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[Consular Review Talks] (10)
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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name MATLOCK, JACK: FILES

Withdrawer

JET 5/26/2005

File Folder USSR-TREATIES/AGREEMENTS 10/24 [CONSULAR REVIEW TALKS]

FOIA

F06-114/11

Box Number 37

YARHI-MILO

3713

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
11890	MEMO	MATLOCK TO MCFARLANE RE CONSULAR REVIEW TALKS WITH THE USSR PAR 4/14/2011 F2006-114/11	3	3/28/1984	B1
11892	MEMO	KIMMITT TO HILL RE CONSULAR REVIEW TALKS WITH THE USSR R 4/14/2011 F2006-114/11	1	ND	B1
11893	MEMO	DEGRAFFENREID TO MCFARLANE RE COORDINATION ON PROPOSED AGREEMENT WITH THE USSR ON CONTRACTS, EXCHANGES, AND COORDINATION R 4/14/2011 F2006-114/11	2	4/3/1984	B1
11894	MEMO	ATTACHMENTS RE CONSULAR REVIEW TALKS	1	ND	B1
11895	MEMO	O'MALLEY TO DEGRAFENREID R PAR 11/24/2008 NLRRF06-114/1	5	4/3/1984	B1
11896	MEMO	DORNAN TO MATLOCK RE FBI COMMENTS ON PROPOSED TERMS OF REFERENCE FOR NEGOTIATIONS WITH THE USSR PAR 11/24/2008 NLRRF06-114/1	1	3/28/1984	B1
11897	MEMO	DORNAN/DEGRAFFENREID TO MCFARLANE RE NONOCCURRENCE ON AUTHORIZATION FOR CONSULAR REVIEW TALKS WITH THE USSR	4	4/3/1984	B1

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

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

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ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
11908	MEMO	HILL TO MCFARLANE RE CONSULAR REVIEW TALKS WITH THE USSR <i>R 4/14/2011 F2006-114/11</i>	1	4/20/1984	B1
11909	REPORT	U.S.-SOVIET CONSULAR REVIEW TALKS	2	ND	B1
11891	MEMO	MATLOCK TO MCFARLANE RE CONSULAR REVIEW TALKS WITH THE USSR (SAME TEXT AS DOC 11890) <i>PAR 4/14/2011 F2006-114/11</i>	2	3/28/1984	B1
11910	REPORT	CONSULAR REVIEW TALKS <i>R 4/14/2011 F2006-114/11</i>	3	ND	B1
11899	MEMO	SAME TEXT AS DOC #11892 <i>R 4/14/2011 F2006-114/11</i>	1	4/21/1984	B1
11901	MEMO	SAME TEXT AS DOC #11890 <i>PAR 4/14/2011 F2006-114/11</i>	3	4/17/1984	B1
11902	MEMO	SAME TEXT AS DOC #11890 <i>PAR 4/14/2011 F2006-114/11</i>	3	4/17/1984	B1
11900	MEMO	SAME TEXT AS DOC #11892 <i>R 4/14/2011 F2006-114/11</i>	1	ND	B1
11911	MEMO	SAME TEXT AS DOC #11908 <i>R 4/14/2011 F2006-114/11</i>	1	3/19/1984	B1

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ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
11912	REPORT	SAME TEXT AS DOC #11909	2	ND	B1
11903	MEMO	RE POSITION PAR 11/24/2008 NLRRF06-114/1	1	ND	B1
11913	REPORT	SAME TEXT AS DOC #11910 R 4/14/2011 F2006-114/11	3	ND	B1
11904	MEMO	DORNAN TO MCFARLANE RE COUNTERINTELLIGENCE IMPLICATIONS OF PROPOSALS FOR (A) CONSULAR REVIEW TALKS, (B) CULTURAL EXCHANGE AGREEMENT AND REVIEW OF ECONOMIC, INDUSTRIAL AND TECHNICAL COOPERATION	2	4/13/1984	B1
11905	MEMO	SAME TEXT AS DOC #11895 PAR 11/24/2008 NLRRF06-114/1	5	4/3/1984	B1
11906	MEMO	JOSHUA TO DEGRAFFENREID RE ADDITIONAL EXIT/ENTRY POINTS IN THE USSR D 4/14/2011 F2006-114/11	2	ND	B1 B2 B3
11907	MEMO	POINDEXTER TO DEGRAFFENREID/DORNAN RE CONSULAR REVIEW R 4/14/2011 F2006-114/11	1	4/6/1984	B1

