

EMBASSY OF THE  
UNITED STATES OF AMERICA

Tripoli, Libya

*CRW*  
*Hold for DDM*  
*ACTION - AF/N - copy*  
*given to*  
*JB.*

OFFICIAL-INFORMAL

December 22, 1971

The Honorable  
David D. Newsom  
Assistant Secretary of State  
for African Affairs  
Washington, D.C.

Dear David:

I followed with great interest your recent trip and gather it was most successful. Numeiri's backtracking was disappointing, although he seems clearly to be moving in the right direction and the amount of time he devoted to you was most impressive.

During your absence, our military supply problems have continued to plague us. I had hoped to catch you in Europe on your way home to discuss my concerns, but the telegram I sent to Khartoum suggesting this missed you and I learned from Curt Moore that you would not be pausing long in London.

I am therefore taking this means of letting you know of my continuing -- even increasing -- concern with the accumulation of military supply problems we are facing. To make things easier for you, I am attaching the references.

1. F-5's

I know -- and accept -- that the "no decision" is the Secretary's decision. What I have difficulty in understanding, however, is why, when I propose a reply to Yunis which is entirely consistent with the Secretary's line with only slight non-substantive embroideries, I get no answer at all from the Department. (See Tripoli 2167 - para 2 -- TAB A)

Nor do I understand why, when I ask for some Washington approved language to explain our "no decision", I again meet with the same silence. As you well know, Libyans, like

|              |                      |
|--------------|----------------------|
| DECLASSIFIED |                      |
| Authority:   | NND 969006           |
| By:          | CS NARA Date 9-13-84 |

2

everyone else, ask questions. I just cannot continue to face them, smile in a friendly manner, and say in effect that Washington has made no decision but that I (1) don't know; (2) can't say; (3) won't tell; (4) am too embarrassed to discuss choose one why!

I note that Mr. Laird in his memorandum of December 2 (TAB C) to the Secretary suggests that we explain our problem on the basis of our wish to limit arms deliveries to all countries in the area in the light of the general situation. I believe that this would be particularly dangerous: (a) Are we actually going to deliver the F-5's to Libya if we decide on further Phantom deliveries to Israel? (b) Are we going to deliver the F-5's if there should be some improvement in the area situation? I doubt that the answer would be affirmative on either score. Similarly, it has been informally suggested at various times in the past that the rationale might be tied to the incompatibility of various Libyan actions with US interests in the area. I think this would be even more dangerous and apt to provoke an even worse confrontation than a flat turn down.

The fact of the matter is the Department has left me for about 18 months now with no credible and presentable explanation for our failure, inability or unwillingness to take a decision. Perhaps the problem is that those responsible for answering our telegrams cannot come up with a satisfactory rationale either. I am frank to say that I can't, but it might help clear the air between Tripoli and the Department if we were told frankly that Washington can't either.

Meanwhile, because of the Department's failure to address specifically either of the two matters on which I requested guidance in paras. 2 and 3 of Tripoli 2167 (TAB A), I have lost the initiative with Yunis and I am vulnerable once again to further importunings by him or by other RCC members pressing for some sort of a response, and I shall have to go all through the sorry charade again. I could understand the deafening silence if I had been pressing for a reconsideration of the "no decision" policy. But I was not pressing for such a reply. I was merely asking for an updated reiteration of "no decision" tailored to a particular approach, and for some additional guidance to explain the "no decision". A month later I have received nothing other than the pear-shaped second paragraph of State 220238 (TAB B) which could equally as well have come by sea pouch as by Immediate telegram.

|              |                      |
|--------------|----------------------|
| DECLASSIFIED |                      |
| Authority:   | NND 969006           |
| By:          | CO NARA Date 9-13-84 |

3

Incidentally, Mr. Laird's suggestion for licensing the F-5's from Spanish production (see Jim Blake's letter of December 6 -- TAB C) seems on the surface to offer a possibly attractive way out of our commitment. At the same time, the planes would presumably have to be built from scratch with a considerable delay in delivery time compared with the US models which the LARAF assumes are in storage and ready for delivery anytime the USG is prepared to release them. Since the LARAF's principal desire is to get the planes quickly for transition training to the Mirages, they are unlikely to be mollified by this offer. Moreover, from a Washington point of view, I remain dubious about circuitous ploys of this kind. If we are concerned about Congressional and public reaction to US F-5 deliveries to Libya, we certainly run the risk of being pilloried even more by resorting to what many would regard as a subterfuge in making the planes available through the less than popular Spanish! We tried this with Pakistan via Turkey several years ago and got clobbered!

