

Ronald Reagan Presidential Library Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Matlock, Jack F.: Files
Folder Title: Reciprocity – USSR (8)
Box: 33

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: reagan.library@nara.gov

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name MATLOCK, JACK: FILES

Withdrawer

JET 5/19/2005

File Folder USSR-RECIPROCITY 8/8

FOIA

F06-114/10

Box Number 33

YARHI-MILO

3311

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
11138	CABLE	041349Z JUL 84 [5 - 10] R 1/2/2008 NLRRF06-114/10	6	7/4/1984	B1
11139	CABLE	291343Z AUG 85 [11 - 15] R 1/2/2008 NLRRF06-114/10	5	8/29/1985	B1
11136	MEMO	MARTIN TO PLATT RE UPDATE ON THE EQUIVALENCE AND RECIPROCITY IN THE TREATMENT OF U.S. AND SOVIET BLOC DIPLOMATIC OFFICIALS [16 - 18] R 1/2/2008 NLRRF06-114/10	3	11/29/1986	B1
11137	MEMO	MAJOR TO MARTIN RE PRESIDENTIAL REPORT ON RECIPROCITY REQUIRED BY THE LEAHY-HUDDLESTON AMENDMENT [19 - 19] R 6/25/2009 NLRRF06-114/10	1	ND	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 5/19/2005

File Folder USSR-RECIPROCITY 8/8

FOIA

F06-114/10

Box Number 33

YARHI-MILO

3311

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
11140	MEMO	PLATT TO MCFARLANE RE UPDATE ON THE EQUIVALENCE AND RECIPROCITY IN THE TREATMENT OF U.S. AND SOVIET BLOC DIPLOMATIC OFFICIALS [20 - 42]	22	11/19/1985	B1
11141	MEMO	PLATT TO MCFARLANE RE UPDATE ON THE EQUIVALENCE AND RECIPROCITY IN THE TREATMENT OF U.S. AND SOVIET BLOC DIPLOMATIC OFFICIALS [22 - 42]	25	1/9/1986	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.

Washington, D.C. 20520

APR 23 1984

~~Save for Vick Matlock~~File
US-USSR
Reciprocity

Dear Mr. Stockman:

In reply to your Legislative Referral Memorandum of April 12, I am pleased to have the opportunity to share with you our views on the proposed Huddleston - Leahy amendment. The Department strongly opposes the amendment. The Department of State fully shares the concern of Senators Huddleston and Leahy about hostile foreign intelligence activities in this country and the potential threat to national security that they represent. We have taken a number of steps to help deal with this threat and are in the process of implementing others. But the amendments which they have proposed for inclusion in the Intelligence Authorization Bill for FY 1985 present serious legal, practical and foreign policy problems which I will address briefly, in order.

Section (a) goes beyond the objective of reciprocity (which is also defined in other legislation like the Foreign Missions Act) by putting Congress on record in favor of a policy of absolute equality in numbers. If adopted, such a policy could push us into a rigid position on these matters which in most cases would not be in our interest. For example, no one either in the Congress or the Executive Branch has done a study of the issue of whether our Embassy in Moscow could function effectively with 100 percent American staff and no Soviet employees.

With regard to Section (b), it is our position that report language rather than statutory language would be the best place to spell out how to work toward overall goals that are defined elsewhere. But we also have problems with the specifics of the Section as currently drafted:

-- It would require determinations by the President that place an undesirable and unfair burden on him: that a government was engaged in intelligence activities harmful to the United States, and then that it is in the national interest not to expel large numbers of officials of that government or not to deprive them of their immunities.

The Honorable

Director,
Management and Budget.

-- If we decided to deprive such officials of their immunities, in the Soviet case we would be violating a bilateral agreement in force since 1967, which gives all members of our Embassies and their families full diplomatic privileges and immunities on a reciprocal basis.

— Expulsion or deprivation of immunity by us would inevitably expose a commensurate number of our people in the Soviet Union to retaliatory action by the Soviets.

