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THE DOCUMENT No. I

DIVIDED SPOUSES' RIGHTS VIOLATION IN THE SOVIET UNION.

The main problem is the denial of the right of spouses to reunite their families in the country of their choice, i.e. the refusal of the Soviet authorities to permit Soviet spouses to leave the USSR to join their wives, husbands and children, and, in some cases, to permit foreign spouses to come to the USSR.

In some cases this process is going on for many years and all sides of these people's life ^{have} become affected by this tragic situation, i.e. the impossibility for spouses to live together and the necessity to live apart in countries with different social and political systems.

This document does not attend to the problem itself of entry-exit to and from the USSR for family reunification, but violation of a number of basic human rights coming from the position of divided spouses in the USSR. The Document does not include all existing problems and all individual cases, but has an aim to draw the outline of class of these problems and to give a general idea of violation of the rights of divided spouses in the USSR on the following questions:

1. The Right to enter a marriage and to make a family.
2. The Protection of personal life ;
the Right of the family to enjoy the protection of the state:
 - a) the Right of spouses to have children; the Right of parents to raise their own children and to protect their interests;
 - b) the Right of spouses to freely choose their place of residence in either of countries they come from;
 - c) the Right of spouses to live together, to have a mutual household and to decide jointly all questions concerning the family life;
 - d) the Right of spouses to choose freely one's occupation, trade or profession;
 - e) the Right of spouses to support financially their children and each other.
3. The Protection of Honor, Dignity and Name.
4. The Inviolability of the Home.
5. The Protection of Personal Freedom and Inviolability;
the Privacy of personal papers and notes;
the Freedom of meetings and demonstrations.
6. The Privacy of correspondence and telephone conversations.
7. The Protection of Human Life and Health.
8. The Right to appeal against actions of officials, state and social organisations.

It is necessary to note, that in all cases of violation of human rights connected with position of divided spouses, one of whom resides in the USSR, not only the right of Soviet citizens, but the rights of their foreign wives, husbands[†] children as well, are being infringed. According to the Soviet Constitution foreigners in the USSR enjoy all the personal rights including the right to have family and protect it's rights and interests.

The materials used:

The Declaration of Human Rights of U.N.

The Final Act of Helsinki Agreement

The Constitution of the USSR

(more)

The Fundamentals of Civil Legislation of the USSR

The Fundamentals of Legislation of the USSR and the Union Republics on Marriage and the Family

The Russian Republic Code on Marriage and the Family

"Ten Years after Helsinki"- The Report of the Soviet Committee for European Security and Cooperation, Progress Publishers, Moscow 1985 (in English)

N. Malein, Civil Law and the Protection of Personal Rights in the USSR, Progress Publishers, Moscow 1985 (in English)

The Legal Status of Foreigners in the USSR

The complete text of The Document is following in Russian.

Документ № I

НАРУШЕНИЕ ПРАВ РАЗДЕЛЕННЫХ СУПРУГОВ В СССР.

Главным нарушением прав разделенных супругов является отказ в воссоединении их семей, т.е. отказ советской администрации советским гражданам в выезде из СССР к их мужьям или женам, и, в отдельных случаях отказ иностранным гражданам во въезде в СССР. Поскольку этот процесс в большинстве случаев длится многие годы, все стороны жизни супругов оказываются в зависимости от этой трагической ситуации, т.е. невозможности супругов жить вместе и необходимости жить порознь в странах с разным социальным и политическим строем.

Данный документ не рассматривает саму проблему въезда и выезда из СССР с целью воссоединения семьи, а ряд нарушений основных прав человека, связанных с положением разделенных супругов в СССР. Он не охватывает весь круг проблем и все индивидуальные случаи, но ставит своей целью на наших собственных примерах, а также ряде известных нам случаев очертить круг этих проблем и дать основное представление о нарушении прав разделенных супругов по следующим вопросам:

1. Право на вступление в брак и создание семьи.
2. Право на личную жизнь и на защиту интересов семьи:
 - а/ право супругов иметь детей и защищать их интересы; право родителей растить своих детей и участвовать в их воспитании;
 - б/ право супругов на выбор места жительства;
 - в/ право супругов на совместное проживание, ведение семьей общего хозяйства и совместное решение вопросов жизни семьи;
 - г/ право супругов на свободный выбор занятий и профессии;
 - д/ право супругов на материальную поддержку друг друга.
3. Право на защиту чести и достоинства.
4. Право на неприкосновенность жилища.
5. Право на личную свободу и неприкосновенность, право на документы личного характера, право на проведение собраний и демонстраций.
6. Право на тайну переписки, телефонных переговоров и телеграфных сообщений.
7. Право на охрану здоровья.
8. Право на обжалование действий должностных лиц, государственных и общественных органов.

Необходимо обратить внимание, что во всех случаях нарушения прав человека, связанных с положением разделенных супругов, один из которых проживает в СССР, нарушаются права не только советских граждан, но и права их супругов и детей, граждан других стран. Согласно Конституции СССР иностранцы в СССР имеют все права, наравне с советскими

личное

гражданами, включая право на семью и защиту интересов семьи.

Для составления данного документа были использованы:

Всеобщая Декларация прав человека..

Заключительный акт Хельсинских соглашений.

Конституция СССР.

Основы гражданского законодательства Союза ССР и союзных республик.

Основы законодательства о браке и семье Союза ССР и союзных республик

Кодекс о браке и семье РСФСР.

"Десять лет после Хельсинки" - доклад Советского комитета за европейскую безопасность и сотрудничество", "Прогресс", Москва 1985 / на англ.яз./.

Н.С.Малеин Охрана прав личности советским законодательством, "Наука" Москва 1985 г./ на англ.яз./.

Закон СССР " О правовом положении иностранных граждан в СССР

I.Право на вступление в брак и создание семьи.

Ст.16 Всеобщей Декларации прав человека, ст.53 Конституции СССР, Основы законодательства СССР о браке и семье, другие советские законы, законы всех цивилизованных стран и международные соглашения гарантируют одно из основных прав гражданина любой страны, без всяких ограничений по признаку расы, национальности или религии вступать в брак и основывать семью.

Согласно советскому закону советские граждане имеют право вступать в брак с иностранными гражданами.

Ст.16 Кодекса о браке и семье РСФСР предусматривает, что не допускается заключение брака: между лицами, одно из которых уже состоит в другом браке; между родственниками, между усыновленными и усыновителями; между лицами, одно из которых признано судом недееспособным. Кроме вышеназванных условий, закон не устанавливает каких-либо иных ограничений.

Во всех случаях разделенных супругов их брак оформлен и признан в соответствии с внутренним законодательством СССР, но их семьи лишены фактического права на существование. Существует не менее двадцати таких советско-американских семей, среди них: Матвей Финкель и Сюзан Грэхем, Соня Мельникова-Эйхенвальд и Майкл Лавинь, Светлана и Кит Браун, Галина Гольцман-Михельсон и Анатолий Михельсон, Юрий Баловленков и Елена Кузьменко-Баловленкова, Владислав Костин и Елена Гостило, Сергей Петров и Вирджиния Джонсон, Нина Смит и Майк Смит, Елена Каплан и Гари Таланов, Виктор Фаермарк и Андреа Вайн и другие. Нам известны аналогичные случаи и в других странах, например супруги Пимановы/ СССР - Дания/, Перельдик / СССР - Перу/, Павленко / СССР - Франция/, Блонские / СССР - Англия/ и многие другие. Кроме того существует ряд случаев, когда граждане СССР и другой страны в установленном порядке подали документы в ЗАГС о вступлении в брак друг с другом, документы были приняты и одобрены, но брак фактически не состоялся, несмотря на отсутствие законодательства препятствия к заключению данного брака.

Такова, например, судьба Виктора Новикова, добивающегося заключения брака с американской гражданкой Элизабет Кондон с 1979г. и Марины Вчерашней и американского гражданина Баркли Россера. Кондон и Россеру не разрешён повторный въезд в СССР для завершения их браков. Ещё один пример история Ольги Михельсон. В 1972г. Ольга и её жених, гражданин Швейцарии Хайнс Хааб, подали документы в загс для регистрации брака. В ночь накануне свадьбы Хайнс Хааб исчез из гостиницы, где он проживал. Как выяснилось впоследствии, он был выслан из СССР без объяснения причин. С тех пор Ольга и Хайнс больше не виделись.

2. Право на личную жизнь. Право на защиту интересов семьи.

