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THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

12 JUL 1972

Declassified by DEPSECDEF
Declassify on July 24, 1985

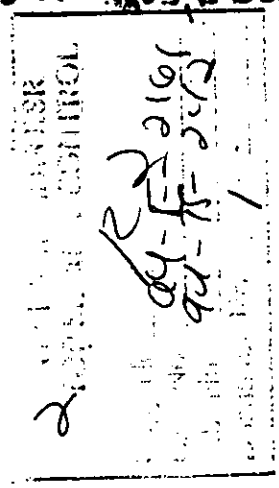
Honorable William P. Rogers
Secretary of State
Washington, D.C. 20520

Dear Bill:

As you know, we have maintained a continuing review within the Department of Defense of U.S. programs and policies regarding chemical weapons, as well as the present capabilities and potential of other countries in this field. I have, as a result of that review, now concluded that it would be in the security interests of the United States to achieve broad international acceptance of an arms control treaty focusing on the prohibition of the production and transfer of lethal chemicals for weapons purposes.

The following are the central considerations that have led me to this view:

TS-AAU 1133, E-2 DOC 1



- An agreement such as I propose, which would permit us to retain our existing CW stockpiles, would not in any major way affect present U.S. capabilities.

  -- Existing fiscal constraints and attitudes in this country make it unrealistic for us to plan any substantial expansion of our CW program. These constraints and attitudes are likely to continue for the foreseeable future.

  -- An international agreement prohibiting the production and transfer of lethal chemicals for weapons purposes would place similar constraints on other countries. It would also help limit the proliferation of significant chemical weapons capabilities.

I am concerned that, in the absence of a U.S. initiative, international discussion of prohibitions on chemical weapons will generate increasing pressures for far more comprehensive prohibitions -- extending to stockpiles and research -- than would be in the U.S. interest. Early United States support for an agreement prohibiting the production and transfer of lethal chemicals would, I believe, satisfy legitimate demands for concrete chemical arms control steps, while deflecting pressures for broader, harmful proposals.

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SUBJECT TO GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
AUTOMATICALLY DOWNGRADED AT TWO
YEAR INTERVALS
DECLASSIFIED ON DECEMBER 31, 1982.

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TOP SECRET

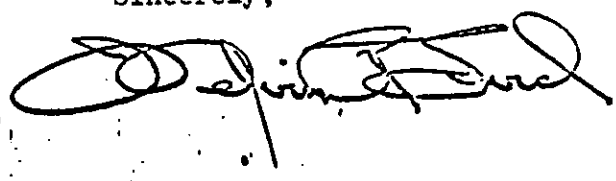
Document #1
Sec Def Cont Nr. X-8484

Therefore, it seems to me to be in the U.S. interest to put forward as soon as possible a concrete proposal establishing a basis for negotiating a sound arms control step that would enhance the security of the United States. I believe that such an initiative, like the other important decisions regarding chemical and biological weapons taken by this Administration, would be welcome both at home and abroad.

The Joint Chiefs of Staff support the views that I have set forth above.

In view of ACDA's experience with the discussions of chemical weapons control now under way at Geneva, and the various ideas and proposals which have already been suggested, I think it would be best for ACDA to take the lead in following up the ideas I have put forward. Specifically, I am proposing to Gerry Smith that ACDA develop for the President's consideration an arms control proposal focusing on the prohibition of the production and transfer of lethal chemicals for weapons purposes. I trust that you will agree with this course of action. The Department of Defense, of course, wishes to work closely with the Department of State and ACDA on this matter at all stages, as we did in working out U.S. proposals for the Biological Weapons Convention and the Seabeds Treaty.

Sincerely,



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THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

15 AUG 1972

MEMORANDUM FOR ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

SUBJECT: Chemical Warfare Study--NSSM 157

In response to your 13 August memorandum, I have read with care the recent CW study coordinated by ACDA, which brought forth all the different options available to us in proposing a U.S. initiative at the CCD negotiations currently underway in Geneva. I am pleased to see that the study presents a comprehensive range of options, several of which can be useful in moving beyond our present CW negotiating position.

