



ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301

11 MAR 1976

INTERNATIONAL SECURITY AFFAIRS

In reply refer to:
I-2185/76

MEMORANDUM FOR THE SECRETARY OF DEFENSE

SUBJECT: Transfer of FRG F-104 Aircraft to Turkey-ACTION MEMORANDUM

The purpose of this memorandum is to obtain your signature on a proposed letter to Minister of Defense Leber (Tab A). MOD Leber's letter was forwarded by Ambassador von Staden on February 26, 1976. MOD Leber requested that the transfer of FRG TF-104 aircraft to Turkey be reconsidered.

MOD Leber's request has been reviewed again by your staff and the State Department.


The letter at Tab A to Minister Leber advises that present legislation still precludes the transfer of TF-104 aircraft to Turkey. However, proposed legislation, if enacted, would provide the necessary authority to approve his request.

Recommend you sign the letter at Tab A.

The General Counsel Richard A. Wiley 3/5/76 concurs.

The Director, DSAA Howard M. Fink 3/9/76 concurs.

Prepared by: Col. Dillard
X75547/DSAA(TS)


Amos A. Jordan
Acting Assistant Secretary of Defense
International Security Affairs

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THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

MAR 14 1976

The Honorable Georg Leber
Minister of Defense
Postfach 161
5300 Bonn 1
Federal Republic of Germany

Dear Minister Leber:

Thank you for your letter, forwarded by Ambassador von Staden on February 26th, pertaining to the transfer of TF-104G aircraft to Turkey.


We have again reviewed this matter and conclude that the U.S. Government position concerning possible disposition of the aircraft must remain as quoted in the American Embassy note of November 30th, 1972.

Although your Government considers this an old project dating back to 1972, the specific proposal to transfer the aircraft to Turkey occurred at a time when U.S. legislative constraints relating to military assistance and sales to the Government of Turkey prohibited such a transfer. I regret our inability to approve the transfer of the TF-104G aircraft to Turkey at this time.

If proposed legislation now before the Congress is enacted, it would provide us with the necessary authority to approve your request. We are hopeful of securing such authority in the near future.

I will inform you of further developments as soon as possible.

Sincerely,



Supra 200
46/76
26. February 1976

My dear Mr. Secretary:


The Minister of Defense of the Federal Republic of Germany, Georg Leber, has asked me to transmit the following letter to you, which was received by telegram today. This telegram also contains a courtesy translation of the official letter which will be handed over to you at a later date.

Translation (Blue Tab)

" Sehr geehrter Herr Kollege,
lieber Donald.

Ich danke Ihnen sehr, daß Sie sich in der Angelegenheit der Abgabe von zwei TF-104 G an die Türkei bemüht haben und dies auch weiterhin zu tun bereit sind.

Inzwischen hat sich herausgestellt, daß die beiden Flugzeuge vor Jahren durch Foreign Military Sales - Verträge von der U.S.-Regierung gekauft worden sind. Würde es sich bei unserer Absicht, diese Flugzeuge an die Türkei abzugeben, um einen neuen Vorgang handeln, so könnte die U.S.-Regierung gemäß Ihrem letzten Schreiben wegen der derzeitigen Beschränkungen durch den Gesetzgeber eine Zustimmung dazu nicht geben.


The Honorable
Donald H. Rumsfeld
Secretary of Defense
The Pentagon
Washington, D.C.

3586

Die Bundesregierung vertritt jedoch den Standpunkt, daß es sich hier nicht um einen neuen Antrag handelt, der zwangsläufig unter die Beschränkung fiele, sondern um einen alten Vorgang aus 1972, dessen Abwicklung wohl auch nach den amerikanischen Vorschriften nicht behindert werden sollte. Im Frühjahr 1972 hat nämlich das Auswärtige Amt bei Ihrer Regierung angefragt, ob Sie für verschiedene Flugzeuge, darunter die beiden TF-104 G, einen Rückkauf beabsichtige. Mit Note vom 30. November 1972 hat die U.S. -Botschaft mitgeteilt, daß eine solche Absicht nicht bestehe. In der Note heißt es dann weiter:

- at the same time, the U.S. Government wishes to note the need for such aircraft on NATO's southern flank. Should no sales possibilities for these aircraft arise and should it become practicable in the future, the U.S. Government believes it would be desirable if the Federal Republic of Germany could consider making these planes available to NATO countries in that area under its Military Assistance Programs.

Aufgrund dieser offiziellen Mitteilung haben wir die beiden TF-104 G der Türkei angeboten.

Ich wäre Ihnen dankbar, wenn Sie in Ihrer Regierung darauf hinwirken könnten, daß aufgrund der amerikanischen Empfehlung von 1972 die Angelegenheit nicht als ein neuer Fall angesehen wird, und daß im Rahmen Ihrer Politik, alte Verpflichtungen nicht zu behindern, ein Einspruch gegen die Abgabe an die Türkei nicht erhoben wird.

Mit freundlichen Grüßen

GEORG LEBER



Courtesy Translation

Dear Donald,

Let me thank you very much for your efforts in connection with the transfer of two TF-104 aircraft to Turkey, and your continued willingness to be of help.

It was noted meanwhile that the two aircraft were purchased several years ago from the U.S. Government under FMS procedures. If our intention to offer these aircraft to Turkey were an entirely new project, the U.S. Government would, according to your last letter, indeed be barred from giving its approval to this operation, on account of current legislative restrictions.

My Government feels, however, that this is not a new request which would automatically come under such current restrictions, but rather an old project which dates back to 1972 and whose implementation should probably not be prejudiced by current U.S. regulations, for since the Federal Foreign Office asked your Government in the spring of 1972 whether it was intended to repurchase a number of aircraft including the two TF-104. In a note dated November 30, 1972, the American Embassy replied that there was no such intention. The Note goes on to state the following:

- at the time, the U.S. Government wishes to note the need for such aircraft on NATO's southern flank. Should no sales possibilities for these aircraft arise and should it become practicable in the future, the U.S. Government believes it would be desirable if the Federal Republic of Germany could consider making these planes available to NATO countries in that area under its Military Assistance Programs.



It was on account of this official statement that we offered the two TF-104 G aircraft to Turkey,

I would appreciate it very much if you could conduce your Government, on the basis of the U.S. note of 1972, not to consider this project as a new case, so that under your policy of honoring earlier commitments, no objection would be made against transfer to Turkey.

Sincerely yours,

signed: GEORG LEBER

Very truly yours,

Born Lieder