Советский закон предусматривает защиту интересов и следующие функции семьи: воспроизводство человека, обеспечение жизни ребёнка, оказание близким людям моральной поддержки, ведение семьёй общего хозяйства и оказание материальной помощи членами семьи друг другу. Ст.56 Конституции СССР закрепляет сферу личной жизни граждан. Это предполагает существование сферы жизни личности, свободной от вмешательства государства и других лиц.

В условиях, когда супруги физически лишены возможности совместного проживания, все функции семьи нарушаются и семья фактически лишается своего права на существование.

а/ Право супругов иметь детей и защищать их интересы; право родителей растить своих детей и участвовать в их воспитании.

Ст.52,54,55 Кодекса о браке и семье РСФСР, ст.13,13*разд.II и ст.18 разд.III Основ законодательства Союза ССР и союзных республик о браке и семье гарантируют право родителей растить своих детей, влиять на их развитие и воспитание и т.п. Это право осуществляется путём личного контакта с ребёнком, возможности совместного проживания и личного влияния и контроля над его поведением.

В ряде семей разделённых супругов имеются или вскоре ожидаются дети. Во всех этих случаях родительские права одного из супругов, советского или иностранного, нарушаются. Отцы, как правило, практически полностью лишены возможности контакта с ребёнком и участия в его воспитании. Без отца растут две дочери Юрия Баловленкова, 7 и 3.5 лет, дочь Владимира Пиманова, дочь Джил Блонски. Вдали от мужа ожидает рождения ребёнка Сюзан Грэхем. Сын бывшего члена нашей группы, Тамары Третьяковой, сейчас уже воссоединившейся со своим мужем, впервые увидел своего отца, когда ему было 8 лет. Многие пары, несмотря на своё страстное желание, не могут решиться иметь детей, которых ожидает подобное будущее.

б/Право супругов на выбор места жительства.

Ст.19 Кодекса о браке и семье, ст.56 Конституции СССР и ст.II Основ законодательства СССР о браке и семье предусматривают право супругов на совместное решение вопросов жизни семьи, включая место жительства. Ни государство, ни административные органы не могут решать эти вопросы ни за одного из супругов. Это право специфически оговорено Хельсинскими соглашениями.

Все мы, при обоюдном желании наших супругов, выбрали США как место постоянного жительства наших семей. Всем нам в этом было отказано под разными предлогами, часто вообще без каких-либо объяснений и реальных перспектив на будущее.

в/ Право супругов на совместное проживание, ведение семьёй общего хозяйства и совместное решение вопросов жизни семьи.

См. те же статьи законодательства.

В условиях, когда советскому супругу вообще запрещён выезд из СССР, а иностранным супругам лишь в отдельных случаях разрешён въезд в СССР в качестве туриста или гостя /последнее не чаще одного раза в год/, естественно невозможно ведение общего хозяйства. Все вопросы жизни семьи зави-

сят не от самих супругов, а от произвола административных органов.

В октябре 1985г. Светлана Браун обратилась с просьбой разрешить её мужу въезд в СССР в феврале 1986г. Кит Браун, по профессии адвокат, в соответствии с этим взял отпуск. Въезд ему был разрешён, но не в феврале, а в мае, о чём Светлане не было вовремя сообщено. В результате Кит смог приехать только на 10 дней.

Матвей Финкель и Сюзан Грэхем ожидают рождения ребёнка и, естественно, планировали быть вместе при его рождении, надеясь, что Матвеем разрешат временный выезд из СССР по случаю рождения ребёнка, но ему в этом было отказано.

г/ Право супругов на свободный выбор занятий и профессии.

См. те же статьи законодательства.

Большинство из советских разделённых супругов потеряли свою работу по специальности после вступления в брак с иностранными гражданами или возбуждения ходатайства о выезде из СССР.

Соня Мельникова-Эйхенвальд, архитектор, выполняет случайные графические работы. Матвей Финкель, инженер-металлург, в разные периоды занимался починкой зонтиков, продажей сезонных билетов и т.п. Сергей Петров, фотограф, исключён из профессионального союза. Ольгу Михельсон увольняли всякий раз, когда семья возобновляла ходатайство о выезде.

Иностранные супруги вынуждены соглашаться на любую работу в СССР, которая даёт им возможность более длительного пребывания в СССР, чем позволяет гостевая или туристическая виза. Майкл Лавинь, чтобы не разлучаться с женой, оставил карьеру в рекламном агентстве в Сан-Франциско и работал няней у двух детей в семье американского дипломата в Москве. Сюзан Грэхем филолог, также уже три года работает няней в семье иностранного корреспондента.

д/ Право супругов на материальную поддержку друг друга.

Конституция СССР и ст. 25 и 89 Кодекса о браке и семье предусматривают право и обязанность супругов материально поддерживать друг друга.

Материальное положение советско-американских разделённых семей в большинстве случаев почти катастрофическое. Каждый из американских супругов, регулярно поддерживающий телефонную связь со своим супругом, тратит от 300 до 500 долларов в месяц. Советские супруги платят 6 рублей за одну минуту телефонного разговора с США /средняя зарплата в СССР по официальным данным составляет меньше 200 рублей в месяц/. Приблизительная стоимость двухнедельной индивидуальной туристической поездки - 3000 долларов. Официальный механизм, позволяющий помощь советским супругам из-за границы, крайне ограничен. В свою очередь советские супруги, потерявшие работу, лишены как материальной, так и практической возможности помогать своим супругам. Механизм материальной помощи иностранным гражданам из СССР отсутствует полностью. Формально существует право советских граждан выплачивать алименты своим малолетним детям за границей, но это право удаётся осуществить не всем и с большим трудом.

Владимир Пиманов через суд установил своё право на выплату алиментов своей годовалой дочери в Дании. Через год Пиманов обнаружил, что из общей удержанной из его зарплаты суммы его жена ничего не получила. Инюрколлегия СССР подтвердила, что деньги не пересылались, т.к. сумму сочли слишком большой.

Галине Гольцман 66 лет, её мужу, гражданину США Анатолию Михельсону, 68. Они женаты 45 лет, из них они не виделись 30 лет. Галина получает пенсию 80 рублей в месяц, близкую к официальному прожиточному минимуму в СССР. По желанию мужа в октябре 1985г. Галина обратилась в Инюрколлегию СССР с просьбой разрешить ей получать от мужа алименты. Адвокат Викторова вел дело в течение года, заверяла, что дело рассматривается и решается положительно. В сентябре 1986г. Галине было сообщено, что выплата алиментов признана нецелесообразной.

3. Право на защиту чести и достоинства.

Ст.57 Конституции СССР и ст.7 Основ Гражданского законодательства СССР предусматривают защиту чести и достоинства граждан, охраняют граждан от распространения сведений, порочащих их имя, честь и достоинство, а также распространения любых сведений личного, интимного характера против их воли. Если подобные сведения были опубликованы в прессе, то они прессой и должны быть опровергнуты.

Честь и достоинство разделённых супругов нарушаются работниками ОВИР, милиции и прессой. В декабре 1985г. Радио Москва на английском языке, а затем газета "Комсомольская правда" объявили, что брак советской гражданки Елены Каплан и американского гражданина Гари Таланова якобы является фиктивным. Елена Каплан обратилась в газету с опровержением этой информации. Через пять месяцев ей ответили, что информация поступила из ТАСС и газета за неё ответственности не несёт. 15 мая газета "Известия" опубликовала статью "Амуры из госдепартамента". В ней снова заявлялось о фиктивности брака Елены Каплан и о якобы недействительности брака американки Вудкок и советского гражданина Калмыкова, которому, явно в противоречие этому сообщению, вскоре было разрешено выехать в США. О семьях советско-американских разделённых супругов вообще в той же статье сказано что они созданы "не по любви, а в недрах спецслужб и пропагандистских центров /США/". Обе статьи написаны в унижающем, глумливом тоне, оскорбляющем честь и достоинство всех членов разделённых семей. Мы обратились с жалобой и требованием опровержения статьи к автору Д.Великому, редактору отдела капиталистических стран Г.Дейниченко, Главному редактору газеты "Известия" и к секретарю ЦК КПСС Анатолию Добрынину. Мы не получили ответа на эти письма. В телефонном разговоре с одним из нас Г.Дейниченко заявил, что на случай, если мы будем продолжать добиваться опровержения статьи, у газеты уже приготовлен "ещё более неприятный для нас материал".

4. Право на неприкосновенность жилища.