The objectives of Section (c) would be better met by annual testimony before the Congress by the agencies concerned rather than by what might become a compromise written report. Naturally, the State Department is prepared to update factual material, such as numbers of Soviets and other diplomats.

Section (d) of the proposal would strike the requirement in the State Department Basic Authorities Act that the Director of the Office of Foreign Missions be a Foreign Service Officer with certain special qualifications, and that the Deputy Director be a member of the intelligence community. This provision was accepted last year by the House/Senate Conference on the Department's FY 84/85 Authorization Bill on the urging of the House Conferees so as to provide greater definition of the role of the Office of Foreign Missions. It would be unwise to reopen the question at this time.

Finally, as a matter of priority policy, the Administration believes that we should be probing the new Soviet leadership to see whether some progress in our bilateral relationship can be made. Legislation of this sort would hinder that effort.

Again, I want to make clear that we strongly endorse the objective of encouraging reciprocity and equivalence and controlling the hostile intelligence threat. The Department of State looks forward to working with the Intelligence Committee to find ways to achieve those goals while at the same time promoting our foreign policy objectives.

Sincerely,



Robert F. Turner
Acting Assistant Secretary
Legislative and Intergovernmental Affairs

3
Assistant Secretary of State
for European Affairs

Washington, D.C. 20520

April 16, 1984

Dear Senator Leahy:

As I indicated to you in our recent telephone conversation, I fully share your concern about hostile foreign intelligence activities in this country and the potential threat to national security that they represent. We have taken a number of steps in this direction and are in the process of implementing others. But the amendments which you have proposed for inclusion in the Intelligence Authorization Bill for FY 1985 present serious legal, practical and foreign policy problems and I wanted to share them with you. With regard to the specific provisions let me deal with them briefly in order.

Our problem with section (a) is that it appears to go beyond the objective of reciprocity (which is also defined in other legislation like the Foreign Missions Act) by putting Congress on record in favor of a policy of absolute equality in numbers. If adopted, such a policy could push us into a rigid position on these matters which in most cases would not be in our interest. For example, no one either in the Congress or the Executive Branch has done a study of the issue of whether our Embassy in Moscow could function effectively with 100 percent American staff and no Soviet employees.

With regard to Section (b), we generally think that report language rather than statutory language would be the best place to spell out how to work toward overall goals that are defined elsewhere. But we also have problems with the specifics of the Section as currently drafted:

-- It would require determinations by the President that place an undesirable and unfair burden on him: that a government was engaged in intelligence activities harmful to the United States, and then that it is in the national interest not to expel large numbers of officials of that government or not to deprive them of their immunities.

-- If we decided to deprive such officials of their immunities, in the Soviet case we would be violating a bilateral agreement in force since 1967, which gives all members of our Embassies and their families full diplomatic privileges and immunities on a reciprocal basis.

The Honorable
Patrick J. Leahy,
United States Senate.

-- Expulsion or deprivation of immunity by us would inevitably expose a commensurate number of our people in the Soviet Union to retaliatory action by the Soviets.

I firmly believe that the objectives of Section (c) would be better met by annual testimony before the Congress by the agencies concerned rather than by what might become a compromise written report. Naturally, the State Department would be prepared to update factual material, such as numbers of Soviets and other diplomats.

Section (d) of your proposal would strike the requirement in the State Department Basic Authorities Act that the Director of the Office of Foreign Missions be a Foreign Service Officer with certain special qualifications, and that the Deputy Director be a member of the intelligence community. This provision was accepted last year by the House/Senate Conference on the Department's FY 84/85 Authorization Bill so as to provide greater definition of the role of the Office of Foreign Missions. We would prefer that this question not be reopened at this time.

Finally, as a matter of policy, the Administration believes that we should be probing the new Soviet leadership to see whether some progress in our bilateral relationships can be made, and I think there is a real question as to whether legislation of this sort would help or hinder that effort.