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3713

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
11898	MEMO	DORNAN/DEGRAFFENREID TO MCFARLANE RE NONOCCURRENCE ON AUTHORIZATION FOR CONSULAR REVIEW TALKS WITH THE USSR	3	4/3/1984	B1

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

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

National Security Council
The White House

4092

System # IL
Package # 90307 Add-on

	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep Exec Sec Bill Martin	<u>1</u>	<input checked="" type="checkbox"/>	
Bob Kimmitt	<u>2</u>	<u>K</u>	
John Poindexter			
Wilma Hall			
Bud McFarlane			
Bob Kimmitt			
NSC Secretariat			
Situation Room			
<u>de Groffeneid</u>	<u>3</u>		<u>A</u>

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

cc: VP Meese Baker Deaver Other _____

COMMENTS

Should be seen by: _____

(Date/Time)

Bud & Joeh are not meeting on this subject today, per Wilma. Please have Joeh incorporate this into his package, which is out on West Wing.

~~UNCLASSIFIED WITH~~
~~SECRET ATTACHMENT~~

~~SECRET~~

90307
(add-on)

NATIONAL SECURITY COUNCIL

April 3, 1984

TO: ROBERT M. KIMMITT
FROM: KENNETH deGRAFFENREID

Bob,

It is my understanding that Jack Matlock may discuss this issue with Bud today at 4:00 p.m. I would very much appreciate it if Bud could have my memorandum available to him prior to that meeting.

I simply was unaware of this until a short time ago.

Thanks. *Ken*

Attachment
a/s

~~UNCLASSIFIED WITH~~
~~SECRET ATTACHMENT~~

~~SECRET~~

NATIONAL SECURITY COUNCIL

~~SECRET~~

March 28, 1984

ACTION

MEMORANDUM FOR ROBERT C. MCFARLANE

FROM: JACK MATLOCK *JEM*

SUBJECT: Consular Review Talks with the USSR

State has submitted, in the memorandum at Tab II, a report with recommendations for next steps in the Consular Review Talks with the USSR. The one point in dispute is the refusal of the FBI to agree to an offer to expand entry/exit points allowed on visas for our respective officials to include Baltimore and San Francisco in return for Brest and Nakhodka. State considers such expansion in the U.S. interest, and the provision for reciprocal expansion of entry/exit points integral to our negotiating package. Without this provision, State sees no merit in continuing the Consular Review Talks.

Discussion

FOIA(b)(1) The Consular Review Talks under discussion actually began in the mid-seventies and have been carried on sporadically over the years without conclusion. From the outset, the principal U.S. objective was to secure an expansion of entry/exit points available to U.S. diplomats and officials in the Soviet Union. This is important to us both to facilitate travel [redacted] and also to provide more efficient access by highway and rail to western Europe. The Soviets have been in a position, by denying a visa amendment to enter or exit the Soviet Union at points such as Brest and Nakhodka, to prevent important travel without risking retaliation for a travel denial as such. (In 1981, for example, the Soviets routinely refused the Brest entry/exit point to our military attaches, at a time when observation of possible Soviet mobilization on the Polish border was a high-priority objective.) The Soviets hardly ever apply for an additional entry/exit point for their personnel, since they routinely use New York as the port of entry, even for their personnel in San Francisco. Therefore, we have had no means of forcing a more forthcoming policy in this area by retaliation in kind.

~~SECRET~~

Declassify on: OADR

DECLASSIFIED IN PART

NLRRF06-114/11 #11890

BY KML NARA DATE 4/22/11

During past negotiations, the Soviets showed no interest in expanding the number of entry/exit points, but were eager to obtain diplomatic visas for members of the Supreme Soviet and certain other senior Soviet officials not normally eligible for such visas. Since this is a purely symbolic issue (diplomatic visas not conferring diplomatic immunities under U.S. law), it was decided to tie this issue to the expansion of entry/exit points to provide a Soviet incentive for settlement. Prior to April, 1983, the FBI had approved this arrangement, but withdrew its approval at that time, and its position on the matter is unchanged now.

