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THE WHITE HOUSE

WASHINGTON

April 29, 1983

MEMORANDUM FOR PETER J. WALLISON  
GENERAL COUNSEL  
DEPARTMENT OF THE TREASURY

FROM: JOHN G. ROBERTS *JGR*  
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: 1986 World Cup

Attached is the material we discussed briefly this afternoon. It appears that only items 3.2 and 3.4 are of particular concern to the Treasury, but naturally we would welcome any comments on the other items as well. We need an answer for Dr. Kissinger on the entire package by Monday, so I would be grateful for whatever guidance you can provide as soon as possible.

Many thanks.

Attachment

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
  - H - INTERNAL
  - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Henry A. Kissinger

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

Subject: Admon to Michael Deaver re: 1986 World Cup

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD
<u>CUHO11</u>	ORIGINATOR	<u>B3/DY1</u>
<u>CUAT18</u>	Referral Note:	<u>B3/DY1</u> <u>5 03 05 82</u>
	Referral Note:	<u>1 1</u> <u>1 1</u>
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**ACTION CODES:**

- A - Appropriate Action
- I - Info Copy Only/No Action Necessary
- C - Comment/Recommendation
- H - Direct Reply w/Copy
- D - Draft Response
- S - For Signature
- F - Furnish Fact Sheet to be used as Enclosure
- X - Interim Reply

**DISPOSITION CODES:**

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- C - Completed
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*personal*

UNIVERSITY OF SOUTH CAROLINA

COLUMBIA, S. C. 29208

SCHOOL OF LAW

April 28, 1983

Mr. John G. Roberts, Jr.  
Associate Counsel to the President  
Old Executive Office Building  
17th and Pennsylvania Avenue  
Washington, D. C. 20500

Dear Mr. Roberts:

At semester's end, my Constitutional Development Seminar and I look back with pleasure and appreciation to our February 28th meeting with you and Mr. Waller.

Sincerely,

A handwritten signature in cursive script that reads "George D. Haimbaugh, Jr.".

George D. Haimbaugh, Jr.  
David W. Robinson Professor of Law

GDH/saw

THE WHITE HOUSE

WASHINGTON

May 3, 1983

MEMORANDUM FOR MICHAEL K. DEEVER  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: 1986 World Cup

By memorandum to you dated April 28, 1983, Henry A. Kissinger sought to secure the federal government commitments required by the Federation Internationale de Football Association (FIFA) for consideration of the United States Soccer Federation's bid to host the 1986 World Cup. Dr. Kissinger attached a proposed memorandum to FIFA (Tab C of the Kissinger memorandum) indicating how the United States intended to comply with FIFA's ten requirements. Based on our review of existing law, several changes must be made in the proposed draft.

On page 1, the last three sentences must be deleted. As will become evident, the U.S. cannot meet all of the demanded guarantees. In addition, the Department of State has advised that the guarantees issued with respect to the Olympics do not, as the memorandum from Arnold & Porter suggests, comply with FIFA's demands.

Item 1, visas: The State Department suggests the following language: "Visas will be issued without regard to nationality, race and religion. Visas for eligible players and officials will be issued pursuant to procedures to be developed by the Department of State and the Immigration and Naturalization Service. Media representatives who have been accredited by FIFA and foreign spectators may apply individually for appropriate visas." State is willing to accord FIFA and the World Cup the same treatment as the Olympics, but the agreement in place for the Olympics only deals with procedures for processing visa applications, not guarantees concerning eligibility. I have attached for your reference a copy of the Olympics agreement concerning visas.

Item 2, customs: This should be changed to read: "Import and export of each item specified in the terms of reference is permitted free of duty under existing law and will be coordinated by the Department of the Treasury." Posting of

a bond may be required for certain items under existing law, so we technically cannot guarantee free import and export. Legislation has been proposed to remove the bond requirement for the Olympics, and Treasury would support similar legislation for the World Cup.

Item 3, security: I would delete "under the auspices of the Executive Office of the President." It would make more sense for such a committee to be based in the Department of Justice.

Items 4, 5, and 6: no objection.

Item 7: "The authority . . ." should be changed to "Any authority . . .".

Item 8: no objection.

Item 9: "The authority . . ." should be changed to "Any authority . . .".

Item 10: no objection.

The last sentence is not only conclusory but erroneous and should be deleted.

Presupposing that this is something that we want to support, acknowledging that HAK may not be doing this "gratis" and has already told the press that "we have the full support of the White House that the Olympic provisions will also apply to this World Cup" and "just the paperwork" remains, the foregoing may be the solution.

Query: who should sign the memorandum?

FFF:JGR:aw 5/3/83

cc: FFFielding  
JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

May 2, 1983

MEMORANDUM FOR FRED F. FIELDING

THROUGH: RICHARD A. HAUSER

FROM: JOHN G. ROBERTS

SUBJECT: 1986 World Cup

Henry Kissinger has written Michael Deaver to secure the Federal government guarantees required by the Federation Internationale de Football Association (FIFA) before it will consider an application to host the 1986 World Cup. The application of the United States Soccer Federation (USSF) to host the World Cup -- the world's most popular sporting event -- has already been rejected in favor of Mexico. FIFA did not even consider the U.S. application because the USSF failed to provide government guarantees. Kissinger is seeking a rehearing, and has asked for the guarantees as soon as possible. (See attached article from today's N.Y. Times.) Arnold & Porter has prepared a memorandum indicating that all the required guarantees can be provided under existing law, and a draft memorandum to be issued to FIFA by some undetermined government official providing the guarantees.

Ten guarantees are demanded:

1. distribution of visas without reservation to all officials, players, and media accredited by FIFA, as well as all foreign spectators.
2. free import and export of material for the teams.
3. security.
4. free import and export of foreign currency, and ready exchange of same.
5. adequate telecommunications.
6. adequate transportation.

7. "price politics": hotel prices for participants frozen as of January 1, 1986; participants only charged for "effective use" of hotels.
8. playing national anthems and hoisting teams' national flags.
9. a ceiling of 15% on state and local taxes on gate receipts.
10. a maximum 10% commission on ticket sales.

There are no problems with the draft guarantees prepared by Arnold & Porter with respect to 5, 6, and 8. Peter Wallison's office advises that there is no problem with 4. The draft guarantee for 10 states that the World Cup Organizing Committee will be responsible for regulating commissions charged by its sales agents. The draft guarantees for 7 and 9 state that the authority to provide these guarantees rests with state and local government. I would change this to "any authority" rests with state and local government, since it is unclear whether even those governments can provide the requested guarantees. The draft guarantee on security states that a committee of federal, local, and state officials will be established within the EOP; I would simply state that an appropriate committee will be established (perhaps within the Department of Justice rather than the EOP). That leaves only items 1 (visas) and 2 (customs).

