquisition of nuclear weapons by Israel and with the broader aspects of the Middle East arms race. The U.S. should, of course, continue this program. It also should expand it, on a case-by-case basis, to discourage other states from embarking on nuclear weapons programs. It should do so at a level of urgency commensurate with the need to develop political inhibitions against the development of further national nuclear capabilities sufficiently strong to stand the shock of a Chinese Communist nuclear detonation. It should consider, where feasible, the desirability of security arrangements, in which the U.S. participates or assists, where legitimate security concerns may represent a principal source of the incentive to acquire nuclear weapons.

In considering tactics and timing--in gauging the sense of urgency required--it must also be recognized that the estimates as to when these various countries could detonate a nuclear device is not a true measure of the time available to us. The critical time is the time of national decision to develop nuclear weapons. This could be made very soon by any of three or four governments, with confidence that they have the technical capabilities to back it up. Once made, such a decision may be hard to change, even though the actual nuclear detonation may not occur for some period of time afterwards.

In considering such an expanded program, high priority should be given to the problem of the possible acquisition of nuclear weapons by India. The detonation of a Chinese Communist

nuclear device will put great pressure on India to make a national decision to develop nuclear weapons of its own. The development of nuclear weapons by India would be a serious--perhaps irreparable--break in the political and psychological barrier which now restrains proliferation. The U.S. should make every effort to prevent such a development, including the consideration of the possibility of appropriate security arrangements.

The U.S. should also consider developing approaches with respect to the other countries which have been mentioned. In considering such an expanded program there must be recognition of the fact that, in several key states, the success of such bilateral efforts may depend upon parallel progress toward a non-proliferation agreement open to accession by all states, and the attitude of the United States concerning the creation of additional centers of decision over nuclear weapons in the context of the MLF. Looking at the other side of the coin, the success or failure of our efforts to prevent other countries from developing national nuclear capabilities will also have a direct bearing on the success or failure of MLF. If the political and psychological barrier which now restrains proliferation is broken down, the objectives of our MLF policy will be seriously threatened. For example, should India, Israel, Japan, or Sweden acquire an independent nuclear capability, the Federal Republic would probably come to feel that it had accepted second-class status in limiting its nuclear power to that provided by the MLF.

B. Efforts to Impede the Technical Capabilities Required for Development and Production of Nuclear Weapons.

Efforts to impede the spread of the technical capabilities required for the development of production of nuclear weapons systems cannot be a substitute for the political approaches to prevent national decision to develop nuclear weapons outlined in the other portions of this paper. As indicated earlier in this discussion there are already at least five countries (apart from China) which now have the technical capabilities to support a decision to develop a nuclear weapons capability. Moreover, the problem of developing a modern delivery capability daily appears less of an inhibition on any decision of an industrialized nation to seek a nuclear capability.

Effort to impede these technical capabilities is necessary to keep the political problem one of manageable proportions. A political program of the type outlined in the preceding and succeeding portions of this paper may be manageable if it has to cope primarily with the five countries mentioned. It would be infinitely more difficult, if not impossible, if the number is increased to fifteen. For example, there will soon be many countries with nuclear power reactors producing thousands of kilograms of plutonium per year. If some form of action is not taken to prevent the diversion of this plutonium to weapons, it will be almost impossible to bring this problem under control.

It is for this reason that the political program outlined in the other portions of this paper must be accompanied by continuing efforts to impede the spread of the technical capabilities required for the development and production of nuclear weapons systems. These measures should include continued efforts to strengthen the IAEA, the consideration of an arrangement among major suppliers of nuclear materials to limit export to those nations prepared to accept adequate safeguards and a consideration of ways to impede dissemination of relevant technology.

C. Negotiation of a Non-Proliferation Agreement.

(1) Participation by Communist China

The reopening of discussions with the Soviet Union on the question of a non-proliferation agreement emphasizes the question of the participation of Communist China in any such agreement. Communist China will almost certainly refuse to adhere to any nuclear non-acquisition agreement. At the present time, therefore, the United States cannot continue to insist on Chinese adherence without foreclosing all opportunities for achieving such an agreement. The Soviets are also aware of this, and it would not be in the interests of the United States to indicate to them that we are not really interested in such an agreement at the present time.

Moreover, we should not delay our efforts to work out a multilateral agreement as part of our overall efforts to curb the spread of nuclear weapons to other countries, such as Israel, Sweden, India, and Germany, until the Chinese problem is settled. The further proliferation of nuclear weapons throughout the world would not alleviate the problems raised by a Communist Chinese nuclear detonation. Even if the Chinese were to develop a nuclear capability, a world of five nuclear powers would be far preferable to a world of ten or twenty.

