

DECLASSIFIED  
E.O. 12958, as amended, Sect 3.5  
NSC/Soubers to Smith/09/06/2002  
By            Date 02/04/07

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

~~SECRET~~

April 21, 1971

National Security Study Memorandum 125

TO:           The Secretary of State  
              The Secretary of Defense  
              The Secretary of Commerce  
              The Secretary of Interior  
              The Director of Central Intelligence

SUBJECT:     U.S. Ocean Policy

The President has directed that a study be undertaken on measures for the achievement of U.S. ocean policy objectives as outlined in NSDM 62 and the President's statement of May 23, 1970 in the light of overall U.S. interests.

Particular attention should be given to the actual and potential jurisdictional claims of coastal or archipelago states such as Brazil, Chile-Ecuador-Peru, the Philippines, Indonesia, Japan, Spain, Great Britain, Iceland and Canada. The study should set forth possible U.S. policy choices regarding the handling of such claims which would limit the use of the surface, sub-surface, and airspace of international straits or of waters adjacent to a coastal state, and which would be contrary to U.S. policies on territorial seas and seabeds as outlined in NSDM 62 and the President's statement of May 23, 1970. Such claims may be to full jurisdiction or may be lesser in nature (e.g., claims of jurisdiction to prevent pollution and certain fisheries claims). The study should evaluate the impact on our strategic and other interests of the assertion of such claims and their possible acceptance by other nations.

In presenting the options for the United States with respect to these various law of the sea matters, the advantages and disadvantages of each of the policy choices should be clearly set forth. Any issue on which there is interagency disagreement should be identified, accompanied by a thorough discussion of differing views.

The study should be conducted by an Ad Hoc group within the framework of the Inter-Agency Law of the Sea Task Force under the chairmanship of the representative of the Secretary of State with participation by

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representatives of the addressees of this memorandum and a representative of the Assistant to the President for National Security Affairs. The study should be submitted to the Assistant to the President for National Security Affairs for consideration by the Senior Review Group not later than June 15, 1971.

This study does not supersede the February 10 request to the Secretaries of State and Defense for a memorandum for the President on the fisheries dispute with Ecuador and other South Pacific nations. This latter memorandum should be forwarded at the earliest possible date.

A handwritten signature in black ink, appearing to read "Henry A. Kissinger". The signature is fluid and cursive, with a long horizontal stroke at the end.

Henry A. Kissinger

cc: Chairman, Joint Chiefs of Staff