With respect to customs, Arnold & Porter's proposed guarantee states that free import and export of the items listed by FIFA is permitted. Peter Wallison's office advises that this is true in one sense, but bonds may be required for items not carried by the athletes. In fact, Treasury has proposed legislation to ease customs problems for the Olympics, and would support similar legislation for the World Cup. I would simply change the guarantee of free import and export to a guarantee of import and export free of duty.

The trickiest area is with respect to visas. The Legal Advisor's office at the State Department advises that it cannot under present law provide any guarantee that visas will be issued "without reservation." It can guarantee that visas will be issued without respect to the nationality, race, or religion of participants. Media and spectators may and must apply for visas like anyone else. The Olympic agreement does not, as Arnold & Porter states, provide any more. That agreement simply governs procedures -- not eligibility -- and applies only to participants, not media or spectators. State has submitted proposed language for



item 1. State suggests not mentioning the Olympic agreement in the memorandum itself, but has no problem with assuring FIFA that it can have the same treatment as the Olympics.

I have drafted a memorandum to Deaver for your signature, reviewing the necessary changes in the draft proposed by Kissinger and Arnold & Porter.

Attachment

Monday, May 2, 1983

# Kissinger and Vance Unite for Sake of Soccer

By LAWRIE MIFFLIN

Henry A. Kissinger has faced many challenges in top-level international diplomacy. So has Cyrus R. Vance:

Now the two former Secretaries of State are allied in a new diplomatic venture with the Federation Internationale de Football Association trying to overturn a decision that is almost certain to be upheld.

At stake is the 1986 site for the world's most popular sports event, soccer's World Cup. The quadrennial championship offers not just the potential for millions of dollars of tourist and ticket revenue, but the promise of a degree of international sports fame exceeding even that of the Olympics. Television experts estimate that the 1982 World Cup matches were watched by 1.3 billion people, or more than one-fourth the world's population.

Soccer's international governing body has all but confirmed Mexico as the host nation for the 1986 World Cup. But Mr. Kissinger wants the games in the United States. On Saturday he persuaded Mr. Vance to join the cause. He has also enlisted numerous prominent American corporate leaders. And Mr. Kissinger said that a joint resolution of Congress supporting the bid was expected to pass this week.

"Our basic mood is positive now," Mr. Kissinger said. "We are going at this in a spirit of cooperation, and we have put together an outstanding



United Press International

Henry A. Kissinger

preparation that meets every objection FIFA could possibly have."

FIFA is what buffs like the former Secretary of State refer to the international federation that is soccer's world governing body. Through it, national bodies such as the United States Soccer Federation may apply to stage the World Cup. Mr. Kissinger, a longtime advocate of soccer who wants to see the sport gain popularity in this country, is the chairman of the United States World Cup Organizing Committee.

Originally, Colombia was scheduled to stage the event, but, citing the high



The New York Times

Cyrus R. Vance

cost of organizing it, withdrew last October. A special committee of the international federation charged with reviewing the three replacement applicants for 1986 has rejected the dossiers of the United States and Canada, and, following a recent inspection tour of Mexico's facilities, decided to recommend that country.

"The U.S.S.F. has asked for a reconsideration and international federation has teleaxed back asking for our reasons," Mr. Kissinger said. "We hope to get at least another hearing on May 20 in Stockholm."

That is where the final decision is to be made by the international federation.

Continued on Page C3, Column 5

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# New Effort on Cup

*Continued From Page A1*

tion's 23-member executive committee. Mr. Kissinger said he would probably accompany the U.S.S.F. president, Gene Edwards, to Stockholm to help plead the case. But in the meantime he is lobbying and negotiating behind the scenes.

He has spoken, he said, to Dr. Hermann Neuberger of West Germany, a FIFA vice president and the chairman of the five-man special committee on the World Cup site selection. At home, Mr. Kissinger is mobilizing support from the private sector and working to cut red tape on government matters related to the World Cup bid.

"We are getting broad-based public and political support now, including a number of leading business executives joining our organizing committee," Mr. Kissinger said yesterday. Among them are the chief executives of Ford, Pepsico, R. J. Reynolds and Norton Simon, he said, adding that other corporate leaders were also interested.

Mr. Kissinger's optimism contrasts with the gloom that has pervaded American soccer circles since March 31, when the FIFA committee announced that it would visit only Mexico. Mr. Kissinger believes that decision was based on "a misunderstanding."

In January, the international federation sent to the soccer federations of the United States, Canada and Mexico a thick document, called "Terms of Reference," detailing the requirements for approval of a country as host for a World Cup. After the bids were submitted, the special committee indicated that the United States's presentation had not met those requirements adequately, and that

therefore the committee would not visit the United States to inspect its facilities.

"When the original presentation was made, the U.S.S.F. people thought it was basically a set of talking points, which would be expanded upon when the inspection committee came to visit," said Mr. Kissinger. "The committee in turn thought there were gaps in the presentation, and so decided not to visit. So there was no opportunity to fill the gaps."

One objection by the FIFA committee was that Federal Government guarantees — on such matters as visas, currency exchange, customs clearance, security measures and ticket and hotel prices — were not provided. But on short notice, it is easier to get such guarantees in a country with a more centralized system of government than the United States, said Werner Fricker, the chairman of the U.S.S.F. World Cup Organizing Committee and a vice chairman of Mr. Kissinger's larger committee.

"Our presentation said we would provide the same guarantees on those matters as were provided for the 1984 Olympics, in Los Angeles," said Mr. Fricker. "FIFA's Terms of Reference didn't specifically say we needed written documentation from every government agency."

Mr. Kissinger said, "We have the full support of the White House that the Olympic provisions will also apply to the World Cup," and "just the paperwork" remains.

"I'd be amazed if the FIFA executive committee didn't give us a hearing now, after all the efforts that have been made, and after a Congressional resolution, and after we've met all the objections," Mr. Kissinger said. The resolution was introduced by Representative James F. Florio, Democrat of New Jersey.

THE WHITE HOUSE

WASHINGTON

May 2, 1983

MEMORANDUM FOR MICHAEL K. DEEVER  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: 1986 World Cup

By memorandum to you dated April 28, 1983, Henry A. Kissinger sought to secure the federal government commitments required by the Federation Internationale de Football Association (FIFA) for consideration of the United States Soccer Federation's bid to host the 1986 World Cup. Dr. Kissinger attached a proposed memorandum to FIFA (Tab C of the Kissinger memorandum) indicating how the United States intended to comply with FIFA's ten requirements. Based on our review of existing law, several changes must be made in the proposed draft.

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Item 1, visas: The State Department suggests the following language: "Visas will be issued without regard to nationality, race and religion. Visas for eligible players and officials will be issued pursuant to procedures to be developed by the Department of State and the Immigration and Naturalization Service. Media representatives who have been accredited by FIFA and foreign spectators may apply individually for appropriate visas." State is willing to accord FIFA and the World Cup the same treatment as the Olympics, but the agreement in place for the Olympics only deals with procedures for processing visa applications, not guarantees concerning eligibility. I have attached for your reference a copy of the Olympics agreement concerning visas.

