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Last Updated: 11/07/2023

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

WS 04817555
0071

MEMORANDUM TO: Dick Darman
FROM: Ed Rollins *ER*
DATE: January 21, 1982
RE: Letter to the President from
George Deukmejian

My apologies for the late response to your memorandum. *ER*

I am of the opinion that the President should not respond to Deukmejian's letter. The Armenian community is Deukmejian's constituency -- and as volatile as the California gubernatorial race is, any kind of communication from the President could be taken advantage of politically.

I would suggest a tersely worded, "your thoughts will be taken under advisement" response, perhaps under your signature.

RECEIVED
JAN 21 1982

'82 JAN 21 P12:06

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/21/81 ACTION/CONCURRENCE/COMMENT DUE BY: 12/22/81

SUBJECT: LETTER TO THE PRESIDENT FROM GEORGE DEUKMEJIAN

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	JAMES	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	NOFZIGER Rollins	<input checked="" type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	WILLIAMSON	<input type="checkbox"/>	<input type="checkbox"/>
ALLEN	<input type="checkbox"/>	<input type="checkbox"/>	WEIDENBAUM	<input type="checkbox"/>	<input type="checkbox"/>
ANDERSON	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>	MC COY	<input type="checkbox"/>	<input type="checkbox"/>
CANZERI	<input type="checkbox"/>	<input type="checkbox"/>	CEQ	<input type="checkbox"/>	<input type="checkbox"/>
DOLE	<input type="checkbox"/>	<input type="checkbox"/>	OSTP	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input type="checkbox"/>	<input type="checkbox"/>	USTR	<input type="checkbox"/>	<input type="checkbox"/>
FRIEDERSDORF	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FULLER (<i>For Cabinet</i>)	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HARPER	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Do you have any problem with a letter signed by the President (draft attached) to the Attorney General of California?

1/20 Michelle re status - will call back

Richard G. Darman
 Assistant to the President
 and
 Deputy to the Chief of Staff
 (x-2702)

THE WHITE HOUSE
WASHINGTON

December 21, 1981

MEMORANDUM FOR RICHARD G. DARMAN

FROM: JAMES W. NANCE *JWN*

SUBJECT: Response to Letter for George Deukmejian

On December 14 you forwarded California Attorney General Deukmejian's letter to the President about Iranians who are Armenian Christians being denied asylum status (Tab B). A proposed reply is at Tab A. State and Jim Medas concur. Jim also suggests that you might wish to run the draft by Ed Rollins in view of the California gubernatorial race.

Attachments

Tab A Proposed response
B Incoming letter

DEC 21 6 13 PM '81

'81 DEC 21 P 1:39

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/14/81 ACTION/CONCURRENCE/COMMENT DUE BY: 12/18/81

SUBJECT: Letter to the President from George Deukmejian

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	JAMES	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	NOFZIGER	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	WILLIAMSON	<input type="checkbox"/>	<input type="checkbox"/>
ALLEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WEIDENBAUM	<input type="checkbox"/>	<input type="checkbox"/>
ANDERSON	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>	MC COY	<input type="checkbox"/>	<input type="checkbox"/>
CANZERI	<input type="checkbox"/>	<input type="checkbox"/>	CEQ	<input type="checkbox"/>	<input type="checkbox"/>
DOLE	<input type="checkbox"/>	<input type="checkbox"/>	OSTP	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input type="checkbox"/>	<input type="checkbox"/>	USTR	<input type="checkbox"/>	<input type="checkbox"/>
FRIEDERSDORF	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FULLER <i>(For Cabinet)</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HARPER	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Please prepare an appropriate response by Friday, December 18.
Thank you.

12/17 Michael Rubin says brief reply on its way

Richard G. Darman
Assistant to the President
and
Deputy to the Chief of Staff
(x-2702)

WHITE HOUSE STAFFING MEMORANDUM

RECEIVED

DATE: 12/14/81 ACTION/CONCURRENCE/COMMENT DUE BY: 12/18/81
 SUBJECT: Letter to the President from George Deukmejian

81 DEC 14 P12:4

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	JAMES	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	NOFZIGER	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	WILLIAMSON	<input type="checkbox"/>	<input type="checkbox"/>
ALLEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WEIDENBAUM	<input type="checkbox"/>	<input type="checkbox"/>
ANDERSON	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>	MC COY	<input type="checkbox"/>	<input type="checkbox"/>
CANZERI	<input type="checkbox"/>	<input type="checkbox"/>	CEQ	<input type="checkbox"/>	<input type="checkbox"/>
DOLE	<input type="checkbox"/>	<input type="checkbox"/>	OSTP	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input type="checkbox"/>	<input type="checkbox"/>	USTR	<input type="checkbox"/>	<input type="checkbox"/>
FRIEDERSDORF	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FULLER (For Cabinet)	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HARPER	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Please prepare an appropriate response by Friday, December 18.

Thank you.

Richard G. Darman
 Assistant to the President
 and
 Deputy to the Chief of Staff
 (x-2702)

Dear Mr. Deukmejian:

Thank you for your December 1 letter regarding asylum status for Iranians who are Armenian Christians. I can assure you that the important matter of asylum status for Iranian minorities is now under review at the highest levels of the Department of State. This review is expected to be completed very shortly, and the Department has been requested to apprise you of its results.

Your views are thoughtful, timely and greatly appreciated.

Sincerely,

The Honorable George Deukmejian
Attorney General
State of California

7168

81 DEC 17 P 8: 23

JANET COLSON

BUD NANCE

DICK ALLEN

IRENE DERUS

JANET COLSON

BUD NANCE

PETER

CY TO VP

CY TO MEESE

CY TO BAKER

CY TO DEAVER

CY TO BRADY

SHOW CC

SHOW CC

SHOW CC

SHOW CC

SHOW CC

Comments:

7168 add on

UNCLASSIFIED
CLASSIFICATION

S/S # 818136576 A 9: 58

Date December 16, 1981

DEPARTMENT OF STATE
EXECUTIVE SECRETARIAT
TRANSMITTAL FORM

FOR: Mr. James W. Nance
National Security Council
The White House

REFERENCE:

TO: President Reagan FROM: George Deukmejian

DATE: December 1, 1981 SUBJECT: Immigration. Refusal
to grant asylum many Iranians who are Armenian Christians

WHITE HOUSE REFERRAL DATED: 12/15/81 NSC # 8107168

THE ATTACHED ITEM WAS SENT DIRECTLY
TO THE DEPARTMENT OF STATE

ACTION TAKEN:

- A draft reply is attached
- A draft reply will be forwarded
- A translation is attached
- An information copy of a direct reply is attached
- We believe no response is necessary for the reason cited below
- Other

REMARKS:

L. Paul Bremer, VII
L. Paul Bremer, VII
Executive Secretary

MEMORANDUM

NATIONAL SECURITY COUNCIL

URGENT

Date: 12-15-81

Log number: 7168

MEMORANDUM FOR SITUATION ROOM

FROM: NSC/S

Please LDX the attached to:

ADDRESSEE

URGENT

OTHER/Specify:

Return receipt to Room 385/NSC/S.

Thank you very much.

D. MOSE

NATIONAL SECURITY COUNCIL

December 17, 1981

ACTION

MEMORANDUM FOR JAMES W. NANCE

THROUGH: NORMAN A. BAILEY *NB*

FROM: MICHAEL A. GUHIN *ag*

SUBJECT: Response to Darman Request

California Attorney General Deukmejian wrote the President on December 1 about asylum status being denied to Iranians who are Armenian Christians (Tab B). Darman requested a reply by December 18. A proposed reply, based on a State draft, is at Tab A. State concurs in our revision, as does Jim Medas of Williamson's staff. The memo at Tab I would forward the response to Darman and relay Medas' suggestion that the draft be reviewed by Ed Rollins in light of the California gubernatorial race.

