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# WITHDRAWAL SHEET

## Ronald Reagan Library

**Collection Name** EXECUTIVE SECRETARIAT, NSC: COUNTRY FILE

**Withdrawer**

**File Folder** USSR (12/15/81-12/17/81)

KDB 11/2/2015

**Box Number** 22

**FOIA**

F03-002/5

SKINNER

223

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
170239	MEMO	J. NANCE TO REAGAN RE PENTECOSTAL FAMILIES IN US EMBASSY MOSCOW <b>R 4/8/2013 CREST NLR-748-22-5-1-7</b>	1	12/15/1981	B1
170414	MEMO	M. GUHIN THROUGH N. BAILEY TO J.NANCE RE PENTECOSTAL FAMILIES IN US EMBASSY MOSCOW <b>R 4/8/2013 CREST NLR-748-22-5-2-6</b>	1	12/14/1981	B1
170415	MEMO	NANCE TO REAGAN RE PENTECOSTAL FAMILIES IN US EMBASSY MOSCOW <b>R 4/8/2013 CREST-NLR-748-22-5-2-6</b>		12/9/1981	B1
170416	MEMO	HAIG TO VICE PRESIDENT RE SEN. LEVIN'S PENTECOSTAL BILL <b>R 4/8/2013 CREST NLR-748-22-5-3-5</b>	1	1/18/1981	B1
170418	MEMO	M. GUHIN TO R. ALLEN RE. LEGISLATION CONCERNING PENTECOSTALISTS IN MOSCOW (DRAFT)	1	11/18/1981	B1
170419	MEMO	R. ALLEN TO REAGAN RE PENETECOSTAL FAMILIES IN US EMBASSY MOSCOW (DRAFT W/EDITS) <b>R 4/8/2013 CREST NLR-748-22-5-2-6</b>	1	ND	B1

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

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

# WITHDRAWAL SHEET

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F03-002/5

SKINNER

223

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
170421	MEMO	R. ALLEN TO SEC. HAIG RE LEGISLATION CONCERNING PENTECOSTALS IN MOSCOW (DRAFT) <b>R 4/8/2013 CREST NLR-748-22-5-5-3</b>	1	ND	B1
170424	MEMO	M. GUHIN THROUGH N. BAILEY TO R. ALLEN RE PENTECOSTALISTS IN MOSCOW AND LUNCH WITH SEN. LEVIN <b>R 4/8/2013 CREST NLR-748-22-5-6-2</b>	1	11/24/1981	B1
170425	CABLE	MOSCOW 17121 <b>R 4/8/2013 CREST NLR-748-22-5-7-1</b>	2	12/16/1981	B1
170426	CABLE	MOSCOW 17022 <b>R 4/8/2013 CREST NLR-748-22-5-8-0</b>	3	12/14/1981	B1
170427	MEMO	J. NANCE TO REAGAN RE SOVIETS	1	12/17/1981	B1
170428	MEMO	W. STEARMANTE TO J.NANCE RE SOVIETS (INCL. ATTACHED NOTE) <b>PAR 10/8/2010 CREST NLR-748-22-5-10-7</b>	1	12/11/1981	B1
170429	MEMO	DRAFT (W/EDITS) OF DOC #170427 (J. NANCE TO REAGAN RE SOVIETS)	1	ND	B1

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

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B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

~~CONFIDENTIAL~~

The President has seen 12/17/81

MEMORANDUM

6695 add-on

THE WHITE HOUSE  
WASHINGTON

170239

DECLASSIFIED

~~CONFIDENTIAL~~  
INFORMATION

NLRR 748-22-5-1-7 December 15, 1981

BY KDB NARA DATE 11/2/85

RR

MEMORANDUM FOR THE PRESIDENT

FROM: JAMES W. NANCE *Rod*

SUBJECT: Pentecostal Families in US Embassy Moscow

Embassy Moscow has provided a good report on the plight of the Vashchenko and Chmykhalov families. It notes that:

- the families are showing some flexibility in the steps they are willing to take to resolve their situation and, in particular, have come to accept that the Soviet authorities are unlikely ever to agree to any direct emigration from the embassy;
- resolution will require the families to agree to a way that will make it easier for Soviet authorities to allow emigration;
- the families are generally in good health, with a couple of exceptions;
- the embassy's policy of liberalized access, implemented in early 1981, is helping and possible improvements in the families' living conditions are being examined;
- interest in the case is growing in the West, particularly in the UK; and
- we must continue high-level expressions of interest in this case as an important factor in our bilateral relations.

~~CONFIDENTIAL~~

Review on 12/14/87

91 DE 1 62:58

~~CONFIDENTIAL~~

BACK FM (P)

81 DEC 16 P 3. 00

JANET COLSON

\_\_\_\_\_

BUD NANCE

\_\_\_\_\_

DICK ALLEN

\_\_\_\_\_

IRENE DERUS

\_\_\_\_\_

JANET COLSON

\_\_\_\_\_

BUD NANCE

\_\_\_\_\_

PETER

\_\_\_\_\_

CY TO VP

\_\_\_\_\_

SHOW CC

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CY TO MEESE

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Comments:

RECEIVED

81 DEC 14 P 8:47

JANET COLSON

*[Handwritten signature]*

SIGNED

BUD NANCE

*[Handwritten signature]*

DICK ALLEN

IRENE DERUS

JANET COLSON

*[Handwritten signature]*

BUD NANCE

PETER

CY TO VP

SHOW CC \_\_\_\_\_

CY TO MEESE

SHOW CC \_\_\_\_\_

CY TO BAKER

SHOW CC \_\_\_\_\_

CY TO DEEVER

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CY TO BRADY

SHOW CC \_\_\_\_\_

Comments:

~~CONFIDENTIAL~~

6695 add-on

4

MEMORANDUM

NATIONAL SECURITY COUNCIL

170414

DECLASSIFIED

December 14, 1981

~~CONFIDENTIAL~~

NLR 748-22-5-2-6

ACTION

BY LCB NARA DATE 11/2/15

SIGNED

MEMORANDUM FOR JAMES W. NANCE

THROUGH: NORMAN A. BAILEY *nb*

FROM: MICHAEL A. GUHIN *g*

SUBJECT: Pentecostal Families in US Embassy Moscow

As requested (Tab II), the memo for the President at Tab I summarizes the highlights of Embassy Moscow's recent report on the status and prognosis of the Vashchenko and Chmykhalov families.