As I explained in my 12 July letter (Tab A) to the Secretary of State, my decision is in favor of option 2 which proposes a production ban on all lethal agents, including binaries, and no limitation on present stockpiles. As I see this option, it is a realistic proposal that has a good chance for acceptance at Geneva. At the same time, the proposal would not now nor in the near future affect present U.S. capabilities.

To permit formalization of the Joint Chiefs of Staff position, I have requested their comments to be submitted by 1000 hours, 16 August. On receipt, I will forward the Chairman's memorandum to you. It appears that the JCS position will favor option 1. This option would allow binary production, modernization and improvement of CW stockpiles, and a continuing R&D program, all considered important to JCS. However, it offers very little that could help effect realistic CW restraints.

In the event that there is no production, JCS appear to be concerned primarily over the deterioration of the stockpile and the R&D program. I too, am concerned about these matters but I believe that they can be taken care of in a treaty that has a provision for review after five or ten years as well as another provision that would serve as an escape clause. Technical measures can be undertaken within DOD

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Declassify on 24 July 95

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SUBJECT TO GENERAL DECLASSIFICATION SCHEDULE OF Document #2

to prolong the shelf life of chemical agents, protect our present stockpile, and modify plans for phasing out certain delivery systems employed at present. Control measures could insure a continuing R&D program.

Let me say in closing that prompt action is essential in order to table something at the CCD by early September before the possibility vanishes of doing anything meaningful in chemical warfare this year.

Signed
MELVIN R. LAIRD

Attachment: (1)
Copy of SecDef letter,
I-35640/72, dtd. 12 July
1972, to SecState, Tab A

UNCLASSIFIED [redacted]

THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20301

THE JOINT STAFF

23 January 1973

Dr. Vincent V. McRae
Office of Science and Technology
Room 4202
New Executive Office Building
Washington, D.C. 20506

Dear Dr. McRae:

The OJCS submission of 12 January has been revised to reflect the majority of your comments of 18 January.

The revised version does not make any adjustment to reflect your comments concerning [redacted] To modify filled munitions would be prohibitive in cost for the value accrued. A preferable solution would be to fill munitions with GB or VX for the following reasons:

a. [redacted]

b. [redacted]

c. [redacted]

[redacted] Such a procedure would be practical for the bulk agent but not for the agent already filled into munitions.

d. GB and VX are much more effective than mustard.

Document #3
Classified by Chief, IN Div, J-5
SUBJECT TO GENERAL DECLASSIFICATION SCHEDULE OF EXECUTIVE ORDER 11652 AUTOMATICALLY DOWNGRADED AT TWO YEAR INTERVALS
DECLASSIFIED ON DECEMBER 31 1983

[redacted]
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-94-S-24

UNCLASSIFIED [redacted]

As is indicated, the summary paragraph has been revised to include factual statistics in the event a decision is made to retain the 105 mm howitzer shells. I do not consider that this statement is misleading since we are simply stating facts and not attempting to express an opinion as to whether or not the projected stocks represent a "substantial quantity of high quality stocks". This judgment involves a number of considerations, among them, as you point out, whether or not a production ban is in effect and whether or not the binary munitions replace the mustard capability.

Colonel C. G. Olentine will attend the 10:30 AM meeting on 23 January. He will be prepared to make detailed comments on the draft memorandum for Dr. Kissinger and the draft report of the ad hoc OST panel.

Mr. Sanjuan has reviewed this memo and concurs.