RECOMMENDATION

That you sign the memo at Tab I.

Approve _____ Disapprove _____

Attachments

- Tab I Memo for signature
- Tab A Proposed response
- B Darman memo with letter

WASHFAX RECEIPT

THE WHITE HOUSE



15 P8: 38

BT

DEPT OF STATE

DEC 15 PM 9 10
URGENT

MESSAGE NO. 517 CLASSIFICATION UNCLAS NO. PAGES 5
FROM LENZ (Room) (Extension) (Room Number)

MESSAGE DESCRIPTION IRAN

<u>O (Agency)</u>	<u>DELIVER TO:</u>	<u>Dept/Room No.</u>	<u>Extension</u>
<u>STATE</u>	<u>Baumer</u>		

REMARKS:

[Faded routing slip area with multiple columns and rows of text, mostly illegible due to low contrast and scan quality.]

RECEIVED 15 DEC 81 10

TO ALLEN

FROM DARMAN, R

DOCDATE 14 DEC 81

DEUKMEJIAN, GEORGE

01 DEC 81

KEYWORDS: IMMIGRATION

IRAN

DARMAN REFERRAL

URGENT

SUBJECT: LTR FM ATTORNEY GENERAL OF CALIFORNIA RE ASYLUM FOR IRANIANS

ACTION: PREPARE MEMO NANCE TO DARMAN DUE: 17 DEC 81 STATUS S FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

GUHIN

KEMP

Kommitt



COMMENTS WOULD YOU LIKE TO HAVE A DRAFT FM STATE?

YES

NO

REF#

LOG

NSCIFID

(C /)

ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

State *D 12/15* *draft reply for writing* *MG, GK* ✓

- 12/17 *Recd S/S Draft Reply* *RK, GK*

Guher *S 12/17* *Prepare memo nance to Darman* *12/17*

nance *X 12/17* *for signature*

C 12/21 *Nance rpl memo to Darman* *MG, GK*

DISPATCH *done via WOV 12/15*
et 12/21 hand carried / JCB

W/ATTCH

FILE

WK (C) H.

REFERRAL

DATE: 15 DEC 81

MEMORANDUM FOR: STATE SECRETARIAT

DOCUMENT DESCRIPTION: TO: PRES
SOURCE: DEURMEJIAN
DATE: 01 DEC 81
KEYWORDS: IMMIGRATION IRAN
DARMAN REFERRAL

SUBJ:

REQUIRED ACTION: DRAFT REPLY FOR WH SIG

PLEASE COORDINATE DRAFT W/ JUSTICE

URGENT *** URGENT *** URGENT *** URGENT

DUE DATE: 17 DEC 81

COMMENTS: PLEASE CONTACT MIKE GUHIN ON NSC STAFF FOR COORDINATION

PHONE # 395-3543 THANK YOU

Donna Smoak

FOR ALLEN J LENZ

STAFF DIRECTOR

FOR NSC USE ONLY

FOR INFO

F

O C M C

~~SP~~
7168

RECEIVED

81 DEC 14 12:43

JANET COLSON

BUD NANCE

DICK ALLEN

IRENE DERUS

JANET COLSON

BUD NANCE

PETER

CY TO VP

CY TO MEESE

CY TO BAKER

CY TO DEEVER

CY TO BRADY

To [unclear]

SHOW CC

SHOW CC

SHOW CC

SHOW CC

SHOW CC

Comments:

12/1/81

Dear Helene,

I would appreciate it
very much if you would
ask the President to personally
read this letter. Thank you.

Best wishes to you for a joyous
holiday season.

Sincerely,

George

GEORGE DEUKMEJIAN
Attorney General

1981 DEC 4 4 15

Dear Helene,

12/1/81

I would appreciate it very much if you would ask the President to personally read this letter. Thank you.

1981 DEC 4 11 15 AM

Best wishes to you for a joyous holiday season.

Sincerely,

George

GEORGE DEUKMEJIAN
Attorney General

THE WHITE HOUSE
WASHINGTON

Dick Darman:

Should RR see this, or should we check it out with a suggested reply first before he sees it?

Thanks.

.81 DEC -3 11 33 AM Kathy O.

Sara
Pls. have NSC
develop response - soon.
Thanks.
D.D.



George Deukmejian

(PRONOUNCED DUKE-MAY-GIN)

**Attorney General
State of California**

December 1, 1981

The Honorable Ronald Reagan
President
White House
Washington, D.C. 20050

Dear Mr. President:

It has come to my attention, today, that our government is refusing to grant asylum to many Iranians who are Armenian Christians and who were supportive of the Shah. Letters have been received ordering many of these people to leave our country on December 2, 1981.

The State Department has recently returned more than 4,000 Iranian asylum applications to the Immigration and Naturalization Service with reports denying almost all Christian applicants.

The State Department apparently feels that this group of Armenian Christians has nothing to fear from the fanatic Islamic Revolutionaries who now rule Iran.

Enclosed is a copy of one letter sent by the Department of State to INS. It states in part:

"Whereas we are aware of instances in which Christians have been persecuted in Iran, they are instances in which other factors have been involved as well and the persecution has not stemmed solely from religious reasons."

It is incredible to me that our State Department can make that statement and not realize that the Khomeini regime can and will use any

.81 DEC -3 63-58

The Honorable Ronald Reagan
December 1, 1981
Page Two

excuse it dreams up to continue to carry out the persecution of those persons who disagree with them. Hundreds of persons have been executed by the firing squads on the spot after the testimony of just two "witnesses."

The Constitution of the Islamic Republic is supposed to guarantee freedom of the press, speech and religion. It is also supposed to honor private ownership of property but we know that none of these rights are really protected today in Iran.

A mob of Moslems was incited to attack Armenian homes in Julfa, Isfahan on April 26, 1981, leaving 35 Armenians severely wounded.

The Moslem mullahs are encouraging Moslems to treat Armenians as "non-clean" which discriminates against Armenians denying them their civil liberties.

The followers of Khomeini who live in the United States are believed to have sent to Iran the names of all Iranians who have applied for asylum here. Upon their return to Iran they will be persecuted for their anti-Khomeini position.

I have often heard you speak of how you believe that God had a deliberate plan when he created this country to have it as a place where oppressed people from around the world would be able to find freedom and opportunity. Most of these Armenian Christians who fled from Iran are hardworking, self-supporting individuals who came here seeking that freedom and opportunity.

I respectfully request that you personally review our current policy regarding this matter and act to grant asylum to Armenian Christians

The Honorable Ronald Reagan
December 1, 1981
Page Three

and all others who are opposed to the Khomeini
regime and who seek freedom in our country.

Thank you for your thoughtful consideration
of this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deuk", written in dark ink.

George Deukmejian

yc
Enclosure



DEPARTMENT OF STATE

Washington, D.C. 20520

CITIZEN OF IRAN

4 SEP 1981

District Director
Immigration & Naturalization Service
E.A. Garmatz Federal Building
100 S. Hanover Street
Baltimore, MD 21201

Dear Sir:

This is in reply to your request for our views on the above-named applicant's request for asylum in the United States.

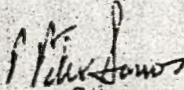
In the asylum application submitted, the applicant makes some or all of the following assertions in support of the claim: That upon return to Iran the applicant would be persecuted because the applicant: 1) is a Christian; 2) has been an active member of the Armenian or Assyrian Club; 3) has, or family members have, experienced or will experience religiously motivated discrimination and insults from the Moslem community in Iran; 4) has been in the United States; or 5) has publicly expressed views contrary to those of the present regime in Iran. In making these assertions; the applicant provided little or no explanation and few, if any, details indicating how and why the applicant, as an individual, expects to be persecuted, although these are specifically requested when answers are in the affirmative.