RECOMMENDATION

That you sign the memo for the President at Tab I.

Approve

Disapprove

Attachments

- Tab I Memo for signature
- Tab II RVA/JWN comment sheet

~~CONFIDENTIAL~~  
Review on 12/14/87

~~CONFIDENTIAL~~

5

National Security Council  
RVA/JWN  
Comment Sheet

---

Number	MIKE GUHIN	Date
23		12/11/81

re: 6695/Pentecostal Families

We can't send all this stuff to the President. Could you summarize the cable in a one page memo to the President. Thanks.

---

Action	Coordinate	Info
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DUE DATE: *December 14, 1981*



\$ 6695

1 3 1 1 1 1 1

81 DEC 9 P12: 22

JANET COLSON	<u>          </u>		
BUD NANCE	<u>          </u>		
DICK ALLEN	<u>          </u>		
IRENE DERUS	<u>          </u>		
JANET COLSON	<u>          </u>		
BUD NANCE	<u>          </u>		
PETER	<u>          </u>		
CY TO VP	<u>          </u>	SHOW CC	<u>          </u>
CY TO MEESE	<u>          </u>	SHOW CC	<u>          </u>
CY TO BAKER	<u>          </u>	SHOW CC	<u>          </u>
CY TO DEEVER	<u>          </u>	SHOW CC	<u>          </u>
CY TO BRADY	<u>          </u>	SHOW CC	<u>          </u>

Comments:

AJL  
7

6695

MEMORANDUM

NATIONAL SECURITY COUNCIL

DECLASSIFIED

December 9, 1981

White House Guidelines, August 28, 1997  
By CB NARA, Date 11/21/15

CONFIDENTIAL

ACTION

MEMORANDUM FOR JAMES W. NANCE

FROM: MICHAEL A. GUHIN *mg*  
SUBJECT: Pending Legislation Concerning the  
Pentecostalists in US Embassy Moscow

The proposed memo to the President, at Tab I, provides an updated report on this issue. Pipes and Stearman concur.

RECOMMENDATION

That you sign the memo to the President at Tab I.

Approve ✓ Disapprove \_\_\_\_\_

Attachments

Tab I Memo for signature  
with attachments

~~CONFIDENTIAL~~  
Review on 12/9/87

MEMORANDUM

**DECLASSIFIED**

THE WHITE HOUSE  
WASHINGTON

December 9, 1981

The President has seen 12/17/81

NLRR 748-22-5-2-6

BY ICOB

NARA DATE 11/2/85

CONFIDENTIAL

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: JAMES W. NANCE *bud*

SUBJECT: Pentecostals in US Embassy Moscow

*WR*

Senator Levin introduced a bill in January, with more than 50 co-sponsors, to grant permanent resident status to the Pentecostal families in our Embassy and make them eligible for US citizenship five years from the day they entered the Embassy (Tab A). Levin quoted your 1979 broadcast on the plight of these families (Tab B). Roger Jepsen also strongly supports the bill.

State has stressed to Congress that (1) we will work hard for the families' emigration and want to work with Congress on a bill; but (2) the particular approach in the current bill would probably make the Soviets more uncooperative and thus hurt, rather than help, the families' already slim chances. Al Haig's memo on this is at Tab C.

We understand that Congress is planning to hold off action pending State's proposed revision. We have informed State that they should proceed to work out an acceptable bill promptly. We will continue to follow this matter.

Attachments

- Tab A Levin bill
- B 1979 Reagan statement
- C Haig memo (Confidential)

81 DEC-9 6 532

CONFIDENTIAL

- cc: The Vice President
- Ed Meese
- Jim Baker
- Mike Deaver

97TH CONGRESS  
1ST SESSION

# S. 312

For the relief of Maria and Timofei Chmykhalov, and for Lilia, Peter, Liubov, Lidia, and Augustina Vashchenko.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 29 (legislative day, JANUARY 5), 1981

Mr. LEVIN (for himself, Mr. BOREN, Mr. HATFIELD, Mr. JEPSEN, Mr. BUMPERS, Mr. ANDREWS, Mr. ARMSTRONG, Mr. BAUCUS, Mr. BENTSEN, Mr. BIDEN, Mr. BOSCHWITZ, Mr. BURDICK, Mr. CANNON, Mr. CHAFEE, Mr. COHEN, Mr. CRANSTON, Mr. DANFORTH, Mr. DECONCINI, Mr. DENTON, Mr. DODD, Mr. DURENBERGER, Mr. EAGLETON, Mr. GARN, Mr. GOLDWATER, Mr. GORTON, Mr. HAYAKAWA, Mr. HEFLIN, Mr. HEINZ, Mr. HELMS, Mr. HOLLINGS, Mr. HUDDLESTON, Mr. HUMPHREY, Mr. INOUE, Mrs. KASSEBAUM, Mr. KASTEN, Mr. LUGAR, Mr. MATHIAS, Mr. MATSUNAGA, Mr. MATTINGLY, Mr. McCLURE, Mr. MELCHER, Mr. METZENBAUM, Mr. MOYNIHAN, Mr. NICKLES, Mr. PRESSLER, Mr. PROXMIER, Mr. PRYOR, Mr. RANDOLPH, Mr. RIEGLE, Mr. SARBANES, Mr. SCHMITT, Mr. SIMPSON, Mr. STEVENS, Mr. TSONGAS, and Mr. WILLIAMS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

For the relief of Maria and Timofei Chmykhalov, and for Lilia, Peter, Liubov, Lidia, and Augustina Vashchenko.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. The Congress finds that—

★(Star Print)

1 (1) since 1962, thirteen members of the Vash-  
 2 chenko family and eleven members of the Chmykhalov  
 3 family from Chernogorsk, Siberia have requested that  
 4 they be released from Soviet citizenship and be permit-  
 5 ted to receive exit visas so that they may leave the  
 6 Union of Soviet Socialist Republics legally and in ac-  
 7 cordance with the Universal Declaration of Human  
 8 Rights; and

9 (2) since June 27, 1978, seven members of the  
 10 Vashchenko and Chmykhalov families have resided in  
 11 the United States Embassy in Moscow and have been  
 12 living in accordance with United States laws.