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Item 8: no objection.

Item 9: "The authority . . ." should be changed to "Any authority . . .".

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FFF:JGR: aw 5/2/83

cc: FFfielding  
JGRoberts  
Subj.  
Chron

13



UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
WASHINGTON, D.C. 20536

PLEASE ADDRESS HERE

AND REFER TO THIS

OFFICE OF THE COMMISSIONER

Mr. Harry Usher,  
Executive Vice-President  
and General Manager  
Olympic Organizing Committee  
Los Angeles, Ca 90084

Dear Mr. Usher:

Representatives of the Immigration and Naturalization Service, Department of Justice, and the Bureau of the Consular Affairs, Department of State, have given careful joint consideration to visa and inspection procedures to be employed with respect to non-U.S. citizen participants in the 1984 Olympic Games at Los Angeles. These procedures, outlined in summary below, are recommended as representing an efficient, yet convenient manner of documentation while meeting requirements of U.S. law.

National Olympic Committees

In each participating country, their Olympic Committee representatives will arrange for the preparation, in duplicate, of a list of all non-U.S. citizen participants showing for each the full name, date of birth, and nationality. The list will be furnished to the appropriate United States Consulate as much in advance of the participants departure as possible. Any changes or substitutions to the list must in any event be made 14 days prior to arrival in the U.S., in accordance with Olympic regulations.

United States Consular Official

The United States Consular Official will receive the list and will thereafter, in a regular but expeditious fashion, determine the admissibility as a non-immigrant of each participant on the list. It is possible that some participants may be determined to be excludable from the United States in accordance with law. Waivers, when appropriate, will be considered. The consular official will delete from the list the names of those participants found excludable and not entitled to waivers.

The list will then be visaed by affixing a stamp. A copy of the visaed list will be sent to the National Olympic Committee representatives for that country together with advice as to those participants, if any, who were found ineligible.

The original visaed list will be forwarded to the coordinator at the Immigration and Naturalization Service at its Washington, D.C. headquarters.

The INS Coordinator

The INS Coordinator will copy and distribute the list to all major United States ports of entry.

The L.A. Olympic Organizing Committee

The Los Angeles Olympic Committee will issue the sequential Olympic identification cards.

Special note must be taken of last-minute or unusual situations in which Olympic identification cards are issued to participants not on the consular officers' approved list. In such cases, it will be necessary for those persons to obtain individual visas and if necessary, individual waivers.

The INS Inspecting Officer

At the United States port-of-entry, the INS inspecting officer will inspect and admit bona-fide holders of Olympic identification cards whose names are included on the approved list. The officer will also inspect and admit bona-fide holders of Olympic identification cards who, while not on the list, also hold individually issued visas and, if necessary, individually issued waivers. Participants will also be asked for their home country passport, in accordance with International Olympic regulations.

In any instance where there is doubt as to admissibility, the INS primary inspector will refer the delegate to a secondary inspector for further examination. Appropriate advance notifications of the teams' make-up should minimize such referrals.

The procedures described above represent, we believe, a reasonable and proper balance between recognition of this outstanding international event and convenience to its participants on the one hand and adherence to the immigration laws and the security of the United States on the other. You will note that the need for individual visa application and issuance has been avoided in favor of the consular officers' approved list which will cover the great majority of the participants.

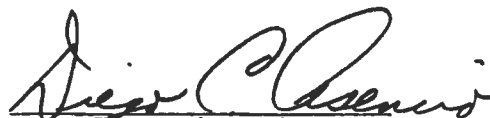
We are confident that this plan will meet with your approval as well as that of the International Olympic Committee. We shall look forward to your response and technical comments.



Alan C. Nelson  
Commissioner

Immigration Naturalization Service  
Department of Justice

12/15/82  
(date)



Diego Asencio  
Assistant Secretary  
Consular Affairs  
Department of State

12/14/82  
(date)



DEPARTMENT OF STATE

Washington, D.C. 20520

May 2, 1983

MEMORANDUM FOR: Mr. John G. Roberts  
Associate Counsel  
to the President

FROM: Davis R. Robinson  
Legal Adviser  
Department of State

SUBJECT: 1986 World Cup

This responds to your memorandum of April 29, 1983.

As you will see from the attached, we conclude that although it is legally impossible for the Department to issue visas in the manner requested by FIFA, i.e., "without reservation," we can offer certain procedural visa accommodations which parallel those we have extended to the 1984 Olympic Committee. (See Tab C of the attached memorandum.)

Please do not hesitate to contact me if you require additional information.

Attachment:  
As stated.





DEPARTMENT OF STATE

Washington, D. C. 20520

May 2, 1983

MEMORANDUM

TO: L - Mr. Davis R. Robinson  
THROUGH: L - Mr. Daniel McGovern *by [initials]*  
FROM: L/CA - James G. Hergen  
SUBJECT: 1986 World Cup Soccer

Herewith our comments regarding Dr. Kissinger's April 28, 1983, memorandum to Mr. Michael Deaver (Tab A).

Background

Dr. Kissinger submitted his memorandum on behalf of the U.S. Soccer Federation, which is eager to secure the 1986 World Cup for the United States. In order for the U.S. to be eligible to host the Cup games, however, certain guarantees must be made to the Federation Internationale de Football Association ("FIFA"). The purpose of Dr. Kissinger's memorandum is to obtain the necessary Federal guarantees from the Executive Branch. In this connection, Dr. Kissinger asserts that:

...the United States has already provided virtually identical guarantees in connection with the 1984 Olympic Games. Thus, it would appear that the Federal Government need do no more in connection with attempting to secure the 1986 World Cup than it has already done in connection with the 1984 Olympics.\*/

The only FIFA proposal which is of significant concern to the Department is point 3.1, which provides as follows:

\*/ This assertion derives from paragraph 1 of an April 27, 1983, legal memorandum which was prepared for Dr. Kissinger by Arnold & Porter and which accompanies his memorandum to Mr. Deaver. The Arnold & Porter memorandum opines that "the guarantees requested by (FIFA)...for the 1986 World Cup can be appropriately issued by the Federal Government under existing U.S. law." Emphasis supplied.

Entry and Exit Permit (Visa)

Distribution of visas without reservation to all officials, players and media representatives who have been accredited by FIFA, regardless of their nationality, race and religion. This should also apply to foreign spectators.