The constitution adopted by the government now in power in Iran specifically denominates Christians as one of the official religious minorities free to practice their religion. Whereas we are aware of instances in which Christians have been persecuted in Iran, they are instances in which other factors have been involved as well and the persecution has not stemmed solely from religious reasons. Certainly, as a minority in a Moslem theocracy, the Christian community in Iran does face some loss of freedom and does experience communal frictions which are unpleasant but, in our opinion, these, in and of themselves, are not so extreme as to constitute persecution. Each asylum request must, therefore, rest

on its own merits and the burden of establishing a well-founded fear of persecution upon return to Iran is on the applicant. We do not consider that this requirement has been met by the subject applicant and we do not believe that a finding of asylum is warranted.

I hope that this information will be helpful to you in making a decision on the applicant's request for asylum.

Sincerely,



P. Peter Sarros, Acting
Deputy Assistant Secretary for
Human Rights and Humanitarian Affairs

4. *ju*

ID # 050646

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

0071

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: James H. Michel

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Memorial filed by Dept. of State with the Grand - United States Claims Tribunal with respect to the operation of the Security Account established in the Algiers Accords

ROUTE TO:	ACTION	DISPOSITION			
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CV Holland</u>	<u>ORIGINATOR</u>	<u>81.11.30</u>			<u>C 82.01.12</u>
	Referral Note:				
<u>CVATH</u>	<u>D</u>	<u>81.11.30</u>			<u>C 82.01.12</u>
	Referral Note:				<u>81 12 29</u>
<u>CVFIRL</u>	<u>S</u>	<u>82.01.12</u>	<u>FF</u>	<u>A</u>	<u>82.01.12</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 1130 4640

Prime Subject Code: CO 071 Secondary Subject Codes: EO 004-03 J1007
EO 009
EG 011

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

SIGNATURE CODES:

- CPn - Presidential Correspondence
 - n - 0 - Unknown
 - n - 1 - Ronald Wilson Reagan
 - n - 2 - Ronald Reagan
 - n - 3 - Ron
 - n - 4 - Dutch
 - n - 5 - Ron Reagan
 - n - 6 - Ronald
 - n - 7 - Ronnie

- CLn - First Lady's Correspondence
 - n - 1 - Nancy Reagan
 - n - 2 - Nancy
 - n - 3 - Mrs. Ronald Reagan

- CBn - Presidential & First Lady's Correspondence
 - n - 1 - Ronald Reagan - Nancy Reagan
 - n - 2 - Ron - Nancy

MEDIA CODES:

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

THE WHITE HOUSE

WASHINGTON

January 12, 1982

Dear Jim:

Thank you for providing me with the Memorial dated November 23, 1981 filed with the Iran-United States Claims Tribunal with respect to the operation of the Security Account established by the Algiers Accord to secure and pay claims against Iran. I appreciate your keeping me informed on this matter.

Please pass along my congratulations for a job well-done. The Memorial and the exhibits make a reasoned, persuasive statement of the United States' position.

I am curious, however, whether you considered pressing more forcefully the point (Memorial § III, at 70 et seq.) that Iran should bear the entire cost of maintaining the Security Account. Not only do the Algerian Accords, which specifically provide for payment of the arbitration expenses, not mention payment of Security Account costs, but, as you state, in general the owner of an attached account must pay the expenses of maintaining it. While my curiosity is aroused, I realize that there may be sound policy reasons for not pressing this point, particularly when it is viewed in the context of the other issues presented to the Claims Tribunal.

Thank you again for the Memorial. I would appreciate it if you would continue to forward copies of material filed with the Tribunal and, of course, copies of any decisions reached by that body.

With best regards,

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

James H. Michel, Esquire
Acting Legal Adviser
Department of State
Room 6423
Washington, D.C. 20520

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

December 29, 1981

MEMORANDUM FOR FRED F. FIELDING

FROM: *To* D. EDWARD WILSON, JR. *D.E.W., Jr.*

SUBJECT: United States Memorial Filed With Iran-United States Claims Tribunal With Respect to the Operation of the Security Account Established by the Algiers Accords

- See Memoirs
> 1/3/81

At your request, I have reviewed the memorial and exhibits dated November 23, 1981 filed by the United States with the Iran-United States Claims Tribunal. The memorial deals with the operation of the security account established to pay claims of United States citizens against Iran arising out of the Iranian Revolution. This material was forwarded to you by James H. Michel, Acting Legal Adviser, Department of State. Mr. Michel's incoming letter is attached at Tab A. I have not returned the memorial and exhibits to you; they are contained in my file on the Iranian matter. A draft letter for your review and comment or signature to Mr. Michel is attached at Tab B.

The memorial states the United States' position on several matters. First, the U.S. argues that interest which accrues in the security account must remain in that account to secure and pay claims against Iran.

Second, the memorial presents arguments that security account funds may not be used in direct payment of private settlements but may only be used in payment of awards that have been approved by the Tribunal.

The third position taken is that Iran must bear most, if not all, of the responsibility for payment of the fees charged by the Depository Bank for maintaining the security account. This is the only area in which I take issue with the State Department's memorial. I think the Department of State missed an argument based upon the provision of Algiers

Accords requiring Iran and the United States to share the expenses of the arbitration. Based upon this provision, the Department of State could have argued more forcefully that the security account is an item separate from the costs of the Claims Tribunal and that the cost of it should be borne specifically by Iran as such costs would be borne if the assets attached by United States claimants had been located in individual Iranian accounts held by U.S. banks.

The final issue concerns the U.S. position that Iran must share with the United States responsibility for indemnification of the depository bank and its parent central bank.

I will, of course, keep you informed of any developments that I hear of with regard to this matter.

THE LEGAL ADVISER
DEPARTMENT OF STATE
WASHINGTON

NOV 30 1981

November 24, 1981

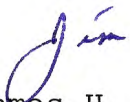
050646

Dear Fred:

I understand that you are now following Iran claims matters for the White House. In this regard, Davis Robinson (who is abroad this week) has asked me to make available to you the memorial we filed this week with the Iran-United States Claims Tribunal with respect to the operation of the Security Account established by the Algiers Accords to secure and pay claims against Iran. A copy of the memorial, with related exhibits, is enclosed.

I hope you will find the enclosed materials useful. Should you desire further information on this subject we would be pleased to provide additional materials or a briefing on matters of interest to you.

Sincerely,


James H. Michel, Acting

Enclosure:

As stated.

The Honorable
Fred F. Fielding,
Counsel to the President,
The White House.

11 January 1982

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Dear Mr. Devine:

Thank you for your letter of 29 December 1981 and for sending me a copy of Mike Kennedy's comments about the recent hostage situation in Iran. I look forward to learning more about the incidents that led to this tragic event, and I hope that we can all benefit from Mr. Kennedy's insight.

Your thoughtfulness is appreciated, and I am most grateful for the time that you have taken to write.

With best wishes,

Sincerely,

EDWIN MEESE III
Counsellor to the President

X
Mr. C. R. Devine
Chairman
X Reader's Digest Association
200 Park Avenue
New York, NY 10166

cc: Ed Meese

EM:NH:vml-IIIA-18



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Telex: 421209; Cable: READIGEST

December 29, 1981

055368

Dear Mr. Meese:

These November 10 comments of Mike Kennedy's may be of special interest to you as they relate particularly to procedures for liaison between the State Department and embassies and to other matters about which Mr. Kennedy can speak more freely now that he has retired from active duty as a Foreign Service Officer.

