

Memo

To: Rudy
From: Mike
Date: April 14, 1982
Re: Draft to President

Dear Mr. President:

We are writing to express our deep dismay and strong objections to the Commerce Department's intention to issue an export license on April 30 for the sale of between six and twelve L-100 cargo transport planes to Iraq. The planes are the "civilian version" of the C-130 military cargo plane which are in widespread use in the U.S. Air Force and those of Middle Eastern air forces.

The intended approval of such sales to Iraq is premature, short-sighted and undermines the staunch position against international terrorism which you had declared to be an integral part of U.S. foreign policy concerns.

A sale at this time of these military-type planes also would undermine our government's position of neutrality in the Iranian-Iraq war. Also, in view of the shakiness of the Iraqi government, any paper assurances that the planes would be used only for civilian purposes are even less credible than usual.

As you may know, there has been a considerable amount of concern about the events leading up to the proposed approval of export licenses. Members of the Senate Foreign Relations and Banking Committee already have written to Administration officials to protest the way the Commerce Department informed Congress only shortly before significant changes in the Export Administration Act regulations were announced on February 26.

Without meaningful consultations and convincing evidence, Iraq was removed from the formal list of countries supporting international terrorism. Regulations were relaxed on the issuance of export licenses for large aircraft to Syria and South Yemen -- which remain on the terrorism list -- and various items for South Africa.

The Senate Foreign Relations and Banking Committee's have received briefings and material from the intelligence community on the matter and we do not believe the evidence supports a conclusion that Iraq has improved its behavior sufficiently to warrant being taken off the terrorism list. Iraq-backed terrorist groups have claimed responsibility for a number of terrorist operations in 1982 and 1981.

Removing Iraq from the terrorism list and selling it this type of aircraft should be considered only if there is solid evidence over a period of time that Iraq has actually abandoned terrorism as an instrument of policy.

Once sufficient time has elapsed to determine if Iraq has indeed ended its support for terrorism and whether the current government is not going to be replaced by an even more radical or unstable regime, a determination can be made on whether Iraq should be removed from the terrorism list and a sale of such militarily-useful equipment is appropriate. Until such time, we believe the new regulations and the recent decision to sell Iraq L-100s violate the spirit and intent of the relevant legislation, Section 6(i) of the Export Administration Act and call into question the U.S.

Government's commitment to the struggle against international terrorism.

Iraqi President Saddam Hussein is also experiencing serious internal difficulties, and now seems a peculiar time to enter into a large aircraft sale with his shaky administration.

In addition, while this would be a commercial transaction, it will be virtually impossible, once Iraq receives the planes, to ensure that they will not be used for military purposes, particularly given the L-100s versatility as a military cargo plane. The United States will therefore be viewed as abandoning our stated position of neutrality in the Iran/Iraq war and aligning ourselves with Iraq just at a time when its defeat in that war is a near certainty. This runs the risk of helping the Soviet Union increase its influence in Iran.

In sum, we believe these sales have serious foreign policy implications which must be more carefully considered before they are consummated. We urge you not to approve these export licenses. We would welcome the opportunity to review these issues with you and work out ways to accommodate business interests with those of U.S. foreign policy goals, rather than have to bolster those goals through legislation.

We appreciate your serious consideration of this issue.

Sincerely,