Ст. 55 Конституции СССР гарантирует гражданам СССР неприкосновенность жилища. Это означает, что никто не имеет права без специальной санкции прокурора войти в жилище против воли проживающих там людей.

3 января 1983г. в квартиру Матвея Финкеля явились сотрудники КГБ. Против воли хозяев квартиры они находились там несколько часов, чтобы предотвратить предстоящую встречу Матвея с американским сенатором.

5. Право на личную свободу и неприкосновенность, право на документы личного характера, право на проведение собраний и демонстраций.

Ст.50,54, и 57 Конституции СССР гарантируют гражданам личную свободу и неприкосновенность, право на документы личного характера, право на проведение собраний и демонстраций. Никто не может быть подвергнут аресту или задержанию иначе как на основании судебного решения или с санкции прокурора.

В августе 1986г. Юрий Баловленков, Владимир Пиманов, Галина Гольцман и её восьмилетний внук Анатолий были задержаны на 5 часов органами КГБ в момент передачи в приёмную ЦК КПСС письма на имя М.С.Горбачёва. Всех задержанных подвергли допросу о членах и намерениях Группы Разделённых Супругов.

12 сентября 1986г. Матвей Финкель был задержан милиционерами на месте своей работы. Ему не было предъявлено никакой санкции на арест. Его продержали в милиции 5 часов, где его допрашивали сотрудники КГБ. У него отобрали документы и личные вещи, включая записную книжку. Темой допроса было намерение членов Группы Разделённых Супругов поехать в Ригу для участия в открытой советско-американской конференции, и круг его американских друзей, чьи имена фигурировали в его записной книжке. В следующие 6 дней Матвея повторно подвергли допросам и предупредили, что если Гру

кументы только после окончания Рижской конференции. 12 и 17 сентября 1986 г. Светлана Браун и Соня Мельникова-Эйхенвальд были вызваны в ОВИР под предлогом уточнения их документов. Там вместо работников ОВИР с ними беседовали сотрудники КГБ также об их намерении поехать в Ригу, о друзьях и т.п. Светлане было обещано, что её мужу будет разрешен визит, если она "будет правильно вести себя", т.е. не поедет в Ригу. Соне было сказано, что её вопрос может быть разрешен в ближайшем будущем. Впоследствии руководство ОВИР категорически отрицало, что подобные встречи и беседы могли иметь место, т.к. вопросы въезда и выезда полностью находятся в ведении ОВИР МВД. Обеим недавно снова было отказано в выезде к мужьям.

5 ноября 1986 г. Сергей Петров участвовал в мирной демонстрации за воссоединение семей. Все участники демонстрации были задержаны. Сергей получил максимальное наказание в виде 15 суток тюремного заключения. Ранее Петров уже отбыл 15-ти дневное заключение после задержания при входе в посольство США в Москве.

6. Право на тайну переписки и телефонных переговоров.

Ст. 56 Конституции СССР и Устав Связи СССР предусматривают сохранение тайны переписки и телефонных переговоров и наложение ареста на корреспонденцию и выемку её в почтовых учреждениях только с санкции прокурора или по постановлению суда.

Переписка разделенных супругов крайне затруднена. Некоторые советские граждане вообще не получают писем от своих иностранных супругов. Другие получают их с большим опозданием, часто во вскрытом виде. Соня Мельникова-Эйхенвальд 4 года не получает писем из-за границы. С мая 1986 г. она не получает писем от своего мужа. Во время проживания с женой в Москве Майкл также не получал часть своей корреспонденции. В сентябре 1986 г. супруги направили жалобу Министру связи СССР В. Самшину. Им был обещан ответ и розыск "затерянных" писем в течение месяца, после чего несколько писем выборочно были доставлены, но в принципе положение не изменилось.

Телефонные разговоры между некоторыми супругами часто прерываются.

7. Право на охрану здоровья.

Ст. 42, 43, 57 Конституции СССР закрепляют право граждан на охрану здоровья.

Все члены разделенных семей живут в состоянии постоянного стресса. Полная или временная разлука с супругами, состояние неизвестности, опасности и неуверенности в своем будущем резко отражаются на их здоровье. Семь лет, предшествовавшие воссоединению с мужем, резко повлияли на ухудшение здоровья Тамары Третьяковой, в детстве перенесшей полиомиелит. В результате тяжелого нервного истощения у Елены Каплан развилась ломкость костей, в течение одного года она перенесла несколько переломов конечностей. Соня Мельникова-Эйхенвальд страдает тяжелой формой вегето-сосудистой дистонии, у неё, художника по специальности, резко ухудшилось зрение. У её мужа, Майкла Лавиня, во время пребывания в СССР открылась язва желудка. Анатолий Михельсон страдает тяжелым сердечным заболеванием. Все они находятся в разлуке со своими супругами, в чьей поддержке и уходе во время болезни особенно нуждаются.

8. Право на обжалование действий должностных лиц, государственных и общественных органов.

Ст. 57 и 58 Конституции СССР предусматривают уважение личности всеми государственными органами, организациями и должностными лицами, право на обжалование действий должностных лиц, государственных и общественных органов.

Все супруги множество раз обращались в различные советские государственные, партийные и правовые органы с жалобами на действия ОВИР МВД и на грубое обращение с ними работников ОВИР. Ни на одно из сотен индивидуальных писем не поступило ответа и все они без исключения были пересланы в ОВИР МВД, на который эти жалобы были направлены. Работники ОВИР цинично продемонстрировали эти письма и посоветовали "больше никуда не писать, т.к. письма все равно поступают к ним". На ряд коллективных писем членов нашей группы, направленных в советские правовые органы - Министерство юстиции СССР, Прокуратуру СССР, журналы "Человек и закон", "Социалистическая законность" и т.п., - с просьбой разъяснить существующие законы, регулирующие вопросы воссоединения семей, был получен стандартный ответ, что эти учреждения не компетентны в этом вопросе. Без ответа остались все индивидуальные и коллективные письма в ЦК и МК КПСС. В августе 1986 г. члены нашей группы вместе пришли в приемную МК КПСС за ответом на свое письмо от мая 1986 г. на имя Первого секретаря МК КПСС Ельцина. К нам вышел начальник приемной МК КПСС Толстов и в грубых угрожающих выражениях потребовал, чтобы мы "покинули приемную и больше никогда там не появлялись, т.к. ответа не будет". Зная, что ни один суд не принимает иски против действий ОВИР, работники ОВИР чувствуют себя абсолютно безнаказанными. Типичными выражениями для них являются: "Жалуйтесь куда хотите, хоть Горбачеву, нам все равно, а вам будет только хуже", "У нас для вас нет законов."

К сожалению последнее высказывание начальника Всесоюзного ОВИР МВД Кузнецова по-видимому является горькой правдой - в СССР для нас нет законов, во всяком случае законов, которые выполняются.

10

**TO THE DELEGATES OF THE VIENNA CONFERENCE ON THE OBSERVANCE
OF HELSINKI AGREEMENTS FROM THE SOVIET-AMERICAN DIVIDED
SPOUSES COALITION**

**14 November, 1986
Moscow, USSR**

We - Soviet husbands and wives of American citizens who have been denied the right to join our families in the United States - appeal to you to attend in a positive and constructive way to the Soviet proposal to hold a conference on human rights in Moscow.

In order to provide for the actual possibility to discuss openly and honestly the existing cases of violation of human rights, our families' situation in particular, guaranteed conditions should be granted that we and our American spouses could meet with members of the official delegations, groups and mass media representatives, if and when the Moscow Conference takes place.

We applaud the efforts of the participants in the Conference aimed to support the struggle of the families who seek reunification. We believe that during the discussion of Moscow as a place for the forthcoming Conference on Human Rights our participation there must be given special attention. We have appealed to Mr. Shevardnadze, USSR Minister of Foreign Affairs, to the same effect already.

Sincerely yours,

Sonia Melnikova-Eichenvald
Svetlana Braun
Galina Goltzman-Michelson
Matvey Finkel
Victor Faermark
Marina Vcherashnyaya
Dmitri Vlasenkov

for the Divided Spouses Coalition

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

"Dobriansky"
FILE Div.
Spouses
7607

December 23, 1986

INFORMATION

MEMORANDUM FOR JACK COURTEMANCHE

FROM: RODNEY B. MCDANIEL *Rd for*
SUBJECT: Letter to Mr. & Mrs. Graham

Mr. & Mrs. Graham have written a letter to Mrs. Reagan regarding the emigration to the US of their daughter's husband, Matvey Finkel, a Soviet citizen. The President met with Mr. & Mrs. Graham in Spokane, Washington, on October 31 -- and a letter is being sent to the Grahams from the President. Therefore, a letter from Mrs. Reagan on the same subject is not necessary.

