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Withdrawer

RBW 11/18/2009

File Folder NSC 00071 01/14/1983 (2 OF 2)

FOIA

F07-151/1

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ITAYAMA

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ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
79477	BACKGROUND PAPER	RE. NAKASONE VISIT	7	ND	B1
		<i>R 9/26/2013 M325/2</i>			

The above documents were not referred for declassification review at time of processing

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]

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NATIONAL SECURITY COUNCIL MEETING
January 14, 1983 10:45 A.M.

US-JAPAN RELATIONS

The Nakasone Visit

A G E N D A

- I. Introduction Judge Clark
- II. Discussion of Background Paper

~~SECRET~~

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Sec. 3.4(h), E.O. 12958, as amended
White House Guidelines, Sept. 11, 2006
BY NARA RW, DATE 11/18/09

~~SECRET~~

NATIONAL SECURITY COUNCIL MEETING
JANUARY 14, 1983 10:45 A.M.

US-JAPAN RELATIONS

The Nakasone Visit

A G E N D A

- | | | |
|----|---|----------------------|
| I. | Introduction | Judge Clark |
| -- | US Strategy in the Light of Nakasone's Objectives | Secretary Shultz |
| -- | US Economic Objectives/Strategy | Secretary Regan |
| -- | The Trade Component | Ambassador Brock |
| -- | US Security Objectives/Strategy | Secretary Weinberger |

II. Comment

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Sec.34(b), E.O. 12958, as amended
White House Guidelines, Sept. 11, 2006
BY NARA RW, DATE 11/18/09

NATIONAL SECURITY COUNCIL

January 12, 1983

INFORMATION

MEMORANDUM FOR WILLIAM P. CLARK

FROM: BRENDA S. REGER *BRE*

SUBJECT: Release of Information Regarding Nuclear
Weapons on Okinawa
Halperin vs. Kissinger Case

Background

Henry Kissinger, while both Secretary of State and Assistant to the President for National Security Affairs, provided in an affidavit to the court (Tab I) the contents of paragraph 3, page 2, of NSDM 13 (Tab II). This constitutes official release and has left us with no option but to mark this information as declassified and released. (The Executive Order on classification does allow for reclassification, however, only if there is a reasonable expectation of recoverability and preventing further disclosure. This has been in the public domain for 10 years and is published in the court record copies which are located in some 20,000+ government document libraries.)

We have coordinated this with State which recommended holding it in the initial review, and they, too, reluctantly agreed that we could not withhold.

The Department of Justice must file their motion, which will include this information, with the court on Saturday, January 15.

Gaston Sigur is discussing with State the possible implication of this if it leaks during the Nakasone visit.

Attachments

Tab I Portion of Kissinger Affidavit

Tab II NSDM 13

cc: Mike Wheeler ✓

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Civil Action No. 1879-72

DANIEL ELLSBERG, ET AL., PLAINTIFFS,

v.

JOHN N. MITCHELL, ET AL., DEFENDANTS.

AFFIDAVIT OF HENRY A. KISSINGER

City of Washington

SS.

District of Columbia

HENRY A. KISSINGER, being duly sworn, deposes and says:

1. I am the Secretary of State of the United States and am also Assistant to the President for National Security Affairs, a position I have held since January 20, 1969.

2. I submit this affidavit in connection with defendants' opposition to the plaintiffs' motion to compel discovery of the defendants in the present action, and specifically for the purpose of providing the Court with a statement of the events pertinent to the electronic surveillance of Dr. Morton H. Halperin, which I understand was instituted by the Federal Bureau of Investigation on May 12, 1969, and terminated on February 10, 1971.

3. The early months of this Administration were particularly sensitive times with regard to the formulation of this country's foreign policies and the establishment of our future relations with other nations. During this period, policies were being considered which would establish the fundamental approach to major foreign policy issues such as the United States' strategic posture, Strategic Arms Limitation Talks (SALT), Vietnam and many other national security issues. Because of the sensitive nature of

these key issues, they provided the Soviet Union with extensive insight as to our approach to the SALT negotiations and severely compromised our assessments of the Soviet Union's missile testing and our apparent inability to accurately assess their exact capabilities. Perhaps more important, evidence of leaks of such closely held intelligence assessments raised serious questions as to the integrity of the USIB and created severe doubts about our ability to maintain security in deliberations on national security policy.

