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Law and National Security INTELLIGENCE REPORT

Law and National Security 1982: The Year in Review

Intelligence Identities Protection Act

The principal development in the field of law and national security during 1982 was the enactment of H.R. 4, the Intelligence Identities Protection Act. The bill, as reported by the House-Senate conferees, was approved by the House on June 3, and by the Senate on June 10, and was signed into law by President Reagan on June 23.

The enactment of the bill required a three-year battle in both Houses, despite the widespread support it apparently enjoyed, both with Congress and with the public.

The effect of the measure is to protect the intelligence community by making it a criminal offense to identify and expose covert agents of the United States intelligence agencies "with reason to believe that such activities would impair or impede the foreign intelligence activities of the United States." The measure, in short, puts the clear brand of illegality on the systematic identifying of activities by people such as Philip Agee and publications such as *Counter Spy*.

In testimony before the House Intelligence Committee in 1981, CIA Director William J. Casey put the case for the measure in these words:

Our relations with foreign sources of intelligence have been impaired. Sources have evinced increased concern for their own safety. Some active sources and individuals contemplating cooperation with the United States have terminated or reduced their contact with us.

. . . The professional effectiveness of officers so compromised [by being publicly identified] is substantially and sometimes irreparably damaged . . . Replacement of officers thus compro-

mised is difficult and in some cases impossible.

In the course of the debate in the House and Senate, a great deal of time was devoted to the language of Section 601 (c). Some members favored changing the "reason to believe" language quoted above to language which would require proof of an "intent to impair or impede the foreign intelligence activities of the United States." The ACLU and other witnesses had argued that the "reason to believe" language was un-

Continued on page 2



Soviet "Active Measures" Testimony Released

Editor's Note: Testimony on "active measures" before the House Select Committee on Intelligence by top U.S. intelligence officers from the FBI and CIA, plus that of KGB defector Levchenko, set forth in chapter and verse Soviet use of forgeries, disinformation, and use of agents of influence to destabilize the West. Your editor commends David Martin's briefing and urges those of our readers who wish to learn the whole story to acquire the full record of the hearings. Write to the U.S. Government Printing Office, Washington, D.C. 20402 and ask for a copy of the Hearings Before the Permanent Select Committee on Intelligence, House of Representatives, 97th Congress, 2d Session, on Soviet Active Measures, stock number 052-070-05797-1. The cost is \$7.00.

The House Select Committee on Intelligence on December 10 released the sanitized record of two days of hearings dealing with Soviet "active measures," held July 13-14, 1982. The hearings featured the testimony of John McMahan, deputy director of Central Intelligence, Edward J. O'Malley, assistant

Continued on page 5

1982: The Year in Review

Continued from page 1

constitutional. Indeed, this was initially the position of the chairman of the House Select Committee on Intelligence, Rep. Edward P. Boland (D-Mass.), and this was the form in which the bill was originally approved by his committee. An amendment offered by the late Rep. John Ashbrook (R-Ohio) in the course of the House debate made it clear that a substantial majority of the House members agreed with the criticism that the "intent" language would place an almost impossible burden of proof on the government. Boland himself, in commenting on the conference report, changed his position and said that "as one who had serious doubts about the constitutionality of the bill as it passed the House," he now believed that "this statute can be considered constitutional and that it would withstand the test of judicial scrutiny."

As the year closes, the indications are that the enactment of the Intelligence Identities Protection Act, has persuaded Philip Agee and his cohorts in this country to avoid the possibility of prosecution under United States laws by refraining from the publication of articles identifying U.S. intelligence operatives. There appears to be some possibility that, to get around the law, the task of carrying identifying articles would be given to a bi-lingual Spanish/English publication, *Soberania Sovereignty*, the organ of the "anti-imperialist tribunal of Central America and the Caribbean." This may complicate matters for the Justice Department unless it can establish proof of deliberate cooperation with such foreign based activities on the part of American citizens.

Executive Order re Classification of Documents

In the month of February, the administration announced that it was considering a new executive order governing the classification and declassification of federal records. The new Executive Order 12356 was intended as an amendment to the Carter Executive Order 12065. In signing the executive order on April 2, President Reagan stated that it would enhance "protection of national security information without permitting excessive classification of documents." In general, the new order removed some of the restrictions on classification that governed the Carter executive order. It no longer required a statement by the classifier setting forth the special identifiable damage to national security that might result from the failure to classify the document. It also eliminated the requirement in the Carter order that the public's right to be informed of classified information must be balanced against the need to protect national security information from disclosure. In case of doubt, the Carter order required that the problem be resolved in favor of

the public's right to know—while the Reagan order called for resolving the problem in favor of the national security.

Not surprisingly, the executive order resulted in much criticism in the media. *The Washington Post* described it as "prescribing more government secrecy" and "reversing a 30-year trend" toward making government information public.

White House procedures in processing EO 12356 came in for strong bipartisan criticism. In a report released August 16, the House Government Operations Committee noted that the Reagan administration had made only minimal efforts to consult with the Congress or the public prior to the adoption of the executive order. It said that Congress had been allowed less than three weeks to comment on the draft and the draft was never released for public comment. "With very few exceptions," said the report, "the entire revision effort was carried on in isolation within the executive branch."

The report further noted that whereas the Carter order stated that declassification should be given an emphasis comparable to that afforded classification, there was no similar policy statement in the Reagan order.

There was no minority report.

Executive Orders Establishing Guidelines For Intelligence Agencies

On December 4, 1981, President Reagan promulgated Executive Orders 12333 and 12334 as replacements for the Carter Executive Order 12036, establishing guidelines for the intelligence agencies. The new guidelines brought mixed reviews. The ACLU and the media generally criticized them for conferring excessive powers on our intelligence agencies. Many conservatives and intelligence professionals, however, were disappointed that the new executive orders did not go further in reducing or dismantling the restrictions imposed by 12036.

A preliminary analysis prepared for *Intelligence Report* (May 1982) by Daniel B. Silver, former CIA general counsel, had this to say on the minuses and pluses of the new executive orders. "It appears from the analysis of the new executive orders that more radical changes . . . may have been forestalled by a number of cosmetic changes and modifications of tone whose significance is less real than apparent. In terms of the historical development of intelligence law by executive order (i.e., a publicly announced framework of rules to govern intelligence activities), the most important aspect of the new executive orders thus is the aspect of continuity they present, rather than the changes they embody.

"A new administration, having assumed office on a

Continued on page 9

Soviet Bloc Involvement In African Terrorism

Editor's Note: In reporting on some 2,000 pages of testimony and documents on Soviet bloc involvement in African terrorism, Associate Editor David Martin has captured the main thrust of hearings held by the Senate Subcommittee on Security and Terrorism.

There are those who cannot bring themselves to believe the aims, objectives and practices of Soviet subversion in Africa. For them, the testimony of former members of the South West Africa People's Organization, the African National Congress and the South African Communist Party should be persuasive if not convincing. The evidence adduced at these hearings demonstrates that the Soviets, with their East German and Cuban surrogates, exert a profoundly destabilizing influence in sub-Saharan Africa.

During the first week of December, the Senate Subcommittee on Security and Terrorism released two 1,000-page volumes of testimony and documentation captioned "The Role of the Soviet Union, Cuba and East Germany in Fomenting Terrorism in Southern Africa." The printed testimony was accompanied by a 28-page report over the signature of Senator Jeremiah Denton, chairman of the subcommittee, to the full Judiciary Committee.