One useful contribution of an agreement, even if it did not include Communist China, would be to isolate China still further in world opinion, and to undercut Chinese efforts to develop friendly relations among the less-developed countries of the world. Moreover, the agreement would strengthen the Soviets' hand in maintaining their non-assistance policy with respect to Communist China, regardless of any changes which might occur in their relations with the Chinese Communist leadership.

As a matter of negotiating tactics, it would be unwise for the United States to take an initiative in indicating it is dropping its prior requirement of Chinese Communist participation. It would be preferable for the United States merely not to raise this subject when the problem of non-proliferation is next raised with the Soviets. If the Soviets raise the issue of Chinese participation, we could restate our position that Chinese Communists should participate, indicate that we do not consider this a precondition for continuation of discussions of a non-proliferation agreement and state that the question should be deferred until we have reached an understanding on other provisions of such an agreement. If we should be able to come to a satisfactory understanding on all other provisions of a non-proliferation agreement, we would then consult with our allies on the issue of Chinese Communist participation.

(2) Relationship to MLF

For more than a year, the United States has been trying to persuade the USSR to accept a non-proliferation agreement. The MLF has been cited by the Soviets as the only obstacle to reaching such an agreement. In attempting to persuade the Soviets to accept our language regarding non-proliferation to the national control of other states, the U.S. has stressed the argument that such an agreement will give further assurance that the MLF will not in fact become a device through which Germany could acquire such control. We have thus

confronted the Soviets with the dilemma of either accepting such language or seeing the MLF come into being with no commitment of this kind to limit its evolution.

The procedure which we have followed so far of using a minute to set forth our views on the MLF has one element of difficulty. The non-proliferation agreement and minute which we have proposed to the Soviet Union could be interpreted by them as implicitly sanctioning the MLF. It is unlikely that they will enter into any agreement which can be interpreted as having such effect, at least as long as they have any hope that the MLF will not come into existence.

The present procedure, therefore, may have inhibited any progress on a non-proliferation agreement until there has been a final resolution of the MLF, if not for some time thereafter. This would not be a serious disadvantage were it not for the possibility that nuclear developments by other states might meanwhile progress to a point which would not only cause a further break in the non-proliferation dike, but, for the reasons indicated above, would probably make the Germans unwilling to remain satisfied with the MLF. The relevance of such developments to the urgency of a non-proliferation agreement should be pointed out to the USSR.

The proposed procedure of using a letter rather than a minute is designed to make somewhat more likely Soviet acceptance of a non-proliferation agreement, since the USSR would not have to agree expressly to our letter.

In addition, the U.S. letter (Annex B) contains an undertaking that if a nuclear non-proliferation agreement is concluded the U.S. will not agree to future arrangements that would increase the number of independent decision-making entities controlling the use of nuclear weapons. The U.S. should point out to the USSR that this portion of the letter is intended to deal with the concern which the USSR has expressed regarding possible future evolution of the MLF.

This portion of the letter is along the lines of the assurances which Netherlands Foreign Minister Luns, at our private suggestion, gave to Khrushchev last June.^{/3/} The immediate question, then, relates not to what the U.S. position on the evolution of the MLF should be, but to when and how we should reveal our position.

^{/3/}Luns met with Khrushchev on July 8, 1964, and on the following day summarized their conversation in a meeting with Ambassador Foy D. Kohler. Kohler then reported:

"Luns said conversation with Khrushchev had focused primarily on Germany and MLF. Discussion of MLF took nearly half of ninety-minute meeting and was based on Secretary's letter to Luns, content of which was incorporated in memo left with Khrushchev. Luns said Khrushchev listened carefully, asked pertinent questions and seemed impressed. Luns tried to establish the basis by demonstrating that Dutch losses in World War II were comparable to Soviet losses and that Dutch feeling with respect to proliferation of nuclear weapons to Germany no less strong than those of Soviets. While Khrushchev's own remarks were consistent with established and often-repeated Soviet opposition to MLF, Luns feels there may be some chance for a shift." (Telegram 73 from Moscow, July 9; Johnson Library, National Security File, Country File, Europe and U.S.S.R., U.S.S.R., Cables, Vol. IV, Box 218) The Secretary's letter to Luns has not been found.