6. Also of serious concern during this period was a press leak involving this country's policy toward Japan and our strategy for negotiations on the reversion of Okinawa. Following a late April meeting of the National Security Council, a National Security Decision Memorandum was issued on May 28, 1969, outlining this country's policy toward Japan, and particularly our negotiating strategy with respect to the reversion of Okinawa. This memorandum set forth our desire to retain nuclear weapons on Okinawa but stated, as a fallback position, that we would be prepared to consider the withdrawal of these weapons while retaining the storage and transit rights. Shortly after this memorandum was completed, and prior to the negotiations with the Japanese, an article by Hedrick Smith appeared in the *New York Times* on June 3, 1969, stating that the President had decided to remove nuclear weapons from Okinawa once an overall plan to return the Island had been agreed upon. The article noted that the President's decision had not yet been communicated formally to the Japanese Government. The consequences of this disclosure, attributed to well-placed informants, in terms of compromising negotiating tactics, prejudicing the Government's interest, and complicating our relations with Japan were obvious, and clearly preempted any opportunity we might have had for obtaining a more favorable outcome during our negotiations with the Japanese.

7. In early May, 1969, after the first several unauthorized disclosures of classified information had occurred,

Bureau of Investigation, J. Edgar Hoover, and the then Attorney General of the United States, John N. Mitchell, concerning methods to be employed to deal with the problem. The President was told by Mr. Hoover that the most effective method was that which had been followed in previous Administrations, namely the conduct of electronic surveillance in accordance with specific procedures. The President was assured by Attorney General Mitchell that such action would be in compliance with law.

My office was required by the President to submit the names of those officials who had had access to the information which had been leaked. Obviously, my office was a natural place for this information to exist; and Dr. Halperin, in his position as Chief of the National Security Council Planning Group, was unquestionably one of several persons who had had access to such information.

8. As a result of this position, which he held until September 30, 1969, and as a consultant to the National Security Council until May 13, 1970, Dr. Halperin received extensive exposure to classified information, much of which remains confidential to this day.

Dr. Halperin was involved in the organization, substantive preparation and processing of National Security Council policy reviews, and his assignments gave him access to the fundamental policy issues during the formative and crucial early months of 1969. During the period from January until May 1969, Dr. Halperin regularly participated, in conjunction with the responsible staff area specialists, in sensitive National Security Council studies. In addition, he also frequently attended National Security Council Review Group Meetings, which I chaired, and which considered a variety of subjects, including the United States strategic posture, strategic arms negotiations, Vietnam, the Middle East and United States trade policies, to name only a few. Dr. Halperin also participated in the preparation of papers for the President's use at meetings with the National Security Council covering a wide range of issues. While performing the above responsibilities, Dr. Halperin devoted particular attention to

Throughout this period, leaks of information which could have serious adverse effects upon our national security and our relations with our allies continued.

11. From the commencement of the electronic surveillance of Dr. Halperin in May of 1969 until May, 1970, I was provided periodic summaries of the information gained from this surveillance of his conversations which the Federal Bureau of Investigation determined to involve national security. However, in late May 1970, it was decided that such reports would be directed to the office of Mr. H. R. Haldeman, then an Assistant to the President, and that Mr. Haldeman would advise the President, General Haig, then an assistant on my staff, or myself, of information that required our attention. In addition, an informal liaison was maintained between Mr. Sullivan of the Federal Bureau of Investigations and General Haig of my staff, and if the surveillance of Dr. Halperin developed information of sufficient gravity, Mr. Sullivan would call General Haig and either inform him of that fact or call his attention to the fact that a report containing that information had been sent to Mr. Haldeman. I remember only one such event, but there may have been others.

/s/ _____
HENRY A. KISSINGER

Subscribed and sworn to before me this 26th day of November, 1973.

/s/ _____
JOHN JOSPEH RATELFORD
Notary Public

My Commission expires May 31, 1979.

No. 79-880

In the Supreme Court of the United States

OCTOBER TERM, 1979

HENRY KISSINGER, ET AL., PETITIONERS

v.

MORTON HALPERIN, ET AL.

