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KDB 1/8/2016

File Folder USSR (3/8/84) (3)

FOIA

F03-002/5

Box Number 25

SKINNER

377

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
172180	MEMO	R. KIMMITT TO C. HILL RE REPORT R 4/8/2013 CREST NLR-748-25-26-1-1	1	4/21/1984	B1
172181	MEMO	J. MATLOCK TO R. MCFARLANE RE REPORT	3	4/17/1984	B1
172182	REPORT	RE CONSULAR REVIEW TALKS WITH USSR (INCL. COVER MEMO FROM C. HILL TO R. MCFARLANE) R 4/8/2013 CREST NLR-748-25-26-3-9	3	ND	B1
172183	POSITION PAPER	RE ENTRY/EXIT POINTS R 4/8/2013 CREST NLR-748-25-26-4-8	1	ND	B1
172184	REPORT	RE CONSULAR REVIEW TALKS R 4/8/2013 CREST NLR-748-25-26-5-7	3	ND	B1
172185	MEMO	D. DORNAN TO R. MCFARLANE RE IMPLICATIONS OF PROPOSALS (SAME MEMO AS DOC #172177) PAR 12/31/2012 CREST NLR-748-25-26-6-6	2	4/13/1984	B1
172186	MEMO	TO K. DEGRAFFENREID RE U.S.-SOVIET CONSULAR REVIEW TALKS	2	4/3/1984	B1

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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ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
172187	REPORT	RE U.S.-SOVIET CONSULAR REVIEW TALKS	3	ND	B1
172188	MEMO	TO NSC	2	ND	B1

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SYSTEM II
90307

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

April 21, 1984

170180

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DECLASSIFIED

MEMORANDUM FOR MR. CHARLES HILL
Executive Secretary
Department of State

EX-148-25-26-1-1
BY ICD/B NARA DATE 4/8/8

SUBJECT: Consular Review Talks with the USSR (S)

The report transmitted with your memorandum to Mr. McFarlane of March 19, 1984, containing recommendations for next steps on the Consular Review Talks with the Soviet Union, has been reviewed.
(S)

The Department is authorized to renew the Consular Review Talks with the USSR on the basis it recommends. It should be noted, however, that this does not constitute approval for Soviet ship visits to the Ports of Baltimore or San Francisco, which should be treated as a separate issue. Any future recommendations in regard to such requests should be submitted following coordination with the FBI and other interested U.S. agencies. (S)

If the Soviets should accept the expansion of entry/exit points as a part of the package of U.S. proposals, the Department should insure that any arrangements made pursuant to the agreement meet the test of strict reciprocity, and that close coordination be maintained with the FBI and other counterintelligence agencies so that appropriate measures can be taken to minimize any potential intelligence benefits to the Soviet Union. (S)

Robert M. Kimmitt
Robert M. Kimmitt
Executive Secretary

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NATIONAL SECURITY COUNCIL DISTRIBUTION RECORD

Log Number 90307

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Date APR 21 1984

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Subject: CONSULAR REVIEW TALKS USSR

CLASSIFICATION: TOP SECRET ~~SECRET~~ CONFIDENTIAL UNCLASSIFIED

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The White House

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Bob Kimmitt	<u>*2</u>	<u>IC</u>	
John Poindexter	<u>3</u>	<u>J</u>	
Tom Shull			
Wilma Hall	<u>4</u>		
Bud McFarlane	<u>5</u>	<u>M</u>	<u>A</u>
Bob Kimmitt			
NSC Secretariat	<u>7</u>	<u>APR 21 1984</u>	<u>D</u>
Situation Room			
<u>JP</u>	<u>6</u>	<u>J</u>	

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

cc: VP Meese Baker Deaver Other _____

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172181 MEMO

3 4/17/1984 B1

J. MATLOCK TO R. MCFARLANE RE REPORT

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172182

March 19, 1984

84 MAR 20 A 7: 28

WHITE HOUSE
SITUATION ROOM

DECLASSIFIED

NLRR 48-2526-39

~~SECRET~~

BY COB NARA DATE 4/8/13

MEMORANDUM FOR ROBERT C. MCFARLANE
THE WHITE HOUSE

Subject: Consular Review Talks with the USSR

In response to your March 12 request, we are attaching a report with recommendations for next steps on the Consular Review Talks with the Soviet Union. The Department would like to proceed with the Consular Review Talks using the agenda to which the FBI agreed prior to the April, 1983 meeting with the Soviets. The FBI subsequently withdrew its concurrence to one item of the package -- an increase of entry/exit points -- an item which we feel is central to a balanced package. The entry/exit issue was placed on the agenda to counterbalance the Soviet request for diplomatic visas for high-level Soviet officials and to address Embassy Moscow's request for improved travel and intelligence reporting opportunities, a long-standing goal of the U.S. Government.