## 2. C-130's

Enough on F-5's. Turning to the C-130's, let me first make clear my concern that our Lockheed friends are playing fast and loose with us. At least informally for the record, I would like to make several comments on Cowden's letter of December 1 to you (TAB D). In the first place, I have not seen or heard any sort of a satisfactory explanation from Lockheed as to how the quantum jump from 4 to 8 aircraft took place, and I cannot escape the suspicion that Lockheed itself may have encouraged this increase in the LARAF request to help solve the problem of its Marietta production line. Is there any reason why the Department should not press Lockheed for an explanation of this rather important new dimension of the problem? Secondly, I find it strange that Cowden never mentioned to me that Farjani had told him that failure to license the additional C-130's could result in a break in diplomatic relations with the US. (All Cowden told me was that Farjani had said that such failure could result in expulsion of the Lockheed team, the "burning" of the present 8 planes, and the acquisition of Soviet transport aircraft.) Again, I suspect that the "break in relations" bit has been added after the fact in an effort to influence the Department. Thirdly, I never told Cowden that I "did not anticipate any problem in regard to Lockheed's air drop equipment and training

|              |                      |
|--------------|----------------------|
| DECLASSIFIED |                      |
| Authority:   | NND 969006           |
| By:          | CS NARA Date 9-13-84 |

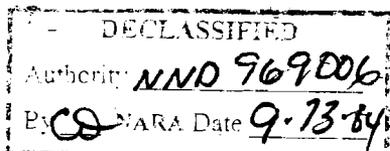
program." I did tell him before he saw Farjani that I had recommended a favorable Department response to the licensing application for the air drop equipment, adding that I could not however say what the ultimate decision would be.

As you know, I was not in favor at the outset of permitting Lockheed to proceed with discussions with the LARAF for additional C-130's. I was wrong in permitting myself to be persuaded at that time that Lockheed explorations with the LARG, without commitment, would not do any harm. It has done harm and added another horn to our present dilemma. Nevertheless we started down the road and, if our objective is to avoid confrontation, it seems to me that the present logic of the situation is to permit Lockheed to go ahead with their contract and to face up to the licensing problem in 1973. Meanwhile, like the baseball team whose pitcher hasn't shown up, we can always pray for rain!

However, I agree with Jim Blake that we should not let Lockheed maneuver the USG into turning a blind eye on, thereby tacitly approving, a type of contract that is misleading and that will therefore give us even greater trouble with both the LARG and Lockheed. I refer particularly to paragraphs 2 c and d of Mr. Cowden's letter to Jim of December 3 (TAB E). Taken together they will lead, almost certainly, to a situation where the LARG has a claim against Lockheed for return of advance payments -- due to the export licenses not being forthcoming from the USG. Again, we will be in the middle, where Lockheed wants us.

### 3. Air Drop Equipment

The next subject I would like to raise is air drop equipment. I simply do not understand the Department's reasoning in turning down this license. This decision has already badly undermined the credibility of our "no decision" on the F-5's and C-130's. (Who will believe we will license 8 additional military C-130's if we won't license air drop equipment?) Although I continue to believe we should have approved the request, it seems to me that at the minimum we should have placed the item in limbo with the F-5's and C-130's.



#### 4. Helicopters

Finally, I would like to raise once again the question of the Sikorsky helicopters which was the subject of our 2228 (TAB F). The only reaction we have had to this message has been Warren Clark's short note of December 7 to Charles Marthinsen (TAB G) saying that there has been "no approval by Sikorsky for the sale of helicopters to the LARG", but that "We would certainly want to look very closely at any such request." I do not know what "no approval by Sikorsky" means, but assume that "no application by Sikorsky" was intended. In any event, the intent of our telegram was to suggest that somebody contact Sikorsky, find out what they have in mind, tell them right from the beginning that they haven't got a Chinaman's chance of getting the necessary licenses, and urge them to lay off. In short, we should do now with Sikorsky what I wish we had done from the beginning with Lockheed. At least with Sikorsky there has not been, as far as I know, any approach to the LARG so we do have a chance to avoid the problem.

I regret the complaining tone which the foregoing recital of problems conveys. I know the clearance problem on formal communications on such sensitive and complicated problems, but informal channels are open to at least let us know why our requests for instructions, guidance, etc., can't be met. I would hope you will urge Jim, Harry and Warren to do better by us. It sometimes gets a little lonesome out here.

Sincerely,

  
Joseph Palmer 2nd