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**Case File Number(s):** 092000-119999  
**Box Number:** 89

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*Last Updated: 11/07/2023*

ID # 092946

WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

00071

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

8223905

Date Correspondence Received (YY/MM/DD) 82/07/23

Name of Correspondent: S. Kaweh Mirani, Guity Nashot, Karim Pakrauan, and Marvin Zorus

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

Subject: encloses a copy of the "Declaration of Chicago" which charges Iran with the systematic violation of the most fundamental human and civil rights of its citizens

ROUTE TO: ACTION DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
✓ CS K. Cavalier	ORIGINATOR	82/08/06		C	82/08/30
✓ DOS Executive Secretariat	R	82/08/10	On behalf of James A. Baker, III		82/08/18

- 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: 0003 Media: L Individual Codes: 4800 4400

Prime Subject Code: 0071 Secondary Subject Codes: NU

## 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 - 0 - Unknown
  - 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



(Classification)

CSCAMA

DEPARTMENT OF STATE  
EXECUTIVE SECRETARIAT  
TRANSMITTAL FORM

S/S 8223905

Date August 19, 1982

For: Mr. William P. Clark  
National Security Council  
The White House

Reference:

To: James Baker From: Mr. S. Kaveh Mirani  
Date: July 23, 1982 Subject: Encloses copy of  
"Declaration of Chicago"

WH Referral Dated: August 10, 1982 NSC ID # 092946  
(if any)

       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.  
  X   An information copy of a direct reply is attached.  
       We believe no response is necessary for the reason  
cited below.  
       The Department of State has no objection to the  
proposed travel.  
       Other.

Remarks:

*Laurel A. Tolunfo*  
for L. Paul Bremer, III  
Executive Secretary



DEPARTMENT OF STATE

Washington, D.C. 20520

August 18, 1982

Iran Committee for Democratic Action  
and Human Rights  
P. O. Box 503  
Flossmoor, Illinois 60422

Attention: Mssrs. S. Kaveh Mirani, Guity Nashat, Karim  
Pakravan and Marvin Zonis

Dear Sirs:

Your letter to Mr. James Baker, Chief of Staff, the White House, has been referred to me for reply. We appreciate your enclosure of the "Declaration of Chicago".

The United States is an active participant in the United Nations Human Rights Commission and a signatory and supporter of the Universal Declaration of Human Rights. This Administration believes that these standards should be upheld by all nations, and will do all it can toward this end.

Enclosed is a copy of the "Country Reports on Human Rights Practices for 1981". The introduction of this report represents a comprehensive explanation of this Administration's policy on human rights as it pertains to U.S. Foreign Policy, and a report on our findings on human rights practices in Iran are reported on pages 976-982.

Should you have further questions or comments, please do not hesitate to write to or call me.

Sincerely,

Paula Kuzmich  
Public and Congressional  
Affairs Adviser  
Bureau of Human Rights and  
Humanitarian Affairs

Enclosure:  
As Stated

8223905

THE WHITE HOUSE OFFICE

REFERRAL

AUGUST 10, 1982

TO: DEPARTMENT OF STATE  
ATTN: EXECUTIVE SECRETARIAT

ACTION REQUESTED:  
DIRECT REPLY, FURNISH INFO COPY

REMARKS: ON BEHALF OF JAMES A. BAKER, III

DESCRIPTION OF INCOMING:

ID: 092946

MEDIA: LETTER, DATED JULY 23, 1982

TO: JAMES BAKER

FROM: MR. S. KAVEH MIRANI  
IRAN COMMITTEE FOR DEMOCRATIC  
ACTION AND HUMAN RIGHTS  
POST OFFICE BOX 503  
FLOSSMOOR IL 60422

SUBJECT: ENCLOSURE A COPY OF THE "DECLARATION OF  
CHICAGO", WHICH CHARGES IRAN WITH THE  
SYSTEMATIC VIOLATION OF THE MOST FUNDAMENTAL  
HUMAN AND CIVIL RIGHTS OF ITS CITIZENS

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN  
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE  
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE  
(OR DRAFT) TO:  
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE

SALLY KELLEY  
DIRECTOR OF AGENCY LIAISON  
PRESIDENTIAL CORRESPONDENCE

*Received and 5-1  
8/10 at 12:24 p.m. (SJK)*

**IRAN COMMITTEE FOR DEMOCRATIC ACTION  
AND HUMAN RIGHTS**  
P.O. Box 503, Flossmoor, IL 60422

092946

Convention on  
"Human Rights and Civil Liberties in Iran"

July 23, 1982

*Conveners (in formation)\*:*

Professor Kenneth J. Arrow  
Stanford University  
Dr. Shaul Bakhash  
Princeton University  
Professor Ali Banuazizi  
Boston College  
Professor Gary S. Becker  
University of Chicago  
Robert Coles, MD  
Harvard University  
Professor T. J. Farer  
Rutgers University  
Georgie Anne Geyer  
Syndicated Columnist  
Hanna H. Gray  
President,  
University of Chicago  
Irving Howe  
Author  
Ali Asqar H.S. Javadi  
Author  
Professor Firouz Kazemzadeh  
Yale University  
Professor Phillip B. Kurland  
University of Chicago  
Professor Seymour M. Lipset  
Hoover Institution  
Rahmatollah M. Maraqe'i  
Former Governor of Azarbaijan  
Hasan Nazih  
Former President,  
Iranian Bar Association  
Martin Peretz  
Editor-in-Chief,  
New Republic  
Dr. William B. Quandt  
Brookings Institution  
Richard Stern  
Author  
James R. Thompson  
Governor,  
State of Illinois  
Professor Michael Walzer  
Princeton University  
George F. Will  
Syndicated Columnist  
Howard Wolpe  
U.S. Congress

Mr. James Baker  
The White House  
Washington, D.C. 20500

Dear Mr. Baker:

Enclosed is a copy of the Declaration of Chicago. This declaration was adopted at the conclusion of the Convention on Human Rights and Civil Liberties in Iran which was convened under the auspices of the Iran Committee for Democratic Action and Human Rights on May 22, 1982 in Chicago.

