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November 11, 1971

National Security Study Memorandum 140

TO: The Secretary of State
The Secretary of Defense
The Director of Central Intelligence

SUBJECT: US-Soviet Talks on Preventing Incidents at Sea - II

Having reviewed the report of the Chairman of the US Delegation to the US-Soviet Incidents at Sea talks, the President has directed that a study be undertaken on the issues relating to a second round of talks with the objective of reaching a formal US-Soviet understanding on measures to avoid incidents at sea.

The study should:

- review the substance of the ad referendum understanding reached in the initial round of talks;
- examine pros and cons of finalizing the understandings already agreed upon in the initial round before proceeding to a follow-on round;
- assess the advantages and risks of a follow-on round of talks;
- estimate the probable Soviet positions, and their implications with particular attention to
 - a. operations of US military aircraft in the proximity of Soviet military aircraft, when both are overflying the high seas, and
 - b. operations of US military aircraft in the proximity of Soviet surface units while on the high seas;
- examine alternative US positions and their implications; and
- describe a negotiating plan including alternative packages of understandings.

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The President has also asked for recommendations on alternative ways a possible agreement might be formalized -- e.g., service-to-service understanding, bilateral governmental agreement, etc.

The President has directed that the study be prepared by an NSC Ad Hoc Group comprising representatives of the Departments of State and Defense, Central Intelligence Agency, Joint Chiefs of Staff and the National Security Council staff, and chaired by the representative of the Secretary of Defense. The study should be submitted not later than December 8, 1971 for consideration by the NSC Senior Review Group.

A handwritten signature in black ink, appearing to read "H. A. Kissinger". The signature is written in a cursive, somewhat stylized hand.

Henry A. Kissinger

cc: Chairman, Joint Chiefs of Staff