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DEPARTMENT OF STATE

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SECRET

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The Secretary's Regionals' and Principals' Staff Meeting, Monday, December 23, 1974, 8:00 a.m.

- pp. 2-4 The Cyprus talks. The Secretary directed that the USG not be drawn into comments on every round of the Nicosia talks.
- p. 4 The Secretary asked E to warn Walter Levy against appearing to be a US spokesman or negotiator.
- pp. 5-8 The joint commissions and E's planned reorganization. The Secretary asked that he move ahead with Iran pointing toward a March meeting. The Saudi commissions and the Labor Department role.
- pp. 8-9 The Secretary asked to see the Chilean change.
- pp. 9-10 The Secretary told Waldheim he would review the PRG office in Geneva issue until Tuesday. He asked that IO inform Waldheim we maintain our view.
- pp. 10-19 The PRG accession to the Laws of War Convention. The Secretary asked that he be informed by EB on the status of ex-POW Doug Ramsey. He asked that the note on PRG accession be rephrased and cleared with Saigon on an urgent basis.
- pp. 19-21 Kenyan request for military aid. The Secretary asked that consideration be given to lifting the Africa aid ceiling. He asked that PM review the possibility *for Kenya*.
- pp. 21-23 The Mali-Upper Volta border-scuffle. The Secretary asked to let it wait a day.
- pp. 24-35 Arms (TOWs) for Chile is still hung up in DOD, whose lawyers are studying commercial sales. The Secretary asked for a response by COB and indicated a willingness to contest the legislative position.

SECRET - GDS

SECRETARY KISSINGER: Where did Mali get its arms from?

MR. EASUM: They have had some for a long time from the Soviets. Earlier than that from the French. They are infinitely better armed than the Voltans are. They have also been in dire need of our economic assistance, and although one wouldn't lecture to them, one might suggest they are prejudicing a continuation of this kind of aid --

SECRETARY KISSINGER: Who -- the Voltans?

MR. EASUM: No -- the Malians. --- by attack on the Voltans, which appears to be completely unreasonable and unprovoked.

SECRETARY KISSINGER: How much have they taken?

MR. EASUM: They are skirmishing across the border. Can't say yet they have taken anything as such.

SECRETARY KISSINGER: Let's give it a day and see what happens.

MR. HABIB: Are they taking it to the UN?

MR. EASUM: Not yet.

SECRETARY KISSINGER: Let's let it go a day, shall we?

Bill, you were going to tell me today what we are going to do about Chile.

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MR. ROGERS: Yes. We have a number of things worked out in terms of the TOW issue. The major issue is as yet unresolved, which is whether TOWs can be supplied on a commercial basis.

SECRETARY KISSINGER: Can the President make that decision?

MR. ROGERS: Well, it is still in the bowels of the Department of Defense lawyers.

SECRETARY KISSINGER: It is coming out of there. I am going to call Schlesinger today. We are going to have it by the end of today or by tomorrow. If lawyers are like other human beings, they are going to make their decision in some two-hour period.

MR. ROGERS: The major question arises because evidently a part of the guidance system is manufactured in a government arsenal. Carl and I have been hassling about this.

MR. MAW: We have no problem with the sale, except getting it out of the government arsenal. We haven't figured out how to do that yet; that part that is in the government.

SECRETARY KISSINGER: Getting it out of the government arsenal?

MR. MAW: Getting a sale from the government. That is the only legal problem. The rest has been cleared.

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We have got to come up with a solution on this in the next day or so. It is partly political and partly --

SECRETARY KISSINGER: What is the political problem?

MR. MAW: Because we take the construction that the government may make this sale. It is against the literal wording of the statute, but within the intendment of the conference report. And we don't want to get a backlash too fast out of the Congress if we can help it.

SECRETARY KISSINGER: I am perfectly willing to have a backlash from the Congress on the national interest.

MR. MAW: It is one man -- Kennedy.

SECRETARY KISSINGER: I am perfectly willing to have a backlash from the Congress, as long as we know it is right.

MR. MAW: It is right from the national interest. The only question is whether we can justify the legal construction we want to put on. His amendment is fuzzy and deliberately fuzzy.

MR. ROGERS: Well, look -- let's wait until we get the TOW answer today.

SECRETARY KISSINGER: Are you going to get it today?

MR. ROGERS: Yes. If we don't have it by close of

business, we will come to you and say that we cannot get a decent answer out of them, let's go all the way. By the close of business we will come to you.

SECRETARY KISSINGER: If we are going to be taken on in Congress, we will have to have a public fight about it. I intend to make a public fight about it anyway, over the aid to Chile question. I just do not think we can continue to let the Congress legislate in this manner, without the most dire consequences for our foreign policy. I don't see where a military government can go if we cut them off from arms, except either being overthrown or going to some radical group for arms. And that can't be in anybody's interest. If we hadn't had relations with the Chilean military when Allende -- I am not talking about the coup, but throughout the Allende period, we had to keep our relations with the Chilean military as a counterweight. We never cut off aid to them while Allende was there. So now while they are in power, we cut off aid to them. It is insane.