It has been argued that a clear U.S. acceptance of restraints now on the evolution of MLF, as desired by the British, would permit the British to gain their objectives without having to join, and hence reduce the pressure on them to join. It is more likely that the British decision will be governed at the proper time by considerations broader than those of mere tactics and will depend upon the UK's judgment of its basic interest in either joining or staying out. Since Britain's ultimate participation in the MLF is valuable to us, it seems worth facilitating by agreeing, at this stage, to the position which is recommended in this paper. This is particularly so since the basic US position, whose final form has been set even now by the almost certain insistence of Congress on restraints, is essentially the same as that of the UK. Any delusion or vagueness contrived for tactical purposes is not likely in the long run to enhance the effectiveness of German or Italian participation in the MLF.

Vagueness about our position on the evolution of the MLF will also handicap our efforts to dissuade India, Israel, and other countries from embarking on nuclear weapons programs. As indicated earlier, failure in these efforts may undercut the MLF as an alternative to German national nuclear capability.

An important consideration, moreover, is the possible effect of the proposed undertaking on negotiations with the USSR. While the Soviets will continue to oppose the MLF for a number of reasons, a large part of their stated concern is the prospect that the MLF is a step toward acquisition of a nuclear capability by the FRG. If the Soviets, by adhering to our proposed non-proliferation agreement, could obtain from the U.S. a clear undertaking against such evolution, the Soviets might reconsider their present negative position. Given increasing Soviet concern about the spread of nuclear weapons to a number of countries, as well as their incentive to find a new vehicle for isolating China in world opinion, it is possible that the proposed undertaking would tip the balance, at least to the extent of permitting resumption of serious negotiations on a non-proliferation agreement. It might also make prompt agreement possible once the MLF issue had been resolved.

It is recommended that the U.S. support and encourage appropriate efforts which may develop among participants in the MLF to register a commitment on non-acquisition in connection with adherence to the MLF.

It must be recognized it may be difficult to ask, much less insist, that a non-nuclear participant assume a formal non-acquisition obligation. The Italian Government recently expressed reluctance to take such a step and the FRG has indicated it will not expand its non-manufacture commitment beyond the WEU countries and especially not to the Soviets, unless it receives some return benefit. Something might nevertheless be accomplished by an approach such as the following to non-nuclear prospective participants: they doubtless can be persuaded to say they agree with us (and the FRG could hardly deny it) that non-dissemination is necessary; they must be convinced, as the U.S. is convinced, that MLF does not involve, but indeed obviates, the risk of dissemination; while they may feel unable at this time to volunteer a formal undertaking, public statements by authoritative officials acknowledging the foregoing points would support the credibility of MLF objectives. Furthermore, since it has been shown the Soviets value associations with some NATO countries such as the Netherlands and the UK, which have not yet decided to join the MLF, were those countries to make a decision not to join MLF for reasons of their own, they should be encouraged to state that they are of the firm belief that MLF as such does not involve dissemination of nuclear weapons.

(3) Verification

The nuclear weapons non-manufacturing obligation should preferably include verification provisions to provide assurance that non-nuclear powers are not attempting to manufacture nuclear weapons. Such provisions should provide for the acceptance of IAEA or similar international safeguards against the diversion of fissionable material from peaceful to military purposes.

If the IAEA provisions prove acceptable to the members of NATO and to the USSR, the United States, in private discussions with such ENDC members as India, Sweden, and the UAR, should attempt to persuade them to accept these provisions before the text of the draft agreement becomes public knowledge.

In trying to persuade the non-nuclear states to accept such provisions, the U.S. could point out that, since violations of the agreement would threaten their own security more than the security of the nuclear powers, international inspection would appear to be in their own self interest.

The U.S. could point out that IAEA safeguards are important for the following reasons among others:

(a) From the point of view of proliferation, the construction of facilities for the production of fissionable material constitutes the most critical stage of the process of developing a nuclear weapons production capability. It is relatively easy to detect construction of these facilities by unilateral intelligence, considerably more so than the facilities used in other portions of the weapons manufacturing process. Once the existence of these production facilities is known, IAEA safeguards are well suited to see that the products of these facilities are used only for peaceful purposes.

(b) In the absence of safeguards, it would be difficult to distinguish this critical stage from the construction of large-scale nuclear facilities for peaceful purposes which many countries are now planning to build.

Several non-nuclear states would probably prefer to sign an agreement without such verification. The U.S. should try to link verification with non-proliferation in a single agreement, in order to obtain acceptance of desirable verification provisions by the largest possible number of states.