The FBI rests its objection primarily on the problem of handling Soviet ship visits to Baltimore. This, however, is not relevant to the entry/exit visa question, since issuing visas valid for entry and exit in Baltimore does not constitute permission for Soviet ships to use the port. The latter is an entirely separate issue, and permission for each visit is decided on its own merits, without regard to the visa question. I asked Ken de Graffenreid to point this out to the FBI and request them to provide, if they wished, a more relevant explanation of their position. The FBI reply to this request is at TAB III. While it raises a number of issues, it still seems to be written under the impression that issuance of entry/exit visas valid for Baltimore would somehow result in Soviet ship visits. Since this is not the case, I do not find in the FBI memo a persuasive case that this step would add importantly to their burdens. Other arguments advanced in that paper seem to be based on a misunderstanding of actual practices and an exaggeration of what authorizing entry and exit points really means.

Inasmuch as the Consular Review Talks represent one of the very few areas where it appears that a quick agreement would be possible, and the addition of Brest and Nakhodka would be of substantial benefit to U.S. installations in the Soviet Union, I believe that State should be authorized to renew negotiations on the basis it proposes. However, I believe that your approval should make clear that it does not imply approval of Soviet ship calls, that any arrangements must meet the test of reciprocity, and that implementation should be conducted in close coordination with the FBI and other appropriate counterintelligence organizations.

DeGraffenreid nonconcurrency at TAB IV.
Recommendation:

That you authorize transmission of the Kimmitt-Hill Memorandum at Tab I, which authorizes State to proceed with the Consular Review Talks on the basis it recommends, but with the caveats noted above.

Approve _____

Disapprove _____

Attachments:

- Tab I - Kimmitt-Hill Memorandum
- Tab II - Hill-McFarlane Memorandum of March 19, 1984
- Tab III - FBI Memorandum of ~~March 28, 1984~~, April 3, 1984
- Tab IV - Nonconcurrency - deGraffenreid/Dornan, April 3, 1984

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20505

~~SECRET~~

MEMORANDUM FOR MR. CHARLES HILL
Executive Secretary
Department of State

SUBJECT: Consular Review Talks with the USSR (S)

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

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

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

Robert M. Kimmitt
Executive Secretary

~~SECRET~~
Declassify on: OADR

DECLASSIFIED
NLRR E06-114/11 #11892
BY KML NARA DATE 4/22/11

~~SECRET~~

11893
SYSTEM II
90307 (Add-on)

MEMORANDUM

~~SECRET~~

NATIONAL SECURITY COUNCIL

April 3, 1984

DECLASSIFIED

NLRR F06-114/11 #11893

BY KML NARA DATE 4/22/11

ACTION

MEMORANDUM FOR ROBERT C. McFARLANE

FROM: KENNETH deGRAFFENREID *Kd*

SUBJECT: Coordination on Proposed Agreement with the
USSR on Contacts, Exchanges, and Coordination

Late last evening John Lenczowski inquired whether the CI or CM community had commented on State's negotiating plan for an agreement on contacts, exchanges, and coordination with the USSR. While not formally on this action for coordination, I am deeply concerned about two aspects of this proposal and the process by which it was developed and recommend that you not act on this package until these issues have been resolved.

My first concern is that there has been no vetting of this proposal with concerned elements of the intelligence and security community. As a result, the State paper does not reflect any consideration of the serious counterintelligence, technology transfer, and security dimensions of this proposed agreement.

My second concern is that the State proposal assigns responsibility for monitoring of US security and intelligence interests in any future exchanges agreement to SOV at State. However, this function is properly not that of SOV, but of the Committee on Exchanges (COMEX), a permanent subcommittee of the DCI's Technology Transfer Intelligence Committee; and the IG/CI, and to a lesser extent the IG/CM.

COMEX's mission is, inter alia, to:

- "Ensure coordination of intelligence community interest in US Government official exchanges and bilateral cooperative agreements, in other exchange arrangements, and in commercial visits and other related activities."

- "Advise State and other US Government agencies regarding potential for gain and loss of technology and intelligence implications of ongoing or contemplated exchanges, agreements, and commercial contacts."

- "Facilitate intelligence community response to foreign intelligence collection opportunities uniquely afforded by exchanges and commercial contact."

The SIG-I and its subordinate groups, the IG/CI and IG/CM, are responsible to the NSC for developing national policy to protect the US against the total foreign intelligence threat.

It is clear that either one or both of these groups should serve the role of ensuring and monitoring US security and intelligence interests in any future exchanges agreements.