13 SEC. 2. Notwithstanding any numerical limitations or  
 14 any other provision of the Immigration and Nationality Act,  
 15 for purposes of such Act, Maria and Timofei Chmykhalov,  
 16 and Lilia, Peter, Liubov, Lidia, and Augustina Vashchenko  
 17 shall be issued visas and admitted to the United States for  
 18 permanent residence as of the date of the enactment of this  
 19 Act upon payment of the required visa fees. Upon the grant-  
 20 ing of permanent residence to such aliens as provided for in  
 21 this Act, the Secretary of State shall instruct the proper offi-  
 22 cer to reduce by the required number during the current  
 23 fiscal year or the fiscal year next following, the total number  
 24 of immigrant visas and conditional entries which are made  
 25 available to natives of the country of the aliens' birth under

1 paragraphs (1) through (8) of section 203(a) of such Act, or if  
2 applicable, the total number of immigrant visas and condi-  
3 tional entries which are made available to natives of the  
4 country of the aliens' birth under section 202 of such Act.

5       SEC. 3. Notwithstanding section 316 of the Immigration  
6 and Nationality Act or any other provision of law, for pur-  
7 poses of the Immigration and Nationality Act, Maria and Ti-  
8 mofei Chymkhalov, and Lilia, Peter, Liubov, Lidia, and Au-  
9 gustina Vashchenko shall be held and considered to have  
10 been lawfully admitted to the United States for permanent  
11 residence as of June 27, 1978, and to have been physically  
12 present and residing therein continuously since such date.

○



RONALD REAGAN

Reprint of a radio program entitled "Vlasenko"

Yuri Vlasenko, a Soviet citizen, tried to leave the Soviet Union. Yuri Vlasenko is dead.

On March 28th one of our embassy officials went out of the embassy in Moscow and led Vlasenko past the ever-present KGB agents into the embassy. Once inside, Yuri asked for an exit visa so that he could leave the Soviet Union. Upon being told that we couldn't do that he revealed a homemade bomb and threatened to blow himself up.

Our Ambassador tried to negotiate with him and then turned the matter over to the Soviet authorities who don't negotiate in causes of this kind. They attacked with tear gas and a sharpshooter who got off two shots before Yuri Vlasenko detonated his bomb. He died there in the embassy where he had sought refuge.

This tragic story is by way of introduction to the plight of seven other Soviet citizens who were in the American embassy the day Yuri Vlasenko died. They had been there, living in the reception room, since June 27th, 1978.

There are five members of one family, two of another. All are Christians, members of the largest religious group in Russia and all have other family members outside the embassy who are undergoing the worst kind of persecution.

These seven made their way to Moscow from Siberia. They had tried in every way to obtain, legally, exit visas from their own government. Finally in desperation they had sought the counsel of our Ambassador. The religious group to which they belong is the largest in the Soviet Union. It is also the most persecuted and not one member has ever been allowed to emigrate from Russia.

These seven courageous and desperate people have a promise of sponsorship in America from Reverend Cecil Williamson, Jr. of Selma, Alabama. Over the past 10 years, they and other members of their families have been imprisoned, tortured, found insane, and some have died. Thousands of Americans, knowing of their plight, have written to them but they haven't received the letters. Our Ambassador has ordered that mail to them must go through the Soviet postal service.

Shortly after the Vlasenko killing, efforts were made to persuade the seven to leave the embassy. KGB cars were mysteriously waiting at the embassy entrance. When they refused to give up their sanctuary, they were moved to a 20 by 20 foot room the Marine guards call the dungeon. There for a year they have lived together in that one room. They are



denied embassy food, but embassy employees -- acting as Americans are supposed to act -- stand for hours in the endless lines and buy food for them in the Russian stores.

Last June the Ambassador grudgingly allowed American TV networks to interview them but not to show the room in which they are kept confined. Then another mystery -- somehow the interviews were never shown to American audiences.

Detente is supposed to be a two-way street. Our wheat and technology can get into Russia -- why can't the Vashchenko and Chamykhalov families get out?



THE SECRETARY OF STATE  
WASHINGTON

~~CONFIDENTIAL~~

NLRR 748-22-5-3-5  
BY 10703 NARA DATE 11/2/85

81 NOV 18 PIO: 31

November 18, 1981


170416

WHITE HOUSE  
SITUATION ROOM

MEMORANDUM FOR:

THE VICE PRESIDENT

FROM :

Alexander M. Haig, Jr. 

SUBJECT :

Our Position on Senator Levin's  
Pentecostal Bill (S. 312)

As you know, the State Department has been asked to testify before the Senate Subcommittee on Immigration and Refugee Policy on Thursday, November 19, at ten a.m. The purpose of our testimony will be to comment on Senate Bill 312, which has been introduced by Senator Levin. The purpose of this bill is to confer permanent resident alien status on the seven Soviet Pentecostals who have lived in refuge in our Embassy in Moscow since 1978 while seeking to emigrate from the USSR.

Attached is a copy of the testimony we will give (Tab 1). As you will note, the Department will reiterate its firm commitment to the quest of the Pentecostal families to emigrate from the USSR. We will point out that while we strongly support the humanitarian purposes underlying the bill, we are concerned that passage of the bill could easily damage the Pentecostals' prospects for emigration rather than enhance them.

The Soviet Government is likely to view the conferral of permanent resident alien status on Soviet citizens as an unprecedented intrusion in its affairs and to be even less willing to resolve this case.

Additionally, the bill's wording implies the acceptance of the concept of extraterritoriality of diplomatic missions, a concept which the U.S. does not endorse. We have suggested in our testimony a modification which would be consonant with U.S. as well as international law.