J. H. DOYLE, JR.
Rear Admiral, USN
Chief, International
Negotiations Div., J-5

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Revised as
22 January 1

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IMPACT OF OBSOLESCENCE ON THE CHEMICAL WEAPONS STOCKPILE

1. The life expectancy of the chemical weapons stockpile is controlled more by the obsolescence of weapons systems than by deterioration of the agent itself. Within current plans and directives, the following degradations of the stockpile will occur:

a. Bulk mustard (38.6% of the total stockpile). Deputy Secretary of Defense directed disposal of all bulk mustard with the exception of 4800 tons which is to be retained pending procurement of binary munitions. Mustard is less effective than the nerve agents, on a weight per unit area required for casualty production basis, and has a high freezing point (@ 54°F) and is relatively ineffective at lower temperatures.

b. Mustard in artillery shells (12% of the total stockpile). Both the 105mm howitzer and the 4.2 inch mortar ar obsolescent (only airmobile, airborne and marine divisions retain the 105mm howitzer capability). 60% of the agent fill is in these calibers. The limitations of bulk mustar agent are applicable to the remainder.

c. GB in bulk (19% of the total stockpile). About 29% of the bulk GB requires redistillation to be useful in filling aluminum casings (could be used in present form in steel casings). Remainder is serviceable for all purposes.

d. GB in artillery shells (6.2% of the total stockpile) Based on the obsolescence of the 105mm howitzer and the fact that a number of the 155mm howitzer shells are defective and cannot be used (only airmobile, airborne, and marine divisions retain the 105mm howitzer capability) 54% of the agent fill will be of limited, if any, use.

e. GB in rockets and warheads (6.4% of the total stockpile). All of the agent is filled in the obsolescent HONEST JOHN and the M55 rocket system. The vast majority of the agent is in the M55 system. There are many operational difficulties with this system which is obsolescent. Thus, none of this agent will be delive able in the 1980s. Additionally, the M55 has an aluminum warhead, some of which will deteriorate with time because of the interacti caused by the impure agent used to fill some of them.

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Document #4

f. GB in aerial bombs (4% of the total stockpile). All of this agent should be useable for an indefinite period of time.

g. VX in bulk (5.4% of the total stockpile). This agent is serviceable and should be useable for an indefinite period of time.

h. VX in artillery shells (3.1% of the total stockpile). Except for a small quantity filled into defective rounds (about 2%), this agent should be useful for an indefinite period of time.

i. VX in rockets (1.6% of the total stockpile). This entire quantity is filled in the M55 system discussed above None of this agent will be deliverable in the 1980s.

j. VX in land mines (1.7% of the total stockpile). All are serviceable. However, under a retaliation only policy, there is no employment concept for these weapons.

k. VX in spray tanks (2.0% of the total stockpile). These spray tanks have a projected storage life of only five years, which expires in 1973 or 1974. It is not known at this time whether the storage life can, or will, be extended. (N.B. These tanks are not refillable.)

2. In summary, of the total quantity of agent-filled munitions in the stockpile (about 37% of the total stockpile) less than 40% of it (14% of the total stockpile) will be immediately useable during the 1980s.

3. If the decision were made to retain the 105mm howitzer rounds (for use by airborne, airmobile, and marine divisions) then the summary figures in paragraph 2 would be:

"of the total quantity of agent-filled munitions in the stockpile (about 37% of the total stockpile), approximately 54% of it (20% of the total stockpile) will be immediately useable during the 1980s."

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THE SECRETARY OF DEFENSE
WASHINGTON

DSD-A

22 September 1965

MEMORANDUM FOR THE PRESIDENT

General Westmoreland has requested a reaffirmation of his authority to use standard riot control munitions in certain specified combat situations in South Vietnam and Ambassador Lodge has supported his request. This authority would extend only to lacrimatory agents (tear gas) known as CS and CN. Use of nausea-producing agents DM and CN-DM would not be authorized.

The agents would be used primarily to clear tunnels, caves, and underground shelters in cases where their use will lead to far fewer casualties and less loss of life than would the combat alternatives which involve high explosive or flame munitions. Of particular importance would be the reduction in casualties to civilians who are inevitably mingled with hostile military elements as the result of VC tactics.