Attachments

Tab A Incoming Correspondence

THE WHITE HOUSE
WASHINGTON

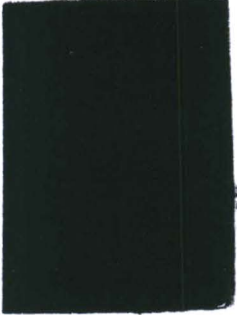
12
10/8/86

TO: Frank Levin

FROM: Jack L. Courtemanche
Chief of Staff to the First Lady
and Deputy Assistant
to the President
456-2957

SUBJECT: Iceland

The attached is for you:

- | | |
|--|--|
| <input type="checkbox"/> Information | <input type="checkbox"/> Review & Comment |
| <input type="checkbox"/> Direct Response | <input checked="" type="checkbox"/> Appropriate Action |
| <input type="checkbox"/> Draft Letter | <input type="checkbox"/> Signature |
| <input type="checkbox"/> Files | <input type="checkbox"/> Other |
- 

Comments:

Would you please handle. —



HOUSE OF REPRESENTATIVES
OFFICE OF THE MAJORITY WHIP
WASHINGTON, D. C.

THOMAS S. FOLEY
MAJORITY WHIP

October 7, 1986

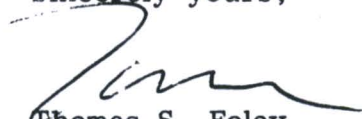
Dear Dave:

Enclosed is a letter to Mrs. Reagan from Mr. and Mrs. Robert Graham of Spokane, WA. They are the parents of Susan Graham-Finkel who is married to a Soviet citizen, Matvey Finkel, with whom she is temporarily residing in Moscow.

Susan is a member of the Divided Spouse Coalition whose desire to be reunited with their Soviet citizen husbands or wives has been a priority concern of our government's human rights discussions with the Soviet Union. Susan and her parents hope that this subject will again be of the highest priority in the President's up-coming meetings with General Secretary Gorbachev and in particular they hope that Mrs. Reagan, should she meet with Mrs. Gorbachev, take the opportunity to bring up this very important issue.

The Grahams have asked that I forward this letter to the White House for Mrs. Reagan's consideration. I hope that you will convey to her and the President my own deep concern on this matter as well as my appreciation for all their past efforts in support of the divided spouses.

Sincerely yours,



Thomas S. Foley
Majority Whip

Mr. David Bockorny
Special Assistant to the President
112 East Wing
The White House
Washington, D.C. 20500

14
UNCLASSIFIED

(Classification)

DEPARTMENT OF STATE
EXECUTIVE SECRETARIAT
TRANSMITTAL FORM

S/S # 8633339

Date: November 21, 1986

FOR: VADM JOHN M. POINDEXTER
National Security Council
The White House

Reference:

To: Mrs. Reagan From: Mr. and Mrs. Graham
Date: October 6, 1986 Subject: Their Daughter Susan is
Married to Soviet Citizen Matvey Finkel, Who Cannot Emigrate
WH Referral Dated: October 23, 1986 NSC ID# 8607607
(if any)

_____ The attached item was sent directly to the
Department of State

Action Taken:

- A draft reply is attached.
 A draft reply will be forwarded.
 A translation is attached.
 An information copy of a direct reply is attached.
 We believe no response is necessary for the reason
cited below.
 The Department of State has no objection to the
proposed travel.
 Other.

Remarks: Paula Dobriansky of the NSC is preparing a reply from the
President to Mr. and Mrs. Graham on the same subject; this reply,
therefore, may not be necessary.

UNCLASSIFIED

(Classification)

Mary D. Haines
for
Nicholas Platt
Executive Secretary

STATE DEPARTMENT
DRAFT REPLY

Dear Mr. and Mrs. Graham:

Thank you for your letter of October 6 to Mrs. Reagan concerning your daughter, Susan, and her husband, Matvey Finkel.

Since you wrote, you have met with President Reagan in Spokane, and Susan has met with Secretary Shultz in Vienna. As the President and the Secretary both emphasized, we have made it clear to the Soviets at all our high-level meetings that the United States places great importance on the issue of American citizens separated from their Soviet spouses. Susan's case is a particularly touching and urgent one, and I assure you that we are actively working to persuade the Soviets to allow Matvey to come to the United States.

Please convey the best wishes of President and Mrs. Reagan to Susan and let her know that we are making every effort to reunite her with Matvey.

Sincerely,

REFERRAL

DATE: 23 OCT 86

MEMORANDUM FOR: DEPT OF STATE

DOCUMENT DESCRIPTION:

TO: MS REAGAN

SOURCE: GRAHAM, ANNA M

DATE: 06 OCT 86

KEYWORDS: USSR

HUMAN RIGHTS

SUSAN, G FINKEL

MP

CONGRESSIONAL

MATVEY, FINKEL

SUBJ: LTR TO MRS REAGAN FM GRAHAM RE DAUGHTER & HUSBAND WHO ARE DIVIDED

REQUIRED ACTION: DRAFT REPLY FOR WH SIG

DUE DATE: 03 NOV 86

COMMENTS:

FOR *Rodney B. McDaniel*
EXECUTIVE SECRETARY

17

Robert H. Graham

E. 1527 Rockwood Blvd., Spokane, WA 99203
(509)535-8348 or (509)292-2680

October 6, 1986

Mrs. Nancy Reagan
The White House
Washington, D. C.

Dear Mrs. Reagan:

I am writing this letter to appeal to you on behalf of my daughter, Susan, who has been married for almost 7 years to a Soviet citizen, Matvey Finkel. Matvey has applied approximately 15 times to emigrate to the United States to live here with Susan, and each time he has been denied permission by the Soviet government. I have enclosed a brief summary of their situation to date.

In December, Susan and Matvey are expecting their first child. Susan has been living in the Soviet Union for three years, but at the end of this month will return to Spokane to have her baby.

This couple and other couples in similar circumstances have tried many ways of resolving their dilemma. Last November when President Reagan and Mr. Gorbachev met, 8 cases such as theirs were resolved. I pray that perhaps you and Mrs. Gorbachev would discuss the Divided Spouses issue with your husbands, that it might be resolved once and for all. If we are to continue to have cultural exchanges between our two countries, we will continue to have Soviet-American marriages.

I want my daughter and son-in-law to be together for the birth of their baby. I want my grandchild to know his father from the beginning of his life, and not as a voice on the telephone or a picture on the mantle. That doesn't seem like a lot to ask. Please help me fulfill this wish.

Sincerely,

Anna Mae Graham

Anna Mae Graham

Matvey S. Finkel
ul. Snezhnaya 6-2
Moscow, USSR
tel: 180 7550

18
Susan R. Graham
E. 1527 Rockwood Blvd.
Spokane, WA 99203
tel: 509 535 8348


Married on 11 December 1979 in Moscow.

We met in 1977 when Susan was studying in Leningrad on an official exchange program. Two years later we were married in Moscow. Matvey first applied to go to the United States on 22 December 1979. Six months later he was informed that his application had been denied. Over the past six years he has been refused permission more than ten times. He has never officially been given a reason, but Susan was told in 1982 his denials were based on one year of compulsory military duty which he served 1972-73, fourteen years ago. This, of course, directly contradicts what Mr. Gorbachev said in his interview with French journalists; he said that cases refused on the basis of state security are resolved in 5-10 years. Matvey was most recently denied permission to emigrate on 16 January 1986.

The first four years of our marriage we lived apart because Soviet authorities persistently denied Susan permission to go to Moscow so that we might live together as a family. Because of the extreme hardship of living apart we persisted in our efforts to be together and in 1983, after the intervention of Congressman Foley and the late Senator Jackson, Susan was allowed to go to Moscow to work as a nanny for an American correspondent. Being together has somewhat eased the anguish of our situation, and yet it is still very difficult because we are not permitted a home of our own, we cannot start a family, we cannot pursue our careers, we cannot live in the country of our own choice.

We ask that you not forget about us and the other divided spouses who share our plight. Please do everything in your power to bring the resolution of these cases.

