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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name EXECUTIVE SECRETARIAT, NSC: COUNTRY FILE

Withdrawer

File Folder USSR (5/12/84-5/14/84)

KDB 1/19/2016

Box Number 25

FOIA

F03-002/5

SKINNER

395

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
172440	CABLE	STATE 140525 R 4/8/2013 CREST NLR-748-25-45-1-0	6	5/12/1984	B1
172441	CABLE	RE SAKHAROV R 4/8/2013 CREST NLR-748-25-45-2-9	3	5/1/1984	B1
172442	PROFS NOTE	FROM R. KIMMITT, FORWARDING NOTE FROM R. MCFARLANE TO J. MATLOCK	1	5/14/1984	B1
172443	PROFS NOTE	FROM R. KIMMITT, FORWARDING NOTE FROM R. MCFARLANE	1	5/14/1984	B1
172449	FORM	WASHFAX MESSAGE RECEIPT	1	5/14/1984	B1
172444	LETTER	W. CASEY TO R. T. MCNAMAR PAR 10/8/2010 CREST NLR-748-25-45-4-7	1	5/14/1984	B1
172445	LETTER	W. CASEY TO D. REGAN PAR 10/8/2010 CREST NLR-748-25-45-4-7	1	5/14/1984	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.

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395

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
172446	MEMO	RE SOVIET FORCED LABOR PAR 10/8/2010 CREST NLR-748-25-45-4-7	1	5/14/1984	B1
172447	MEMO	TO W. VONRAAB RE SOVIET FORCED LABOR PAR 10/8/2010 CREST NLR-748-25-45-4-7	3	11/7/1983	B1
172450	REPORT	RE BACKGROUND AND TALKING POINTS R 1/13/2012 CREST NLR-748-25-45-4-7	1	ND	B1
172448	REPORT	BAN ON SOVIET IMPORTS R 10/8/2010 CREST NLR-748-25-45-4-7	2	ND	B1

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

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WHITE HOUSE SITUATION ROOM

172440

PAGE 01 OF 06
SIT802

SECSTATE WASHDC 0525
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AMEMBASSY BUDAPEST PRIORITY 0000
AMEMBASSY SOFIA PRIORITY 0000
AMEMBASSY WARSAW PRIORITY 0000

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BY CRJ NARA DATE 4/8/13

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INFO AMEMBASSY BELGRADE 0000
AMEMBASSY MOSCOW 0000

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E.O. 12356: DECL: OADR
TAGS: PREL, XH, US

SUBJECT: U.S. - SOVIET BILATERAL DIALOGUE

REF: A) STATE 112634, B) STATE 112636

1. (C - ENTIRE TEXT.)

2. DEPARTMENT BELIEVES THAT THE GENERALLY POSITIVE REACTION TO THE SECRETARY'S MESSAGE TO EE FOREIGN

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WHITE HOUSE SITUATION ROOM

PAGE 02 OF 06

SECSTATE WASHDC 0525

DTG: 120607Z MAY 84 PSN: 034639

MINISTERS (REFTELS) UNDERSCORES THE VALUE OF INSTRUCTED DEMARCHES IN EASTERN EUROPEAN CAPITALS ON MAJOR ISSUES OF MUTUAL CONCERN. THIS CABLE FOLLOWS UP THE SECRETARY'S MESSAGE ON U.S. - SOVIET RELATIONS BY INDICATING THOSE AREAS IN WHICH THE U.S. HAS MADE "A CONCERTED EFFORT TO INJECT NEW IDEAS INTO OUR BILATERAL DIALOGUE" WITH THE SOVIET UNION (TICK FIVE OF THE SECRETARY'S MESSAGE).

3. WHILE WE DO NOT WANT TO OVERLOAD THE CIRCUITS IN THE AFTERMATH OF OUR DEMARCHES ON THE OLYMPICS, WE JUDGE THAT TO VARYING DEGREES THE EASTERN EUROPEANS WERE ANNOYED AT THE SOVIET DECISION NOT TO GO TO LOS ANGELES AND WERE GIVEN LITTLE ADVANCE NOTICE OF MOSCOW'S DECISION. WE THINK A DETAILED, NONPOLEMICAL

BRIEFING ON U.S. - SOVIET RELATIONS IN THIS ATMOSPHERE COULD HELP DRIVE HOME THE POINT THAT THE OVERALL U.S. POSTURE IS CONSTRUCTIVE, AND IT IS NOT WE WHO ARE BEING UNREASONABLE. WE NONETHELESS LEAVE THE TIMING AND OTHER MODALITIES OF THIS DEMARCHE TO YOUR DISCRETION.

4. THE SPECIFIC PURPOSE OF THIS DEMARCHE IS TWOFOLD. WE WANT TO COUNTER THE SOVIET LINE THAT THE U.S. IS NOT INTERESTED IN SERIOUS DIALOGUE. WE ALSO WANT TO INDICATE THAT EVEN WHEN U.S. - SOVIET RELATIONS ARE RELATIVELY SOUR, OUR BILATERAL ACTIVITIES WITH THE USSR ARE MORE EXTENSIVE THAN WITH MOST EASTERN EUROPEAN COUNTRIES. FROM ALL INDICATIONS, EE FOREIGN MINISTRIES ARE NOT WELL BRIEFED BY MOSCOW ON THE DETAILS OF U.S. - SOVIET BILATERAL RELATIONS.

5. THE FOLLOWING POINTS SHOULD BE PROVIDED THE FOREIGN MINISTRY, PREFERABLY AS A NON-PAPER, AT THE LEVEL YOU DEEM MOST APPROPRIATE:

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WHITE HOUSE SITUATION ROOM

PAGE 03 OF 06 SECSTATE WASHDC 0525 DTG: 120607Z MAY 84 PSN: 034639

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-- IN HIS MESSAGE TO YOU (OR "TO THE FOREIGN MINISTER," IF THE DEMARCHE IS NOT WITH HIM) OF LAST MONTH ASSESSING U. S. -SOVIET RELATIONS, SECRETARY SHULTZ POINTED OUT THAT THE UNITED STATES HAS "MADE A CONCERTED EFFORT TO INJECT NEW IDEAS INTO OUR BILATERAL DIALOGUE WITH A VIEW TO FINDING REAL SOLUTIONS TO THE PROBLEMS WE CONFRONT."

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-- I HAVE BEEN INSTRUCTED TO CONVEY A MORE DETAILED ACCOUNT OF HOW WE SEE THE CURRENT U. S. -SOVIET RELATIONSHIP, IN ELABORATION OF SECRETARY SHULTZ' POINT.

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-- WE HAVE BEEN CONCERNED TO REVITALIZE THE U. S. -SOVIET DIALOGUE ACROSS A BROAD RANGE OF PRACTICAL ISSUES INVOLVING THREE AREAS: ARMS CONTROL AND SECURITY, REGIONAL ISSUES, AND UNILATERAL ISSUES. WE HAVE OF COURSE ALSO MADE CLEAR THAT THERE IS NO MORE PROMISING FIELD FOR GESTURES WHICH WOULD IMPROVE THE OVERALL ATMOSPHERE OF OUR RELATIONSHIP THAN THE HUMANITARIAN FIELD.