I agree with General Westmoreland that the use of these riot control agents far outweighs disadvantages that may accrue; in fact there is every indication that we may be in for censure if civilian casualties should accrue because we didn't use tear gas. The disadvantages to which I refer are the likelihood of some sharp international criticism, spurred by Communist propaganda, of the U.S. Government authorizing the employment of what will inevitably be called "poison gas".

Unless you indicate otherwise I will reaffirm to General Wheeler the current national approval for use of the riot control agents CS and CN under the combat conditions described above.

Secretary Rusk concurs in this recommendation.

If you approve, the Department of State will send a message to all posts informing them of the decision and providing public affairs guidance.

Robert S. McNamara

Robert S. McNamara

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Declassify on 24 July 95

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THE SECRETARY OF DEFENSE
WASHINGTON

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17 NOV 1966

Honorable Dean Rusk
Secretary of State
Washington, D.C. 20520

Dear Dean:

I am attaching for your comments a Defense draft NSAM on the subject of chemical and biological warfare policy. It has been prepared in response to a State request for a Defense position.

The draft states that the President does not now expect to authorize first use of lethal CB weapons. With respect to incapacitants, it reflects the actual situation as it now exists by stating that the President may authorize their use in certain situations of national urgency. In my view, we should keep this option open until we have better information concerning specific incapacitating agents, their military effectiveness, and the political consequences of their use. Accordingly, I have asked the members of my staff to conduct a study on the role of incapacitating agents. The results of this study will be reflected in next year's Draft Memorandum for the President on Theater Nuclear Warfare. In the meantime, I believe policy guidelines such as those in the attached draft NSAM would be appropriate and desirable.

I share your interest in reaching an early joint position which we can recommend to the President. I would be happy to discuss the draft policy with you at your convenience, if you wish.

Sincerely,

Enclosure
Draft NSAM

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Declassify on 24 July 95

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THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

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9 DEC 1969 DOD-R

MEMORANDUM FOR: The Secretary of State
Assistant to the President for National Security Affairs
Director, Central Intelligence Agency

SUBJECT: Chemical Warfare and Biological Research -- Terminology

I notice that current documents of various U.S. Government Agencies continue to refer to CBW, i.e., chemical and biological warfare. Such terminology, I believe, is seriously misleading and should be stricken from our lexicon.

The misleading aspects inherent in the term, CBW, are twofold:

- The first reason is that the term does not describe even remotely the United States program in the chemical or the biological areas. Our programs are best described as chemical warfare and biological research. The programs are so widely different in terms of (a) the strategic concept, (b) the deterrent value, (c) the tactical aspects of retaliation, and (d) the potential positive humaritarian dividends that they should be referred to separately. We do have a retaliatory chemical warfare capability, which we hope will have a deterrent capability on prospective users of chemical agents. We do not have a biological warfare capability, nor do we plan to have one. We will maintain, for defensive purposes, a biological research program.

- The second reason for reacting against the CBW terminology is that it connotes a generic interrelationship between the chemical and biological fields when, in fact, no such relationship exists. History has shown the possibility of chemical warfare. It is possible, furthermore, to conceive of biological warfare -- though, again, the United States does not have the capability and proposes now to produce no capability to wage biological warfare. It is virtually impossible, however, to conceive of the circumstances in which chemical warfare and biological warfare, in a simultaneous or joint way, would be planned for and implemented.

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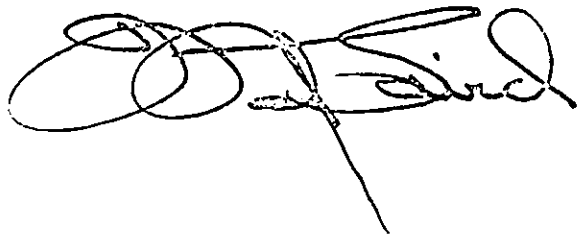
Sec Def Cont Nr. X-6001

While terminology may seem to be a minor point in some cases, this is one instance in which precise terminology is important. I would hope that in referring to the United States program the term chemical warfare and biological research would be used. I would also hope that in referring to other nations' programs, or to the general field of activity, chemical warfare and biological activities of whatever nature would be differentiated and treated separately. To do otherwise will continue to confuse the American public, our allies, our potential adversaries, and even those in our own government responsible for defense programs.