The testimony and report dealt primarily with the involvement of the Soviet bloc countries in the terrorist activities of the South West Africa People's Organization (SWAPO) in the case of South-West Africa, and the African National Congress (ANC) in the case of South Africa. Among the witnesses heard in five days of hearings during March 1982 were four former members of the ANC, including Mr. Bartholomew Hlapane, a former member of both the National Executive Committee of the ANC and the Central Committee of the South African Communist Party (SACP), and four former members of SWAPO, including Mr. Andreas Shipanga, a founding member of the organization and currently president of a dissident group called SWAPO-Democrats. [On December 16, 1982, shortly after the testimony was publicly released, Mr. Hlapane was assassinated in South Africa.] The two volumes of testimony reproduced hundreds of documents, including documents in Russian, captured from SWAPO and ANC.

In summarizing the findings of the subcommittee, Senator Denton said:

We may well sympathize with the original goal of these two movements, SWAPO and the ANC, to achieve democratic political rights and expanded freedoms for the black peoples of Namibia and South Africa. We cannot, however, delude ourselves that their purpose now

is the achievement of those praiseworthy objectives. They have, to judge from the testimony the subcommittee has received and from the statements and actions of their leaders, been deeply infiltrated by those who seek to advance the imperialistic ambitions of the Soviet Union. They thus work to the obvious detriment of the peoples of the southern African region, not to their advantage. . . .

The evidence received by the subcommittee is deeply disturbing. It suggests strongly that the original purposes of the ANC and SWAPO have been subverted, and that the Soviets and their allies have achieved alarmingly effective control over them. The demonstrated activities of these organizations, moreover, cannot easily be reconciled with the goal of liberation or the promotion of freedom. The evidence has thus served to illustrate once again the Soviet Union's support for terrorism under the guise of aiding struggles for national liberation. . . .

Senator Denton opened his report with a quotation from an August 29, 1981, policy address by Dr. Chester Crocker, assistant secretary of State for African Affairs, underscoring the strategic importance of sub-Saharan Africa. Among other things, Dr. Crocker pointed out that the area contains enormous deposits of strategic minerals which are essential to the continued operation of the industrial economies of the free world. He noted that the area has 86 per cent of the world's reserve of platinum, 53 per cent of its manganese reserves, 64 per cent of its vanadium reserves, 92 per cent of its chromium reserves, and 52 per cent of its cobalt reserves, in addition to being the dominant producer of gold and diamonds.

Senator Denton quoted from a number of official Communist policy statements for the purpose of establishing that Moscow has from the beginning set itself the goal of harnessing the African nationalist movement, including SWAPO and the ANC, to the chariot of world Communism. One of the authorities quoted was V. V. Zagladin, who said in his book, "The World Communist Movement: An Outline of Strategy and Tactics,"

The world-wide unity of the revolutionary process is manifested primarily in the interlinks and interaction between the three fundamental revolutionary forces of our times: the peoples that are building socialism and communism; the working class in the developed capitalist countries; and the national-liberation movement of the oppressed peoples and of the peoples of the developing countries. . . .

The national-liberation movement, which is sapping imperialism and forcing it to divert con-

Continued on page 4

Soviet Bloc and African Terrorism

Continued from page 3

siderable forces to the struggle against the colonial and dependent peoples, is an inherent part of the world revolutionary process. . . .

Dr. Peter Vanneman, a University of Arkansas Sovietologist, in his testimony before the subcommittee, dealt with Soviet motivation in intervening in southern Africa and with the machinery of intervention itself. Dr. Vanneman said:

The USSR is striving to enhance its influence in southern Africa not merely to affect events there but to influence events throughout the continent and the world. Its purpose is not merely to dominate the southern African region, but to utilize its influence there to enhance its influence elsewhere. . . .

The intensity of the continuing long range interest of the USSR in southern Africa is indicated by the creation of three relatively new governmental structures organized specifically to deal with that area of the world. There is a special section of the African Institute of the USSR Academy of Science that deals with "liberation questions," and the largest section of INU, a department of the KGB (Soviet intelligence) dealing with propaganda, is the one for southern Africa. Finally, one of the three sections of the Soviet foreign ministry dealing with Africa focuses exclusively on southern Africa.

Senator Denton also pointed out that the bulk of the support which SWAPO and the ANC had received, in terms of training, equipment and funds, has come from the Soviet Union, Cuba and other bloc countries. This, he said, has repeatedly been acknowledged by leading officials of both SWAPO and the ANC. Top leaders of both organizations were among the speakers at the 26th Congress of the Communist Party of the Soviet Union in March of 1981. Addressing the Congress, SWAPO President Sam Nujoma described Soviet President Leonid Brezhnev as a devoted and staunch fighter for peace, detente, freedom and people's rights and human dignity. He thanked the Soviet Union for "comprehensive support" to the people of Namibia and said that without this support SWAPO would not have been able to achieve the success it has had to date.

The international Communist support for SWAPO and the ANC has been documented many times over. Senator Denton noted that a report published after a conference on "International Mobilization Against Apartheid and for the Liberation of Southern Africa," held in May 1981, contained reports from the USSR, the Ukraine, Byelorussia, the German Democratic

Republic, Romania, and Bulgaria on the support that these countries provide to liberation movements in southern Africa.

Senator Denton quoted the following passage from the East German report to the conference:

The people and the government of the German Democratic Republic stand firmly by the side of the people of South Africa and Namibia and their national liberation movements, ANC and SWAPO . . . Consistent support for those peoples . . . and for the liberated countries . . . represents an inalienable principle of socialist foreign policy. That support is reflected in the German Democratic Republic's close relations with the nationally liberated states of Africa and the national liberation movements ANC and SWAPO.

Denton went on to quote an article written by Oliver Tambo, a leader of the ANC, in January of 1981, emphasizing the need for strengthening the unity of the three basic components of the world revolutionary process.

He identified these, to no one's surprise, as the existing socialist states, the international working class movement, and the national liberation movements. Tambo continued by noting that the unity of these three revolutionary elements was a vital precondition for the final victory over all forces of imperialism, colonialism, racism, zionism, and exploitation of man by man.

The report reproduced a chart given to the subcommittee staff by South African intelligence indicating the overlapping between the membership of the National Executive Committee of the ANC and the leadership of the SACP and the World Peace Council. Of 22 members of the ANC Executive Committee, 11 were identified as members of the Communist Party, and of these some half dozen were identified as officers of Umkhonto We Sizwe, the military-terrorist arm of the ANC.

Among other things, it was pointed out that Joe Slovo, "deputy chief" of Umkhonto We Sizwe, was a member of both the National Executive Committee of the ANC and of the Central Committee of the SACP; and that Dr. Yusuf Dadoo, chairman of the SACP, is vice president of the National Executive Committee of the ANC. Mr. Bartholomew Hlapane told the subcommittee in his testimony that during the years 1955 to 1964, when he served as a leading official in both the ANC and the SACP, "no major decision could be taken by the ANC without the concurrence and approval of the Central Committee of the SACP. Most major developments were, in fact, initiated by the Central Committee." He also testified that the sole source

of funds for Umkhonto We Sizwe when he served as treasurer of the SACP was the Communist Party itself.

In his conclusion, Senator Denton said that the purpose of the hearing was not to debate U. S. policy toward southern Africa because the subcommittee had no mandate with respect to that. He said that its purpose essentially was to "examine more closely the Soviet ties with terrorism in southern Africa."