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-- THE MOST PRESSING ARMS CONTROL AND SECURITY ISSUES UNDOUBTEDLY ARE START AND INF. AS THE SECRETARY UNDERScoreD IN HIS MESSAGE, WE HAVE MADE CLEAR TO THE SOVIET SIDE OUR READINESS TO RETURN TO THE NEGOTIATING TABLE, WITHOUT PRECONDITIONS, AND TO BE FLEXIBLE IN RENEWED NEGOTIATIONS. WE HAVE MADE CLEAR OUR READINESS TO DISCUSS THE SUBSTANCE OF THE START AND INF NEGOTIATIONS AT ANY TIME AND ANY PLACE THE SOVIETS CHOOSE. WE HAVE ALSO MADE CLEAR THAT WE UNDERSTAND NEGOTIATIONS MUST BE A GIVE-AND-TAKE PROCESS IN WHICH THE CONCERNS OF BOTH SIDES AND THE DIFFERING FORCE STRUCTURES OF THE TWO SIDES MUST BE TAKEN INTO ACCOUNT. BOTH SIDES MADE ADJUSTMENTS IN THEIR

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WHITE HOUSE SITUATION ROOM

PAGE 04 OF 06 SECSTATE WASHDC 0525 DTG: 120607Z MAY 84 PSN: 034639

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POSITIONS BEFORE NEGOTIATIONS WERE BROKEN OFF, AND WE ARE READY TO RESUME THIS PROCESS, BUT THUS FAR THE SOVIETS REFUSE TO ENGAGE IN SUCH DISCUSSIONS.

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-- WE RECENTLY TABLED A NEW DRAFT CHEMICAL WEAPONS TREATY AT THE COMMITTEE ON DISARMAMENT IN GENEVA. WE HOPE THE SOVIET SIDE WILL RECONSIDER ITS INITIAL NEGATIVE REACTION TO THE U.S. INITIATIVE. AS CHAIRMAN BREZHNEV ONCE ADVISED US WITH RESPECT TO MBFR, LET US TASTE THE WINE.

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-- THE SAME ALSO STILL HOLDS FOR MBFR ITSELF. THE U.S. AND ITS ALLIES HAVE INTRODUCED A NEW INITIATIVE AT THE MBFR TALKS IN VIENNA. THAT PROPOSAL ATTEMPTS TO BUILD UPON CONSTRUCTIVE ELEMENTS OF THE EAST'S LATEST PROPOSALS, AND TO FIND A CREATIVE WAY AROUND THE LONG-STANDING DISPUTE OVER DATA. AS WITH OUR CHEMICAL WEAPONS PROPOSAL, WE HOPE THE EASTERN SIDE WILL UPON REFLECTION RESPOND IN A CONSTRUCTIVE FASHION.

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-- REGARDING THE CONFERENCE ON DISARMAMENT IN EUROPE (CDE), U.S. DELEGATION CHIEF JAMES GOODBY CONSULTED WITH HIS SOVIET COUNTERPART IN MOSCOW LATE LAST MONTH TO EXPLORE THE POSSIBILITIES FOR MOVING FORWARD AND SPECIFICALLY TO PERMIT FULL DISCUSSION OF EASTERN PROPOSAL ON NON-USE-OF-FORCE AND THE WESTERN PROPOSALS FOR SPECIFIC CONFIDENCE-BUILDING MEASURES.

-- U.S. AND SOVIET COMMUNICATIONS EXPERTS ALSO MET IN MOSCOW LAST MONTH TO DISCUSS IMPROVEMENTS IN THE "HOT LINE" LINKING OUR TWO CAPITALS. THESE TALKS CONCLUDED APRIL 27, WITH AGREEMENT REACHED ON MOST TECHNICAL ASPECTS. WE FEEL WE SHOULD BE ABLE TO RESOLVE THE FEW REMAINING TECHNICAL AND PROCEDURAL DIFFICULTIES IN SHORT ORDER IF THE POLITICAL WILL IS THERE ON THE SOVIET SIDE.

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WHITE HOUSE SITUATION ROOM

PAGE 05 OF 06 SECSTATE WASHDC 0525 DTG: 120607Z MAY 84 PSN: 034639

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-- ON REGIONAL ISSUES, THE TWO COUNTRIES HAVE DISCUSSED CONSULTATIONS ON SOUTHERN AFRICA AS WELL AS A MORE INTENSIVE DIPLOMATIC DIALOGUE ON THE MIDDLE EAST, AND WE ARE READY TO PROCEED WITH SUCH EXCHANGES.

-- WITH RESPECT TO BILATERAL ISSUES, WE HAVE BEGUN PROPOSED EXCHANGES CONCERNING ARRANGEMENTS TO OPEN NEW

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CONSULATES IN KIEV AND NEW YORK, AND ARE AWAITING A SOVIET RESPONSE.

-- THE U. S. SIDE IS ALSO PREPARED TO NEGOTIATE A NEW U. S. -SOVIET EXCHANGES AGREEMENT.

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-- ANNUAL TALKS PURSUANT TO THE U. S. -SOVIET INCIDENTS AT SEA AGREEMENT WILL TAKE PLACE IN MOSCOW AT THE END OF MAY.

-- THE U. S. SIDE HAS PROPOSED RESUMPTION OF TALKS TO REVIEW A NUMBER OF SMALLER CONSULAR PROBLEMS OF MUTUAL INTEREST. THIS WOULD RESUME DISCUSSIONS THAT BEGAN LAST MAY.

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-- THE TWO COUNTRIES HAVE HAD SEVERAL ROUNDS OF NEGOTIATIONS CONCERNING DEPICTION OF OUR MARITIME BOUNDARY IN THE BERING SEA, AND WE WOULD LIKE TO SEE ANOTHER ROUND TAKE PLACE IN THE NOT-TOO-DISTANT FUTURE.

-- FINALLY, THOSE BILATERAL COOPERATIVE AGREEMENTS THAT HAVE COME UP FOR RENEWAL THIS YEAR HAVE BEEN RENEWED, AND THE U. S. -SOVIET TRADE AND ECONOMIC COUNCIL WILL MEET IN NEW YORK LATER THIS MONTH. IT WILL INVOLVE THE PARTICIPATION OF SENIOR U. S. GOVERNMENT OFFICIALS, AND SENIOR SOVIET PARTICIPANTS WILL BE APPROPRIATELY RECEIVED IN WASHINGTON AS WELL.

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WHITE HOUSE SITUATION ROOM

PAGE 06 OF 06 SECSTATE WASHDC 0525 DTG: 120607Z MAY 84 PSN: 034639

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-- THIS BY NO MEANS IS AN EXHAUSTIVE LIST. BUT IT SERVES TO ILLUSTRATE THAT THE UNITED STATES IS INDEED MAKING A CONCERTED EFFORT TO ENHANCE OUR BILATERAL DIALOGUE WITH THE SOVIET UNION. UNFORTUNATELY, THE SOVIET RESPONSE IN MANY CASES HAS BEEN NEGATIVE OR THEY HAVE NOT RESPONDED AT ALL. WE HAVE THE IMPRESSION THAT THE AUTHORITIES IN MOSCOW ARE NOT PREPARED TO HAVE A CONSTRUCTIVE DIALOGUE AT THIS TIME OR ARE INCAPABLE OF TAKING DECISIONS.

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-- NEVERTHELESS, THE UNITED STATES IS STEADY AND PATIENT. OUR AGENDA REMAINS ON THE TABLE.

