

# Ronald Reagan Presidential Library

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**Collection:** Kimmitt, Robert: Files  
**Folder Title:** Legal: Iran (5/22/1981-6/24/1981)  
**RAC Box:** 9

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*Last Updated: 11/06/2023*

# WITHDRAWAL SHEET

Ronald Reagan Library

**Collection Name** KIMMITT, ROBERT: FILES

**Withdrawer**

SMF 7/7/2008

**File Folder** LEGAL: IRAN (5/22/1981-6/24/1981)

**FOIA**

M2008-113

**Box Number** ~~90301~~ *RAC Box 9*

FELIPPONE

15

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
54759	CABLE	220934Z MAY 81 <b>D 5/27/2011 M113/1</b>	2	5/22/1981	B1 B3
54760	CABLE	220944Z MAY 81 <b>D 5/27/2011 M113/1</b>	4	5/22/1981	B1 B3
54761	CABLE	231130Z MAY 81 <b>R 5/27/2011 M113/1</b>	2	5/23/1981	B1
54762	CABLE	132232Z JUN 81 <b>D 5/27/2011 M113/1</b>	3	6/13/1981	B1 B3
54763	CABLE	151555Z JUN 81 <b>D 5/27/2011 M113/1</b>	1	6/15/1981	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]

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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]

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

*Legal -- Iran*

RECEIVED 22 MAY 81 17

TO ALLEN FROM WARREN, WALTER E DOCDATE 04 MAY 81

KEYWORDS: IRAN

LEGAL ISSUES

SUBJECT: REQUEST APPT AS AN ARBITRATOR FOR THE IRAN - US CLAIMS TRIBUNAL

---

ACTION: DIRECT REPLY FURNISH INFO COPY DUE: 29 MAY 81 STATUS C FILES WH

---

FOR ACTION

FOR COMMENT

FOR INFO

STATE

KEMP

STEARMAN

- - - KIMMITT )

COMMENTS SEND INFO CPY BACK TO MR. ALLEN

REF#

LOG

NSC/FID

( M / M )

---

ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

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DISPATCH \_\_\_\_\_ W/ATTCH FILE \_\_\_\_\_ (C)

REFERRAL

DATE: 21 MAY 81

MEMORANDUM FOR: STATE SECRETARIAT

DEPARTMENT OF STATE

DOCUMENT DESCRIPTION:

TO: ALLEN

FROM: WARREN, WALTER E

DATE: 04 MAY 81

KEYWORDS: IRAN

SUBJ: REQUEST APPT AS AN ARBITRATOR FOR THE IRAN - US CLAIMS TRIBUNAL

---

REQUIRED ACTION: DIRECT REPLY FURNISH INFO COPY

DUE DATE: 29 MAY 81

COMMENTS:

  
FOR ALLEN J LENZ

STAFF DIRECTOR

---

FOR NSC USE ONLY

---

FOR INFO KEMP

STEARMAN

F WH

O MB C MB

5/22/81

To NSC Secretariat:

Please send to State Dept. for handling, with  
info. copy back to Mr. Allen

Thanks.

Sally Sherman, X 2255

2950  
7 MAY 1981

WOLF, ARNOLD & CARDOSO, P. C.

ATTORNEYS AT LAW  
INTERNATIONAL SQUARE  
1850 K STREET, N. W.

WASHINGTON, D. C. 20006

MAURICE WOLF  
ELTING ARNOLD

☆☆☆

CARLOS E. CARDOSO  
(NOT ADMITTED IN D. C.  
RESIDENT IN BRAZIL)

WALTER EMORY WARREN  
OF COUNSEL

CABLES: WOLFPC

TELEX: 440312 (WOLF-UI)

TELEPHONE  
(202) 857-0585

RIO DE JANEIRO  
CARLOS E. CARDOSO, ADVOGADO  
RUA PEDRO LESSA 35 7º ANDAR  
RIO 20000, BRASIL

GUATEMALA  
BUFETE YAQUIAN OTERO  
3A AVE. 12-51, ZONA 1  
GUATEMALA, REPUBLIC OF GUATEMALA

BOGOTA  
ARANGO, NIETO, CALDERON & ASOCIADOS  
EDIFICIO SEGUROS PENIX  
CARRERA 7, NO. 32-33  
BOGOTA, COLOMBIA

May 4, 1981

Mr. Richard V. Allen  
Assistant to the President  
for National Security Affairs  
The White House  
Washington, D.C. 20500

Dear Dick:

It appears that the President is or will be selecting seven additional arbitrators for the Iran-U.S. Claims Tribunal. I believe I am qualified and I would be interested in holding one of these positions.

If you would express your support of me for such an appointment, as you kindly suggested in your letter of April 17, 1981, I would greatly appreciate it.