Sincerely,


Susan R. Graham Matvey S. Finkel

Update: Susan is now pregnant; our child is due in December 1986. Susan will return to the United States in the fall to await our child's birth.

7 July 1986

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

7607

December 18, 1986

SIGNED

ACTION

MEMORANDUM FOR RONALD B. McDANIEL

FROM: PAULA DOBRIANSKY ²¹

SUBJECT: Letter to Mrs. Reagan from Mr. & Mrs. Graham

Attached at Tab I is a memorandum for Jack Courtemanche apprising him that a letter to Mr. & Mrs. Graham regarding the emigration of their daughter's husband, Matvey Finkel, a Soviet citizen, has been sent by the President -- and a letter from Mrs. Reagan on the same subject is not warranted.

~~Matlock~~ ^{GM} ~~Sable, Lavin and Mandel~~ ^{not available} concur.

RECOMMENDATION

That you sign the memorandum at Tab I.

Approve _____

Disapprove _____

Attachments

- Tab I McDaniel/Courtemanche Memo
- Tab A Incoming

LOOK AT THE NOTE

E01

From: NSJFH --CFUA Date and time 12/02/86 17:07:36
To: NSRSM - CPUA

NOTE FROM: Jack Hatlock

SUBJECT: Letter to Gorbachev re Divided Spouses

Following are arguments to use to encourage not sending a letter on this subject:

1. It tends to debase the currency. There have already been quite a few substantive letters, and also quite a few "courtesy" letters to members of Congress and Senators going over there. If too many are sent, all are likely to be ignored.
2. It singles out one case of sixteen for special attention -- not really fair to the others.
3. As for the general problem, it was raised at Reykjavik, and the President gave Gorbachev a list which incidentally included the Graham/Finkel case on it. To send another letter now, without waiting to see the effect of the list, seems premature.

PF1 Alternate PF3 PF2 File NOTE PF3 Keep PF4 Erase PF5 Forward Note
PF6 Reply PF7 Resend PF8 Print PF9 Help PF10 Next PF11 Previous PF12 Return

LOOK AT THE NOTE

E01



4. Therefore, recommend that Embassy Moscow be authorized to inquire about the cases on the list given Gorbachev in Reykjavik -- this would cover the President's promise to "do something" about the matter.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

December 1, 1986

ACTION

MEMORANDUM FOR ALTON G. KEEL

FROM: PAULA DOBRIANSKY²⁾

SUBJECT: Letters to General Secretary Gorbachev
and Mr. & Mrs. Robert Graham

Attached at Tab I is a memorandum for the President forwarding a letter to Mr. & Mrs. Graham (Tab B), whom he met in Spokane, Washington. During this visit, the Grahams appealed to the President to seek the resolution of their daughter's case. Susan Graham has been married to Matvey Finkel, a Soviet national, for seven years. She is expecting a child in December and hopes her husband will be granted an exit visit to leave the Soviet Union before the end of this year.

Also, attached at Tab A is a letter from the President to General Secretary Gorbachev communicating his concern about the Graham-Finkel case. Speechwriters have cleared the text.

Jack Matlock and State concur.

RECOMMENDATION

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

Approve _____ Disapprove _____

Attachments

Tab I	Memo for President
Tab A	Letter to Gorbachev
Tab B	Letter to Grahams
Tab C	Incoming Correspondence

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

February 17, 1987

ACTION

MEMORANDUM FOR GRANT S. GREEN

FROM: PAULA DOBRIANSKY^{PD}
SUBJECT: Letter to Anatoly Michelson

Attached at Tab I is a memorandum for Sally Kelley forwarding the State Department's draft recommended reply, as amended, to Anatoly Michelson in answer to his letters of October 19 and October 24, 1986 concerning his 30-year separation from his wife and daughter.

Walt^{WR} Raymond concurs.

RECOMMENDATION

That you sign the memorandum at Tab I.

Approve _____ Disapprove _____

Attachments

Tab I	Grant/Kelley Memo
Tab A	Draft Reply
Tab B	Background

23

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

7806

MEMORANDUM FOR SALLY KELLEY

FROM: GRANT S. GREEN

SUBJECT: Reply to Anatoly Michelson

Attached at Tab A is the State Department's draft recommended reply, as amended, to Anatoly Michelson in response to his letters of October 19 and October 24, 1986 concerning his 30-year separation from his wife and daughter.

Attachments

Tab A Draft Reply
Tab B Background

24

STATE DEPARTMENT
DRAFT REPLY

Dear Mr. Michelson:

Thank you for your letters of October 19 and October 24 to President Reagan concerning your thirty-year separation from your wife and daughter.

The President and other members of the U.S. Government are deeply concerned over the tragic circumstances under which the Soviet authorities have forced you to live for so long, and we sympathize deeply. The issue of separated spouses and your own individual case have been raised at the highest levels in discussions with Soviet officials.

I understand that you have requested a meeting with Vice President Bush and that the Divided Spouses Coalition, of which you are a member, has asked for an appointment with the President. These requests are under consideration, and the appropriate officials will be ~~getting~~ in touch with you and with the Coalition.

Please accept my assurances that the U.S. Government remains very much aware of your plight and is actively seeking a solution.

Sincerely,

Mr. Anatoly Michelson
1700 Ben Franklin Drive,
Sarasota, Florida.

UNCLASSIFIED

(Classification)

25
KCL

DEPARTMENT OF STATE
EXECUTIVE SECRETARIAT
TRANSMITTAL FORM

S/S # 8633909/4682

Date: _____

FOR: Dr. Alton G. Keel, Jr.
National Security Council
The White House

Reference:

To: President Reagan From: Mr. Anatoly Michelson

Date: 10/24/86 & 10/19/86 Subject: Writer Has Been

Separated from His Wife in the Soviet Union for 30 Years

WH Referral Dated: 10/30/86 & 11/07/86 NSC ID# 8607806/453874

_____ The attached item was sent directly to the
Department of State

Action Taken:

- A draft reply is attached.
- A draft reply will be forwarded.
- A translation is attached.
- An information copy of a direct reply is attached.
- We believe no response is necessary for the reason cited below.
- The Department of State has no objection to the proposed travel.
- Other.

Remarks: Ms. Paula Dobriansky of the NSC is working on this issue.

Drafted: EUR/SOV/SOBI:KCLang
11/22/86 x8670 8633909/4682
Cleared: EUR/SOV/SOBI:JRPurnell
EUR/SOV:JMEvans
EUR:TWSimons, Jr.

4294B

UNCLASSIFIED

(Classification)

Nicholas Platt
Executive Secretary

T H E W H I T E H O U S E O F F I C E

REFERRAL

NOVEMBER 7, 1986

TO: DEPARTMENT OF STATE

ACTION REQUESTED:

DIRECT REPLY, FURNISH INFO COPY

DESCRIPTION OF INCOMING:

ID: 453874

MEDIA: LETTER, DATED OCTOBER 19, 1986

TO: PRESIDENT REAGAN

FROM: MR. ANATOLY MICHELSON
1700 BEN FRANKLIN DRIVE
SARASOTA FL 33577

SUBJECT: FAMILY REUNIFICATION ASSISTANCE PLEA

PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN
TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE
UNDERSIGNED AT 456-7486.

RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE
(OR DRAFT) TO:
AGENCY LIAISON, ROOM 91, THE WHITE HOUSE, 20500

SALLY KELLEY
DIPECTOR OF AGENCY LIAISON
PRESIDENTIAL CORRESPONDENCE

ID # 45387

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

115
8634682

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

Date Correspondence Received (YY/MM/DD) 86 10 26

Name of Correspondent: Mr. Mrs. Miss Ms. Anatoly Michelson

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Family reunification assistance
please

ROUTE TO:		ACTION	DISPOSITION			
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>State Dept</u>	<u>Doyle</u>	<u>CJ</u>	<u>86 11 05</u>			<u>86 11 1</u>
	<u>✓ DOS</u>	<u>RCJ</u>	<u>86 11 10</u>			<u>86 11 1</u>
			<u>1 1</u>			<u>1 1</u>
			<u>1 1</u>			<u>1 1</u>
			<u>1 1</u>			<u>1 1</u>

ACTION CODES:

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

DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2500.

ANATOLY MICHELSON

8634682

1700 Ben Franklin Drive

Sarasota, Florida
33577

Phone (813) 388-1252

10.19.1986

105
The President
The White House

403871

Dear Mr. President:

Please, read the enclosed two articles of this month. The life of four people depends on it.