The papers presented at this convention by a distinguished international panel are currently being assembled in a volume of proceedings. This volume will be made available in the near future.

We would like to use this opportunity to thank all those who through their financial support or participation made this gathering possible, and hope to be able to enjoy their continued assistance in the future.

Sincerely,

S. Kaveh Mirani

Guity Nashat

*K. Mirani*

*G. Nashat*

Karim Pakravan

Marvin Zonis

*KP Pakravan*

*Marvin Zonis*

vml

## DECLARATION OF CHICAGO

When the fundamental rights of a people are jeopardized, it is the right and the duty of all humankind to protect the oppressed and to restore through all possible means the dignity and human worth of which that people has been deprived. That men and women from all creeds and colors and from nations large and small are endowed by their creator with certain unalienable rights; that among these rights are equality before the law, protection against arbitrary arrests, the right to a fair trial, the right to own property, freedom of opinion and expression, freedom of thought, conscience, and religion, and entitlement to pursue happiness: is an evident truth.

Yet, when the interest of tyrants or the zeal of despots causes them to disregard these natural rights inflicting upon their people suffering and misery, all members of the human race must rise to oppose these usurpations and to put an end to these abuses.

The Islamic Republic of Iran in its some three years of government has systematically violated the most fundamental human and civil rights of its citizens. Thousands of people have been executed in summary trials without right of appeal or access to legal defense. There are tens of thousands of prisoners of conscience in Iranian jails, many of them suffering from the most degrading practices of physical and mental torture. Freedom of religion has been curtailed; the rights of ethnic minorities have been negated. An attempt to impose a cultural revolution on the nation has resulted in the denial of women's social rights, closing down of the institutions of higher education, and has introduced severe restrictions



even on the most sacred realms of personal and family life. All political parties, assemblies, and newspapers unaffiliated with the regime have been banned. People have lost the freedom to travel, to seek knowledge, or to choose what they wear, eat, or drink.

These atrocities, regretfully committed by a national government and under the name of Islam, are a dishonor to Iranian cultural values and abuse the divine teachings of Islam. We therefore hold the present regime of Iran fully responsible and accountable for these wrongdoings. We further:

- (1) support the Iranian people now subject to the pain and agony of oppression in their efforts to secure the rights and privileges to which they are entitled;
- (2) appeal to all governments of the world to exert meaningful influence to further the fundamental human and civil rights of the Iranian people;
- (3) urge all the international human rights organizations to intensify their efforts in monitoring the state of human rights in that country; and
- (4) call upon all Iranians living in exile to work together, despite their political and ideological differences, to underscore and redress the anguish and distress which has befallen their fellow countrymen.

We, the adopters of this Declaration, pledge an unceasing effort towards the promotion of human rights in Iran until freedom and justice prevail in that country.

Adopted by the Convention on Human Rights and Civil Liberties in Iran, May 22, 1982, in Chicago.

7523 00071

WHITE HOUSE STAFFING MEMORANDUM URGENT

DATE: 11/1/82 ACTION? CONCURRENCE/COMMENT DUE BY: 11/2/82

SUBJECT: EXTENSION OF NATIONAL EMERGENCY WITH RESPECT TO IRAN

Table with columns: NAME, ACTION, FYI, NAME, ACTION, FYI. Rows include VICE PRESIDENT, MEESE, BAKER, DEEVER, STOCKMAN, CLARK, DARMAN, DOLE, DUBERSTEIN, FELDSTEIN, FIELDING, FULLER, GERGEN, HARPER, JENKINS, MURPHY, ROLLINS, WILLIAMSON, VON DAMM, BRADY/SPEAKES, ROGERS.

Remarks:

May we have any comments by close of business tomorrow, November 2. Thank you.

Richard G. Darman Assistant to the President (x2702)

NSC# 8207523

Response:

I approve the language in the documents notifying Congress of an Extension of the National Emergency with respect to Iran and recommend that the President sign them.

Signature of William P. Clark



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

NOV 1 1982

MEMORANDUM FOR: THE PRESIDENT  
FROM: David A. Stockman *DAS*  
SUBJECT: Extension of national emergency with respect to  
Iran

Under the National Emergencies Act, authorities being exercised pursuant to the November 14, 1979, declaration of national emergency with respect to Iran will lapse this November 14 unless the President transmits to the Congress a notice that the authorities are being extended. If the Iran emergency were to lapse, the President could be prevented from taking necessary steps to implement the January 1981 settlement with Iran, to effectuate new settlements, or to protect the interests of U.S. claimants.

I recommend that you: (1) sign the attached letter to the Congress transmitting the notice of emergency extension and (2) submit the proposed notice of extension of the national emergency concerning Iran to the Federal Register.

These documents, which were prepared by the Department of the Treasury with the concurrence of the Departments of Justice and State, should be signed no later than November 5, 1982, so that the notice of emergency extension can be published in the Federal Register by November 8, 1982, prior to the expiration date of the current authority.

Attachments

TO THE CONGRESS OF THE UNITED STATES:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination on the anniversary date of a declaration of emergency, unless prior to the anniversary date the President publishes in the Federal Register and transmits to Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. I have sent to the Federal Register for publication the enclosed notice stating that the Iran emergency is to continue in effect beyond the November 14, 1982 anniversary date. Similar notices were sent to the Congress and the Federal Register on November 12, 1980 and November 12, 1981.

The crisis between the United States and Iran, which began in 1979, has eased, but it has not been fully resolved. The internal situation in Iran remains uncertain. The war between Iran and Iraq continues, and the Soviet Union still occupies Afghanistan. The international arbitral tribunal established for the adjudication of claims of United States nationals against Iran and by Iranian nationals against the United States continues to function. Full normalization of commercial and diplomatic relations between the United States and Iran will require more time. In these circumstances, I have determined that it is necessary to maintain in force the broad authorities that may be needed to respond to the process of implementation of the January 1981 agreements with Iran and the eventual normalization of relations.