Many thanks for all your past courtesies and consideration. Kind personal regards.

Yours very truly,

Walter E. Warren

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54759	CABLE 220934Z MAY 81	2	5/22/1981	B1

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# WITHDRAWAL SHEET

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KIMMITT, ROBERT: FILES

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SMF 7/7/2008

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LEGAL: IRAN (5/22/1981-6/24/1981)

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54760	CABLE  220944Z MAY 81	4	5/22/1981	B1

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

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EOB553

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IN

54761

CP IMMED  
STU3639  
DE RUFHRS #2002 143114W  
O 231130Z MAY 81  
FM AMEMBASSY ALGIERS

TO AMEMBASSY THE HAGUE IMMEDIATE 185

INFO SECSTATE WASHDC IMMEDIATE 4829

CONFIDENTIAL ALGIERS 2002

LIMDIS

R.O. 12065: RDS-3 5/22/81 (ROSS, CHRISTOPHER) OR-M

TAGS: IR, US, AG

SUBJ: ALGERIAN NOMINEES TO IRANIAN-AMERICAN CLAIMS TRIBUNAL

REFS: (A) SIMS-ROSS TELECON 22 MAY 81, (B) THE HAGUE 3614  
THE HAGUE FOR ARTHUR ROVINE

1. (C) ENTIRE TEXT.

2. AHMED MAHIOU AND MADJID BENCHEIKH (AKA BENCHEIKH) ARE, AS AN ALGERIAN LAWYER SOURCE HAS CONFIDED IN US, THE TWO ALGERIANS BEST QUALIFIED FOR ARBITRAL WORK IN THE COMMERCIAL FIELD. BOTH ARE BRILLIANT JURISTS TRAINED AT THE UNIVERSITY OF ALGIERS IN ACCORDANCE WITH FRENCH PEDAGOGICAL METHODS. WE DO NOT KNOW IF THEY HAVE DELAT SPECIFICALLY WITH CASES OF EXPROPRIATION.

3. MAHIOU, A PROFESSOR OF LAW AND FORMER DEAN OF THE LAW SCHOOL AT THE UNIVERSITY OF ALGIERS, WAS BORN IN 1936 IN AGHBALOU, NEAR BOUINA. HE IS NOT A PRACTICING LAWYER, BUT HE HAS SAT ON MANY ARBITRAL TRIBUNALS AND IS BELIVED TO BE LISTED WITH THE INTERNATIONAL CHAMBER OF COMMERCE. HE HAS BEEN A MEMBER OF ALGERIA'S LAW OF THE SEA DELEGATION, TRAVELLING TO NEW YORK IN 1976, 1977, 1978, 1979, AND 1981. HIS PUBLICATIONS (ALL IN FRENCH) INCLUDE: A COURSE IN ADMINISTRATIVE INSTITUTIONS (BOOK, 1976); A COURSE IN ADMINISTRATIVE DISPUTES: JURISDICTIONAL ORGANIZATION (BOO, 1979); THE GENERAL PRINCIPLES OF LAW AND CONSTITUTIONS (ARTICLE, 1978); THE IMPLICATIONS OF THE NEW ECONOMIC ORDER AND INTERNATIONAL LAW (ARTICLE, 1976); ADMINISTRATIVE DISPUTES IN ALGERIA (ARTICLE, 1972). HIS ATTITUDES TOWARDS THE U.S. ARE NOT KNOWN, ALTHOUGH HE ACCEPTS INVITATIONS TO JULY 4 RECEPTIONS AND OTHER SOCIAL FUNCTIONS. HE HAS NEVER BEEN HEARD TO ATTACK THE U.S.

\*\*\*\*\*

SIT:  
EOB: KEMP,RENT  
WHSR COMMENTS:

PAGE 01

ALGIERS 2002

DTG:231130Z MAY 81

PSN:017596

FOR: 143/1227Z

CSN:HCE922

\*\*\*\*\*CONFIDENTIAL\*\*\*\*\* COPY

DECLASSIFIED

NLRR 009-113#54761

BY RW NARA DATE 5/27/11



4. BENCHIKH, A PROFESSOR OF LAW AND FORMER DEAN OF THE LAW SCHOOL AT THE UNIVERSITY OF ALGIERS, WAS BORN IN 1937 IN AIN EL HAMMAN, IN THE KABYLIE REGION OF ALGERIA. HE IS NOT A PRACTICING LAWYER, BUT HE HAS SAT ON A NUMBER OF ARBITRAL TRIBUNALS (NOT AS MANY AS MAHIOU). HE HAS BEEN A MEMBER OF ALGERIA'S LAW OF THE SEA DELEGATION, TRAVELLING TO NEW YORK IN 1975 AND 1981. HE RECENTLY SAT ON THE RUSSELL TRIBUNAL ON AFGHANISTAN, BUT HIS CONTRIBUTION TO ITS PROCEEDINGS IS NOT KNOWN. HIS PUBLICATIONS (ALL IN FRENCH) INCLUDE: THE JURIDICAL INSTRUMENTS OF ALGERIAN HYDROCARBON POLICY (DOCTORAL THESIS, 1973); A DOCTORAL COURSE IN INTERNATIONAL ORGANIZATIONS: THEORETICAL QUESTIONS (BOOK, 1978); SOME THEORETICAL AND PRACTICAL ASPECTS OF THE NOTION OF THE DEMOCRATIZATION OF INTERNATIONAL REGULATIONS (ARTICLE, 1978); SOVEREIGNTY, DEVELOPMENT, AND THE PERSPECTIVES OF A NEW INTERNATIONAL ORDER (ARTICLE, 1977); ANALYSIS OF THE LEGAL SYSTEM OF SEABED EXPLOITATION: ANNEX II OF THE COMPOSITE NEGOTIATING TEXT (ARTICLE, 1978). HIS ATTITUDES TOWARDS THE U.S. ARE NOT KNOWN, ALTHOUGH HE ACCEPTS INVITATIONS TO JULY 4 RECEPTIONS.

5. COMMENT: WHILE BOTH MAHIOU AND BENCHIKH APPEAR TO HAVE ALL THE INTELLECTUAL QUALIFICATIONS AND EXPERIENCE NECESSARY FOR SERVICE ON THE IRANIAN-AMERICAN CLAIMS TRIBUNAL, WE CANNOT PREDICT WHERE THEIR SYMPATHIES WILL LIE. AS JURISTS WHO HAVE FREQUENTLY TRAVELLED IN OFFICIAL AND SEMI-OFFICIAL CAPACITIES, IT WOULD BE LOGICAL FOR THEM TO BE EXPONENTS OF THE VARIOUS PROPOSALS FOR NEW INTERNATIONAL ECONOMIC AND OTHER ORDERS. HOWEVER, GIVEN THEIR PREVIOUS SERVICE AS ARBITERS AND THEIR PRESUMED DESIRE TO PROTECT REPUTATIONS OF IMPARTIALITY, THEY ARE LIKELY TO BE AS FAIR AS ANYONE NOT FROM THE U.S. OR WESTERN EUROPE COULD BE.ROSS  
BT

regal - Fran

→ Kinnitt

5/28/81

NSC Secretariat --

The original of the attached  
package was hand carried to  
Frank Hodsoll's office.

pb

## NATIONAL SECURITY COUNCIL

May 28, 1981

MEMORANDUM FOR FRANK HODSOLL

FROM: GARY SICK *JS*

SUBJECT: Iran Claims

The attached memo is self-explanatory. Mr. Hastings of Tulsa is quite serious in his efforts to persuade the government to sponsor a loan guarantee program for U.S. firms with outstanding claims against Iran. His proposal does not strike me as an attractive prospect for the Administration, for the reasons indicated in the memo, but he does deserve a hearing from someone who can better address some of the issues he raises.

If I can be of any further assistance in getting Mr. Hastings a response, please let me know.

Attachment

## NATIONAL SECURITY COUNCIL

May 20, 1981

ACTION

MEMORANDUM FOR RICHARD V. ALLEN

FROM: GARY SICK

SUBJECT: Iran Claims

Mr. Blake Hastings of Butler Associates in Tulsa, Oklahoma, was in touch with me today about a proposal to establish a federal loan guarantee program for U.S. companies with claims outstanding in Iran. Their company does engineering design, and they have what they believe are outstanding debts from Iran for \$4.2 million relating to a joint Iranian (60%)-U.S. (40%) company which was informally taken over by the Iranians after the revolution. I think it would be useful for Frank Hodsoll to touch base with Mr. Hastings.

There is no need to burden you with details, but the central thrust of Mr. Hastings' approach (to Bob Thompson, the Vice President's Legislative Assistant on the Hill, then to your office, finally ending up with me) is for the U.S. Government to accept contingency liability for bank loans to companies which have outstanding claims against Iran but are unlikely to recover their funds in the near future. This would permit the companies to acquire working capital while their cases are being litigated. Hastings says he made a similar proposal to the Carter Administration (through State and Treasury) but the idea was rejected while the hostages were still in custody. (I was not aware of his earlier approach.) He is now anxious to pursue the idea with the Reagan Administration. He believes that State and Treasury are not sympathetic, so he decided to go "straight to the White House" through Bob Thompson.

