

~~CONFIDENTIAL~~

E302a

IMPACT OF CWC ON DOD BW VACCINE PROGRAM

Interagency discussion of this issue to date has revealed differing interpretations of the current treaty text. The USG must reach agreement on the meaning and effect of the text if it is to adequately assess what the USG will be required to do, the mechanisms with which it may protect its sensitive BW vaccine program and the degree of certainty afforded by those mechanisms. The following questions require a USG position:

- A. Will the USG be required to declare the facilities where it weaponized toxins as "chemical weapons production facilities"?
- B. If so, what information must it provide?
- C. What is the likelihood of BT being placed on Schedule 1.
  - 1. Impact of Guidelines for Schedule 1?
  - 2. Impact of negotiating history on removal of BT from Schedule 2?
  - 3. Impact of "other" negotiating history?
  - 4. Impact of draft lists prepared for BWC verification feasibility study and Australia Group?
- D. Is toxoid production "protective purposes" or "medical" or "pharmaceutical"?
- E. Does the CWC allow the USG to unilaterally block a decision on substance by the Executive Council?
- F. Does the CWC provide the USG the ability to unilaterally block decisions by the Preparatory Commission on detailed procedures for verification and for the conduct of inspections; models for facility agreements and the lists of approved equipment for inspection?

DECLASSIFIED  
BY JS  
10/09/09

~~CONFIDENTIAL~~