TO THE CONGRESS OF THE UNITED STATES:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination on the anniversary date of a declaration of emergency, unless prior to the anniversary date the President publishes in the Federal Register and transmits to Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. I have sent to the Federal Register for publication the enclosed notice stating that the Iran emergency is to continue in effect beyond the November 14, 1982 anniversary date. Similar notices were sent to the Congress and the Federal Register on November 12, 1980 and November 12, 1981.

The crisis between the United States and Iran, which began in 1979, has eased, but it has not been fully resolved. The internal situation in Iran remains uncertain. The war between Iran and Iraq continues, and the Soviet Union still occupies Afghanistan. The international arbitral tribunal established for the adjudication of claims of United States nationals against Iran and by Iranian nationals against the United States continues to function. Full normalization of commercial and diplomatic relations between the United States and Iran will require more time. In these circumstances, I have determined that it is necessary to maintain in force the broad authorities that may be needed to respond to the process of implementation of the January 1981 agreements with Iran and the eventual normalization of relations.

NOTICE

- - - - -

CONTINUATION OF IRAN EMERGENCY

On November 14, 1979, by Executive Order No. 12170, the President declared a national emergency to deal with the threat to the national security, foreign policy and economy of the United States constituted by the situation in Iran. Notices of the continuation of the national emergency were transmitted by the President to the Congress and the Federal Register on November 12, 1980 and November 12, 1981. Because our relations with Iran have not yet been normalized and the process of implementing the January 19, 1981 agreements with Iran is still under way, the national emergency declared November 14, 1979 must continue in effect beyond November 14, 1982. Therefore, pursuant to section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am so continuing the national emergency with respect to Iran declared on November 14, 1979. This notice shall be published in the Federal Register and transmitted to the Congress.

THE WHITE HOUSE,


## MEMORANDUM

## NATIONAL SECURITY COUNCIL

ACTION

November 2, 1982

MEMORANDUM FOR WILLIAM P. CLARK

FROM: GEOFFREY KEMP 

SUBJECT: Extension of National Emergency  
with Respect to Iran


The declaration of national emergency with respect to Iran will lapse this November 14 unless the President transmits a notice of extension to the Congress by November 5, 1982.

David Stockman recommends that the President sign the letter to Congress, transmitting the notice of emergency extension and submit the proposed notice of extension to the Federal Register (Tab I).

We approve the language in the documents, which were prepared by the Department of the Treasury with State and Justice concurrences.

Norman Bailey and Henry Nau concur.

RECOMMENDATION:

That you sign the  response block at Tab I.

APPROVE \_\_\_\_\_ DISAPPROVE \_\_\_\_\_

## Attachment:

Tab I - Memorandum from David Stockman,  
transmitting the notice of emergency  
extension

Prepared By:  
Liz Attardo

# National Security Council The White House

RECEIVED

Package # 7523

82 NOV 6 AIO: 37

	SEQUENCE TO	HAS SEEN	ACTION
John Poindexter	<u>1</u>	<u>[Signature]</u>	<u>A</u>
Bud McFarlane	_____	_____	_____
Jacque Hill	_____	_____	_____
Judge Clark	_____	_____	_____
John Poindexter	_____	_____	_____
Staff Secretary	<u>2</u>	_____	<u>[Signature]</u>
Sit Room	_____	_____	_____

[Signature]  
NOV 0 6 1982

I-Information   A-Action   R-Retain   D-Dispatch   N-No further Action

### DISTRIBUTION

cc: VP   Meese   Baker   Deaver   Other \_\_\_\_\_

### COMMENTS



RECEIVED 01 NOV 82 19

TO CLARK

FROM DARMAN, R

DOCDATE 01 NOV 82

KEYWORDS: IRAN

INTL FINANCE

ECONOMIC ASSISTANCE

JAR

SUBJECT: EXTENSION OF NATL EMERGENCY RE IRAN

ACTION: PREPARE MEMO FOR CLARK

DUE: 01 NOV 82 STATUS S FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

KEMP

BAILEY

ROBINSON

DUR

NAU

KIMMITT

COMMENTS

REF# 098261SS

LOG 2159 7317

NSCIFID

( M / )

ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

Clark

x

4/2

For Sig

11/5

NOV 06 1982

Poundexter sig

GR, NB, HN

DISPATCH

ed mm 150 NOV 06 1982

W/ATTCH FILE

W/ (C) km

101464  
ID # \_\_\_\_\_  
C O 071

WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

8230041

Date Correspondence Received (YY/MM/DD) 82/09/25

Name of Correspondent: Col. Esmail Sayer (ret.)

MI Mail Report      User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: requests assistance in obtaining retirement salaries for his wife and himself from the Iranian government

ROUTE TO:

ACTION

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
✓ CS	H. Carnalier	ORIGINATOR <sup>CS</sup>	82/09/25		C	82/10/14 <sup>2</sup>
✓ DOS	Executive Secretariat	R <sup>CS</sup>	82/10/04		A	82/10/04
			1 1			1 1
			1 1			1 1
			1 1			1 1

ACTION CODES:

- A - Appropriate Action
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- 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: 3.500 \_\_\_\_\_

Prime Subject Code: CO 071 Secondary Subject Codes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## PRESIDENTIAL REPLY

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

**SIGNATURE CODES:**

- CPn - Presidential Correspondence**
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- 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**
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- n - 2 - Nancy
- n - 3 - Mrs. Ronald Reagan
  
- CBn - Presidential & First Lady's Correspondence**
- n - 1 - Ronald Reagan - Nancy Reagan
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- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

CSCAMA

S/S # 8230041

Date: OCT 08 1982

RECEIVED

82 OCT 9 AIO: 07

DEPARTMENT OF STATE  
EXECUTIVE SECRETARIAT  
TRANSMITTAL FORM

82 OCT 8 P11: 11

WHITE HOUSE  
SITUATION ROOM

FOR: Mr. William P. Clark  
National Security Council  
The White House

REFERENCE:

TO: James Baker FROM: Col. Esmail Sayas, Ret.

Date: 9/25/82 SUBJECT: non-receipt of pension

WHITE HOUSE REFERRAL DATED: 10/4/82 NSC # 101464

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.
- Others.