~~CONFIDENTIAL~~

GDS 11/18/87

\* 6695

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81 NOV 19 6:45

JANET COLSON	_____		
BUD NANCE	_____		
DICK ALLEN	<i>WA</i>		
IRENE DERUS	_____		
JANET COLSON	_____		
BUD NANCE	_____		
PETER	_____		
CY TO VP	_____	SHOW CC	_____
CY TO MEESE	_____	SHOW CC	_____
CY TO BAKER	_____	SHOW CC	_____
CY TO DEAVER	_____	SHOW CC	_____
CY TO BRADY	_____	SHOW CC	_____
<u>Comments:</u>			

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170418	MEMO  M. GUHIN TO R. ALLEN RE. LEGISLATION CONCERNING PENTECOSTALISTS IN MOSCOW (DRAFT)	1	11/18/1981	B1

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

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THE WHITE HOUSE

WASHINGTON

DECLASSIFIED

170419

~~CONFIDENTIAL~~

NLRR 748-22-5-2-6

ACTION

BY 1607 NARA DATE 11/2/15

MEMORANDUM FOR THE PRESIDENT

FROM: RICHARD V. ALLEN

SUBJECT: Pentecostals in US Embassy Moscow

Senator Levin introduced a bill in January, with <sup>more than</sup> over 50 co-sponsors, to grant permanent resident status to the Pentecostal families in our Embassy and make them eligible for US citizenship five years from the day they entered the Embassy (Tab A). Levin quoted your 1979 broadcast on the plight of these families (p. S 732 at Tab B). *Casper Jepsen is also a strong supporter of the bill.*

*The State Department opposes the bill. Its 19 November*  
~~State's November 19 testimony on the bill (Tab C) stressed that (1) we will work hard for the families' emigration and want to work with Congress on a bill; (2) the near term chances for emigration are slim; and (3) the approach in the current bill would probably be seen by the Soviets as an unprecedented intrusion in their affairs, making them even more uncooperative, and thus hurt us rather than help us the families' chances. A copy of Haig's memo responding to a Vice Presidential request on this is at Tab C. Roger Jepsen wrote me on the matter (Tab E).~~ *Stated:*

*make the Soviets*

A bill would have benefits, but State's view that this one could hurt the families' chances also has merit. I believe, therefore, that we should inform State of your interests in working out an acceptable bill and in developing further approaches to the Soviets to help the families. The memo from me to Haig, at Tab A, would accomplish this.

RECOMMENDATION

That you approve the memo at Tab A.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Attachments

- Tab A Proposed memo
- B Levin bill and statement
- C State testimony
- D Haig memo
- E Jepsen letter

*your interest in the Pentecostals prompts me to ask how you would like to proceed in this matter.*

THE WHITE HOUSE

WASHINGTON

19

170,421

DECLASSIFIED

NLRR 748-22-5-5-3

BY CCD NARA DATE 14/2/15

~~CONFIDENTIAL~~

MEMORANDUM FOR ALEXANDER M. HAIG, JR.  
The Secretary of State

SUBJECT: Proposed Action Concerning the Pentecostalists  
in US Embassy Moscow

As you know, the President believes that we should do what we can to help achieve the emigration of the Vashchenkos and Chmykhalovs from the Soviet Union. He has, in this regard, noted State's view that the approach in currently pending legislation, S-312, could easily prove counterproductive and reduce the chances of the families being allowed to emigrate. The President considers it important that State follow up promptly on its offer to work out an acceptable bill with the Congress and, at the same time, develop possible further approaches for trying to resolve this issue with the Soviet Union.

FOR THE PRESIDENT

Richard V. Allen  
Assistant to the President for  
National Security Affairs

~~CONFIDENTIAL~~

TESTIMONY OF THOMAS W. SIMONS, Jr.  
DIRECTOR, OFFICE OF SOVIET UNION AFFAIRS  
DEPARTMENT OF STATE  
BEFORE THE  
SENATE SUBCOMMITTEE ON IMMIGRATION AND REFUGEE POLICY,  
COMMITTEE ON THE JUDICIARY.

19 NOVEMBER 1981

SENATE BILL 312



Mr. Chairman:

I am pleased to have this opportunity to present the Department of State's views on Senate Bill 312, which would grant permanent resident alien status to those members of the Vashchenko and Chmykhalov families presently living in refuge in the American Embassy in Moscow.

The U.S. Government continues vigorously to seek the emigration of these two families, and their right, under the Helsinki accords, to seek freedom of religious expression and freedom of movement. The welfare and ultimate fate of the families is of deep professional and personal concern to the staff of our Embassy in Moscow and to this Administration. The State Department is firmly committed to helping the Vashchenkos and Chmykhalovs achieve their goal of emigrating from the Soviet Union and supports all reasonable initiatives that contribute to this end.

There are five members of the Vashchenko family now living in the Embassy - the father and mother and three of their daughters. Still another 10 children of the family live in the family's hometown of Chernogorsk in Siberia. There are also two members of the Chmykhalov family in the Embassy, the mother and her son. There are nine other members of the Chmykhalov family living in Chernogorsk.

As you know, this is a complex case. The Soviet Government has continued to insist that the question of the families' emigration will not be addressed until they return to their home in Chernogorsk and, with the rest of their families, apply to local administrative organs in compliance with Soviet law.

The family members now living in the Embassy, quite understandably, refuse to leave the safety of the Embassy without the assurances of the Soviet Government that they will be permitted to emigrate.

Despite the diametrically opposed points of view held by the Soviet Government and the two families, we hope that in time a solution can be found, although it appears that in the near term chances for such a solution are remote. You may be sure that every conceivable step which might lead to a solution receives our sympathetic consideration.

It is clear that the overall purpose of United States' actions in this case should and must be to obtain the release from the Soviet Union of the members of the Chmykhalov and Vashchenko families. The criterion must be effectiveness: whether or not a proposed step is likely to help or hinder their release. In the context of our present relations, we feel that it is not in our or the families' best interest to undertake measures which may prejudice -- perhaps forever -- the already slender chances of the family members to gain permission to emigrate from the Soviet Union.

Thus, we believe that there are several aspects of this bill which should be examined carefully before a decision on it is rendered by Congress. Judged against the criterion of potential effectiveness, these aspects are genuinely mixed.

