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WITHDRAWAL SHEET

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Collection Name MATLOCK, JACK: FILES

Withdrawer

JET 5/27/2005

File Folder USSR-TREATIES/AGREEMENTS 11/24 [CONSULATES IN KIEV AND NEW YORK]

FOIA

F06-114/11

Box Number 38

YARHI-MILO

3801

| ID | Doc Type | Document Description | No of Pages | Doc Date | Restrictions |
|-------|----------|---|-------------|-----------|--------------|
| 12276 | MEMO | US-USSR CULTURAL EXCHANGES AGREEMENT: TERMS OF REFERENCE | 4 | ND | B1 |
| 12244 | MEMO | DORNAN TO CLARK RE STRATEGY PAPER FOR CONSULATES IN KIEV AND NEW YORK: COMMENTS AND RESERVATIONS PAR 2/26/2016 F2006-114/11 | 5 | 8/11/1983 | B1 |
| 12247 | MEMO | KIMMITT TO HILL RE STRATEGY PAPER FOR NEGOTIATIONS WITH THE SOVIET UNION ON THE ESTABLISHMENT OF CONSULATES IN KIEV AND NEW YORK R 4/14/2011 F2006-114/11 | 1 | 3/12/1984 | B1 |
| 12252 | MEMO | KIMMITT TO HILL RE AGREEMENT WITH THE USSR ON CONTACTS, EXCHANGES, AND COOPERATION R 4/14/2011 F2006-114/11 | 1 | 3/12/1984 | B1 |
| 12256 | MEMO | KIMMITT TO HILL RE CONSULAR REVIEW TALKS WITH THE USSR R 4/14/2011 F2006-114/11 | 1 | 3/12/1984 | B1 |
| 12261 | MEMO | MATLOCK TO MCFARLANE RE BILATERAL ISSUES WITH SOVIETS: BUREAUCRATIC HANDLING R 4/14/2011 F2006-114/11 | 3 | 3/8/1984 | 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.

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name MATLOCK, JACK: FILES

Withdrawer

JET 5/27/2005

File Folder USSR-TREATIES/AGREEMENTS 11/24 [CONSULATES IN KIEV AND NEW YORK]

FOIA

F06-114/11

Box Number 38

YARHI-MILO

3801

| ID | Doc Type | Document Description | No of Pages | Doc Date | Restrictions |
|-------|----------|--|-------------|-----------|--------------|
| 12264 | MEMO | MATLOCK TO MCFARLANE RE RE STRATEGY PAPER FOR CONSULATES IN KIEV AND NEW YORK PAR 4/14/2011 F2006-114/11 | 2 | 3/19/1984 | B1 |
| 12277 | MEMO | HILL TO MCFARLANE RE STRATEGY PAPER FOR NEGOTIATIONS WITH THE SOVIET UNION ON THE ESTABLISHMENT OF CONSULATES IN KIEV AND NEW YORK | 8 | 3/16/1984 | B1 |
| 12275 | MEMO | DEGRAFFENREID TO MCFARLANE RE STAFFING ISSUE ON THE KIEV CONSULATE PAR 2/26/2016 F2006-114/11 | 1 | 3/20/1985 | B1 |
| 12274 | MEMO | SAME TEXT AS DOC #12264 PAR 4/14/2011 F2006-114/11 | 2 | 3/19/1984 | B1 |
| 12250 | MEMO | SAME TEXT AS DOC #12247 R 4/14/2011 F2006-114/11 | 1 | 3/12/1984 | B1 |
| 12278 | MEMO | SAME TEXT AS DOC #12277 | 8 | 3/16/1984 | B1 |

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

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B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

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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]

Approved in accordance with regulations contained in donor's deed of gift

TO

CLARK

FROM HILL, C

DOCDATE 11 JUL 83

DECLASSIFIED
White House Guidelines, August 28, 1997
By CIS NARA, Date 8/8/02FILE
EXCHANGES

KEYWORDS: USSR

SUBJECT: TERMS OF REFERENCE FOR NEGOTIATIONS W/ USSR ON CULTURAL EXCHANGES
AGREEMENT & ESTABLISHMENT OF CONSULATES IN KIEV & NEW YORK-----
ACTION: PREPARE MEMO FOR CLARK DUE: STATUS S FILES IF

FOR ACTION

FOR CONCURRENCE

FOR INFO

MATLOCK

DOBRIANSKY

LENCZOWSKI

COMMENTS

REF# 8321028

LOG 8390802

NSCIFID

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ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

DISPATCH _____ W/ATTCH FILE _____ (C)



S/S 8321028

United States Department of State

Washington, D.C. 20520

SYSTEM II
90867

July 11, 1983

4756
~~SECRET~~

MEMORANDUM FOR MR. WILLIAM P. CLARK
THE WHITE HOUSE

SUBJECT: Terms of Reference for Negotiations with the Soviet
Union on a Cultural Exchanges Agreement and the
Establishment of New Consulates in Kiev and New York

Enclosed are the Terms of Reference for the two sets of
negotiations requested by you on July 5.

Charles Hill

Charles Hill
Executive Secretary

Enclosure:
As stated.

DECLASSIFIED

Department of State Guidelines, July 21, 1997
By CS NARA, Date 8/8/01

~~SECRET~~

7

Establishment of New Consulates

Taking into consideration the intensive development of ties between the US and the USSR and the importance of further expanding consular relations on the basis of the US-USSR Consular Convention, and desiring to promote trade, tourism and coopera-

tion between them in various areas, both Sides agreed to open additional Consulates General in two or three cities of each country.

As a first step they agreed in principle to the simultaneous establishment of a United States Consulate General in Kiev and a USSR Consulate General in New York. Negotiations for implementation of this agreement will take place at an early date.

Both Sides highly appreciate the frank and constructive atmosphere and fruitful results of the talks held between them in the course of the present meeting. They are convinced that the results represent a new and important milestone along the road of improving relations between the USA and the USSR to the benefit of the peoples of both countries, and a significant contribution to their efforts aimed at strengthening world peace and security.

Having again noted in this connection the exceptional importance and great practical usefulness of US-Soviet summit meetings, both Sides reaffirmed their agreement to hold such meetings regularly and when considered necessary for the discussion and solution of urgent questions. Both Sides also expressed their readiness to continue their active and close contacts and consultations.

The President extended an invitation to General Secretary of the Central Committee of the CPSU, L. I. Brezhnev, to pay an official visit to the United States in 1975. This invitation was accepted with pleasure.

July 3, 1974

For the United States
of America;

RICHARD NIXON

*President of the United
States of America*

For the Union of Soviet
Socialist Republics:

L. BREZHNEV

*General Secretary of the
Central Committee
of the CPSU*

The Department of State refers to the aide memoire of the USSR Ministry of Foreign Affairs of September 2, 1976 and the Embassy's note No. 38 of May 21, 1976 and wishes to communicate the following regarding the establishment of a Consulate General of the United States in Kiev and a Consulate General of the USSR in New York.

The Department is ready to receive a Soviet Advance Party in New York as of September 24, and agrees that the members of this group will be considered as "appointed consular officers and employees" temporarily assigned to the Embassy of the USSR in Washington but carrying out their functions in New York in connection with the preparation for the official opening of the Soviet Consulate General in that city. The Department also agrees that these appointed consular officers, in their capacity of Embassy employees may also be concerned with matters related to the security of Soviet establishments and personnel in New York not connected with the United Nations and may maintain working contacts on these matters with the appropriate U.S. authorities. As is the usual procedure, upon the opening of the Soviet Consulate General in New York, these officers or employees will be recognized as permanent members of the Soviet Consulate General and will receive privileges and immunities in accordance with the US-USSR Consular Convention.

9

The Department is prepared to agree to the establishment of a Soviet advance group consisting of not more than ten (10) diplomatic and service and technical personnel. When reconfiguration of the office buildings in Kiev and New York is ready to be initiated simultaneously, the Department will consider an increase in the size of the Soviet Advance Party. The Department requests that the Soviet Embassy inform it of the names of the individuals who will constitute the Soviet advance group.