REMARKS:

*for* L. Paul Bremer, III  
Executive Secretary

October 6, 1982

Col. Esmail Sayas  
86 O Street N.W.  
Washington, D.C. 20001

Dear Col. Sayas:

Your letter of September 25, 1982 addressed to James Baker was referred to this office for reply.

Our understanding is that the Government of Iran has stated that it will not pay pensions to retired government employees, including retired military officers, nor to their dependents, if the retiree is not physically present in Iran. We are aware that this creates severe difficulties for many who cannot return to Iran, and who are therefore cut off from the pension income they had expected to receive during their retirement years. There is, however, nothing the Government of the United States can do to rectify the problem. As you are no doubt aware, American influence with the revolutionary regime in Iran is nil.

I sincerely regret that we are unable to be of assistance.

Sincerely,

Barbara L. Schell  
Office of Iranian Affairs

8230041

T H E   W H I T E   H O U S E   O F F I C E

REFERRAL

OCTOBER 4, 1982

TO: DEPARTMENT OF STATE  
ATTN: EXECUTIVE SECRETARIAT

ACTION REQUESTED:  
DIRECT REPLY, FURNISH INFO COPY

DESCRIPTION OF INCOMING:

ID: 101464

MEDIA: LETTER, DATED SEPTEMBER 25, 1982

TO: JAMES BAKER

FROM: COL. ESMAIL SAYAS RET.  
86 O STREET, NW  
WASHINGTON DC 20001

SUBJECT: REQUESTS ASSISTANCE IN OBTAINING RETIREMENT  
SALARIES FOR HIS WIFE AND HIMSELF FROM THE  
IRANIAN GOVERNMENT

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN  
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE  
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE  
(OR DRAFT) TO:  
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE

SALLY KELLEY  
DIRECTOR OF AGENCY LIAISON  
PRESIDENTIAL CORRESPONDENCE

*Received in S/S-I  
10/4 at 10:35 A.M. (CSJ)*



85, Q, St N.W.

8230041

confidential sept. 25, 1982

WASH. D.C. 20001

a piece of my wife's letter is attached.

101464

Esmail Sayas.

Dear, ESQ, Mr. James Baker chief of Staff of white house.

Dear Gentlemen: I served more than thirty years with integrity and with difficulties in granian army for retirement times getting retirement salaries for my wife and for my children, unfortunately they see me to jail, and wanted to shoot me four o'clock in the morning this statements created for me by the people who apparently pretend and pretext that they are not against with the west nations, but they are, and also they did not give any government house to my wife and my children for living, and worst than granian government did not give my insignificant retirement salaries which is not enough for my family, and wife refered everyday with more struggles, efforts, embarrassment, and with weeping, and with crying, and studying my integrity and fidelity services records still granian government has not had given enough my salaries to my wife, and my children for living, and also you know better than me living and for paying rent for house and daily spending needs, more money, and am very sorry to that an unexpected affliction in my family obliged me to solicit your assistance, me for receiving all my retirement salaries from granian government by my wife, because my wife and my children can not pay the rent of the house, and have no enough money for living, and now they are extremely in dangerous, and believe me that I am forced to make known my position to you, and solicit the favour which I mentioned above, and I really do not know how to thank a very kind and good-hearted people just like you all, when I am in misfortune, and I greatly appreciate what you all have done for me, and also I shall be grateful to you all in my life for above matter, and I can say nothing but good of you all, and I shall be obliged if you would accept my excuses for the trouble which I have given to you all about receiving my all retirement salaries by my wife in gran from granian government.

sincerely yours  
granian retired colonel Esmail Sayas



JV  
dq

ID # 102117

WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET

COO#

8230176

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

8209107

Name of Correspondent: Kayvon Pahlavi Hilleger

MI Mail Report User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Writer ~~purports~~ purports to be the nephew of the late Shah of Iran. Is concerned that our government has made a bargain with the Khomeini government.

ROUTE TO:		ACTION	DISPOSITION		
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
	Cokell	ORIGINATOR	82,10,01		C 82,10,14
	dos	Referral Note:	R 82,10,05		A 82,10,13
		Referral Note:			
		Referral Note:			
		Referral Note:			
		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: 2 Individual Codes: 4000 \_\_\_\_\_

Prime Subject Code: CO 071 - \_\_\_\_\_ Secondary Subject Codes: FD \_\_\_\_\_

\_\_\_\_\_- \_\_\_\_\_

\_\_\_\_\_- \_\_\_\_\_

## 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 - 0 - Unknown
- 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

8520119

MAIL ROOM

10 05113



(Classification)

DEPARTMENT OF STATE  
EXECUTIVE SECRETARIAT  
TRANSMITTAL FORM

S/S 8230176

Date October 13, 1982

For: Mr. William P. Clark  
National Security Council  
The White House

Reference:

To: President Reagan From: Kayvon P. Hillyer

Date: Undated Subject: U.S. policy toward  
Iran

WH Referral Dated: 10/5/82 NSC ID # 102117  
(if any)

       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.
- X   An information copy of a direct reply is attached.
- We believe no response is necessary for the reason  
cited below.
- The Department of State has no objection to the  
proposed travel.
- Other.

Remarks:

*For* *Laurie A. Tolson*  
L. Paul Bremer, III  
Executive Secretary

(Classification)

October 7, 1982

Mr. Kayvon P. Hillyer  
P.O. Box 2721  
Beverly Hills, California 90213

Dear Mr. Hillyer:

Your recent letter to President Reagan has been referred to me for reply.

We appreciate your concern regarding U.S. policy toward Iran. However, there may have been a misunderstanding concerning this policy. We have not modified in any substantial way our policy with regard to Iran since the United States signed the Algiers Accords with Iran on January 18, 1980.