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THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

19 FEB 1971

Honorable William P. Rogers
Secretary of State
Department of State
Washington, D.C. 20520

Dear Bill:

I am unable to concur in the proposed memorandum for the President which you sent to me on February 2, 1971, calling for the President to decide to phase out immediately all herbicide operations in Vietnam. The main reasons for my non-concurrence are stated in the attached memorandum for the President.

In view of our position that the use of herbicides in Vietnam is not prohibited under the Geneva Protocol, I do not believe that the Senate Foreign Relations Committee or the Senate as a whole would be influenced in favor of ratification by our immediate termination of the herbicide program. Indeed, herbicides have been used to satisfy urgent and legitimate military objectives in Vietnam in accordance with our current national policy which was formulated with full awareness of the provisions of the Geneva Protocol.

The Protocol, operating as a "no-first-use" agreement, is little more than an attempt to prevent any belligerent from resorting to the use of the prohibited weapons in warfare. Therefore, I believe that the President's decision to submit the Protocol to the Senate was primarily dictated by his expectation that ratification would be a useful and constructive step for proceeding with negotiations in the Conference of the Committee on Disarmament (CCD) in Geneva. These talks might lead to the effective controls, that the Protocol lacks, over chemical and biological agents (including herbicides).

The Senate Foreign Relations Committee should, of course, be kept advised of our herbicide policy--and in particular, that it satisfies our military objectives within the provisions of the Protocol. We have terminated the use of herbicides for crop destruction since this was no longer necessary to meet those objectives. They should further be advised that efforts at controlling such agents as herbicides or riot control agents (RCAs) should proceed in the form of effective arms control agreements at the conference of the CCD.

Sincerely,

Attachment

3-3-71

Document 8

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XR POL 27-10

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THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

19 FEB 1971

Honorable William P. Rogers
Secretary of State
Department of State
Washington, D.C. 20520

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Sincerely,

Attachment

3-3-71

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Doc. No. X 0714

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THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20301

JCSM-372-72
16 August 1972

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: Response to NSSM 157 (U)

1. (U) Reference is made to:

a. JCSM-351-72, dated 28 July 1972, subject: "Chemical Warfare Policy (U)," which forwarded the recommendations of the Joint Chiefs of Staff for a US draft treaty on chemical warfare (CW).

b. A memorandum by the Assistant Secretary of Defense (International Security Affairs), I-26439/72, dated 14 August 1972, subject as above, which requested the views of the Joint Chiefs of Staff concerning the response to NSSM 157 and, particularly, the options therein.

2. (U) As requested in reference 1b, the Joint Chiefs of Staff have reviewed the study and recognize it as a reasonably balanced presentation of the major available alternatives, their relative merits, and other relevant considerations.

3. (S) In assessing the proposed negotiating alternatives, certain factors have a major bearing on the selection of a proper option.

a. There is no dependable way to verify compliance with most prohibitions or limitations on chemical weapons. Even onsite inspections (OSI) cannot provide effective verification regarding CW activities. Therefore, in the absence of any effective means of insuring that other nations would comply with CW prohibitions, it is imperative that the United States maintain an effective CW retaliatory capability in order to provide an effective CW deterrent and to preclude being placed at a significant disadvantage should CW hostilities occur.

b. In terms of negotiating goals, the United States should seek an agreement that would limit the USSR to a retaliatory capability in CW.

c. A production ban, which is a significant factor in several proposals in the study, would effectively eliminate the capability to maintain a viable retaliatory CW capability. Reliance on the chemical stocks of the vintage and composition of the current US stockpile to provide a continuing deterrent is unacceptable due to uncertainties concerning their remaining shelf life/employment life. The modernization of the current stockpile with binary type weapons, the most efficient and cost effective of the feasible courses of action, is essential to a credible retaliatory/deterrent CW capability.

