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MEMORANDUM

26897

THE WHITE HOUSE  
WASHINGTON

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ACTION  
March 25, 1971

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger *HK*  
SUBJECT: Military Cooperation with France

THE PRESIDENT HAS SEEN...  
*[Signature]*

We have completed an interagency review of some current issues involved in further military cooperation with France, which Pompidou raised with you generally last year. Three issues -- all raised at French initiative -- have been reviewed: (1) a relaxation of our policy of imposing restrictions on the export of "advanced" US computers for use in French nuclear weapons programs; (2) some technical assistance to the French ballistic missile program; and (3) cooperation in the exchange of information in the field of nuclear safety.

1. Computer Restrictions

The previous administration imposed a restriction on the export to France of any "advanced" computers. This restriction, still in force, requires the French government to present us with a certificate pledging not to use the computers in French nuclear weapons laboratories. We have no means of verifying whether this pledge is maintained. Foreign Minister Schumann officially asked Secretary Rogers at the time of the Pompidou visit last year that we drop this restriction.

The issues are:

- whether we can meet the French request without violating the spirit or letter of the Limited Test Ban Treaty;
- if not, whether we could redefine "advanced" computers so as to relax the restriction, since a new generation is coming along in any case; and
- what return, if any, we could expect from France.

The arguments for removing or relaxing our restrictions are:

- that they are a needless irritant in Franco-American relations, which in practice has not and will not inhibit French nuclear development;

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-- foreign computers of equal power to some of our advanced models can now be purchased by France from Germany or Japan;

-- we apply no restriction such as this on any other country, and the French are justified in arguing that this is an unfriendly discrimination;

-- computer technology changes rapidly, and with the advent of new models our old definition of "advanced computers," which applies to our export controls as well as our restrictions on the French, will probably have to be revised.

The arguments against changing our policy are that some may view it as a Test Ban Treaty violation, although this is debatable, and France is not likely to be accommodating in its attitude toward NATO or on other major international issues because of a concession on this particular issue.

Our choices are

-- maintain current restrictions;

-- redefine the level of power for "advanced" computers so that France will receive some of the newer models without restriction;

-- drop our restrictions entirely.

State and ACDA favor retaining our restrictions, but do not hold strongly to this view. Defense would relax our policy somewhat, but not entirely, in order to avoid possible difficulties with the Joint Committee on Atomic Energy.

RECOMMENDATION

There does not seem to be a major gain for us in this issue. In light of continuing difficulties with the French on such issues as Laos, we are under no obligation to bend over backward to accommodate France on an issue that might create problems with the Congress.


At the same time, since this is in effect a test of whether, in fact, we are prepared for more cooperation with France, we should avoid a complete rebuff of the French.

A logical compromise would be to redefine "advanced" computers so that the French will have access to some of the newer models for their weapons laboratories, while we will still maintain the spirit of our Test Ban Treaty obligations.

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1. Approve redefinition of advanced computers 
2. Drop restriction entirely \_\_\_\_\_.
3. Make no change in current restrictions \_\_\_\_\_.

2. Missile Assistance

Following your conversation with President Pompidou, you directed the Department of Defense to explore some outstanding French requests for technical assistance in their ballistic missile programs. The French subsequently submitted more detailed requests for the kind of assistance they wanted.

An important argument against cooperating with the French is possible prejudice to our SALT position, in light of Soviet proposals to prohibit any direct or indirect assistance in development of strategic weapons to third countries. A second argument is that once we enter this area of discussion, we may face more increasingly ambitious requests which could not be met without adopting a completely new policy of major assistance to the French strategic program.

The arguments for some cooperation relate to the limited nature of the French request. One category of items includes rather routine technical data covering such questions as missile reliability, quality control, etc., which would not represent major assistance and would probably not provoke Soviet reactions in SALT.

Another category of items, however, would involve us in improving French missile guidance and accuracy, which is quite sensitive.

The Department of State opposes any assistance, mainly because they see no quid pro quo, and are concerned over possible jeopardy to the SALT talks. Defense would extend cooperation only in those items described as the first category above.

The choices are:

- refuse any cooperation with France in the missile field;
- extend cooperation, but limited to non-sensitive items;
- extend cooperation in all fields requested by the French.

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RECOMMENDATION

There is little to be gained at this time by engaging in full cooperation. On the other hand, since we initiated the exploratory talks following the Pompidou visit, we probably cannot afford to be totally negative.

We could therefore proceed on the basis of those French requests which are not strategically sensitive, but in doing so inform the French that our cooperation will remain limited.

1. Approve limited assistance \_\_\_\_\_
2. Refuse any cooperation \_\_\_\_\_
3. Cooperate in exchanges on all items raised by French \_\_\_\_\_

3. Nuclear Safety

This issue is rather straightforward and non-controversial. The French intimated that they would be interested in resuming exchanges of data on safety procedures and devices for nuclear weapons; previous exchanges were broken off in 1963. As long as no sensitive Restricted Data information is involved we can be accommodating, and this is supported by all agencies as clearly in our interest.

RECOMMENDATION

That you authorize the opening of exchanges on nuclear safety, subject to limitation on the kind of information we can supply.