Bme Kinley
for Charles Hill
Executive Secretary

Enclosures:
As stated.

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DECL: OADR

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U.S.-Soviet Consular Review Talks

The Consular Review Talks (CRT) are part of our effort to find areas in the bilateral relationship in which we can make progress in solving specific problems. We are having particular problems now on a series of consular and visa matters that the talks could help resolve. Successful talks could also provide a demonstration that realistic negotiations can produce agreements that serve the interests of both countries. A round of talks in Washington last spring came close to producing an agreement that we thought was attractive, but the FBI withdrew its consent on one important element. As a result, we had to stall and the Soviets eventually went home. The shutdown of the KAL aircraft delayed a resumption of the talks.

We believe now is the time to resume the talks. The USG must decide, however, whether or not we can agree to a reciprocal increase in the number of entry/exit points in each country from three to five. This is the issue that caused us the problem last spring, when the FBI withdrew its concurrence. Increasing the number of Soviet exit/entry points has long been a U.S. goal. It would greatly increase our ability to enter and depart the country, particularly by the overland routes which give us the greatest opportunity to penetrate Soviet society, make contacts which enable us to spread our ideas, and observe developments in areas of key military importance such as the Chinese and Polish borders. We would obtain entry/exit at Brest, on the Polish border, and Nakhodka, on the Soviet Pacific coast near Vladivostok. The Soviets would obtain entry/exit at San Francisco, where they have a consulate, and at Baltimore (by sea only, to parallel our entry/exit possibilities at Nakhodka).

The FBI opposes this expansion of entry/exit points. The attached statement of its position (Tab A) lists the following objections: "The agreed upon proposals approved by the SIG-I addressing limiting the presence and travel of hostile foreign officials and nonofficials in the U.S., proposed in part '...limiting Soviet officials and tourists to specific entry/exit points; ...' had as its thrust the reduction of entry/exit points available for utilization by Soviet officials"; and, "The presence of Soviet passenger ships for extended periods of time in this port facility (of Baltimore) would afford the Soviets a prolonged period of time to accomplish disembarkment....The prolonged boarding procedure could cause difficulties in affording appropriate counterintelligence coverage."

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- 2 -

The Department does not share the FBI's view that the SIG-I agreed to reduce the number of entry/exit points; rather, it merely agreed to add exit controls to the previously existing entry controls. Earlier, the Soviets had been restricted to specific entry points, but could exit from any open city. The SIG/I decision restricted the Soviets to the same exit points as entry points. The Department shares the FBI's concerns about the demands on its counterintelligence coverage, but we believe that in this instance they are exaggerated. The Soviets cannot bring any more ships into Baltimore than we authorize. Making Baltimore an exit/entry point will not change that. In some past years, they already have been permitted to have one ship visit. In 1983 and again this year the Department turned down their yearly ship-visit request because the Soviets were not sufficiently forthcoming on our needs in Moscow. Thus, the counterintelligence coverage needed would be essentially the same as before.

Given the convenience of Brest as an entry point (particularly if we open a consulate in Kiev) and the intelligence value of more frequent travel through the Soviet Far East, the United States will get considerably more out of this expansion of exit/entry points than the Soviets and our interests are served by going ahead with it on its own merits. In addition, this was a key element in the draft "package" that we worked on with the Soviets last spring. To withdraw it would unbalance the package in the Soviets' favor, leaving us several unpalatable alternatives: 1) reach an agreement in which we will give more than we get; 2) withdraw a bargaining item of major interest to the Soviets, i.e. diplomatic visas for high-level U.S. and Soviet officials, leaving a package of rather minor visa concessions which they would probably reject; or, 3) decline to resume the talks, thus giving up the opportunity for progress that they represent and possibly stimulating a worsened tit-for-tat situation on these irritating visa and consular issues.