I've sent copies of this transcript to Secretary Haig and Under Secretary Harold Saunders.

With best wishes, I am

Very truly yours,

C. R. Devine

Mr. Edwin Meese
The White House
Washington, D. C.

Dear Mr. Devine:

Thank you for your letter of 29 December 1981 and for sending me a copy of Mike Kennedy's ~~xxxxxx~~ comments about the recent hostage situation in Iran. I look forward to learning more about the incidents that led to this tragic event, and I hope that we can all benefit from Mr. Kennedy's insight, ~~into this situation.~~

Your thoughtfulness is appreciated, and I am most grateful for the time that you have taken to write.

With best wishes,

Sincerely,

EM

cc to Meese
EM:nh

C. R. DEVINE

c/o Reader's Digest
200 Park Avenue
New York, N. Y. 10166
December 31, 1981

Moorhead C. Kennedy, Jr. was one of the unfortunate U. S. diplomats seized by the Iranian terrorists November 4, 1979 and held in illegal captivity 444 incredible days. I taped this conversation with him last month and hope you may find of interest this transcript of his recollections about that extraordinary experience.

C. R. Devine

Introduction of Moorhead C. Kennedy, Jr.,
Cathedral Peace Institute, by C. R. Devine,
Reader's Digest, at the Dutch Treat Club
luncheon (at the Union Club of New York)
Tuesday, December 15, 1981

In my long lifetime, I have only seen this nation I love so much brought to its knees in abject humility just once. And I don't mean Pearl Harbor, which was quite a different thing. That singular humiliation occurred just over two years ago - on November 4, 1979 - and was dramatically highlighted by a photograph of a young American diplomat, manacled and blind-folded, being led from the chancery of the United States Embassy in Teheran by two bearded Iranian "students." I don't think anybody in this room will ever forget the shock effect of that picture of America in bondage.

A full year later I happened to be in Paris and the young man in that picture was still being held in captivity. I was reading an interview in the November 2 London Observer - an interview of the victim's wife, Louisa, by writer Paul MacDonald. She was quoted as saying: "I think it is realistic now to wonder if some of our hostages may come to be sacrificed in a greater national interest . . . I have realized that there might come a time when the national interest might conflict with my desire to see my husband back home safe and sound. I realize that the hostages might one day be considered expendable."

Moorhead C. Kennedy, Jr. was that lady's husband and the hostage in the photograph. Mike Kennedy has overcome the same handicap I've had - he's a graduate of Princeton University - class of '52 - and eventually got his law degree at Harvard in 1959. Between those academic landmarks in his lively career, he served two years in the U. S. Army abroad. In '59 he joined the

State Department as an intelligence research officer, then served successively in Yemen, Greece and Lebanon, eventually specializing in economic matters. In addition to some English, Mike speaks fluent Arabic and fluent French.

From November 4, 1979 until January 20, 1981, Mike was a kidnapped diplomat held in miserable hostage by a pack of fanatic Iranian terrorists who had not only violated every precept of their own blessed Koran but the basic precepts of international law as recognized by every civilized nation.

We are fortunate to have Mike Kennedy here today to speak to us . . . and we're fortunate to have him alive.

Transcript of a conversation between
Moorhead C. Kennedy, Jr. American
hostage in Iran from November 4, 1979
until January 20, 1981, and C.R. Devine,
Chairman, International Federation of the
Periodical Press, and Vice President,
Reader's Digest, conducted at 200 Park
Avenue, New York, Tuesday, November 10,
1981.

Devine: Mike, you are now Executive Director of the
Cathedral Peace Institute; before we talk about your
incredible experience in Iran as a U.S. diplomat held
in hostage 444 days, perhaps you could tell me briefly
what the Cathedral Peace Institute is.

Kennedy: Well, Bob, don't let the word "peace" put
you off. We believe in independence. We believe in
self-defense, but we believe that basically we've got to
know more about what makes people and groups act, and one
of the ways they act is by religion. Religion is a major
force in the world today, politically, internationally,
and we were as a nation quite unprepared for the Khomeini
revolution in Iran. As one high state department official
was quoted in The New York Times: "Who would have thought
that all this could have come about because of religion?"
To my mind that shows a certain degree of illiteracy
because religion is a very profound force and people are

not sufficiently aware of it. So, when I came out of captivity, not knowing what I was going to do, I was at least determined to do something about what I had thought about in captivity and that was to make people more aware that out there (Iran) they don't have a 1st Amendment. Out there, people don't confine religion to something they do for one hour at church on Sunday. It affects, it infuses their whole lives, their societies, the way they think, the way they act, and if we don't know that, then we're going to be in real trouble. The Cathedral Peace Institute was set up in order through seminars, media, writing, to try to make people more aware of that. If we can understand these kinds of motivation, and other motivations -- we're working with very eminent psychiatrists on this -- about what make people tick as nations, communities and groups -- then I think we've made a certain contribution.

Devine: I think it's interesting that you have gotten into this endeavor that certainly seems to be worthwhile in its general aspects but let's go back and dig a bit into the background that may have led you to the situation you were in for four hundred and forty-four days, from November 4, 1979 until January 20, 1981. You were what I call a kidnapped diplomat in the hands of Iranian terrorists. You may consider you were simply a hostage being held by some "students", but before we get into

semantics I would like to ask you how long you were actually in Iran before November 4, 1979.

Kennedy: Sure. I accepted a three months temporary assignment. My whole field had been the Middle-East. Academically, before I entered the Foreign Service, I'd published an article on the Internationa, on Islamic law. I was fascinated by the idea of what was happening in Iran. I wanted to see; I was between jobs and accepted a three months, short-tenure job to go out there and do the financial reporting, which is something I had done in Beirut many years before. I knew how to get along with Middle East bankers and how to take over the Economic Section, so the regular assigned officer could go home on family visitation. So, over I go on September 19th with a firm commitment to be back December 20th in time for Christmas with my family.

Devine: You went over on September 19th?

Kennedy: I went over on September 19, 1979 and expected to come back December 20th.

Devine: Now, at that point in Iran, Black Friday 1978 had already occurred and there were various riots around the country, and it appeared very clearly that Iran was in a state of unrest. The Abadan theatre fire in August 1978 had already stimulated even more unrest. The Embassy had previously briefly been taken with Ambassador Sullivan. The Shah had been admitted to the U.S. for surgery.

Conditions were ripe for trouble. Would you mind describing the events of that particular day -- November 4, 1979 -- the mood of the compound and the general nature of the reduced diplomatic group there. What actually happened?

Kennedy: You're speaking of the day being now, of course, November 4th ...

Devine: November 4, 1979.

