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TAB B

DEPARTMENT OF STATE IM/IPS/CR/IR Date: 8/15/57  
 RELEASE  DECLASSIFY  
 EXCISE  DECLASSIFY EO Citations  
 DENY  IN PART

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DRAFT NSDM ON CBW

CIA-C  
DOD-C  
NSC-C

FOIA Exemptions \_\_\_\_\_ TS authority to  
PA Exemptions \_\_\_\_\_  CLASSIFY as  S or  C Sec. \_\_\_\_\_  
 DOWNGRADE TS to  S or  C

National Security Decision Memorandum No.

TO: The Secretary of State  
The Secretary of Defense  
The Special Assistant for  
Science and Technology

The President has considered the report submitted to the NSC pursuant to NSSM 59 and has decided that the following will be the major elements of the US policy on chemical and biological warfare:

1. The Administration will submit the Geneva Protocol to the Senate for its advice and consent to ratification.
2. An appropriate interpretive statement will be prepared by the Department of State to make clear the US does not consider that the Protocol prohibits the use of chemical herbicides or riot control agents, widely used domestically, in war. The statement will be unilateral in form and will not be a formal reservation. It will state that the US will use riot control agents in accordance with the principle of applying the minimum force necessary and where their use can reduce US or enemy casualties.

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3. The Secretary of State will prepare a scenario for submission of the Protocol to the Senate and for any necessary consultation with other countries. This will include provision for preliminary consultation with Congressional leaders, identification of the major questions which would be expected to arise in Congressional hearings and suggested ways of dealing with these.

4. The US policy will be that tear gas will not be used unless authorized for a specific theater by the President, and Presidential approval will be required for the categories of situations in which it would be used, except in bona fide cases of riot control and base security.

5. The US policy of no first-use of lethal chemicals and biologicals is reaffirmed. It extends, as well, to biological and chemical incapacitating agents except riot control agents widely used for domestic purposes.

6. A biological research development and testing program will continue for defensive purposes and to safeguard against technological surprise only. The IPMG is instructed to review the DOD proposal for defensive R&D programs to assure they are consistent with these objectives.

7. No biological agents will be stockpiled.

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8. Production of all lethal chemical agents will be discontinued. Remaining stocks of mustard gas will be destroyed or detoxified. The question of production and stockpiling of binary agents will be a matter for Presidential decision when the research and development program has demonstrated the feasibility of these munitions.

9. There will be no additional stockpiling of lethal or incapacitating chemical agents overseas. The present stockpile of lethal agents in Germany may be maintained only if the German Government does not ask for its removal after being notified of our willingness to do so should they request it. The stockpile in Okinawa will be completely withdrawn to CONUS.

10. Herbicides will be used in a military role only with Presidential authorization. The Special Assistant for Science and Technology will prepare a classified study of the long-range ecological effects of herbicides.

11. The Special Assistant for Science and Technology and the Secretary of Defense will jointly review the entire chemical and biological warfare national research and development program and recommend ways in which it might be reshaped to place more emphasis on defensive

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measures and programs and to guard against technological surprise. Their report should also make recommendations for the improvement of controls and safety measures in all chemical and biological programs.

12. The Director of Central Intelligence will review our intelligence on other nations' capabilities in the field of chemical and biological warfare and will recommend measures and programs for improvement of our intelligence in this area.

13. The studies, reviews and reports ordered in paragraphs 10, 11 and 12, should be submitted to the President not later than April 30, 1970.

14. It will be the policy of the US Government to support international efforts to limit biological warfare programs to defensive research and development only. In pursuance of this policy, the Secretary of State and ACDA should develop a scenario and specific proposals for dealing with the UK draft Convention for the prohibition of biological warfare and related arms control measures. They should submit recommendations to the President, after appropriate coordination with other interested agencies by January 15, 1970.

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15. The Department of State will, in coordination with the Department of Defense, ACDA, and other interested agencies, prepare a public announcement on the decisions taken by the NSC. The announcement will cover appropriate elements of the decisions referred to in paragraphs 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11. The decisions will be announced at the earliest possible date in order that they may be effectively used in connection with the disarmament debate now taking place in the UN.

cc:

The Director of ACDA

The Director of Central Intelligence

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11/17/69

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