Again, I want to make clear that I strongly endorse your objective of encouraging reciprocity and equivalence and controlling the hostile intelligence threat. I look forward to working with you and with the Intelligence Committee in finding ways to achieve those goals while at the same time promoting our foreign policy objectives.

Sincerely,

151
Richard Burt

DECLASSIFIED

SECRET

NLRR F06-714/10 #11/38

BY CW NARA DATE 1/2/08

NATIONAL SECURITY COUNCIL
SECRETARIATPAGE 01 OF 02
EOB158MOSCOW 8401
AN003006DTG: 041349Z JUL 84 PSN: 004133
TOR: 186/1702Z CSN: HCE579DISTRIBUTION: STEI-01 DOBR-01 RAY-01 SEST-01 ROBN-01 LENC-01
MAT-01 /007 A2WHTS ASSIGNED DISTRIBUTION:
SIT: VP PUBS SIT EOB
EOB:OP IMMED
STU7418
DE RUEHMO #8401/01 1861355
O 041349Z JUL 84 ZFF4
FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC NIACT IMMEDIATE 0023

INFO AMCONSUL LENINGRAD IMMEDIATE 7854

SECRET SECTION 01 OF 03 MOSCOW 08401

EXDIS

E.O. DECL: OADR

TAGS: UR, US, SHUM, PREL

SUBJECT: KGB DETAINS EMBASSY OFFICERS FOR TWO HOURS

1. SECRET - ENTIRE TEXT.

2. SUMMARY: EMBASSY HUMAN RIGHTS OFFICERS GLASS AND PURNELL WERE FORCIBLY DETAINED JULY 4TH DURING THE COURSE OF A MEETING WITH MEMBER OF MOSCOW CHAPTER OF THE SOLZHENITSYN FUND. EMBOFFS WERE HELD FOR TWO HOURS AT LOCAL MILITIA STATION, AND REPEATEDLY DENIED THE RIGHT TO CONTACT THE EMBASSY BY THE MILITIA, KGB, AND A REPRESENTATIVE OF THE FOREIGN MINISTRY PROTOCOL DIVISION. PRESUMED SAMIZDAT DOCUMENTS IN EMBOFFS' POSSESSION WERE FORCIBLY CONFISCATED, AND KGB OFFICIALS IMPLIED EMBOFFS WERE INVOLVED IN VIOLATION OF ARTICLE 70 OF RSFSR LAW CODE: ANTI-SOVIET AGITATION AND PROPAGANDA. ONE KGB OFFICIAL STATED THAT PRIVILEGES AND IMMUNITIES UNDER THE VIENNA CONVENTION ONLY EXTEND TO THOSE ENGAGED IN "LEGITIMATE DIPLOMATIC BUSINESS." EMBASSY CONSULAR OFFICER ARRIVED ON THE SCENE AFTER MFA PROTOCOL REPRESENTATIVE AGREED TO CALL THE EMBASSY. CONSULAR OFFICER WAS REFUSED PERMISSION TO ESCORT EMBOFFS FROM THE MILITIA STATION AND THE THREE WERE PHYSICALLY SHOWN BACK INTO A MILITIA OFFICE AS THEY TRIED TO LEAVE. CONSOFF WAS THEN DENIED THE RIGHT TO CALL THE EMBASSY FROM THE MILITIA STATION. EMBOFFS WERE FINALLY RELEASED AFTER CONSOFF LEFT TO TELEPHONE THE EMBASSY. EMBASSY HAS STRONGLY PROTESTED THE VIOLATION OF IMMUNITY AND UNJUSTIFIED DETENTION TO FOREIGN MINISTRY. CONTINGENCY PRESS GUIDANCE IS AT PARAGRAPH 15. END SUMMARY.

