

DECLASSIFIED

E.O. 12958, as amended, Sect 3.5

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

NSC/Souters to Smith 09/06/2002
Date 02/13/07

~~TOP SECRET/NODIS~~

January 28, 1970

National Security Decision Memorandum 38

TO: The Vice President
 The Secretary of State
 The Secretary of the Treasury
 The Secretary of Defense
 The Attorney General
 The Secretary of Commerce
 The Director of Emergency Preparedness

SUBJECT: United States Policy Toward Southern Africa

Based on the meeting of the National Security Council on December 17, the President has made the following decisions with regard to U. S. policies toward Southern Africa:

1. Our Consulate in Salisbury, Rhodesia, will be retained so long as the legal question of U. S. recognition does not arise. If this question does arise -- through British withdrawal of accreditation or by the Rhodesians' raising the question of the Consulate's status -- the President will review our policy.
2. With regard to the issue of imports of chrome from Rhodesia, the Departments of State, Treasury, Justice and Commerce should study the Union Carbide case under the chairmanship of the Justice Department to clarify its status under present regulations, with interdepartmental differences to be resolved by Justice. This study should be submitted to the White House by February 15. With this case clarified, the more general issue of our policy on imports of Rhodesian chrome should be presented again to the President for decision.
3. Naval vessels should continue through 1970 to limit calls at South African ports to emergencies only.
4. The arms embargo on South Africa will be maintained.

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5. Non-lethal equipment which has dual civilian and military uses will be excepted from the arms embargo on Portugal.

6. Southwest African issues should be played down at the U. N. to head off the prospect of a U. S. veto, until the situation clarifies. Once the outcome of the U. N. Security Council debate is clear, the issue may be presented again through the NSC system to the President for long-range decision.

7. The President has directed that individual provisions of this NSDM be communicated for purposes of implementation strictly on a need-to-know basis. He expects the security classification and very limited dissemination of the memorandum as a whole to be observed scrupulously.


Henry A. Kissinger

cc: The Chairman, Joint Chiefs of Staff
The Director, Bureau of the Budget
The Administrator, National Aeronautics
and Space Administration