The findings of the subcommittee, said Senator Denton, "appear particularly relevant at a time when SWAPO and the ANC are being touted as the sole legitimate political forces and representatives of the people in Namibia and South Africa, respectively. Cuba, Vietnam, Nicaragua, and Iran are glaring and tragic reminders of our failure to fully comprehend and appreciate the motives, ideologies and interrelationships of those who sought political power under the guise of national liberation. These situations also serve as graphic examples of the terrible price which others have paid for our previous mistakes.

Soviet "Active Measures"

Continued from page 1

director for Intelligence, FBI, and Stanislav Levchenko, a former major in the KGB specializing in "active measures." The testimony dealt broadly with all aspects of "active measures" including forgeries, disinformation, the use of agents of influence in the media, in parliament, etc., and the support and utilization of terrorist movements.

Regrettably, most of the testimony was ignored in the media coverage of the testimony itself and of the press conference at which it was released. *The New York Times* carried a page 1 story under the heading "U. S. Nuclear Protest Found to be Affected Very Little by the Soviets." Actually, this was not a committee finding but a personal opinion of Rep. Edward P. Boland (D-Mass.), who said in the statement given to the press that "Soviet agents have no significant influence on the nuclear freeze movement" and that the hearings "provide no evidence that the Soviets direct, manage or manipulate the nuclear freeze movement." When asked whether this statement represented the consensus of the committee, Rep. C. W. Bill Young (R-Fla.), who presided over the press conference, replied that no vote had been taken, that he personally would take issue with the chairman's statement and he knew of other members of the committee who felt like he did.

Actually, the CIA testimony dealt extensively with the Soviet control and manipulation of the World Peace Council and its affiliated and supporting organizations such as the Christian Peace Conference. The

CIA did not deal with the situation in the United States because that is the responsibility of the FBI.

The FBI witness for his part, said that while he would not attribute the turnout of 500,000 people at a nuclear freeze demonstration in New York on June 12 to the activities of the U. S. Peace Council and the CPUSA, there was nevertheless "significant involvement by all these people concerned." Elsewhere in his statement he said that "the KGB has clandestinely transferred funds to the CPUSA on behalf of the CP Soviet Union," and "that several Soviet officials affiliated with the KGB at the Soviet embassy in Washington, D. C. and the Soviet Mission to the United Nations are in regular contact with CPUSA members and officials of CPUSA front groups." He described the World Peace Council as "the largest and most active of the Soviet front organizations, with affiliates in approximately 135 countries," and he said that the World Peace Council "has taken a direct hand in supporting and mobilizing the American peace movement." He noted that Romesh Chandra, president of the World Peace Council, and other officials of the Council had headed delegations that have repeatedly visited the United States in support of the U. S. peace movement.

The narrow focus of the media on the freeze movement had the effect of directing attention away from a mass of other vital information contained in the 330-page record. Since we believe this record will be of interest to all of our readers, in the paragraphs that follow we shall excerpt and summarize from the statements by the principal witnesses.

John McMahan, CIA

There is a tendency sometimes in the West to underestimate the significance of foreign propaganda and to cast doubt on the effectiveness of active measures as instruments of foreign policy. Soviet leaders, however, do not share such beliefs. They regard propaganda and active measures as important supplemental instruments in the conduct of their foreign policy by conventional diplomatic, military and economic means. Indeed, to achieve what they perceive to be a major foreign policy objective, the Soviet leadership marshals all the relevant resources, conventional and unconventional. Additionally, Soviet tactics, what might be called the Party's line on the current situation, are well coordinated and integrated with Soviet strategy, the Party's long term general line. . . .

The Soviet term "active measures" is used primarily in the intelligence context to distinguish influence operations from espionage and counterespionage. . . .

In the Soviet policymaking context, the ultimate approval for use of active measures, like all major decisions affecting Soviet foreign policy, rests with the

Continued on page 6

Soviet "Active Measures"

Continued from page 5

highest level of the Soviet hierarchy, the Politburo and the Secretariat of the Central Committee of the Communist Party of the Soviet Union. The KGB is responsible for the implementation of most covert active measures operations. It closely coordinates its activities with two elements of the Soviet party bureaucracy, the International Department and the International Information Department. The extensive participation of these two powerful party components in active measures indicates both the importance attached to such activities by Soviet leaders and their appreciation of the policy implications of such activities.

The International Information Department of the CPSU is the directing center of the Soviet propaganda effort. It also cooperates with the KGB in the implementation of active measure operations. It was established in March 1978 as a direct result of the Central Committee decision to reorganize the entire foreign propaganda apparatus, improve its effectiveness, and carry on a propaganda offensive against the West. . . .

The KGB provides a nonattributable adjunct to the overt Soviet propaganda network, as well as a highly developed political action mechanism. Service A of the KGB's First Chief Directorate plans, coordinates and supports operations which are designed to back-stop overt Soviet propaganda. It utilizes forgeries, planted press articles, planted rumors, disinformation, and controlled information media. . . .

Active measures are in essence an offensive instrument of Soviet foreign policy. They contribute effectively to the strategic Soviet purpose, central to Soviet foreign policy, of extending Moscow's influence and power throughout the world.

The primary target of Soviet active measures is the United States, which the Soviet Union has long regarded as its main opponent and the principal obstacle to carrying out its policies.

The Soviet regime generously provides the necessary financial, technical, and personnel resources necessary to support active measures operations.

Political influence operations are the most important, ambiguous, but least visible of Soviet active measures. They range from the use of agents of influence, through the manipulation of private channels of communication, to the exploitation of unwitting contacts. These operations have a common aim: To insinuate Soviet policy views into foreign governmental, journalistic, business, labor, academic, and artistic opinion in a nonattributable fashion.

Soviet active measures are poorly understood and are infrequently countered systematically by Western

and Third World governments. As a result, the Soviets have been able to go about their large scale active measures efforts quite freely, to the detriment of U. S. foreign policy interests abroad.

The highly centralized structure of the Soviet state and its system of pervasive control and direction over all elements of its society give the Soviet leadership a capability at once impressive and effective, to draw on all elements of the party and government and on so-called private individuals and organizations in orchestrating active measures support for foreign policy positions.

Soviet active measures tactics may be adjusted to accommodate changes in the international situation, but the basic techniques and the strategic purpose remain the same. . . .

In dealing with the matter of KGB forgeries, Mr. McMahon submitted for the record photostatic copies of documents the Soviets had sought to attribute to the president and vice president of the United States, to Secretary of State Weinberger, and to non-Soviet leaders, including Mao tse-Tung. Mr. McMahon said that in recent years the Soviets have resumed using forgeries as an integral part of "active measures" programs and that "the pace appears to be quickening." He listed the following forgeries that had been detected in the several months before the hearings (July 13, 1982):

In April we learned that a Western embassy had received in the mail a forged State Department cable which purportedly acknowledged CIA links with the Polish Solidarity movement.

In May, a forged document purporting to be signed by U. S. Secretary of Commerce Baldrige appeared in Brussels when it was mailed to several foreign correspondents stationed there.

In June we detected two forgeries. One appeared in Zimbabwean, Tanzanian and Zambian media. It purported to be a copy of a letter from a U. S. business firm, which is in fact a legally constituted, chartered, and registered corporation, written to a general officer in the South African Air Force.

The second forgery last month was a fabricated Pentagon News Release dated May 5, 1982, providing alleged remarks by Secretary of Defense Weinberger regarding U. S. support to Great Britain in the Falkland crisis. . . .

. . . the forgeries we find are becoming more and more professional, and by using real documents and just manipulating a little bit, there is a great appearance of authenticity given to the documents.