The State Department recommends that the entry/exit points be included in the next round of talks and we will then inform the Soviets that the U.S. proposes to reconvene the talks in May.

~~SECRET~~

DECLASSIFIED

NLRR 148-25-264-8

172183

BY 608 NARA DATE 4/8/17

~~SECRET/WNINTEL~~

RE: SOVIET SECTION INTD'S POSITION ON BALTIMORE
AS THE ENTRY/EXIT POINT FOR SOVIET OFFICIALS

The agreed upon proposals approved by the SIG-I addressing limiting the presence and travel of hostile foreign officials and nonofficials in the U.S., proposed in part "... limiting Soviet officials and tourists to specific entry/exit points; ..." had as its thrust the reduction of entry/exit points available for utilization by Soviet officials.

Therefore, the FBI opposes the Port of Baltimore being designated as an entry/exit point for the convenience of Soviet travelers. The presence of Soviet passenger ships for extended periods of time in this port facility would afford the Soviets a prolonged period of time to accomplish disembarkment and boarding of passengers and large cargo items. In addition, members of the crew would also be afforded the opportunity to disembark. The prolonged boarding procedures could cause difficulties in affording appropriate counterintelligence coverage.

While opposing opening the Port of Baltimore, the FBI would not oppose the resumption of weekly Aeroflot flights into JFK Airport, New York, if such an offer would afford adequate negotiating leverage to gain the additional entry/exit points desired by State in the USSR. Such resumption of flights would be permitted and contingent upon simultaneous access to the desired entry/exit points in the USSR and their continued availability to U.S. officials and tourists.

~~SECRET/WNINTEL~~

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NLRR 148-25-26-5-7

BY COB NARA DATE 4/8/83CONSULAR REVIEW TALKSObjective of Talks

After a high-level review of U.S.-Soviet relations, aimed in part at identifying areas where some progress might be possible during the coming months, Secretary of State Shultz informed Soviet Ambassador Dobrynin on March 7 that the U.S. was prepared to resume the Consular Review Talks, which have been in recess since May, 1983. A successful conclusion to the Talks will serve U.S. interests by: (1) demonstrating that the two countries can negotiate constructive solutions to bilateral problems; (2) resolving a number of relatively minor, but nagging consular and administrative problems.

U.S. Agenda

The U.S. agenda comprised six visa issues, on which we sought either faster processing or revised terms of eligibility, and a proposal to expand the number of exit/entry points in each country by two. The most significant issue from our point of view was adding Brest and Makhodka to the points of entry/exit for U.S. diplomats. Achieving this long-time U.S. goal would enable us to expand our contact with Soviet society, travel more broadly and report in greater detail on developments in two key areas along the Chinese and Polish borders. The visa categories for which we sought improved treatment were: dependents of U.S. diplomats; TDY personnel; guests of Embassy; exchange scholars; governesses; and persons seeking to change visa status while in the Soviet Union.

Soviet Agenda

The Soviet agenda also comprised six visa issues, on which they sought either faster processing or revised terms of eligibility. One of their major goals was to obtain U.S. agreement to issue diplomatic visas in the diplomatic passports of a number of high-level officials: Supreme Soviet deputies, Ministers and Deputy Ministers of the USSR, chairmen of State committees, and members of delegations headed by those officials. While such visas would not automatically confer diplomatic privileges and immunities on their bearers, it would remove a headache for the Foreign Ministry, which periodically gets complaints from high-ranking Soviets who travel to the U.S. on diplomatic passports, but do not get the U.S. diplomatic visa to which, in their eyes, their status entitles them. The Soviets sought improved visa processing for the following categories of personnel: Consulate General employees; diplomats and officials in transit; U.S. Mission employees; journalists; commercial representatives.

~~CONFIDENTIAL~~

Current Status of Negotiations

The April/May 1983 round of negotiations in Washington produced substantial progress toward agreement on a draft exchange of notes which would have addressed most, but not all, of the agenda items both sides put forward. It became impossible for the U.S. to conclude an agreement during that round of talks after interagency concurrence on expanding entry/exit points broke down. Specifically, the FBI entered objections to allowing the Soviets use of Baltimore as an entry/exit point by sea (to parallel Nakhodka, on the Soviet Pacific coast). We stalled the Talks on technicalities until the Soviets finally concluded that no agreement was possible during that round and returned to Moscow.