I can well understand the appeal for smaller companies of having loans underwritten by the USG while their claims are in litigation. Curiously, Mr. Hastings says that his company has decided not to submit a claim through the claims settlement procedure, on the advice of counsel, because the Iranian controlling interest in the joint company puts them in a legal "gray area." It is unclear to me how Butler Associates ever expects to recoup its claimed losses, and Hastings was fuzzy on this point, citing "legal complexities."

The possibility of a federal loan guarantee also raises legal and financial complexities:

-- Would such a program be compatible with the operation of the claims settlement procedure being worked out at The Hague?

-- Would companies use this to avoid lengthy and uncertain litigation while transferring their financial obligations to the USG?

-- What could the USG anticipate in terms of total possible liabilities, and under what circumstances would the USG be expected to assume the loans?

-- What effect would this have on the budget?

All of these considerations go far beyond my expertise. However, I am hesitant to dismiss the idea out of hand. It may have real merit. Since Frank Hodson was deeply involved in the policy discussions leading to the establishment of the claims settlement procedure, and since he has the requisite technical expertise, it might be helpful for him to contact Mr. Hastings (918/622-9161) to make a more informed judgment about the proposal.

Alternatively, I can contact officials in State or Treasury or both and ask them to pursue the issue.

#### RECOMMENDATION

That you pass this memorandum to Frank Hodson for his views.

Approve *for* Disapprove \_\_\_\_\_

Alternatively, that I seek out someone in State/Treasury to talk to Mr. Hastings.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

*JK*  
Geoffrey Kemp and Bob Kimmitt concur.

*4 for*

*3.3"*



## NATIONAL SECURITY COUNCIL

June 2, 1981

ACTION

→ Kimmitt

MEMORANDUM FOR ALLEN J. LENZ

FROM: ROBERT M. KIMMITT *Bob*

SUBJECT: Senate Resolution 44

OMB requests our views on a State-proposed report on Senate Resolution 44 concerning the taking of diplomatic hostages (Tab A). I have been working with OMB on this issue, so they will understand why the reply is a few days late.

At Tab I is a proposed response to OMB, which incorporates Mike Guhin's helpful comments.

RECOMMENDATION:

That you sign the memorandum at Tab I.

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

## Attachments:

Tab I - Proposed reply  
Tab A - OMB referral

Mike *[Signature]* Guhin and Geoff *[Signature]* Kemp concur.

June 3, 1981

ACTION

MEMORANDUM FOR: Mr. James M. Frey  
Assistant Director  
Legislative Reference  
Office of Management and Budget

SUBJECT: Senate Resolution 44

The National Security Council Staff recommends the following changes to the proposed State report on Senate Resolution 44 (Tab A):

- Page 2, line 6: Change "is not likely to" to "would not."
- Page 2, line 20: Insert the word "with" after the word "explore."
- Delete the last sentence in the penultimate paragraph. This language may generate unnecessarily high expectations at a time when the U.S. Government has yet to determine what it would seek at such a conference.



Allen J. Lenz  
Staff Director





ACTION

MEMORANDUM FOR: Mr. James M. Frey  
Assistant Director  
Legislative Reference  
Office of Management and Budget

SUBJECT: Senate Resolution 44

The National Security Council Staff recommends the following changes to the proposed State report on Senate Resolution 44 (Tab A):

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Allen J. Lenz  
Staff Director





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

May 4, 1981

LEGISLATIVE REFERRAL MEMORANDUM

TO:

Legislative Liaison Officer-  
National Security Council



SUBJECT:

State proposed report on S. Res. 44, "Relating to the convening of an international conference to amend certain international agreements concerning the privileges and immunities of diplomatic and consular agents."

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than Friday, May 29, 1981.

Questions should be referred to Tracey Cole Lawler (395-4710), the legislative analyst in this office, or to Bob Bauerlein (395-4580).

*Ronald K. Peterson*

RONALD K. PETERSON FOR  
Assistant Director for  
Legislative Reference

Enclosures



DEPARTMENT OF STATE

Washington, D.C. 20520

Dear Mr. Chairman:

I have been asked to respond to your letter of March 10 to Secretary Haig requesting the views of the Department of State on S. Res. 44, "Relating to the convening of an international conference to amend certain international agreements concerning the privileges and immunities of diplomatic and consular agents", submitted by Senator Moynihan on January 29, 1981. This Resolution represents a proposed response to the illegal actions committed by the Iranian Government in seizing and holding hostage United States diplomatic mission personnel from November 4, 1979 until January 20, 1981.

The Resolution recommends the convening of an international conference for the purpose of considering amendment of the Optional Protocols on the Settlement of Disputes of the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963. The Resolution proposes that the Protocols be amended so as to require parties to the Conventions to break diplomatic relations with any country which violates the provisions of the Conventions relating to the inviolability of the persons of diplomatic agents and consular officers and the inviolability of the premises of diplomatic or consular missions. These countries would also be required to declare the diplomatic and consular agents of the offending country persona non grata in their territory once the country whose rights have been violated makes application to the International Court of Justice for settlement of the dispute created by the violation.

