

Ronald Reagan Presidential Library
Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Powell, Colin L.: Files

Folder Title: Chron - Official II (July-December) 1988
(2 of 11)

Box: RAC Box 1

To see more digitized collections visit:

<https://www.reaganlibrary.gov/archives/digitized-textual-material>

To see all Ronald Reagan Presidential Library inventories visit:

<https://www.reaganlibrary.gov/archives/white-house-inventories>

Contact a reference archivist at: **reagan.library@nara.gov**

Citation Guidelines: <https://reaganlibrary.gov/archives/research-support/citation-guide>

National Archives Catalogue: <https://catalog.archives.gov/>

WITHDRAWAL SHEET

Ronald Reagan Library

Collection: POWELL, COLIN L.: Files

Archivist: kdb/lmo

File Folder: CHRON OFFICIAL 1988 II (JUL-DEC) [2] ^{RAC Box 1} ~~Box 92477~~

Date: June 5, 1996

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. profs note	Florence Gantt to NSSID, re note from Colin Powell <i>R 7/11/88 NLSF 95-025 # 127</i>	7/13/88	P1
2. profs note	Peter Rodman to NSPSS, et al, re policy toward Iran	7/11/88	P1 B1 P5
3. profs note	Nicholas Rostow to Powell et al, re Iran (partial)	7/11/88	P1 B1 P5
4. profs note	Robert M. Perito to NSPSS, et al, re War Powers report (with notations)	7/14/88	P1 B1 P5
5. profs note	Herman J. Cohen to Batjer and Gantt, re OAU (2 pp)	7/13/88	P1 B1 P5
6. profs note	Florence Gantt to NSABF, re note from Colin Powell <i>R 7/11/88 NLSF 95-025 # 128</i>	7/13/88	P1
7. memo	Jeanne S. Archibald to Secretary Baker, re applicability of the "Consumptive Demand" requirement in 19 U.S.C. 1307 to Convict Labor (2 pp)	7/8/88	P5 <i>CG 12/11/00</i>
8. profs note	Gantt to KELLYDB, et al, re note from General Powell <i>R 7/11/88 NLSF 95-025 # 129</i>	7/12/88	P1
9. profs note	Kay Zerwick to NSFEG, re note from General Powell	7/8/88	P1 B1 P5
10. profs note	Gantt to LEDSKY, re note from Colin Powell	7/8/88	P1 B1 P5
11. profs note	Robert M. Perito to NSLRW, et al, re talks <i>R 7/11/88 NLSF 95-025 # 130</i>	7/5/88	P1
12. note	Robert B. Zoellick to Powell, re summary of evidence	7/5/88	P5 <i>CG 12/11/00</i>

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

WITHDRAWAL SHEET

Ronald Reagan Library

Collection: POWELL, COLIN L.: Files

Archivist: kdb/lmo

File Folder: CHRON OFFICIAL 1988 II (JUL-DEC) [2] Box 92477

Date: June 5, 1996

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. profs note	Florence Gantt to NSSID, re note from Colin Powell <i>R 7/11/88 NLSF 95-025</i>	7/13/88	P1
2. profs note	Peter Rodman to NSPSS, et al, re policy toward Iran	7/11/88	P1 P5
3. profs note	Nicholas Rostow to Powell et al, re Iran (partial)	7/11/88	P1 P5
4. profs note	Robert M. Perito to NSPSS, et al, re War Powers report (with notations)	7/14/88	P1 P5
5. profs note	Herman J. Cohen to Batjer and Gantt, re OAU (2 pp)	7/13/88	P1 P5
6. profs note	Florence Gantt to NSABF, re note from Colin Powell <i>R 7/11/88 NLSF 95-025</i>	7/13/88	P1
7. memo	Jeanne S. Archibald to Secretary Baker, re applicability of the "Consumptive Demand" requirement in 19 U.S.C. 1307 to Convict Labor (2 pp)	7/8/88	P5
8. profs note	Gantt to KELLYDB, et al, re note from General Powell <i>R 7/11/88 NLSF 95-025</i>	7/12/88	P1
9. profs note	Kay Zerwick to NSFEG, re note from General Powell	7/8/88	P1 P5
10. profs note	Gantt to LEDSKY, re note from Colin Powell	7/8/88	P1 P5
11. profs note	Robert M. Perito to NSLRW, et al, re talks <i>R 7/11/88 NLSF 95-025</i>	7/5/88	P1
12. note	Robert B. Zoellick to Powell, re summary of evidence	7/5/88	P5

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

From: NSFEG --CPUA
To: NSSID --CPUA

Date and time 07/13/88 15:39:57

~~CONFIDENTIAL~~

NOTE FROM: FLORENCE GANTT
SUBJECT: NOTE FROM COLIN POWELL

Re: Paul Laxalt's call reference Alaska LNG

Based on my review of Steve Danzansky's proposed letter for me to send to Herrington, Paul Laxalt's letter to me, and Eric Melby's PROFS note to me, I will go ahead and sign the letter to Herrington and call Laxalt and tell him that we will communicate these points, which are existing US policy, to PM Takeshita at an early opportunity. What I have in mind is just sending a letter to Takeshita of which this could be a part. The letter might also thank Takeshita for his recent letter to the President on the Iran 655 incident (which responded to the President's letter). I will leave it to you guys to figure out whether it should be a free-standing or imbedded letter. My only desire is to call Paul Laxalt quickly this afternoon to tell him that we will be doing something. Subject to hearing objections from any of you in the course of the afternoon, I will call Senator Laxalt toward the end of the day.

cc: NSJAK	--CPUA	CONFIDENTIAL	NSEDM	--CPUA	CONFIDENTIAL
NSPSS	--CPUA	CONFIDENTIAL	NSRMP	--CPUA	CONFIDENTIAL
NSLRW	--CPUA	CONFIDENTIAL	NSJDN	--CPUA	CONFIDENTIAL

REGARDS, FLORENCE

DECLASSIFIED

NLS F-95-085 #127

BY ll, NARA, DATE 7/14/96

From: NSRMP --CPUA Date and time 07/12/88 10:46:59
To: NSLRW --CPUA NSFEG --CPUA
NSKWZ --CPUA NSDFP --CPUA

FROM: Robert M. Perito
Subject: Laxalt call re. Alaska LNG UNCLASSIFIED

PRINT FOR JDN AND CLP. THANKS
*** Forwarding note from MELBY --VAXC 07/12/88 10:43 ***
To: NSRMP --CPUA

*TAPE
REPLY*

From: Eric Melby
Subject: Laxalt call re. Alaska LNG UNCLASSIFIED

NATIONAL SECURITY COUNCIL

12-Jul-1988 09:29 EDT

UNCLASSIFIED

MEMORANDUM FOR:

Colin L. Powell (POWELL)

FROM: Eric Melby
(MELBY)

SUBJECT: Laxalt call re. Alaska LNG

Yukon Pacific, headed by Wally Hickel, has for years been promoting a project to build a pipeline to bring LNG down from Alaska's North Slope to Valdez where it would be liquidified for export to Japan, Taiwan and Korea.

Japanese utilities have been involved in a pre-feasibility study but have declined so far to commit to buying any LNG. USG has consistently urged GOJ to encourage its private sector to consider Alaska's natural gas as a dependable, competitive source of energy.