Sincerely,

/s/

Richard J. Higgins  
Office of Iranian Affairs

8230176

T H E   W H I T E   H O U S E   O F F I C E

REFERRAL

OCTOBER 5, 1982

TO: DEPARTMENT OF STATE

ACTION REQUESTED:

DIRECT REPLY, FURNISH INFO COPY

DESCRIPTION OF INCOMING:

ID: 102117

MEDIA: LETTER

TO: PRESIDENT REAGAN

FROM: MR. KAYUON P. HILLYER  
POST OFFICE BOX 2721  
BEVERLY HILLS CA 90213

SUBJECT: WRITER PURPORTS TO BE THE NEPHEW OF THE LATE  
SHAH OF IRAN - IS CONCERNED THAT OUR  
GOVERNMENT HAS MADE A BARGAIN WITH THE  
KHOMEINI GOVERNMENT

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN  
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE  
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE  
(OR DRAFT) TO:  
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE

SALLY KELLEY  
DIRECTOR OF AGENCY LIAISON  
PRESIDENTIAL CORRESPONDENCE

*Received in 5/5-I  
10/5 at 1:45 p.m. (RSD)*

5)

Kayvan P. Hillyer

PO Box 2721

Beverly Hills, Ca. 90213

(213) 761-3112

SSN: 561-82-6102

The President of the United States of America

Mr. Ronald Reagan

The White House

Washington, D.C.

102117

Dear Sir:

I am the nephew of the late Shah of Iran. However my purpose in writing to you is not to speak of this, rather it concerns a matter of extreme sadness now prevailing in the Iranian community.

A rumor is running rampant that yourself, the most powerful man on earth and upholder of the principles of God, have acknowledged Khomeini as the rightful ruler and have made a bargain with that government.

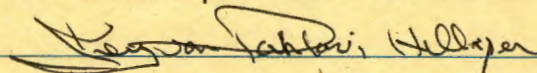
I am not concerned with seeing my family return to power, however I am concerned with the end of violence and hatred that is now prevalent in Iran. As I understand the rumor, part of the bargain, is continuing the vendetta against my family, if this is so let me die for them. They have suffered so much. I was a 2<sup>nd</sup> Lt. in the commandos in Iran and I am the last surviving member of my family to leave Iran.

I have not received "heroic" acknowledgment but in my heart I know I did right.

Please do not bargain with Khomeini, for that would be like bargaining with the destructive, malevolent force in nature.

I know you, at least I sense it, that you are very close to the essence of creation. With faith we shall overcome this anti-force-soon! Please do not turn away from your principles for the sake of economics, you are too valuable to be turned.

With all my respect and admiration,



KAYVAN PAHLAVI HILLYER

8280

109579

ID # \_\_\_\_\_

0071

*Dg/ee*

### WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING  
Date Correspondence Received (YY/MM/DD) 821117

Name of Correspondent: Jim Leach

MI Mail Report      User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Writes concerning want Congressional action on S. Con. Res. 73, a resolution condemning the persecution of the Baha'is in Iran.

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>SA Duke</u>	ORIGINATOR <u>821117</u>	<u>KD</u> <u>A 821130</u>
<u>NS with Secretariat</u>	Referral Note: <u>R 821201</u>	<u>C 821207 ER</u>
<u>89009</u>	Referral Note: <u>R 821207</u>	<u>A 821217 ER</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: Acknowledgement sent to all agencies  
NSC # 8208280

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: 0002 Media: L Individual Codes: 1.230 1.240 \_\_\_\_\_

Prime Subject Code: CO 071 Secondary Subject Codes: HU 020 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### PRESIDENTIAL REPLY

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

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- n - 7 - Ronnie

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- n - 0 - Unknown
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- n - 2 - Nancy
- n - 3 - Mrs. Ronald Reagan

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- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study





~~UNCLASSIFIED~~  
(Classification)

DEPARTMENT OF STATE  
EXECUTIVE SECRETARIAT  
TRANSMITTAL FORM

S/S 8237747

Date December 21, 1982

For: Mr. William P. Clark  
National Security Council  
The White House

Reference:

To: The President From: Ed Derwinski  
Date: November 12, 1982 Subject: Urges specific action  
be taken to address persecution of Baha'is  
WH Referral Dated: 12/07/82 NSC ID # 8208280  
(if any)

       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.
- X   An information copy of a direct reply is attached.
- We believe no response is necessary for the reason cited below.
- The Department of State has no objection to the proposed travel.
- Other.

Remarks:

*for* *Laurie A. Shunk*  
L. Paul Bremer, III  
Executive Secretary

UNCLASSIFIED

(Classification)



DEPARTMENT OF STATE

Washington, D.C. 20520

DECEMBER 17 1982

Dear Congressman Derwinski:

The interest in the plight of Baha'is in Iran which you expressed in your recent letter to the President has been brought to the attention of the Department of State.

Please be assured that the Department shares your concerns. We have been in close contact with representatives of the Baha'i faith in the United States since the beginning of the crisis in Iran. The Department supported the recent resolution of both houses of Congress condemning the treatment of Baha'is in Iran, and has also supported similar resolutions in international organizations like the United Nations and the UNHRC Subcommittee on Prevention of Discrimination and Protection of Minorities. Harsh treatment of Baha'is was noted in past human rights reports prepared annually for Congress, and will be done once again in the 1982 report.

The fact that Baha'is are persecuted in Iran is taken into account when applications for humanitarian parole are referred to the Immigration and Naturalization Service by consular officers abroad and will be an important consideration when the refugee program for Iranians is implemented in the near future.

The Department of States expects to maintain contact with the Baha'i leadership in the United States, and will continue to explore the possibility of any other actions that might help relieve the difficulties suffered by the community in Iran.

With cordial regards,

Sincerely,

15/

Powell A. Moore  
Assistant Secretary for  
Congressional Relations

Enclosure:

Correspondence returned.

The Honorable  
Ed Derwinski,  
House of Representatives.