~~SECRET~~

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More fundamentally, however, is the fact that these groups have not been involved in consideration of the merits, threats, and vulnerabilities presented by the proposed agreements. The State paper proposes a large number of exchanges on subjects on which the TTIC and SIG-I groups have been working diligently for three years in an attempt to shore up US security interests. To neglect to consult them on this issue would not only rob the President of their recommendations concerning the important security dimension of such agreements, but also vitiate the carefully developed efforts of these groups over the past three years.

A recurrent theme in all of these fora in virtually every area of CI and CM which derives from diplomatic negotiation has been the repeated observation that we often find ourselves beset by grave CI and CM problems because CI and CM concerns were not made known at the time agreements were negotiated.

To be sure, our effort to develop a "place at the table" for coordinated CI and CM considerations has been a painstaking and difficult one for the intelligence community as well. These efforts often have been tentative, confused, and complicated by the extremely technical subject matter and the myriad of agencies involved. Nevertheless, we designed and built this system so that in the future we won't have to regret at leisure. I am not arguing that CI/CM should drive the issue; but I am strongly arguing that these concerns should be given a fair hearing. The potential dangers involved would seem to be worth the effort and short delay.

This is the second proposal that has gone forward apparently without the proper staffing by the CI/CM mechanisms. The other is the consular review talks proposals (System II 90307). Moreover, since I have been informed of these proposals only at the last minute, it has been difficult to energize the community on such short notice. I would respectfully request to be brought in earlier on any future similar proposals.

Recommendations

That you not approve the Kimmitt/Hill memorandum until such time as the TTIC/COMEX and/or the IG/CI, as appropriate, are able to review this package for any CI/CM concerns.

Approve _____ Disapprove _____

That following this process, the Kimmitt/Hill memorandum be modified to indicate substitution of the TTIC/COMEX and/or the IG/CI as responsible for central coordination on US security and intelligence concerns.

Approve _____ Disapprove _____

That the Intelligence Directorate concur on future proposals with CI/CM dimensions.

Approve _____ Disapprove _____

cc: Jack Matlock

System # II
Package # 90307

	SEQUENCE TO	HAS SEEN	DISPOSITION
Bill Martin	<u>1</u>	<input checked="" type="checkbox"/>	
Bob Kimmitt	<u>2</u>	<u>K</u>	
John Poindexter	<u>4</u>	<u>[Signature]</u>	
Wilma Hall			
Bud McFarlane			
Bob Kimmitt	<u>5</u>		<u>A</u>
NSC Secretariat			
Situation Room			
Tom Shull			
<u>Matlock</u>	<u>3</u>	<input checked="" type="checkbox"/>	<u>A</u>

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

cc: VP Meese Baker Deaver Other _____

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





U.S. Department of Justice

Federal Bureau of Investigation

~~SECRET~~

B1

Washington, D.C. 20535

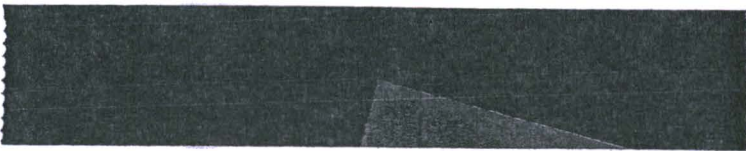
BY LIAISON

Date: April 3, 1984

To: Mr. Ken DeGraffenreid
National Security Council
Old Executive Office Building
Washington, D. C.

From: Edward J. O'Malley *[Signature]*
Assistant Director, Intelligence Division

Subject:



This communication is classified "Secret" in its entirety.

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DECLASSIFIED IN PART

NLRB Feb 14/81 #11895

Classified by: 355
Declassify on: OADR

BY CN NARA DATE 11/24/08



Mr. Ken deGraffenreid
National Security Council

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Enclosure

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61

MEMORANDUM

NATIONAL SECURITY COUNCIL

March 28, 1984

MEMORANDUM FOR JACK MATLOCK

FROM: DIANE DORNAN *DD*

SUBJECT: FBI Comments on Proposed Terms of Reference
for Negotiations with the USSR

At your request I contacted FBI and asked that they revise their initial comments on [REDACTED] in order to make them more relevant to the issues being discussed.

The initial problem arose because the Bureau was not fully informed on the terms of reference and was not asked for a formal opinion [REDACTED]. They were informally approached by a State official and asked to put on paper the gist of the objections they had raised last spring to terms of reference then being considered. [REDACTED]

[REDACTED] that the brief, informal paper they had quickly prepared was to be attached to a decision package as their formal and complete comment.