The Department recalls the principles set forth in the Garrison to Vorontsov letters of June 18, 1975 and Vorontsov to Garrison reply of June 26, 1975, reiterated in the Garrison to Vorontsov letter of June 4, 1976 which must continue to govern the use of the Soviet buildings in New York pending the establishment of consulates. These principles which should continue to govern the Embassy and the advance group which goes to New York are:

1. Reconfiguration of the respective office buildings at Streletskaya and 9 East 91st Street, including remodeling or repair, will start simultaneously on a date to be mutually agreed.

2. Specific changes at the premises in New York for the sole purpose of ensuring their physical security to be made in advance of the beginning of reconfiguration work on the building will be considered by the Department upon the written request of the Embassy.

10

3. Office buildings at Streletskaya and 9 East 91st Street will not be used for any purpose prior to the beginning of reconfiguration except by mutual agreement.

4. The Department agrees that three members of the Soviet Advance Party together with their families may reside in the building at 9 East 91st Street.

5. The Department agrees that up to three members of the Soviet advance party together with their families may reside in the building at 11 East 91st Street.

The Department plans to send an advance party of future consular officers and employees to Kiev on or about September 24 to carry out their functions in preparation for the official opening of the United States Consulate in that city. These designated consular officers and employees will be temporarily assigned to the United States Embassy in Moscow. The size of the American group will initially be four and when the reconfiguration of the office buildings is ready to be initiated in Kiev and New York, the Department will consult with the Soviet side as to any increase in the U.S. Advance Party. The Embassy of the United States in Moscow will inform the Soviet Ministry of Foreign Affairs of the names of the four individuals who will constitute the American Advance Party in Kiev. As is the usual procedure, upon the opening of the United States Consulate General in Kiev, these officers or employees will be recognized as permanent members of the United States Consulate General and will receive privileges and immunities in accordance with US-USSR Consular Convention.

17

The Department wishes to inform the Embassy that the point of contact for the Soviet Advance Party for routine matters involving its stay in New York and on questions of travel beyond the 25-mile zone will be the U.S. Mission to the United Nations. The Department understands that the Ministry of Foreign Affairs of the Ukrainian SSR will be the point of contact for the U.S. Advance Party in Kiev for routine matters involving its stay and for related travel questions.

The Department is prepared to proceed in formally establishing advance parties in New York and Kiev based on the response by the Soviet Embassy.

Department of State,

Washington, *September 24, 1976,*

Drafted:EUR/SOV:MDGrimes:vpb
x28670, 9/21/76

Cleared:EUR/EX:JClark
A/FBO:PStange

L:hfshamwell
S/CPR:HDavis

IO:LHage
S/S-S:MEDham

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO.

58852

PA/DZ

Russian

No. 69

✓ The Embassy of the U.S.S.R. confirms receipt of the note of the Department of State of the U.S.A. of September 24, 1976 on questions related to the establishment of Consulates-General of the U.S.S.R. and the U.S.A. in New York and Kiev, and taking into account the discussion of these questions during talks held between the Deputy Minister of the U.S.S.R., G. M. Korniyenko, and Assistant Secretary of State of the U.S.A., Mr. Arthur A. Hartman, on October 1 of this year, has the following to transmit.

The Embassy takes into consideration the willingness of the Department of State to officially establish, beginning on September 24, 1976, advance groups composed of designated consular officials and staff members temporarily assigned to the Soviet and U.S. Embassies in Washington and Moscow, which shall carry out their functions in New York and Kiev, respectively, in connection with the preparations for the official opening of the Consulates-General in both cities.

✓ This is to inform the Department of State that as of today⁰ the following personnel of the Embassy shall be among the members of the Soviet advance group.

Department of State
of the United States of America,
Washington, D.C.

✓ Counsellor A. G. Mushkov, as the designated Consul-General of the U.S.S.R. in New York, who has been charged with heading the advance group; First Secretary V. A. Kuleshov and Second Secretary I. A. Kuznetsov, as designated Consuls; Second Secretary V. V. Grishaev, as the designated Vice-Consul; staff member of the Embassy V. V. Grachev, as a designated consular official; and staff members of the Embassy, V. I. Konovalev, V. M. Kuznetsov, A. N. Matusevich, and Ye. A. Sulin, as staff members of the Consulate-General being established.

The names of the other members of the advance group shall be additionally transmitted to the Department of State.

The intention of the Department of State to transmit to the Ministry of Foreign Affairs of the U.S.S.R., through the Embassy of the U.S.A. in Moscow, the list of the U.S. advance group in Kiev, is taken into consideration.

The Embassy notes that the Department of State agrees that prior to the official opening of both Consulates-General, the Soviet advance group, in addition to carrying out the functions connected with preparations for the opening of the Consulate-General of the U.S.S.R., will deal with questions related to the safety of Soviet institutions and Soviet citizens in New York (including Soviet citizens who are personnel of the U.N. Secretariat), excepting personnel of the Permanent Mission of the U.S.S.R. to the U.N., and will be able to be in contact with appropriate U.S. authorities regarding these questions, as well as handle protocol matters with regard to Soviet delegations arriving in New York which are not connected with the U.N.

The Embassy takes into consideration the fact that on questions of their daily stay in New York, as well as trips beyond the 25-mile zone, the Soviet advance group will be able to refer to the Mission of the U.S.A. to the U.N.

Washington, October 4, 1976

11/9/74 15

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LSNO. 59235
PA/DZ
Russian

[Seal of the U.S.S.R.]

Embassy of the Union of
Soviet Socialist Republics

No. 70

The Embassy of the U.S.S.R., as an addition to its note No. 60 of October 4 of this year, communicates to the Department of State of the U.S.A. that from this day on, the members of the Embassy listed below are included in the advance group of the Consulate General of the U.S.S.R. being established in New York, and as appointed authorized personnel shall perform functions in New York related to the preparations for the official opening of the Consulate General and shall deal with questions, an understanding about which has been established through an exchange of notes between the Embassy and the Department of State of October 4 and September 24 of this year, respectively:

Matsenov, V. G. - as First Secretary of the Embassy and designated Consul;

Moskvin, L. A. - as Second Secretary of the Embassy and designated Vice-Consul.

The surnames of the remaining members of the advance group shall be given additionally.

At the same time, the Embassy informs the Department of State that the Second Secretary of the Embassy, V. V. Grishayev, named in Note No. 60

Department of State
of the United States of America,
Washington, D.C.
[Initialled: Yu. V.]

of October 4 of this year as a member of the Soviet advance group in New York, has returned to Washington from New York to work at the Embassy.

Washington, November 9, 1976

17
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DEPARTMENT OF STATE

1976 NOV 9 PM 4 24

GAO
DOCUMENT ANALYSIS

RECEIVED
DEPARTMENT OF STATE

1976 NOV 9 PM 4 54

OFFICE OF
PUBLIC AFFAIRS
SOV

№ 70

Посольство СССР в дополнение к своей ноте № 60 от 4 октября с.г. сообщает Государственному Департаменту США, что нижепоименованные сотрудники Посольства с сего дня включаются в состав советской передовой группы учреждаемого Генерального консульства СССР в Нью-Йорке и в качестве назначенных консульских должностных лиц будут выполнять в Нью-Йорке функции в связи с подготовкой к официальному открытию Генерального консульства и заниматься вопросами, договоренность о которых зафиксирована путем обмена нотами Посольства и Государственного Департамента соответственно от 4 октября и 24 сентября с.г.:

Маценов В.Г. — в качестве первого секретаря Посольства и назначенного консула;

Москвин Л.А. — в качестве второго секретаря Посольства и назначенного вице-консула.

Фамилии остальных членов передовой группы будут названы дополнительно.

В ГОСУДАРСТВЕННЫЙ ДЕПАРТАМЕНТ
СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ

г. Вашингтон

Одновременно Посольство информирует Государственный Департамент о том, что второй секретарь Посольства Гришаев В.В., названный в ноте № 60 от 4 октября с.г. в качестве члена советской передовой группы в Нью-Йорке, вернулся из Нью-Йорка в Вашингтон для работы в Посольстве.