On the one hand, it is certainly true that the passage of S-312 could help raise the morale of the Pentecostal families

and demonstrate in a concrete manner our concern for their fate. This is an important consideration. Raising the morale of these sorely tried people and registering American concern are useful aims.

At the same time, it is equally important to avoid steps which could, on balance, damage these families' already slim prospects for emigration. In our judgement there is reason to believe that this bill, if passed, will on balance have that effect. We must consider three factors.

First, Soviet practice in these and other cases strongly suggests that the Soviet Government resists and will continue to resist setting a precedent for allowing direct emigration of Soviet citizens from refuge in a foreign embassy. There is probably a basis for this position in Soviet law, but the practical consequences alone would almost certainly give the Soviet authorities pause.

Second, it is presently possible, under the terms of the Immigration and Nationality Act and the Refugee Act of 1980, to document members of either or both families for entry into the United States. The proposed legislation is not required to accomplish this purpose. Passage of the legislation might in fact have an adverse effect on the principal objective, that is, the issuance of exit visas by the Soviet authorities. Again without being privy to all the reasons the Soviets may give themselves, I would like to suggest some of them.

The Soviet authorities would construe this bill as an exercise of U.S. legislative jurisdiction with respect to citizens of the Soviet Union residing within that country and thus interference in its internal affairs. They would not see it as a well-intended humanitarian act. Rather, they would see it as an attempt to extend U.S. law to Soviet territory. The reaction would almost certainly be highly negative, particularly if the bill received much publicity.

If they follow past practice, the Soviet authorities would be motivated to demonstrate to the Soviet citizenry and to the international community that the U.S. Government cannot unilaterally accord Soviet citizens some form of special status or protection under U.S. law. Such a demonstration would make it more rather than less difficult for them to envisage creative solutions to a complex problem.

Third, in our judgement section 3 of the proposed act, which provides that the Pentecostals will be considered to be physically present and residing in the United States since June 27, 1978, when they entered the Embassy compound is also likely on balance to hurt rather than help these families' prospects for emigration. By equating the time spent in the Embassy compound with time spent in the United States, the bill suggests reliance on the concept of extra-territoriality of diplomatic missions -- a concept without legal foundation and rejected by the United States and the international community.

Mr. Chairman, the people this bill seeks to assist are in a specific real-life situation. In reality, the United States cannot, by unilaterally declaring these individuals to be "permanent residents" of the United States, alter the fact that they remain Soviet citizens, present in Soviet territory and fully subject to Soviet law. In this respect, the case of the Pentecostal families differs from those of other prominent human rights cases, such as the Skuodis, Stolar, and Kudirka cases, where there were and are strong prior claims to U.S. citizenship. We cannot, under general principles of international law or under any relevant international agreement, compel the Soviet Union to recognize any change in their status or to issue the requisite exit visas to permit their emigration to the United States.

With regard to this third consideration involving physical presence, the problem we see could largely be avoided if the bill were modified to provide for a shortening of the physical residency requirement, only after the Pentecostals have actually entered the United States and applied for naturalization. The amount of time to be deducted from the residency requirement would be equal to the time the Pentecostals spent in the Embassy compound. This approach is not without precedent, and would not imply the assertion of some "extra-territorial" principle.

Let me close by reaffirming the Department of State's commitment to the quest of the Vashchenko and Chmykhalov families to emigrate from the Soviet Union. We have done and will continue to do all possible to assist them in this cause. We have been in continuous touch with the Soviet authorities about these families since they sought refuge in our Embassy. We continue to invite the Soviets to discuss new ways to resolve what we recognize is an extraordinarily complex problem. They know that resolution would have a favorable effect on bilateral relations with the United States. Until a successful resolution can be found, we have made it clear to the families that they are free to remain in refuge in the Embassy, and we will try to make their lives there as comfortable as possible. We recognize that S-312 is motivated by a generous humanitarian concern for these families. If we believed it would help achieve our common goal -- resettlement in the community of their choice -- the bill would have our full support. Unfortunately, we believe that on balance it would hurt rather than help.

QJL  
27

MEMORANDUM

NATIONAL SECURITY COUNCIL

November 24, 1981

170424

DECLASSIFIED

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NLRR 748-22-5-6-2  
BY ICOB NARA DATE 11/2/15

INFORMATION

MEMORANDUM FOR RICHARD V. ALLEN

THROUGH: NORMAN A. BAILEY NB

FROM: MICHAEL A. GUHIN MG

SUBJECT: Pentecostals in US Embassy Moscow and  
Your Lunch with Senator Levin Today

Following up our conversation this morning, this memo provides the current status of the above issue.

State believes its testimony was received fairly well, with Levin and others at least willing to see what State produces for alternative legislation. However, Congress remains basically suspicious of State on this. State staff says it is working on an alternative bill and will be consulting soon with Levin and other interested members (such as Simpson and Jepsen). As for further diplomatic activity, State staff is considering a demarche to have the plight of the families raised privately with the Soviets at the Madrid CSCE. They are also considering tying this to some other effort, such as the grain agreement. Possible diplomatic initiatives have not yet been raised to Haig.

If this subject comes up in your lunch today, one of us (Pipes, Stearman or myself) would appreciate a readout.

~~CONFIDENTIAL~~  
Review on 11/24/81



United States Senate

WASHINGTON, D. C. 20510

ROGER W. JEPSEN  
IOWA

November 18, 1981

1/29/78  
CC: SM 28

Mr. Dick Allen  
Assistant to the President for  
National Security Affairs  
The White House  
Washington, D. C. 20500

Dear Dick:

Per our conversation, I wanted to share with you the enclosed information.

I remain concerned that the President's stand in support of the families being held in the American Embassy in Russia is being compromised by the testimony being presented by ranking officials in the State Department.

Also, I was surprised to note that the sentiments expressed in the State Department testimony are in line with the confidential memorandum issued during the Carter Administration.

Thank you for your attention to this matter.