The Department of State is supportive of any constructive efforts to develop measures within the structure of international law which will work towards the elimination or substantial reduction of the type of despicable actions which only recently took place in Iran in clear and direct violation

The Honorable  
Charles H. Percy,  
Committee on Foreign Relations,  
United States Senate.

of the Vienna Conventions. However, the convening of an international conference by the United States with the primary purpose of amending the Protocols so as to require the breaking of diplomatic relations with an offending country and the declaring of that country's diplomatic representatives persona non grata is not likely to achieve that result. There is not at this time sufficient international support for any regime of automatic sanctions against states which fail to uphold their obligations under the Vienna Conventions.

On the other hand, an international conference organized under United Nations auspices for the purpose of reviewing overall implementation of the Vienna Convention on Diplomatic Relations and a similar conference, if required, to review the Vienna Convention on Consular Relations could be utilized for purpose of determining those areas in which the Conventions could be strengthened with particular emphasis on improving the ability of States party to the Conventions to protect their rights and those of other States abiding by the Convention's provisions. Before any such conference is called, however, an opportunity to explore the U.S. allies the relative merits of specific sanctions such as those contained in S. 44 would be essential. In this way, the United States could play a decisive and effective role in guiding a conference, if convened, making certain that this country's interests both here and abroad are afforded the greatest possible protection.

The Office of Management and Budget advises that from the standpoint of the Administration's program, there is no objection to submission of this report.

Sincerely,

Richard Fairbanks  
Assistant Secretary for  
Congressional Relations

Unclassified

(Classification)

S/S # 8116334

Date June 4, 1981

DEPARTMENT OF STATE  
EXECUTIVE SECRETARIAT  
TRANSMITTAL FORM

FOR: Mr. Richard V. Allen  
National Security Council  
The White House

REFERENCE:

TO: Richard Allen FROM: Walter E. Warren  
DATE: 04 May 1981 SUBJECT: Request appt as an  
arbitrator for the Iran-U.S. Claims Tribunal


WHITE HOUSE REFERRAL DATED: 21 May 1981 NSC #         
(if any)

THE ATTACHED ITEM WAS SENT DIRECTLY  
TO THE DEPARTMENT OF STATE

ACTION TAKEN:

- ☐ A draft reply is attached.
- ☐ A draft reply will be forwarded.
- ☐ A translation is attached.
- ☒ An information copy of a direct reply is attached.
- ☐ We believe no response is necessary for the reason cited below.
- ☐ Other.

REMARKS:

*for*   
L. Paul Bremer, III  
Executive Secretary

COPIES: GMRosberg  
Chron  
Sens  
S-S/S  
NSC - Mr. Richard Allen ✓

4 JUN 1981

Walter E. Warren, Esq.  
Wolf, Arnold & Cardoso  
International Square  
1850 K Street, N.W.  
Washington, D.C. 20006

Dear Mr. Warren:

Your letter to Richard Allen of May 4, 1981, concerning the Iran-U.S. Claims Tribunal has been referred to my office. Three U.S. members of the Tribunal have already been appointed. Indeed, they have been hard at work over the last several weeks on the task of choosing, by agreement with their Iranian counterparts, three third-country arbitrators.

It is our expectation that the Tribunal will eventually be expanded to thirty members, in which case the United States will be appointing seven additional members. We are very pleased to learn of your interest in serving in one of these positions, and I can assure you that your name will be given the most careful consideration. In this connection, I would be grateful if you could send me biographical information relevant to this position. Of special importance is prior experience in international arbitration and in the handling of international commercial transactions.

Sincerely,

Gerald M. Rosberg  
Counselor on  
International Law

Drafted:L:GMRosberg:mers  
6/3/81 ext. 24295  
P9116334  
Clearance: NEA/IRN:ADSens



REFERRAL

DATE: 21 MAY 81

MEMORANDUM FOR: STATE SECRETARIAT

DEPARTMENT OF STATE

DOCUMENT DESCRIPTION:

TO: ALLEN

FROM: WARREN, WALTER E

DATE: 04 MAY 81

KEYWORDS: IRAN

SUBJ: REQUEST APPT AS AN ARBITRATOR FOR THE IRAN - US CLAIMS TRIBUNAL

---

REQUIRED ACTION: DIRECT REPLY FURNISH INFO COPY

DUE DATE: 29 MAY 81

COMMENTS:

  
FOR ALLEN J LENZ

STAFF DIRECTOR

---

FOR NSC USE ONLY

---

FOR INFO KEMP

STEARMAN

F WH

O MB C MB

Rec'd in 5/5-3  
5/26/81 - 0950  
CWM

2950  
7 MAY 1981

WOLF, ARNOLD & CARDOSO, P. C

ATTORNEYS AT LAW  
INTERNATIONAL SQUARE  
1850 K STREET, N.W.