г.Вашингтон, 9 ноября 1976 года

The Department of State acknowledges receipt of Note No. 70 dated November 19, 1976, from the Embassy of the Union of Soviet Socialist Republics, informing the Department of the appointment of V. G. Matsenov and L. A. Moskvina as members of the Embassy advance party in New York and of the fact that V. V. Grishayev, formerly a member of the advance group, has returned to Washington to work at the Embassy.

By the Department's count, the addition of these two employees brings the total number of Soviet advance party members in New York to ten. In order to avoid misunderstandings, the Department calls the attention of the Embassy to the discussion of October 1, 1976, between Assistant Secretary of State Hartman and Deputy Foreign Minister Korniyenko in which Mr. Hartman informed Mr. Korniyenko that the Department would authorize ten Embassy employees to live and work in New York as members of the Soviet advance party. Mr. Hartman told Mr. Korniyenko at that time that the Department would consider an increase in the size of the Soviet advance party in New York once reconfiguration of the two official buildings begins simultaneously in Kiev and New York. As the Embassy is aware, this reconfiguration has not yet begun.

The Department also notes that extension of the visas for temporary Embassy employees Bayev and Makarov until February 15, 1977, has been requested by the Embassy. In a meeting on September 24 between Minister Counselor Vorontsov and Mr. Garrison of the Office of Soviet Union Affairs, Mr. Garrison agreed that Mr. Bayev and Mr. Makarov could remain in the United States for two more months. Nevertheless, the Department is prepared to extend the visas of Mr. Bayev and Mr. Makarov until January 15, 1977, at which time it will consider a further extension based on an assessment of the progress to that date regarding the reconfiguration of the future United States office building in Kiev.

Department of State,

Washington, November 19, 1976.

Handed to Ravelow 11-19-76

Drafted:
EUR:SOV:MLevitsky:reh
11/18/76 x 28671

Cleared:
EUR:SOV:MGarrison
EUR/EX:NBaskey (in draft)
S/S-S - in draft

USSR- *Dup*
National Security Council
The White House

File - 21
USSR - Consolidated
RA
2/2/83

System # 11

Package# 90965

add-on

83 AUG 15 P 4: 59

| | SEQUENCE TO | HAS SEEN | DISPOSITION |
|---------------------|-------------|-----------|-------------|
| Executive Secretary | <u>1</u> | <u>mm</u> | |
| John Poindexter | | | |
| Bud McFarlane | | | |
| Jacque Hill | | | |
| Judge Clark | | | |
| John Poindexter | | | |
| Executive Secretary | | | |
| NSC Secretariat | | | |
| Situation Room | | | |
| <u>Lenczowski</u> | <u>2</u> | | <u>A</u> |

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

DISTRIBUTION

cc: VP Meese Baker Deaver Other

COMMENTS

Should be seen by:

(Date/Time)

John:

As Poindexter's note indicates, we need a consolidated memo, with options. Coordinate with Paula and Hoffmann/Dornan.

Bob

National Security Council
The White House

769
II

RECEIVED

System #

Package #

90965

add-on RA.

83 AUG 12 All: 15

SEQUENCE TO

HAS SEEN

DISPOSITION

Executive Secretary

1

MUM

John Poindexter

3

Bud McFarlane

Jacque Hill

Judge Clark

John Poindexter

Executive Secretary

NSC Secretariat

Situation Room

Dorman

2

✓

A

I-Information

A-Action

R-Retain

D-Dispatch

N-No further Action

DISTRIBUTION

cc: VP

Meese

Baker

Deaver

Other

COMMENTS

Should be seen by:

(Date/Time)

Ware: Done
Redo types. Original package
on hold with Poindexter awaiting
yours.

B.6

THE WHITE HOUSE
WASHINGTON

23
8/15

Bob Kinnith,

Please have Intel
and Engeman - Soviet office
put together a single
package with options
for the Judge.

JL

~~SECRET~~

12244

MEMORANDUM

~~SECRET~~

NATIONAL SECURITY COUNCIL

ACTION

August 11, 1983

MEMORANDUM FOR WILLIAM P. CLARK

FROM: DIANE DORNAN *DD*SUBJECT: Strategy Paper for Consulates in Kiev and
New York: Comments and Reservations

I am concerned that the recommended negotiating terms for establishing the Kiev and New York consulates may give the Soviets greater intelligence benefits than the US and undercut other Administration policies. In particular, these recommendations are based on a highly dubious interpretation of the NSDD-75 directive that we secure "strict reciprocity" in such matters and would gut options being considered (pursuant to NSSD-2) to reduce the presence in the US of hostile intelligence agents and thus to minimize technology transfer and other problems. The consulate arrangements probably will be perceived domestically, in the USSR and among other nations as a bellwether of the terms on which the Reagan Administration will consider improving relations with the Soviets and if concluded according to present recommendations could send a signal misrepresenting the Administration's intentions and undercutting its credibility. In general, this initiative seems to have been put together rather hastily and without review by all the concerned agencies. Therefore I would urge that the recommendations be reconsidered.

Interagency Participation. This initiative is a very important one with many ramifications, and normally might undergo final determination at an NSC meeting if there was interagency disagreement. Secretary Shultz personally secured from President Reagan agreement "in principle" to the establishment of these consulates, but presumably this means that approval was conditioned on satisfactory resolution of details. There is disagreement, even among the restricted number of agencies presently formulating the consulate policy, over the terms to be recommended and net benefits to the US of various possible arrangements. The manner in which contentious issues are resolved will affect directly our technology transfer policy, our policy toward Soviet nationalities, the proposal to reduce the number of hostile agents in the US and other counterintelligence issues. These policies currently are being dealt with in various interagency groups, many of which probably are unaware of preparations for negotiations on consulates unless they saw them mentioned in the August 9 issue of the New York Times (Tab I).

In implementing your directive to draft terms of reference and negotiating strategy on the consulate issue, the State Department apparently called only two meetings, at which State was the only broad policy-making agency represented, other participants [REDACTED] being concerned with relatively narrow intelligence and counterintelligence mandates. OSD, which obviously has been deeply

~~SECRET~~

Declassify on: OADR

~~SECRET~~

DECLASSIFIED IN PART

NLS Feb-11/11-12244

BY LOI, NARA, Date 8/26/8660135246
Sec. 3.3(b)(1)

~~SECRET~~

SYSTEM II
90965 (add-on)

involved in the above policy issues, apparently has not been consulted.

Intelligence Benefits. The net benefits to the US of opening such a consulate appear uncertain and highly dependent on the terms we accept.

[REDACTED]

On the other hand, however, there is no doubt the Soviets would gain considerably more than the US on the HUMINT side if the policy were implemented as recommended. The net intelligence benefits under these circumstances might favor the Soviet Union, for the following reasons:

EO 13526
SEC. 3.3(b)(1)

- It is recommended that the US plan a consular staff of 16 Americans and 12 Soviet nationals; the Soviets, in turn, would be allowed to staff their New York consulate with 28 people, all of whom would surely be Soviet citizens. Not only would the Soviets be in an excellent position to gather intelligence on US operations in Kiev and greatly reduce their value, but also this 12-person advantage alone would allow the USSR to place more operatives in the United States than the US could place in the USSR. There is no guarantee that tentative good-faith efforts to hire US support staff and rectify this imbalance will be successful, although when considered in isolation this step would constitute a welcome alteration in present policy.

[REDACTED]

- Soviet diplomatic delegations, in contrast, routinely have a much higher percentage of intelligence agents than do US delegations, and these agents are extremely aggressive. They have been amazingly successful in recruiting espionage rings designed especially to secure US military and other technology.

- The activities of Western personnel are considerably more restricted than those of their Soviet counterparts in the US, so even given equal numbers of agents there is always a net benefit to the USSR. This reality is reflected in the acknowledgement that agreements for access routes to Kiev would have to be improved greatly and in the provisions for expensive recreational facilities for American personnel, since this would "improve the morale and the quality of life at an extremely isolated post."

