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SECRET/NODISNational Security Decision Memorandum

TO: The Vice President
 The Secretary of State
 The Secretary of Defense
 The Director, Central Intelligence Agency
 The Director, Arms Control and Disarmament Agency
 The Director, Office of Emergency Preparedness
 The Director, Office of Science and Technology

SUBJECT: United States Policy on Toxins

Following a review of United States military programs for toxins, the President has decided that:

1. The United States will not engage in the production of any toxins for operational purposes by bacteriological or biological processes. Moreover, the United States renounces the use of any toxins which have been so produced.
2. The United States military program for toxins produced by bacteriological or biological processes will be confined to research and development for defensive purposes only.
3. The United States will reserve the option to develop, stockpile and use in retaliation toxins produced by chemical synthesis. Notwithstanding paragraph 2 above, such laboratory quantities of bacteriologically or biologically produced toxins as may be required to develop means of chemical synthesis may be produced. The United States policy of no first use applies to toxins produced by chemical synthesis.

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4. The Secretary of Defense will submit recommendations concerning the disposal of existing stocks of toxin weapons and/or agents. These recommendations should accompany the recommendations pursuant to National Security Decision Memorandum 35 regarding the disposal of bacteriological/biological weapons.
5. The Under Secretaries Committee's annual review of United States chemical warfare programs and public information policy, as directed by National Security Decision Memorandum 35, will include review of United States military toxins programs.

Henry A. Kissinger

cc: Chairman, Joint Chiefs of Staff