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-- (OPTIONAL POINT FOR ALL ACTION ADDRESSEES EXCEPT WARSAW) I WISH TO UNDERSCORE THAT WE APPROACH OUR BILATERAL RELATIONS WITH YOUR COUNTRY IN A CONSTRUCTIVE SPIRIT. WE WOULD WELCOME YOUR THOUGHTS ON HOW OUR BILATERAL DIALOGUE WITH YOU MIGHT BE ENHANCED.

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-- (OPTIONAL POINT FOR WARSAW) AS WE HAVE STATED MANY TIMES, THE UNITED STATES WOULD WELCOME THE OPPORTUNITY TO ENHANCE OUR BILATERAL DIALOGUE WITH THE GOVERNMENT OF POLAND, ON THE BASIS OF PRESIDENT REAGAN'S STEP-BY-STEP APPROACH TO NORMALIZATION OF U.S. - POLISH RELATIONS. DAM
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National Security Council
The White House

System # _____

Package # _____

84 MAY 14 P 5: 54

	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep. Exec. Sec'y	_____	_____	_____
Bob Kimmitt	_____	_____	_____
John Poindexter	1	<i>[Signature]</i>	_____
Tom Shull	_____	_____	_____
Wilma Hall	_____	_____	_____
Bud McFarlane	_____	_____	_____
Bob Kimmitt	3	_____	I
NSC Secretariat	4	_____	N
Situation Room	2	✓	DACOM

I = Information	A = Action	R = Retain	D = Dispatch	N = No further Action
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cc: VP Meese Baker Deaver Other _____

COMMENTS Should be seen by: _____
(Date/Time)

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EXEMPT FROM AUTOMATIC
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1/19/16 EAD

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CLASSIFICATION

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IMMEDIATE

SECURE FAX #

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NON-SECURE FAX #

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ROUTINE

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FROM/LOCATION/

1. THE WHITE HOUSE SITUATION ROOM / JOHN PANDEXTER

TO/LOCATION/TIME OF RECEIPT

1. MR. KIMMITT / FAIRBANKS 1

SITTO #

277

TOR: 021215Z MAY 84

INFORMATION ADDRESSEES/LOCATION/TIME OF RECEIPT

SPECIAL INSTRUCTIONS/REMARKS:

84 MAY 2 8:24

WHITE HOUSE
SITUATION ROOM

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CLASSIFICATION

9

DECLASSIFIED

NLRR 748-25-45-2-9

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BY CAS NARA DATE 4/8/73

172441

EUR/SOV:TWSIMONS, JR.
05/01/84 EXT. 23738 {1758B}
D:KWDAM

EUR/SOV:RFSMITH
EUR:RBURT
P:LSEAGLEBURGER

EUR:MPALMER
HA:EABRAMS
S/S:BMCKINLEY
S/S-0:

IMMEDIATE SECRETARY, MOSCOW IMMEDIATE

NODIS -
-STADIS

E.O. 12356: DECL: OADR

TAGS: OVIP {SHULTZ, GEORGE P.}, UR, SHUM

SUBJECT: SAKHAROV: SOVIET DEMARCHE ON MRS. BONNER,
MOSCOW EMBASSY OFFICERS

CAP: FOR THE SECRETARY AND AMBASSADOR HARTMAN FROM THE
ACTING SECRETARY

1. ~~18~~ - ENTIRE TEXT}

2. SOVIET EMBASSY MINISTER-COUNSELOR ISAKOV CALLED ON
LARRY EAGLEBURGER AND MIKE ARMACOST AT 4:30 EDT APRIL
30 TO DELIVER "ORAL STATEMENT" ON SAKHAROV CASE, AND
LEFT FOLLOWING TEXT IN UNOFFICIAL SOVIET EMBASSY
TRANSLATION. EUR DAS PALMER WAS ALSO PRESENT; ISAKOV
WAS ALONE.

3. BEGIN TEXT. COMPETENT SOVIET AUTHORITIES POSSESS
RELIABLE INFORMATION REGARDING ILLICIT ACTIVITIES OF
STAFF MEMBERS OF THE U.S. EMBASSY IN MOSCOW: FIRST
SECRETARY OF THE EMBASSY EDMUND MCWILLIAMS, SECOND
SECRETARY OF THE DOMESTIC POLICY SECTION JOHN PURNELL
AND SECOND SECRETARY OF THE CONSULAR SECTION GEORGE
GLASS WHO, CONTRARY TO THE GENERALLY RECOGNIZED
DIPLOMATIC NORMS, INCITE AND ASSIST SOVIET CITIZEN

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ELENE GEORGIEVNA BONNER IN COMMITTING UNCONSTITUTIONAL ACTS. AMONG OTHER THINGS, BONNER TRANSMITS THROUGH THEM ABROAD, USING DIPLOMATIC CHANNELS, MATERIALS DEFAMING THE SOVIET STATE AND SOCIAL SYSTEM, MISINFORMING THE INTERNATIONAL PUBLIC AND DETRIMENTAL TO THE STATE-TO-STATE RELATIONS.

4. AS BECAME KNOWN, THE U.S. EMBASSY IN MOSCOW INTENDS TO GIVE TO CITIZEN BONNER "TEMPORARY ASYLUM" FOR THE PERIOD OF THE PROVOCATION LAUNCHED BY HER HUSBAND A.D. SAKHAROV. BONNER INTENDS TO USE HER STAY IN THE EMBASSY TO HAVE MEETINGS WITH FOREIGN CORRESPONDENTS AND TO PASS THROUGH THEM TO THE WEST STATEMENTS OF MISINFORMATION REGARDING HER AND HER HUSBAND'S SITUATION IN THE SOVIET UNION. THE ABOVE MENTIONED STAFF MEMBERS OF THE U.S. EMBASSY IN MOSCOW DIRECTLY PARTICIPATE IN THE PREPARATION OF THIS PROVOCATIVE ACTION.

5. IT IS QUITE OBVIOUS THAT SUCH ACTIVITIES OF THE EMBASSY STAFF MEMBERS CANNOT FAIL TO BE KNOWN TO THE CHIEFS OF THE EMBASSY, ESPECIALLY THAT THEY TOOK PLACE BEFORE, TOO.

6. THE DIRECT INVOLVEMENT OF THE AMERICAN EMBASSY IN THE PROVOCATION LAUNCHED IS A GROSS AND INADMISSIBLE INTERFERENCE IN THE INTERNAL AFFAIRS OF THE USSR.

7. IT IS EXPECTED THAT THE U.S. SIDE WILL TREAT THIS PRESENTATION WITH ALL SERIOUSNESS AND WILL TAKE DUE STEPS TO PREVENT SUCH ACTIONS. END TEXT.

8. AFTER READING THE STATEMENT, EAGLEBURGER TOLD ISAKOV HE REGRETTED THAT IT WAS NOT IN ANY WAY RESPONSIVE TO THE REQUEST HE HAD PUT TO AMBASSADOR DOBRYNIN APRIL 23, WHICH WAS TO ALLOW MRS. BONNER TO LEAVE THE USSR FOR MEDICAL TREATMENT. WITH REGARD TO THE ALLEGATIONS, HE SAID HE WOULD ASCERTAIN THE TRUE FACTS CONCERNING OUR EMBASSY OFFICERS' CONTACTS WITH MRS. BONNER, BUT REPEATED THAT NOTHING IN THE STATEMENT EVEN TOUCHED ON THE QUESTION WE HAD RAISED. HE SAID THE RESPONSE WAS EVEN MORE SURPRISING BECAUSE WE HAD SOUGHT TO DEMONSTRATE A CERTAIN SENSITIVITY TO THE SOVIET APPROACH IN MAKING OURS.