Sincerely,

Roger W. Jepsen  
United States Senator  
I O W A

P. S. Please note: The hearings are at 10:00 a.m. Thursday morning.



~~CONFIDENTIAL~~  
WHITE HOUSE SITUATION ROOM

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170425

PAGE 01 OF 02 MOSCOW 7121  
SIT121 DATE 12/22/81

DTG: 161622Z DEC 81 PSN: 053266  
TOR: 350/1939Z

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MESSAGE ANNOTATIONS:

NO MESSAGE ANNOTATIONS

MESSAGE:

IMMEDIATE  
DE RUEHMO #7121 3501624  
O 161622Z DEC 81 ZFF-4  
FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC NIACT IMMEDIATE 0048

INFO AMEMBASSY BERN IMMEDIATE 0439  
AMEMBASSY BONN IMMEDIATE 1858  
AMCONSUL LENINGRAD 5350  
AMEMBASSY MADRID IMMEDIATE 1379  
AMEMBASSY PARIS IMMEDIATE 0953  
USMISSION GENEVA IMMEDIATE 5461  
BT

~~C O N F I D E N T I A L~~ MOSCOW 17121  
MADRID FOR USDEL CSCE AND MR. ZIMMERMANN  
EXDIS  
E.O. 12065: RDS-4 12/16/01 (MCCALL, SHERROD B.) OR-M  
TAGS: CSCE, PINT, SHUM, UR  
SUBJECT: YELENA BONNER AND LIZA ALEKSEYEVA PREPARE  
FOR HER DEPARTURE

REFS: (A) MOSCOW 17061, (B) MOSCOW 17060  
(C) PARIS 38190 (NOTAL)

1. (C - ENTIRE TEXT)

2. EMBOFFS VISITED LIZA ALEKSEYEVA AND ELENA BONNER THE AFTERNOON OF DECEMBER 16. BONNER, WHO HAD ARRIVED IN MOSCOW BY TRAIN THAT MORNING, AND ALEKSEYEVA REPORTED THAT, WHEN LIZA HAD VISITED THE FRENCH EMBASSY EARLIER THAT DAY,

MESSAGE (CONTINUED):

THE FRENCH AMBASSADOR HIMSELF HAD RECEIVED HER AND THAT, IN ACCORD WITH WHAT FRENCH EMBOFFS HAD TOLD US YESTERDAY, THEY HAD ISSUED LIZA A FRENCH VISA AND HAD CALLED AIR FRANCE TO ARRANGE FOR A SEAT (##) IN

THIS REGARD, LIZA SAID THAT SHE PLANNED TO VISIT AIR FRANCE'S OFFICE AT 3:00 P.M. TODAY TO PICK UP HER TICKET AND CONFIRM HER RESERVATION. LIZA LATER CALLED US TO REPORT THAT SHE HAD PICKED UP A TICKET FOR AIR FRANCE'S DIRECT FLIGHT TO PARIS AT 4:50 P.M. ON SATURDAY, DECEMBER 19, (FLIGHT NO. 721).

3. LIZA'S TRAVEL PLANS DIFFER FROM THOSE

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NLRR 748-22-5-7-1  
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PAGE 02 OF 02 MOSCOW 7121

DTG: 161622Z DEC 81 PSN: 053266

DESCRIBED BY TAT'YANA YANKELEVICH (REF C). LIZA NOT ONLY PLANS TO FLY AIR FRANCE TO PARIS ON DECEMBER 19 BUT ALSO EXPECTS TO SPEND A DAY OR TWO IN PARIS BEFORE FLYING ON TO BOSTON OR NEW YORK. LIZA SAID THAT SHE EXPECTS TO RECEIVE A CALL FROM ABROAD LATER TODAY, PRESUMABLY FROM PARIS, AND THAT SHE WILL COORDINATE THESE ARRANGEMENTS WITH YANKELEVICH.

4. AS BONNER AND ALEKSEYEVA WERE IN A HURRY TO GO TO AIR FRANCE'S OFFICE, EMBOFFS DID NOT HAVE MUCH OPPORTUNITY TO DISCUSS EVENTS IN GORKIY DURING THE HUNGER STRIKE. BONNER DID SAY THAT THE MEDICAL CARE WHICH SAKHAROV AND SHE HAD BEEN RECEIVING WAS EXCELLENT. IN FACT, SHE CONTINUED, "IT COULDN'T HAVE BEEN BETTER." BONNER HERSELF, SURPRISINGLY, LOOKED BETTER THAN WHEN EMBOFFS HAD LAST SEEN HER BEFORE THE STRIKE. SHE IS ON A RESTRICTED DIET AND EXPECTS TO RESUME A NORMAL ONE IN FIVE OR SIX DAYS. BONNER ADDED THAT SAKHAROV IS STILL QUITE WEAK BUT WILL ATTEMPT TO WALK IN THE HOSPITAL CORRIDOR FOR THE FIRST TIME ON FRIDAY (DECEMBER 18).

5. AS EMBOFFS WERE DEPARTING, BONNER INVITED THEIR WIVES AND THEM TO A GOING-AWAY PARTY FOR

MESSAGE (CONTINUED):

LIZA TOMORROW EVENING (DECEMBER 17). AT THIS PARTY, EMBOFFS WILL ATTEMPT TO OBTAIN MORE INFORMATION FROM BONNER ON RECENT EVENTS IN GORKIY AND ON SAKHAROV'S AND HER FUTURE STATUS.

6. ACTION REQUESTED: EUR/SOV PLEASE PASS THE GIST OF THIS CABLE TO ALEKSEYEVA'S HUSBAND SEMENOV AND/OR HIS FRIEND ED KLINE. HARTMAN

MOSCOW 7121

DTG: 161622Z DEC 81 PSN: 053266

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WHITE HOUSE SITUATION ROOM

170426

PAGE 01 OF 02 MOSCOW 7022  
SIT753 DATE 12/16/81

DTG: 141731Z DEC 81 PSN: 050154  
TOR: 348/1748Z

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MESSAGE:

IMMEDIATE  
DE RUEHMO #7022/01 3481736  
O 141731Z DEC 81  
FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 9963