I suggested that FBI call the Soviet desk at the State Department to ensure that they had an accurate and complete account of the issues upon which they were to comment. Lynn Pascoe insisted that FBI was not to be concerned with other [REDACTED]

[REDACTED] They have framed their comments accordingly, although trying to tailor them to address indirectly [REDACTED] which may be under consideration.

DECLASSIFIED IN PART
NLRB 606714/11 #11896
BY *AD* NARA DATE *11/27/08*

~~SECRET~~

MEMORANDUM

NATIONAL SECURITY COUNCIL

~~SECRET~~

March 28, 1984

ACTION

MEMORANDUM FOR ROBERT C. MCFARLANE

FROM: JACK MATLOCK *JM*

SUBJECT: Consular Review Talks with the USSR

State has submitted, in the memorandum at Tab II, a report with recommendations for next steps in the Consular Review Talks with the USSR. The one point in dispute is the refusal of the FBI to agree to an offer to expand entry/exit points allowed on visas for our respective officials to include Baltimore and San Francisco in return for Brest and Nakhodka. State considers such expansion in the U.S. interest, and the provision for reciprocal expansion of entry/exit points integral to our negotiating package. Without this provision, State sees no merit in continuing the Consular Review Talks.

Discussion

FOIA(b)(1)

The Consular Review Talks under discussion actually began in the mid-seventies and have been carried on sporadically over the years without conclusion. From the outset, the principal U.S. objective was to secure an expansion of entry/exit points available to U.S. diplomats and officials in the Soviet Union. This is important to us both to facilitate travel [redacted] and also to provide more efficient access by highway and rail to Western Europe. The Soviets have been in a position, by denying a visa amendment to enter or exit the Soviet Union at points such as Brest and Nakhodka, to prevent important travel without risking retaliation for a travel denial as such. (In 1981, for example, the Soviets routinely refused the Brest entry/exit point to our military attaches, at a time when observation of possible Soviet mobilization on the Polish border was a high-priority objective.) The Soviets hardly ever apply for an additional entry/exit point for their personnel, since they routinely use New York as the port of entry, even for their personnel in San Francisco. Therefore, we have had no means of forcing a more forthcoming policy in this area by retaliation in kind.

~~SECRET~~

Declassify on: OADR

DECLASSIFIED IN PART
NLRR E06-114/11 #11891
BY KML NARA DATE 4/22/11

During past negotiations, the Soviets showed no interest in expanding the number of entry/exit points, but were eager to obtain diplomatic visas for members of the Supreme Soviet and certain other senior Soviet officials not normally eligible for such visas. Since this is a purely symbolic issue (diplomatic visas not conferring diplomatic immunities under U.S. law), it was decided to tie this issue to the expansion of entry/exit points to provide a Soviet incentive for settlement. Prior to April, 1983, the FBI had approved this arrangement, but withdrew its approval at that time, and its position on the matter is unchanged now.

The FBI rests its objection primarily on the problem of handling Soviet ship visits to Baltimore. This, however, is not relevant to the entry/exit visa question, since issuing visas valid for entry and exit in Baltimore does not constitute permission for Soviet ships to use the port. The latter is an entirely separate issue, and permission for each visit is decided on its own merits, without regard to the visa question. I asked Ken de Graffenreid to point this out to the FBI and request them to provide, if they wished, a more relevant explanation of their position. The FBI reply to this request is at TAB III. While it raises a number of issues, it still seems to be written under the impression that issuance of entry/exit visas valid for Baltimore would somehow result in Soviet ship visits. Since this is not the case, I do not find in the FBI memo a persuasive case that this step would add importantly to their burdens. Other arguments advanced in that paper seem to be based on a misunderstanding of actual practices and an exaggeration of what authorizing entry and exit points really means.

Inasmuch as the Consular Review Talks represent one of the very few areas where it appears that a quick agreement would be possible, and the addition of Brest and Nakhodka would be of substantial benefit to U.S. installations in the Soviet Union, I believe that State should be authorized to renew negotiations on the basis it proposes. However, I believe that your approval should make clear that it does not imply approval of Soviet ship calls, that any arrangements must meet the test of reciprocity, and that implementation should be conducted in close coordination with the FBI and other appropriate counterintelligence organizations.

Deanna/DeGraffenreid concurrence at TAB IV.
Recommendation:

That you authorize transmission of the Kimmitt-Hill Memorandum at Tab I, which authorizes State to proceed with the Consular Review Talks on the basis it recommends, but with the caveats noted above.