9. ISAKOV SAID HE DID NOT KNOW WHAT KIND OF A DECISION WOULD BE MADE IF MRS. BONNER APPLIED TO GO ABROAD FOR MEDICAL TREATMENT. THERE ARE SPECIALISTS, HE SAID, FOR BETTER OR WORSE; IF SHE HAD TROUBLE SHE WOULD HAVE A

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CHANCE FOR TREATMENT.

10. COMMENT: ALTHOUGH ISAKOV'S STATEMENT WAS NOT CLEAR, THE IMPLICATION WAS THAT TREATMENT IS AVAILABLE TO MRS. BONNER IN THE SOVIET UNION. AT THE SAME TIME, IT WAS AMBIGUOUS RE SOVIET WILLINGNESS TO LET HER GO ABROAD "IF" SHE FORMALLY APPLIES AGAIN. {NOTE: WE ARE UNCERTAIN WHEN SHE LAST MADE A FORMAL APPLICATION.} MOREOVER, AS EAGLEBURGER NOTED, TEXT OF STATEMENT ITSELF CONSISTS WHOLLY OF BROADSIDE AGAINST OUR PEOPLE IN MOSCOW AND THUS IGNORES BONNER DEPARTURE QUESTION.

12. STATEMENT MAKES CLEAR THAT SOVIET AUTHORITIES ARE FULLY AWARE OF SAKHAROV/BONNER PLANS FOR HUNGER STRIKE/TEMPORARY REFUGE. THIS PROBABLY MEANS THAT THEY INTEND TO PREVENT HER FROM SEEKING TEMPORARY REFUGE IF THEY CAN, AND PUNISH US BY EXPELLING THE NAMED U.S. OFFICIAL ACCOMPLICES IF THEY CANNOT. THIS MAKES IT VERY IMPORTANT TO REJECT THE CHARGES AGAINST THEM AS SOON AND AS FORCEFULLY AS POSSIBLE, AND WE WOULD APPRECIATE EMBASSY MOSCOW RECOMMENDATIONS IN THIS REGARD. ON THE OTHER HAND, WE WOULD ALSO LIKE TO KEEP DOOR TO FAVORABLE DECISION ON BONNER TRAVEL ABROAD OPEN IF AT ALL POSSIBLE. AT THIS POINT, PRESIDENTIAL MESSAGE OF THE KIND WE DISCUSSED BEFORE WOULD ALMOST CERTAINLY NOT SERVE THIS PURPOSE: SINCE SOVIET STATEMENT IS A CONSIDERED RESPONSE TO A STATEMENT EAGLEBURGER MADE ON BEHALF OF PRESIDENT AND SECRETARY, A PRESIDENTIAL MESSAGE WOULD LIKELY GET THE SAME ANSWER, WITH NO BENEFIT TO EITHER THE PRESIDENT OR THE SAKHAROV'S. RATHER, IN REJECTING THE CHARGES AGAINST OUR PEOPLE IN MOSCOW, I THINK WE SHOULD TRY TO HOOK THE SOVIETS ON THE AMBIGUITY OF ISAKOV'S STATEMENT BY TELLING HIM THAT WE HAVE TAKEN BOTH THE ORAL STATEMENT AND HIS STATEMENT TO ME SERIOUSLY; THAT WE REJECT THE CHARGES AGAINST OUR OFFICERS BUT ARE ADVISING MRS. BONNER TO APPLY FORMALLY ONCE AGAIN FOR PERMISSION TO GO ABROAD FOR MEDICAL TREATMENT ON THE STRENGTH OF ISAKOV'S STATEMENT; BUT THAT WE MUST INSIST THAT WE THINK IT WOULD BE IN THE INTEREST OF BOTH COUNTRIES IF HER APPLICATION RECEIVED A POSITIVE REPLY. IF THIS TACK IS TOTALLY UNPRODUCTIVE, WE MAY WISH TO LOOK AGAIN AT OPTION OF PRESIDENTIAL MESSAGE. EMBASSY VIEWS REQUESTED ASAP.

13. SECRETARY MAY WISH TO SHARE THIS CABLE WITH BUD MCFARLANE IN FAIRBANKS. 44

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UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ENCLOSURE(S)

RECEIVED 14 MAY 84 15

TO KIMMITT

FROM HICKS, C

1/12/16 WTB

DOC DATE 14 MAY 84

12

KEYWORDS USSR

EXPORT CONTROLS

SUBJECT: USSR SLAVE LABOR MERCHANDISE

ACTION: PREPARE MEMO FOR MCFARLANE DUE: 14 MAY 84 STATUS S FILES SII

FOR ACTION

FOR CONCURRENCE

FOR INFO

MATLOCK

ROBINSON

URGENT

COMMENTS URGENT ACTION REQUIRED; DUE BACK TODAY

REF# LOG NSCIFID (BIC)

ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

MSC/S C 26 Oct OBE per JM see Log 3908

DISPATCH

W/ATTCH FILE

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National Security Council
The White House

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System #

Package # 90573

84 MAY 14 P 7: 50

	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep. Exec. Sec'y			
Bob Kimmitt	1	K	
John Poindexter			
Tom Shull			
Wilma Hall			
Bud McFarlane			
Bob Kimmitt			
NSC Secretariat	2	B	Staff
Situation Room			
MATLOCK	3		A

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

cc: VP Meese Baker Deaver Other _____

COMMENTS

Should be seen by: _____
(Date/Time)

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use existing #'s
send to Matlock
Robinson

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

EXECUTIVE SECRETARIAT, NSC: COUNTRY FILE

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172442	PROFS NOTE FROM R. KIMMITT, FORWARDING NOTE FROM R. MCFARLANE TO J. MATLOCK	1	5/14/1984	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]

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EXECUTIVE SECRETARIAT, NSC: COUNTRY FILE

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172443 PROFS NOTE

1 5/14/1984 B1

FROM R. KIMMITT, FORWARDING NOTE FROM R.
MCFARLANE

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

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National Security Council
The White House

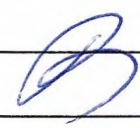
System #

II/6

Package #

90573

84 MAY 14 P 3: 28

	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep. Exec. Sec'y			
Bob Kimmitt	1	K	
John Poindexter			
Tom Shull			
Wilma Hall			
Bud McFarlane			
Bob Kimmitt			
NSC Secretariat	2		Staff
Situation Room			

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

cc: VP Meese Baker Deaver Other _____

COMMENTS Should be seen by: _____
(Date/Time)

ASAP to Matlock Action
Robinson Comment

due RCM today 5/14

Handcarry

to: BOB KIMMITT Department ¹⁴
of the Treasury
Office of
room: _____ date: 5/14/84 the Secretary

EYES ONLY

I tried to reach you this morning regarding the attached which I am forwarding pursuant to a conversation Tim McNamar had with Bud McFarlane this morning.

I would appreciate it if you could call me when you receive this package.