Mr. McMahon presented several examples of the

exploitation of correspondents who serve the Soviets as agents of influence in France and Denmark. In the case of the Danish agent, Arne Herlov Petersen, the Soviets "wrote for him the text of two books which he then rewrote in his own style so it sounded like him speaking instead of Moscow." In the case of the French agent, Pierre-Charles Pathe, the Soviets over many years used him as a transmitter of disinformation to western journalists in Paris, until he was exposed by the French government in 1980. Speaking about the danger of the agent of influence phenomenon, McMahon said:

You can never overestimate the impact of an agent of influence. If you have an individual who is an adviser to a minister or a president, or if you have a minister himself as your agent of influence, you can do a tremendous amount in a country as far as active measures are concerned. It is the most insidious, pernicious thing to deal with as far as a countermeasure is concerned. And you don't have to expend a lot of effort to do that. One only has to recruit that agent and tell him what to do, and he will go do it.

On the question of Soviet involvement in terrorism, McMahon said:

We have done an extensive study late last year on the role of the Soviet Union and its relation to terrorists. We concluded that the Soviets do not engage directly in terrorist activities. However, we find that they have camps in the Soviet Union where they have trained terrorists. We know that, for example, they support the Libyans considerably and give the Libyans weapons, who in turn provide those weapons to the terrorists. We know that the Soviet Union assured one Middle Eastern terrorist group that when they dealt with Nicaragua and Salvadoran insurgents, any equipment, any arms and ammunition and support that it provided to Nicaragua or the Salvadoran insurgents would in essence be reimbursed from the Soviet Union. We see the evidence of Soviet complicity and indirect support to those organizations which do engage in terrorism, and of course, we do see, as we have witnessed in Central America and also in Africa, how the Soviets do get directly involved in providing support to insurgencies. Often, those insurgencies will engage in terrorist acts, but we don't see the Soviet hand directly on the smoking gun. There is always someone in between.

Mr. McMahon submitted for the record the text of an interagency intelligence study on Soviet "active measures." This study added much new information

to McMahon's presentation, especially in terms of details about Soviet involvement in the world peace movement and its sponsorship and utilization of front organizations. About the peace movement the report said:

The WPC is one of Moscow's major instruments in reinforcing, and at times generating, opposition in Western Europe to NATO's TNF modernization. In spring 1981, the WPC was advised by the Soviets to focus its attention on current and planned activities on behalf of the anti-NATO campaign. The Soviets recommended that the WPC concentrate its efforts on broadening the publication of anti-NATO themes in the Western media and organize an international meeting of media representatives to discuss the role of the mass media in publicizing the dangers inherent in the arms build-up. . . .

. . . the Soviets and other Communist parties now make greater use of ad hoc front groups. These groups, which do not have an overt tradition of close association with Communist and Soviet causes, try to attract members from a broad cross section of the political spectrum. Nonetheless, they are dominated by pro-Soviet individuals and are, as a rule, covertly financed by the Soviet Union and various Communist parties and front groups. Their position on a given issue almost always supports Moscow's stand. Examples of such organizations include the Salvadoran solidarity committees; "Generals for Peace," recently established in Western Europe to oppose NATO's TNF modernization; the "Democratic Front Against Repression," which operates from Costa Rica and Mexico; and the "Association of Filipino Women Workers (SKMP)." The Soviets are also trying to exploit environmentalist and antinuclear-power groups in their anti-TNF effort by promoting the formation of still other local fronts with special interest groups which they influence but do not control. . . .

Soviet front groups, e.g., the World Peace Council and its off-shoots such as the International Institute for Peace, and the International Liaison Forum for Peace, at Soviet direction have sponsored or exploited a number of conferences, symposiums, and demonstrations organized to oppose the NATO TNF decision. The Soviets are actively trying to broaden the bases of support of these fronts by attracting non-Communist participation in their activities. The fronts are also cultivating environmentalists, pacifists, and antinuclear groups for the

Continued on page 8

Soviet "Active Measures"

Continued from page 7

same purpose. National Communist parties have set up their own front groups or are trying to exploit or infiltrate other organizations opposed to the NATO decision. . . .

. . . In September 1979, Janos Berecz, chief of the International Department of the Hungarian Communist Party, who may have been aware of the Soviet criteria, wrote that "the political campaign against the neutron bomb was one of the most significant and successful since World War II." Additionally, the Soviet Ambassador to the Netherlands received a decoration from the CPSU Central Committee in 1978 in recognition of his success in stimulating that campaign in the Netherlands.

The interagency report noted that open societies are particularly vulnerable to "active measures" because "the free exchange of ideas and the tolerance of opposing views . . . make it easier for the Soviets to identify sentiment that can be exploited and manipulated for the benefit of Soviet 'active measures.'"

Edward O'Malley, FBI

The basic aims of Soviet active measures, of course, are to weaken opponents of the USSR and to create a favorable environment for the promotion of Soviet views and Soviet foreign policy objectives. . . .

The Soviets have used the Communist Party, USA to mount campaigns against the neutron bomb, NATO theater nuclear force modernization and administration defense policies. Furthermore, the Soviets have requested the CPUSA to reinforce and mobilize the peace movement in this country. . . .

The Soviet friendship society in the United States is the National Council of American-Soviet Friendship which was founded in 1943 by the CPUSA and has about 20 chapters throughout the United States. The stated purposes of the NCASF is to promote friendship, understanding, and cultural and educational exchanges between the people of the United States and the Soviet Union. In practice, however, the NCASF serves to further the Soviet active measures efforts. . . .

Soviet academicians, particularly from the USSR Academy of Sciences, are also used in Soviet active measures operations. They establish professional contacts with their counterparts in foreign countries, such as the United States, with scholars and scientists who may legitimately have concerns about nuclear disarmament and issues of that kind, to encourage them to use their influence to promote their views, which happen to coincide, of course, with Soviet views on these issues. . . .

FBI investigation has determined that Soviet active measures in the United States are responsive to and well integrated with Soviet foreign policy aims. They often fall in the gray area between overt efforts to influence and covert action operations. Soviet active measures attempt to exploit and manipulate individuals, organizations, or movements whose policies coincide with the goals and objectives of Soviet foreign policy. . . .

Stanislav Levchenko

Mr. Levchenko, who defected to the United States embassy in Tokyo in 1979, rose to the rank of major in the KGB, as a specialist in "active measures." His first assignment was with the Soviet Afro-Asian Solidarity Committee which, he said, manipulated the Afro-Asian People Solidarity Organization, headquartered in Cairo. In this capacity he took part in the organization of several international conferences of the Afro-Asian People Solidarity Organization, including the Cairo conference in January of 1971. In February of 1975 he was assigned to Tokyo where he embarked on his career as an "active measures" specialist.

Several months after his arrival in Japan he started handling agents of influence for the KGB's network. Four of these agents were prominent Japanese journalists who had high level contact in the ruling Liberal Democratic Party and with high government officials, including cabinet ministers. These agents provided vital information and documents on Japanese policy, internal and external, and on Japanese intentions. Expanding on his accomplishments Levchenko said:

Among the most effective agents were a former member of the cabinet of ministers, head of a major parliamentary public organization; several senior officials of the Japanese Socialist Party; one of the most prominent scholars on the PRC who had close contacts with government officials; several members of the Japanese parliament. . . .