d. While no truly effective and acceptable means of verifying a stockpile limit or a production ban exist, the principle of OSI should be advocated by the United States. An obligation to accept inspection of certain declared facilities would appear to have merit in the international arena.

e. A unilateral statement by the United States regarding a substantial reduction of US stockpiles independent of, or coupled with, any other option is not in the US security interest. The same applies to a unilateral declaration of a moratorium on production. Such measures would result in immediate limitations on US CW capabilities without similar restraints on other nations. They would probably remain as permanent constraints even if international agreement on such measures never materializes.

4. (TS) Based on the above considerations, the Joint Chiefs of Staff believe that a treaty limiting stockpiles to retaliatory levels and prohibiting the transfer of lethal agents for weapons purposes would not adversely affect the national security. This combination of proposals more nearly reflects the approach of the Joint Chiefs of Staff to a new US CW treaty initiative forwarded in reference 1a. The Joint Chiefs of Staff can support a proposal for a retaliatory/deterrent stockpile limit at approximately the current US level, with provision for modernization (binary production), accompanied, at least in initial negotiations, by a limited OSI requirement at military production centers by an international team.

5. (U) The Joint Chiefs of Staff recommend that you support these views and forward them to the National Security Council.

For the Joint Chiefs of Staff:

T. H. MOORER
Chairman
Joint Chiefs of Staff

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JS AE (525)

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ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

INTERNATIONAL SECURITY AFFAIRS

5 OCT 1973

In reply refer to:
I-25739/73

MEMORANDUM FOR DIRECTOR, POLITICO-MILITARY AFFAIRS
DEPARTMENT OF STATE

SUBJECT: U.S. Position on Chemical Weapons Limitation - NSSM 157 (U)

(S) We have reviewed the State initiative on chemical weapons limitations. Our concern is that we not leave ourselves vulnerable to a chemical attack. The Soviets have been modernizing their forces to a degree that their chemical capability exceeds ours both offensively and defensively. Anything we might do to further the gap, such as a declaratory statement or a chemical treaty that would freeze this imbalance - places the United States at a disadvantage. From a military viewpoint, this would be unacceptable.

(S) We are particularly concerned if actions that we take reduce or eliminate our capability to retaliate in kind to a chemical attack. Such action would withdraw an important option for the President and could require him to face a choice of using nuclear weapons in response to a chemical attack or not responding.

(S) While treaties are desirable, adequate verification provisions must be included to insure we are not placed in an unfavorable position. The verification problems of a chemical weapons treaty have not yet been resolved.

(S) For these reasons we would have trouble supporting your initiative particularly when we have an opportunity to make a quantum jump forward in modernizing our chemical weapons with binary munitions. DOD (OSD and JCS) supports option 1 of NSSM 157.

(C) Obviously we would favor any course of action that would show a willingness to negotiate and we would be willing to work closely with you on future proposals or initiatives in this area.

For
Robert C. Hill

Classified by Director, SCA
Declassify on 24 July 95

Document #11

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THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

22 DEC 1970

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Policy Regarding Use of Herbicides in South Vietnam

I want to report to you on the continuing actions we are taking, at your direction, to reduce the use of herbicides in Vietnam and to advise you that new steps will be taken so that there will be strict conformance in Vietnam with policies governing the use of herbicides in the United States.

The present ban on the use of the herbicide known as "ORANGE" remains in effect.

Additionally, Ambassador Bunker and General Abrams have advised that they are initiating a program which will permit an orderly, yet rapid phase-out of the use of other herbicides while preserving the option to reinstitute this program, if necessary, to assure the protection of American lives. During the phase-out, the use of herbicides in Vietnam will be restricted to remote, unpopulated areas or around firebases and US installations in a manner currently authorized in CONUS.