Approve _____

Disapprove _____



11908

9.0-337-23

March 19, 1984

84 MAR 20 A 7: 28

~~SECRET~~

WHITE HOUSE
SITUATION ROOM

MEMORANDUM FOR ROBERT C. MCFARLANE
THE WHITE HOUSE

Subject: Consular Review Talks with the USSR

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

BoMcKinley
for Charles Hill
Executive Secretary

Enclosures:
As stated.

~~SECRET~~

DECL: OADR

DECLASSIFIED

NLRR 506-114/11 #11908

BY KML NARA DATE 4/22/11

Treaties & Agreements ²⁶

B

DEPARTMENT OF STATE

WASHFAX RECEIPT
DEPARTMENT OF STATE

'84 APR 13 P12:52

04 APR 13 P12:59

04 APR 13 P12:59

MS

B

S/S #

STATE ROOM

Polkin
USSR
USS-USSR

MESSAGE NO. 344 CLASSIFICATION CONFIDENTIAL No. Pages 1
FROM RSmith EUR/SOV 6328670 4219
(Officer name) (Office symbol) (Extension) (Room number)

MESSAGE DESCRIPTION Consular Review Talks

<u>TO: (Agency)</u>	<u>DELIVER TO:</u>	<u>Extension</u>	<u>Room No.</u>
	1-Diana Dornan	2953371	300
	2-KIMMITT		
	3- ██████████		
	MATLOCK		
	Lehman, B		

FOR: CLEARANCE INFORMATION PER REQUEST COMMENT

REMARKS: _____

S/S Officer: *Bonnie [Signature]*

DECLASSIFIED
Department of State Guidelines, July 21, 1997
By *CSS* NARA, Date *8/8/02*

~~CONFIDENTIAL~~

CONSULAR REVIEW TALKS

Objective of Talks

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

U.S. Agenda

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

Soviet Agenda

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

~~CONFIDENTIAL~~

DECLASSIFIED

NLRR F06-114/11 #11910

BY KML NARA DATE 4/22/11

Current Status of Negotiations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Prospects for Successful Conclusion of Talks

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

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

~~SECRET~~

Treaties & Agreements 32

SYSTEM II
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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~MARK LOCK~~
File

April 21, 1984

11899

~~SECRET~~

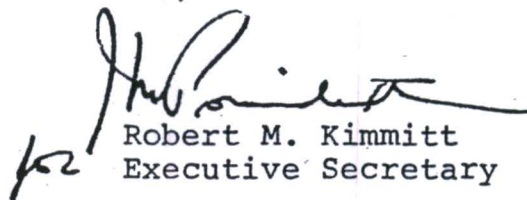
MEMORANDUM FOR MR. CHARLES HILL
Executive Secretary
Department of State

SUBJECT: Consular Review Talks with the USSR (S)

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

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

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


Robert M. Kimmitt
Executive Secretary

DECLASSIFIED

NLRR F06-114/11 #11899

~~SECRET~~

Declassify on: OADR

~~SECRET~~

BY KML NARA DATE 4/22/11

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~SECRET~~

MEMORANDUM FOR MR. CHARLES HILL
Executive Secretary
Department of State

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Robert M. Kimmitt
Executive Secretary

~~SECRET~~

Declassify on: OADR

DECLASSIFIED

NLRR F06-114/11 # 11900

BY KML NARA DATE 4/22/11

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SYSTEM II
90307

MEMORANDUM

NATIONAL SECURITY COUNCIL



~~SECRET~~

April 17, 1984

ACTION

MEMORANDUM FOR ROBERT C. MCFARLANE

SIGNED

FROM: JACK MATLOCK *JM*

SUBJECT: Consular Review Talks with the USSR

State has submitted, in the memorandum at Tab II, a report with recommendations for next steps in the Consular Review Talks with the USSR. The one point in dispute is the refusal of the FBI to agree to an offer to expand entry/exit points allowed on visas for our respective officials to include Baltimore and San Francisco in return for Brest and Nakhodka. State considers such expansion in the U.S. interest, and the provision for reciprocal expansion of entry/exit points integral to our negotiating package. Without this provision, State sees no merit in continuing the Consular Review Talks.