In the 1970's an agent of the KGB who was a high ranking member of a Japanese political party and a member of parliament, under instructions of the Tokyo residency, organized a parliamentary association for Japanese-Soviet cooperation. The Soviets started an intensive exchange of delegations between the group and the Supreme Soviet of the USSR. Every chance was used to persuade the Japanese parliamentarians to influence their government to deepen political and economic relations with Moscow. The head of the group received from the KGB substantial amounts of money to pay the salaries of the staff workers of the group and for publishing a monthly magazine.

The KGB in the 1970's had been able to effectively control the political platform of the Japanese Socialist Party, having recruited more than 10 of its high-ranking leaders as agents of influence.

Mr. Levchenko noted that he was only one of five KGB "active measures" officers attached to the Soviet embassy in Tokyo, and that between them these officers had some 25 agents of influence under their control.

Levchenko named the Soviet Peace Committee and the World Peace Council as two of the organizations that were most active in the field of "active measures."

1982: The Year in Review

Continued from page 2

platform, *inter alia*, of removing restrictions on the intelligence agencies, nonetheless has left in place the basic structure of regulation created under the previous administration (including a special office within the Justice Department devoted to this function) and many (although clearly not all) of the substantive restrictions. As a result, it seems unlikely that any future administration will be inclined to dismantle the existing structure or regulation or feel free to do so."

Some intelligence professionals, however, were much more upbeat about the new executive orders. Whereas EO 12036 placed primary emphasis on the restrictions governing intelligence activities, EO 12333 begins with a preamble that says "all reasonable and lawful means must be used to ensure that the United States will receive the best intelligence possible." The affirmative quality of the preamble, it is argued, sets the tone for the entire executive order. Instead of being psychologically hamstrung by an unbroken series of "thou shalt nots," members of the intelligence community under the new executive order are being told "thou shalt."

Having expressed the general disappointment felt by many intelligence professionals, Mr. Silver then pointed out that the new executive orders did make "a variety of organizational changes that appear to be significant." Mr. Silver said:

Executive Order 12333 abolished the rigid National Security Council committee structure embodied in the previous order and replaced it with a provision permitting the NSC to establish such committees as may be necessary. The order also abolished the National Foreign Intelligence Board and the National Intelligence Tasking Center, leaving to the Director of Central Intelligence the flexibility to establish

boards or advisory groups as necessary to carry out various intelligence committee functions. The rigid membership provisions that made both the NFIB and the previous administration NSC subcommittees unwieldy have been set aside. . . .

Executive Order 12333 contains a strong emphasis on competitive analysis, including a new requirement that the DCI ensure "that appropriate mechanisms for competitive analysis are developed." The new order also, as compared with the previous order, places increased emphasis on counterintelligence and on collection of information on international narcotics activities. . . .

Among the changes made, there are several of indubitably substantive importance. A variety of others are harder to assess. Some areas that were substantively limited under Executive Order 12036 are only required under Executive Order 12333 to be governed by procedures. As noted above, only when these procedures have been issued will it be possible to determine if significant substantive changes in the permitted operations of the intelligence agencies have occurred. In addition to eliminating a certain number of restrictions, this portion of the executive order has been extensively edited and rearranged to produce greater concision. In addition, it has been given more positive tone. That is, in general, the intelligence agencies are authorized to conduct specified activities, but within certain limitations; this contrasts with the approach of the previous order, which generally prohibited such activities outside certain limitations and left the authority for the non-prohibited activities to be implied. Most frequently, however, it appears that the substantive result, in terms of the bounds of permissible activities, is the same. Finally, some of the changes in language that appear to have substantive consequences may well be the result of editorial modification without substantive intent. . . .

The provisions on physical search (Section 2.4(b)), in contrast to Executive Order 12036, permit the CIA to search in the United States the personal property in its possession of non-United States persons.

The provision on physical surveillance (Section 2.4(c)) eliminates certain Executive Order 12036 limitations on what the implementing procedures can authorize. In particular, present or former employees and intelligence contractors and their employees can be the objects of

Continued on page 10

1982: The Year in Review

Continued from page 9

physical surveillance without any limitations as to purpose, as can applicants for any such employment or contracting. . . .

The provisions on undisclosed participation in organizations in the United States (Section 2.9) eliminate the requirement that the type of participation be approved by the attorney general and set forth in a public document. Such participation still, however, must be governed by procedures approved by the attorney general. . . .

Federal Tort Claims Act (S. 1775 and H.R. 7034)

These parallel bills were under consideration by the Senate Judiciary Subcommittee on Agency Administration and by the House Judiciary Subcommittee on Administrative Law and Government Relations. S. 1775 was described as *a bill to amend title 28 of the U. S. Code to provide for an exclusive remedy against the United States in suits based upon acts or omissions of United States employees, to provide a remedy against the United States with respect to constitutional torts, and for other purposes.*

Witnesses testifying before the Senate subcommittee pointed out that the Supreme Court's 1971 ruling in *Bivens v. Six Unknown Named Agents* had opened the floodgates to suits charging individual employees of the federal government with violating plaintiffs' constitutional rights. At the time the testimony was given in 1981 and 1982, over 2,200 separate "Bivens" suits had been filed, involving a total of some 10,000 government employees.

The move to amend the Federal Tort Claims Act was strongly supported by the executive branch, in particular by the Department of Justice, the Department of Defense, and the law enforcement and intelligence agencies. It was also strongly supported by organizations such as the Senior Executives Association and the Federal Managers' Association. On the other hand, it was strongly opposed by organizations such as the ACLU and the Institute for Policy Studies.

Testifying on the need for the legislation before the Senate subcommittee, Mr. William H. Taft IV, spokesman for the Department of Defense, said:

The threat of lawsuits is a daily companion of members of the Department, from the most senior officials of the Office of the Secretary of Defense, the military departments, and the defense agencies, to operational military and civilian personnel in the field. The potential of time-consuming and expensive litigation may distort the Department's decision-making processes,

while actual cases divert Department of Defense employees from their primary mission, the protection of the national security. . . .

Deputy Attorney General Edward C. Schmults told the subcommittee:

The specter of personal lawsuits depresses morale, chills vigorous and effective public action, and unfairly burdens the conscientious public official in executing his or her federal duties. (Emphasis added.) . . .

. . . this legislation initiative offers a meaningful, attainable remedy to a citizen who has suffered a constitutional deprivation. At the same time, it dispels the cloud of potential personal liability that currently hangs over almost every federal public servant. Through this legislation, the citizen can obtain redress and the public official can conscientiously perform his mission. The citizen, the government and the public are all the beneficiaries.

On the Senate side, persisting divisions within the subcommittee made it impossible to produce a consensus report until just before the end of the session. On the House side, however, the Judiciary Subcommittee on Administrative Law and Government Relations did go through an early mark-up session which resulted in some 15 amendments to the original text, incorporated in a new bill, H.R. 7034, introduced on August 19 by Rep. Sam D. Hall Jr. (D-Tex.), the chairman of the subcommittee. On essential points, the House bill was very similar. It provided that "upon certification by the attorney general that the defendant employee was acting within the scope of his office or employment at the time of the incident out of which the suit arose, any civil action or proceeding [based on a constitutional tort claim] which is commenced in a United States District Court shall be deemed an action against the United States . . . and the United States shall be substituted as the party defendant."

It further provided that "the United States may assert as a defense to a claim based on a constitutional tort the absolute unqualified immunity of the employee of the government whose act or omission gave rise to the claim, or his reasonable good faith belief in the lawfulness of his conduct."

