

~~TOP SECRET~~

10/17/62

Katzenbach - no great problem in establishing <sup>legality of</sup> blockade if ratified by OAS, with possibility of matter being taken on UN and risk of contradictory result. No declaration of war by US required and blockade can be varied in effect. Argument of legality hinges on maintenance of status quo rather than taking of aggressive action or armed attack.

Meeker - reasoning runs along similar lines - some other basis than unilateral act of declaring war needed such as OAS or UN multilateral action. Only difference - matter of timing in use of force w/ Cuba re OAS action <sup>(not 4/17/62)</sup> before or after announcement before action. OAS alright.

Martin - US could get 14 votes quickly.

Meeker formulation - "defense quarantine" rather than blockade.

Acheson doesn't agree with view that collective action is necessary for self-defense by use of arms force.

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