With deep respect

A. Michelson

P.S. If a person, who opens this letter in The White House, starts to read enclosures and has a good heart, he or she will feel the necessity to submit this letter to the addressee - The President.

30 years apart

8634682

Family's ties were cut by USSR in '56

By Tom Tiede

WASHINGTON (NEA) — An open letter to Ronald Reagan:

Dear Mr. President: Every now and then there is a story in the newspapers, or by the related mass media, regarding an American resident who is trying to get his family out of the Soviet Union. The resident is usually a defector or a refugee who, on departing the Russian nation, had to leave his family behind.

The stories pick at the heart and the soul. They are sad on the one hand and infuriating on the other. The American residents want only to be reunited with their loved ones, a small enough request, but the Soviets refuse to let go of the spouses, the children or whatever the case may be.

With that in mind, I am writing to bring to your attention another of these stories. Perhaps the most sad and infuriating of them all. Anatoly Michelson, a naturalized American living in Florida, has been trying to get his wife and daughter out of the USSR for 30 years. Repeat: 30 years.

He has pleaded with the Soviet authorities. He has enlisted the aid of U.S. officials. But to no good end. Now he's come to believe, after all this time, there is only one person left who can help him end the separation; that's you, of course, hence the motive for this letter.

I say again, 30 years. Michelson notes that his ordeal began in 1956. He was a prominent Russian engineer at the time, and a member of the Communist Party. But he explains that he became disenchanted with socialism. So, on a visit to Vienna, he asked for asylum at the U.S. Embassy.

He says he knew the Russians would be embittered. But he did not think they would take the anger out on his family. Josef Stalin was dead, after all. The country had relaxed somewhat. He was sure that his wife, Galina, and his daughter, Olga, would be given permission to join him in the West.

They weren't. Indeed, Michelson says he lost all contact with them for

several years. He says he sent letters that were rejected by the government, packages that were returned by the government, and when he directed inquiries to the Soviet consul in Vienna he was either ignored or ridiculed.

Then, in 1960, he says he arranged to meet Nina Khrushchev, the wife of Soviet premier Nikita Khrushchev. She was traveling through Vienna. He says he told her who he was, and that he had many differences with her husband, "but I didn't think that was any

know they will be separated from their relations, perhaps forever

Forever? Anatoly Michelson says 30 years can be forever. Thus, he continues, frantically, to do what he can to free his family. He has compiled scrapbooks of data, with which he makes entreaty upon entreaty; he has become a regular on Capitol Hill, for example, lobbying for official compassion.

His wife lobbies as well, in Moscow. Michelson says she may have lost the glow of youth, over the decades, but not that of determination. She has demonstrated several times in the Soviet streets, and has been subsequently harassed, manhandled and interrogated by agents she describes as brutes.

Yet through it all the couple has gotten nowhere, Mr. President. That's why Michelson has asked me to appeal to you directly. He believes that your personal involvement may be his last real hope. The Soviets do release families from time to time, and he would very much like his to be next.

He says you might refer to the circumstances on your one of your weekly radio broadcasts or mention the subject in contacts with the Soviet leadership. You might also instruct the State Department that 30 years is long enough, in fact it is terrible torture, and the separation must end as soon as possible.

Michelson is 67 now; his wife is 65, but they assure you their need for each other has not been dimmed by time. This year he sent her a second wedding ring, and she received it like a bride. He has not forgotten, she has not forgotten, and, with White House help, they may yet be together again.

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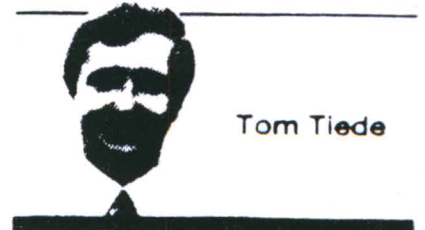


reason to keep my wife and child from me."

She may or may not have agreed. In any event, Michelson was thereafter allowed to at least communicate with his family. The letters and packages were delivered, photographs were exchanged. Michelson could even send gifts of money, and he began to talk occasionally with his wife by telephone.

Still the Russians would not let the wife and daughter emigrate. And they have never given a reason for the decision. Michelson claims he was not an important defector, in the sense he was a major embarrassment; but he believes the Soviets have acted purely out of a compulsion for revenge.

Some people in your State Department agree, Mr. President. They also say the Soviet purpose in these affairs is to instill fear and create a domestic deterrent. The Russians believe people will be less likely to defect if they



Tom Tiede

Rick Barry



A flicker of hope grows stronger as decades pass

SARASOTA — He's trying hard to fight it. It's been 30 years, after all; 30 years of disappointment, loneliness and more disappointment. But still it's creeping back into his life again. Sometimes he even denies it. But you can tell it's there. His gestures and his eyes betray him. So does his voice.

You can actually hear the hope.

Thirty years ago, Anatoly Michelson, the Soviet Union's leading industrial design engineer, tiptoed out of his Vienna hotel room, eluding those who kept watch over him and his elite tour group of vacationing colleagues, and walked into the American embassy.

He had defected, he told them. All he needed, he added, was a little help from the American government in arranging for his wife and 7-year-old daughter to join him.

They looked at him like he came from Mars, not Moscow.

"I was naive, yes. And a bit stupid, too, I suppose. But mostly it was ignorance.

"I believed then, in 1956 after the big thaw (in East-West relations); that the politicians (on both sides) meant everything they were saying ... I had thought it out very logically, I believed.

"So, since I am in front of the world, I think the Soviets will not spoil their image as a civilized, normal regime ... If I showed people they were actually holding a woman and child by force, they would look not like a country, but like a prison ... I did not consider it possible the Soviets would dare to show the world they are slave holders."

that of a traitor. He has not seen his wife, Galina, now 67, or daughter Olga, 37, since, but he knows their captors have made their lives miserable. He has never seen his 8-year-old grandson and namesake, Anatoly.

But like 20 other American citizens (Michelson was naturalized in 1969) whose husbands or wives have been refused exit visas from the Soviet Union, his name was on a list President Reagan took to the Iceland summit meeting. And although the talks broke down, on Monday the president said the subject of separated spouses had indeed been discussed.

Anatoly Michelson has been separated from his family longer than any of the others. And because he has made a second career of reaching for "the big publicity" for his case, campaigning with the kind of single-mindedness that cannot be ignored, it is undoubtedly the best known.

The official line to reporters is: "I am very disappointed the summit broke up because I do not believe the Soviets will do anything for us unless it is part of a package in which they have a vested interest."

But that is not what you hear in the voice beneath the words as he speaks. Despair has been shoved aside, however slightly, at least for a while.

He is closing soon on the purchase of a nice suburban lot in a subdivision with sidewalks and street lights.

"It is for my family, when they come. When I get word, I will start building."

This bearded, balding engineer, 66 and suffering from diabetes and a heart condition, is gearing up for the last push that will free his beloved wife, "angel" of a daughter and little grandson and reunite them in Florida.

"Tell your readers only the president can help now," he says, preventing my elevator from descending from the hall outside his Gulf front apartment, with all the desperation of a chess player just one less-than-perfect move by his opponent from checkmate. "Tell them to write him, not senators or congressmen or anyone else if they care to write anybody. Tell them, please."

It was too late to turn back moments after he left that hotel room in Vienna three decades ago. He knew that. It was never a consideration. And what enveloped him was a lot stronger than regret. "It was the realization of the horror of what had happened, the incredible horror of the situation.

"I am in a country, in a strange city where I know no one, don't speak the language, have no connection with my wife and child. For all I know my wife is in prison, my daughter on a street alone, crying..."

See BARRY, Page 5B

Barry

• From Page 1B

Then, another line he has relied on over the years to explain:

"At first, I thought that life without freedom would not be worth living. After, I realized life without family is also not worth living."

He was emotionally crippled by what he'd done, or as he views it, what his homeland had done to him and his.

"For the first half-year anyway, I would walk the streets and the tears would come, uncontrollably. I could do nothing. Then I would try to ask Americans for work but they would ask how can I work when I am so ... out of myself."

It took years for the depression to lift enough for him to work, even at menial jobs. But he did it, by committing every nonworking waking moment, and 90 percent of his income, to freeing his family. It became an obsession. The obsession became his life.

For four years he heard nothing of his family, not a word. But he wrote letters, every day, to world leaders, anyone he thought could help. He traveled when he had the money, to meet with Red Cross officials in Bonn, United Nations officials in Geneva.