ON PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS FOR
THE DISTRICT OF COLUMBIA CIRCUIT

JOINT APPENDIX

Volume I

Petition for writ of certiorari filed December 7, 1979

Certiorari granted May 19, 1980

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

May 28, 1969

UNCLASSIFIED
TOP SECRET
UNCLASSIFIED

National Security Decision Memorandum 13

TO: The Secretary of State
The Secretary of Defense
The Secretary of the Treasury
The Director of Central Intelligence

SUBJECT: Policy Toward Japan

As a result of the NSC meetings on Japan, the President has made the following decisions with regard to U.S. policy toward Japan:

1. We shall basically pursue our current relationship with Japan as our major partner in Asia, seeking ways to improve this relationship from the viewpoint of U.S. national interests and to seek an increasingly larger Japanese role in Asia.
2. We shall allow the present Treaty of Mutual Cooperation and Security to continue without amendment after 1970 when it becomes subject to renunciation or amendment.
3. We shall continue to make gradual alterations in our base structure and base utilization in Japan to reduce major irritants while retaining essential base functions.

With respect to Okinawa, the President has directed that a strategy paper be prepared by the East Asia Interdepartmental Group under the supervision of the Under Secretaries Committee for negotiations with the Japanese Government over the next few months on the basis of the following elements:

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partially Declassified

under Executive Order 11652

DATE 1/5/83 BY 1043

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- 2 -

1. Our willingness to agree to reversion in 1972 provided there is agreement in 1969 on the essential elements governing U.S. military use and provided detailed negotiations are completed at that time.

2. Our desire for maximum free conventional use of the military bases, particularly with respect to Korea, Taiwan and Vietnam.

3. Our desire to retain nuclear weapons on Okinawa, but indicating that the President is prepared to consider, at the final stages of negotiation, the withdrawal of the weapons while retaining emergency storage and transit rights, if other elements of the Okinawan agreement are satisfactory.


Henry A. Kissinger

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MEMORANDUM

NATIONAL SECURITY COUNCIL

~~SECRET~~

January 12, 1983

INFORMATION

MEMORANDUM FOR WILLIAM P. CLARK

FROM: GASTON J. SIGUR *JS*

SUBJECT: Background Paper for NSC Meeting

This paper gives my views of what the Nakasone visit is all about and what the President and his top advisers should understand about it.

I hope you and Bud will be able to go over it before this morning's meeting.

I have also given copies to those who will be attending this morning's meeting.

Attachment:

Tab A Background Paper

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Sec 3.4(b), E.O. 12958, as amended
White House Guidelines, Sept. 11, 2006
BY NARA *RW* DATE *11/18/09*

~~SECRET~~~~SECRET~~

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THE NAKASONE VISIT
(Background Paper)NLRR M325/2 # 79477BY KML NARA DATE 9/26/13

The US-Japan alliance is central to peace and security in the Asian-Pacific region. Because of Japan's great economic power, this increasingly pertains to the global scene as well.

The handling of the Japanese relationship is of first importance to the perceptions in our country of success or failure of the Reagan Administration in the area of foreign policy. If we fail to establish a modus operandi with the Japanese which appears to be and, in fact, is beneficial to us, this Administration will come under increasing attack from Congress as being unable to appropriately sustain one of the most significant allied relationships that we have. This will, in part, manifest itself in efforts to portray the Administration as unable to cope with the Japanese economic policies which make our unemployment problem more difficult. Additionally, we can anticipate a rise in protectionist sentiment in Congress which will militate against the free trade policies of the President. In the defense area, the charges will grow that Japan does not carry its weight in its own self-defense against increasing Soviet threats.

The new Japanese Prime Minister, Yasuhiro Nakasone, is placing great emphasis upon US-Japanese relations. He has publicly pledged that he will make every effort to improve these relations and to ameliorate the present strains within them. If he does not succeed in this then his own political future is very much in doubt.

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Nakasone's objectives

Charismatic, given to bold moves, Nakasone nevertheless lacks a secure base in Japanese politics. His LDP faction is one of the smallest. As his selection of Cabinet members confirms, he is heavily dependent on former Prime Ministers Tanaka and Suzuki for support. (Tanaka's political fortunes are likely to be tarnished somewhat when the final portion of the prosecution's case charging Tanaka with accepting bribes from Lockheed is made public on 26 January.) Nakasone could experience difficulty in strengthening his political base because he has a reputation for opportunism among the powerful Japanese media and in some LDP circles. He has already come under public criticism from Foreign Minister Abe for "jumping the gun."

It is against this backdrop that Nakasone has decided to visit Washington sooner than has been usual recently for new Japanese Prime Ministers. His aim is to demonstrate that he has the ability to manage relations with the United States, including the ability to establish a personal relationship with the President.

Nakasone's objectives are to:

- gain political strength in Japan as a consequence of a successful visit to Washington; and
- defuse US diplomatic and political pressure on bilateral issues in the near-term. Thus he must:
 - blunt protectionist sentiments in the U.S.