Attachment



Christopher Hicks
Executive Secretary
and Executive Assistant
to the Secretary

room 3408
phone 566-5901



THE SECRETARY OF THE TREASURY
WASHINGTON

DRAFT

SYSTEM II
90573

18

MEMORANDUM FOR WILLIAM VON RAAB
84 MAY 14 1950
COMMISSIONER, U.S. CUSTOMS SERVICE

Subject: Merchandise from the Soviet Union Which May be
Produced by Convict, Forced, or Indentured Labor

In light of the evidentiary material previously provided to me for review, I have considered your recommendation that a finding be published pursuant to section 12.42(f), Customs Regulations, to the effect that certain classes of merchandise from the Soviet Union either are being, or are likely to be, imported into the United States, which are produced, whether by mining, manufacture, or other means, by convict, forced, or indentured labor, in violation of section 307, Tariff Act of 1930 (19 U.S.C. 1307).

After careful consideration of that evidence, I am not convinced that a final determination, as contemplated by section 12.42(f), is warranted at this time. As you are aware, the Senate Finance Committee has directed the International Trade Commission to review this very matter in depth. Therefore, I think it appropriate to withhold a final determination until I can have the benefit of the International Trade Commission's study.

I do concur in your preliminary finding, pursuant to section 12.42(e), Customs Regulations, that information available reasonably, but not conclusively, indicates that Soviet made merchandise is being imported in violation of section 307. However, I believe that there might be foreign policy consequences attendant to withholding such merchandise from entry before a final determination is made under section 12.42(f), while the more extensive International Trade Commission study is being conducted.

Consequently, you are hereby directed to issue instructions to Customs district directors, as contemplated by section 12.42(e), to continue until further notice the release for entry of any such merchandise. To facilitate the fact finding process and make the best possible determination you are directed to instruct Customs district directors to provide you with monthly reports detailing the entries of such merchandise through their respective districts. In turn, until further notice you are to provide the Assistant Secretary (Enforcement & Operations) with a monthly compilation of the district directors' reports, and to provide those findings to the International Trade Commission.

Finally, I want to acknowledge the past, and no doubt future, efforts made by you and your people to provide me with every assistance in this extremely sensitive decision.

Donald T. Regan

DEPARTMENT OF THE TREASURY
UNITED STATES CUSTOMS SERVICE

19 CFR PART 12

(T.D. 84-)

MERCHANDISE PRODUCED, MINED, OR MANUFACTURED
IN THE SOVIET UNION
BY CONVICT, FORCED, OR INDENTURED LABOR

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of Preliminary Finding

SUMMARY: This document advises that the Commissioner of Customs has found that information available reasonably but not conclusively indicates that certain classes of merchandise, which either are being or are likely to be imported into the United States from the Soviet Union, are mined, produced, or manufactured wholly or in part by convict or/and forced labor or/and indentured labor under penal sanctions. Because the Secretary of the Treasury has decided that a final determination should await the results of an International Trade Commission investigation on this subject, the Secretary has directed the Commissioner until further notice to continue to permit the release of such merchandise for entry into the United States.

DATE: This preliminary finding shall take effect immediately.

FOR FURTHER INFORMATION CONTACT:

John P. Simpson, Director, Office of Regulations and
Rulings, Headquarters, U.S. Customs Service,
1301 Constitution Avenue, NW, Washington, D.C. 20229
(202) 566-2507

SUPPLEMENTARY INFORMATION:

BACKGROUND

Section 307, Tariff Act of 1930 (19 U.S.C. 1307), provides, in pertinent part, that "all goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions 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."

"Forced labor" is defined by 19 U.S.C. 1307 to mean "all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily."

The prohibition on importation does not apply, however, to such "goods, wares, articles, or merchandise . . . which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States."

Paragraph (d) of section 12.42, Customs Regulations, (19 C.F.R. 12.42(d)), authorizes the Commissioner of Customs to

investigate whether merchandise is being or is likely to be imported into the United States from the Soviet Union which comes within the purview of 19 U.S.C. 1307. Such an investigation has been completed. The Commissioner and the Secretary have reviewed the information produced by that investigation.

Paragraph (e) of section 12.42, Customs Regulations, (19 C.F.R. 12.42(e)), authorizes the Commissioner of Customs to make a finding that information available reasonably but not conclusively indicates that merchandise within the purview of section 1307 is being, or is likely to be, imported into the United States which is being produced, whether by mining, manufacture, or other means, in any foreign locality with the use of convict labor, forced labor, or indentured labor under penal sanctions.

Paragraph (f) of section 12.42, Customs Regulations, (19 C.F.R. 12.42(f)), provides that if it is determined that merchandise within the purview of 19 U.S.C. 1307 is being, or is likely to be, imported, the Commissioner of Customs, with the approval of the Secretary of the Treasury, will publish a finding to that effect in a weekly issue of the Customs Bulletin and in the Federal Register.

FINDINGS

Pursuant to section 12.42(e), Customs Regulations, The Commissioner of Customs has determined that information available reasonably but not conclusively indicates that the following articles from the Soviet Union are either being, or are likely to be, imported into the United States, which are being produced,

whether by mining, manufacture, or other means, with the use of convict, forced, or indentured labor:

Article	Tariff Schedule Item Number (19 U.S.C. 1202)
TEA	160.50
REFINED OIL PRODUCTS	475.05-475.70
GOLD ORES	601.39
AGRICULTURAL MACHINERY	666.00-666.10
TRACTOR GENERATORS	683.60

Pursuant to section 12.42(f), Customs Regulations, the Secretary of the Treasury has decided that information available does not warrant a final determination at this time, and that a final determination should await the outcome of an International Trade Commission study presently being conducted. Taking into account the substantial and far reaching foreign policy consequences attendant to withholding such merchandise from entry before a final determination is made, the Secretary has directed the Commissioner of Customs to continue until further notice to permit entry of such merchandise. Accordingly, release from Customs' custody for consumption or withdrawal from warehouse for consumption of the preceding articles from the Soviet Union shall continue to be permitted until further notice.

COMMISSIONER OF CUSTOMS

THE WHITE HOUSE

151F

DEPARTMENT OF STATE

MAY 14 P 3:31

P 1: 29

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52466

MESSAGE NO. 878 CLASSIFICATION UNCLAS PAGES 5

FROM R. KIMMITT (NAME) (EXTENSION) (ROOM NUMBER)

MESSAGE DESCRIPTION MERCHANDISE FM SOUTH AFRICA

TO (AGENCY)	DELIVER TO:	DELIVER TO:	EXTENSION
<u>BEAVO</u>	<u>KENNETH DUN</u>		

REMARKS:

nsc 90573



THE SECRETARY OF THE TREASURY
WASHINGTON

24
DRAFT

SYSTEM II
90573

MEMORANDUM FOR WILLIAM VON RAAB
COMMISSIONER, U.S. CUSTOMS SERVICE

Subject: Merchandise from the Soviet Union Which May be
Produced by Convict, Forced, or Indentured Labor

In light of the evidentiary material previously provided to me for review, I have considered your recommendation that a finding be published pursuant to section 12.42(f), Customs Regulations, to the effect that certain classes of merchandise from the Soviet Union either are being, or are likely to be, imported into the United States, which are produced, whether by mining, manufacture, or other means, by convict, forced, or indentured labor, in violation of section 307, Tariff Act of 1930 (19 U.S.C. 1307).