Defining Reciprocity. Quite aside from problems regarding their net intelligence benefits, the proposed terms do not fulfill the Administration's goal of securing "strict reciprocity" so that the US-Soviet relationship is equally advantageous. The action memorandum interprets this requirement in an extremely narrow sense, to mean only

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SYSTEM II
90965 (add-on)

24

reciprocity for this particular agreement, and ignores the broader need to begin rectifying existing imbalances. Even according to the narrower interpretation, however, the suggested terms of this particular agreement are not strictly reciprocal, since the USSR would be allowed more favorable property rights and, as pointed out above, emplacement of 75% more additional nationals than the US probably would station in Kiev, with associated intelligence and counterintelligence benefits. In terms of overall reciprocity the current 56% Soviet advantage in diplomatic personnel (205 US vs. 320 USSR), rather than being narrowed, actually would be widened by the net addition of 12 persons to the existing 115-person gap.*

Other Options. This lack of planned reciprocity is particularly distressing because the negotiations for new consulates present an excellent opportunity to begin rectifying current imbalances in a very unobtrusive and diplomatic way, and to establish new principles governing the US-Soviet relationship. The subject paper's discussion of negotiating options excludes from consideration alternative negotiating approaches which would better secure our goals and it postulates misleading objections to policies other than the one recommended.

- On the issue of US rental vs. Soviet ownership of respective consulates, it may be true that the Soviets could sue if the US forcibly expropriated the USSR from New York property it acquired in the early 1970s. However, this is largely irrelevant. The US seeks a negotiated, not an imposed, solution, and the Soviets would hardly sue if they had willingly agreed to give up these property rights. To secure such agreement, the US could use means of pressure more indirect than threats of seizure. For example, international law clearly allows the US to regulate Soviet use of property it owns here, and we could merely deny the right to establish a consulate or other useful facility at the property they now own unless the US secures similar rights in Kiev, forcing the Soviets to alter their negotiating position or rent additional property if they want an agreement. Alternatively, the US might

*It is misleading to imply that this gap is unimportant on grounds that the Soviet advantage derives largely from their policy of using USSR citizens for support staff. Support staff often are intelligence operatives, and the Soviet advantage here means it is much more difficult for the US to penetrate Soviet operations than for the Soviets to monitor US diplomatic activities, and it is easier for the Soviets to infiltrate agents to acquire information in the US. As noted above, even if numbers were equal the Soviets would be fielding more operatives since these constitute a higher percentage of Soviet delegations. Moreover, the support staff inequity has not arisen solely because of lack of Congressional funding for the US delegation; although the Soviets have no official policy of limiting the US presence, they often use the excuse that there are inadequate housing or other facilities.

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SYSTEM II
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accept Soviet ownership but insist that the USSR reciprocate -- not by granting a long-term lease in Kiev at reasonable prices (this should be considered a given right for which we need not make concessions), but by not increasing their personnel in the US.

- The analysis arbitrarily assumes that if the Soviets are forced to stay within their present ceiling, US personnel in the USSR automatically would be capped as well. Yet it would be eminently reasonable for the US to present its negotiating position as based on the desire to move gradually toward equality. A freeze in both delegations would merely retain present inequalities; a freeze on Soviet personnel and an increase in overall numbers of US personnel would narrow that gap without forced expulsions. It could be pointed out to the USSR that any shortage in professional staff could be compensated by adopting the US policy of hiring local persons for support functions.

Broader Policy Issues. Heretofore, the thrust of US policy deliberations has been to seek a way to eliminate overall inequality and, ideally, to reduce the number of Soviet agents here. The policy now being proposed actually would both exacerbate inequality and increase the presence of hostile agents, and the Reagan Administration would be lifting the limit on Soviet diplomatic personnel imposed by the Carter Administration in 1980. Even a subsequent (and contradictory) decision to expel Soviet spies would probably leave us in a worse position than we are in today unless the expulsions were on a very large scale, since the Soviets doubtless would be left with more resident intelligence agents than they have presently. The Reagan Administration has not yet determined upon an initiative to reduce the number of Soviet spies, largely because of State Department fear of possible Soviet retaliation against US diplomats and not because anyone doubts that the intelligence problem is an extremely serious one. We are now considering allowing an increase in the hostile presence when we have an opportunity instead to move toward reciprocity by means of a quietly negotiated agreement obviating the possibility of retaliation.

In sum, if it establishes the new consulates in the manner recommended, clearly this Administration will have abandoned any pretense of intent to alleviate the serious counterintelligence problem we face. It will thereby also have indicated that it is not sufficiently concerned about the technology transfer problem to insist upon fair diplomatic arrangements, and it will hardly be able to ask US allies to sacrifice their relations with the Soviets to this cause. Other countries, even non-NATO countries, recently have expelled many Soviet diplomats because of the blatant methods they have used to steal industrial and military technology; the US, in contrast, will be easing the Soviet task and displaying a singular lack of courage in the process. Such action would provide tangible evidence that the US is willing to seek detente on unequal terms.

It is possible that the Soviets ultimately would reject the establishment of consulates if they were not allowed to increase their diplomatic contingent while the US was so allowed. But if so, this would simply mean that they insist upon unilateral rights,

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-5-

and those who argue we should concede them these advantages should forthrightly admit that this is their position, present a net assessment of the intelligence advantages involved, acknowledge that related policies are being undermined or dropped and state the benefits they believe will accrue from such an alteration in the Administration's approach to US-Soviet relations. Even should we decide to make such concessions in the face of Soviet obduracy, it would appear unnecessary and unwise to begin negotiations on these terms without seeing first if we could do better.

Recommendation

Given the analytical problems discussed above and the apparent failure to consult with interested agencies, the strategy paper for consulates in Kiev and New York should be remanded to an interagency group for additional work and coordination.

Approve _____

Disapprove _____

Attachment

Tab I Hedrick Smith, "US Officials See Less Strain in Soviet Ties," New York Times, August 9, 1983

cc: Jack Matlock
Paula Dobriansky
John Lenczowski

~~SECRET~~

NEW YORK TIMES

9 August 1983

Pg. 1

U.S. Officials See Less Strain in Soviet Ties

By HEDRICK SMITH

Special to The New York Times

WASHINGTON, Aug. 8 — On the strength of some favorable developments in several fields of negotiation with Moscow, senior Administration officials say the decline in Soviet-American relations has stopped. But they are uncertain whether a genuinely positive trend has taken hold.

President Reagan set the mood after the announcement of a new Soviet-American grain agreement late in July when he was asked whether the accord signaled "a thaw" in the two countries' relations. "I wouldn't use that word yet," he replied, taking a position between caution and hopefulness.

But senior Administration officials have drawn some modest encouragement from several developments: the new grain agreement increasing the minimum level of Soviet purchases, a long-sought compromise at the East-West talks in Madrid, some easing of differences in the strategic nuclear arms negotiations and the talks on conventional forces in Europe, and a go-ahead for working-level talks on a new Soviet-American cultural agreement and an exchange of consulates in Kiev and New York.

"There's a willingness to do business," said a senior State Department official. "That's a change. Several of these developments are favorable signs. But whether they are coincidental or represent a change in attitude, we'll have to wait and see over time. I don't think anybody is prepared to say these things represent a major turnaround in Soviet attitudes. In these recent agreements, there's been benefit for them. They're not making big concessions."

White House officials share that assessment but are very careful not to seem overly eager to make positive pronouncements. "There is a little sense of movement on the peripheral issues," said one. A national security specialist observed that "both sides are trying to handle things to show that the doors are not completely shut, to show that we can reach agreements when it is in our interest."

Against the favorable signs, Government analysts of Soviet affairs cite troublesome developments in the increased flow of Soviet cargo ships mov-

ing military supplies into Nicaragua this year and the Kremlin's move last spring to place a highly sophisticated air defense system of SAM-5 missiles manned by Soviet troops in Syria.