Then, in 1960, when Soviet Premier Nikita Khrushchev came to Vienna, Anatoly Michelson was waiting for him, in front of their hotel. He handed Mrs. Khrushchev a letter as he asked her husband to let his family go.

It read:

Dear Nina Petrovna,

The differences of opinion between your husband and myself should not be reason for my children to starve or walk barefoot in the Moscow winter.

Therefore I request that so long as they are not permitted to join me, at least permit me to do what is not only my right but my obligation under your law — that a father must help his children.

Two weeks later the mail came through.

But when he got news, most if it



Only President Reagan, Anatoly Michelson believes, can reunite him with his family.

was bad.

His wife Galina, once a prominent women's dress designer, had been relegated to a menial position in a clothing factory, sewing in a dark room as she slowly went blind.

His daughter did well in school, attended a university, became an architect and married. But when she joined her mother and began applying for exit visas, she lost her standing as an architect and each time she applied her husband would lose his job "immediately." Ultimately they were divorced. Today she works in a factory painting faces on dolls.

Neither his wife nor daughter makes much money. But over the years Michelson has been able to help keep them well fed and clothed.

As he mastered first German, then English, Michelson rose to prominence once again as an engineer, earning 55 patents and writing dozens of books, articles and texts in industrial design, while working for firms like Gulf & Western and Ashland Oil. Today he is semi-retired, consulting for one firm and licensing newly patented designs to supplement his retirement income.

But for 30 years, the largest chunk of his income has been spent

on his quest, lobbying in Washington, picketing the Soviet embassy there in search of publicity, traveling to the sites of political rallies, trying to speak with key leaders. He took an early retirement at 55 to better pursue his prayed-for reunion. He spoke with President Carter three times. He is scheduled to meet with Vice President George Bush next month in New Orleans.

And in recent years he has been able to telephone his family in Moscow regularly, as well, which is expensive.

"I tape many of those calls," Michelson says. "That way I can hear the voices free of charge. It is very important, hearing the voices of those you love."

"But they speak too freely, sometimes, I think. Especially my daughter, who talks so defiantly about how she hates the hypocrisy, the lies. I'm afraid for her."

He figures he is not the only one taping. He must always make an appointment to put his call through 23 hours in advance.

But he doesn't disagree with his daughter's opinions. "The Soviet system is built on two pillars: fear, instilled by swift violence against the people, and incredible, pervasive, cynical lies ... Peace is war; Love is hate; Truth is a lie..."

He tells a Soviet joke: "Two men are talking. One says to the other, 'Did you see in the newspaper they are rounding up all the camels in the country and castrating them?' The other guy says, 'What do I care, I am not a camel.' The first man says, 'Are you sure? Remember first they cut them off, then you prove you are not a camel.'"

And another: "Do you know how to catch a tiger? First catch a hare and beat it until it confesses it is a tiger."

Michelson does not laugh.

But later he admits, "This year is the best yet. The best."

He has met with top State Department officials, gotten more press coverage, helped form a Divided Spouses' Coalition, and now the summit.

The oldest newspaper clippings are yellow and crumbling now. Thirty years have passed.

Yet again there is hope.

NATIONAL SECURITY COUNCIL

ID 8607806

REFERRAL

DATE: 30 OCT 86

MEMORANDUM FOR: DEPT OF STATE

DOCUMENT DESCRIPTION:

TO: PRESIDENT

SOURCE: MICHELSON, ANATOLY

DATE: 24 OCT 86

KEYWORDS: USSR

HUMAN RIGHTS

SHULTZ, G

MP

AP

SUBJ: LTR TO PRES FM MICHELSON REQUESTING APPT W/ PRES AND/ OR SCHULTZ

REQUIRED ACTION: DRAFT REPLY FOR WH SIG

DUE DATE: 06 NOV 86

COMMENTS:

FOR *Rodney B. McDaniel*
EXECUTIVE SECRETARY

33

Anatoly Michelson 1700 Ben Franklin Drive Sarasota, FL 33577 (813) 388-1252

October 24, 1986

The President
The White House
Washington, D.C.

Dear Mr. President:

I am American, but my wife, daughter and grandson are forced to stay in USSR. We are separated for 30 years!! As my congressman, Connie Mack writes: "Three decades of this family separation is one of the most cruel tragedy of modern times."

Many members of Congress and private citizens petitioned you to cause Soviets to free my family, as you did for Orlovs and Scheransky. The copies of some such petitions are enclosed as examples.

I was greatly encouraged by your letter of May 12, 1986 to me, in which you wrote: "My administration will continue to seek the release of your family through all possible means."

It seems that most effective, if not the only, way to cause Soviets to release my family, is to include it in an exchange of certain people between U.S. and USSR. Unfortunately my family was not included in any of the recent exchanges and, therefore, the indefinitely long ordeal of my family continues.

As the Senator Paula Hawkins wrote to you in her letter of June 10, 1986 (copy enclosed); "Your involvement in this case will make the crucial difference in bringing this tragedy to an end."

To achieve the freedom of my family, at last, I implore you to grant me few minutes of your time for a brief meeting. If that is impossible, would you, please, direct Secretary of State to discuss this matter with me personally.

With hope and fate, I remain.

Most respectfully yours,


Anatoly Michelson

Enclosures

THE WHITE HOUSE
WASHINGTON

May 12, 1986

Dear Mr. Michelson:

Thank you for your letter of April 10. Admiral Poindexter has informed me that you met with him recently to discuss your case. I fully appreciate the pain and anguish being felt by you and your family.

Your situation represents one of the most tragic family separations and constitutes a blatant violation of human rights by the Soviet Union. You know, over the years, we have repeatedly raised your case with Soviet authorities at all levels. To my considerable regret, so far our actions have not been met with success. Please be assured that my Administration will continue to seek the release of your family through all possible means.

God bless you.

Sincerely,



Mr. Anatoly Michelson
1700 Ben Franklin Drive
Sarasota, Florida 33577

35

9 3 1 0 5 2 9 0 0 0 5

CONNIE MACK
13TH DISTRICT FLORIDA

COMMITTEE ON THE SUBCOMMITTEE
COMMITTEE ON FOREIGN AFFAIRS

Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON OFFICE
500 Cannon Building
Washington DC 20515
(202) 225-2530

DISTRICT OFFICE
George W. Washington
Federal Building
Suite 108
Fort Myers FL 33901
(813) 336-4424

2015 Santa Drive
Suite 204
Sanford FL 32779
(813) 366-9482

March 14, 1986

The President
The White House
Washington, DC 20005

Dear Mr. President:

Knowing of your intense interest in the reunification of separated Soviet-American families, we wish to convey our sincere hope that you will be able to lend assistance to our efforts on behalf of Anatoly Michelson, a naturalized American citizen who has been separated from his Soviet family for thirty years.

Mr. Michelson left the Soviet Union in 1956, and has repeatedly tried ever since to secure an emmigration visa for his wife Galina, now 65 years old and legally blind, his daughter Olga, and his grandson Anatoly, whom he has never seen. Unfortunately, the Soviet authorities consider Michelson a traitor, and refuse to issue visas to his family, even after thirty years. No other Soviet-American family has been separated for so long.

We know that you deplore this situation, as we do. Repeated efforts by the Michelson family, the U.S. Department of State, and Members of Congress have met with a stubborn refusal on the part of the Soviets. At this point, only a review at the highest level of Soviet government would seem to offer hope to the Michelsons. We hope that you will be able to raise this issue at your next meeting with Premier Gorbachev.

Mr. President, we are grateful for any assistance that you can render on behalf of the Michelsons.

Paula Hawkins
Paula Hawkins
Sen. Paula Hawkins

Sincerely, *Connie Mack*
Connie Mack
Connie Mack, M.C.

30 years apart

Family's ties were cut by USSR in '56

By Tom Tiede

WASHINGTON (NEA) — An open letter to Ronald Reagan:

Dear Mr. President: Every now and then there is a story in the newspapers, or by the related mass media, regarding an American resident who is trying to get his family out of the Soviet Union. The resident is usually a defector or a refugee who, on departing the Russian nation, had to leave his family behind.

The stories pick at the heart and the soul. They are sad on the one hand and infuriating on the other. The American residents want only to be reunited with their loved ones, a small enough request, but the Soviets refuse to let go of the spouses, the children or whatever the case may be.

With that in mind, I am writing to bring to your attention another of these stories. Perhaps the most sad and infuriating of them all. Anatoly Michelson, a naturalized American living in Florida, has been trying to get his wife and daughter out of the USSR for 30 years. Repeat: 30 years.