Discussion

For the following reasons, the Department is unable to provide the guarantees in the form which Dr. Kissinger has requested with respect to the issuance of visas:

1. Under existing law,\*/ the Executive Branch is strictly barred from agreeing to issue visas in the manner sought by FIFA, i.e., "without reservation". Thus, under the INA, Congress has mandated that certain aliens not be admitted into the country.\*\*/

Thus, whereas FIFA seeks across-the-board, unrestricted, entry of all officials, players, media representatives accredited by FIFA and foreign spectators, the guarantees given to the 1984 Olympic Committee are procedural only and were specifically fashioned to provide "an efficient, yet convenient manner of documentation while meeting the requirements of U.S. law." Emphasis supplied. (A copy of the 1984 Olympic Committee procedures is attached as Tab B.)

In a nutshell, the 1984 Olympic Committee procedures specify that the National Olympic Committee in each country will submit a list of participants to the appropriate U.S. Consulate which will review the list to determine the admissibility of each applicant under the INA. If an applicant is determined to be excludable under the INA, the examining Consular Officer will consider recommending a waiver of in-

\*/ The entry of aliens into the U.S. is governed by the Immigration and Nationality Act of 1952, as amended, 8 U.S.C. §§ 1101 et seq. (Hereinafter, the "INA".)

\*\*/ The relevant section of the INA is codified at 8 U.S.C. § 1182, which, for example, expressly bars from entry persons who engage in activities prejudicial to the public interest (212(a)(27)); terrorists (212(a)(28)(F)); saboteurs and spies (212(a)(29)); and Nazi persecutors (212(a)(33)). By statute, waivers cannot be granted for aliens found ineligible under sections 212(a)(27), (29) and (33). In addition, it is Department policy not to recommend waivers for those aliens who have personally advocated terrorist activities.

eligibility, where appropriate, but will delete from the list the names of those applicants, if any, who are both excludable and ineligible for waivers. Thereafter, a copy of the list will be stamped approved and returned to the National Olympic Committee representatives, together with advice as to those participants who were found ineligible. The original list will be transmitted to I.N.S. Headquarters in Washington, D.C., which, in turn, will transmit copies to I.N.S. officials at all major U.S. ports of entry. When a participant appears at the port of entry, his name will be checked on the approved list against his Olympic identification card.

It bears particular emphasis that the 1984 Olympic Committee procedures--unlike the requested FIFA guarantees--apply only to participants, i.e., foreign spectators and media representatives would still have to apply individually for visas to attend the 1984 games.

Finally, the INA does not permit the U.S. to deny visas on the basis of nationality, race or religion. Accordingly, Dr. Kissinger can assure FIFA that such factors would not constitute grounds for denial in any event.

#### Recommendation

I recommend that you advise the White House that although the U.S. cannot guarantee FIFA that visas will be issued without reservation, the Department is, however, willing to extend to FIFA guarantees similar to those set forth in the arrangement with the 1984 Olympic Committee, assuming I.N.S. agreement. (See Tab C.)

#### Attachments:

- Tab A - Memorandum from Mr. Roberts (April 29, 1983).
- Tab B - Joint Letter (INS-State) to Olympic Organizing Committee (December 14-15, 1982).
- Tab C - Proposed revision of guarantee.

Clearances: CA - Mr. Fritts  
CA/VO - Mr. Scully } *by JDC*

Drafted:L/CA:JGHergen:nmc  
632-2672

THE WHITE HOUSE  
WASHINGTON

April 29, 1983

DR  
cc DM  
LICA  
A

MEMORANDUM FOR DAVIS R. ROBINSON  
LEGAL ADVISER  
DEPARTMENT OF STATE

FROM: JOHN G. ROBERTS *JGR*  
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: 1986 World Cup

Attached is the material we discussed briefly this morning. It appears that only item 3.1 is of particular concern to the State Department, but naturally we would welcome any comments on the other items as well. We need an answer for Dr. Kissinger on the entire package by Monday, so I would be grateful for whatever guidance you can provide as soon as possible.

Many thanks.

Attachment

April 28, 1983

MEMORANDUM

TO: The Honorable Michael Deaver  
FROM: Henry A. Kissinger  
RE: 1986 World Cup

As you have been informed, I have recently agreed to be the Chairman of a group acting under the auspices of the United States Soccer Federation which is seeking to secure the 1986 World Cup for the United States. The Federation Internationale de Football Association ("FIFA") has set forth detailed requirements which must be met before FIFA will consider the application of a nation to host the 1986 World Cup. The United States Soccer Federation submitted a preliminary proposal to FIFA which was rejected for alleged "technical deficiencies." Frankly, the presentation left something to be desired, partly because an adequate committee had not been formed. It was at this point that I was asked to assume the chairmanship and I have just put together a group of distinguished citizens. The group includes Don Kendall, Paul Sticht, David Mahoney, Phillip Caldwell, Steve Ross and many others. We have now

revised the presentation fundamentally and, with great effort, the United States Soccer Federation has persuaded FIFA that, notwithstanding the alleged "technical deficiencies" in the United States' proposal, FIFA should send a delegation to the United States to review our capabilities to host the 1986 World Cup. We are informed that a delegation from FIFA will arrive here sometime early next week.

If the United States is to have any chance at all to host the 1986 World Cup (and we face an uphill fight), it is imperative that the organizing committee be in a position to provide the FIFA visiting delegation on or before its visit with a complete proposal which complies in all respects with FIFA requirements. We believe we are now in a position to do that with regard to all but one group of FIFA requirements, specifically the guarantees from the Federal Government.

I am writing this memorandum to you in order to secure the needed Federal guarantees so that a complete proposal can be provided to FIFA on or before the delegation's visit. I have attached at Tab A to this

memorandum a list of the governmental guarantees as set forth in the FIFA terms of reference for the 1986 World Cup. I have attached at Tab B a memorandum prepared by the law firm of Arnold & Porter which discusses each of those guarantees and indicates why the United States can provide the guarantees needed from the Federal Government under existing law. Indeed, as set forth in the Arnold & Porter memorandum, it is our understanding that the United States has already provided virtually identical guarantees in connection with the 1984 Olympic Games. Thus, it would appear that the Federal Government need do no more in connection with attempting to secure the 1986 World Cup than it has already done in connection with the 1984 Olympics.