The House bill, however, contained a number of provisions not contained in the Senate bill. It entitled claimants whose suits are ruled on favorably by the courts to receive "a reasonable attorney's fee and other litigation costs." It provided for trial by jury. And it further provided that "if the conduct giving rise to the tort claim was undertaken with the malicious intention to cause a deprivation of constitutional rights or with reckless disregard for the plaintiff's constitutional rights, the court shall award, in addition,

damages of not more than \$100,000.”

Federal tort claims legislation was first introduced in the House in 1974. In the 97th Congress, the legislation attracted more support and moved further than it had in any previous Congress. The sponsors of S. 1775 and H.R. 7034 intend to persist in their efforts in the new Congress. They are hopeful that the legislative record already established, including the record of the House and Senate committees' hearings, will make it possible to bring the measure to a vote in the coming session.

Freedom of Information Act

During the 97th Congress, a number of bills seeking to amend the Freedom of Information Act were under consideration by the House and Senate. One of the primary purposes of these bills was to provide a measure of relief to the intelligence and law enforcement agencies from some of the more burdensome disclosure requirements of FOIA. Another purpose was to afford protection to the private sector against the disclosure of technology or trade secrets. Perhaps the best known of these bills was S. 1730, originally introduced by Sen. Orrin Hatch (R-Utah). Senator Hatch's many amendments to FOIA were strongly opposed by *The Washington Post*, the ACLU and liberal members in Congress on the grounds that they went too far in providing exemptions from FOIA. Months of discussion between Senator Hatch, Senator Leahy and the administration finally resulted in a milder version of S. 1730 which was reported by the Senate Judiciary Committee on May 20 by a vote of 15 to 0.

The revised bill as reported by the committee was promptly praised by some of those who had strongly criticized the original legislation, including *The Washington Post* and the ACLU.

Among other things, the May 20 version reported by the Judiciary Committee had no provision to limit the present broad scope of judicial review where a FOIA suit challenges the national security classification of a record. Under Section 11 of the bill, the exemption for law enforcement investigatory records was strengthened in several ways, including greater protection for ongoing investigations and for confidential sources. These added protections for law enforcement should benefit national security, for example, in counterintelligence and in background national security investigations. Under Sections 12 and 17 of the bill, there was a new exemption for government-owned "technical data" that cannot be lawfully exported without a license. Under Section 13, the bill amended FOIA's "reasonably segregable" clause, which requires disclosure of most non-exempt parts of a document containing exempt information, to enable an agency to consider the "mosaic" effect in process-

ing requests for classified records, i.e., situations where the requester may know so much about the subject of the record that releasing apparently innocuous portions of it may actually give him, when these portions are fitted together with information already available, what amounts to a damaging disclosure of protectable information.

Despite the much milder version of S. 1730 reported by the Senate Judiciary Committee, it proved impossible to bring the legislation to a vote before the close of the session because at the time Rep. Glenn English (D-Okla.), chairman of the House Subcommittee on Government Information and Individual Rights, said that he would be unable to move on it before the end of the session. Since then, however, some of Rep. English's staff assistants have informed their counterparts on the Senate side that English will be ready to move on amendments to the Freedom of Information Act when the new session of Congress begins.

Some Recent Court Decisions Impacting on National Security

On May 17, the Supreme Court upheld the State Department's refusal to release information indicating whether two persons in Iran were United States citizens. (*Washington Post v. Department of State*, _____ U.S. _____, 102 S. Ct. 1957 (1982)). The State Department, in refusing to release this information, said that the physical safety, if not the lives of the persons involved would be jeopardized. In making its unanimous determination in this case, the Supreme Court overruled a prior decision of the D. C. Circuit Court of Appeals upholding the position of *The Washington Post*.

* * * * *

On May 17, the Supreme Court denied certiorari in a FOIA case involving the "Founding Church of Scientology of Washington, D. C." (_____ U.S. _____, 102 S. Ct. 2242 (1982)). The church had asked for certain Interpol documents previously in the possession of the United States National Central Bureau (the U. S. agency member of Interpol). Although records were now at Interpol headquarters in Paris, the church claimed that the documents could be retrieved by the U. S. National Central Bureau.

The Supreme Court ruling upheld the prior ruling of the D. C. Circuit Court of Appeals which determined that the defendants were correct in all three bases of their refusal:

- (1) A confidential source need not be an individual but can be an institution (such as Interpol) and hence an exemption based upon "revelation of a confidential source" was applicable.
- (2) It found that Exemption 7(d) is applicable

Continued on back page

1982: The Year in Review

Continued from page 11

to law enforcement proceeding documents even when no proceedings are under way or contemplated. (3) Courts can not command agencies to acquire possession or control of documents the agencies do not have even though they could acquire (or reacquire) them, as FOIA only prevents withholding of held records.

* * * * *

One of the most interesting of the "Bivens" suits still pending in the courts, *Julius Hobson et al v. Jerry Wilson et al* (Slip Opinion, Dec. 23, 1981, D.C.D.C.), goes back to July 1976. In that suit, the Washington Peace Center and five anti-Vietnam militants, including Julius Hobson and Arthur Waskow of the Institute for Policy Studies, brought suit against former Washington Police Chief Jerry Wilson plus several of his aides and five retired FBI officials, including Charles D. Brennan, former chief of the FBI's Internal Security Section, and George C. Moore, former chief of the Racial Intelligence Section. The plaintiffs charged that the federal defendants, through their participation in the FBI's "Black Hate" and "New Left" COINTELPRO (Counterintelligence) programs, had engaged in a conspiracy to violate their first amendment rights of association.

Defendants and counsel repeatedly made the point that the two COINTELPRO programs in question were approved by the director of the FBI in an effort to counteract the growing threats of violence by groups such as the Black Panther Party and Students for a Democratic Society and that "the only common threads tying the federal defendants together was their

employment with the FBI and their obligation to carry out their respective duties established by their superiors, including the director of the FBI and the attorney general," that they were acting under orders of and as part of a single entity, the FBI, and that there could not therefore have been a conspiracy. Nevertheless, the D.C. District Court, on December 23, 1981, *supra*, returned a verdict in favor of the plaintiffs and awarded damages aggregating \$711,937.50 for the Metropolitan Police Department defendants and the five former FBI officials. The jury found that each of the defendants had, by both conspiratorial and individual action, injured each of the eight plaintiffs, and found each defendant liable to each plaintiff. Two-thirds of each award was designated as compensatory damages and one-third as punitive damages. In the case of the FBI defendants, the damages assessed ranged from \$75,000 against Charles D. Brennan to \$37,500 against Gerald T. Grimaldi.

On January 3, 1982, the Department of Justice, acting as counsel for the defendants, sent a lengthy memorandum to the United States District Court of the District of Columbia, asking the court "to set aside the verdict and judgment entered on December 23, 1981, and to enter judgment in favor of these defendants, or, alternatively, to set aside the verdict and judgment and grant the defendants a new trial."

On June 1, 1982, the District Court denied the defendants' motion on all points.

The Department of Justice, acting on behalf of the defendants has appealed the court's decision. The ACLU, which has represented the plaintiffs, filed a motion to dismiss the appeal. This motion was denied by the court in a ruling on December 29, 1982.