- obtain a public Presidential endorsement of free trade principles.
- obtain US recognition of his personal commitment to an improved Japanese self-defense capability, but also of politically dictated limitations on defense spending.

Attached to this memorandum is Nakasone's public description of the objectives of his trip to Washington. These were given in an article in the Japanese press in early January.

Laying the groundwork

To promote realization of these objectives, Nakasone has taken a number of steps in advance of the visit designed to soften American criticism of Japanese trade and defense policy.

- A new basket of tariff cuts was made public in December.
- The Japan Defense Agency has announced agreement on a 6.5% increase in defense spending.
- Reliable sources indicate that the Cabinet will soon approve defense technology transfer regulations likely to satisfy the US.
- Nakasone visited Seoul a few days ago and in a bold gesture solved the longstanding dispute between Japan and South Korea over a Japanese aid package.
- According to US Embassy reports, the Japanese will soon announce strengthening of the trade Ombudsman, study standards revision and possibly increase access to the cigarette market.

- Nakasone has arranged to be interviewed by Dan Rather for CBS Evening News. This is intended to demonstrate to the Japanese that he can appeal directly to Americans on their terms and in their language.
- The Japanese are taking careful soundings of US opinion to gauge the success of all of these measures. They are likely to make last minute adjustments if needed.

Implications for the US

US actions taken to assure a successful visit will be well received by Nakasone, who is far more sympathetic to US policies than was Suzuki. On the other hand, too warm a US welcome may mislead Nakasone into concluding that the politically costly steps taken in advance of the visit on trade and defense issues are sufficient to satisfy the US at least over the next year. Since these steps broke little new ground on market access and defense spending issues, they are unlikely to have much impact on Washington.

Knowing that he badly needs a successful visit for political reasons, Nakasone is susceptible to quiet, behind the scenes US pressure to do more on outstanding trade problems than is presently contemplated. Accordingly, he is likely to respond to entreaties that the steps announced so far fall short of expectations.

The Trade Issue

- More than most of his predecessors, Nakasone is a horse trader. He will try to respond positively to American requests for

relief on specific trade irritants so long as he is offered something in return. An example is the standards issue. Progress here would be truly market opening and measurable.

- The Japanese, though fearful of protectionist legislation in Congress, still appear to underestimate its strength. With the trade imbalance in FY 1983 likely to exceed the huge imbalance of 1982, Nakasone may respond to warnings that these pressures are irresistible without his help.
- An invitation to meet the President in Washington in May is one means of maintaining pressure on the trade issue that could also benefit Nakasone politically. Although they are already scheduled to meet at the May Economic Summit in Williamsburg, Nakasone could use the prospect of a separate May meeting in Washington to prod the Japanese government into making additional concessions.
- Nakasone would benefit from a forceful rebuttal of the now widespread Japanese view of trade frictions which is that they are a product of the US economic recession.

The Defense and Security Issue

- Nakasone will respect US efforts to hold him to commitments made by his predecessors. He knows of our desire to have Japan attain a realistic self-defense capability by 1990.

Improved Coordination

- The Japanese have learned to expect different treatment from different elements of the US government. In this circumstance, a coordinated, consistent US message delivered to the Nakasone party by all US counterparts is likely to have the greatest impact.

U.S. Positions

- The Nakasone visit at this time is designed to allow the new Prime Minister and the President to exchange views on a number of subjects ranging from global problems and the Soviet threat to bilateral trade and defense issues, and to develop a personal relationship.
- The President and the Prime Minister will discuss major international questions.
- The U.S. side will express its support of Nakasone's efforts to open Japanese markets, while clearly indicating that there is still a long way to go if Japan is to meet her obligations as a partner in the Free World trading system.
- The United States must seek further "give" from the Japanese on trade and economic matters. These matters will be discussed in detail in meetings with the Prime

Minister and others of his party during his stay.

- While the U.S. side pursues the above objective, the President will restate his belief in free trade and the open market.
- The President will also agree to meet Nakasone in Washington prior to the Williamsburg Economic Summit.
- The U.S. will express its understanding of the political risk the Prime Minister has taken to increase the defense budget by 6.5% for the coming year. However, the U.S. will agree with the Prime Minister that this is still far short of the required increases if Japan is to attain her long-term self-defense goals by the end of this decade.
- The U.S. will reaffirm its commitment to the U.S.-Japan alliance which is critical to peace and stability in the Asia-Pacific region and, indeed, the world.