MR. ROGERS: It is insane. But, Mr. Secretary, it does reflect an extraordinarily strong feeling amongst the Congress, as you well know.

SECRETARY KISSINGER: And therefore we have to take on that strong feeling.

MR. ROGERS: You can go to the mat on it now if you want to. And I predict you will have a hell of a fight on your hands come January. Or we can wait a little bit, hope to see the kind of progress on the human rights issue that they are promising us now, and have a better case on the question.

SECRETARY KISSINGER: And then they will put on another restriction any time they want something else. It just proves their point.

MR. ROGERS: Yes. Congress is in the game now. There is no question about it.

SECRETARY KISSINGER: It depends on what Congress should be in the game on. Policy direction is essential. They have to be in the game. And it is our duty to keep them informed and bring them along. Day-to-day tactics, they must not be in. And many administrations are going to suffer from it if we keep caving on that. I tell you, this would never have happened if I had understood what was going on. I would have not permitted it to happen. I would have gotten the President and myself into the fight.

MR. MAW: Unfortunately we didn't get to the point until the conference report came out, and we got double-crossed there. Then it was a little late to do anything effectively. A veto wouldn't work.

SECRETARY KISSINGER: Why not?

MR. MAW: Because then we would have no bill.

SECRETARY KISSINGER: That is not the most effective threat. Two can play that game.

MR. MAW: We would have the same thing on a continuing resolution. They have the votes.

SECRETARY KISSINGER: I was told that about the Greeks, too.

MR. MAW: They demonstrated theirs on the roll call, which we tried to avoid. We had a deal with them, with the Greeks, if we didn't have a roll call, then they would give us a date yet to be negotiated --

SECRETARY KISSINGER: And we still won. We still got it.

MR. MAW: But the Greek thing, we also thought we had a deal.

SECRETARY KISSINGER: I don't rely on deals with the Congress.

MR. MAW: Humphrey was in charge. And he says the only way to pass the bill --

SECRETARY KISSINGER: If we take the position that we are going to do unreasonable things, that are clearly wrong, just because it is the best bargain we can strike, we are going to be driven back, and we are

never going to articulate the national interest, which is our job.

MR. MAW: We were to get the right to make sales - a statement in the conference report indicating that is the way the statute should be read. Unfortunately Kennedy got the word "sales" in the statute, and we couldn't get it out in conference. So we were stuck with something the last minute. Now we can construe, I hope, the statute in the line of the conference report, the fact that nothing was said on the floor of the Senate or House in derogation of this.

SECRETARY KISSINGER: My argument is this is a disastrous course no matter what we do on human rights. And to follow your road is to go exactly the wrong way from the long-term point of view, even if it might work with Chile. If my experience is any guide with the Congress, the minute you go back to them and say they have released 2,000, they will say when they release the next 5,000 they will do it.

MR. MAW: We should have gone right back to Kennedy.

SECRETARY KISSINGER: You cannot go back to Kennedy on Chile. I know Kennedy. He can't afford to change.

MR. ROGERS: He won't change. And there are an awful

lot of Democrats on the Hill this coming session who want to go to the mat on the issue of human rights and want to make a fight about it. It is very hard to make a national interest argument on Chile.

SECRETARY KISSINGER: Until there is a Communist government there, or a wildly nationalistic one.

MR. ROGERS: Even. And the human rights issue has caught the imagination up on the Hill, as you well know, Mr. Secretary, and amongst the American people. One image they see of Chile --

SECRETARY KISSINGER: Now among the American people, when you present it correctly. Anti-foreign-aid has caught the imagination of the American people. So any argument that cuts off foreign aid to anybody, they are in favor of.

MR. HABIB: I think the Christian community is getting caught up in an organized way on the human rights issue with --

SECRETARY KISSINGER: For Korea, yes.

MR. MAW: Humphrey was convinced that he couldn't beat Kennedy on the floor by a long shot.

SECRETARY KISSINGER: Of the Senate.

MR. MAW: Or the House. And that was --

SECRETARY KISSINGER: If it happens in Chile now,

then it will be Korea next year. There isn't going to be any end to it. And if we are going to wind up in an unbelievable precarious position, in which no country can afford to tie up with us, unless it is a pure democracy, then we will find some other reasons.

MR. HABIB: We will get it in the Philippines, in Viet-Nam.

MR. ROGERS: My diagnosis of the reason they stuck it on the Department in this case is because they didn't think we were sincere on the human rights issue. That is what they all told me. And my suggestion is one way to be sure you maintain discretion in these areas and to avoid these kinds of amendments --

SECRETARY KISSINGER: If I understood it, if it were a question of sincerity, I could have talked to some of them.

MR. ROGERS: I thought you were going to talk to Kennedy.