INFO AMEMBASSY WARSAW IMMEDIATE 8677  
USICA WASHDC IMMEDIATE 0366  
AMEMBASSY BELGRADE IMMEDIATE 7080  
AMEMBASSY BERLIN IMMEDIATE 3190  
AMEMBASSY BONN IMMEDIATE 1843  
AMEMBASSY BRUSSELS IMMEDIATE 2086  
AMEMBASSY BUCHAREST IMMEDIATE 7498  
AMEMBASSY BUDAPEST IMMEDIATE 6612  
AMEMBASSY LONDON IMMEDIATE 3873  
AMEMBASSY PARIS IMMEDIATE 0939  
AMEMBASSY PRAGUE IMMEDIATE 7301  
AMEMBASSY ROME IMMEDIATE 6377  
AMEMBASSY MADRID IMMEDIATE 1368  
AMEMBASSY SOFIA IMMEDIATE 6634  
USMISSION USNATO IMMEDIATE 0735  
USNMR SHAPE BE IMMEDIATE  
USCINCEUR VAHINGEN GE IMMEDIATE  
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NLRR 748-22-5-8-0  
BY CDB NARA DATE 11/2/05

~~C O N F I D E N T I A L~~ SECTION 01 OF 02 MOSCOW 17022  
MADRID FOR USDEL CSCE  
E. O. 12065: XDS-1, 4 12/14/01 (BROWN, KENT) OR-P  
TAGS: PINT, EPR, UR, PL  
SUBJECT: CC MEMBER KOSOLAPOV AND OTHERS' COMMENTS  
ON POLAND: REPORT NO. 13

1. (~~CONFIDENTIAL~~ - ENTIRE TEXT.)

MESSAGE (CONTINUED):

2. SUMMARY: CENTRAL COMMITTEE MEMBER KOSOLAPOV HAS IMPLIED TO US THAT JARUZELSKI'S WEEKEND MOVE WAS A POSITIVE STEP, ALTHOUGH HE STOPPED SHORT OF ENDORSING IT. HE STRESSED THE IMPORTANCE OF EXTERNAL AID TO POLAND AND SAID THE USSR WOULD DO ALL POSSIBLE TO ASSIST THE POLES ECONOMICALLY. FRENCH FOREIGN TRADE MINISTER JOBERT, NOW IN MOSCOW FOR A MEETING OF THE FRENCH-SOVIET GRAND COMMISSION, MIGHT RAISE THE POLISH ISSUE ON THE EDGES OF COMMISSION MEETINGS, ALTHOUGH THIS IS UNCERTAIN. END SUMMARY.

3. CENTRAL COMMITTEE MEMBER AND KOMMUNIST EDITOR

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~~CONFIDENTIAL~~

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WHITE HOUSE SITUATION ROOM

PAGE 02 OF 02 MOSCOW 7022

DTG: 141731Z DEC 81 PSN: 050154

R. I. KOSOLAPOV INDICATED TO EMBOFF DECEMBER 14 THAT HE VIEWS THE JARUZELSKI DECISION TO IMPOSE MARTIAL LAW AS "FLOWING LOGICALLY FROM THE CURRENT SITUATION IN POLAND." WHILE HE STOPPED SHORT OF EITHER PERSONALLY OR OFFICIALLY ENDORSING THE MOVE, HE GAVE THE CLEAR IMPRESSION THAT HE VIEWED IT AS A POSITIVE STEP. INDEED, HE SEEMED SOMEWHAT RELIEVED, SAYING THAT "THE MOST IMPORTANT THING IS THAT THE POLES THEMSELVES HAVE TAKEN ACTION" TO END THE CRISIS. HE TEMPERED HIS REMARKS BY NOTING THAT "IT IS NOT INCONCEIVABLE" THAT THERE WOULD BE RESISTANCE, BUT HE EXPRESSED DOUBT THAT IT WOULD BE MASSIVE. HE NOTED THAT THE IMPORTANT ELEMENT IN THE FUTURE EVOLUTION IN POLAND WOULD BE AID FROM OUTSIDE, ADDING THAT THE SOVIET UNION WOULD "DO ALL POSSIBLE" TO ASSIST THE POLES ECONOMICALLY.

4. ASKED WHY HE THOUGHT THE POLES HAD MADE THE DECISION TO IMPOSE MARTIAL LAW AT THIS TIME, KOSOLAPOV QUICKLY OUTLINED THREE REASONS: 1) SOLIDARITY'S REFUSAL TO AGREE TO SUPPORT JARUZELSKI'S CALL FOR A NATIONAL FRONT; 2) SEVERAL OF THE STATEMENTS EMANATING FROM "EXTREMIST" SOLIDARITY ELEMENTS AT RADOM; AND 3) THE SOLIDARITY INTENTION TO REPLACE PARTY COMMITTEES IN FACTORIES. KOSOLAPOV DID NOT SEEM TO FEEL THAT THE DETERIORATING ECONOMIC SITUATION WAS A LEADING CONCERN IN THE DECISION.

MESSAGE (CONTINUED):

(COMMENT: KOSOLAPOV'S POSITION AS CC MEMBER AND HEAD OF THE PARTY'S THEORETICAL JOURNAL GIVES HIS REMARKS PARTICULAR WEIGHT; HIS VIEWS PROBABLY REFLECT THE PRESENT THINKING OF SIGNIFICANT PORTIONS OF THE SOVIET LEADERSHIP).

5. ROMANIAN EMBASSY COUNSELOR STANEA (PROTECT) SPECULATED TO EMBOFF DEC. 14 THAT THE SOVIETS VIEWED JARUZELSKI'S SPEECH AND DECISION AS POSITIVE. IT WAS CLEAR THAT STANEA FELT THAT THE IMPOSITION OF MARTIAL LAW WAS A POSITIVE STEP. HE DESCRIBED THE DECISION AS "LESS STRONG THAN IT MIGHT HAVE BEEN," AND JARUZELSKI'S SPEECH AS "POSITIVE AND MODERATE." HE THOUGHT THE "ISOLATION" OF GIEREK AND OTHERS TO BE SIGNIFICANT, IN THAT IT INDICATED JARUZELSKI WAS NOT MOVING JUST AGAINST SOLIDARITY ELEMENTS. HE CONVEYED THE TRADITIONAL ROMANIAN STANCE ON NON-INTERFERENCE IN INTERNAL AFFAIRS, AND EXPRESSED THE BELIEF THAT THE WEEK-END ACTIONS WILL IMPROVE THE LIKELIHOOD THAT POLAND CAN WORK OUT ITS PROBLEMS ON ITS OWN.