The Administration is also carefully assessing the situation in Poland to see whether the lifting of martial law there will lead to some political relaxation or whether the measures that have been substituted for it will be more stringent.

The present naval maneuvers off Central America are intended in part to warn Moscow to pull back from that region and to persuade Nicaragua and the Salvadoran leftists to seek political settlements with Washington and the Government of El Salvador. Some officials believe that Moscow, through Cuba, may have advised caution.

The tracking of a Soviet freighter by an American destroyer 10 days ago off the Nicaragua coast raised the risks of a new Soviet-American confrontation. But Administration officials contend that this is "not super-unusual" for naval exercises, say that no naval blockade is in force and assert that the lack of diplomatic protest from Moscow indicates the Russians may be less alarmed than some members of Congress.

Despite uncertainties, some officials speculate privately that the climate may be changing slowly because of the political needs in both capitals — President Reagan's apparent preparation for a re-election campaign and the Kremlin's reassessment of Soviet economic troubles and the Soviet needs for Western commerce and technology.

Within the Government, more officials are saying they believe the Soviet leadership under Yuri V. Andropov has concluded that with American economic recovery well under way, President Reagan stands a good chance of re-election in 1984. This means that Moscow faces the prospect of dealing with him for five more years.

Several months ago, in the wake of the Republicans' 1982 election defeats, high Soviet officials were telling official American visitors that it was impossible to do business with the Reagan Administration. The view developing within the Administration is that Moscow now shows a willingness to reach agreements here and there rather than take a hard line across the board.

Major tests of Soviet intentions and attitudes toward the Reagan Administration will come in the fall when Secretary of State George P. Shultz is scheduled to meet Foreign Minister

Andrei A. Gromyko at the East-West conference in Madrid and again at the United Nations, and when the talks on European-based nuclear missile systems resume in Geneva.

Officials differ on how vigorously the Administration should seek new agreements with Moscow. In several sessions this spring with the Soviet Ambassador, Anatoly F. Dobrynin, Mr. Shultz won agreement to proceed with working-level talks on cultural exchanges and the opening of a new Soviet consulate in New York and a new American consulate in Kiev.

After Moscow agreed in a new five-year grain agreement to increase its minimum purchases of American grain from six million to nine million tons a year, Mr. Shultz joined with Commerce Secretary Malcolm Baldrige to recommend relaxation of the Administration's controls on the export of oil and gas equipment to the Soviet Union.

Defense Secretary Caspar W. Weinberger, reportedly backed by William P. Clark, Mr. Reagan's national security adviser, has so far resisted such a move.

The grain deal was seen here as a plus for President Reagan, who has been seeking to hold political support in the farm belt states despite large farm surpluses.

Summit Meeting Mooted

More broadly, Mr. Shultz and some of President Reagan's political strategists, including James A. Baker 3d, the White House chief of staff, and Michael K. Deaver, the deputy chief of staff, have reportedly favored testing the possibilities of working toward a summit meeting between President Reagan and Mr. Andropov next year, to deal with various economic, cultural, consular, and regional issues.

Mr. Clark and Mr. Weinberger are said to have taken the position that any top-level meeting would have to deal mainly with arms control issues and would have to be structured in advance to assure agreement.

The talks on intermediate-range nuclear forces are cited by many officials as affording the key test of Soviet intentions and constituting the one arena where Moscow has been unyielding.

Some State Department and arms control officials believe that in a final effort to block or disrupt the scheduled deployment of American missiles in Europe later this year, especially Pershing 2 missiles in West Germany, the Kremlin may modify its line this fall.

USA TODAY 9 AUGUST 1983 Pg. 9

Japan: Pacifists protest ship's weaponry

TOKYO — On the eve of the 38th anniversary of the U.S. atomic bombing of Nagasaki, some 800 people marched into the port of Sasebo claiming the aircraft

carrier USS Midway carried nuclear weapons in violation of Japan's ban on all nuclear arms. In Nagasaki, meanwhile, thousands of pacifists opened a two-day conference on nuclear weapons.

Treaties & Agreements
File USSR - Consulates
ID 8400620

NSC/S PROFILE

UNCLASSIFIED

RECEIVED 23 JAN 84 11

TO PRESIDENT

FROM JOHNSON, NANCY L

DOCDATE 15 DEC 83

THOMAS, W

17 JAN 84

KEYWORDS: USSR

CO

SVITLYCHNA, NADIA

SUBJECT. LTR TO PRES FM REP JOHNSON RE CONSTITUENTS LTR TO ESTABLISHMENT
US CONSULATE KIEV

ACTION: DIRECT REPLY FURNISH INFO COPY DUE:

STATUS R FILES WH

FOR ACTION
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REFERRAL

DATE: 24 JAN 84

MEMORANDUM FOR: DEPT OF STATE

DOCUMENT DESCRIPTION:

TO: PRESIDENT

SOURCE: JOHNSON, NANCY L

DATE: 15 DEC 83

KEYWORDS: USSR

CO

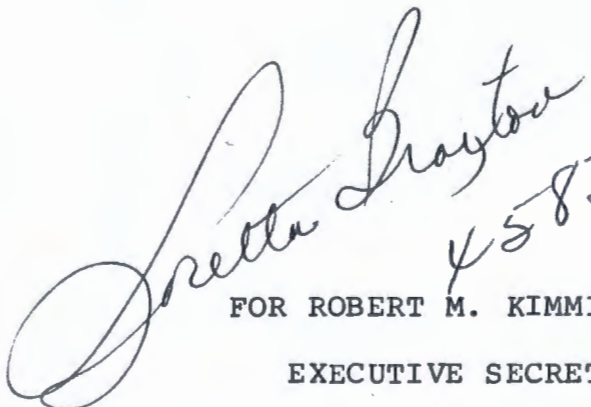
SVITLYCHNA, NADIA

SUBJ: LTR TO PRES FM REP JOHNSON RE CONSTITUENTS LTR TO ESTABLISHMENT

REQUIRED ACTION: DIRECT REPLY FURNISH INFO COPY

DUE DATE:

COMMENTS:


45830
FOR ROBERT M. KIMMITT
EXECUTIVE SECRETARY

620

32

ID: 186097 CORRESPONDENCE TRACKING WORKSHEET PAGE D01
INCOMING CORRESPONDENCE DATE 831215 RECEIVED DATE 831219
(PREFIX) (FIRST) (LAST) (SUFFIX)
THE HONORABLE NANCY L. JOHNSON
TITLE:

ORGANIZATION: U. S. HOUSE OF REPRESENTATIVES

STREET:

CITY: WASHINGTON STATE: DC ZIP: 20515
COUNTRY:

SUBJECT: ENCLOSURES LETTER FROM NADIA SVITLYCHNA,
REGARDING THE PRESIDENT'S DECISION REGARDING
AN AMERICAN CONSULATE--IN KIEV

AGY/OFF ACTION CODE TRACKING DATE
LAOGLE ORG 831219

DT A 840117 TR

STAFF NAME: M. B. OGLESBY MEDIA: L OPID: LW TYPE: IBA
COMMENTS:

CODES: REPORT INDIV: 1240 USER:

NSC Sec. R 840118 TR

33
January 17, 1984

Dear Ms. Johnson:

Thank you for your inquiry, on behalf of Ms. Nadia Svitlychna of the Ukrainian Helsinki Group, regarding the establishment of an American Consulate in Kiev.

We appreciate your sharing with us Ms. Svitlychna's thoughts and concerns in this matter. On your behalf, I was pleased to share your correspondence with the President's foreign policy advisers to ensure that Ms. Svitlychna's comments are carefully reviewed.

