

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

~~CONFIDENTIAL~~ - GDSACTION

November 1, 1976

MEMORANDUM FOR: THE PRESIDENT

FROM: BRENT SCOWCROFT 

SUBJECT: Presidential Determination to Make the Sudan Eligible to Purchase Defense Articles and Services Under the Arms Export Control Act

Deputy Secretary of State Robinson recommends, with the concurrence of the Department of Defense, that you make a Determination under the Arms Export Control Act that the sale to the Sudan of defense articles and services will strengthen the security of the United States and promote world peace (Tab B). A proposed Determination and justification are at Tab A.

This Determination is required to establish the eligibility of the Sudan to purchase military equipment and services from the United States on a government-to-government basis. President Nimeiri, during his talk with you in June and in subsequent official communications from his government, has requested that the Sudan be made eligible for such government-to-government transactions. He sees this as an important element in improving U.S.-Sudanese relations. His request is strongly supported by Egypt and Saudi Arabia, who wish to strengthen the moderate regime of Nimeiri in the face of Libyan-backed subversion and Soviet animosity.

The largest country in Africa, the Sudan occupies a strategically vital geographic position, with its boundaries extending from Egypt, the Red Sea, and Ethiopia in the North and East to Kenya, Zaire, and other central African states in the South and West. The orientation and stability of the Sudanese government has a very significant potential impact upon events in neighboring states where the United States has vital interests, primarily Egypt and Ethiopia, but also Kenya and Zaire. The Sudan also has a

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potentially important role in the struggle between moderate and radical forces for control of the Red Sea and the Horn of Africa. It is in the national security interest of the United States for the Sudan and its neighboring states to be in moderate and friendly hands.

While the Determination does not commit the United States to any particular Foreign Military Sales, it does allow the option of entertaining requests from the Sudan for purchases of military goods and services. Two specific requests which probably will be made after signature of the Determination are for C-130 aircraft and for the training of a small number of Sudanese officers. Because it will take some time to develop the actual requests, however, the question of Administration approval and notification to Congress will not be confronted in the near future. Accordingly, the justification which accompanies the Determination makes no reference to specific military goods or services.

Some public and Congressional concern might focus on President Nimeiri's 1973 transfer to Egypt of Ambassador Noel's assassins. Apparently, however, Nimeiri handled this question well in his discussions with the Senate Foreign Relations Committee and the House International Relations Committee last June, and no major criticism is expected.

Max Friedersdorf and Jack Marsh concur in this recommendation, as does OMB (Tab C).

RECOMMENDATION

That you sign the Presidential Determination at Tab A.

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THE WHITE HOUSE
WASHINGTON

November 5, 1976

Presidential Determination
No. 77-5

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Eligibility of the Sudan to Make Purchases of Defense
Articles and Defense Services Under the Arms Export
Control Act, as Amended

Pursuant to the authority vested in me by Section 3(a)(1) of the
Arms Export Control Act, as amended, I hereby find that the sale of
defense articles and defense services to the Government of the Democratic
Republic of the Sudan will strengthen the security of the United States
and promote world peace.

You are directed on my behalf to report this finding to the
Congress.

This finding, which amends Presidential Determination No. 73-10
of January 2, 1973 (38 F.R. 7211), as amended by Presidential Deter-
minations No. 73-12 of April 26, 1973 (38 F.R. 12799), No. 74-9 of
December 13, 1973 (39 F.R. 3537), No. 75-2 of October 29, 1974
(39 F.R. 39863), No. 75-21 of May 20, 1975 (40 F.R. 24889), No. 76-1
of August 5, 1975 (40 F.R. 37205), No. 76-11 of March 25, 1976
(41 F.R. 14163), and No. 76-12 of April 14, 1976 (41 F.R. 18281), shall
be published in the Federal Register.

Gerald R. Ford

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JUSTIFICATION FOR PRESIDENTIAL DETERMINATION ON THE
ELIGIBILITY OF THE SUDAN TO MAKE PURCHASES OF
DEFENSE ARTICLES AND DEFENSE SERVICES
UNDER THE ARMS EXPORT CONTROL ACT,
AS AMENDED

Problem

Section 3(a)(1) of the Arms Export Control Act, as amended (hereinafter referred to as "the Act"), requires, as a condition of eligibility for the purchases of defense articles or defense services from the United States under the Act, that the President find that the furnishing of defense articles and services to the country concerned "will strengthen the security of the United States and promote world peace."

Justification

Presidential Determination No. 73-10, dated January 2, 1973, established a consolidated list of countries eligible to make purchases under the Act. Periodic revisions of this list are necessary because of the changing international circumstances. Since January 2, 1973, seven countries have been added to the list.

The largest country in Africa, the Sudan occupies a strategically vital geographic position, with its boundaries extending from Egypt, the Red Sea, and Ethiopia in the North and East to Kenya, Zaire, and other central African states in the South and West. It is in the national security interest of the United States for the Sudan and its neighboring states to be in moderate and friendly hands.

Under the leadership of President Nimeiri, the Sudan reconciled the long-standing differences between its North and South, putting an end to the southern insurgency in 1972. Its external policies steadily have become oriented more toward moderation in African and Middle Eastern affairs and toward closer collaboration with the West. The Sudan gave unqualified support to United States efforts in concluding the Sinai Agreement between Israel and Egypt. It has sought actively to use its position as a bridge between Africa and the Arab world to mediate disputes, notably that between Ethiopia and the Eritrean rebels. In this role, it was able to effect the safe release of all American citizens who had been taken prisoner by the Eritreans. Internally, the Sudan is embarking upon the process of nation-building and economic development. It is working with other Arab countries, Western countries, and international institutions to develop its vast agricultural potential.

These moderate policies have brought the Sudan into close relations with Egypt and Saudi Arabia, but have also generated friction between the Sudan and Libya, as attested by the Libyan-supported coup attempt of July 2-3. In keeping with the moderate trend of its policies, the Sudan has expressed clearly its desire for closer relations with the United States. Its recent experiences also have led the Sudan to decide upon an effort to increase the capacity of its armed forces, in order to maintain internal security and to defend the country forcefully against external threats. In so doing, it is turning away from a past orientation toward Soviet-supplied weapons, equipment, and training.

Following his recent visit to the United States, President Nimeiri expressed an interest in obtaining from the United States assistance in the military field. By responding positively, the United States will be promoting regional moderation and stability in an important area. It is expected that the Sudan will make requests to buy defense articles and services under the Arms Export Control Act, and each such request will be considered carefully upon its merits.

Conclusion

By determining that Sudan is eligible to make purchases under the Arms Export Control Act, as amended, the United States will strengthen Sudan's moderate leadership and development, improve its defense capability, foster regional stability, and encourage the Sudan to continue its constructive role in African and Middle Eastern politics, thereby strengthening the security of the United States and promoting world peace.