REFERRAL

DATE: 07 DEC 82

MEMORANDUM FOR: STATE SECRETARIAT

DEPARTMENT OF STATE

DOCUMENT DESCRIPTION:

TO: PRESIDENT

SOURCE: DERWINSKI, ED

DATE: 12 NOV 82

KEYWORDS: CO

IRAN

SUBJ: URGES SPECIFIC ACTIONS BE TAKEN TO ADDRESS PERSECUTION OF BAHA'IS

-----  
REQUIRED ACTION: DIRECT REPLY FURNISH INFO COPY

DUE DATE: 14 DEC 82

COMMENTS: COORDINATE REPLY W/ NSC STAFFER GEOFFREY KEMP 395-3491

  
FOR MICHAEL O WHEELER

STAFF SECRETARY

*Received in S/S-T  
12/8 at 10:00 AM (29/8)*

RECEIVED 02 DEC 82 15

TO PRESIDENT

FROM DERWINSKI, ED

DOCDATE 12 NOV 82

LEACH, JIM

12 NOV 82

BONKER, DON

12 NOV 82

KEYWORDS: CO

IRAN

SUBJECT: URGES SPECIFIC ACTIONS BE TAKEN TO ADDRESS PERSECUTION OF BAHAI'S IN IRAN

ACTION: RECOMMENDATIONS

DUE: 03 DEC 82 STATUS S FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

SOMMER

KEMP

DUR

COMMENTS WE RECOMMEND SENDING THIS TO STATE FOR DIRECT REPLY

YES

NO

OTHER

*STATE SHOULD coordinate reply with Kemp*

REF#

109579

LOG 8208201

*Peter*

NSCIFID

( C / )

ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

*State*

*C*

*12/7*

*IC / coordinate reply w/ NSC Staffer Kemp*

~~DISPATCH~~

*11/12/7*

W/ATTCH

FILE

*(WA)*

*H (C)*

RECEIVED 02 DEC 82 15

TO PRESIDENT

FROM DERWINSKI, ED

DOCDATE 12 NOV 82

LEACH, JIM

12 NOV 82

BONKER, DON

12 NOV 82

KEYWORDS: CO

IRAN

SUBJECT: URGES SPECIFIC ACTIONS BE TAKEN TO ADDRESS PERSECUTION OF BAHAI'S  
IRAN

ACTION: RECOMMENDATIONS

DUE: 14 DEC 82 STATUS C FILES WH

FOR ACTION

FOR CONCURRENCE

FOR INFO

SOMMER

KEMP

DUR

COMMENTS WE RECOMMEND SENDING THIS TO STATE FOR DIRECT REPLY

YES NO OTHER

REF# 109579

LOG 8206881

8208201

NSCIFID

( C / H )

ACTION OFFICER (S)	ASSIGNED	ACTION REQUIRED	DUE	COPIES TO
	- 12/21	Feed 8/s direct reply		GKRS, CPU

DISPATCH

W/ATTCH

FILE

(C)

November 30, 1982

Dear Ed:

The President has asked me to thank you for your recent letter cosigned by Congressmen Leach and Bonker, urging that specific actions be taken to address the persecution of the Baha'is in Iran.

Please know that your comments are receiving thorough study by the appropriate foreign policy advisers. The President appreciated hearing from you on this matter, and I assure you that you will be contacted as any additional information becomes available.

With best wishes,

Sincerely,

Kenneth M. Duberstein  
Assistant to the President

The Honorable Ed Derwinski  
House of Representatives  
Washington, D.C. 20515

KMD/CMP/s6pt

cc: w/copy of inc., NSC Secretariat for DIRECT response  
(with copy to Ken Duberstein)

WH RECORDS MANAGEMENT HAS RETAINED ORIG. INC.

*Letter to all signees*

31  
KD

# Congress of the United States

Washington, D.C. 20515

November 12, 1982

109579

The President  
The White House  
Washington, D. C. 20500

Dear Mr. President:


We would like to bring to your attention recent Congressional action on S.Con.Res. 73, a resolution condemning the persecution of the Baha'is in Iran.

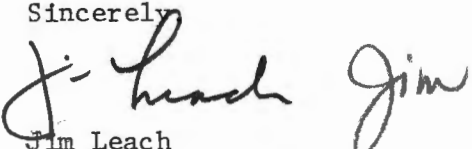
The Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee has been reviewing, through a series of hearings, the problem of religious persecution as a violation of human rights. Few of the contemporary examples of persecution examined by the Subcommittee during the course of the inquiry are as tragic as that facing the Baha'is in Iran today. At least 113 of their leaders and members have been executed by the Government. Others have been brutally tortured or have simply disappeared. Still others have been harassed, lost their property, or lost their jobs. Baha'i holy places have been desecrated and the Constitution of the Islamic Republic of Iran, which recognizes Zoroastrians, Jews and Christians as religious minorities, refuses to equally recognize the Baha'is.


The systematic persecution of this religious group should be exposed before the world community and condemned by all civilized nations which subscribe to internationally-recognized standards of human rights.

Accordingly, we urge you to take the opportunity presented by the passage of S.Con.Res. 73 to direct our representatives to appropriate international fora to express the moral outrage of the people of this country over the persecution of the Baha'is in Iran. In concert with this effort, we would also encourage you to direct U.S. representatives at the U.N. and the U.N. Human Rights Commission to cooperate closely with the U.N. Secretary General and the U.N.H.R.C. in their activities on behalf of the Baha'is. Finally, until that persecution has come to an end, we would strongly recommend that maximum humanitarian assistance be made available to those Baha'is fleeing as refugees from Iran.

Sincerely,

Ed  
  
Ed Derwinski  
Member of Congress

  
Jim Leach  
Member of Congress

  
Don Bonker  
Member of Congress



Office of the Attorney General  
Washington, D. C. 20530

117780CA  
1120  
COO71 7 SEP 1982  
JK003.03  
II120  
FG017  
JK009

September 3, 1982

Honorable Edwin Meese, III  
Counselor to the President  
The White House  
Washington, D.C. 20500

Dear Ed:

You will recall that last year at this time a dispute arose between the United States and Iran regarding the disposition of current interest in the \$1 billion Security Account established for the benefit of American claimants by the settlement which brought the American hostages home. The settlement agreement with Iran required that a \$1 billion fund be placed in an interest bearing account for the payment of claims, to be replenished by Iran whenever the account dipped below \$500 million. Iran claimed that the interest earned by this account was to be paid to Iran as it was earned, and our negotiators seemed inclined to yield on this point or at least allow half the current interest to be paid to Iran. We were told that our legal position was quite weak on the interest point.