In short, any herbicides used in Vietnam henceforth will be used only under conditions which would apply in the United States.

As a result of new orders to the field, herbicide use in Vietnam will be such that the stresses and risks involved are no greater than those sustained by the United States population and the United States environment in normal peacetime activities.

I recognize, of course, that there could be some temporary risks to our forces as a result of these decisions. Should the military situation change as a result of an increase in the enemy level of activity, we would need, of course, to reassess this policy in order to assure the protection of American lives, particularly as we withdraw thousands of additional US military personnel from South Vietnam in accordance with your program.

Declassified by DHMB/ISCAP on 24 Jul 95

Document #12

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DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING
WASHINGTON, D.C. 20301

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UNCLASSIFIED

9 NOV 1967

Honorable Edward W. Brooke
United States Senate
Washington, D. C. 20510

Dear Senator Brooke:

This letter is in response to your inquiry of November 3rd in which you enclosed a letter from the Physicians for Social Responsibility, of Boston, Mass. I would like first to answer the specific questions applicable to the Department of Defense and then to offer some general information. I will repeat the question asked by the Physicians for Social Responsibility and give my answer to each.

1. It is our understanding that the current Army Field Manual FM 27-10, The Law of Land Warfare, states: "The United States is not a party to any treaty, now in force, that prohibits or restricts the use in warfare of toxic or nontoxic gases, of smoke or incendiary materials, or of bacteriological warfare." Is this the case?

Answer. This is a factual statement, correctly quoted.

2. Are the other branches of the Armed Forces officially guided by the same statement or a similar one?

Answer: The U. S. Navy, in NWIP 10-2, "The Law of Naval Warfare", Section 612 b, states:

"The United States is not a party to any treaty now in force that prohibits or restricts the use in warfare of poisonous or asphyxiating gases or of bacteriological weapons.

"Although the use of such weapons frequently has been condemned by States, including the United States, it remains doubtful that, in the absence of a specific restriction established by treaty, a State legally is prohibited at present from resorting to their use. However, it is clear that the use of a poisonous gas or bacteriological weapon may be considered justified against an enemy who first resorts to the use of these weapons."

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This statement applies also to the U. S. Marine Corps. The U. S. Air Force has no comparable regulation. In a joint Army-Navy-Marine Corps-Air Force Regulation, "Armed Forces Doctrine for Chemical and Biological Weapons Employment and Defense," the statement is made:

"3. Policies

a. The decision for U. S. Forces to use chemical and biological weapons rests with the President of the United States."

3. In December 1966 the United States voted in favor of a United Nations General Assembly resolution supporting the Geneva Protocol of 1925. In view of this, should not the language of the field manual quoted above be changed so as to emphasize international restraints on chemical warfare, rather than the lack thereof? Will this be done?

Answer: The restraint on CB weapons, and the requisite authority for their use is amply clear with the Armed Forces. There are no current plans for revision of FM 27-10.

4 & 5. These are, I believe, properly the province of the Department of State and the Arms Control and Disarmament Agency. However, you should know that we have been working with ACDA for several years in study of the very difficult technical problem of verification of CB disarmament.

6. What chemical agents are being used presently in the Vietnam war for anti-personnel, anti-crop, or anti-foliage purposes? Do the tactical advantages of their use outweigh such serious disadvantages as the weakening of international restraints against chemical warfare? Will the Administration order an end to their use?

Answer: Anti-personnel agents used are riot control agents. Two types have been authorized: CN (chloroacetophenone) and CS (orthochlorobenzilydene-malononitrile). The latter is used almost exclusively.

Anti-crop and anti-foliage agents are the same. They are: a mixture of the butyl esters of 2,4-dichlorophenoxyacetic acid and 2,4,5-trichlorophenoxyacetic acid, cacodylic acid and a mixture of 2,4 D and Tordon (4-amino-3,5,6-trichloropicolinic acid). All have been widely used for agricultural purposes in this and other countries.