With best wishes,

Sincerely,

W. Dennis Thomas
Deputy Assistant to the President

The Honorable Nancy Johnson
House of Representatives
Washington, D.C. 20515

WDT/KRJ/tjr

cc: w/copy of inc to NSC Secretariat - for
DIRECT response

WH RECORDS MANAGEMENT HAS RETAINED ORIGINAL

NANCY L. JOHNSON
8TH DISTRICT, CONNECTICUT

WASHINGTON OFFICE:
119 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TELEPHONE: (202) 225-4478

DISTRICT OFFICES:
40 SOUTH HIGH STREET
NEW BRITAIN, CT 06051
(TOLL FREE 1-800-382-0021)
TELEPHONE: (203) 223-8412

92 HIGH STREET
ENFIELD, CT 06082

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEE ON
PUBLIC WORKS AND
TRANSPORTATION

SUBCOMMITTEES:
INVESTIGATIONS AND OVERSIGHT
ECONOMIC DEVELOPMENT

COMMITTEE ON
VETERANS' AFFAIRS

SUBCOMMITTEES:
OVERSIGHT AND INVESTIGATIONS
HOSPITALS AND HEALTH CARE

SELECT COMMITTEE ON
CHILDREN, YOUTH, AND FAMILIES

December 15, 1983

Mr. B. Oglesby
Assistant to the President
for Legislative Affairs
The White House
Washington, D.C. 20500

Dear Mr. Oglesby

Attached please find a copy of a letter from
the External Representation of the Ukrainian Helsinki
Group.

Ms. Nadia Svitlychna has expressed concern over
President Reagan's decision to break off talks with
the USSR about the establishment of an American Consulate
in Kiev. I would appreciate any response you could provide
with regard to this matter.

Thank you very much for your consideration in this
matter.

Very truly yours,

Nancy L. Johnson

Nancy L. Johnson
Member of Congress

NLJ:jeg
Enclosure

External Representation of the Ukrainian Helsinki Group

P.O. Box 770, Cooper Station, New York, N.Y. 10003

October 17, 1983

The Honorable Nancy L. Johnson
House of Representatives
Washington, D.C. 20515

Dear Congresswoman:

The External Representation of the Ukrainian Helsinki Group is deeply concerned by the Soviet Union's behavior in its barbarous downing of 269 passengers and crew members of the South Korean airliner. We understand and commend the desire of governments and citizens of democratic countries to demonstrate to the Soviet regime by means of various actions of protest that this dastardly act will not go unpunished or unnoticed.

At the same time, the External Representation of the Ukrainian Helsinki Group wishes to express its profound misgivings with respect to President Reagan's decision to break off talks with the USSR about the establishment of an American Consulate in Kiev in response to this Soviet terroristic act. In 1979, former president Jimmy Carter "punished" the Soviet regime in a similar fashion for its invasion of Afghanistan by recalling the American consular group from the capital of Ukraine.

We are convinced that such actions by the U.S. government benefit only the rulers of the USSR. They are in the Kremlin's interest because they deprive Ukraine, a charter member of the United Nations, of its minute opening into the outside world thus becoming just another province of the Soviet totalitarian empire.

In this provincial setting and far from the eyes of the civilized world, the KGB's punitive agencies use the harshest possible methods to suppress Ukrainian human rights activists -- our colleagues in the Helsinki Monitoring Group. It should be pointed out that Danylo Shumuk, a man who has spent more time in imprisonment than any other political prisoner in the world (a total of 40 years), is an unbending human rights activist and a member of the Ukrainian Helsinki Monitoring Group.

In recent years, Ukraine has become the KGB's testing ground for new methods of persecuting dissidents. These methods include the

36
The Honorable Nancy L. Johnson
Page 2 - October 17, 1983

arrest of these dissidents on fabricated criminal charges, the arrest of political prisoner family members, the so-called "Stalinist perpetuum mobile," or the conviction of human rights activists to new terms of imprisonment while they are still serving their original sentences in camps, and other similar actions. This has been made possible by the fact that the Ukrainian republic, although nominally a sovereign state has, in fact, no contacts with the outside world.

There is no doubt in our minds that the Soviet-imposed artificial famine of 1932-33, which saw over 7 million lives decimated in Ukraine, would not have gone unheeded by the world community if a consulate from a democratic state had existed in the capital of the Ukrainian republic at that time.

The External Representation of the Ukrainian Helsinki Group urges the Administration, the U.S. Congress, and all Americans to oppose any attempts to make an issue of the American Consulate in Kiev dependent on this or any other act of aggression by the Soviet Union, and to seek a more effective means of influencing this regime.

It is not the Kremlin that needs an American Consulate in Kiev; it is the Ukrainian people.

Petro Grigorenko (former General of the Soviet Army) - USA

Volodymyr Malynkovich - West Germany

Leonid Plyushch - France

Nadia Svitlychna

Nadia Svitlychna, spokesperson
29 Sanford Terrace
Irvington, NJ 07111

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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VIA LDX

March 12, 1984

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MEMORANDUM FOR MR. CHARLES HILL
Executive Secretary
Department of State

SUBJECT: Strategy Paper for Negotiations with the Soviet
Union on the Establishment of Consulates in Kiev
and New York (S)

In reference to the Memorandum on this subject from Mr. Hill to Mr. Clark of August 5, 1983, the Department is requested to reconvene the interagency working group which produced this paper in order to review it in light of subsequent developments. In addition to the agencies represented previously, DOD/OSD should be invited to participate. Meetings should be restricted to those officials absolutely necessary to obtain authoritative advice of the views of the agencies involved. (S)

A strategy paper, revised as appropriate, should be submitted for review by the President no later than March 15, 1984. (S)

Robert M. Kimmitt
Robert M. Kimmitt
Executive Secretary

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NLRR E06-114/11 #12247

BY KML NARA DATE 5/2/11

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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VIA LDX

March 12, 1984

Mat Locke

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MEMORANDUM FOR MR. CHARLES HILL
Executive Secretary
Department of State

SUBJECT: Agreement with the USSR on Contacts, Exchanges and
Cooperation (S)

The Department is requested to convene, on a close-hold basis, representatives of interested agencies to prepare a draft general agreement with the USSR on contacts, exchanges and cooperation, along with a draft protocol which provides for specific activity under the agreement. The group should also prepare a draft negotiating plan for negotiation of such an agreement. (S)

Since considerable work has already been done on this subject, the draft agreement and proposed negotiating plan should be submitted for review by the President no later than March 21, 1984. (S)

Robert M. Kimmitt
Robert M. Kimmitt
Executive Secretary

DECLASSIFIED

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BY KML NARA DATE 5/2/11

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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VIA LDX

March 12, 1984

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MEMORANDUM FOR MR. CHARLES HILL
Executive Secretary
Department of State

SUBJECT: Consular Review Talks with the USSR (S)

The Department is requested to review with other interested United States Government agencies, on a close-hold basis, the current U.S. position in the Consular Review Talks with the Soviet Union. A report with recommendations for next steps should be forwarded for the President's review no later than March 17, 1984. (S)

Robert M. Kimmitt
Robert M. Kimmitt
Executive Secretary

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Declassify on: OADR

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BY KML NARA DATE 5/2/11

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National Security Council
The White House

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|-----------------|-------------|---|--------------|
| Bill Martin | <u>1</u> | <u>WFM</u> | |
| Bob Kimmitt | <u>✓</u> | <u>K</u> | |
| John Poindexter | <u>3</u> | <u>[Signature]</u> | |
| Wilma Hall | <u>4</u> | <u>[Signature]</u> | |
| Bud McFarlane | <u>5</u> | <u>m</u> | <u>A</u> |
| Bob Kimmitt | <u>6</u> | <u>K</u> | |
| NSC Secretariat | <u>7</u> | <u>MAR 1 1984</u> <u>[Signature]</u> | <u>D/LDX</u> |
| Situation Room | | | |
| Tom Shull | | | |

Rosie

[Signature] PLS note Rcm corrections
at Jobs I II + III

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,
I'll brief you on my meeting with
Clark this morning on boundary
issue. [Signature]

MEMORANDUM

NATIONAL SECURITY COUNCIL

Matlock
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90307

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March 8, 1984

ACTION

MEMORANDUM FOR ROBERT C. MCFARLANE

SIGNED

FROM: JACK MATLOCK *JM*

SUBJECT: Bilateral Issues with Soviets: Bureaucratic Handling

During his meeting with Dobrynin March 7, Secretary Shultz proposed the resumption of negotiations on several bilateral issues. We now must decide how we handle the bureaucratic preparations, since some have very short time fuses. The most urgent questions involve the following:

Consulates: Shultz told Dobrynin that Burt would be in touch with Sokolov on this question next week. This presumably does not require us to have a negotiating position by then, but we should be prepared to discuss the concrete issues involved as soon as possible.