Discussion

FOIA(b)(1)

The Consular Review Talks under discussion actually began in 1976 and have been carried on sporadically over the years without conclusion. From the outset, one principal U.S. objective was to secure an expansion of entry/exit points available to U.S. diplomats and officials in the Soviet Union. This is important to us both to facilitate travel [redacted] and also to provide more efficient access by highway and rail to Western Europe and by ship to the Far East. The Soviets have been in a position, by denying a visa amendment to enter or exit the Soviet Union at points such as Brest and Nakhodka, to prevent important travel without risking retaliation for a travel denial as such. (In 1981, for example, the Soviets routinely refused the Brest entry/exit point to our military attaches, at a time when observation of possible Soviet mobilization on the Polish border was a high-priority objective.) The Soviets hardly ever apply for an additional entry/exit point for their personnel, since they routinely use New York as the port of entry, even for their personnel in San Francisco. Therefore, we have had no means of forcing a more forthcoming policy in this area by retaliation in kind.

~~SECRET~~

Declassify on: OADR

DECLASSIFIED IN PART
NLRR F06-114/11 #11701
BY KML NARA DATE 4/22/11

During past negotiations, the Soviets showed no interest in expanding the number of entry/exit points, but were eager to obtain diplomatic visas for members of the Supreme Soviet and certain other senior Soviet officials not normally eligible for such visas. Since this is a purely symbolic issue (diplomatic visas not conferring diplomatic immunities under U.S. law), it was decided to use Soviet interest in this issue to obtain their agreement on the expansion of entry/exit points. Prior to April, 1983, the FBI had approved this arrangement, but withdrew its approval at that time, and its position on the matter is unchanged now.

The FBI rests its objection primarily on the problem of handling Soviet ship visits to Baltimore. This, however, is not relevant to the entry/exit visa question, since issuing visas valid for entry and exit in Baltimore does not constitute permission for Soviet ships to use the port. The latter is an entirely separate issue, and permission for each visit is decided on its own merits, without regard to the visa question. When consulted on the issue, DIA expressed doubts about the intelligence collection value of the Brest/Nakhodka entry exit points and suggested a thorough study of the intelligence trade-offs relating to this question. These views, and Diane Dornan's covering memorandum, are at TAB IV.

In my opinion, the FBI has not made a strong case that the inclusion of Baltimore and San Francisco as entry/exit points will add importantly to their burdens. As regards the need to give further study to the intelligence trade-offs, I do not believe the relatively trivial magnitude of the changes proposed justify a formal study. The arguments on both sides are readily apparent to those familiar with the issues and procedures, and intelligence trade-offs are only one consideration relevant to the package. There is no question that service attaches in Moscow favor additional entry/exit points, since it does in fact facilitate their ability to perform travel. The additional entry/exit points are also important to staff morale and the Embassy's operational needs.

Inasmuch as the Consular Review Talks represent one of the very few areas where it appears that a quick agreement might be possible, and the addition of Brest and Nakhodka would be of substantial benefit to U.S. installations in the Soviet Union, I believe that State should be authorized to renew negotiations on the basis it proposes. However, I believe that we should be cognizant of the counterintelligence community's concerns by making it clear that approval to proceed with the consular review talks does not imply approval of Soviet ship calls, that any arrangements must meet the test of reciprocity, and that implementation should be conducted in close coordination with the FBI and other appropriate counterintelligence organizations.

Diane Dornan does not concur, and recommends a further study of the intelligence implications.

Recommendation:

That you approve transmission of the Kimmitt-Hill Memorandum at Tab I, which authorizes State to proceed with the Consular Review Talks on the basis it recommends, but with the caveats noted above.

Approve



Disapprove

Attachments:

- Tab I - Kimmitt-Hill Memorandum
- Tab II - Hill-McFarlane Memorandum of March 19, 1984
- Tab III - "Consular Review Talks": Background paper from State
- Tab IV - Dornan Memo of April 13 with comments by FBI and DIA

Treaties & Agreements
File
11902

SYSTEM II
90307

MEMORANDUM

NATIONAL SECURITY COUNCIL

April 17, 1984

~~SECRET~~

ACTION

MEMORANDUM FOR ROBERT C. MCFARLANE

FROM: JACK MATLOCK *JRM*

SUBJECT: Consular Review Talks with the USSR

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~~SECRET~~

Declassify on: OADR

DECLASSIFIED IN PART
NLRR E06-114/11 # 11902
BY JCM/NARA DATE 4/22/11

During past negotiations, the Soviets showed no interest in expanding the number of entry/exit points, but were eager to obtain diplomatic visas for members of the Supreme Soviet and certain other senior Soviet officials not normally eligible for such visas. Since this is a purely symbolic issue (diplomatic visas not conferring diplomatic immunities under U.S. law), it was decided to use Soviet interest in this issue to obtain their agreement on the expansion of entry/exit points. Prior to April, 1983, the FBI had approved this arrangement, but withdrew its approval at that time, and its position on the matter is unchanged now.