Prior to their departure, the Soviets indicated that in the context of a satisfactory overall agreement they would be prepared to do the following on our agenda items:

--add Brest and Nakhodka to the entry/exit point list in exchange for San Francisco and Baltimore;

--issue diplomatic visas within 3-7 working days to dependents of personnel assigned to the U.S. Embassy and Consulate(s) General in the USSR;

--issue visas within 15 working days to TDYers applying in third countries;

--issue exit visas to exchange scholars and allow them to retain their passports while in USSR;

--issue visas within 10-15 working days to governesses and other household employees.

Two of the U.S. agenda items had not yet been resolved: guest of Embassy visas and processing requests for changes in visa status.

During that round, the U.S. side indicated that in the context of a satisfactory overall agreement we would be prepared to respond as follows to their agenda items:

--issue diplomatic visas to the categories of Soviet officials requested in return for issuance of diplomatic visas to members of Congress; heads of Federal Departments of the U.S. and their deputies; heads of Federal agencies of the U.S. and their deputies; and members of the delegations of those officials;

--issue visas within 3-7 working days to U.S. Mission personnel

--issue visas within 3-7 days to Soviet diplomats in transit (but not other officials);

--issue visas within 3-5 days to personnel assigned to Consulate(s) General (in fact, this would simplify a long-standing practice of both sides and be of equal value to the U.S.);

--attempt to shorten visa processing time and simplify accreditation procedures for Soviet commercial representatives (in practical terms this vague statement of good intentions had no binding effect, but satisfied Soviet desire for some response on this item).

We had indicated during the talks that we would not be able to satisfy the Soviet request for specified, faster visa processing for their journalists. We had also declined to commit ourselves to 3-7 day transit visa processing for Soviet officials, although we were prepared to do so if the Soviets were more forthcoming on U.S. agenda items they had not yet addressed. Both sides agreed that commitments on visa processing times and issuance were contingent on the applicant's eligibility to receive a visa. In other words, both sides continued to have the right to refuse visas on security or other grounds. Discussions within the USG indicated that all necessary checks on visa applications could be made within the time periods specified in the draft agreement.

Prospects for Successful Conclusion of Talks

The draft language being negotiated was fully reciprocal on each agenda point where reciprocity was possible--i.e., we got diplomatic visas for members of Congress, etc. in return for giving them to Supreme Soviet deputies, etc. But a rough balance of concessions on the agenda items introduced by each side will be necessary if an agreement is to be reached.

The entry/exit point item is the key to a package which will be acceptable to both sides. The negotiating history of the Talks, which stretch back to 1976, implicitly links the diplomatic visas sought by the Soviets to the entry/exit point expansion. If both subjects are dropped from the agenda, the Talks will collapse because the Soviets view themselves as having been more forthcoming on the other visa issues than we have been. If we give them the diplomatic visas, the Talks will conclude successfully from their point of view, but we will have given up our most significant bargaining lever for a set of visa concessions which are of a lower order of significance than the diplomatic visa issuance or the exit/entry points.



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J. MATLOCK 17

MEMORANDUM

NATIONAL SECURITY COUNCIL

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State Dept. review completed

April 13, 1984

INFORMATION

DECLASSIFIED IN PART

MEMORANDUM FOR ROBERT C. McFARLANE

NLR 748-25-26-6-6

FROM:

DIANE DORNAN *DD*BY *COB* NARA DATE 12/31/12

SUBJECT:

Counterintelligence Implications of Proposals for (a) Consular Review Talks, (b) Cultural Exchange Agreement and (c) Review of Agreement on Economic, Industrial and Technical Cooperation

In accordance with John Poindexter's instructions, IG(CI) members were asked Tuesday to comment on the CI implications of proposed negotiating terms for the above agreements by COB Thursday. They and the COMEX Staff were given previous State and FBI comments for reference, and some of them later received a State summary (Tab I) of the complete terms of reference for the Consular Review Talks (CRT). Due to the shortage of time, agencies responded individually and mostly by telephone. As instructed, DIA also submitted a written assessment of potential collection opportunities under the CRT.