In Jan 1988, the President, largely due to lobbying from Hickel, issued a generic finding allowing the export of Alaska natural gas. The finding deliberately makes no mention of any project, quantities of gas to be purchased or prospective purchasers. This is left to the marketplace.

Canada had feared that the finding would be seen as favoring the Hickel project over the ANGTS project which would bring Alaska gas through Canada to the U.S. Canada said this would seriously harm the FTA's chances in Canada. The Presidential finding specifically mentions that the finding should not hinder completion of ANGTS.

In April 1988, Secretary Herrington, bowing to intense lobbying from Hickel, Sen. Stevens (and possibly Laxalt) wrote Allen Wallis that Japan should reserve a specific market share for Alaska LNG. Wallis wrote back that this was contrary to the President's policy but that USG would continue to urge Japan to buy Alaska gas.

Prior to Toronto, Herrington told National Petroleum Council that

the President would ask Takeshita at Toronto to buy 20-25% of future LNG needs from Alaska. His remarks were not cleared inter-agency and I understand DOE staff did not support them. Laxalt wrote Secretary Baker urging a similar theme and enclosing draft talking points for the President's use. I received a copy of the Laxalt letter from a contact at State; John Tuck letter also got a copy of the Laxalt/Baker letter from Laxalt.

SID, Jim Kelly and drafted a general energy point which urged Japan to look at all of Alaska's energy resources (coal, gas, oil) and did not mention a specific market share for LNG. Jim Kelly says President was briefed on the issue in Toronto and must have made a conscious decision not to raise energy issue with Takeshita.

The talking points enclosed with Laxalt's June 29 letter to you differ significantly from those he sent Sec. Baker. They no longer refer to a market share for LNG. Rather they encourage both private sectors to intensify their discussions. This is no different from what we have been urging GOJ for years.

Laxalt requests that President write Takeshita because he did not have time to read all his points in Toronto. It seems President chose not to raise issue. However, I have no problem in finding a pretext for the President to write as long as the content tracks with our policy.

CC: Stephen Danzansky	(DANZANSKY)
CC: Paul S. Stevens	(STEVENS)
CC: Robert M. Perito	(PERITO)
CC: James A. Kelly	(KELLYJ)

cc: NSMB --CPUA

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 2 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

From: NSRMP --CPUA
To: NSLRW --CPUA
NSKWZ --CPUA

-UNCLASSIFIED-
-UNCLASSIFIED-

Date and time
NSFEG --CPUA
NSDFP --CPUA

07/11/88 17:39:40
-UNCLASSIFIED-
-UNCLASSIFIED-

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

~~REDACTED~~

|

NATIONAL SECURITY COUNCIL

11-Jul-1988 16:49 EDT

MEMORANDUM FOR:

ROSTOW

FROM:

VMS MAIL user NSPWR
(NSPWR@CPUA.P@)

SUBJECT:

Policy toward Iran

From: NSFEG --CPUA
To: NSREL --CPUA -UNCLASSIFIED-

Date and time 07/08/88 14:50:00

NOTE FROM: FLORENCE GANTT

SUBJECT: NOTE FROM COLIN POWELL

Bob, you never gave me an answer on Congressional consultations we had previously done on that French matter.

REGARDS, FLORENCE

From: NSFEG --CPUA
To: NSJAK --CPUA -UNCLASSIFIED-

Date and time 07/08/88 14:48:55

NOTE FROM: FLORENCE GANTT
SUBJECT: NOTE FROM COLIN POWELL

Jim, last week in Nashville I met a young high school student very much interested in entering the Foreign Service and specializing in Philippine matters. She is planning to come to Washington and asked if I might put her in touch with somebody very knowledgeable in this field. I volunteered your name. I expect he will send me a letter letting me know when she is coming to town, which I will forward on to you. Should you hear directly from her, her name is Wendie Schneider.

REGARDS, FLORENCE

CV

HOUSE FOR RENT

4 BEDROOM HOUSE IN
DAVE CITY - CAC, GARAGE,
ETC. \$ 400/MO

O: 456-2255

H: 528-6722

7-8-88

Clp -

We are posting this on
2 bulletin boards in the OEOS.
I have been told they
remove all notices on the
first of each month. We
will have to monitor it.

7.

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 4 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

THE WHITE HOUSE
WASHINGTON

13/7

Ken DUBERSTEIN,

RE STATE VISITS,
THIS GUY IS NOT A
'NAME' BUT READ THE
WHOLE MEMO. INTERESTING.

CP

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 5 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

IMMEDIATE

UNCLAS EFTO
WHITE HOUSE SITUATION ROOM

PAGE 01

PRT: COMM LEBRAS SIGLER
SIT: WHSR^OUT

<PREC> IMMEDIATE <CLAS> UNCLAS EFTO <DTG> 140107Z JUL 88

FM WHITE HOUSE

TO SSO ZAMA

UNCLAS EYES ONLY

0000

PLEASE DELIVER THE FOLLOWING MESSAGE TO LT GENERAL CHARLES
W. DYKE, COMMANDING GENERAL, US ARMY JAPAN AND IX CORPS FROM
GENERAL COLIN L. POWELL.

DEAR BILL:

ALMA AND I REGRET WE CANNOT BE AT YOUR CHANGE OF COMMAND
CEREMONY. NEVERTHELESS, WE WANT TO OFFER OUR CONGRATULATIONS
FOR THE BRILLIANT JOB YOU DID AS COMMANDING GENERAL OF THE UNITED
STATES ARMY JAPAN AND IX CORPS. LET ME ALSO WISH YOU ALL THE
BEST IN YOUR UPCOMING RETIREMENT. WE ARE GOING TO MISS YOU. I
KNOW HOW MUCH THE ARMY HAS MEANT TO YOU AND WE ALL BENEFITTED
FROM THE ONE HUNDRED PERCENT EFFORT YOU PUT IN THROUGHOUT YOUR
ENTIRE CAREER. WE LOOK FORWARD TO YOUR RETURN TO THE NORTHERN
VIRGINIA AREA. PLEASE GET IN TOUCH WITH US AS SOON AS YOU ARE
SETTLED. BEST WISHES, COLIN.

*0143

UNCLAS EFTO

CLP OK _____

July 13, 1988

EYES ONLY

BACKCHANNEL

TO: Lt General Charles W. Dyke
Commanding General, US Army Japan
and IX Corps

FROM: Colin L. Powell

Dear Bill:

Alma and I regret we cannot be at your Change of Command ceremony. Nevertheless, we want to offer our congratulations for the brilliant job you did as Commanding General of the United States Army Japan and IX Corps. Let me also wish you all the best in your upcoming retirement. We are going to miss you. I know how much the Army has meant to you and we all benefitted from the one hundred percent effort you put in throughout your entire career. We look forward to your return to the Northern Virginia area. Please get in touch with us as soon as you are settled. Best wishes, Colin.