He has pleaded with the Soviet authorities. He has enlisted the aid of U.S. officials. But to no good end. Now he's come to believe, after all this time, there is only one person left who can help him end the separation; that's you, of course, hence the motive for this letter.

I say again: 30 years. Michelson notes that his ordeal began in 1956. He was a prominent Russian engineer at the time, and a member of the Communist Party. But he explains that he became disenchanted with socialism. So, on a visit to Vienna, he asked for asylum at the U.S. Embassy.

He says he knew the Russians would be embittered. But he did not think they would take the anger out on his family. Josef Stalin was dead, after all. The country had relaxed somewhat. He was sure that his wife, Galina, and his daughter, Olga, would be given permission to join him in the West.

They weren't. Indeed, Michelson says he lost all contact with them for

several years. He says he sent letters that were rejected by the government, packages that were returned by the government, and when he directed inquiries to the Soviet consul in Vienna he was either ignored or ridiculed.

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Forever? Anatoly Michelson says 30 years can be forever. Thus, he continues, frantically, to do what he can to free his family. He has compiled scrapbooks of data, with which he makes entreaty upon entreaty; he has become a regular on Capitol Hill, for example, lobbying for official compassion.

His wife lobbies as well, in Moscow. Michelson says she may have lost the glow of youth, over the decades, but not that of determination. She has demonstrated several times in the Soviet streets, and has been subsequently harassed, manhandled and interrogated by agents she describes as brutes.

Yet through it all the couple has gotten nowhere. Mr. President. That's why Michelson has asked me to appeal to you directly. He believes that your personal involvement may be his last real hope. The Soviets do release families from time to time, and he would very much like his to be next.

He says you might refer to the circumstances on your one of your weekly radio broadcasts or mention the subject in contacts with the Soviet leadership. You might also instruct the State Department that 30 years is long enough, in fact it is terrible torture, and the separation must end as soon as possible.

Michelson is 67 now, his wife is 64, but they assure you their need for each other has not been dimmed by time. This year he sent her a second wedding ring, and she received it like a bride. He has not forgotten, she has not forgotten, and, with White House help, they may yet be together again.

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reason to keep my wife and child from me."

She may or may not have agreed. In any event, Michelson was thereafter allowed to at least communicate with his family. The letters and packages were delivered, photographs were exchanged, Michelson could even send gifts of money, and he began to talk occasionally with his wife by telephone.

Still the Russians would not let the wife and daughter emigrate. And they have never given a reason for the decision. Michelson claims he was not an important defector, in the sense he was a major embarrassment; but he believes the Soviets have acted purely out of a compulsion for revenge.

Some people in your State Department agree, Mr. President. They also say the Soviet purpose in these affairs is to instill fear and create a domestic deterrent. The Russians believe people will be less likely to defect if they



Tom Tiede

The President of the United States
The White House
Washington, D.C. 20500

May 1986

Dear Mr. President:

We, the undersigned citizens of this great country, together with you, cherish highly our freedom and the sanctity of the family institution.

However, one of our fellow American families is very brutally deprived for 30 long years from freedom, basic human rights and the family unity. For 30 years, the Soviet Government forcibly has kept Mr. Anatoly Michelson's family in the USSR, forbidding his wife Galina, daughter Olga, and grandson to join him in this country.

Recently, Galina Michelson pleaded with the American Nation on public television to help her to join her husband in the United States. The State Department has voluminous files on this family from which you can obtain all additional information.

As newspapers and television reports indicate, Anatoly is a very productive engineer, has 52 patents on industrial inventions and has greatly contributed to the United States economy and freedom loving traditions.

We most respectfully urge you to initiate any effective action that will induce the Soviets to release the Michelson family now.

Being in their upper 60's and of poor health, the Michelson's do not have anymore time to wait much longer.

In 30 years, the State Department proved that it cannot solve this problem without Presidential intervention. Only you have the power and authority to end the absolutely needless and horrible suffering of this one American's family.

May God help you in this noble endeavour.

Most Respectfully:

<i>Samuel S. DeGroot</i>	<i>355 Patterson Ave Osprey FL</i>
<i>John Fontaine J.</i>	<i>355 PATTERSON AVE OSPREY FL</i>
<i>William J. W. de</i>	<i>2416 Hopkinton Road Philadelphia PA</i>
<i>...</i>	<i>...</i>
<i>...</i>	<i>1700 BISH FRANKLIN DR. SARASOTA, FLA</i>
<i>...</i>	<i>1700 ...</i>
<i>...</i>	<i>4051 Louis T. de Blvd. Saratoga</i>

Signatures follow on next pages

United States Senate

WASHINGTON, DC 20510

June 10, 1986

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

Enclosed is a petition signed by a number of my constituents in Florida expressing their concern about the plight of Anatoly Michelson. Mr. Michelson is one of the unfortunate Americans who is separated from his family by the government of the Soviet Union. Mr. Michelson's wife Galina, daughter Olga, and grandson have been refused permission to leave the Soviet Union. This family is the longest of the separated family cases still left unresolved. This week marks thirty years that Mr. Michelson has been separated from his family. I believe that as an aspect of our policy for improving the respect for human rights in the Soviet Union that the Michelson case stands as an example of why further efforts must be made to improve the human rights record of the Soviet government.

Mr. President, on behalf the friends and neighbors of Anatoly Michelson, I request that this case be given special attention. I know that recently there has been progress in bringing some of these separated families together. Since Mr. Michelson's case has been unresolved for thirty years, I hope that the maximum effort will be made to reunite him with his family. I am sure that your involvement in this case will make the critical difference in bringing this tragedy to an end. Thank you for your consideration of this matter.

Sincerely,

Paula Hawkins
United States Senator

PH/hbs
Enclosure

News from Senator

BOB DOLE



(R - Kansas)

SH 141 Hart Building, Washington, D.C. 20510

FOR IMMEDIATE RELEASE
TUESDAY, JUNE 10, 1986

CONTACT: WALT RIKER, DALE TATE
(202) 224-3135

STATEMENT OF SENATE MAJORITY LEADER BOB DOLE

ANATOL MICHELSON: THE TRAGEDY OF THE DIVIDED SPOUSES

TOMORROW AT 11:00 AM, AT THE EMBASSY OF THE SOVIET UNION, A FINE MAN WILL SHOW HIS LOVE AND COMMITMENT TO A WIFE AND DAUGHTER HE HAS NOT SEEN IN THREE DECADES.

THIRTY YEARS AGO THAT MAN, ANATOL MICHELSON, FLED THE SOVIET UNION IN SEARCH OF FREEDOM. A PROMINENT SCIENTIST AND INVENTOR, MICHELSON -- LIKE SO MANY OTHER CREATIVE PEOPLE OVER THE YEARS -- FOUND HE COULD NO LONGER TOLERATE THE OPPRESSION AND INTELLECTUAL STERILITY OF THE SOVIET STATE. TO SURVIVE, HE HAD TO BE FREE.

WHILE ON A TRIP TO WESTERN EUROPE, HE DECIDED TO REMAIN IN THE WEST, WHERE HE COULD BREATHE THE FRESH AIR OF LIBERTY AND CONTRIBUTE TO MANKIND IN A WAY COMMENSURATE WITH HIS VAST TALENTS.

NOT SURPRISINGLY, THE SOVIET STATE RESPONDED TO THIS BRAVE MAN'S DESIRE TO BE FREE IN THE MANNER CALCULATED TO HURT HIM THE MOST. IT DENIED TO HIS WIFE AND CHILD THEIR RIGHT TO JOIN HIM IN THE WEST, AS THEY WANTED. THEIR REFUSAL HAS PERSISTED FOR 30 YEARS, THROUGH COLD WAR AND DETENTE.

MEANWHILE, ANATOL SOUGHT TO BUILD A LIFE FOR HIMSELF. HE CAME TO THE UNITED STATES IN 1963 AND ESTABLISHED HIS HOME HERE. HE BECAME AN AMERICAN CITIZEN, EVENTUALLY SETTLING NEAR SARASOTA, FLORIDA, WHERE HE CONTINUES TO MAKE HIS HOME. HIS TALENTS MADE HIM A PROMINENT MEMBER OF OUR SCIENTIFIC COMMUNITY, AND HE COUNTS AMONG HIS MANY ACCOMPLISHMENTS MORE THAN 20 PATENTS.

(MORE)