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F03-2

MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

April 15, 1975

MEMORANDUM FOR: THE PRESIDENT  
FROM: HENRY A. KISSINGER *K*  
SUBJECT: Presidential Determination for Sale  
of Rice to Syria

Mr. Ingersoll has recommended that you make a finding and Determination to authorize the sale of another 10,000 metric tons of rice to Syria (Tab B).

This sale would bring our PL 480 total in FY 75 to 75,000 metric tons of wheat and 35,000 metric tons of rice.

This new sale will be a positive signal to the Syrian leadership, especially in the wake of recent failure to reach an agreement in the Middle East, that the United States is determined to maintain its bilateral relationships in the Arab world and continue to play a role in the search for a Middle East peace.

For the sale to proceed, the law requires you to find that it is in the national interest of the United States to make such sales to Syria, and also to waive certain legislative prohibitions. I recommend you exercise your waiver authority for the two prohibitions which may be applicable:

- Agreement with a country which trades with Cuba  
Section 103(d)(3) of PL 480 prohibits sales agreements with countries which sell or furnish or permit their ships or aircraft to transport to or from Communist Cuba or North Vietnam any equipment, materials or commodities. In the case of a country whose trade activities described above are limited to the furnishing, selling or selling and transporting to Cuba of medical supplies, non-strategic raw materials for agriculture or non-strategic agricultural or food

commodities, the Act authorizes the President to waive the prohibition if he finds it is in the national interest of the United States to do so. The Government of Syria has assured us that there is no Syrian trade with North Vietnam and that Syrian trade with Cuba is limited to non-strategic items which would make a waiver possible under Section 103(d)(3).

-- Sale to a country that has expropriated property owned by Americans

Section 410 of PL 480 makes applicable to assistance under Title I the prohibition against assistance contained in Section 620(e) of the Foreign Assistance Act which prohibits assistance to a country which has expropriated or nationalized property owned by Americans unless appropriate steps are taken by that country to discharge its obligations under international law. That prohibition may be waived by the President if he determines and certifies that such waiver is important to the national interests of the United States. This section may be applicable to Syria as there are several potential claims. This subject is being discussed with the Syrians in separate negotiations.

There has been no adverse reaction to our earlier decision to sell food to Syria. Congress is, however, aware of the reassessment of U.S. policy toward the Middle East, and there may be a question raised concerning another agreement with Syria when we have not yet taken a position on Israel's aid request. Nevertheless, I believe -- and Mr. Friedersdorf agrees -- that this small sale of rice will be accepted within the context of our continuing efforts to reach a Middle East settlement.

I recommend you make the necessary finding and Determination to authorize the further sale of 10,000 metric tons of rice to Syria. The memorandum at Tab A will give effect to this recommendation.

Mr. Lynn concurs in this recommendation (Tab C).

Subject to your approval, the State Department will forward your Determination to Congress along with the justification, which is also at Tab A, and will arrange for both documents to be published in the Federal Register.

RECOMMENDATION

That you sign the findings and Determination at Tab A and approve the attached Statement of Reasons to be sent to Congress.

Approve MC 7

Disapprove \_\_\_\_\_