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DEPARTMENT OF STATE

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Memorandum of Conversation

DATE: Nov. 1, 1975 1:00 PM
Secretary's Office

Romanian

SUBJECT: Military Sales to Romania

PARTICIPANTS: The Secretary
Helmut Sonnenfeldt, C
Thomas Stern, Deputy Director, PM
George H. Aldrich, Deputy Legal Adviser, L
James H. Michel, Assistant Legal Adviser, L/PM
Ralph H. Jefferson, Deputy Director, DOD/CA
Nicholas G. Andrews, Director, EUR/EE

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The Secretary: Sorry to have kept you waiting. I didn't know we were going to have such a big meeting. What are the Romanians asking for?

Sonnenfeldt: They have given us a shopping list which contains twelve types of equipment.

The Secretary: Why do you think they want it?

Sonnenfeldt: Presumably they feel they need it; they feel they are not getting what they want from the Soviets. They presumably want to diversify their sources of supply. It probably has a symbolic significance for them.

The Secretary: Do they want this on cash or credit?

Andrews: They have given no indication.

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Sonnenfeldt: They have not said

The Secretary: Can we do this legally?

Aldrich: It is not flatly illegal. There is no specific prohibition in the Battle Act because it was assumed that the US wouldn't want to do this, and the Act was aimed at preventing our allies from doing this. It doesn't say explicitly that we can't do this. If we do it, it would create political problems but not legal ones. The reasons are:

First, we would have difficulty in COCOM with our allies.

Secondly, the President would have to determine that providing this equipment under Foreign Military Sales would strengthen the security of the United States and promote world peace.

Thirdly, the question would be how quickly Congress would come back and stop it.

The Secretary: I think the COCOM problem would have to be weighed. Would all the equipment be subject to COCOM?

Sonnenfeldt: They are all highly technology items.

The Secretary: How would the Russians react?

Sonnenfeldt: They wouldn't like it, but they probably wouldn't do anything.

The Secretary: There's one option of giving them this equipment if the Russians are involved with one of our allies. What do you have in mind?

Sonnenfeldt: If the Russians, for example, provided military equipment to Portugal, which doesn't seem very likely at the moment.

Stern: There have been reports that the Turks might be dealing with the Russians.

The Secretary: Do we owe them an answer?

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Sonnenfeldt: Yes. This came up when their Chief of Staff was here several months ago.

The Secretary: Is there anything attractive about putting it off?

Aldrich: This would be useful in Congressional terms because the Foreign Assistance package has just gone up. Putting it off would be helpful.

The Secretary: The choice then is between temporizing and turning it down. They are in the same situation as the Egyptians and their arms package.

Sonnenfeldt: We can do the communications equipment for Ceausescu's aircraft.

The Secretary: I already approved it.

Sonnenfeldt: This would show our good faith. We can look into what can be done commercially.

Michel: The advantage of commercial sales is that they don't require a Presidential determination.

Andrews: Ambassador Barnes favors the temporizing option because he would like to explore the Romanian rationale for coming to us.

The Secretary: Is someone from DOD here?

Jefferson: Yes.

The Secretary: What does DOD think?

Jefferson: DOD has no particular preference as between temporizing and turning it down.

The Secretary: Why doesn't DOD want to do it?

Jefferson: Largely because of COCOM where we have interests which are much more important than this case.

Stern: COCOM is a very indiscriminating weapon. This list of materiel impacts on DOD readiness.

The Secretary: Obviously we wouldn't strip the military readiness posture. Which items would impact?

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Stern: TOW. Redeye. Stinger.

Sonnenfeldt: Items 5 through 7.

The Secretary: Yes. We don't have to answer it right away?

Sonnenfeldt: We don't have to. We can say we will study it.

The Secretary: My inclination is to temporize.

Michel: We shouldn't temporize in a way which would arouse expectations which we could not fulfill.

The Secretary: What price do we pay if we do not fulfill them?

Stern: How about the space research items?

The Secretary: I would give them that if we can do it.

Sonnenfeldt: We tell them that we can do the communications equipment and we are looking into the space research things.

The Secretary: And the military items presents us with very grave problems. All right. Sorry to have kept you waiting.

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