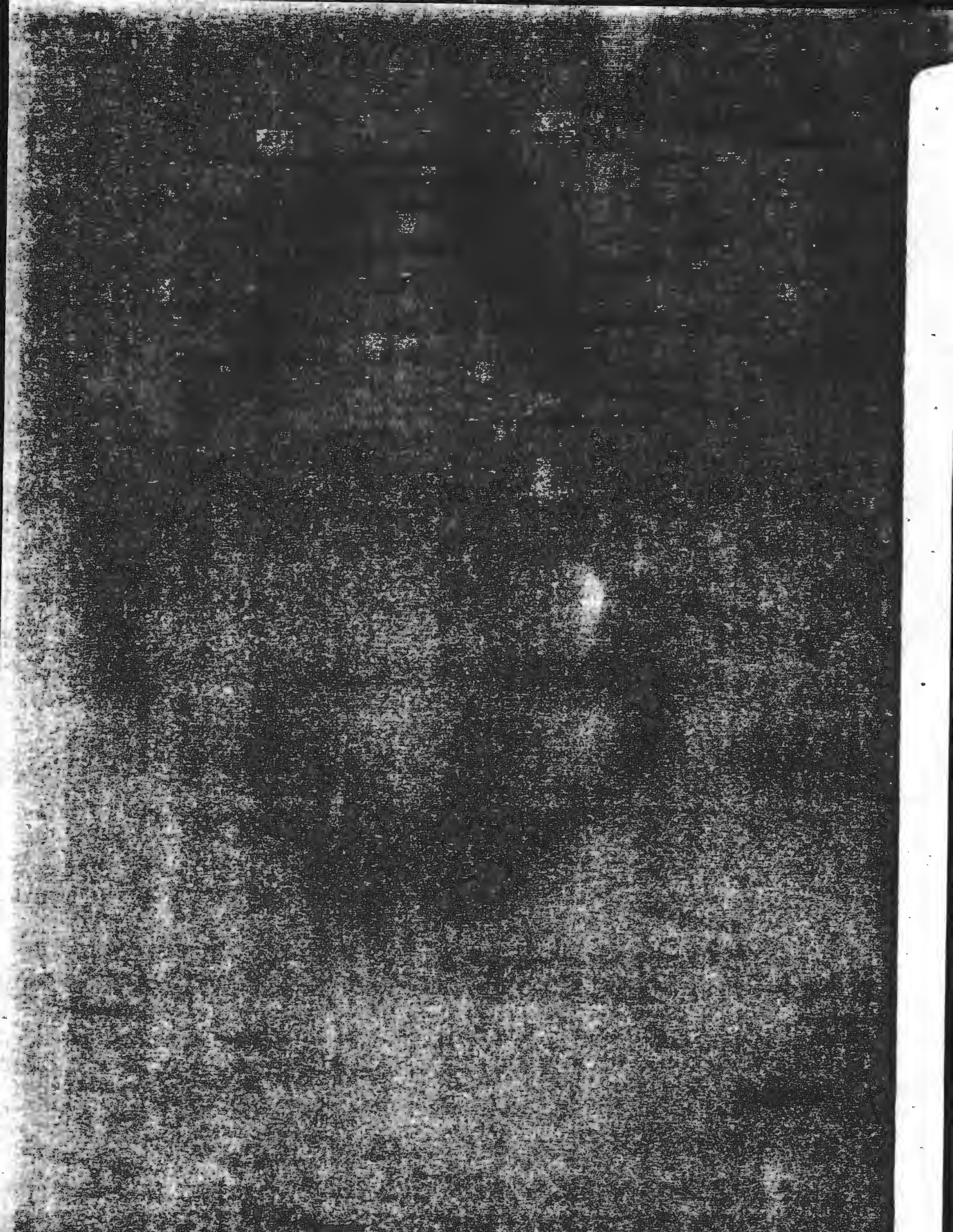
I have attached at Tab C a proposed document that would be appropriate for the United States Government to issue to provide FIFA with the requested guarantees. While it shall, of course, take some time to work out the details necessary to effectuate the guarantees, it is my belief that the issuance of the attached document should reasonably satisfy FIFA that the United States

Government can meet the guarantees requested by FIFA.

I and the United States Soccer Federation are very grateful to you<sup>m</sup> for your assistance in attempting to secure the needed guarantees. Obviously, in view of the forthcoming visit by the FIFA delegation, we need not only your assistance in having the attached document issued, but also your assistance in having it issued as soon as possible. For the document to have any effect, we must receive it prior to the visit of the FIFA delegation early next week.

Members of the organizing committee, representatives of Arnold & Porter and I will be happy to provide you any additional information or assistance that you may require.





### 3. Government Guarantees

The guarantees to be made by the government cover the following sectors:

#### 3.1 Entry and Exit Permit (Visa)

Distribution of visas without reservation to all officials, players and media representatives who have been accredited by FIFA, regardless of their nationality, race and religion. This shall also apply to foreign spectators.

#### 3.2 Customs

Free import and export:

- a) of personal equipment;
- b) of technical equipment of players and officials;
- c) of the media representatives' technical equipment (cameras, video recorders, lighting material etc.);
- d) of medical apparatus and pharmaceutical products
- e) of food;
- f) of all other technical accessories for the organisation of the World Cup (copying machines, typewriters, photofax, telex etc.)

#### 3.3 Security

Security is a matter for the State.

General security and personal protection are the No.1 commandment of a worldwide competition, particularly at airports, hotels, training grounds and in the stadia. This also includes the personal protection of all players, officials, media representatives and spectators before, during and after the matches as well as guaranteeing security and protection during domestic travel.

### 3.4 Bank and Foreign Exchange Operations

This is an important point because it directly concerns the financial value of the FIFA World Cup. The Government must - either directly or through the national bank - make a declaration guaranteeing the free import and export of all foreign exchange in the organising country as well as the exchange and re-conversion of this foreign exchange into hard currency (US\$ or Swiss francs). A re-conversion of the different currencies should equally be possible within the country under the internationally recognized conditions on the foreign exchange market. Moreover, a written authorization must be given by the respective governmental authorities enabling all payments abroad at the official rate.

If other laws are in force, these shall be repealed or modified for the duration of the World Cup.

### 3.5 Telecommunications

The government shall guarantee the existence (or the measures to be taken for the construction) of an international telecommunications network for telephone, telex, radio and television. Moreover, it shall see that a specific centre be set-up for the World Cup where these communications media can be concentrated (Telecommunications Centre).

The description of such a centre is enclosed with this report.

### 3.6 Transportation

One shall have to determine whether the domestic transport system and the national transport network are capable of preparing the necessary installations and means on time for the technical staging of a World Cup.

ENCLOSURE

3.6.1 Each subseat must have an airport, the construction and security of which must answer IATA specifications. Moreover, it must have landing capacity for jet traffic.

3.6.2 Existing rail connections between the subseats.

3.6.3 Existing road connections between the subseats

### 3.7 Price Politics

Prices for hotels and other accommodation for all people accredited by FIFA shall be frozen as from 1.1.86. It shall equally be established by governmental decision that rooms must only be paid for the number of days of effective use.