WASHINGTON, D. C. 20006

8116334

MAURICE WOLF  
ELTING ARNOLD

☆☆☆

CARLOS E. CARDOSO  
(NOT ADMITTED IN D. C.  
RESIDENT IN BRAZIL)

WALTER EMORY WARREN  
OF COUNSEL

CABLES: WOLFPC

TELEX: 440312 (WOLF-UI)

TELEPHONE  
(202) 857-0585

May 4, 1981

RIO DE JANEIRO  
CARLOS E. CARDOSO, ADVOCADO  
RUA PEDRO LESSA 35 7º ANDAR  
RIO 20000, BRASIL  
GUATEMALA  
BUFETE YAGUIAN OTERO  
3A. AVE. 12-51, ZONA 1  
GUATEMALA, REPUBLIC OF GUATEMALA  
BOGOTA  
ARANGO, NIETO, CALDERON & ASOCIADOS  
EDIFICIO SEGUROS FENIX  
CARRERA 7, NO. 32-33  
BOGOTA, COLOMBIA

Mr. Richard V. Allen  
Assistant to the President  
for National Security Affairs  
The White House  
Washington, D.C. 20500

Dear Dick:

It appears that the President is or will be selecting seven additional arbitrators for the Iran-U.S. Claims Tribunal. I believe I am qualified and I would be interested in holding one of these positions.

If you would express your support of me for such an appointment, as you kindly suggested in your letter of April 17, 1981, I would greatly appreciate it.

Many thanks for all your past courtesies and consideration. Kind personal regards.

Yours very truly,

Walter E. Warren

Legal -- from

THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release

June 5, 1981

EXECUTIVE ORDER

- - - - -

PRESIDENT'S COMMISSION ON HOSTAGE COMPENSATION

By the authority vested in me as President by the Constitution and statutes of the United States of America, in accordance with the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), and to give the President's Commission on Hostage Compensation time to complete its work, it is hereby ordered that Executive Order No. 12285 (January 19, 1981) is amended as follows:

The first sentence of Section 1-202 of the Order is amended to read: "The Commission shall submit a report to the President no later than August 20, 1981."

The second sentence of Section 1-301 of the Order is amended to read: "In addition to conducting open meetings in accordance with the Federal Advisory Committee Act, the Commission may conduct public hearings to identify critical issues and possible solutions related to compensation."

RONALD REAGAN

THE WHITE HOUSE,

June 4, 1981

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THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release

June 5, 1981

The President today announced the appointment of the following to be Members of the President's Commission on Hostage Compensation and the designation of James S. Dwight, Jr., as Chairman:

James S. Dwight, Jr.: Mr. Dwight is currently a partner with the public accounting firm of Deloitte, Haskins and Sells in Washington, D.C. From 1973-75 he was Administrator, Social and Rehabilitation Services at HEW. From 1972-73 he was Associate Director of the Office of Management and Budget. From 1966-72 he was the Chief Deputy Director of Finance for the State of California. Mr. Dwight was born March 9, 1934 in Pasadena, California and resides with his wife and children in Arlington, Virginia.

Jeanne H. Ferst: Mrs. Ferst is presently a member of several civic organizations including membership in the Atlanta Urban League, The Jewish Committee and the International Human Assistance Foundation. From 1977-80 she was a member of the Advisory Council on National Security and Foreign Affairs, Republican National Committee. From 1973-78 she was a member of the Advisory Committee on Voluntary Foreign Aid, AID. From 1971-73 she was appointed member of the President's Panel on South Asian Relief Assistance and from 1969-70 she was selected as a member of the U.S. Delegation to the U.N. Development Program's Governing Council in Geneva. Mrs. Ferst was born September 6, 1918 in Chicago, Illinois. She resides with her husband in Atlanta, Georgia.

Constance D. Armitage: Mrs. Armitage is Associate Professor of Art History at Wofford College in Spartanburg, South Carolina. From 1972-75 she was President of the National Federation of Republican Women and Campaign Chairman in 1980. From 1977-79 she served on the Board of Directors and Steering Committee of the American Conservative Union. Mrs. Armitage was born May 13, 1920 in San Francisco, California. She resides in Inman, South Carolina.

Anderson Carter: Mr. Carter is a self-employed businessman who has been involved in politics since 1960. He was Director of Field Operations for the Reagan for President Committee and also served as Political Director. Mr. Carter was born October 10, 1926 in Roswell, New Mexico. He resides with his wife in Lovington, New Mexico.