If it should prove impossible, however, to persuade these states to accept the IAEA provisions, we should stand on the position already made known to the Soviets. A non-proliferation agreement without such provisions would serve U.S. interests better than no agreement at all. The U.S. might also at that time consider the possibility of presenting a separate IAEA safeguards agreement for adherence by those states willing to accept it.

D. Efforts to Develop Wide Political Consensus Favorable to Non-Proliferation: Response to OAU Resolution.

An essential element in a non-proliferation program is an attempt on a broad multilateral basis to develop political inhibitions against the creation of further national nuclear capabilities. This element is not present in either our efforts to discourage individual states from embarking on nuclear weapons programs or our efforts to negotiate with the Soviet Union concerning a non-proliferation agreement.

As already indicated the attempts to persuade individual nations are valuable. They should be continued and expanded. They cannot, however, take advantage of the fact that, as shown by the limited test ban, regional rivals may find it possible to agree to something in the context of an agreement open to all states that they could not agree to just with each other.

The negotiation with the Soviets is valuable and should continue. It is being conducted primarily on a U.S.-U.S.S.R. basis with the thought that other countries will be approached when agreement is reached. It is not certain, however, that there will be agreement on the basis for such an approach to other countries sufficiently soon to meet the urgency of the situation.

What must be guarded against is that while we (a) engage in private talks with individual states on a state-by-state basis and (b) engage in private discussions with the Soviets, we do not (c) fail to take the multilateral steps which may be an essential part in our actions to develop a broad political consensus favorable to non-proliferation which is sufficiently strong to stand the shock of a Communist Chinese nuclear test.

The Irish Resolution was a step in developing such a consensus, but it was adopted almost three years ago.^{/4/} The limited test ban had a similar effect. By banning tests in the medium which might be the simplest for a country developing nuclear weapons it represented a political decision pointing away from such a development. But it does permit tests which could be used by a country developing such a weapon. Further steps to develop such a consensus therefore seem advisable.

^{/4/}Reference is to U.N. General Assembly Resolution 1665 (XVI) on the prevention of the wider dissemination of nuclear weapons, approved unanimously on December 4, 1961. Text in *Documents on Disarmament, 1961*, p. 694.

One device which has been considered to develop such a consensus was an attempt to seek broad international support for "declarations of intent" indicating willingness to adhere to a non-proliferation agreement of the kind we have discussed with the Soviet Union.

Perhaps an even better method would be in the nature of a response to the Resolution on non-proliferation adopted in July by the Organization of African Unity (informal draft in Annex C).^{/5/} This Resolution contained a statement in the preamble confirming UN Resolution 1652, XVI, which, among other things, proposed the banning of transit.^{/6/} It also reaffirmed the quite unrealistic resolution on general disarmament adopted by the Summit Conference of Independent African States of May 1963.^{/7/} Nevertheless, it is based principally upon the UNGA Irish Resolution of December 4, 1961. It declares the readiness of OAU member states to undertake in an international treaty "not to manufacture or acquire control of nuclear weapons;" calls upon all nations to adhere to the same undertaking; and calls upon all nuclear powers to respect and abide by this declaration. It also invites the U.N. General Assembly to convene a conference with a view to concluding a non-proliferation treaty.

/5/Not printed.

/6/This resolution, approved on November 24, 1961, by a 55-0-44 vote, called upon member states to consider Africa as a denuclearized zone. The United States was one of the 44 abstaining nations. Text in *Documents on Disarmament, 1961*, pp. 647-648.

/7/Dated May 25, 1963; text *ibid.*, 1963, p. 195.

Notwithstanding the problems implicit in the call for a conference and the undesirable references in the preamble, the body of this resolution states its objective in terms which may make it possible for this resolution to be used in developing a consensus in favor of a non-proliferation agreement open to accession by all states and which would make it more difficult, while such an agreement is being worked out, for other countries to make a national decision to acquire a nuclear weapons capability. Private consultation with selected OAU member states, the preparation of a draft U.N. resolution and a draft treaty which does not conflict with the MLF or U.S. transit rights, and a statement that we welcome the objectives of the OAU resolution (together with quiet encouragement to other states to make similar statements) could all be steps toward developing such a consensus. Consideration should also be given to having the draft resolution more than merely a call for an agreement but drafted in terms of a "statement of intent"--a statement of present intent not to proliferate or acquire--so long as there was no basic change in the situation.