Approve \_\_\_\_\_  
Disapprove \_\_\_\_\_

\* \* \* \* \*

In each instance a minimal response has been recommended. Taken together, however, they do amount to a more forthcoming position which is consistent with your conversations with President Pompidou. On this basis we will have made a political gesture to Paris without involving us in a major change of nuclear policies toward third countries. Later, however, we will want to take up the question of Anglo-French nuclear cooperation, and what role we might want to, or be called on, to play should it become a live issue. However, we should probably await the outcome of the British negotiations on entry into the European Community before addressing this question.

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If you concur in these recommendations, I will issue the NSDMs to inform the interested agencies. Since the questions of computer and missile assistance are politically sensitive, they would be dealt with in a separate NSDM (Tab A), and a second directive would treat the exchanges on nuclear safety (Tab B).

RECOMMENDATION

That you authorize me to inform the agencies of your decision in the attached NSDMs (Tabs A and B).

Approve 

Disapprove \_\_\_\_\_

See me \_\_\_\_\_

*I favor moving  
more openly  
as V. Nam  
winds down*

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NATIONAL SECURITY COUNCIL  
Washington, D. C. 20506

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National Security Decision Memorandum

TO: The Secretary of State  
The Secretary of Defense

SUBJECT: Military Cooperation with France

The President has considered the questions studied in NSSM 100 and discussed by the Senior Review Group concerning certain areas of possible military cooperation with the French Government. He has made the following decisions:

Advanced Computer Export Restrictions

1. The Secretary of State is directed to inform the French Government, in reply to the request of Foreign Minister Schumann, that we cannot rescind entirely our restrictions on the export of advanced computers for use in French nuclear weapons laboratories. However, we will redefine "advanced computers" so that in practice some of the models currently falling under the restrictions on end-use will become available without any restrictions. Pending such a redefinition, which will be completed expeditiously, current restrictions will continue in force.

2. The Under Secretaries Committee is directed to prepare by April 7, 1971 for the President's approval a recommended new definition of advanced computers. In practice the new definition should permit, without special letter of assurance, the export to or assembly in France of all computers whose strength is rated below that of the IBM 370/165. For the export to France of the latter computer, as well as more powerful machines, a special letter of assurance will continue to be required. This new definition will meet the special circumstances of France, and it is not intended to apply to export controls in general.

Missile Assistance

3. The Secretary of Defense is directed to continue discussions concerning assistance to the French ballistic missile program. We will provide assistance but limited to those items which the Secretary of Defense, in

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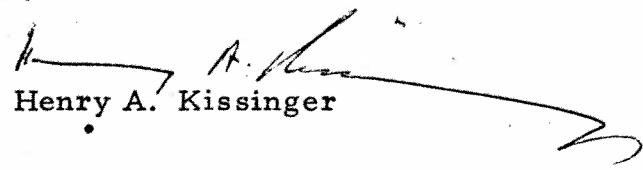
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coordination with the Secretary of State, determines will not jeopardize the security of our own weapons programs or provide France with a distinct new capability in such areas as guidance systems, missile accuracies, or re-entry vehicle hardening.

4. The French Government should be informed that there will be definite limits to our technical assistance.

5. Should issues arise that are not covered by this memorandum, the Secretary of Defense will submit them with his recommendations to the President for decision.

6. The Secretary of Defense will submit to the President periodic reports on the status of missile assistance to France.

  
Henry A. Kissinger

cc: Director of Central Intelligence  
Director, Arms Control and Disarmament Agency  
Chairman, Joint Chiefs of Staff

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National Security Decision Memorandum

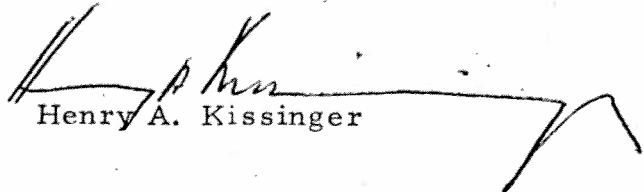
TO: The Secretary of State  
The Secretary of Defense

SUBJECT: Cooperation with France on Nuclear Safety

The President has directed that discussions with the French Government concerning nuclear safety be reopened. He has decided that we should be prepared for an exchange of unclassified and classified information relating to nuclear safety up to, but not including Restricted Data. Information on nuclear safety standards, safety devices and procedures, safety design and command and control arrangements can be shared with the French consistent with the above security limitation.

In this connection the President desires that:

1. The Secretary of Defense in coordination with the Secretary of State and the Chairman of the Atomic Energy Commission (a) arrange to inform the French Government of our willingness to discuss with them an information exchange on nuclear safety; and (b) be responsible for determining the specific areas of nuclear safety on which we might share information with France on the basis of the above security guidelines.
2. The Secretary of State in consultation with the Director of the Arms Control and Disarmament Agency determine whether any constraints might be placed on such cooperation by our obligations under the Limited Test Ban Treaty and the Atomic Energy Act.
3. The Chairman of the Atomic Energy Commission inform the Joint Committee on Atomic Energy of our willingness to resume discussions with the French in this area, and that no exchange of Restricted Data will be involved.

  
Henry A. Kissinger

cc: Director of Central Intelligence  
Chairman, Atomic Energy Commission  
Director, Arms Control and Disarmament Agency  
Chairman, Joint Chiefs of Staff

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