THE WHITE HOUSE
WASHINGTON

July 13, 1988

MEMORANDUM FOR COLIN POWELL

FROM: JOHN C. TUCK *JCT*
SUBJECT: President Delvalle of Panama

Senator D'Amato has been in contact with the Office of the Chief of Staff, specifically B. Oglesby. Senator D'Amato urges that while President Delvalle is visiting in this country, and preferably prior to the time that D'Amato meets with him in New York this Friday afternoon, there be a high level contact urging Delvalle not to resign as President of Panama. We have a commitment for someone to get back to D'Amato to apprise him of our course of action.

*B. OGLESBY,
OUR AMBASSADOR
DELVALLE. ALSO VISIT DELVALLE ON FRIDAY
WITH DELEGATION VIA HIM THE "STAY" MESSAGE. (DON'T
AND GIVE HIM THE "STAY" MESSAGE. (DON'T
ARE ALSO PLANNING A RR PHONE CALL YOU CAN
TELL D'AMATO.) I SUGGEST 'GOOD' NEWS.
D'AMATO WITH THIS 'GOOD' NEWS.*

Colin *13 Jul*

From: NSFEG --CPUA
To: NSABF --CPUA

Date and time 07/13/88 15:19:47

~~CONFIDENTIAL~~

NOTE FROM: FLORENCE GANTT
SUBJECT: NOTE FROM COLIN POWELL

Following the Oval Office discussion this morning, I communicated the President's decision to Bob Dole. I also indicated to him we were considering allowing the authorization bill to become law without signing. He rogered all that without discussion. He wanted us to express displeasure at the bill at the earliest and every opportunity and when we do so include the \$4 billion pork component. He seemed quite at ease with the decision.

cc: NSWAC --CPUA
NSPSS --CPUA
NSRMP --CPUA

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

NSREL --CPUA
NSLRW --CPUA

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

REGARDS, FLORENCE

DECLASSIFIED

NLS E-95-085 #128

BY NARA, DATE 7/10/98

7/12

CLP:

Ken Duberstein's office has said fine on you and FCC briefing the President at 10:00 -10:15. Does this mean that you are giving up 15 minutes of your time so Ken Duberstein can have 30 minutes, i.e.,

10:00-10:15	FCC/CLP	Yes	No
10:15-10:45	VP/KD/BO		
10:45-11:00	CLP		

I don't know. Just keep the hour free.

or, are you borrowing 15 minutes of Duberstein's time and will still keep your regular 10:30-11:00 time slot in order to pre-brief President on his mtg w/Maltese PM Adami?

Yes _____ No _____

Re NSB time, if you plan to pre-brief on Adami, will you invite outsiders like Whitehead _____? Anyone else? _____

Dona

Flourence -

*I told Peggy Clp re - re
what a in happen tomorrow except
for FCC part - she said fine -
they'll probably figure it out
just before 10. Also, said Clp based
the he could be kept free combining (?)*

*P.S. I alerted Kathy & Patty re FCC at 10:00
& mentioned the staff time & NSB time may be
combined & it would be sorted out in am.*

THE WHITE HOUSE
WASHINGTON

7/12

CLP:

Mr. Carlucci's office is asking how long it will take for you and him to brief the President on the Auth Bill on Wednesday. His office said you invited him for 10:00 am. NSB is at 10:30 am on Wednesday.

Time _____

Dona

Thelma

noted
10-10-5

UNCLASSIFIED
NSC/S PROFILE

RECORD ID: 8805112
RECEIVED: 11 JUL 88 19

TO: POWELL

FROM: BAKER, J

DOC DATE: 08 JUL 88
SOURCE REF:

KEYWORDS: ECONOMICS
CM

INTL TRADE

PERSONS:

SUBJECT: CONSUMPTIVE DEMAND RE 19 USC 1307 TO PROHIBIT CONVICT LABOR

ACTION: FOR RECORD PURPOSES DUE DATE: 14 JUL 88 STATUS: C

STAFF OFFICER: NONE LOGREF:

FILES: WH NSCIF: CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

COBB
DANZANSKY
LEACH
LEDSKY
NEGROPONTE
PERITO
POWELL
STEVENS

COMMENTS:

DISPATCHED BY _____ DATE _____ W/ATTCH: YES NO

OPENED BY: NSSRF CLOSED BY: NSSRF DOC 1 OF 2

UNCLASSIFIED

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 8805112

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001

X 88071119 FOR RECORD PURPOSES

UNCLASSIFIED



The Secretary of the Treasury

July 8, 1988

NOTE FOR KEN DUBERSTEIN
COLIN POWELL ✓

For your information.

JABIII

~~1. Clp~~ ✓
2. Staff
- SID
- Ledsky
- TC





GENERAL COUNSEL

DEPARTMENT OF THE TREASURY
WASHINGTON

88-67029

3112

July 8, 1988

INFORMATION

MEMORANDUM FOR SECRETARY BAKER

FROM: JEANNE S. ARCHIBALD *jsa*
ACTING GENERAL COUNSEL

SUBJECT: Applicability of the "Consumptive Demand"
Requirement in 19 U.S.C. 1307 to Convict Labor

I. SUMMARY: 19 U.S.C. 1307 prohibits importations of goods made with convict, forced, or indentured labor. A provision in the statute relating solely to articles produced with forced or indentured labor limits the ban to goods for which domestic production meets domestic demand. Customs' evidence relates to production of tea and chocolate by convict labor, so the domestic supply limitation does not apply.

II. DISCUSSION: The plain language of the statute, its legislative history, and Treasury's consistent prior interpretation indicate that the domestic supply limitation in 19 U.S.C. 1307 does not apply to convict-made goods.

As originally enacted in 1890, and until 1930, section 1307 applied only to imports of convict-made goods. In 1930, it was amended to apply also to forced and indentured labor, but the scope of the new provision was limited to goods produced domestically in sufficient quantities to meet domestic demand. The limiting proviso by its plain language applies only to forced and indentured labor. A copy of the statute is at Tab A.

The legislative history of the amendment is consistent with the plain language of the statute. Senate debates indicate a concern that the new ban on forced labor imports would affect goods, such as rubber, whose only production was with forced labor abroad, thereby depriving American consumers of these needed commodities. That concern, which had not been raised in earlier debates on convict labor, led to the "consumptive demand" limitation.

Finally, Treasury regulations implementing section 1307 conform to the plain language by requiring a showing of domestic production only if importation of forced or indentured labor produced goods is alleged. Moreover, Treasury exclusion notices since 1931 consistently have contained findings of sufficient domestic production in cases involving forced and indentured labor, but not in cases involving convict labor.

Zoellick R2 7/8

Where a statute's legislative history and long-standing administrative interpretations are consistent with its plain language, there is a compelling case that it should be interpreted as it is written. The evidence before you concerning Soviet tea involves production with convict labor. Consequently, for the reasons given above, there is little room to argue that the absence of domestic tea production is a defense to application of the statute.

Attachment

Tab A Statute

THE WHITE HOUSE
WASHINGTON

Date: 7/11/88

TO: Colin Powell

FROM: **FRANK J. DONATELLI** (ED)
Assistant to the President for
Political and Intergovernmental Affairs

SUBJECT: Your Availability to be Vice President

The attached is for:

- | | |
|--|---|
| <input type="checkbox"/> Information | <input type="checkbox"/> Review & Comment |
| <input type="checkbox"/> Direct Response | <input type="checkbox"/> Appropriate Action |
| <input type="checkbox"/> Draft Reply | <input type="checkbox"/> Per Request |
| <input type="checkbox"/> File | <input type="checkbox"/> Signature |

Comments:

Would you like us to work on the floor demonstration?

