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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

~~TOP SECRET/NODIS/SENSITIVE~~

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger

SUBJECT: Israeli Nuclear Program

You will recall that you created a special group -- because of the sensitivity of the issue -- to consider the status of the Israeli nuclear program and our possible responses to it. We have met twice at the top level (Packard, Richardson, Helms, Wheeler, Kissinger) to consider analyses drawn up by a small working group under us.

The paper at Tab A is my summary of the situation as our group sees it after reviewing the intelligence and of our discussion of the issues which that situation raises. This is long, but I believe you will want to read through it because this is a complex problem.

THE SITUATION

[REDACTED] We judge that the introduction of nuclear weapons into the Near East would increase the dangers in an already dangerous situation and therefore not be in our interest.

Israel has 12 surface-to-surface missiles delivered from France. It has set up a production line and plans by the end of 1970 to have a total force of 24-30, ten of which are programmed for nuclear warheads.

When the Israelis signed the contract buying the Phantom aircraft last November, they committed themselves "not to be the first to introduce nuclear weapons into the Near East." But it was plain from the discussion that they interpreted that to mean they could possess nuclear weapons as long as they did not test, deploy, or make them public. In signing the contract, we wrote Rabin saying that we believe mere "possession" constitutes "introduction" and that Israel's introduction of nuclear weapons by our definition would be cause for us to cancel the contract.

DECLASSIFIED

E.O. 12958, as amended, Sect 3.5

NLN 02-04/4 for 3.4(h)(1) letter 6/4/07

By KM/2 NARA, Date 8-23-2007

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Delivery of the Phantoms is scheduled to begin in September. But some of the aircraft will be ready at the factory in August, and the Israelis have asked to begin taking delivery then.

WHAT WE WANT

There was general agreement in our group that we must recognize one important distinction to begin with:

1. Israel's secret possession of nuclear weapons would increase the potential danger in the Middle East, and we do not desire complicity in it.
2. In this case, public knowledge is almost as dangerous as possession itself. This is what might spark a Soviet nuclear guarantee for the Arabs, tighten the Soviet hold on the Arabs and increase the danger of our involvement. Indeed, the Soviets might have an incentive not to know.

What this means is that, while we might ideally like to halt actual Israeli possession, what we really want at a minimum may be just to keep Israeli possession from becoming an established international fact.

In our discussions, the following positions were taken:

1. Everyone agreed that, as a minimum, we want Israel to sign the NPT. This is not because signing will make any difference in Israel's actual nuclear program because Israel could produce warheads clandestinely. Israel's signature would, however, give us a publicly feasible issue to raise with the Israeli government -- a way of opening the discussion. It would also publicly commit Israel not to acquire nuclear weapons.
2. Everyone agreed that, in addition, we should try to get from Israel a bilateral understanding on Israel's nuclear intentions because the NPT is not precise enough and because the Phantom aircraft are potential nuclear weapons carriers.
3. Opinion was divided on the nature of the assurances we should seek and on the tactics of seeking them:

-- The JCS felt that if Israel's program becomes known, we should be in a position to say we did everything in our power to prevent Israel from going nuclear. JCS felt that we should try to stop Israel's missile production and use the Phantoms as leverage.

-- Defense felt that we could live with the existence of Israeli nuclear weapons provided they were not deployed. Defense agreed that we should try to stop missile production and that we should use the Phantoms as leverage to get the assurances we want.

-- State believed that we should try to keep Israel from going any further with its nuclear weapons program -- it may be so close to completion that Israel would be willing -- and make a record for ourselves of having tried. State has joined in suggesting asking the Israelis to halt production of the missiles. State would not threaten to withhold the Phantoms in the first approach to the Israelis but would be prepared to imply that threat if they were unresponsive to our first approach.