Interagency work on the question was completed last August, without agreement on several points, which were forwarded to the NSC for resolution. Attached at TAB I is a copy of a memorandum I forwarded to Judge Clark at the time, which explains the agency differences and my own view of them. You should also know that when the question was considered on an interagency basis, DOD was not included, since the matter was considered "close hold," and Defense (except for NSA, which was included) does not have a direct interest in the matter. Subsequently, however, Richard Perle complained that he was cut out, and requested, if the matter comes alive again, that OSD be included in the staffing.

ag rel
We therefore face two questions: (1) should the interagency group be reconvened? and (2) if so, should OSD be included? Although I doubt that Agency positions will change on the issues, I would recommend that we request State to convene one more meeting and to include OSD, but that a short deadline be set for a report.

Exchange Agreement: Shultz suggested to Dobrynin that we negotiate this one in Moscow, and indicated that we would be ready to talk about it again in a couple of weeks.

The interagency work on our negotiating position had not been concluded when the question was put into suspense by KAL. We had asked State to convene a close-hold meeting and State had

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- 2 -

designated USIA to do the initial draft. USIA has completed a draft and Embassy Moscow has reviewed it and made informal comments. State has the draft, but has not yet commented on it. Since work is well advanced on the drafting, I believe that State should be directed to complete work on a draft within two weeks. *agree*

Consular Review Talks: Shultz urged that these be concluded expeditiously, but did not mention a date.

Most of the issues discussed with the Soviets are not contested by other agencies. One, however, has been a stumbling block: the FBI has been unwilling to agree to add Baltimore to a list of ports of entry where Soviet diplomats can enter the U.S. (This is in the context of trying to increase the number of entry and exit points available to us in the Soviet Union; we would get Brest and Nakhodka in return for Baltimore and San Francisco.)

agree In this case I would recommend that State be instructed to hold one more meeting with the interested agencies and to refer any remaining disagreement to us for resolution.

Maritime Boundary: The time pressure on this one comes primarily from Interior's desire to put up some of the disputed territory for leasing. Richard Levine has been working these complex issues and has recommended a high-level meeting soon. Judge Clark has a direct interest in the outcome, and Shultz has delegated Ken Dam to coordinate State's position. I believe that a meeting of you with the other senior officials involved will be necessary soon if we are to bring a clear U.S. position out of the welter of conflicting interests which are involved.

RECOMMENDATIONS:

1. Consulates: That you approve the Kimmitt to Hill Memorandum at TAB II, directing State to convene an interagency meeting on a close hold basis to review our negotiating position, and to include OSD in the process.

Approve *as mod* Disapprove

OR, alternatively, that you approve a memorandum which directs State to conduct the interagency review, without naming OSD as one of the participants.

Approve Disapprove *✓*

2. Exchanges Agreement: That you approve the Kimmitt to Hill Memorandum at TAB III instructing State to convene an interagency meeting on a close hold basis to finish work on the USG negotiating position on a cultural exchange agreement, with a report to the NSC due March 21.

Approve *as mod* Disapprove

~~SECRET~~

~~SECRET~~

- 3 -

3. Consular Review Talks: That you approve the Kimmitt to Hill Memorandum at TAB IV which directs State to consult the FBI and other interested agencies regarding outstanding issues in the consular review talks, and to refer any outstanding areas of disagreement to the NSC for resolution.

Approve 2/2/84 Disapprove _____

4. Maritime Boundary: Covered in Richard Levine's memorandum.

Attachments:

Tab I - Copy of Matlock-Clark Memorandum of August 8, 1983
Tab II - Kimmitt to Hill Memo on Consulates
Tab III - Kimmitt to Hill Memo on Exchanges Agreement
Tab IV - Kimmitt to Hill Memo on Consular Review Talks

~~SECRET~~

National Security Council
The White House

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II / IV

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04 MAR 21 P 3:25

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| Bill Martin | | | |
| Bob Kimmitt | 1 | K | |
| John Poindexter | 2 | J | |
| Wilma Hall | 3 | | |
| Bud McFarlane | 4 | m | A |
| Bob Kimmitt | | | |
| NSC Secretariat | 5 | | D marlock |
| Situation Room | | | |
| Tom Shull | | | |

File
✓ Diplomatic
✓ Grant

original to
Brian M

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)

JP: deGoffenreid's comments attached.

OSD invited to meeting, but did not attend nor send follow-on paper. Palmer was told they would be there and thinks it may have been an administrative rather than substantive foul-up. We could send OSD a copy for review, or you could call them.

(over)

Bud,

Recommend you select alternate
to second recommendation. See
Ken's memo at back.

Bob K. should send State
paper to OSD for comment.

J

12204 41

SYSTEM II
90307 ADD-ON

MEMORANDUM

NATIONAL SECURITY COUNCIL

~~SECRET~~

March 19, 1984

ACTION

MEMORANDUM FOR ROBERT C. MCFARLANE

FROM:

JACK MATLOCK *gwr*

SUBJECT:

Strategy Paper for Negotiation with Soviets
on Consulates in Kiev and New York

State has submitted the attached strategy paper (Tab I) for the negotiation of the establishment of consulates in Kiev and New York. There is interagency agreement on all issues except one. (Although invited to participate in last week's interagency meeting, DOD/OSD did not do so; the meeting, therefore, reflects the views of State, USIA, CIA, NSA and the FBI.) The one issue still in dispute is whether to require the Soviets to staff their consulate in New York out of their overall quota for diplomats in the United States (the FBI position), or whether to establish the size of the U.S. consulate in Kiev on the basis of personnel required and impose the same limitation on Soviet staffing of their consulate in New York (State and NSA position).

When Secretary Shultz told Dobrynin on March 7 that we proposed movement to open the consulates, he promised that Rick Burt would get back in touch with Sokolov in a few days. Burt has an appointment with Sokolov the afternoon of March 20 and would like to broach the issue at that time.

Discussion

The next step in moving this matter forward is to inquire officially of the Soviets whether the building previously set aside for our consulate in Kiev is still available. This can be done without getting into the issue of personnel ceilings, and I therefore recommend that Burt be authorized to make this initial step with Sokolov at their next meeting.

As for the question of how to handle the staffing ceiling, it would be advantageous to us to require the Soviets to reduce their personnel from other installations in the U.S. in order to staff their consulate in New York. If we place such a requirement on the Soviets, however, we can be certain that they would refuse, since they have never accepted officially the ceiling we have placed on their personnel here (although they have no choice but to abide by it). Therefore, if we make this demand, the negotiations on opening the consulates are likely to be stalled from the outset.

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RV ... NARA DATE 12/11

Our decision on this issue will be affected by two considerations: whether we want to negotiate the question so as to maximize prospects for an early agreement, and whether we consider a consulate in Kiev in exchange for New York to our net advantage.

FOIA(b)(1) In my view, it would be useful to move ahead as rapidly as possible on this issue, so long as the principle of reciprocity is maintained in this particular exchange. I also believe that a consulate in Kiev is inherently to our advantage, since the Soviets already have an enormous presence in New York, and we have none at all in Kiev. A consulate in the latter city would give us [REDACTED]

[REDACTED] and furthermore would provide a base for observation of developments in the largest non-Russian ethnic area in the Soviet Union. For both of these reasons, I feel that it would be best to adopt a negotiating strategy which facilitates rapid agreement.

So far as the overall imbalance in Soviet official personnel in the U.S. and American personnel in the USSR is concerned, I believe that we can best solve this problem by replacing many Soviet local employees with Americans. State is planning to staff Kiev on this basis as a pilot project, and the practice could be extended to Moscow as we move into the new Embassy building there and free up housing elsewhere in the city.

