

United States Senate

COMMITTEE ON FOREIGN RELATIONS

12/9/74

The attached memorandum, prepared in the Executive Branch sets forth the compromise proposed on the scope of the Geneva Protocol agreed to within the Executive Branch.

It probably will be summarized in an unclassified version in Dr. Ikle's statement.

Dick Moose

Attachment

The President is prepared, in reaffirming the current U.S. understanding of the scope of the Geneva Protocol, to renounce as a matter of national policy:

- (1) first use of herbicides in war except use, under regulations applicable to their domestic use, for control of vegetation within U.S. bases and installations or around their immediate defensive perimeters,
- (2) first use of RCAs in war except in defensive military modes to save lives such as:
 - (a) Use of RCAs in riot control circumstances to include controlling rioting prisoners of war. This exception would permit use of RCAs in riot situations in areas under direct and distinct U.S. military control;
 - (b) Use of RCAs in situations where civilian casualties can be reduced or avoided. This use would be restricted to situations in which civilians are used to mask or screen attacks;

(c) Use of RCAs in rescue missions. The use of RCAs would be permissible in the recovery of remotely isolated personnel such as downed aircrews (and passengers).

(d) Use of RCAs in rear echelon areas outside the combat zone to protect convoys from civil disturbances, terrorists and paramilitary organizations.

Finally, the President, under an earlier directive still in force must approve in advance any use of RCAs and of chemical herbicides in war.

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COORDINATED QUESTIONS AND ANSWERS
SUPPLEMENTARY TO THE STATEMENT OF POLICY

QUESTION: Does the Administration contemplate uses of RCAs in defensive modes other than those you have stipulated?

ANSWER: We do not now contemplate any other uses. Should presently unforeseen circumstances in some future conflict create a possible requirement for any additional use, any such use to be authorized would have to be closely analogous to the uses I have identified.

QUESTION: Under the proposed policy on RCAs is it contemplated that RCAs would be used together with lethal fire to increase the latter's effectiveness?

ANSWER: No.

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QUESTION: Can you give us a definition of RCAs applicable to the proposed policy?

ANSWER: RCAs are only those agents accepted and used domestically in the U.S. for riot control and law enforcement purposes, as indicated in a Presidential directive.

QUESTION: What are some illustrative uses of RCAs to increase effectiveness of U.S. operations that will be prohibited under this statement of national policy?

- ANSWER:
- (1) Support assault of armed forces in heavily fortified positions or built-up areas.
 - (2) Attack enemy concealed or entrenched in fortifications, bunkers, caves, or tunnels.
 - (3) Replace combat units in blocking operations.
 - (4) Suppress small arms fire around helicopter landing zones.
 - (5) Suppress anti-aircraft fire.
 - (6) Support capture of prisoners for intelligence purposes.
 - (7) Reconnaissance by fire using RCA.
 - (8) Deny use of section of trail or roadnet.
 - (9) Deny use of potential ambush site.
 - (10) Deny use of food cache or food growing sites.

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