Kennedy: Can I lead into it with a couple of days earlier? We got the word about the Shah and his admission to the United States about October 22nd, I guess roughly. We expected the worst almost immediately and then nothing seemed to happen; it was as if they were thinking it over. And then, about on Wednesday before the takeover, which was a Sunday, so we're now talking about October 29th or 30th, I went to see the Deputy Prime Minister, Mr. Bani-Assadi. He was the son-in-law of Prime Minister Bazargan. I went to see Mr. Bani-Assadi who had arranged for me earlier a trip, with the same kind of students who later took us over, in their kind of peace corps projects in the southern part of Iran. I went to call on him to thank him for the trip, to give him a copy of my trip report, and altogether to keep up this very useful relationship. He said to me: "You know, the students are getting out of hand. They are not collaborating with the ministries in these peace corps projects and this is something that's very worrisome to us, you should know this". I went back

to the Embassy and I met an old friend who was an American long settled in Iran. He was the Director of the Chamber of Commerce, married to an Iranian girl. He said: "You know, you've heard, haven't you, about the students taking over the lodgings and the hotels?" I knew that, of course we all did. They were taking over hotels in order to provide lodging for themselves. They were dissatisfied with the lodgings they had and the government was unable to do anything about it. The government was quite powerless against these students. And I said to my friend: "Look, it they are now taking over hotels and the government can do nothing about it, what will they take over next?" We thought about that for a minute and none of us had minds that were functioning as well as they should have that day because we should have gone on to the obvious conclusion, something that has been in the back of our minds for a long time, and that is the takeover of the Embassy once again with ourselves held as hostage. But our expectation then was that we would be overrun by a mob totally out of control, torn limb from limb. That afternoon after lunch, I briefed two officers of the Bankers Trust. I'd been an Economic Commercial Officer all my career and, if I say so, been noted for the fact that I always played it straight with the American banking community ...

Devine: These were officers of the Bankers Trust ...

Kennedy: Bankers Trust.

Devine: Who were headquartered in New York?

Kennedy: They were, they were in New York or wherever, but they were out on the kind of visit that bankers pay, pay to their correspondent banks; they were in town for a couple of days and they had a list of appointments, including the Acting Economic Counselor, acting head of section as I was then. I've always played it straight with the bankers but I knew what the party line was in the Embassy. I knew what we were supposed to say and for the first time I pulled a five o'clock follies, to use the old Embassy Saigon expression, and "Oh, yes, everything is under control, Khomeini has things well in hand; no, we're not worried", and as I said these platitudes to these two bankers, the first time I've ever, ever not played it straight with the American business community, I just felt sick to my stomach but that was what I felt we had to say and I said it. I went out to dinner that night with an Iranian couple and, Bob, I wasn't functioning properly. I wasn't laughing at the right moments; I was distracted a little bit. I was, you know, making a big effort to do what I could but it was clear to me that night that something was really bugging me.

Devine: Now this was October ...

Kennedy: This was October, let's count back -- Sunday the fourth would have made it Friday the second and this would have been the thirty-first of October, because the

next day was Thursday the first of November and on Aleed, which is a Muslim festival, the Embassy was closed that day. I stayed in my apartment overlooking the compound.

Devine: Was your apartment actually in the compound?

Kennedy: Just over, just across the alley and looking into it.

Devine: And therefore not actually in it.

Kennedy: No, just within sight.

Devine: On the Teleghani Street side?

Kennedy: No, on the back side. So, it was just an alley between me and the wall and the back gate; there was the whole compound within sight there was the great big Chancellory, which you remember looked kind of like a big high school. That day my friend Bani-Assadi, the Deputy Prime Minister, had warned me there was going to be a major demonstration. Again, he was passing the word and I had sent a telegram to Washington that previous Wednesday, the day before, the day I am now talking about, I called up Washington; there was an officer from the Embassy who was going to New York to make a speech and I said, "For God's sake, don't let him get out too far on a limb, things are very bad here". And the officer to whom I was talking -- he was the Economic Officer of the desk -- said he would pass that word on. So, that was the state of our morale in these critical days just before the takeover.

Devine: There was a feeling, on your part and on

the part of your friends in the Embassy that something could happen?

Kennedy: Well, exactly. I thought that that Wednesday night when I was so upset in my social encounter with these Iranians that we would be killed even though I was in my apartment and there was only a skeleton squad at the Embassy.

Devine: There was some apprehension about physical danger?

Kennedy: There was a definite apprehension that we would be torn limb from limb; in fact people got all the secretaries bundled up in one apartment together, tried to, I don't know why, perhaps there was a thought to get them out of town up to the suburbs. We were very vulnerable in Teheran, but the riotous demonstrators came right up to the gate and climbed on the wall waving a flag.

Devine: This was then the morning of November ...

Kennedy: This is November first still ... But this should have been the warning, you see. The whole building shaking from the decibels of the shouting and people, all of us, wondering why are we still here? Why are we not being evacuated? What is the purpose of trying to keep an Embassy going in circumstances of this kind?

Devine: You had an armed Marine guard on duty at that time?

Kennedy: We had an armed Marine guard. We had

Off they went; I went back to my office. I got this telegram, which I had drafted to my secretary ...

Devine: Let me stop you there. Were they going off to the Foreign Ministry on routine duty or were they going to get out of the compound permanently?

Kennedy: It was routine duty. We were, of course apprehensive. Bruce has given his account of the assurances that he had received that the visit to the Foreign Ministry was a routine visit. There was no connection between that and either feared events or the actual event that took place.

Devine: That therefore definitely was not a planned "escape"?

Kennedy: It certainly was not a self-evacuation. We often wondered if the Foreign Ministry had word of it and deprived us of our leadership at that moment, but there is no evidence of that.

Devine: At that time were you aware, and apparently it has developed to be the truth, aware that the Marine guard were under orders not to fire?

Kennedy: Well, the Marine guard is never under orders to fire; they are there as a deterrent. They have very strict restraints on them as to how much they can do and it really has to be to prevent somebody from being killed before their eyes, before they're allowed to use weapons.

Devine: Well, you're back in the compound ...

Kennedy: Back there; the secretary is typing away on this long telegram -- twenty-seven different reasons why we shouldn't insure American investment at that moment. Waiting to be answered was a letter from a high official, a good friend of mine of the Chase Manhattan Bank, which of course was captured, and all during the next weeks of my captivity, I wondered if it was really a good idea for the students to know that I had a friend at the Chase, but in any case, we were functioning perfectly normally. A Marine came down the hall shouting: "Everybody downstairs, there's a break-in". I went to the nearest open window, because we had blast screens over most of our windows, and there was this great huge sea of faces coming in -- ardent, ecstatic. We learned later from one of their spokesman that a great many had expected to be shot at and killed and of course that was an immediate passport to the life hereafter for them. So they were really expecting more. We went downstairs, which was not the correct move, somebody remembered that we should have gone upstairs, and by then, of course, the students, the militants, were breaking into the cellar, where some local employee had opened the way for them.

Devine: They came in first through the cellar?

Kennedy: Through the cellar and we got up ahead of them and behind the steel door on the second floor, the one that you may recall leads to the Ambassador's suite

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and so forth, and there we waited. I found Ann Swift, who did a beautiful job, already on the phone to Washington. A flash telegram had gone in. Chuck Scott, Colonel Scott, was on the telephone to the Foreign Ministry, so that we were in touch ...

Devine: There was an immediate communication?

Kennedy: Immediate communication in keeping Washington informed minute by minute.

Devine: Was Washington giving you instructions then as to the destruction of classified material?

Kennedy: It was about four in the morning on a Sunday. We had Hal Saunders and others at the other end. People came in to the department; there was a skeleton force being assembled in the department. Washington was trying to monitor it to the extent they can, giving instructions as to when we could destroy our visa plates, for example, which were over at the Consulate building, on another side of the compound. The Counselor General was calling in saying: "When can I start destruction?"

Devine: At that point was a large number of militants inside the compound?

Kennedy: They were inside the compound. We could see them from these great big glass windows.

Devine: Did they seem to be individually armed with side arms or rifles?

Kennedy: No. Absolutely not and this was how they

played it extremely cagily. They were carrying sticks but there was not a weapon in sight. It was only afterwards that they pulled out their pistols. The whole image they were trying to convey to us was conveyed by a long streamer that they held out and held below the big plate glass windows that were in the Ambassador's office. A bunch of girls, women students would not be fired on, held this out saying: "We do not wish to inconvenience you, all we want is a sit-in". And the thought was that we would let them in and then they would commit some indiscretion, some barbarous act, do something to the flag, burn something, destroy the picture of Carter, but the implication was that's all they wanted. That they were making a demonstration that was a more extensive demonstration than the one on the previous Thursday.