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EOBS43 AN000364 TOR: 049/1628Z CSN: HCE283 STOESSEL MEETING WITH ANDROPOV

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LIMDIS
USINF/USSTART
E. O. 12356: DECL: OADR
TAGS: MNUC, PINR
SUBJECT: ARBATOV-STOESSEL CONVERSATION ON ANDROPOV,
POLITICAL LEADERSHIP, MILITARY DECISION-
MAKING
REF: MOSCOW 1909 (NOTAL)

1. (C) SUMMARY: IN A PRIVATE MEETING WITH CHIEF OF U.S. UNA SUBGROUP ON ARMS CONTROL, WALTER STOESSEL, USA/CANADA INSTITUTE DIRECTOR ARBATOV SHARED A FEW "IMPRESSIONS" OF ANDROPOV. THEY WERE PREDICTABLY FLATTERING. ARBATOV SEEMED DETERMINED TO DASH EVEN THE HINT OF A POWER STRUGGLE, PAST OR PRESENT, SAYING THAT THE SUCCESSION HAD BEEN DETERMINED LAST MAY AND THAT ANDROPOV, NOT CHERNENKO, WAS BREZHNEV'S PERSONAL CHOICE AS SUCCESSOR. THE INSTITUTE DIRECTOR REFUSED TO SPECULATE ON WHO THE NEXT SOVIET PRESIDENT WILL BE, BUT DID SAY THAT, BESIDES ANDROPOV, THE KEY DECISION MAKERS ARE USTINOV, CHERNENKO, GORBACHEV, AND GROMYKO. ARBATOV ALSO APPEARED TO TAKE PAINS TO SCOTCH ANY RUMORS OF ANDROPOV'S ILL HEALTH. ON QUESTIONS OF HUMAN RIGHTS, STOESSEL'S SOVIET INTERLOCUTOR REPEATED OLD REFRAINS. END SUMMARY.

2. (C) IN REPLY TO AN EARLIER REQUEST BY STOESSEL TO MEET WITH ANDROPOV, USA INSTITUTE DIRECTOR ARBATOV FEBRUARY 16 SAID THAT ANDROPOV WOULD BE UNABLE TO DO THIS. ANDROPOV HAS A HIGH REGARD FOR STOESSEL BECAUSE OF HIS PREVIOUS SERVICE IN THE USSR, BUT TO SEE HIM WOULD "OPEN A PANDORA'S BOX." ARBATOV SAID HE WOULD SEE ANDROPOV SOON, AND ASKED WHETHER STOESSEL HAD ANY MESSAGE. STOESSEL REPLIED, TELL HIM THE U. S. HOPES FOR BETTER RELATIONS.
ANDROPOV

3. (C) IN A PRIVATE CONVERSATION WITH STOESSEL AND HELMUT SONNENFELDT, ARBATOV DISCUSSED ANDROPOV AND THE LEADERSHIP:

- ... THE MAN

- ANDROPOV IS A DISCIPLINED MAN, A HARD WORKER.
- HE IS WELL PREPARED AND KNOWS INTERNATIONAL ISSUES. HE IS A VERY GOOD DRAFTER, "BETTER THAN HIS SPEECHWRITERS." ANDROPOV IS AN INTELLIGENT AND ABLE MAN WHO "UNDERSTANDS." HE KNOWS THE SCORE.
- ANDROPOV NOW ENGAGES IN NO SPORTS. HE DOES CALISTHENICS, HOWEVER, FOR AN HOUR EVERY MORNING. ON THE WEEKENDS ANDROPOV LIKES TO GO TO THE COUNTRY AND TAKE WALKS. HIS SON SAYS IT IS HARD TO KEEP UP WITH HIS FATHER.
- ANDROPOV HAD A HEARTATTACK IN THE 1950S.

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~~C O N F I D E N T I A L~~ SECTION 02 OF 05 MOSCOW 02077

LHMDS

USINF/USSTART

- HE IS NOW OKAY. HE HAS SOME HEALTH PROBLEMS,
- WHICH IS NORMAL FOR A MAN HIS AGE. GENERALLY,
- HOWEVER, HE IS OKAY AND VIGOROUS.
- --WHEN ARBATOV WORKED FOR ANDROPOV IN THE
- CENTRAL COMMITTEE SECRETARIAT, ANDROPOV
- STUDIED ENGLISH EVERY MORNING, FROM 0800 TO
- 1000. HE WAS "UNAPPROACHABLE" AT THAT TIME.
- ARBATOV USED TO GIVE HIM DETECTIVE STORIES
- IN ENGLISH TO READ. ANDROPOV HAD NO PROBLEM
- READING POLITICAL ARTICLES IN ENGLISH.
- --ANDROPOV COULD UNDERSTAND ENGLISH WELL, AND
- SPEAK FAIRLY WELL, BUT HE WAS NOT CONFIDENT
- OF HIS ABILITY. ARBATOV DOES NOT KNOW
- WHETHER ARBATOV KEPT UP HIS ENGLISH WHILE
- AT THE KGB.
- ... AND SUCCESSION

- --ANDROPOV WAS BREZHNEV'S CHOICE AS NUMBER 2
- AND SUCCESSOR. CHERNENKO WAS NEVER IN THIS ROLE.
- --ANDROPOV OCCUPIED SUSLOV'S OFFICE AFTER
- SUSLOV DIED--CHERNENKO HAS IT NOW.
- --ANDROPOV CHAIRED POLITBURO MEETINGS WHEN

- BREZHNEV WAS ABSENT--CHERNENKO CHAIRED
- WHEN ANDROPOV WAS ABSENT.
- --THE SUCCESSION WAS DECIDED IN MAY AFTER
- SUSLOV'S DEATH AND BREZHNEV'S SICKNESS IN
- TASHKENT.

MILITARY DECISIONMAKING

4. (C) STOESEL ASKED WHETHER ANDROPOV IS CHAIRMAN OF THE DEFENSE COUNCIL. ARBATOV ANSWERED THAT HE ASSUMES ANDROPOV IS, ALTHOUGH THIS HAS NEVER BEEN ANNOUNCED. "ANDROPOV IS COMMANDER IN CHIEF OF THE ARMED FORCES." (THE USA INSTITUTE'S GEN. LT. MILSHEYN, WHEN ASKED BY ANOTHER U. S. UNA PARTICIPANT ABOUT ANDROPOV CHAIRING THE DEFENSE COUNCIL, REPLIED, "HE IS THE GENERAL SECRETARY, ISN'T HE?")

5. (C) STOESEL ASKED ARBATOV ABOUT BREZHNEV'S OCTOBER 27 SPEECH TO THE MILITARY HIGH COMMAND. ARBATOV SAID THIS WAS A "NORMAL THING." USUALLY SUCH A SPEECH IS GIVEN EVERY YEAR. THERE WAS SOMETHING IN BREZHNEV'S SPEECH FOR EVERYONE. IT WAS NO BIG DEAL. ARBATOV SAID THAT ANDROPOV IS NOT A BIG EXPERT ON ARMS CONTROL, BUT HE KNOWS THE SUBJECT WELL. AS A POLITBURO MEMBER, HE HAS BEEN IN ON ALL THE DECISIONS.
CHERNENKO

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LIMDIS
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6. (C) ARBATOV DESCRIBED CHERNENKO AS NOT A BAD MAN. HIS SPEECHES WERE THOUGHTFUL AND GOOD. ALTHOUGH THEY WERE DONE BY SPEECHWRITERS, CHERNENKO SHOULD GET THE CREDIT FOR GIVING HIS SPEECHWRITERS GOOD GUIDANCE.
TOP DECISIONMAKERS

7. (C) STOESEL ASKED ARBATOV WHO WERE THE TOP DECISIONMAKERS, THOSE IN ON ALL THE MAJOR DECISIONS. ARBATOV SAID THAT IN ADDITION TO ANDROPOV THERE WERE FOUR: USTINOV, CHERNENKO, GORBACHEV, AND GROMYKO. ARBATOV SAID HE WAS HIGH ON GORBACHEV. HE IS A MAN WHO IS ABLE TO COPE. HE IS BRILLIANT.

