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Authority EO 12958

By AR NARA Date 2/4/04

27434

MEMORANDUM

NATIONAL SECURITY COUNCIL

TOP SECRET/SENSITIVE

URGENT
ACTION
April 8, 1971

MEMORANDUM FOR MR. KISSINGER

FROM: Helmut Sonnenfeldt

SUBJECT: Follow-up on Military Cooperation with France.

Hal Hawk
Wants Tab A
Review
APR 10 1971

This whole subject remains a highly controversial one within the Government and the President's commitment has not been properly communicated to the agencies. Mishandling of this first batch of decisions -- within the Executive, with the Congress and with the Allies, especially the UK -- could produce a situation in which the President's wishes could well be negated and our interests damaged.

I would hope that you could give this subject prompt consideration so that matters will be handled in a disciplined manner, consistent with the President's policy and with the undoubted complexity and sensitivity of the subject.

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Three operational issues have arisen which require follow-up guidance on NSDM's 103 and 104 regarding military cooperation with France (copies of the NSDM's are at Tab B).

THE ISSUES

1. Congressional consultations: Per instructions in NSDM 104, the Atomic Energy Commission has already informed the Joint Committee on Atomic Energy by letter of our willingness to resume discussions with the French on nuclear safety. This was the only contact the President had authorized with the Joint Committee. However, we have now learned that the Assistant to the Secretary of Defense for Atomic Energy Affairs, Dr. Carl Walske, has taken it upon himself to tell the Joint Committee staff of the other decisions regarding technical assistance to the French missile program, and making more powerful computers available to French weapons laboratories. While we do not know the details, we understand that the Joint Committee staff is favorable on the proposed nuclear

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safety exchange but has some questions about the computer issue. Their reaction on missile assistance is unknown; details have probably not yet been communicated to them.

This breach of the NSDM guidance regarding consultations with the JCAE, plus the possibility that information on these decisions could leak to other Congressional committees and the press, emphasize the need for a reminder about the security classification of these NSDM's and the need to clear any Congressional or other agency consultations at the White House. The memorandum from you to the Secretaries of State and Defense at Tab A accomplishes this.

2. Informing the French: The Defense initiative with the Joint Committee reinforces our need to inform the French of our decisions immediately before any leaks occur here. State has been properly holding up on the computer issue pending interagency agreement on the technical redefinition of "advanced computers." This is now nearly complete, and a memorandum to you from the Under Secretaries Committee is expected next Tuesday. But, as far as we know, State has not yet decided on the channel to use to inform the French. Defense is preparing a letter from Foster to Blancard on the missile questions, to be followed up in a Foster visit to Paris in early May, but they are holding up on nuclear safety until they get agreement on the specific kinds of information we can share with the French.

In all of these cases, consistent with the President's decisions, we need to urge State and Defense to inform the French as soon as possible. Your memorandum at Tab A also conveys this message.

3. Shall we inform the British? Elements in State and Defense believe we should tell the British of our proposed cooperation with France. They rest their case on the so-called Mildenhall agreement and Hillenbrand letter in October, 1969 (Tab C) (cleared by you) under which we agreed to keep the British informed of any "nuclear defense cooperation" we might contemplate with the French, and the British agreed likewise. Although there is no precise record, Secretary Rogers gave some oral assurance to Sir Alec Douglas Home about our intention to consult when the two met at Dorneywood and Chequers in July, 1970 (see August, 1970 Hillenbrand-Galloway exchange, also at Tab D). Moreover, it appears that Foster -- without consulting anybody -- probably advised the UK Ministry of Defence of his June, 1970 talks with Blancard on possible US missile assistance to the French. A recent cable from London (also at Tab D), relating to unsubstantiated press stories about a possible Heath approach to Pompidou on nuclear cooperation, further supports the impression that the British consider the Mildenhall agreement still valid.

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Let's do it.

Find out how this happens

2. should we inform Pompidou through the French just. Please draft back to him

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While the assistance we are contemplating with the French in the computer, missile, and nuclear safety fields is not strictly speaking "nuclear cooperation", there are nevertheless some good reasons for keeping the British informed -- especially if we want them to keep us posted on any nuclear conversations with France. This would also be consistent with the kind of relationship the President is developing with Prime Minister Heath. (You also made a personal commitment to Healey which Carrington may be aware of.)

If you agree that we should tell the British, the question then becomes, what, when and through what channel. These matters should be promptly addressed by the USC and the attached memorandum (Tab A) so directs.

RECOMMENDATION

1. That you sign the memorandum to the Secretaries of State and Defense at Tab A.
2. That you consider especially paragraph 3 of Tab A (Allied consultation) and decide whether to include it.

Include _____

Don't include HK

Other guidance on UK _____

Inform them - I'll do
to with corner

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