My summary of previous views regarding the merits and liabilities of the CRT and the official State and FBI papers presenting their respective positions, and Jack Matlock's evaluation are at Tab II. Most agencies agreed with the FBI assessment of CI concerns regarding the CRT and highlighted the need for a net assessment of collection benefits vs probable CI difficulties. They focused on the entry/exit issue, endorsing all FBI views previously expressed, including the expectation that this would further strain CI resources. NSA elaborated on the problems which might be caused if this agreement effectively undercut our ability to deny entry at San Francisco and Baltimore to either ships or planes of Soviet or Soviet Bloc nationality. These could be fitted with ELINT collection gear and planes could also carry PHOTINT equipment. The problem would be particularly acute in Baltimore, where a ship would have a very extensive radio horizon and a perfect spot to intercept high-volume intergovernmental and defense contractor communications. Should Bloc ships be allowed to dock there, it would be necessary to establish a protected communications zone between the current two encompassing New York and Washington, an extremely expensive and complicated undertaking. The exception was OFM, which foresaw no significant CI problems with the proposed terms.

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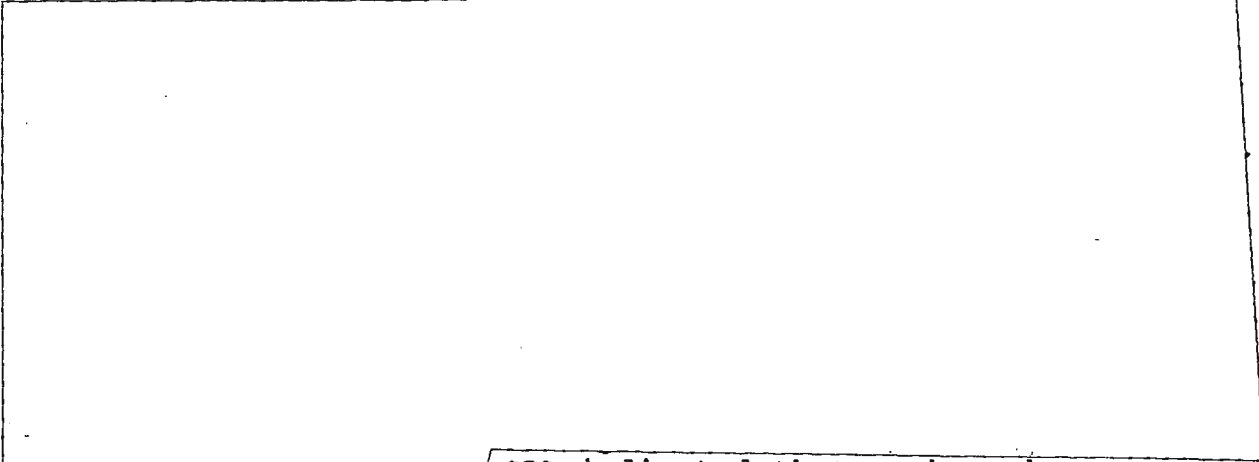
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Agencies responsible for collection, on the other hand, disputed the belief that the expansion of entry/exit points would provide the US with a net benefit because of its advantages for intelligence collection. The DIA analysis at Tab III discusses in detail why it would be doubtful that essential data would be collected -- partly because the Soviets would continue to minimize collection opportunities and partly because we already have normal access to the nonessential information we might secure. CIA also said regularization of access to Brest and Nakhodka would not affect its collection program.

Regarding the Agreement on Contacts, Exchanges and Cooperation (Cultural Exchanges),

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CIA indicated that such exchange agreements have not been useful to the US from an intelligence collection standpoint.

Most agencies had no comment on the desirability of renewing Economic, Industrial and Technical Cooperation. They were largely unfamiliar with its terms and past operation (lack of familiarity was also a problem on the Cultural Exchanges issue, especially given time constraints), but most said they did not see obvious and major CI problems. DIA (Tab III, p. 2) objected, as has DOD generally, that the agreement as written offers opportunities for technology acquisition in the US;

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DOD's general position is that it should be allowed to lapse but that if eventually revived it should be rewritten more carefully and specifically that it should give priority to Export Administration Act controls. FBI did not comment on this issue.

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