FRANK,
I PLAN TO STAY in my
HOTEL ROOM HIDING UNDER THE
BED READING ARMY FIELD
MANUALS. 7/12/88

dwarfization. Dukakis is making himself look less decisive and intelligent and careful" (7/10).

*6 GOP VEEP.WATCH

N.Y. DAILY NEWS says Giuliani meets with Bush this week "amid growing speculation" that he is a possible VP pick (7/11). On "MacNeil/Lehrer" Shields said Giuliani on GOP ticket would "send a message" to blue-collar, ethnic Democrats that voted for Reagan, but won't vote for Bush (7/8). Bush aides say the candidate's southern strength rules out a Southerner -- leaving Kemp and R. Dole as most likely choices (WASH. TIMES, 7/11). Dole supporters say he doesn't want to play "hatchet man" again; Kemp supporters say a "tranquilized" Dole will hurt ticket (U.S. NEWS, 7/18). On McLaughlin "One-on-One" Kassebaum said she would not be chosen vp because, "I don't bring the right balance. I would alienate the conservatives" (7/10). PHIL. INQUIRER editorial says Kean has "become engrossed too soon with national politics ... at a time when the state still needs strong leadership" (7/10). George Will's veep picks: Sen. Alan Simpson, Gen. Colin Powell and Peter Ueberroth (WASH. POST, 7/10).

*7 ELECTORAL MAP 120 DAYS OUT

OVERVIEW: (1) CA, MI, OH, MO, IL seen "critical" by both sides; (2) Dems see TX and FL "moving steadily farther out of Dukakis' reach"; (3) Bush "faces an uphill battle" in PA and NY; (4) GOP analysts say OR and WA are "tossups"; (5) Dem and GOP analysts "are strongly inclined to place most of the Farm Belt states except Iowa in the GOP column." but a GOP analyst says a drought-spurred shift to Dems in some farm states "completely changes the electoral college calculus, and not the way we want to see it go"; (6) some analysts move NJ, DE and NM from GOP to tossup; (7) South and mountain states "give Bush a probable base of about 200 votes"; (8) Dems Hickman and Maslin think Dukakis will get 130 votes from MA, HI, RI, MD, MN, WI, WV, NY, PA and IA and 67 from IL, OR, WA, DE, VT and MI; they rate TN and KY tossups; (9) some Republicans are "pessimistic" about AR (WASH. POST, 7/10).

WEST: Dukakis on his Western swing this weekend (1) proposed making Hanford "a model" for environmental cleanup and "revitalizing" the WA, OR and ID economies; (2) said, "I will be very, very tough about offshore drilling. It would be a last resort only"; (3) proposed "reasonable plans for controlling growth outside the [national] parks"; (4) endorsed the proposed \$1B Heritage Trust Fund for acquiring new park lands; (5) "dodged a question on whether he would name Cabinet members from Western states" (SEATTLE P-I, 7/9); (6) accused the Administration of trying to block an environmental report (L.A. TIMES, 7/11). Dukakis' Western audiences "were often thin, and attentive, if not enthusiastic" (N.Y. TIMES, 7/11).

PENNSYLVANIA: GOP strategists have ranked PA 14th on their list of 14 target states, but Bush can't win while "writing off" Philadelphia where, according to a Bush supporter, "there's just a big vacuum" on the GOP side. Another Republican says the GOP

From: NSFEG --CPUA
To: KELLYDB --VAXC

~~CONFIDENTIAL~~

Date and time
NSABF --CPUA

07/12/88 09:07:33
~~CONFIDENTIAL~~

NOTE FROM: FLORENCE GANTT

SUBJECT: NOTE FROM COLIN POWELL

I talked with Will Taft and there is no need for a DOD rep at the meeting with Boren this afternoon.

cc: NSPSS --CPUA
NSMB --CPUA

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

NSRMP --CPUA

~~CONFIDENTIAL~~

REGARDS, FLORENCE

DECLASSIFIED
NLS 95-085 #129
BY dl, NARA, DATE 7/11/98

From: NSJAK --CPUA

Date and time

07/08/88 15:43:11

To: NSFEG --CPUA -UNCLASSIFIED-

NSKWZ --CPUA

-UNCLASSIFIED-

NOTE FROM: JAMES KELLY

SUBJECT: Armenian Refugees

Could you ask CLP whether he was able to mention the emergency immigration parole plan to AG or Whitehead?

cc: NSPSS --CPUA -UNCLASSIFIED-
LEDSKY --VAXC -UNCLASSIFIED-
JAMESON --VAXC -UNCLASSIFIED-

NSTC --CPUA -UNCLASSIFIED-
TICE --VAXC -UNCLASSIFIED-

*Remains to
Jim my prof
note to
Ty et al.
Jane Kuz
718*

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 9-10 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

THE WHITE HOUSE
WASHINGTON

July 5, 1988

4651
FORTIER
Jennifer
White
~~226-7880~~
226-7832

Dear Toby:

Thank you for your letter of June 17 concerning discussion of Ethiopia at the Moscow Summit.

It would be incorrect to say that this subject was given only cursory attention in Moscow. It was raised with senior members of the Central Committee staff, by Secretary Shultz with Foreign Minister Shevardnadze, and personally by the President in one of the plenary meetings with General Secretary Gorbachev. Indeed, the President raised Ethiopia as the first item among a number of regional issues. Unfortunately, the Soviets both denied our description of the Ethiopian situation by saying that Mengistu was trying to be helpful and also claimed limited influence over the Ethiopian government. We were disappointed by this official Soviet response.

However, we have seen some progress recently. For example, UN workers and workers from other donor nations and organizations have been allowed back into the north. At least some of the responsibilities of the ICRC have been assumed by other private relief efforts.

As you know, we have objected very strongly to the denial of access to the north for our own workers, and we hope that our people may soon have the opportunity to re-enter the north. Increased access and an improved database are vital for us to assess firsthand what the current situation is.

We will continue to work until we are assured that the needs of innocent Ethiopians at risk of starvation are being met. I believe that the progress made so far is attributable to strong international pressure and to the efforts of concerned leaders like yourself who have kept public attention focused on this potential tragedy.

Sincerely,

Cl.
Colin L. Powell

The Honorable Toby Roth
U.S. House of Representatives
Washington, D.C. 20515

PS - I personally
RAISE WITH SOVIET
OFFICIALS AT EVERY
OPPORTUNITY.

C

TOBY ROTH
EIGHTH DISTRICT
WISCONSIN

2352 RAYBURN BUILDING
WASHINGTON, D.C. 20515

PORT CAUCUS
RURAL CAUCUS
EXPORT TASK FORCE
MILITARY REFORM CAUCUS
TRAVEL AND TOURISM



United States
House of Representatives

June 17, 1988

JUN 20 1988

4631
FOREIGN AFFAIRS COMMITTEE
INTERNATIONAL ECONOMIC POLICY AND TRADE
ASIAN AND PACIFIC AFFAIRS

BANKING, FINANCE AND
URBAN AFFAIRS COMMITTEE
FINANCIAL INSTITUTIONS SUPERVISION,
REGULATION AND INSURANCE
ECONOMIC STABILIZATION
HOUSING AND COMMUNITY DEVELOPMENT

Lt. Gen. Colin L. Powell
Assistant to the President for
National Security Affairs
The White House
Washington, D.C. 20500

Dear Colin:

As you know, I am deeply concerned about the deteriorating situation in Ethiopia where 2-3 million lives are immediately threatened. Several dozen colleagues joined me in appealing to the President to raise this subject with Mr. Gorbachev at the Moscow summit.