6. IN MEETING DEC. 14 OF US, UK, AND FRENCH POLOFFS IN MOSCOW, THE FRENCH SAID FOREIGN TRADE MINISTER

MOSCOW 7022

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WHITE HOUSE SITUATION ROOM

PAGE 01  
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MOSCOW 7022  
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MESSAGE:

IMMEDIATE  
DE RUEHMO #7022/02 3481738  
O 141731Z DEC 81  
FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 9964

INFO AMEMBASSY WARSAW IMMEDIATE 8678  
USICA WASHDC IMMEDIATE 0367  
AMEMBASSY BELGRADE IMMEDIATE 7081  
AMEMBASSY BERLIN IMMEDIATE 3191  
AMEMBASSY BONN IMMEDIATE 1844  
AMEMBASSY BRUSSELS IMMEDIATE 2087  
AMEMBASSY BUCHAREST IMMEDIATE 7499  
AMEMBASSY BUDAPEST IMMEDIATE 6613  
AMEMBASSY LONDON IMMEDIATE 3874  
AMEMBASSY PARIS IMMEDIATE 0940  
AMEMBASSY PRAGUE IMMEDIATE 7302  
AMEMBASSY ROME IMMEDIATE 6378  
AMEMBASSY MADRID IMMEDIATE 1369  
AMEMBASSY SOFIA IMMEDIATE 6635  
USMISSION USNATO IMMEDIATE 0736  
USNMR SHAPE BE IMMEDIATE  
USCINCEUR VAHINGEN GE IMMEDIATE  
BT

~~C O N F I D E N T I A L~~ SECTION 02 OF 02 MOSCOW 17022  
MADRID FOR USDEL CSCE  
JOBERT HAD GONE AHEAD WITH THE GRAND COMMISSION  
MEETINGS DEC. 14 IN MOSCOW. THE FRENCH EMBASSY  
THOUGHT THAT JOBERT MIGHT RAISE POLAND ON THE  
EDGES OF MEETINGS WITH FOREIGN TRADE MINISTER  
PATOLICHEV OR COUNCIL OF MINISTERS CHAIRMAN  
TIKHONOV, OR WITH GROMYKO IF JOBERT SEES HIM.

MESSAGE (CONTINUED):

FRENCH POLOFF CAUTIONED, HOWEVER, THAT FRENCH POLICY  
HAS BEEN NOT TO MIX POLITICS WITH THE WORK OF THE  
COMMISSION.

7. UK POLOFF NOTED THAT BRITISH MINISTER IN  
WARSAW MELRUIHSH HAD EXPRESSED TO DEPUTY FOREIGN  
MINISTER OLECHOWSKI VIEWS SIMILAR TO THOSE OF  
SECRETARY HAIG -- THAT THE ONLY SOLUTION IN POLAND  
IS THROUGH COMPROMISE AND NEGOTIATION. MELRUIHSH  
HAD SAID THIS WITHOUT INSTRUCTIONS, UK POLOFF SAID,  
AND THE UK PUBLIC POSITION IS MORE CAUTIOUS  
THAN MELRUIHSH WAS WITH OLECHOWSKI. HARTMAN

~~CONFIDENTIAL~~

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170427	MEMO  J. NANCE TO REAGAN RE SOVIETS	1	12/17/1981	B1

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

B-1 National security classified information [(b)(1) of the FOIA]

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170429	MEMO  DRAFT (W/EDITS) OF DOC #170303 (J. NANCE TO REAGAN RE SOVIETS)	1	ND	B1

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MEMORANDUM

NATIONAL SECURITY COUNCIL

7143

*AF*

170428

December 11, 1981

~~CONFIDENTIAL~~

ACTION

MEMORANDUM FOR JAMES W. NANCE

FROM: WILLIAM L. STEARMAN *WLS*

SUBJECT: Soviets Seek Access to US Data Base Targeted Through IIASA

At Tab I is a memo from you to the President describing Soviet efforts to gain access to a US data base management system targeted through the International Institute for Applied Systems Analysis (IIASA). It explains the status of our initiative to pull out of IIASA.

This memo was inspired by the situation Room note at Tab II.

Ed McGaffigan (OSTP) concurs.

RECOMMENDATION

That you sign the memo at Tab I.

Approve ✓

Disapprove \_\_\_\_\_

Attachments

- Tab I Memo to the President
- Tab II Situation Room Note

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 CRET  
 NLR 112-748-225-10-7  
 BY CU N 1/13/12

~~CONFIDENTIAL~~

Review on December 11, 1987



# 7143

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- JANET COLSON
- BUD NANCE
- DICK ALLEN
- IRENE DERUS
- JANET COLSON
- BUD NANCE
- PETER
- CY TO VP
- CY TO MEESE
- CY TO BAKER
- CY TO DEEVER
- CY TO BRADY

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Bud  
 Dick asked  
 for this. g

- SHOW CC ✓
- SHOW CC ✓
- SHOW CC ✓
- SHOW CC ✓
- SHOW CC ✓

Comments:

Baker read 19th  
 wP  
 ?

UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ENCLOSURE(S)  
9/13/6803

RECEIVED 14 DEC 81 20

DOCDATE 11 DEC 81

TO NANCE

FROM STEARMAN

KEYWORDS: USSR

TECHNOLOGY TRANSFERS

SUBJECT: SOVIETS SEEK ACCESS TO US DATA BASE TARGETED THROUGH IIASA

ACTION: FWD TO PRES FOR INFO

DUE: 16 DEC 81 STATUS S FILES

FOR ACTION

FOR CONCURRENCE

FOR INFO

NANCE

COMMENTS

REF#

LOG

NSCIFID

( M / )

ACTION OFFICER (S)	ASSIGNED	ACTION REQUIRED	DUE	COPIES TO
Pres	IP 12/17	for info		
	C 12/17	noted by the Pres		ST, Ed <i>mc</i> <i>fy</i>

DISPATCH

W/ATTCH FILE

PA (C)

*clw*