

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~SECRET~~ - GDS

March 31, 1976

National Security Decision Memorandum 322

TO: The Secretary of State
 The Secretary of the Treasury
 The Secretary of Defense
 The Director of Central Intelligence

SUBJECT: American Equipment Captured in Indochina

The President has considered the recommendations of the Senior Review Group concerning American equipment captured in Indochina. He has determined that United States objectives concerning this equipment will be to discourage Vietnam from selling it by taking a public stance against the sale; to do what we can discreetly to help those countries that support U. S. policies if they decide to purchase equipment from Vietnam and to take all feasible measures to impede sales to others. The Department of State will develop an appropriate public statement indicating that the United States looks with disfavor on the sale of this captured equipment by Vietnam.

More specifically, we will pursue the following course of action:

- The basic approach of the United States concerning Hanoi's possible sale of this equipment will be one of quiet cooperation with those countries friendly to the United States who are potential purchasers. The United States will not actively promote such equipment acquisitions, however.

Subject to GDS of E. O. 11652
Automatically Downgraded at Two
Year Intervals and Declassified
on December 31, 1984.

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- The United States response to requests for spare parts and technical service support will be determined on a case-by-case basis, and in accordance with our bilateral relations with the foreign governments concerned.
- In return for United States cooperation concerning spare parts and technical service support, the foreign government concerned must agree to treat the equipment as subject to the same United States Government controls as are applicable under the Foreign Military Sales Act with respect to use and disposition.
- We will not authorize private transactions by U.S. firms, or by persons subject to U.S. jurisdiction. The Department of the Treasury, in coordination with other interested agencies, will be responsible for developing the regulatory definitions, procedures, and restrictions necessary to implement and enforce this policy.
- The Department of State, in coordination with the Department of Defense, will administer United States cooperation with foreign governments concerning this equipment.
- Any United States agreement to cooperate in the provision of spare parts and technical services with a specific foreign government purchasing this equipment will require White House approval.


Brent Scowcroft

cc: The Attorney General of the United States
The Director, Office of Management and Budget
The Chairman, Joint Chiefs of Staff