We are considerably disappointed that we have not yet received a detailed reply to our letter of May 20th describing the outcome of those talks. I am told that the subject was given only cursory attention by the President, with Mr. Gorbachev indicating that he had little control over events in Ethiopia. If this is in fact a correct description of the exchange between Mr. Reagan and Mr. Gorbachev, it is very troubling. In our judgment a tremendous opportunity was missed by the failure to include the Ethiopian tragedy among the human rights concerns to be highlighted at Moscow.

We would very much appreciate receiving directly from you an assessment of the Moscow talks as it pertains to Ethiopia and to be apprised of current and future action items planned.

Sincerely,

A handwritten signature in black ink that reads "Toby Roth". The signature is fluid and cursive, written over the typed name.

Toby Roth
Member of Congress

TR:jjw

Ethiopia's Auschwitz

Ethiopia's Col. Mengistu Haile Mariam may not be one of this century's pioneers in the art and science of tyranny, but in the 14 years since seizing power he clearly has become one of its most ardent practitioners. While Stalin and Hitler relied on gulags and gas chambers to wipe out populations they hated, the colonel is content to use plain old mass starvation. This spring the Marxist despot cut off food supplies to his country's rebellious northern provinces and kicked out all foreign relief workers. The resulting deaths may number as many as 3 million, according to Frederick Machmer, head of the U.S. Agency for International Development.

With the help of East German secret police and 3,000-4,000 Cuban troops and advisers, Col. Mengistu has converted his country into Moscow's most reliable African satellite. Soon after his coup in 1974, he collectivized agriculture, crushed the Coptic Church and created a state-run media so enamored with Marxist jargon that the government had to issue a dictionary so the audience could understand the broadcasts. Nearly 3 million Ethiopians are believed to have fled from the regime's terror since 1974, and an untold number have paid with their lives the price of the colonel's government by nightmare.

The toll from the regime's active campaign of terror may be matched by the carnage from its ban on foreign food aid. Resistance movements in the provinces of Eritrea and Tigre have simmered for more than two decades, and the colonel's decision to starve them and their supporters along with anyone else hapless enough to live in the rebellious areas is intended as his own final solution for the insurgencies. His order to cut off food two months ago followed rebel victories that seemingly caused his government to totter.

Until then, international relief efforts had made progress in caring for the victims of famine and war. More than 45 relief agencies had learned how to work together to transport, organize and distribute multina-

tional donations of food totalling 1.2 million tons pledged in the last six months.

The strategy of the relief was to avoid the catastrophic famine of 1984-85, when an estimated 1 million people starved. The plan was to hand out food at regional centers so recipients could carry it home themselves and plant seeds for the next season. That worked well for a time, but with successful rebel offensives sending government troops reeling, Col. Mengistu decided to get tough. Despite denunciation of the colonel's genocidal order by Assistant Secretary of State Richard Williamson at the United Nations and by President Reagan, the colonel has remained indifferent.

The key to stopping the Ethiopian holocaust lies in Moscow, which could force him to rescind his policy. Secretary of State George Shultz broached the issue with Soviet Foreign Minister Eduard Shevardnadze in April, but received little more than non-committal shrugs in response. Nor was Ethiopia a large item on the Moscow summit's agenda.

The Soviets don't necessarily care what happens to the Ethiopians as long as Moscow can preserve its control over the strategically located nation that controls southern access to the Red Sea, yields entrance to sub-Saharan Africa and acts as a hinge around which two continents turn. In using forced famine to destroy political opposition, Col. Mengistu is following in the footsteps of communists from Stalin to Pol Pot, and glasnost apparently does not bar Mikhail Gorbachev from exploiting the genocide for his own geopolitical goals.

The United States has sent 250,000 metric tons of food to Ethiopia, and has taken the lead in protesting Col. Mengistu's brutality. The administration now must do all it can do to bring worldwide pressure to bear on Mr. Gorbachev, who alone seems capable of ending the genocidal atrocities of Africa's Hitler.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

ACTION

June 29, 1988

MEMORANDUM FOR COLIN L. POWELL

FROM: NELSON C. LEDSKY *NCL*SUBJECT: Letter from Congressman Roth on Ethiopia and
Moscow Summit

**Natl Sec Advisor
has seen**

Congressman Toby Roth has sent you a letter concerning the discussion of Ethiopia at the Moscow Summit and asking about our current and future plans on Ethiopia (Tab B).

At Tab A is a suggested response to the Congressman.

Dennis ^{DR}Ross and Alison ^{AR}Fortier concur.

RECOMMENDATION:

That you sign the letter to Congressman Roth at Tab A.

APPROVE

NCL

DISAPPROVE

Attachments

Tab A Letter to Congressman Roth
Tab B Incoming letter

Prepared by Rudolf *RP* Perina/^{AR}Alison Rosenberg

From: NSRMP --CPUA
To: NSLRW --CPUA
NSKWZ --CPUA

Date and time
NSFEG --CPUA
NSDFP --CPUA

07/05/88 10:25:28

CA

FROM: Robert M. Perito
Subject: Carlucci/Yazov Talks

PRINT FOR CLP THANKS.

*** Forwarding note from NSWAC --CPUA 07/05/88 10:10 ***
To: NSPSS --CPUA ~~-CLP-CONFIDENTIAL~~ NSRMP --CPUA ~~-CLP-CONFIDENTIAL~~

*** Resending note of 06/28/88 15:41
NOTE FROM: William A. Cockell
SUBJECT: Carlucci/Yazov Talks

I have been invited to participate in Frank's discussions with Yazov in August. If you agree, I think it would be a useful thing for me to do. Nelson Ledsky concurs.

cc: LEDSKY --VAXC ~~CONFIDENTIAL~~

Prof TO WAC, REL, PSS, NELSON
TO BIA COCKELL FRANK CARLUCCI SHOULD
Accompany Soviet Union in AUGUST.
7/7/88
Done
fy

DECLASSIFIED
NLS F95-085 A130
BY hr, NARA, DATE 7/11/98

X-copies

THE WHITE HOUSE
WASHINGTON

6 Jul
0700

Steve Datzansky
Nelson Ledsky

Pls review then
let's discuss. I
promised Jim Baker
a 'decision' ~~by~~
COB Thurs.

Copy provided
to Whitehead

LP

[]

Department
of the Treasury

to: Lt. Gen. Colin L. Powell

Asst. to the President
for National Security
Affairs

Executive Secretariat

7/5/88

Re: Summary of Evidence -- Convict Labor

Secretary Baker asked me to send you the
attached summaries of evidence.