Because of our view that the U.S. had a much stronger case on this issue and stood a good chance of prevailing, and thanks to help from you and Frank Hodsell, the President supported our position and our negotiators were instructed to resist Iran's claims and litigate the issue if necessary. Iran's representatives took the position that the issue was not negotiable and the matter was submitted to arbitration by the Tribunal. The Tribunal has now decided the question and determined that the interest will remain in a separate account, will not be paid to Iran, will be used to replenish the security account when that drops below \$500 million (as a result of payments to U.S. Claimants) and will not otherwise be disposed of without the consent of the United States.



I regard this as a significant United States victory, worth in the neighborhood of \$100 million per year, depending on interest rates, to the United States and United States claimants in the form of leverage over Iran and a source for payments of U.S. claims. While there are apparently sound diplomatic reasons not to publicize this victory, there is every reason for the President to be proud that his willingness to take a strong position in these negotiations has led to a highly significant and financially meaningful success in our dealings with Iran.

Sincerely,

A handwritten signature in cursive script that reads "Bill".

William French Smith  
Attorney General

A small, decorative handwritten flourish consisting of a curved line with a small hook at the end.

8272 119241

0071

FG017-16

FG006-12

MEMORANDUM

NATIONAL SECURITY COUNCIL

TR

December 28, 1982

MEMORANDUM FOR RONALD K. PETERSON

FROM: MICHAEL O. WHEELER

SUBJECT: FCSC Draft Testimony on the "Iranian Claims Act"

We concur with the Foreign Claims Settlement Commission's draft testimony on the "Iranian Claims Act" -- State proposed legislation transmitted to the Congress earlier this year (Tab A).

Attachment:

Tab A - FCSC Draft Testimony on the "Iranian Claims Act"

NSC# 8208272

NATIONAL SECURITY COUNCIL

December 28, 1982

TO: BOB KIMMITT

PETER SOMMER

PRS for

PRS

FROM: GEOFF KEMP

PLEASE INITIAL AND RETURN TO NATALIE  
FOR XEROXING.

THANK YOU.

To Geoff,

We have no problem with  
the testimony, but since it  
apparently was given on Dec 7  
I created the need for the  
memo at this time.

Peter

NATIONAL SECURITY COUNCIL

December 28, 1982

TO: MICHAEL O. WHEELER

FROM: GEOFFREY KEMP *NW  
for*

The attached memorandum is for  
your signature to Ronald Peterson.

*PKS for* *PKS*  
Bob Kimmitt and Peter Sommer concur.



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

8272

December 1, 1982

**SPECIAL**

LEGISLATIVE REFERRAL MEMORANDUM

TO:

Legislative Liaison Officer-

Department of State  
National Security Council



SUBJECT:

FCSC draft testimony on the "Iranian Claims Act",  
State proposed legislation transmitted to the  
Congress earlier this year. (Hearing is scheduled  
for TUESDAY, DECEMBER 7, 1982)

The Office of Management and Budget requests the views of your  
agency on the above subject before advising on its relationship to  
the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than  
FRIDAY, DECEMBER 3, 1982 - NOON.

Questions should be referred to Tracey Lawler (395-4710),  
the legislative analyst in this office,

*Ronald K. Peterson*

RONALD K. PETERSON FOR  
Assistant Director for  
Legislative Reference

Enclosures

cc: Bruce Sasser 8225  
Adrian Curtis 9224

**SPECIAL**

STATEMENT OF J. RAYMOND BELL, CHAIRMAN  
FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES  
TO THE HOUSE SUBCOMMITTEE ON INTERNATIONAL  
ECONOMIC POLICY AND TRADE

*Tuesday Dec. 7, 1982*

Mr. Chairman, I want to express my appreciation to you and the subcommittee for the opportunity to express my views on proposed legislation concerning claims against Iran.

I have taken the liberty of inviting Mr. David Rogers, the Commission's General Counsel, to accompany me. With your permission I should like to call upon him to answer those questions with which he may be more familiar than I am. He has been with the Commission continuously for many years, whereas I have but recently resumed the Chairmanship after an absence of four years.

The proposed legislation authorizes the Commission to receive and determine certain claims which fall within the jurisdiction of the Iran-United States Claims Tribunal, pursuant to the provisions of Article II(1) of the Algiers Declaration Concerning the Settlement of Claims By the United States and the Islamic Republic of Iran. The legislation would give the Commission authority to determine such claims under Title I of the International Claims Settlement Act of 1949.

Title I of the International Claims Settlement Act of 1949 provides a framework of the procedure to adjudicate claims where there is an en bloc settlement agreement. The proposed legislation removes certain technical questions which might otherwise be present concerning the Commission's authority to proceed under the authority of Title I of that Act.

The Commission, with its long experience in the determination of international claims, stands ready, willing and able to assume the responsibility for the adjudication of such claims and, undoubtedly, can carry out this responsibility more expeditiously, with less cost to the United States Government, and with less difficulty to the individual claimants than is the case in the more laborious and time consuming process presently existing of formal presentation of each of these claims to the Iran-United States Claims Tribunal at the Hague. We do not hesitate to state that we can reduce by many years the time required to determine these claims at a cost substantially below that being borne by our government in the current process at the Hague.

We, therefore, support this legislation as in the interest of the United States Government, the American claimants, and in the furtherance of the kind of justice and fairness Americans expect from their government.

We understand the purport of this proposed legislation to provide the Commission with standby authority, the actual exercise of which would be contingent upon some future event such as the entering of an agreement for the settlement and discharge of certain groups of claims by agreement of the Government of the United States to accept a sum in an en bloc settlement, to which reference is made in section 2(a)(2) of the proposed legislation.