After careful consideration of that evidence, I am not convinced that a final determination, as contemplated by section 12.42(f), is warranted at this time. As you are aware, the Senate Finance Committee has directed the International Trade Commission to review this very matter in depth. Therefore, I think it appropriate to withhold a final determination until I can have the benefit of the International Trade Commission's study.

I do concur in your preliminary finding, pursuant to section 12.42(e), Customs Regulations, that information available reasonably, but not conclusively, indicates that Soviet made merchandise is being imported in violation of section 307. However, I believe that there might be foreign policy consequences attendant to withholding such merchandise from entry before a final determination is made under section 12.42(f), while the more extensive International Trade Commission study is being conducted.

Consequently, you are hereby directed to issue instructions to Customs district directors, as contemplated by section 12.42(e), to continue until further notice the release for entry of any such merchandise. To facilitate the fact finding process and make the best possible determination you are directed to instruct Customs district directors to provide you with monthly reports detailing the entries of such merchandise through their respective districts. In turn, until further notice you are to provide the Assistant Secretary (Enforcement & Operations) with a monthly compilation of the district directors' reports, and to provide those findings to the International Trade Commission.

Finally, I want to acknowledge the past, and no doubt future, efforts made by you and your people to provide me with every assistance in this extremely sensitive decision.

Donald T. Regan

DEPARTMENT OF THE TREASURY
UNITED STATES CUSTOMS SERVICE

19 CFR PART 12

(T.D. 84-)

MERCHANDISE PRODUCED, MINED, OR MANUFACTURED
IN THE SOVIET UNION
BY CONVICT, FORCED, OR INDENTURED LABOR

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of Preliminary Finding

SUMMARY: This document advises that the Commissioner of Customs has found that information available reasonably but not conclusively indicates that certain classes of merchandise, which either are being or are likely to be imported into the United States from the Soviet Union, are mined, produced, or manufactured wholly or in part by convict or/and forced labor or/and indentured labor under penal sanctions. Because the Secretary of the Treasury has decided that a final determination should await the results of an International Trade Commission investigation on this subject, the Secretary has directed the Commissioner until further notice to continue to permit the release of such merchandise for entry into the United States.

DATE: This preliminary finding shall take effect immediately.

FOR FURTHER INFORMATION CONTACT:

John P. Simpson, Director, Office of Regulations and Rulings, Headquarters, U.S. Customs Service, 1301 Constitution Avenue, NW, Washington, D.C. 20229 (202) 566-2507

SUPPLEMENTARY INFORMATION:

BACKGROUND

Section 307, Tariff Act of 1930 (19 U.S.C. 1307), provides, in pertinent part, that "all goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions 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."

"Forced labor" is defined by 19 U.S.C. 1307 to mean "all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily."

The prohibition on importation does not apply, however, to such "goods, wares, articles, or merchandise . . . which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States."

Paragraph (d) of section 12.42, Customs Regulations, (19 C.F.R. 12.42(d)), authorizes the Commissioner of Customs to

investigate whether merchandise is being or is likely to be imported into the United States from the Soviet Union which comes within the purview of 19 U.S.C. 1307. Such an investigation has been completed. The Commissioner and the Secretary have reviewed the information produced by that investigation.

Paragraph (e) of section 12.42, Customs Regulations, (19 C.F.R. 12.42(e)), authorizes the Commissioner of Customs to make a finding that information available reasonably but not conclusively indicates that merchandise within the purview of section 1307 is being, or is likely to be, imported into the United States which is being produced, whether by mining, manufacture, or other means, in any foreign locality with the use of convict labor, forced labor, or indentured labor under penal sanctions.

Paragraph (f) of section 12.42, Customs Regulations, (19 C.F.R. 12.42(f)), provides that if it is determined that merchandise within the purview of 19 U.S.C. 1307 is being, or is likely to be, imported, the Commissioner of Customs, with the approval of the Secretary of the Treasury, will publish a finding to that effect in a weekly issue of the Customs Bulletin and in the Federal Register.

FINDINGS

Pursuant to section 12.42(e), Customs Regulations, The Commissioner of Customs has determined that information available reasonably but not conclusively indicates that the following articles from the Soviet Union are either being, or are likely to be, imported into the United States, which are being produced,

-4-

whether by mining, manufacture, or other means, with the use of convict, forced, or indentured labor:

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REFINED OIL PRODUCTS	475.05-475.70
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AGRICULTURAL MACHINERY	666.00-666.10
TRACTOR GENERATORS	683.60

Pursuant to section 12.42(f), Customs Regulations, the Secretary of the Treasury has decided that information available does not warrant a final determination at this time, and that a final determination should await the outcome of an International Trade Commission study presently being conducted. Taking into account the substantial and far reaching foreign policy consequences attendant to withholding such merchandise from entry before a final determination is made, the Secretary has directed the Commissioner of Customs to continue until further notice to permit entry of such merchandise. Accordingly, release from Customs' custody for consumption or withdrawal from warehouse for consumption of the preceding articles from the Soviet Union shall continue to be permitted until further notice.

COMMISSIONER OF CUSTOMS

Time Stamp

WHSR
ROUTE SLIP

STAFF	C/O
McFarlane	
Poindexter	C
[REDACTED]	C
Shull	
<i>De Koffmeid</i>	
<i>Mattlock</i>	
<i>Robinson</i>	
Thompson	
Merchant	
NSC S/S	

LDX
Approval: _____

C : Copy

O : Original

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172449 FORM

1 5/14/1984 B1

WASHFAX MESSAGE RECEIPT

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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.

515

31

172414

14 May 1984

The Honorable R. T. McNamar
Deputy Secretary of the Treasury
Washington, D. C. 20220

Dear Tim,

I talked to Don on the phone on Friday on this
and I understand it was taken up with you today
through [redacted]

25X1

Yours,

Bill
William J. Casey

TREA has NOT reviewed. Processed IAW
CIA TREA arrangement letter dtd 4/11/08

Enclosure

DHS Review Completed.

PRESIDENTIAL LIBRARY REVIEW OF NSC EQUITY IS
REQUIRED

SECRET

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NLR: REST
BY CN NARA DATE 1/13/12

14 May 1984

172445

RT

The Honorable Donald T. Regan
Secretary of the Treasury
Washington, D. C. 20220

BY CS QUEST NARA DATE 11/3/12

Dear Don,

After our telephone conversation on Friday, I asked to see the evidence on the production and export of goods manufactured by convict, forced or indentured labor in the Soviet Union. As I suspected, the evidence is fragmentary and not very specific.

Also, on reflection I don't see that it does more than defer potential embarrassment from inadequate evidence for Treasury and Customs to prohibit importation and then to leave it up to the importers to certify that the item was not produced through the use of forced labor. I am also impressed by the State Department argument that to take this step now would be seen as a skippy reaction to the Soviet Olympic decision.

I send along for your information two memoranda outlining the potential impact of this step on the CIA and the rest of the government. According to the State Department memorandum, the issuance of a preliminary finding would be based on a memorandum of 7 November 1983, sent by Maurice Ernst, National Intelligence Officer for Economics at CIA, to the Commissioner of Customs. That memorandum states that the evidence is too sketchy to permit calculation of what proportion of total Soviet production of the items listed is provided by forced laborers. It goes on to say that only 3 percent of the total Soviet labor is forced, so that it appears that only in rare instances does production by forced labor comprise a large share of total output of any given product. Also, 93 percent of the entries in the list refer to production before 1981, 5 percent do not give a date, and only 2 percent refer to production after 1980.