The first three pages summarize general
information; the remainder summarize the
evidence on particular products (tea,
chocolate, aluminum). Our proposed action
would only be against tea and chocolate.

Attachment

RBS

Robert B. Zoellick
Counselor to the Secretary
and Executive Secretary

room 3408
phone 566-5901

**EVIDENCE OF CONVICT LABOR USED IN THE SOVIET UNION
TO MAKE TEA, CHOCOLATE AND ALUMINUM PRODUCTS**

I. STATUTE VIOLATED: 19 U.S.C. § 1307:

All goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor ... shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision.

The statute has two elements: (1) That goods are being made with convict labor, and (2) that those goods are being imported into the United States.

II. ALLEGED VIOLATOR: Importers of convict-labor made goods from the Soviet Socialist Republics ("Soviet Union").

III. EVIDENCE:

Witnesses on the convict labor system in the Soviet Union will lay the foundation for each of the commodities for which we have specific evidence.

A. NATAN SCHARANSKY, ISRAEL

Background:

Natan Scharansky was born in Donetsk in 1948 and graduated from the Moscow Institute for Physics and Technology in 1972, and worked as a computer specialist for the Moscow Research Institute for Oil and Gas until 1976. In 1976 he was fired because of his activities in the Moscow Helsinki Watch Organization. In 1977 he was convicted of spying for the United States and sentenced to ten years in a labor camp and three years in prison. After being released from prison in 1986, Scharansky emigrated to Israel.

Testimony:

Scharansky spent nine years in Soviet prisons. He can testify about the extensive communications system among the convicts in the Soviet Union, which accounts for many ex-prisoners being aware of the different camps and the work done at these camps. He can also testify concerning the great dependence that Soviet industry has on the use of convict labor and how the Ministry of Internal Affairs coordinated the use of convict laborers for various factories.

B. LUDMILLA ALEXEYEVA, BURKE, VIRGINIA

Background:

Ludmilla Alexeyeva was a founding member of the Moscow Helsinki Monitoring Group. She emigrated to the United States in 1977 and currently serves as the Helsinki Group's Western Representative.

Testimony:

Ms. Alexeyeva recently published a study on Soviet forced labor for the AFL-CIO entitled Cruel and Usual Punishment. She will testify as to the Soviet convict labor system in general. She will also testify that the Soviet economy is a State-controlled economy in which costs and prices can be artificially set; and that convict labor gives the producer a price advantage.

C. AVRAHAM SHIFRIN, ISRAEL

Background:

Avraham Shifrin is a lawyer who was sentenced to death in 1953 for political reasons; a sentence later reduced to 25 years. He emigrated to Israel after serving ten years in a prison camp and four years in banishment. He runs the "Research Center for Prisons, Psychoprison, and Forced Labor Concentration Camps of the USSR."

Testimony:

Shifrin authored the book, "The First Guidebook to Prisons and Concentration Camps of the Soviet Union." He interviewed many ex-prisoners and is familiar with all phases of convict labor in the Soviet Union.

Graphics:

A map has been produced showing all the convict labor camps listed in Shifrin's book.

D. IRINA RATUSHINSKAYA, EVANSTON, ILLINOIS

Background:

Ms. Ratushinskaya was born in Odessa, Russia and studied physics and math at a university in Odessa.

Testimony:

Ms. Ratushinskaya was imprisoned in a convict labor camp from 1982-1986 and emigrated to the United States in April 1987. She will estimate the number of convict labor camps and the number of prisoners and explain the conditions, the production quota system

and payment of prisoners.

TEA

I. SUMMARY OF THE EVIDENCE: A Soviet emigre, DR. EDVARD GUDAVA, will state that as a prisoner in Soviet Georgia during the period 1985 through 1987, he made wooden boxes in which to export tea, and observed other prisoners harvesting tea for export to the United States. Another Soviet emigre, RAIZA UVAROVA, Dr. Gudava's mother, saw prisoners harvesting tea when visiting her son at the prison camp. In addition, a report on Soviet forced labor written by Soviet emigre LUDMILLA ALEXEYEVA, includes tea as a product produced with convict labor. An unclassified 1982 CIA report for Senator Armstrong also listed tea as a product made with convict labor.

The Soviet Union produces approximately 150 million kilograms of tea a year, of which 130 million is from fields in the Republic of Georgia. DR. GUDAVA estimated that more than 5,000 laborers working out of five separate prison camps harvested tea leaves in Georgia, and that laborers from approximately 20 camps represent more than 50% of all workers utilized in the production of tea in Georgia.

Four companies have been identified as the importers of this Georgian tea, with nine importations since the beginning of 1986 of 308,161 pounds with a total value of \$92,126. DR. EDVARD GUDAVA, in late 1987, identified two retailers in Boston, Massachusetts, with cartons of Soviet tea for sale, labeled "Georgian tea, Soviet Union." The packaging of the tea in the United States is identical to the packaging of the tea in the Soviet Union. The tariff schedule item number which would be used for this product is 160.50.

II. WITNESS STATEMENTS

A. DR. EDVARD GUDAVA, BRIGHTON, MASSACHUSETTES

Background:

Dr. Edvard Gudava was born February 9, 1955 in Soviet Georgia. After studying medicine in Moscow, he became a physician in 1978.

Testimony:

Dr. Gudava was arrested in 1985 for hooliganism and was sentenced to four years in a Georgian prison camp near Tzulukidze, Georgia.

While in the prison camp, his job was to construct two types of tea boxes; those for internal Soviet use, and a higher quality type for the exportation of tea. He was told by the prison facility supervisor that the high quality tea boxes were used for the exportation of tea.

Gudava's camp was one of five camps within close proximity of each other and he estimates that the five camps had an aggregate of 7000 prisoners and 5000 were utilized for tea production. His camp had approximately 1500 prisoners of which half remained inside to construct the tea boxes and the other half he observed picked tea leaves for shipment to other factories in Georgia. Dr. Gudava estimates that the convict labor from the five camps contributes to approximately 50 percent of the production of tea in the Soviet Georgia area.

After Dr. Gudava's release from the camp in April 1987, and his emigration to the United States in September 1987, he saw Soviet tea for sale at the Coffee Connection in Cambridge, Massachusetts, and Beriozka in Boston, Massachusetts. The packaging of the tea in the United States was identical to the packaging of the tea in the Soviet Union.

B. RAIZA UVAROVA, BRIGHTON, MASSACHUSETTS

Background:

Raiza Uvarova was born on April 18, 1930 in Tulla, near Moscow, and is the mother of Edvard and Tengiz Gudava. She attended college in Moscow and graduated with an engineering degree.

Testimony:

In 1985, due to her son's imprisonment in Soviet Georgia, she started visiting the prison camp near Tsulukidze, Georgia. She initially walked into the convict labor camp in 1985 without permission and saw groups of prisoners harvesting tea. During her visits, she also could visually observe the surrounding camps, and she noted that there were four surrounding labor camps in 1985 and observed an additional camp under construction in 1987. At the time that Dr. Gudava was released from prison in April 1987, there were a total of five convict labor camps with a sixth under construction. There was also a factory outside the camps nearby that processed tea and utilized convict labor.