The Commission notes that, as presently drafted, subsections (1) and (2) of section 2(a) are stated in the disjunctive and are subject to an interpretation that the Commission is being granted immediate sweeping jurisdiction over all claims presently pending before the Iran-United States Claims Tribunal. To avoid any such interpretation, we would recommend that the word "or" presently appearing as the last word in section 2(a)(1) be changed to "and" or, in the alternative, that some other direction be given to determine when the Commission's jurisdiction to adjudicate any claims should be implemented.

The claims which, presumably, would be subject to an en bloc settlement or other provisions allowing adjudication by the Commission, would embrace either a portion or all of the so-called "small claims" of under \$250,000. We are informed that approximately 2,800 of such claims have been timely filed with the Iran-United States Tribunal on behalf of the claimants by



the Department of State. We are further informed that there are additional claims which have been registered with the Department of State but for several reasons were not filed with the Tribunal. In addition, there may be further outstanding valid claims which have not yet been registered with the Department of State. We note that under the provisions of Title I of the International Claims Settlement Act of 1949, the Commission is directed to publish notice of the commencement of a claim program to allow the filing of additional claims. The Commission would not anticipate the requirement of an additional filing by those claimants who have already registered claims with the Department of State.

We have reviewed the potential workload which would fall upon the Commission in adjudicating the approximately 2,800 so-called small claims which have been filed in addition to additional claims which may be filed with the Commission. For two reasons we believe that the adjudication of these claims can be accomplished with significantly less average staff time per claim than has been historically true in previous programs carried out by the Commission.

First, the events which have given rise to these claims are of recent origin which makes the production of evidence by claimants much easier than in those programs where the Commission has

had to delve into events and circumstances occurring many decades prior to the Commission's adjudication.

Second, considerable work in the development of a large part of these claims has already been accomplished by the Department of State which would not have to be duplicated by the staff of our Commission.

Taking these factors into consideration, particularly the extensive development of these claims already carried out by the Department of States, our best estimate would be that approximately eight attorney work years of effort would be required to finalize all adjudications, including all necessary communications with claimants, preparation of proposed decisions and reviewing and resolving all objections which may be filed, as allowed under Commission regulations. This would require an estimated outlay, in addition to that presently contemplated to operate the Commission, of less than \$300,000 over the life of the program.

At the present time, the Commission is in the process of adjudicating some 2,200 claims which have been filed under the Czechoslovakian Claims Settlement Act of 1981, as well as Public Law 96-606 which authorizes the adjudication of claims against Vietnam. Our present projections are that the present limited staff of attorneys at the Commission will be kept fully employed

on these two programs for the next 18 months by which date all proposed decisions of the Commission in the Czechoslovakian program must be prepared. As of June 1984, although some staff efforts will still be required for the completion of the Czechoslovakian and Vietnam claims programs, we would be in a position to devote a large percentage of our presently available staff time to Iranian claims.

The Commission would not have to wait until June of 1984, however, to start the processing of these claims, even within our present budget authority because of a fortuitous combination of events. Approximately a year ago, with the completion of the program adjudicating claims against the GDR, the Commission substantially reduced its legal staff through a reduction in force. Subsequently, the Commission further reduced its legal staff by one position below its presently authorized level by transferring an attorney to the Department of State where he has worked specifically on these particular Iranian claims.

If the responsibility for these claims were, in effect, transferred from the Department of State to the Foreign Claims Settlement Commission, we would seek to reacquire this uniquely qualified individual to fill the Commission's now vacant position. This would allow the Commission to immediately start

processing these claims without the requirement of a supplemental appropriation to our pending 1983 budget request. Without an increase in our present staff levels, we project that final adjudication of these claims could be completed within 36 months of the initiation of such a program.

being granted immediate sweeping jurisdiction over all claims presently pending before the Iran-United States Claims Tribunal. To avoid any such interpretation, we would recommend that either the word "or" presently appearing as the last word in section 2(a)(1) be changed to "and" or that some other direction be given to determine when the Commission's jurisdiction to adjudicate any claims should be implemented.

The claims which presumably would be subject to an en bloc settlement or other provisions allowing adjudication by the Commission, would be some or all of the so-called "small claims" of under \$250,000. We are informed that approximately 2,800 of such claims have been timely filed with the Iran-United States Tribunal on behalf of the claimants by the Department of State. We are further informed that there are additional claims which have been registered with the Department of State but for one of several reasons not filed with the Tribunal. In addition, there may be further outstanding valid claims which have not yet been registered with the Department of State. We note that under the provisions of Title I of the International Claims Settlement Act of 1949, the Commission is directed to publish notice of the commencement of a claim program to allow the filing of additional claims. The Commission would not anticipate the requirement of an additional filing by those claimants who have already registered claims with the Department of State.

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TO CLARK

FROM PETERSON, R

DOCDATE 01 DEC 82

KEYWORDS: IRAN

LEGAL ISSUES

BELL, J

LEGISLATIVE REFERRAL

SUBJECT: FORN CLAIMS SETTLEMENT COMMISSION DRAFT TESTIMONY ON IRANIAN CLAIMS ACT

ACTION: MEMO WHEELER TO PETERSON

DUE: 03 DEC 82 STATUS S FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

KEMP

KIMMITT

SOMMER

DUR

*CONCURS*

**URGENT**

COMMENTS \*\* COMMENTS DUE NOON TOMORROW -- 12/3

REF#

LOG 8204329

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( C / )

ACTION OFFICER (S)	ASSIGNED	ACTION REQUIRED	DUE	COPIES TO
<i>NSC/S</i>	<i>C</i>	<i>12/28 GBE PER Sommer</i>		

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*(WA)* *W* (C)



# U.S. National Archives & Records Administration

## Current Status Details for SECL RECID: 117880CA MAIN SUBCODE: C0071

Current Status	None
User Name	kbarton
Status Date	2015-03-13
Case Number	
Notes	Misnumbered in PERPWEB - is actually 117780



## Review Status History

<u>No.</u>	<u>Status</u>	<u>Date</u>	<u>User</u>	<u>Case Number</u>	<u>Notes</u>
1	None	2015-03-13	kbarton		Misnumbered in PERPWEB - is actually 117780
2	Open	2012-01-05	KUlrich	S10-306	