SECRETARY KISSINGER: I talked to Kennedy and it was always clear to me -- I know Kennedy. You can't deal with him on Chile. Never had any intention of dealing with him on Chile.

MR. ROGERS: The others you would have had to convince are Gale McGee. I talked to him. He said, "We are stuck

with this. I can't lift a finger on this. We can't win this in the committee, on the floor, in the Congress."

SECRETARY KISSINGER: I think I can convince Gale McGee.

MR. ROGERS: I think if we said "You have to go to the mat on it," he would have done it. But he was absolutely persuaded he would have lost.

SECRETARY KISSINGER: There is a more fundamental problem. It is a problem of the whole foreign policy that is being pulled apart, pulling out thread by thread, under one pretext or another. And it is an absurd argument to say Chile doesn't make any difference, because Chile then affects two or three other countries. And the beauty of all these actions, as far as the Congress is concerned, is you pay three or four years down the road. We cut off aid to Turkey once or twice more and we might just as well write Turkey off, whether or not Congress puts it back in there, because the Turkish military are not going to put themselves in that position any more. They are going to look for alternative ways. It may take them two years to find one, at which time it is forgotten who did it. And all these beautiful congressional compromises, no one will ever do anything about. That is why we have to

make a stand now. If we lose, we lose. At least we will have defined what the issues are. I don't mind losing. I mind this compounding the issue by totally confusing what the problem is.

What is going to help human rights more in Chile -- if you are really concerned with human rights -- the United States copping out of it entirely and losing all position, when they take one of those options of going with the Arabs or with the Chinese -- what is our leverage then? And then they will spread themselves to Bolivia and other countries down there. I have never known a country that deliberately pushed other countries into opposition to itself for no reason that concerned it directly. That is a novel aspect of current American foreign policy.

Supposing the Chinese do deliver arms to Chile. Do you think that is a healthy development for the long-term evolution? Open up yet another game that everyone can play in Latin America? Even if you cannot demonstrate that it affects the national interest in the next five years.

MR. ROGERS: Well, no more healthy than the Soviet arms in Peru.

SECRETARY KISSINGER: Exactly right. And for which we are also partly responsible. That exactly proves my point.

We didn't sell arms to Peru either for some reason -- that they shouldn't have arms. So they got Soviet arms.

MR. ROGERS: The very tanks that the Chileans were considering buying.

SECRETARY KISSINGER: That's right. The Chilean armed forces refused to buy Soviet arms that Allende wanted to buy, so now we cut them off. It is insanity. And I think it ought to be explained to the American public.

MR. MAW: We will get a paper out, because we have to meet this fairly head on soon.

SECRETARY KISSINGER: That's fine with me. I know we will probably lose.

MR. MAW: We can go to Congress for legislation, or we can try to bull it through. In either event --

SECRETARY KISSINGER: First we have to state what the issue is. We have to define the issue exactly. But whether we win or lose, somebody ought to be responsible for the consequences. Right now no one knows there are any consequences. All our foreign policy debate is conducted -- look at detente with the Soviet Union. They keep piling all these amendments on, and then when the Soviets turn, everyone is amazed. At least there we have a fairly good record of having warned against it constantly, but maybe not enough.

In retrospect, I deeply regret ever having gotten involved with Jackson in any drafting exercise. It was a great mistake. I knew it was a fraud. He knew it was a fraud. And I just don't think we ought to do it. We ought to say what is right. Then let the Congress vote, and let them be responsible for the consequences. Maybe some other administration can pick up the pieces then.

MR. MAW: We have got to go back to Congress on Turkey. We ought to have in mind what our program is going to be with respect to Chile. We are all right in Korea for this --

SECRETARY KISSINGER: I am going to give a speech in January in which I am going to discuss all these issues, as examples of the problems we face, that have to be worked out with Congress. We can do it in a most conciliatory fashion. But we can point out what the consequences are, what can and cannot be done. We can say all that we want about human rights. But we can say this is not the way to do it.

MR. MAW: I think that is the way to turn the Chile thing around -- if you make that speech and then get legislation. We have to go back anyway.

SECRETARY KISSINGER: The great advantage is that

it makes me the villain.

MR. HABIB: Even if you lose in Chile, you might hold it off elsewhere. The Philippines is very important.

SECRETARY KISSINGER: Look -- the reason I am fighting it in Chile -- first of all, it almost has to be reversed in Chile. But if we don't do it, if we lose it in Chile, if Chile does certain things, they will do it in the Philippines, Korea, South Viet-Nam, and we will be lost.

MR. MAW: We are going to need all of them in the next bill, in April or May. We have to lay the groundwork now.

SECRETARY KISSINGER: Is somebody working on this?

MR. LORD: I had a draft yesterday. It is in very poor shape. We have to go back to the drawing board. We are working on it.

SECRETARY KISSINGER: Am I going to see it?

MR. LORD: We will have it before Christmas. I don't think it is going to be satisfactory the first round. But I will get you something.

SECRETARY KISSINGER: Okay.