C. TENGIZ GUDAVA, BRIGHTON, MASSACHUSETTS

Background:

Tengiz Gudava was born November 28, 1953, in Soviet Georgia. He attended medical school in Moscow, but was expelled in 1975 for speaking out against the government.

Testimony:

The witness will state that while growing up in Soviet Georgia, it was common knowledge that prisoners processed and picked tea, and that there is a saying in the Soviet Union that "every dog knows prisoners pick tea." After he emigrated to the United

States in September 1987, he saw Soviet tea for sale in Boston, Massachusetts, and the packaging of the tea was identical to the packaging of the tea in the Soviet Union. The retailers were the Coffee Connection in Cambridge, Massachusetts and Beriozka in Boston, Massachusetts.

D. CIA REPRESENTATIVE

Testimony:

A representative from the CIA will testify that an unclassified CIA report was prepared in 1983 from documents, studies and source materials which analyzed Soviet goods imported into the United States and which identifies tea as a commodity produced with convict labor in the Soviet Union.

E. LUDMILLA ALEXEYEVA, BURKE, VIRGINIA

Background:

Ludmilla Alexeyeva was a founding member of the Moscow Helsinki Monitoring Group. She emigrated to the United States in 1977 and currently serves as the Helsinki Group's Western Representative.

Testimony:

Ms. Alexeyeva recently published a study on Soviet forced labor for the AFL-CIO entitled Cruel and Usual Punishment.

She can testify that she included tea as a product produced with convict labor and that she identified Camp UI-123/35 in the Georgian Republic as a convict labor camp with approximately 1500 prisoners utilized in digging canals in tea plantations and harvesting tea leaves.

F. KEN TEA LTD., NEW ROCHELLE, NEW YORK

Testimony:

A representative of this company will testify that the company imported one shipment of tea from Soviet Georgia in 1986, totaling 1,598 pounds, with a value of \$2,475 and one shipment in 1987 totaling 1,212 pounds with a value of \$1,990. They sold Soviet Georgian tea to the Coffee Connection in Cambridge, Massachusetts, (where it was seen by the Gudava brothers).

G. COFFEE CONNECTION, CAMBRIDGE, MASSACHUSETTS

Testimony:

A representative of this store can testify that records for 1986 and 1987 show purchases of Soviet Georgian tea from Ken Tea brokers, including one purchase of 55.12 pounds of Soviet

Georgian tea on May 13, 1987.

H. TETLEY TEA CO., WILLIAMSPORT, PENNSYLVANIA

Testimony:

A representative of this company will testify that the company imported three shipments of tea from Soviet Georgia in the calendar year 1986, totaling 101,500 pounds, with a value of \$33,930.

I. NORTH AMERICAN CROP SERVICES, STANFORD, CONNECTICUT

Testimony:

A representative of this company will testify that in 1986, the company imported three shipments of tea from Soviet Georgia totaling 136,033 pounds, with a value of \$33,718.

J. A. HOLLIDAY & CO., NEW YORK, NEW YORK

Testimony:

A representative of this company will testify that the company imported two shipments of tea from Soviet Georgia in the calendar year 1986, totaling 67,818 pounds, with a value of \$20,013.

Note: Witnesses from Tetley Tea Co., North American Crop Service and A. Holliday and Co. will testify that they were unaware that convict labor is used in the production of tea in the Soviet Union.

CHOCOLATE

I. SUMMARY OF THE EVIDENCE: A Soviet emigre, IGOR GERASCENKO, will identify the chocolate factory Babayevskaya in Moscow as the factory in which he worked one day as a convict laborer in 1981 and produced chocolate candies. In 1987, he purchased identical chocolate candies in retail shops in Chicago, Illinois. He will state that convict labor is used in the production of chocolate in the Babayevskaya factory in the mixing of the cocoa and the baking, cutting and wrapping of the chocolate. Another emigre, Tatyana Osipova, learned of the use of prisoners at the Babayevskaya factory when she was in a special prison camp in Moscow in 1980.

A review of Customs' Automated Commercial System files for chocolate from the Soviet Union revealed two importations in 1986 totaling 17,254 pounds and one importation in 1987 totaling 17,960 pounds, worth approximately \$33,000. The applicable chocolate tariff number is 157.10.

II. WITNESS STATEMENTS

A. IGOR GERASCENKO, EVANSTON, ILLINOIS

Background:

Igor Gerascenko was born in Kiev in 1953 and graduated from the Polytechnic Institute with a degree in Physics in 1976. He emigrated to the U.S. in April 1987.

Testimony:

In December 1981, Gerascenko took part, with his wife in a five minute silent demonstration against Soviet human rights violations for which he appeared before a Soviet judge and received 10 days labor in a convict labor camp (MX-385/5). He was transported to a different factory each day and performed a different task in each factory. One of the factories in which he worked for one day was Babayevskaya, a chocolate factory in Moscow.

Gerascenko observed convict laborers mixing the cocoa, baking, cutting, and wrapping chocolate. He himself operated a bean grinding machine. Approximately 500 workers were in the factory. Approximately 20-40 convict laborers from his camp were sent to the factory each day and many more trucks from other camps arrived at the chocolate factory. Conversations with other convicts disclosed that they too went to the Babayevskaya plant.

In November 1987, Gerascenko purchased in Chicago Illinois one of the types of chocolate candy (Polar Bear) made at Babayevskaya. He has seen it for sale in other retail shops in Chicago and New

York.

B. TATYANA OSIPOVA, BROOKLYN, NEW YORK, NEW YORK

Background:

Tatyana Osipova was born in Kolomna, near Moscow, and was a computer operator and teacher of Russian languages. In 1976, she joined the Helsinki Watch accord group and began to write articles against political prisoners.

Testimony:

In January 1980, Osipova took part in a protest and was convicted of disturbing the peace. She was sentenced to 25 days in a special camp in Moscow. There were 35 other workers in this special camp. The prisoners worked in either the Babayevskaya chocolate factory or a cosmetics factory. The prisoners were permitted to converse with each other. Through conversations with other prisoners she learned that five to seven people went to the chocolate factory every day. Women were assigned only to cleaning duties, while the men were assigned to work in the entire chocolate production process. She refused to go on work details herself and was assigned to tasks in the camp. After serving the 25 day sentence, she was later convicted again and sent to prison in Moldavia, where she spent seven years. She emigrated to the United States in April, 1987.

C. GEORGE RAZIN, RAZIN INTERNATIONAL INC., HOWELL, NEW JERSEY

Background:

George Razin is the President of Razin International Inc.

Testimony:

Razin International has imported Russian chocolate of different types from the Babayevskaya factory in Moscow. One importation of chocolate in 1986 totalled 15,594 pounds, and was valued at \$14,306. One importation in 1987 totalled 17,960 pounds, and was valued at \$17,249. [Razin International has not imported the Polar Bear chocolate in the last three years.]

ALUMINUM

I. SUMMARY OF THE EVIDENCE: SERGEI SOLNTSEV, a Soviet emigre, saw one convict labor camp in Krasnoturinsk at the Bogoslovsk refinery and witnessed discussions about the use of convict labor at that plant. He will also testify that convicts make wooden lockers for the workers at the Bratsk aluminum smelting plant in Siberia, and that a friend at the plant informed him that convict laborers repair machine parts for the plant.