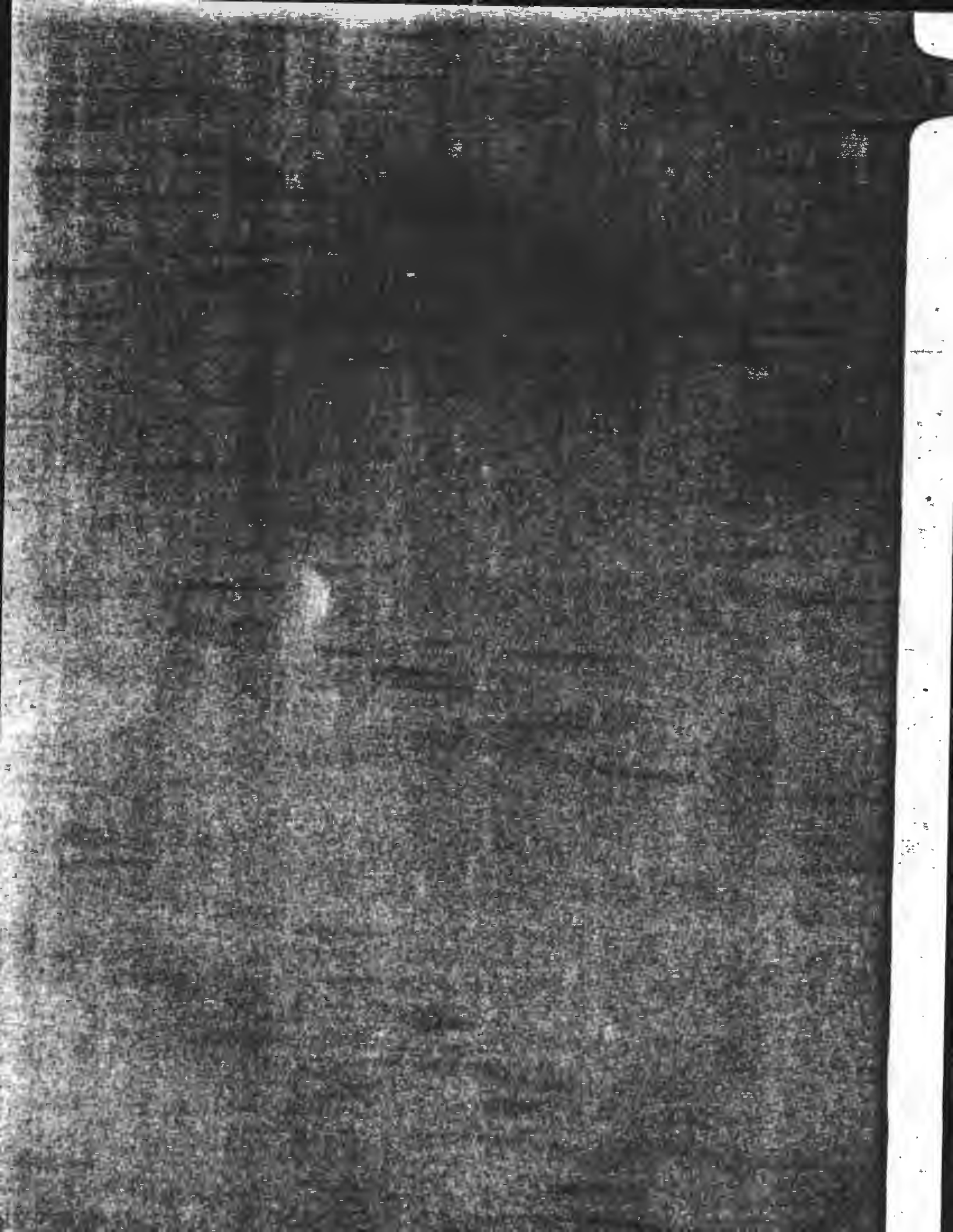
3.8 Guarantee for the playing of national anthems of the participating teams and the hoisting of the respective national flags.

### 3.9 State Taxes

Guarantees that state, provincial and municipal taxes on gate receipts must not exceed a total of maximum 15%.

3.10. Guarantee that organisations in charge of domestic sales shall not demand more than a 10% commission on ticket sales.

These 10 points show that prior to a FIFA World Cup, a country's government must take a series of decisions of national importance. Thus, special laws, orders or decrees must be promulgated to guarantee the basis for the organisation and execution of a football World Cup.



April 27, 1983

M E M O R A N D U M

TO: Dr. Henry A. Kissinger  
United States Soccer Federation

RE: 1986 World Cup

Based on a review of relevant existing law and regulations, and our conversations with responsible government officials, it is our opinion that the guarantees requested by the Federation Internationale de Football Association ("FIFA") in the terms of reference for the 1986 World Cup can be appropriately issued by the Federal Government under existing U.S. law. We have discussed each of the pertinent requirements below.

1. Entry and Exit Permits (Visa). Distribution of visas to accredited athletes, officials and media representatives can be handled under existing law pursuant to an interagency agreement between the Immigration and Naturalization Service and the Department of State, with the participation of the appropriate law enforcement agencies. Such an interagency agreement already exists to govern the distribution of visas for the 1984 Los Angeles Olympic Games. Under that agreement each

national olympic committee submits to the local American Consulate a single list of the athletes, trainers and officials who will be traveling to the United States for the games. Once the list is approved, all that is required for entry into the United States is a travel document (such as a passport) and accreditation from the National Olympic Committee. Representatives of the Department of State have assured us that a similar arrangement could be worked out for the World Cup.

Foreign spectators should be able to enter the United States without difficulty as Visitors for Pleasure (visa classification B-2), indeed, without advance application abroad.

2. Customs. Existing customs regulations are adequate to assure the free movement of the property and equipment required by players and media representatives.

In particular:

(a) Personal equipment may be brought into the United States duty free. See, e.g., Tariff Schedules of the United States Annotated Schedule 8, part 2, item 812.10 (1983).

(b) Technical equipment of players and officials, if not technically qualified as personal equipment under Item 812.10 of

Tariff Schedule 8, can be imported free of duty under bond for their exportation within one year. Tariff Schedules Annotated, Schedule 8, part 5, Item 864.50 (1983).

(c) Media representatives' technical equipment can also be imported into the United States duty free under Tariff Schedule 8, Item 864.50. The requirement of a bond may be satisfied by the presentation of a "carnet" 19 C.F.R. § 114.3 (1982).

(d) The importation of medical apparatus would fall under the sections previously mentioned. The importation of pharmaceutical products is under the control of the Drug Enforcement Administration ("DEA"). The DEA will issue a permit for the importation of pharmaceutical products required by the World Cup teams upon application by the team medical advisors.

(e) Processed food may be admitted into the United States.

(f) Technical accessories for the organization of the World Cup would fall under the duty-free classifications for technical equipment and tools of trade mentioned above.

3. Security. Security arrangements fall under the jurisdiction of various federal, state and local agencies. Appropriate security arrangements can be provided by the establishment of a coordinating committee in the White House of local, state and federal officials.



This procedure has been utilized for the 1984 Los Angeles Olympic Games; a security committee of representatives from 13 federal, state and local agencies chaired by a senior White House official has been organized to ensure appropriate security for the Los Angeles games.

4. Bank and Foreign Exchange Operations. Under existing United States law, there is no duty on the import and export of foreign exchange and no limit on the amount of foreign currency which can be brought into or taken out of the United States. In addition, foreign currencies can be purchased in the United States without restriction under the internationally recognized conditions of the foreign exchange market.

