

2 Experts Back Ban on Tear Gas and Sprays in War

By JOHN W. FINNEY

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WASHINGTON, March 26—Two scientific consultants to the executive branch differed with Administration policy today by arguing that it was in the interest of the United States to accept an international ban on the military use of tear gases and herbicides.

Their basic argument was that if the United States refused to agree with the outlawing of the military use of such chemicals, the refusal would be an inducement to less wealthy nations to turn to chemical and biological warfare as an offset to the military power of the United States.

This argument was presented to the Senate Foreign Relations Committee by Dr. Matthew S. Meselson, professor of biology at Harvard University, and Dr. Donald G. Brennan, an arms-control specialist at the Hudson Institute, which does studies and research for the Government.

Dr. Meselson, who is regarded as one of the leading academic authorities on chemical and biological warfare, serves as a consultant to the United States Arms Control and Disarmament Agency. Dr. Brennan, who in the past has generally

supported Administration military policy, has served as a frequent consultant to the Defense and State Departments.

Their testimony concluded the Senate committee's hearing on the Nixon Administration's request that the Senate give its consent to ratification of the 1925 Geneva protocol banning chemical and biological warfare.

The committee will consider next week how to proceed with the treaty. But for the moment, Senator J. W. Fulbright, Democrat of Arkansas, the committee chairman, clearly indicated that he was in no hurry to approve the treaty. The Administration's interpretation of the treaty is that it would not preclude future use of riot-control gases and herbicides, both of which have been used by the United States in the Vietnam war.

Rather than "rushing through" the treaty or having a "confrontation" with the Administration, Senator Fulbright told reporters that he was inclined to lay the protocol aside "for a while" to give the White House a chance to reconsider its exemption of tear gases and defoliants.

His position, Senator Ful-

bright said, was strengthened by the testimony of the final two witnesses that it would be in the military self-interest of the United States to ban the two types of chemicals.

Delay Is Fought

As a countermove, the State Department is actively lobbying among Senators and their aides against a delay in Senate action on the treaty.

A State Department paper, used as a basis for a briefing of Senate aides yesterday, argued that, "Other countries would prefer to see us ratify the protocol with the long-term U.S. understanding of it rather than to fail again to ratify the protocol."

The only international interpretation of what the treaty

covers is in a resolution of the United Nations General Assembly, approved in 1969 by a vote of 80 to 3. It says that tear gases and herbicides are prohibited. Of the major powers that have ratified the treaty, only Japan and Britain have excluded tear gases.

Dr. Meselson said that the military value to the United States of riot gases was "very low," and their use "runs directly counter to our overriding security interest in preventing the proliferation and use of biological and lethal chemical weapons."

"Proliferation," he said, "would provide forces less wealthy and sophisticated than the United States with greatly enhanced capability for threat, harassment and destruction."