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54762	CABLE 132232Z JUN 81	3	6/13/1981	B1

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

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

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

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

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

*Legal-Iran*

RECEIVED 24 JUN 81 17

TO

ALLEN

FROM DARMAN, R

DOCDATE 24 JUN 81

MICHEL, J

08 MAY 81

NICHOLS, W

15 JUN 81

KEYWORDS: IRAN

EO

DARMAN REFERRAL

**SUSPENSE**

SUBJECT: PROPOSED EO ENTITLED HOSTAGE RELIEF ACT OF 1980

ACTION: PREPARE MEMO LENZ TO DARMAN DUE: 29 JUN 81 STATUS S FILES

FOR ACTION

FOR COMMENT

FOR INFO

KEMP

STEARMAN

REGER

*Kimitt*

COMMENTS PLS NOTE NSC CONCURRED ON EARLIER MEMO 5/27 LENZ TO

NICHOLS ATTACHED IN PKG LOG# 2935

REF# 019707

LOG 8102935

NSCIFID

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ACTION OFFICER (S)	ASSIGNED	ACTION REQUIRED	DUE	COPIES TO
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DISPATCH \_\_\_\_\_ W/ATTCH FILE \_\_\_\_\_ (C)

WHITE HOUSE STAFFING MEMORANDUM

DATE: June 24, 1981 ACTION/CONCURRENCE/COMMENT DUE BY: June 29

SUBJECT: Proposed Executive Order entitled "Hostage Relief Act of 1980"

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	JAMES	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input type="checkbox"/>	NOFZIGER	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	WILLIAMSON	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	WEIDENBAUM	<input type="checkbox"/>	<input type="checkbox"/>
ALLEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CANZERI	<input type="checkbox"/>	<input type="checkbox"/>
ANDERSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FULLER (For Cabinet)	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
DOLE	<input type="checkbox"/>	<input type="checkbox"/>	HODSOLL	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MC COY	<input type="checkbox"/>	<input type="checkbox"/>
FRIEDERSDORF	<input type="checkbox"/>	<input type="checkbox"/>	CEQ	<input type="checkbox"/>	<input type="checkbox"/>
GARRICK	<input type="checkbox"/>	<input type="checkbox"/>	OSTP	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input type="checkbox"/>	<input type="checkbox"/>	USTR	<input type="checkbox"/>	<input type="checkbox"/>
HARPER	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Please provide any comments on this proposed EO by COB 6/29.

Richard G. Darman  
Deputy Assistant to the President  
and Staff Secretary  
(x-2702)





General  
Services  
Administration

National Archives  
and  
Records Service Washington, DC 20408

June 22, 1981

Mr. Tom Jones  
Executive Clerk  
The White House  
Room 5, Old Executive Office Bldg.  
Washington, DC 20500

Dear Mr. Jones:

Transmitted herewith is a proposed Executive order entitled "Hostage Relief Act of 1980."

The proposed Executive Order has been reviewed in this office and approved for conformity with the provisions of Executive Order 11030, as amended.

Sincerely,

A handwritten signature in dark ink, reading 'John E. Byrne'. The signature is fluid and cursive, with a long horizontal stroke at the end.

JOHN E. BYRNE  
Director of the Federal Register

Enclosure



United States Department of Justice  
Washington, D.C. 20530

ASSISTANT ATTORNEY GENERAL  
OFFICE OF LEGAL COUNSEL

1 6 JUN 1981

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Hostage Relief Act of 1980."

This proposed order was submitted by the Department of State and was revised by the Office of Management and Budget. It has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,

A handwritten signature in dark ink, reading "Theodore B. Olson".

Theodore B. Olson  
Assistant Attorney General  
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

GENERAL COUNSEL

June 15, 1981

Honorable William French Smith  
Attorney General  
Washington, D. C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order entitled "Hostage Relief Act of 1980."

This proposed Executive order was submitted by the Department of State, along with the enclosed transmittal letter. The proposed order would set January 21, 1981, as the date for the hostage release from Iran. As the Department of State transmittal letter noted, January 21 is the date all of the hostages returned to full United States control in Wiesbaden.

None of the interested agencies objects to the issuance of this proposed order.

At the suggestion of the Department of the Treasury we have revised the proposed order to reflect both sections of the Hostage Relief Act in which the President determines the return date of the hostages. [For Title I purposes, the hostage period thus ends on January 1, 1983, as provided by Section 101(2) of the Act. For Title II purposes, the hostage period thus ends on January 21, 1981, in accord with Section 205(b) of the Act.]