At the end of our discussions, State, Defense, and JCS agreed to describe a course of action which represented as nearly as possible the consensus of our group. Despite the different shades of opinion expressed in our discussions, the State, Defense and JCS members have concurred in the paper at Tab B which proposes asking the Israelis to:

1. Sign the NPT at an early date (by the end of this year) and ratify it soon thereafter.
2. Reaffirm to the US in writing the assurance that Israel will not be the first to introduce nuclear weapons into the Near East, specifying that "introduction" shall mean possession of nuclear explosive devices. [For our own internal purposes, we would decide that we could tolerate Israeli activity short of assembly of a completed nuclear device.]
3. Give us assurances in writing that it will stop production and will not deploy "Jericho" missiles or any other nuclear-capable strategic missile. [NOTE: I do not believe we can ask Israel not to produce missiles. Israel is sovereign in this decision, and I do not see how we can ask it not to produce a weapon just because we do not see it as an effective weapon without nuclear warheads. We might persuade them not to deploy what they produce on grounds that the rest of the world will believe that the missiles must have nuclear warheads.]

[NCL 02-04/4 p 30/6]

This paper recommends approaching the Israelis in two steps:

1. First step. Richardson and Packard call in Rabin and say that, in connection with Israel's request to advance the delivery date for the first Phantoms to August, we want to tie up loose ends left by the exchange of letters surrounding that contract (i.e., the difference over what would constitute "introduction" of nuclear weapons). They would stress the importance of Israel's signature of the NPT and ask for Israel's confirmation that "possession" of nuclear weapons as well as testing and deployment would constitute "introduction". They would also say that Israel's development and deployment of missiles -- a nuclear weapons delivery system -- would cast doubt on its nuclear assurances. They would not in this first meeting explicitly link delivery of the Phantoms with Israel's response.
2. Second step. If Rabin tried to stonewall, Richardson and Packard would state exactly what we want and make clear that Israeli unresponsiveness would raise a question about our ability to continue meeting Israel's arms request.

THE DILEMMA WE FACE

Our problem is that Israel will not take us seriously on the nuclear issue unless they believe we are prepared to withhold something they very much need -- the Phantoms or, even more, their whole military supply relationship with us.

On the other hand, if we withhold the Phantoms and they make this fact public in the United States, enormous political pressure will be mounted on us. We will be in an indefensible position if we cannot state why we are withholding the planes. Yet if we explain our position publicly, we will be the ones to make Israel's possession of nuclear weapons public with all the international consequences this entails.

THE OPTIONS

In the end, we have these broad options:

1. Initiate discussion now and try to reach an understanding before delivery of the Phantoms becomes an active issue in September.

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2. Initiate discussion of the nuclear issue in September when Mrs. Meir comes, letting delivery of the Phantoms begin.
3. Initiate discussion of the issue in September and not let delivery begin until we have a satisfactory response to our request for assurances.
4. Not raise the issue.

I recommend the first. I would propose that:

1. Richardson and Packard call in Rabin and go through the first step as outlined in their paper -- express our desire to tie up loose ends on Israel's nuclear assurances to us but not explicitly link delivery of the Phantoms to their reply.
2. If Rabin's reaction is negative, I call Rabin in and stress your concern that they sign the NPT, confirm that they will not "introduce" (defined as "possess") nuclear weapons, and agree not to deploy their missiles.
3. We then take stock before committing ourselves on withholding the Ph antoms.

The rationale for this approach is that:

1. It raises the question with the Israelis before delivery of the Phantoms becomes an active issue. We shall have to find an excuse for not delivering in August, but the scheduled delivery would begin in September. By raising the question now, we at least have a chance to keep the Phantom delivery from becoming an issue.
2. By relating our discussion to the contract, it implies -- without committing us -- that we are questioning the Phantom delivery and thereby encourage the Israelis to take us seriously.

3. It maintains your control over the point at which we do or do not introduce the threat of withholding the Phantoms.

Approve _____

Disapprove _____

Other _____

I recommend that you read through the papers that follow before you decide, because this is a complex issue. They are written to help you work your way in more detail through the pros and cons of the major issues (Tab A), to enable you to see how the consensus of the group would play itself out in a course of action (Tab B), and to present to you systematically the principal issues for decision (Tab C). The two remaining papers are background: at Tab D, the exchange of letters consummating the Phantom sale for your reference; at Tab E, the basic working group papers that our group started from.

Attachments