5. Telecommunications. The required guarantee for telecommunications does not appear to raise questions since the United States has in place the necessary telecommunications systems.

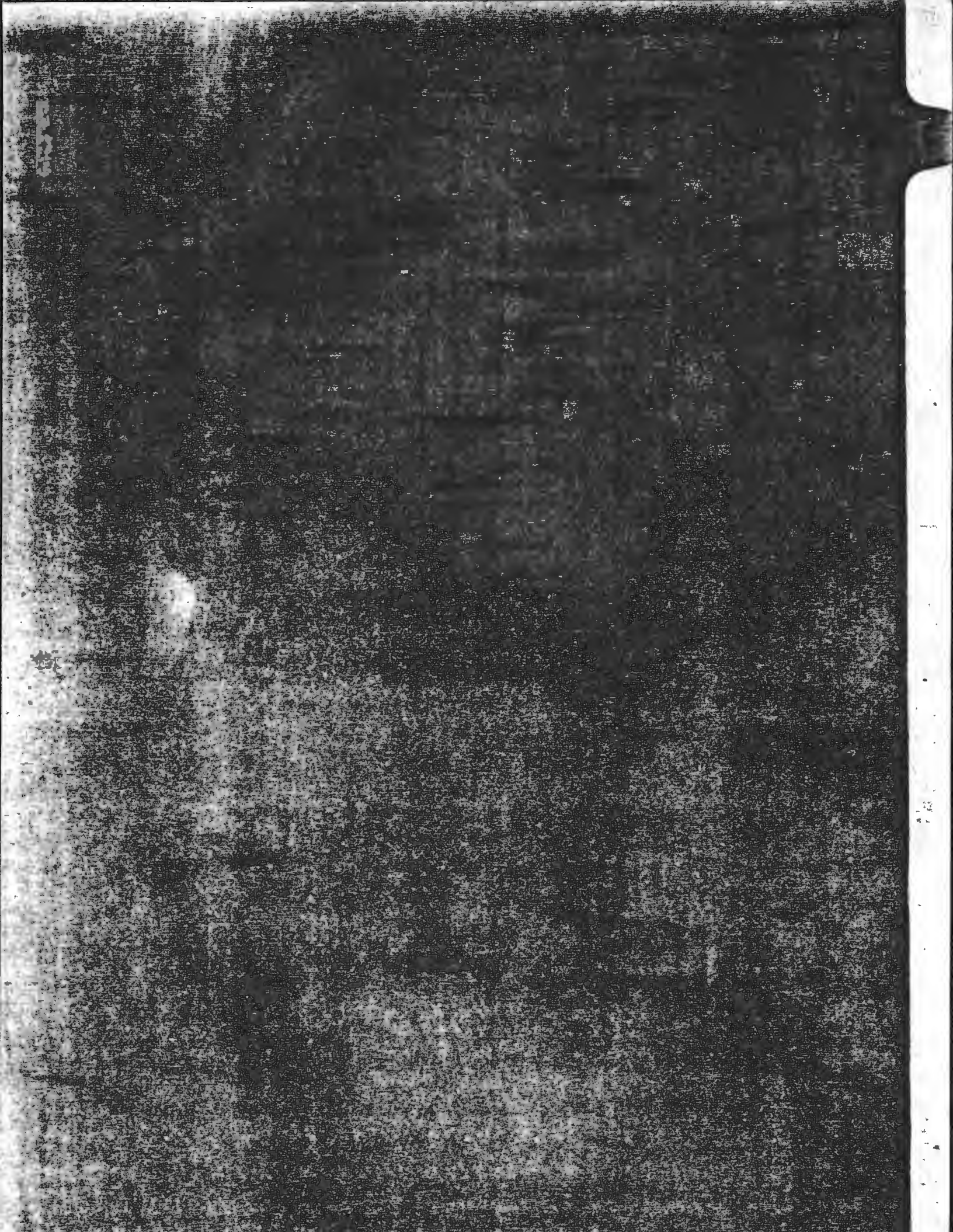
6. Transportation. The required guarantee for transportation does not appear to raise questions since the United States has in place the required transportation systems.

7. Price Politics. The guarantee for "price politics" involves issues which arise under state and local law and do not involve the Federal Government.

8. There is no U.S. law which would prohibit the playing of national anthems or hoisting of national flags at World Cup events.

9. State Taxes. The guarantee with respect to state taxes does not involve the Federal Government.

10. The guarantee with respect to commissions is the responsibility of the World Cup Organizing Committee and not the Federal Government.



MEMORANDUM

TO: Federation Internationale de Football Association

RE: 1986 World Cup

We have reviewed on behalf of The United States Government the specific requirements for Government Guarantees listed in the Terms of Reference for the Organizing Football Association issued for the 1986 FIFA World Cup. As stated by President Reagan, the United States Government supports the efforts of the United States Soccer Federation to secure the 1986 World Cup for the United States. To that end, the United States Government wishes to make clear that it is committed to and can under existing law meet all government guarantees required in the FIFA document. Indeed, the United States Government has issued virtually identical guarantees in connection with the 1984 Olympic Games.

It is the intention of the United States Government to comply with each of the guarantees set forth in the Terms of Reference as follows:

1. Visas. Visas will be issued without reservation pursuant to procedures to be developed by the Department of State and Immigration and Naturalization Service.

2. Customs. Free import and export of each item specified in the terms of reference is permitted under existing law and will be coordinated by the Department of the Treasury.

3. Security. A committee of appropriate federal, state and local officials will be established under the auspices of the Executive Office of the President to ensure security.

4. Banks and Foreign Exchanges. Under existing United States law, there is no duty on the import and export of foreign exchange and no limit on the amount of foreign currency which can be brought into or taken out of the United States. In addition, foreign currencies can be purchased in the United States without restriction under the internationally recognized conditions of the foreign exchange market.

5. Telecommunications. The United States has in place more than adequate telecommunications networks

necessary for the World Cup. The World Cup Organizing Committee will establish a communications media center.

6. Transportation. The United States has in place more than adequate domestic transportation systems necessary for the World Cup.

7. Price Politics. The authority to provide these guarantees rests with appropriate state and local governments.

8. There are no United States laws which preclude the playing of national anthems or the hoisting of flags of the participating countries at World Cup events.

9. State Taxes. The authority to provide these guarantees rests with appropriate state and local governments.

10. The World Cup Organizing Committee will be responsible for ensuring that commissions on ticket sales comply with the requested guarantee.

The foregoing complies in full with the Government Guarantees required from the United States Government requested for the 1986 FIFA World Cup.



UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
WASHINGTON, D.C. 20536

13  
PLEASE ADDRESS MAIL

AND REFER TO THIS

OFFICE OF THE COMMISSIONER

Mr. Harry Usher,  
Executive Vice-President  
and General Manager  
Olympic Organizing Committee  
Los Angeles, Ca 90084

Dear Mr. Usher:

Representatives of the Immigration and Naturalization Service, Department of Justice, and the Bureau of the Consular Affairs, Department of State, have given careful joint consideration to visa and inspection procedures to be employed with respect to non-U.S. citizen participants in the 1984 Olympic Games at Los Angeles. These procedures, outlined in summary below, are recommended as representing an efficient, yet convenient manner of documentation while meeting requirements of U.S. law.

National Olympic Committees

In each participating country, their Olympic Committee representatives will arrange for the preparation, in duplicate, of a list of all non-U.S. citizen participants showing for each the full name, date of birth, and nationality. The list will be furnished to the appropriate United States Consulate as much in advance of the participants departure as possible. Any changes or substitutions to the list must in any event be made 14 days prior to arrival in the U.S., in accordance with Olympic regulations.

United States Consular Official

The United States Consular Official will receive the list and will thereafter, in a regular but expeditious fashion, determine the admissibility as a non-immigrant of each participant on the list. It is possible that some participants may be determined to be excludable from the United States in accordance with law. Waivers, when appropriate, will be considered. The consular official will delete from the list the names of those participants found excludable and not entitled to waivers.

The list will then be visaed by affixing a stamp. A copy of the visaed list will be sent to the National Olympic Committee representatives for that country together with advice as to those participants, if any, who were found ineligible.

The original visaed list will be forwarded to the coordinator at the Immigration and Naturalization Service at its Washington, D.C. headquarters.

The INS Coordinator

The INS Coordinator will copy and distribute the list to all major United States ports of entry.

The L.A. Olympic Organizing Committee

The Los Angeles Olympic Committee will issue the sequential Olympic identification cards.

Special note must be taken of last-minute or unusual situations in which Olympic identification cards are issued to participants not on the consular officers' approved list. In such cases, it will be necessary for those persons to obtain individual visas and if necessary, individual waivers.

The INS Inspecting Officer

At the United States port-of-entry, the INS inspecting officer will inspect and admit bona-fide holders of Olympic identification cards whose names are included on the approved list. The officer will also inspect and admit bona-fide holders of Olympic identification cards who, while not on the list, also hold individually issued visas and, if necessary, individually issued waivers. Participants will also be asked for their home country passport, in accordance with International Olympic regulations.

In any instance where there is doubt as to admissibility, the INS primary inspector will refer the delegate to a secondary inspector for further examination. Appropriate advance notifications of the teams' make-up should minimize such referrals.

The procedures described above represent, we believe, a reasonable and proper balance between recognition of this outstanding international event and convenience to its participants on the one hand and adherence to the immigration laws and the security of the United States on the other. You will note that the need for individual visa application and issuance has been avoided in favor of the consular officers' approved list which will cover the great majority of the participants.

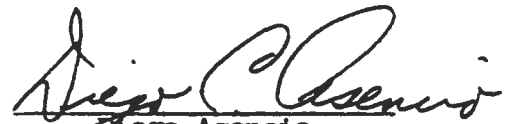
We are confident that this plan will meet with your approval as well as that of the International Olympic Committee. We shall look forward to your response and technical comments.



Alan C. Nelson  
Commissioner

Immigration Naturalization Service  
Department of Justice

12/15/82  
(date)



Diego Asencio  
Assistant Secretary  
Consular Affairs  
Department of State

12/14/82  
(date)



- 2
1. Visas. Visas will be issued without regard to nationality, race and religion. Visas for eligible players and officials will be issued pursuant to procedures to be developed by the Department of State and the Immigration and Naturalization Service. Media representatives who have been accredited by FIFA and foreign spectators may apply individually for appropriate visas.

THE WHITE HOUSE

WASHINGTON

May 3, 1983

MEMORANDUM FOR MICHAEL K. DEEVER  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *Orig. signed by FFF*  
COUNSEL TO THE PRESIDENT

SUBJECT: 1986 World Cup

By memorandum to you dated April 28, 1983, Henry A. Kissinger sought to secure the federal government commitments required by the Federation Internationale de Football Association (FIFA) for consideration of the United States Soccer Federation's bid to host the 1986 World Cup. Dr. Kissinger attached a proposed memorandum to FIFA (Tab C of the Kissinger memorandum) indicating how the United States intended to comply with FIFA's ten requirements. Based on our review of existing law, several changes must be made in the proposed draft.

On page 1, the last three sentences must be deleted. As will become evident, the U.S. cannot meet all of the demanded guarantees. In addition, the Department of State has advised that the guarantees issued with respect to the Olympics do not, as the memorandum from Arnold & Porter suggests, comply with FIFA's demands.

Item 1, visas: The State Department suggests the following language: "Visas will be issued without regard to nationality, race and religion. Visas for eligible players and officials will be issued pursuant to procedures to be developed by the Department of State and the Immigration and Naturalization Service. Media representatives who have been accredited by FIFA and foreign spectators may apply individually for appropriate visas." State is willing to accord FIFA and the World Cup the same treatment as the Olympics, but the agreement in place for the Olympics only deals with procedures for processing visa applications, not guarantees concerning eligibility. I have attached for your reference a copy of the Olympics agreement concerning visas.

Item 2, customs: This should be changed to read: "Import and export of each item specified in the terms of reference is permitted free of duty under existing law and will be coordinated by the Department of the Treasury." Posting of

a bond may be required for certain items under existing law, so we technically cannot guarantee free import and export. Legislation has been proposed to remove the bond requirement for the Olympics, and Treasury would support similar legislation for the World Cup.

Item 3, security: I would delete "under the auspices of the Executive Office of the President." It would make more sense for such a committee to be based in the Department of Justice.

Items 4, 5, and 6: no objection.

Item 7: "The authority . . ." should be changed to "Any authority . . .".

Item 8: no objection.

Item 9: "The authority . . ." should be changed to "Any authority . . .".

Item 10: no objection.

The last sentence is not only conclusory but erroneous and should be deleted.

Presupposing that this is something that we want to support, acknowledging that HAK may not be doing this "gratis" and has already told the press that "we have the full support of the White House that the Olympic provisions will also apply to this World Cup" and "just the paperwork" remains, the foregoing may be the solution.

Query: who should sign the memorandum?

FFF:JGR:aw 5/3/83

cc: FFFielding  
✓ JGRoberts  
Subj.  
Chron

THE WHITE HOUSE

WASHINGTON

May 4, 1983

MEMORANDUM FOR MICHAEL K. DEEVER  
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING   
COUNSEL TO THE PRESIDENT

SUBJECT: 1986 World Cup

We have reviewed the above noted information which was furnished by Henry A. Kissinger and have no objections from a legal standpoint. Please refer to my memo to you of May 3, 1983 for detailed comments.

FFF:kkk

bcc: FFfielding  
JGRoberts  
Subject  
Chron