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06-10-2014 pursuant to E.O. 13526~~TOP SECRET - SECURITY INFORMATION~~

MEMORANDUM FOR THE DIRECTOR

SUBJECT: Release of the M-209 to France

1. An answer by the Army honoring a request by France for 350 M-209s for use in French Indo-China has become rather complicated because of several mutually opposed factors. These factors are reviewed below:

2. Legal Aspects - Although the NSA Legal Advisor has not yet located certain Signal Corps legal opinions pertaining to U.S. rights, it appears that there are no legal barriers to the U.S. either selling, or giving, M-209's to foreign countries. There would remain still, however, the fact that Hagelin probably could bring some sort of legal action against those countries in which his machine is protected by patent for using the machine.

EO 3.3(h)(2)

PL 86-36/50 USC 3605

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[Redacted]

Otherwise, a U.S. gift of M-209s to a NATO

country (France) at the time [Redacted] would

appear to be an injudicial application of U.S. rights to the M-209.

EO 3.3(h)(2)
PL 86-36/50 USC 3605

c. Friedman has remarked in this connection (IW-1073, 19 October 1953):

[Redacted]

d. With the concurrence of the Director, Friedman is to sound out Hagelin's reaction to a U.S. gift of 350 M-209s to France since Hagelin himself is believed not to have this many machines on hand.

4. Pressure by G-4, Army

a. Several sources have indicated that G-4 (and G-3) are putting considerable pressure on G-2 to authorize release of the 350 M-209s. The Chief of MAAG in French Indo-China has indicated that there is an urgent requirement for the machines. G-4 states that the machines are available, the classification is no problem, military and that military aid to French Indo-China is of the highest priority. G-4, therefore, is insisting upon a plausible reason for not releasing the machines. Lt. Colonel Long, G-2, indicated to Colonel Davis, P/P that there was some thought of going directly to Admiral Radford for a decision.

5. It would appear that the Director (or USCIB) must be prepared at this time to resist considerable pressure to concur in release of the M-209.

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