Devine: At that point, do you think they had no idea of staying there?

Kennedy: I'm sure they did have every idea of staying there but what they were trying to convey to us was that this was only going to be a sit-in. However, you see we were in a difficult position because the Charge, Bruce Laingen, was down at the Foreign Ministry. He was driving back up and he was turned back to the Foreign Ministry to get help. The security officer went out to do what had been successfully done in previous episodes with a translator to talk to these guys and often if you can diffuse a situation, say, "All right, what do you want?", get people

talking, you can reduce the level of passion and therefore the chances of people being hurt.

Devine: With Bruce Laingen at that moment over in the Foreign Ministry, who was actually in charge in the compound?

Kennedy: Nobody. This was a great weakness of our whole defense and something that really ought to be looked into. The Marines had no clear orders; they took orders from the security officer or the Charge. There was no number two, the DCM, the indispensable executive officer of an Embassy. There wasn't any appointed. So nobody was really in charge and this was a very important factor in the final decisions that were made.

Devine: Mike, I don't want to wear you out, but let me just interrupt to develop one line of thought. I want to know your recollections of that day, where you were, how many people were involved, what was physically done to anybody and how quickly and when blindfolding and manacling took place.

Kennedy: Surely. I was upstairs reporting back what I saw from the windows, everybody was trying to find something to do. The decision to surrender sort of just happened. The security officer, who had been taken captive, was urging us, from the outside, to give in, that resistance would be useless. He was of course in captivity himself when he was saying this. The students had demanded that

somebody be thrown out, be given to them, as an interpreter, so John Limbret was tossed, eased through the door, and we barricaded the door again. When the decision to surrender was made, the door was opened, we were told to line up. I remember smiling at my Armenian secretaries, to cheer them up, I didn't know, nobody knew what was going to happen ...

Devine: Were there quite a few of you in one bunch then?

Kennedy: Normally all the local employees who had come in that day were up there. There were visiting business men, Koreans, all kinds of people up on that top floor. But the Americans were lined up. I think up to a point, even though there was a Japanese and a Korean who ended up temporarily hostage. I suddenly heard a whisper "we're being blindfolded and tied up", and that's what happened.

Devine: Were you blindfolded and manacled that day?

Kennedy: Blindfolded and manacled, yes, and led downstairs. I remember this is the first time this happened all right turn right now down, down, down, not knowing what was happening, why they were taking us out, I thought they might want to destroy the building, and they're just keeping us under control.

Devine: From that point on, you were really unaware what was going on? You were blindfolded ...

Kennedy: Right.

Devine: You didn't know what other Americans were

close to you; were you able to talk to any of them"

Kennedy: Not then, because we were led out, they (the "students") were whispering in my ear "Vietnam, Vietnam", this was a retaliation, this was the image, the impression they were trying to give, a retaliation for Vietnam. We were led through a chorus of singing women, presumably the ones who had held out the sign, taken back to the Ambassador's residence. I, just by peeking around my blindfold, I was sat down in what I figured out was the small library. Mal Kalp sat down next to me and we whispered and he said at that point, "You realize we're hostages?" He caught on. I thought we were just temporarily detainees while they were going to destroy the building, but he figured it right away. Later we were moved into a, they took off our blindfolds, they relaxed a bit, our blindfolds were taken off. Our hands were still tied, and we began to get obstreperous. I led people whistling "Rally Round the Flag". I marched off to the bathroom without asking permission and somebody running after me saying "Mr.", they didn't have my name yet but, "please, please, you must not do that". And it was clear to both sides, we were beginning to push them a bit, you see, testing for limits.

Devine: But you were still handcuffed and blindfolded?

Kennedy: Not handcuffed, but tied with cloths of various kinds, not many guns in evidence -- one or two had pistols. And the blindfolds were then removed, you

see, they were suddenly being very easy on us.

Devine: Were you personally armed at any point?

Did you have a side arm?

Kennedy: No, and I wouldn't have; it would have been useless. That first day was one where the students were very unsure of themselves and perhaps we might have had a break-out, perhaps they didn't know that there might be some retaliation. It was very clear that we were pushing them for all it was worth and the next morning, which was my birthday, November 5th, came the crackdown. We were marched in, tied up facing the wall, blindfolded, hands behind our backs -- it is very hard to sit for a long time with your hands tied behind your back -- and told to sit. As I crinkled my forehead, because of the discomfort, the blindfold had began to settle and it began to cut off my vision of my polka dot tie which was my security symbol. If I could see my polka dot tie I knew I was me, and also the oriental rug below; I almost shouted out; it was the first time and the only time I've ever badly suffered from claustrophobia. At the end of that day they took off the blindfolds but that night we were moved out, half of us, to places outside the compound. I've suspected since in order to reduce the risks of losing all of us if there was an immediate rescue attempt.

Devine: You were actually out of the compound itself?

Kennedy: For a month.

Devine: For that length of time?

Kennedy: For a month.

Devine: Far away from the compound?

Kennedy: Well, of course, needless to say, following the move ...

Devine: Driven there or ...?

Kennedy: Driven there, always at night. We were always moved at night and with blankets over our heads. I tried to keep track of how many turns. That became pretty useless.

Devine: When you were away for that month, were there other embassy people with you?

Kennedy: I ended up in a room with two other guys, one had a terrible case ... We were three of us, hands tied, not handcuffed but tied, in a double bed -- three of us in one double bed, one had diarrhea and the other was a compulsive snorer.

Devine: Not the most comfortable sleeping!

Kennedy: It was not a comfortable arrangement.

Somehow we made it through. At that point, I finally took my jacket off and my tie. I was determined that I was not going to admit, you see, that they could do this to me, and this was one psychological way I had of getting back at them. That month was a very bad one because we began to realize, slowly, by little remarks they made or didn't make when we

tried to ask them whether we're going home. I'll never forget that awful feeling. I said to my room-mate: "Don't ask the question because you'll get an answer that will discourage you".

Devine: Did they appear to have a single leader at that point?

Kennedy: There was a clear leadership structure; as we got to know them we realized there was a series of interlocking committees of which the most important was the Security Committee, and that really dominated everything.

Devine: Did you ever learn the actual names of any of them?

Kennedy: We, yes, one. The names they gave us, and when we asked them afterwards, checking up on these names, these were not pseudonyms, one was Hamid, whom we nicknamed "Mailman". I think he's referred to by various nicknames in Richard Queen's account.

Devine: Mary, the television interpreter had been identified as one Nilofar Ebtekar, a 21-year-old chemistry student.

Kennedy: Very clearly, everybody knows who she is. But you know, it's curious, just in parenthesis, parenthetically, that the Department of State didn't ask us any names or any details about these people the three months, for the first three months of our return.

Devine: Three months?

Kennedy: Nobody gave a damn. They wanted to bury this whole thing.

Devine: I'd like to get your impressions of just a little bit of the purely personal aspects of the thing. For example, I can imagine it would be rather difficult to go to the bathroom with your hands tied?

Kennedy: Yes. They allowed us to untie our own hands, or they untied them for us, when you got to the bathroom door. When you came out again, then they tied them up or allowed you to do it. And my military roommate snickered when I tied my own hands. They said, "Isn't that too State Department", you know as if I were coming to terms with them. I had more scope as a result, in other words, my mind was always set on getting the best possible circumstances for myself.

Devine: Were you fed on a regular basis at that point?