In sum, I would recommend that the State/NSA recommendation as regards staffing of the consulates be approved. As noted above, however, this question need not be resolved before we make our next move.

RECOMMENDATIONS:

1. That you authorize State to inquire officially whether the building which had been set aside for our use as a consulate in Kiev is still available.

Approve *[Signature]*

Disapprove

2. That you approve staffing the Kiev consulate on the basis of need, and imposing a reciprocal ceiling on the Soviet consulate in New York.

Approve

Disapprove *PC 127*

OR ALTERNATELY,

That you defer a decision on the staffing question for further study. *This is being handled in WH-2 (G)(I).*

Approve *PC 127*

Disapprove

Attachment:

NATIONAL SECURITY COUNCIL

12274

~~SECRET~~

March 19, 1984

ACTION

MEMORANDUM FOR ROBERT C. MCFARLANE

FROM: JACK MATLOCK *g*

SUBJECT: Strategy Paper for Negotiation with Soviets
on Consulates in Kiev and New York

State has submitted the attached strategy paper (Tab I) for the negotiation of the establishment of consulates in Kiev and New York. There is interagency agreement on all issues except one. (Although invited to participate in last week's interagency meeting, DOD/OSD did not do so; the meeting, therefore, reflects the views of State, USIA, CIA, NSA and the FBI.) The one issue still in dispute is whether to require the Soviets to staff their consulate in New York out of their overall quota for diplomats in the United States (the FBI position), or whether to establish the size of the U.S. consulate in Kiev on the basis of personnel required and impose the same limitation on Soviet staffing of their consulate in New York (State and NSA position).

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BY KAL NARA DATE 5/1/11

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- 2 -

Our decision on this issue will be affected by two considerations: whether we want to negotiate the question so as to maximize prospects for an early agreement, and whether we consider a consulate in Kiev in exchange for New York to our net advantage.

FOIA(b)(1) In my view, it would be useful to move ahead as rapidly as possible on this issue, so long as the principle of reciprocity is maintained in this particular exchange. I also believe that a consulate in Kiev is inherently to our advantage, since the Soviets already have an enormous presence in New York, and we have none at all in Kiev. A consulate in the latter city would give us

and furthermore would provide a base for observation of developments in the largest non-Russian ethnic area in the Soviet Union. For both of these reasons, I feel that it would be best to adopt a negotiating strategy which facilitates rapid agreement.

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In sum, I would recommend that the State/NSA recommendation as regards staffing of the consulates be approved. As noted above, however, this question need not be resolved before we make our next move.

RECOMMENDATIONS:

1. That you authorize State to inquire officially whether the building which had been set aside for our use as a consulate in Kiev is still available.

Approve _____ Disapprove _____

2. That you approve staffing the Kiev consulate on the basis of need, and imposing a reciprocal ceiling on the Soviet consulate in New York.

Approve _____ Disapprove _____

OR ALTERNATELY,

That you defer a decision on the staffing question for further study.

56

**National Security Council
The White House**

System # IV

Package # 400270

11:20 AM: 49

| | SEQUENCE TO | HAS SEEN | DISPOSITION |
|-------------------------------|-------------|--------------------|-------------|
| Bill Martin | <u>1</u> | <u>✓</u> | |
| Bob Kimmitt | <u>2</u> | <u>K</u> | |
| John Poindexter | <u>3</u> | <u>[Signature]</u> | |
| Wilma Hall | | | |
| Bud McFarlane | | | |
| Bob Kimmitt | | | |
| NSC Secretariat | | | |
| Situation Room / <u>Brian</u> | <u>5</u> | | |
| Tom Shull | | | |
| <u>MATLOCK</u> | <u>4</u> | | <u>A</u> |

| | | | | |
|-----------------|-------------------|------------|--------------|-----------------------|
| I = Information | <u>A = Action</u> | R = Retain | D = Dispatch | N = No further Action |
|-----------------|-------------------|------------|--------------|-----------------------|

cc: VP Meese Baker Deaver Other _____

COMMENTS

Should be seen by: _____
(Date/Time)

ROUTING

| To | Name and Address | Date | Initials |
|----|---------------------|------|----------|
| 1 | Robert C. McFarlane | | |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |

| ACTION | FILE |
|--------------|----------------|
| APPROVAL | INFORMATION |
| COMMENT | PREPARE REPLY |
| CONCURRENCE | RECOMMENDATION |
| DIRECT REPLY | RETURN |
| DISPATCH | SIGNATURE |

REMARKS:

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SYSTEM II
90370 (add-on)

NSC/ICS CONTROL NO. 400270

COPY NO. 1 OF 4

HANDLE VIA SYSTEM IV CHANNEL ONLY

NSC INTELLIGENCE DOCUMENT

Warning Notice
Intelligence Sources and Methods Involved
NATIONAL SECURITY INFORMATION
Unauthorized Disclosure Subject to Criminal Sanctions

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ENCLOSURE(S)

CAS 8/8/02

~~TOP SECRET~~ / CODEWORD

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SYSTEM IV
NSC/ICS-400270 12275
SYSTEM II
90307 (add-on)

MEMORANDUM

~~TOP SECRET~~ [REDACTED] NATIONAL SECURITY COUNCIL

March 20, 1984

ACTION

MEMORANDUM FOR ROBERT C. McFARLANE

FROM: KENNETH deGRAFFENREID *kl*

SUBJECT: Staffing Issue on the Kiev Consulate

I strongly recommend that you choose the alternative to the second recommendation in Jack Matlock's memorandum of March 19 (Tab I), and specifically that you defer decision on the staffing question until the SIG(I) acts on the broader hostile intelligence presence issue. We don't need to make this decision now and should defer it for the following reasons:

- There is currently a large interagency effort in the IG(CI)/SIG(I) arena to address the hostile presence issue. State has just completed its paper to the two Congressional Intelligence Committees who plan hearings and legislation on reciprocity. Also, the PFIAB is vitally interested in this issue and has a dialogue with Secretary Shultz and DCI Casey. A decision now on Kiev staffing would jump well ahead of this process.

- Substantively, the issue remains open as how best to enforce reciprocity and reduce the hostile intelligence threat. One possible and perhaps less threatening method would be the FBI position referred to in the memorandum, i.e., to ask that the Soviets staff their consulate out of their overall quota. To decide the Kiev staffing issue now would foreclose a most plausible alternative option for reducing the presence.

- From the intelligence viewpoint, while I agree that the [REDACTED] opportunity in Kiev is an excellent one, additional KGB officers in New York would add to the terrible problem being faced by an already overburdened FBI. The relative advantage of gain in Kiev compared to our loss in the United States is unknown, because we have not been able to get the community to prepare net assessments of these tradeoffs. In my view, it would have to be carefully analyzed.

Recommendation

That you defer decision on the staffing question pending reconsideration of the hostile presence issue by the SIG(I).

Approve _____

Disapprove _____

Attachments

Tab I Jack Matlock Memorandum, March 19, 1984
Tab II Strategy Paper

cc: Jack Matlock

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101 NARA Date 7/26/16

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

SYSTEM II
90307

VIA LDX

12250

March 12, 1984

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MEMORANDUM FOR MR. CHARLES HILL
Executive Secretary
Department of State

SUBJECT: Strategy Paper for Negotiations with the Soviet
Union on the Establishment of Consulates in Kiev
and New York (S)

In reference to the Memorandum on this subject from Mr. Hill to Mr. Clark of August 5, 1983, the Department is requested to reconvene the interagency working group which produced this paper in order to review it in light of subsequent developments. In addition to the agencies represented previously, DOD/OSD should be invited to participate. Meetings should be restricted to those officials absolutely necessary to obtain authoritative advice of the views of the agencies involved. (S)

A strategy paper, revised as appropriate, should be submitted for review by the President no later than March 15, 1984. (S)

Robert M. Kimmitt
Robert M. Kimmitt
Executive Secretary

DECLASSIFIED

NLRR F06-114/11 # 12250

BY KML NARA DATE 5/4/11

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Declassify on: OADR

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