In addition, an unclassified CIA report prepared in 1982 for Senator Armstrong which describes the Soviet forced labor system cites that bauxite is mined by forced labor in Arkalyk. There is no other industry in Arkalyk.

In 1986, over 21 million dollars (67 entries) of different aluminum products were imported from the Soviet Union. In 1987, over 22 million dollars (117 entries) of different aluminum products were imported from the Soviet Union. The tariff schedule item numbers include: 618.0650 (unwrought alloys of aluminum), 618.1000 (aluminum waste and scrap) and 870.6040 (melted-down waste and scrap), and 618.0200 (aluminum other than alloys of aluminum)

II. WITNESS STATEMENTS

A. SERGEI SOLNTSEV, LUFKIN, TEXAS

Background:

Sergei Sergeevich Solntsev was born on March 1, 1935, in Vinnitsa, Ukplana which is near Kiev. He is an extractive metallurgist, a 1958 graduate of the Metallurgical Department of the Leningrad Mining Institute. He emigrated to the United States in 1978.

Testimony:

Solntsev worked for the Leningrad All-Union Research Institute of the Aluminum, Magnesium, and Electrode Industry (VANI) from 1958 until 1978. The first ten years, he worked as a junior and senior research fellow. In 1969 he was transferred to the Bratsk Aluminum Plant in Siberia, where he worked as a production engineer.

Solntsev is familiar with all the mines in the Soviet Union and has written a book on aluminum production. He has personally visited the following alumina refineries:

1. Bogoslovsk-Krasnoturinsk
2. Dniepr
3. Nikolaevo
4. Novoluznetsk
5. Kandalaksha
6. Volkov

7. Sungait
8. Volgograd

The aluminum plant at Bratsk has approximately 10,000 workers, 500 of which were convict laborers. Thirty kilometers to the south of Bratsk is a prison camp named Vikhorevka. The convict laborers from Vikhorevka made wooden lockers for the laborers in the plant and replacement parts for the maintenance of the machinery in the plant. Solntsev's friend, Yuri, told him that the convict laborers came to the Bratsk plant via truck, and that equipment was transferred from the plant to the labor camp for repairs and then returned.

From 1975 through 1976, Solntsev worked on a special project named KRAS in Krasnoyarsk, Siberia. He saw convict laborers in their camp there, only 50 yards from the aluminum plant. In 1978, the administrators of the Krasnoyarsk plant requested that VAMI undertake a special project to determine how to use convict labor in the electric cells in the smelter. The objective of the project was to isolate the convict laborers into work shifts to keep them separate from the other laborers. Solntsev was present when security for transporting the prisoners from the camp to the plant was discussed.

Solntsev estimates that one-half of all maintenance and one-half of all operating people at the aluminum facilities are convict laborers.

B. CIA REPRESENTATIVE

Testimony:

A CIA report of 1982 states that convict labor is used in the production of bauxite at Arkalyk. There is no other industry in Arkalyk.

C. AVRAHAM SHIFRIN, ISRAEL

Background:

Avraham Shifrin is a lawyer who was sentenced to death in 1953 for political reasons; a sentence later reduced to 25 years. He emigrated to Israel after serving ten years in a prison camp and four years in banishment. He runs the "Research Center for Prisons, Psychoprison, and Forced Labor Concentration Camps of the USSR."

Testimony:

Avraham Shifrin authored the book, "The First Guidebook to Prisons and Concentration Camps of the Soviet Union," and from his research for the book found instances of the use of aluminum industry, noted below.

1,000 prisoners are used in bauxite mining and construction in Boksitogorsk.

An electronics engineer who worked in Oneglag, a convict labor camp complex which serviced the "Boksitstroitrest" (Bauxite Construction Trust) and the "Onegspotsles" (Onega Special Lumber Company) was assigned to build tracks for the bauxite dredges.

At Kandalaksha there is a camp of approximately 1500 prisoners assigned to work in alumina, among other things.

V. DOCUMENTARY EVIDENCE

A. Amalgamet, Inc., New York

Customs records will show that this company imported through the Soviet Ministry of Trade 4,239,907 pounds of aluminum products from the Soviet Union in 1986, worth \$2,423,730; and 6,234,313 pounds of aluminum products in 1987, worth \$3,196,783.

B. Philipp Brothers, Inc., New York, New York

Customs records will show that this company imported through the Soviet Ministry of Trade 17,766,477 pounds of aluminum products from the Soviet Union in 1986, worth \$7,245,615; and 23,338,465 pounds of aluminum products in 1987 worth \$9,719,425.

C. Hunter Douglas Metals, Inc., Homewood, Ill.

Customs records will show that this company imported through the Soviet Ministry of Trade 7,038,466 pounds of aluminum products from the Soviet Union in 1986, worth \$1,893,281; and 6,085,950 pounds of aluminum products in 1987, worth \$3,518,686.

D. Commercial Metals Co., Dallas, Texas

Customs records will show that this company imported through the Soviet Ministry of Trade 11,309,054 pounds of aluminum products from the Soviet Union in 1986, worth \$4,420,479; and 117,673 pounds in 1987, worth \$74,473.

E. C. Tennant Sons & Co., Minneapolis, Minnesota

Customs records will show that this company imported through the Soviet Ministry of Trade 1,147,494 pounds of aluminum products from the Soviet Union in 1986, worth \$531,827.

F. Stanley Metals Corp., New York, New York

Customs records will show that this company imported through the Soviet Ministry of Trade 4,918,267 pounds of aluminum products from the Soviet Union in 1986, worth \$2,066,839; and imported 4,021,147 pounds of aluminum products in 1987 worth \$1,421,135.

G. Pechiney World Trade (USA) Inc. Seacaus, N.J.

Customs records will show that this company imported through the Soviet Ministry of Trade 2,204,232 pounds of aluminum products from the Soviet Union in 1986, worth \$1,258,197.

H. Amalgamated Metal Corp., London, United Kingdom

Customs records will show that this company imported through the Soviet Ministry of Trade 3,037,021 pounds of aluminum products from the Soviet Union in 1986, worth \$1,577,686; and imported 7,008,671 pounds of aluminum products in 1987, worth \$3,536,477.

I. Doehler Jarvis Castings Company, Toledo, Ohio

Customs records will show that this company imported through the Soviet Ministry of Trade 3,157,310 pounds of aluminum products from the Soviet Union in 1987, worth \$735,776.

J. Mitsubishi International Corporation, New York, New York

Customs records will show that this company imported through the Soviet Ministry of Trade 573,307 pounds of aluminum products from the Soviet Union in 1987, worth \$222,421.

K. Minemet-Asoma Inc., Stamford, Connecticut

Customs records will show that this company imported through the Soviet Ministry of Trade 2,309,381 pounds of aluminum products from the Soviet Union in 1987, worth \$906,382.

L. Lorbec Metals, Ltd., Quebec, Canada

Customs records will show that this company imported through the Soviet Ministry of Trade 2,448,852 pounds of aluminum products from the Soviet Union in 1987, worth \$1,248,540.

These companies have stated that they are unaware of the true origin of the imports within the Soviet Union. The Soviet Ministry of Trade does not disclose information that would allow us to trace the imports to specific plants or mines.