I don't want CIA to come under pressure to prove something with sketchy evidence or disclose our information sources, and I urge that all the implications of this step be carefully considered before moving on it.

Yours,

William J. Casey

Enclosures

P.S. I tried to get you on the phone today on this but couldn't reach you, so I asked Tim McNamara to add these further concerns since we talked on Friday.

25X1



~~SECRET~~
NOT RELEASABLE TO FOREIGN NATIONALS

2

14 MAY 1984

172446

MEMORANDUM FOR: Deputy Director for Intelligence

FROM:

[Redacted] Director of Global Issues

25X1

SUBJECT: Soviet Forced Labor

25X1

1. According to [Redacted] who talked to Tim McNamar, Treasury is still up in the air as to what action they will take on the forced labor issue. The latest reading is that the Secretary and/or Customs Commissioner von Raab may announce on Tuesday a preliminary finding that certain goods imported to the U.S. from the Soviet Union were produced in part using forced labor and that a final determination will not be made until the International Trade Commission completes its study on the same subject sometime in December.

2. Should Treasury and the Customs Commission invoke the relevant tariff act on such goods, i.e., prohibit importation, it is up to the importer of such merchandise to certify that the item was not produced with the use of forced labor specified in the findings.

3. The impact of all of this on CIA could be substantial. The list of Soviet items used by Treasury was prepared by CIA. The "burden of proof" may ultimately be on the CIA in arbitrating differences between Treasury and the private sector. Our evidence is sketchy and much of it dated. We would be under intense pressure to publicly disclose our information and sources.

4. It is not clear what the U.S. is trying to get out of this. The economic consequences to the Soviet Union are probably marginal (forced labor constitutes only 3 percent of the total Soviet labor force) and the Soviets could retaliate, for example, by cancelling grain purchase commitments.

25X1

DECLASSIFIED IN PART
BY *CW* NARA DATE *1/13/12*

~~SECRET~~

NOT RELEASABLE TO FOREIGN NATIONALS

3

[Redacted]

25

Washington, D.C. 20503

172847

NIC #8038-83
7 November 1983

National Intelligence Council

MEMORANDUM FOR: William C. vonRaab
Commissioner of Customs

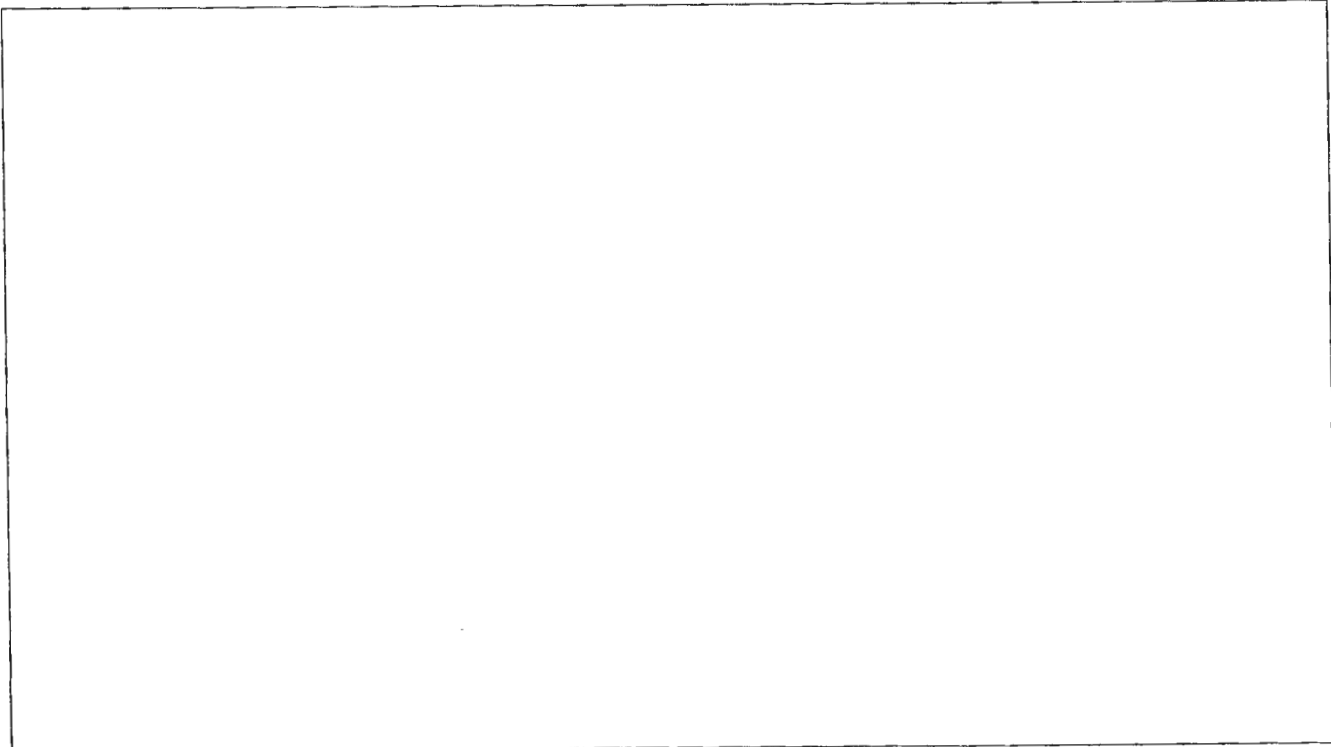
FROM: Maurice C. Ernst
NIO for Economics

SUBJECT: Examination of Evidence on Production Activities
of Soviet Forced Labor

DECLASSIFIED IN PART
NLRR Crest
BY CV [unclear] 11/13/12

1. As agreed at the SIG-IEP meeting, CIA has prepared the attached list of items manufactured in the Soviet Union wholly or in part with the help of forced labor. The items in the list are coded according to the U.S. Customs Office Tariff Schedule (TS/USA). These items were classified in this manner to facilitate analysis by US officials dealing with the question of imports by the United States of Soviet goods that might be made by forced labor. We have tried to be as specific as possible in describing products and sources.

5X1



All portions Secret

~~SECRET~~

25X1

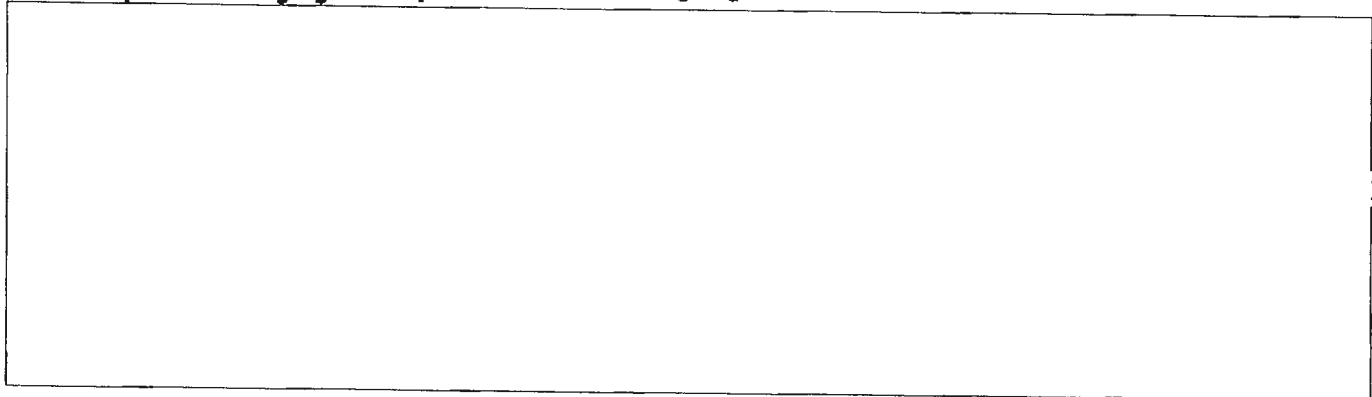


4

4. Of the approximately 2 million forced laborers in camps, about half are engaged in manufacturing, 30 percent in logging and wood processing, 10 percent in construction, and 10 percent in agriculture and mining. Another 2 million or so forced laborers are not confined in camps. Most members of this group--consisting of people either sentenced directly or paroled to work projects--are in construction.