Kennedy: Pretty bad at first, student food. When we got back to the compound in December we had our own cook, Yusuf, the Ambassador's number two cook, who provided us with very good food and that lasted through April 25th.

Devine: Mike, as to the actual living circumstances, you certainly appear now to be very healthy -- physically and mentally -- was there any time during those 444 days when you were not well, mentally or physically, or at least totally depressed?

Kennedy: Physically I lost a lot of weight during the move, that is from April 25th 'til we got back to Teheran on August 14th, and that was because the food was terrible outside Teheran and because of the anxiety and the pressures, the uncertainty of being moved around and not knowing why or when or anything else. As far as my morale was concerned, I went through my worst time about July on the road in Isfahan. When I got back, I determined then to work hard on my book, part of which I'm now re-writing and that -- the feeling of having something to look forward to every morning, a chapter to be revised or something -- was really what kept my sanity.

Devine: You were writing longhand then?

Kennedy: Longhand. The students giving us, having no problem about getting me pads. One said, "Mr. Kennedy, don't use a Bic pen. I've got a much better pen for you". They were helping.

Devine: Did there develop, in what they call a Stockholm syndrome, any amiability between you and your fellow prisoners, and your captors?

Kennedy: I never saw any Stockholm syndrome, which is an identification with your captors against the outside world. I think that as far as I was concerned, I tried to maintain protocol-type relations -- correct but not too warm. Others showed anger, violence, and a few as we know, collaborated perhaps a little more than they should.

Devine: Press reports here indicate that there were about five hundred so-called students. During the course of that 444 days did they appear to change in identity a great deal?

Kennedy: A very good question. The original group was fairly cohesive and held together until April. One or two were removed who had shown a bad attitude. The students were very careful about whom they allowed to take care of us and we noticed that one or two who had gotten angry or something, were not seen again. Now, after April 25th, often they were recruiting local guards in places like Isfahan to where we were taken. When we got back to Teheran in August, there was the same hard-core but a lot of the younger kids were gone and we learned that they had just gotten discouraged. They had hoped for a world revolution, for which they would be the catalysts. These were young idealists and I think they got sickened and bored and they lost a sense of purpose in what they were doing.

Devine: So, the young idealists may have drifted away and the hard-core ...

Kennedy: The hard-core hung on and recruited others. So we saw new people when we got back (from Isfahan).

Devine: Before you go beyond April 25th, let me ask you this: on that day, what has become known as the helicopter "Desert Rescue Mission" was pulled off and failed, how soon were you and your fellow hostages aware of that

operation after it occurred?

Kennedy: We knew something had happened. We knew something was in the wind that day.

Devine: That very day?

Kennedy: We'd heard martial music. We had heard all kinds of things and I thought the Shah might have died because we had intercepted a letter which indicated he was very ill and in Cairo. That word had gotten through to us.

Devine: So you had news of the Shah's movements from Cairo to Rabat to the Bahamas ...

Kennedy: Only because the censors that threw away the mail put the wastebasket in the bathroom by mistake. Somebody grabbed a letter that was supposed to have been destroyed but that day -- April 25th -- about four o'clock, Ahmad, the senior guard, came in and said, "Get up, pack up; you're moving somewhere else". We didn't know the reason. We were having, in our room, some roommate problems. We'd complained, asked to be moved in with other people. We thought it might be that. We thought the Shah might have died. As darkness fell you could see the flash of flashbulbs. People taking pictures. We heard the motorcycles and we thought these are the graduation pictures. The students are all lined up taking their final pictures with hostages who are being taken to the airport. In fact, one roommate didn't pack his bags. He didn't take much stuff with him when we moved; he thought it would all be deliver-

ed to him on the plane. Then we heard a click, a noise which I will never forget, which was the click of the handcuffs. You know them only too well. We realized then that it was unlikely we'd be handcuffed if we were being released. Instead of going downhill to the airport, you remember Teheran, we began to head uphill. It was very clear we were being moved to the suburbs to a rich man's house, confiscated.

Devine: Did it appear to be a great distance or just a few miles?

Kennedy: Just a few miles. It was obvious, you could hear the traffic going, it was on the main drag outside.

Devine: At night?

Kennedy: Always at night, blindfolded, but they were ready for us. When I arrived at this place they flipped up my blanket. Somebody said, "Good", checked off my name. They were ready for us. They knew exactly which rooms we're going to go in. They obviously had a contingency plan and this ties with what "Sheikholeslam" truth, the spokesman had told us in February: "We hope you won't do anything foolish. We hope Mr. Carter won't do anything foolish, like a rescue attempt from Turkey with helicopters. We are ready for it and some, if not all of you, will be killed".

Devine: Were you yourself ever put on television to

make any kind of statement. I can't recollect myself whether I ever saw you individually on TV.

Kennedy: I made a point of being the biggest bore I could be and that was true with everything they tried to get me to do. "What's your treatment like?" I described practically every bowel movement. "What do you think about the Shah's return? Write your hometown newspaper", which would be the Bar Harbor Times. I said, "I hoped the Shah will be returned within the context of ever improving relations". I gave them all the State Department gobbledegook, realizing they would get nowhere, and that was my way of coping. Others felt they should do more for the students and others, perhaps, felt they should be disagreeable.

Devine: Did you have much lateral communication among your fellow internees?

Kennedy: No, they kept us together in small groups and they did their best to keep us from each other.

Devine: The small group you were in, were they ...

Kennedy: Three, two or three people.

Devine: Were they always the same two or three people?

Kennedy: Pretty much. There were changes. The groups evolved but basically I was with Rivkofky from the beginning, from the time we got back to the compound in December until we were released. Other people joined

that group, and others were taken away from that group. So, they tried not to allow people to mix up. They also put different kinds of people together because they didn't want to be ganged up on.

Devine: The lady hostages were always separated from the men?

Kennedy: Well, Ann Swift, Kay Swift and Kay Koop were in a room, we discovered, practically across the hall from us during the time we were still in the compound, until April 25th.

Devine: But you had no communication with them?

Kennedy: Absolutely not, but we heard women guards and women's voices so we knew that there had to be women on our floor.

Devine: Mike, just a couple little things. Near the end of the 444 days, was your input of news from the outside improved? Did you know much of what was going on in terms of Warren Christopher's negotiations in Algeria or even the earlier attempts at contact by Ramsey Clark?

Kennedy: We never knew about Ramsey Clark. We never knew the name Warren Christopher. We knew that the Algerians were somehow involved. We demanded, I demanded of Ahmad, our senior guard, for some news since we had been assured that we would be home by Election Day. When Election Day came and went with no indication of anything's happening, we asked, "Why?" We were then told of the

Khomeini points for our release -- which had been issued earlier -- I guess in September and it wasn't really until we were moved to these vastly improved quarters from Komitch Prison to a quite comfortable guest house on December 18th that I realized that things had to be changing. The Algerian Ambassador came in on Christmas day. I backed him into a corner and gave him, gave the students hell in French, which is a language they couldn't follow. That was the first contact we had.

Devine: In your communication with your kidnapers, the militants, did you talk with them much in French or English?

Kennedy: English was the language of captivity, a little bit of Arabic, which I used sometimes at the beginning.

Devine: So you had frequent dialogue?

Kennedy: Dialogue was very common. They were trying to convert us. We noticed they'd try with a certain level of student and when, in our particular room which was a pretty bright room, we were able to "best" him, they then brought in somebody smarter. But that period of conversion, which I'd say lasted from December through April, they hoped to enlist our sympathies so when we went home we would put the best face on the takeover.

Devine: Do you think at that time that they knew you were likely to be going home pretty soon?