8. (C) RYZHKOV IS ALSO VERY GOOD, ARBATOV SAID. SLYUNKOV, WHO HAS BEEN SENT TO BYELORUSSIA AS THE NEW FIRST SECRETARY, IS A SUPERB ORGANIZER AND GOOD MAN. IT'S A SHAME, ARBATOV SAID, THAT HE WAS SENT AWAY FROM MOSCOW, BUT HE WILL COME BACK.

ARBATOV DESCRIBED DOLGIKH AS ALSO VERY GOOD. HE WAS LONG IN THE SHADOW OF KIRILENKO, BUT HE WILL DO ALL RIGHT. TIKHONOV IS A GOOD MAN, BUT VERY OLD. ARBATOV SAID THERE WILL BE CHANGES IN MANY POSTS IN THE COMING MONTHS AND YEARS. THERE ARE SO MANY OLD PEOPLE. IN RESPONSE TO A QUESTION ABOUT WHO WOULD ASSUME THE PRESIDENCY, ARBATOV PROFESSED NOT TO KNOW.
ANDROPOV AND THE ECONOMY

9. (C) AS FOR ECONOMIC ISSUES, ARBATOV SAID ANDROPOV IS "BORING INTO THE PROBLEMS." HE WILL BE EFFECTIVE. BREZHNEV MADE MANY DECISIONS, BUT HE DIDN'T FOLLOW THEM UP. ANDROPOV WILL. THOSE WHO DON'T PERFORM WILL BE SACKED.

10. (C) ARBATOV SAID THAT WHAT ANDROPOV IS DOING NOW WITH THE ECONOMY IS PLUGGING GAPS. BIGGER CHANGES IN THE PLANNING AND ORGANIZATION OF THE MINISTRIES WILL COME. STOESEL POINTED TO THE NEED FOR INCENTIVES: MORE CONSUMER GOODS, WHICH IN TURN WOULD AFFECT RESOURCE ALLOCATION. STOESEL SAID THIS WOULD REQUIRE TOUGH DECISIONS. ARBATOV SAID ANDROPOV KNOWS THIS AND IS READY TO MAKE SUCH DECISIONS. MUCH CAN BE ACCOMPLISHED IN THE SHORT-TERM BY TIGHTENING UP. THIS WILL ACHIEVE BETTER COORDINATION OF PRODUCTION. FOR EXAMPLE, BETTER HANDLING OF GRAIN TRANSPORT AND STORAGE CAN ACHIEVE GAINS WITHOUT A BIG INVESTMENT.
HUMANITARIAN CASES

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11. (C) STOESEL PRESSED ARBATOV AGAIN ON HUMANITARIAN CASES (REFTEL). IT WOULD BE A GOOD MOVE FOR THE SOVIETS TO DO SOMETHING ON SHCHARANSKIY AND SAKHAROV. ARBATOV SAID THIS WOULD BE IMPOSSIBLE NOW. ANDROPOV WILL REVIEW CASES OF THIS KIND. IF THE PERSONS ARE NOT GUILTY, THEY WILL BE FREED; IF THEY ARE GUILTY, THEY WILL NOT BE FREED. ANDROPOV WILL NOT BE SWAYED BY PUBLIC PRESSURE. "HE WILL DO WHAT'S RIGHT."

12. (C) REPEATING A FAMILIAR REFRAIN, ARBATOV SAID THAT PAST SOVIET EXPERIENCE WITH ACTION ON HUMANITARIAN CASES HAS BEEN BAD. THE US USES SUCH CASES FOR PROPAGANDA. STOESEL REPLIED THAT THIS WOULD NOT BE OUR PURPOSE. ARBATOV SAID HE WAS NOT CONVINCED.
EAGLEBURGER REMARKS AND US-SOVIET COMMUNICATIONS

13. (C) ARBATOV SAID HE WAS FURIOUS ABOUT UNDER

SECRETARY EAGLEBURGER'S REMARKS AT HIS PRESS CONFERENCE ON THE DEMOCRATIZATION PROGRAM. ARBATOV SHOWED STOESEL A TASS REPORT LABELED "TOP SECRET" (SOVERSHENNO SEKRETHNYI). IT CONTAINED EAGLEBURGER'S REMARKS. STOESEL ASKED WHY A TASS REPORT WOULD BE TOP SECRET. ARBATOV RESPONDED THAT IT WAS BECAUSE THE REMARKS WERE SO ANTI-SOVIET.

14. (C) ARBATOV READ FROM THE TASS REPORT. HE SAID THAT EAGLEBURGER ASSERTED THAT THE SOVIET UNION WAS THE ENEMY OF ALL MANKIND. ARBATOV ASKED HOW CAN THE US EXPECT THE SOVIET UNION TO MOVE WHEN LANGUAGE LIKE THIS IS USED.

15. (C) STOESEL SAID THAT PERHAPS IT WOULD BE USEFUL TO COMMUNICATE AT THE HIGHEST LEVEL, SUCH AS THROUGH LETTERS. ARBATOV SAID THAT SUCH COMMUNICATIONS WERE USEFUL ONLY IF THEY CONTAINED SOME SUBSTANCE. OTHERWISE, THEY WOULD BE SEEN AS A PROPAGANDA EFFORT.
ARBATOV

16. (C) ARBATOV SAID HE HEADED A CONSULTING GROUP FOR ANDROPOV WHEN THE LATTER WAS IN THE SOCIALIST COUNTRIES DEPARTMENT OF THE CENTRAL COMMITTEE SECRETARIAT IN THE 1950S.

17. (U) PARAGRAPHS 2-16 WERE TAKEN FROM DETAILED WRITTEN NOTES PROVIDED BY AMBASSADOR STOESEL.
EMBASSY COMMENT

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PAGE 01
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18. (C) ARBATOV'S COMMENTS ON ANDROPOV AND THE LEADERSHIP WERE, OF COURSE, NOT "DISINTERESTED." A FORMER PROTEGE OF ANDROPOV, ARBATOV WAS ROOTING FOR THE NEW GENERAL SECRETARY EVEN PRIOR TO BREZHNEV'S DEATH. LEADERSHIP PROTOCOL RANKINGS, EXTENSIVE REVIEWS LAST FALL OF A CHERNENKO BOOK, THE LATTER'S SPEECH IN TBILISI IN LATE OCTOBER, AS WELL AS COMMENTS MADE BY A NUMBER OF SOVIET INTERLOCUTORS -- ALL BELIEVE ARBATOV'S ASSERTION THAT ANDROPOV WAS BREZHNEV'S CHOICE AS SUCCESSOR. A NUMBER OF SOVIET SOURCES ALSO TOLD US THAT IT WAS CHERNENKO, NOT ANDROPOV, WHO CHAIRED POLITBURO AND SECRETARIAT MEETINGS WHEN BREZHNEV WAS NOT PRESENT. THESE STATEMENTS SERVE TO CREATE AN IMPRESSION OF LEADERSHIP HARMONY ORGANIZED AROUND ANDROPOV AND TO DISCOUNT EVIDENCE OF FRICTIONS WITHIN THE "COLLECTIVE LEADERSHIP." ZIMMERMANN
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