5. Our list, composed of almost 200 entries, includes manufactured, semi-manufactured, and processed goods. It excludes construction activity by forced labor. The list indicates that much of the manufacturing activity in the camps involves production of parts or components for other products. Logging and wood products, particularly furniture and crate making, are the most frequently mentioned items. Items in the metal and metal products group are also frequently cited. In many cases prisoners cite relatively broad classes of goods without specifying the items within the class.

6. The evidence is too sketchy to permit calculation of what proportion of total Soviet production of the items listed is provided by forced laborers. However, since forced labor constitutes only about 3 percent of the total Soviet labor force and engages in a large variety of production activities, there is some presumption that only in rare instances does production by forced labor comprise a large share of total output of any given product or category.



25X1

8. The evidence in the list is somewhat dated, in part reflecting the reduced flow of emigration from the USSR in recent years. As shown in the table below, 93 percent of the entries in the list refer to production before 1981, 5 percent do not give a date, and only 2 percent refer to production after 1980.

Percentage of Entries in List Referring to Production in Forced Labor Camps by Time Period

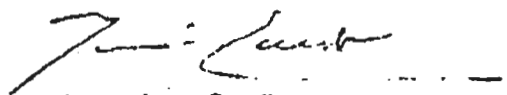
Pre 1971	11
1971-75	48
1976-80	34
1981-83	2
Unknown	5

2
~~SECRET~~

36

25X1

9. If you have any additional questions on this matter, please call [redacted] Chief of the Geography Division of CIA/DDI's Office of Global Issues, under whose direction this study was prepared, in cooperation with the Office of Soviet Analysis.


Maurice C. Ernst

Attachments:
As stated

8

~~3~~
SECRET

6

39
172450

BACKGROUND:

The President has set the decision deadline for moving ahead with the ban on products allegedly made with Soviet forced labor for Tuesday, May 15. The NSC staff's decision memorandum for the President was sent to Bud McFarlane yesterday supporting our position on both substance and timing, and with our points attached. Agriculture, USTR, and Commerce are all sending memoranda to the President supporting our position. We expect Senators Dole and Percy to weigh in, hopefully with the President. Since Treasury is basing its case in large part on information provided by CIA and State, which both agencies have stated in writing is not sufficiently specific, you may wish to enlist Bill Casey's support .

TALKING POINTS:

--We are about to have an unwarranted dust-up on the forced labor question. Treasury will proceed with the ban next Tuesday unless we can stop them.

--CIA will be directly involved: Treasury is contending that a CIA memo of November 7, 1983, justifies the ban on five products.

--That study, however, states: "we have very little direct evidence that prison-made goods are exported." Further, it says the evidence is "too sketchy" to calculate the percentage of total Soviet production of the items to be banned provided by forced labor. And the memo cites only two reports that refer to goods produced in camps for export (and those not specifically to the US); both date from before 1976.

--If the ban is approved, CIA evidence will be subjected to great public scrutiny after the fact. You will be in the public dock to provide concrete proof to support the ban. This case may even go to court.

--In order to avoid this, you may wish to inform the President that, in your judgment, the evidence provided to Treasury by CIA does not justify this step.

--We think the best approach is to wait until the ongoing ITC investigation of forced labor practices worldwide is completed at the end of this year.

--The forced labor ban, even if not announced until May 15, would be seen as a reaction to the Soviet Olympic decision. This would undercut our efforts to take the high road with the Soviets on this issue. It could remove some of the onus from them for not responding positively to the President's proposals for a constructive dialogue.

8

7

DECLASSIFIED
Crest
NLR-748-25-45-4-7
BY CN DATE 1/13/12

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BAN ON SOVIET IMPORTS

-- The forced labor ban, even if not announced until May 15, would be seen as a sanction in reaction to the Soviet Olympic decision. This would undercut our efforts to take the high road with the Soviets on this issue. It could remove some of the onus from them for not responding positively to the President's proposals, building on our demonstrated strength and realism, for a constructive dialogue. While protecting our interests, we must be careful not to play into the Soviet strategy of trying to raise tension as we move into the elections.

-- The President would be made to look feckless with this "sanction" since imports of only five types of goods would be banned with no significant economic impact on the USSR.

-- The Administration has been forthright and realistic about Soviet forced labor practices in its statements and reports to Congress, and this is an integral part of our overall policy approach to the Soviets. We will call a spade a spade, and the Soviets will have to get used to it.

-- However, what we have before us is not a spade. While we know a good deal about the overall picture, we don't know which specific products made by forced labor are exported.

-- The law can be enforced only if we have specific evidence. Such evidence is clearly lacking. CIA has only two reports that refer to goods produced in camps for export (and those not specifically to the U.S.) and both date from before 1976.

-- Moreover, Treasury's internal guidelines do not reveal which standard of evidence it applied, making it impossible to ensure consistent enforcement of this statute, and opening ourselves to court challenges we could lose.

-- Banning these few items will have no measurable economic impact on the Soviets, but the expected Soviet retaliation could well involve the new grain agreement, which would be very damaging to U.S. economic interests and to the President. The

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Soviets have already warned us that such a ban "could not help but influence the atmosphere for Soviet grain purchase decisions."

-- Farmers are already deeply concerned about agricultural surpluses and export competition. Fears of the loss of the Soviet grain market, which the Soviets can easily stoke, will mean severe political damage to the President in the Farm Belt.

-- Unlike our ban on imports of Soviet nickel, we would have no basis to negotiate away a forced labor-related import ban; even a limited prohibition will be viewed as a serious discriminatory act by the Soviets.

-- Our soundings indicate that Congressional support for such a ban is very thin. And we are picking up growing Congressional and farmer concern over the potential consequences of such a ban for grain exports.

-- Partly for that reason, Senator Dole and the Senate Finance Committee requested the International Trade Commission to investigate forced labor practices worldwide. They are holding public hearings in July and their report is due by the end of this year. It would be inappropriate to act against the USSR when other trade partners (the PRC and a number of our own allies) may be using similar practices.

-- No action should be taken by Treasury on the Soviet forced labor issue until the ITC investigation has been completed. Treasury could cite the ITC study as the reason for the delay. This would be consistent with the views of Senator Dole who, in a letter to Secretary Regan on March 2, 1984, pointed to the need for a consistent and comprehensive official position on this issue, and stated his preference that a final decision on the Soviet issue be deferred until the ITC report is available.