We have repeatedly weighed the pros and cons of using these materials. We are convinced that their use is not only militarily advantageous but has resulted in saving many lives among civilians as well as in

our own and our adversaries' military forces. For these reasons we have no intention of discontinuing their use.

It hardly seems to me that the U. S. position on chemical and biological warfare is ambiguous. Our policy was stated forthrightly by President Roosevelt during World War II. It was honored by President Truman, it was reiterated by President Eisenhower, and it has been repeated publicly by many spokesmen of the present administration. These include Secretaries Rusk and McNamara as well as Ambassadors Goldberg and Nabrit. An explicit statement of the U. S. position was made last February by Deputy Secretary of Defense Cyrus Vance in testimony before the Disarmament Subcommittee of the Senate Foreign Relations Committee. He said:

"The Department of Defense has consistently supported measures aimed at achieving limitations on chemical and biological weapons.

"The proposal for general and complete disarmament tabled by the United States at the 18-Nation Disarmament Committee in Geneva states as an objective of our Government the elimination of all stock-piles of chemical and biological weapons and the elimination of all means of delivery of weapons of mass destruction.

"We supported the United States affirmative vote in the United Nations General Assembly last December on a resolution calling on all nations to observe the principles and objectives of the Geneva protocol of 1925. We have observed these principles consistently since 1925, although the United States, as you know, did not ratify the Geneva protocol.

"We have consistently continued our de facto limitations on the use of chemical and biological weapons. We have never used biological weapons. We have not used lethal gases since World War I and it is against our policy to initiate their use. We have used riot-control agents in Vietnam - agents similar to those used by police forces throughout the world. We have also used herbicides to destroy vegetation and crops in Vietnam.

"I have indicated that we seek international understandings to limit chemical and biological warfare and that we have not used weapons of the sort condemned by the Geneva protocol. I should also point out that we have at the same time maintained an active chemical and biological program. In the last few years we have placed increasing emphasis on defensive concepts and materiel. As long as other nations, such as the Soviet Union, maintain large programs, we believe we must maintain our defensive and

Incomplete

MEMORANDUM FOR CORRESPONDENTS

August 9, 1969

NSSM-59

Secretary of Defense Melvin R. Laird today issued the following statemc in response to queries about the DoD position on the pending McIntyre amendment.

On assuming the office of Secretary of Defense in January, I became concerned with the management and control of our chemical warfare and biological research programs. I felt that improvements were needed in the management and control of these programs. That is why in April I requested and the President ordered a National Security Council study of these matters. This study is in progress.

Pending the completion of the NSC study, I believe it is prudent that we act jointly with Congress and take actions, wherever possible, to improve the management and control of chemical warfare and biologica research programs.

Members of my staff, principally Dr. John S. Foster, Jr., Director of Research and Engineering, have been working in recent days with Senator Thomas J. McIntyre of New Hampshire, and with other members of the Senate Armed Services Committee, on a revised amendment to the pending Defense Authorization Bill.

I am in agreement with the goals of the new amendment, which the Senate is scheduled to consider on Monday.

I believe this revised amendment will allow us to maintain our chemical warfare deterrent and our biological research program both of which are essential to national security.

Document #14

The history of the use of lethal chemical warfare agents has demonstrated on three notable occasions in this century that the only time military forces have used these weapons is when the opposing forces had no immediate capability to deter or to retaliate. This was true early in World War I, later in Ethopia and more recently in Yemen. Clearly, failure to maintain an effective chemical warfare deterrent would endanger national security.

Because it would not always be possible to determine the origin of attack by biological agents, the deterrent aspects of biological research are not as sharply defined. A continued biological research program, however, is vital on two other major counts.

First, we must strengthen our protective capabilities in such areas as vaccines and therapy.

Secondly, we must minimize the dangers of technological surprise.

It is important that the American people be informed of why we must continue to maintain our chemical deterrent, conduct biological research, and how we propose to improve the management and control of these programs.