Your staff may direct any questions concerning this proposed Executive order to Mr. Ronald A. Kienlen of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

*William M. Nichols*  
William M. Nichols  
General Counsel

Enclosures



United States Department of Justice  
Washington, D.C. 20530

ASSISTANT ATTORNEY GENERAL  
OFFICE OF LEGAL COUNSEL

1 8 JUN 1981

MEMORANDUM

Re: Proposed Executive order entitled  
"Hostage Relief Act of 1980"

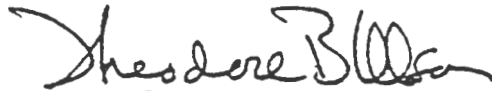
The attached proposed Executive order was submitted by the Department of State and was revised by the Office of Management and Budget. It has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order would name January 21, 1981, the day on which the last of the American hostages were returned to the full control of United States authorities at Wiesbaden, West Germany, as

the date the President specifies, by Executive order, as the date on which all citizens and resident aliens of the United States who were placed in a captive status due to the seizure of the United States Embassy in Iran have been returned to the United States or otherwise accounted for,

under §§ 101(2)(A) and 205(b)(1) of the Hostage Relief Act of 1980 (the Act), Pub. L. No. 96-449, §§ 101(2)(A) and 205(b)(1), 94 Stat. 1967, 1972. This would have the effect of closing the "hostage period" for the purposes of title II ("Tax Provisions") of the Act as of January 21, 1981. It would also ensure that the "hostage period" for the purposes of title I ("Special Personnel Benefits") does not run past January 1, 1983. Under both titles the length of the "hostage period" is crucial to a determination of who is an "American hostage." Only persons "placed in a captive status during the hostage period" qualify as "American hostages," see §§ 101(1) and 205(a) of the Act, and only "American hostages" and their dependents are entitled to the benefits and relief provided for by the Act.

The proposed Executive order is acceptable as to form and legality.

A handwritten signature in dark ink, appearing to read "Theodore B. Olson". The signature is fluid and cursive, with the first name "Theodore" being more legible than the last name "Olson".

Theodore B. Olson  
Assistant Attorney General  
Office of Legal Counsel

EXECUTIVE ORDER

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HOSTAGE RELIEF ACT OF 1980

By the authority vested in me as President of the United States of America by Sections 101(2) and 205(b) of the Hostage Relief Act of 1980 (Public Law 96-449; 94 Stat. 1967, 1972; 5 U.S.C. 5561 note), it is hereby ordered that January 21, 1981, is specified as the date on which all citizens and resident aliens of the United States who were placed in a captive status due to the seizure of the United States Embassy in Iran have been returned to the United States or otherwise accounted for and no longer under foreign control.

THE WHITE HOUSE,

## MEMORANDUM

## NATIONAL SECURITY COUNCIL

May 27, 1981

MEMORANDUM FOR WILLIAM M. NICHOLS

FROM: ALLEN J. LENZ *ajl*

SUBJECT: Proposed Executive Order Entitled  
"Hostage Relief Act of 1980"

The NSC staff concurs with the Department of State and is aware of no purpose to be served by having the "hostage period" run to the end of the year, and the proposed order would specify January 21, the date all the hostages returned to full United States control in Wiesbaden (Tab A).

7



DEPARTMENT OF STATE

Washington, D.C. 20520

May 8, 1981

Dear Mr. Stockman:

In accordance with Executive Order 11030, I enclose for review and transmission to the President a proposed Executive order in further implementation of the Hostage Relief Act (P.L. 96-449).

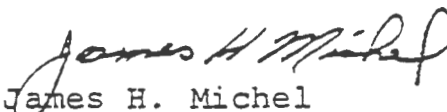
Executive Order 12268, January 15, 1981 (46 FR 4671) generally delegated to the Secretary of State functions vested in the President by that Act. One function remains, however, which requires issuance of an Executive Order. Section 205(b) of the Act defines a key term "hostage period" as ending on the date the President specifies, by Executive Order, as the date on which all citizens and resident aliens held hostage in Iran "have been returned to the United States or otherwise accounted for" or December 31, 1981, whichever is earlier.

The duration of the "hostage period" serves to define when some tax provisions of the Act expire (e.g. filing of a joint return by a spouse and relief from determining tax liability).

We are aware of no purpose to be served by having the period run to the end of the year, and the proposed order would specify January 21, the date all the hostages returned to full United States control in Wiesbaden.

We understand that the Treasury Department supports early issuance of the proposed order.

Sincerely,

  
James H. Michel  
Acting Legal Adviser

Enclosure:

Proposed Executive Order.

The Honorable  
David A. Stockman, Director,  
Office of Management and Budget.



31 JUN 24 AIO: 45

JANET COLSON

BUD NANCE

DICK ALLEN

IRENE DERUS

JANET COLSON

BUD NANCE

KAY

CY TO VP

CY TO MEESE

CY TO BAKER

CY TO DEEVER

CY TO BRADY

SHOW CC

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*To Staffing*