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Approve ____

Disapprove ____

Attachments:

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March 19, 1984

84 MAR 20 A 7: 28

~~SECRET~~

WHITE HOUSE
 SITUATION ROOM

MEMORANDUM FOR ROBERT C. MCFARLANE
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Subject: Consular Review Talks with the USSR

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BmeKinley
 for Charles Hall
 Executive Secretary

Enclosures:
 As stated.

~~SECRET~~

DECL: OADR

DECLASSIFIED
 NLRRF06-114/11 #11911
 BY KML NARA DATE 4/22/11

11913

~~CONFIDENTIAL~~CONSULAR REVIEW TALKSObjective of Talks

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

U.S. Agenda

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

Soviet Agenda

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

DECLASSIFIED

~~CONFIDENTIAL~~

NLRR F06-114/11 #11913

BY KML NARA DATE 4/22/11

Current Status of Negotiations

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

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

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

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

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

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

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

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

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

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

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

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

Prospects for Successful Conclusion of Talks

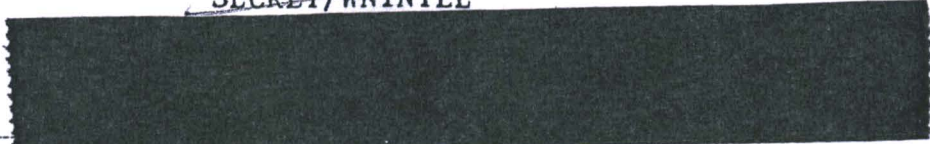
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B1

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RE:



Multiple lines of text, each starting with 'Redacted' followed by a series of dashes and another 'Redacted' word, indicating extensive redaction of the document's content.

SECRET/WNINTEL

Classified by: 4193
Declassify on: OADR

DECLASSIFIED IN PART
MLRR 606-114/11 #1196
BY CA NARA DATE 11/24/08



U.S. Department of Justice

B1

Federal Bureau of Investigation

~~SECRET~~

Washington, D.C. 20535

BY LIAISON

Date: April 3, 1984

To: Mr. Ken deGraffenreid
National Security Council
Old Executive Office Building
Washington, D. C.

From: Edward J. O'Malley *EJO*
Assistant Director, Intelligence Division

Subject:



This communication is classified "Secret" in its entirety.

~~Redacted~~ ~~Redacted~~ ~~Redacted~~ ~~Redacted~~ ~~Redacted~~ ~~Redacted~~ ~~Redacted~~ ~~Redacted~~ ~~Redacted~~ ~~Redacted~~
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DECLASSIFIED IN PART

NLRB Feb 11/11 #11905

Classified by: 355
Declassify on: OADR

BY CN NARA DATE 11/27/08



Mr. Ken deGraffenreid
National Security Council

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Enclosure

THE WHITE HOUSE
WASHINGTON11907
Re: 90307
Add on~~SECRET~~

April 6, 1984

MEMORANDUM FOR KEN DeGRAFFENREID/DIANE DORNAN

FROM: JOHN POINDEXTER

SUBJECT: Consular Review

I have reviewed this package and discussed it with Bud. This has to be considered from two aspects. First the President has already authorized Secretary Shultz to proceed ahead with the CRT's and secondly the CI community should have an opportunity to review and have their comments taken into account. I would like for you to go back to FBI with a copy of our proposed approval memo to assure the FBI that we are not approving ship visits and it would perfectly understandable if they caveated their position now that they would be opposed to approving ship visits to these ports. I also want you to go to DIA and get their assessment of the intelligence value of the two entry/exit points that we would get. I would like to have the package returned by the end of next week. Clearly the CI effort would be simpler if we did not have diplomatic relations with the Soviet Union but we do and the President wants to improve them. We need to insist on reciprocity and insure we do not take unnecessary risks that can not be adequately covered.

cc: Jack Matlock (as discussed)
Bob Kimmitt

DECLASSIFIED

NLRR E06-114/11 #11907

BY KML NARA DATE 4/22/11