Kennedy: There was tremendous change in their attitude

in January of 1980 and at that point I think they figured we were in for a long haul and that it was a question of negotiating. Before that, the prospect of being killed was very much there and after that, and throughout 'til the end, there was always this likelihood, which they warned us of, that "some of you may be put on trial and if this doesn't work out, some of you will be executed".

Devine: Was there any specific time, other than mental torture of that nature, any specific episode when you, or any of your colleagues were actually tortured?

Kennedy: Question of torture: it never happened to me. I never saw it happen. Certain of my colleagues believed to be intelligence officers were beaten, roughed up. There was not, however, a systematic, scientific application of pain such as you read about, as far as I know.

Devine: Did the militants seem to be able to separate out the people who were believed to be intelligence officers and to have some idea that they were intelligence officers?

Kennedy: Well, yes because unfortunately there was found in the safe of the Charge a complete list of all the CIA people.

Devine: Mike, to an outsider like me, it seemed absolutely astonishing that this event occurred on November 4th without better destruction procedures for classified material -- including that particular list.

Kennedy: This is why, and you may have wondered why

I gave you such detailed description of the days before the takeover -- because we had a Friday and a Saturday which were holidays, no local employees around, they could have called people in shifts 'til they destroyed everything and it was a great failing on our part that this was not done.

Devine: As you look back on the entire episode, do you have any feelings yourself as to the adequacy or inadequacy of the Carter administration's attempt to secure freedom for you and your fellow hostages?

Kennedy: I think that Mr. Carter's real problem was walking both sides of the street. This was his great mistake: in admitting the Shah without giving the expected thought, and necessary thought, to our safety -- not just our lives but the humiliation to the United States that was the result. I think that from the moment of our takeover, through April, Mr. Carter's attitude was probably about right -- make the students sweat it out. It provided an opportunity for the U.N. to bring a case at the World Court, to use this as a way of vindicating our own position.

Devine: Apparently that was done, every legal process was pursued.

Kennedy: All those things were done. All those things were done, but then, why, when you had a case pending at The Hague which had to do with the violation of

American sovereignty, do you then pull a helicopter raid? Again it was this inconsistency of Mr. Carter's way of doing things that was so very wrong.

Devine: Ledeen and Lewis, in their book, "Debaacle, the American Failure in Iran", pinned the blame to a certain extent on Henry Precht who was then running the Iranian desk in the State Department and also on the statements of Patricia Derian, Human Rights Commissioner. As you look back on the whole episode, do you think there's any validity in the Ledeen-Lewis case to this effect?

Kennedy: Well, to take the second one first, and you're the first person who's asked me this, to take the second one first, I'm all for Human Rights, having been denied them, having had seen my own denied, but having served in Chile and then in Iran, and seeing the aspects of hypocrisy in the program of Human Rights, as managed by Carter and Derian, excited and having paid the price for false expectations raised by Carter and then not carried through with, I think that the Carter Human Rights policy was very badly handled. I think it had a lot to do with our takeover because Carter was the enemy, he was the hypocrite, he was Satan. He had raised their expectations and then allowed them, the students, the dissidents in Iran, given them no protection at all, having almost assured them that he had their interests, as they thought, at heart.

Devine: Pierre Salinger in his new book entitled

"American Held Hostage" seems to share that point of view.

Kennedy: It's a great mistake not to carry through and that was the thing about Henry Precht. I hate to criticize a former colleague, but a number of mistakes were made, not the least of which was rebuilding the Embassy, restaffing it when in fact it was the Embassy itself that was considered part of the problem. Its very size led the students to think that this was the secret government (of Iran). I've said this to Henry, that his whole attitude showed want of understanding and sensitivity to a problem which contributed certainly to what happened to us that November.

Devine: There may be some things that I probably should have asked you, and haven't. Can you think of anything that would add to the substance of this interview?

Kennedy: Well, no, I've talked and talked and talked and I don't know how much is useful to you.

Devine: Well, let me ask you one question then in respect to the hostages themselves. As I understand it, a Federal court has ruled that the hostages cannot sue Iranian assets or the Iranian government for retribution. Is there any action now being taken to sue either the American government or to sue the Iranians in other jurisdictions or anything like that? I might say that's not a loaded question. I personally feel strongly something in a major way should be done and the Iranians should pay for

it.

Kennedy: Well, this has been our position as hostages and particularly through our family organization, FLAG, of which my wife Louisa is the Vice-President. Our position has been that our right to sue Iran was extinguished in the Algerian agreement. It was, moreover, doubly extinguished because Mr. Reagan ratified it. Now, we were safely home so in a sense that right to sue was given away in return for good foreign policy reasons like getting on with the Algerians and other foreign policy reasons to keep this agreement when in fact it wasn't done necessarily for our benefit. So, I think we have a cause at law. More than that, I'd like to see a payment made to the hostages if only to keep this alive so that when the time comes and we get back on terms with Iran with a future government, we can collect from Iran. This issue is up front.

Devine: There are some people who think the U.S. government's offer of twelve dollars and fifty cents is insufficient.

Kennedy: Twelve fifty a day.

Devine: That may be more of a gratuitous insult than anything else. What do you think about that?

Kennedy: My feeling about this is I don't like the basis on which it was computed, which was the five dollars a day paid to prisoners of war, adjusted for inflation. We were not prisoners of war and if you analogize us, and

assimilate us to the status of prisoners of war, what you're saying is the Iranians had a right to hold us because their government had a right to hold prisoners of war, if it had no right to hold hostages.

Devine: A critical difference.

Kennedy: A critical difference and that is the real reason why I hope this compensation issue remains alive if only to distance us and the United States from this very false analogy (of being defacto prisoners of war).

Devine: I know you're now no longer in the foreign service, but are you satisfied that the Federal government has now planned adequate measures to cope with any similar takeover of an embassy?

Kennedy: Measures have been taken. I know they have been rethinking through a lot of things. They have expanded the terrorist course which people have to take before going overseas but, Bob, the real answer isn't to protect an embassy, by the time you get to that point it's too late.

Devine: Maybe you shouldn't have an embassy in a potentially dangerous place in the first place?

Kennedy: Exactly and maybe you should have the kinds of foreign policies that ensure that we're not the enemy of the countries where we have diplomatic missions.

Devine: One final question, Mike, like every other U.S. American that followed this whole incredible episode

on television and in the press on a daily basis -- and your nice wife Louisa became a public figure in her own right as representing the families of all the hostages -- is either of you writing a book?

Kennedy: She is writing a book and she is now negotiating with publishers.

Devine: Will she talk of, I don't want to steal her thunder, but will she talk about your situation as she's heard it from you or will she talk about her situation as she lived out the problem?

Kennedy: It's basically about her situation, not just personally but this extraordinary group of families that organized FLAG as a political action group, what was said about the Carter administration and about our alliances abroad. A lot can be learned from this whole hostage matter that is not being learned and that's much more interesting than whether or not we were blindfolded. So there'll be references in her book to my situation but the basic thing is what was going on over here in the U.S.

Devine: Finally, are you satisfied that we're wiser not to have used a little gunboat philosophy and gone in there firing long before?

Kennedy: Well, when could we have done it? We didn't have, with this enormous military machine, we didn't have at the time the kind of force -- rapid deployment force -- that is being so ballyhooed today. It seems to me that's

extraordinary. If we had it, perhaps that first day a sudden, quick thrust into Teheran might have done it. After a couple of days time is on the side of the captors and after about two months the pendulum shifts the other way.

Devine: Mike, I thank you very much for your patience in having gone through this process and I personally wish you the greatest of luck in the future.

Kennedy: Thank you.

End of Tape