3. AT 09:00 JULY 4, EMBASSY HUMAN RIGHTS OFFICERS JON PURNELL AND GEORGE GLASS MADE ROUTINE CONTACT WITH MEMBER OF MOSCOW'S SOLZHENITSYN FUND LINA TUMANOVA, WHO PASSED THEM A SMALL PLASTIC BAG PRESUMABLY CONTAINING SAMIZDAT DOCUMENTS ON RECENT DEVELOPMENTS IN THE AREA OF HUMAN RIGHTS. LESS THAN TWO MINUTES INTO THE MEETING APPROXIMATELY A DOZEN MEN IN PLAIN CLOTHES RUSHED THE GROUP, WHICH WAS STANDING NEAR A CHILDREN'S PLAYGROUND CLOSE TO OKTYABRSKAYA SQUARE. THE MEN ROUGHLY PINNED EMBOFFS' ARMS BEHIND THEIR BACKS AND GRABBED

SECRET

EXDIS

EXDIS

EXDIS

EXDIS

7/3/84

5

File Reciprocity

~~SECRET~~

NATIONAL SECURITY COUNCIL
SECRETARIAT

PAGE 02 OF 02 MOSCOW 8401

DTG: 041349Z JUL 84 PSN: 004133

ONE EMBOFF'S BRIEFCASE AND THE PLASTIC BAG FROM HIS HANDS. EMBOFFS IMMEDIATELY IDENTIFIED THEMSELVES AS DIPLOMATS TO THE ATTACKERS, SEVERAL OF WHOM PHOTOGRAPHED THE SCENE. AN ASSAILANT PULLED THE DIPLOMATIC I. D. CARD FROM ONE EMBOFF'S POCKET AND EXAMINED IT. DESPITE THIS ACTION AND EMBOFFS' PROTESTS, EMBOFFS WERE FORCIBLY SHOVED INTO A LARGE VAN (LICENSE NUMBER 5926 MNU) AND DRIVEN TO MOSCOW'S MILITIA STATION NUMBER TWO. THROUGHOUT THE TRIP EMBOFFS WERE HELD WITH THEIR ARMS FORCIBLY PINNED BEHIND THEIR BACKS. TUMANOVA WAS LED FROM THE SCENE SEPARATELY.

4. AFTER A FIVE MINUTE RIDE, EMBOFFS WERE TAKEN TO THE OFFICE OF A MILITIA CAPTAIN, WHERE THEIR ARMS WERE FINALLY RELEASED. THEY PRESENTED THEIR IDENTIFICATION DOCUMENTS AND DEMANDED THE RIGHT TO CALL THE EMBASSY. ONE EMBOFF TRIED TO RETRIEVE HIS BRIEFCASE AND PLASTIC BAG, STATING THAT THE AUTHORITIES HAD NO RIGHT TO TAKE HIS PROPERTY. THEY WERE ONCE AGAIN FORCIBLY PULLED FROM HIS GRASP. TWO SO-CALLED "WITNESSES" WERE QUICKLY PRODUCED WHO CLAIMED TO HAVE SEEN EMBOFFS TALKING WITH TUMANOVA. EMBOFFS PROTESTED THEIR DETENTION TO THE UNIFORMED MILITIA OFFICER, WHO CLAIMED TO BE UNFAMILIAR WITH FOREIGN MINISTRY IDENTIFICATION DOCUMENTS. HE REFUSED TO LET EMBOFFS CALL THE EMBASSY AND SAID HE WOULD CALL THE KGB. THE "WITNESSES" LEFT.

5. WITHIN A FEW MINUTES THREE MEN APPEARED, IDENTIFYING THEMSELVES AS KGB OFFICIALS. EMBOFFS IMMEDIATELY REPEATED THEIR PROTESTS AND DEMANDED THE RIGHT TO CALL THE EMBASSY--TO NO AVAIL. THE THREE KGB MEN DISMISSED THE MILITIA OFFICER AND PLAIN CLOTHES GUARDS FROM THE ROOM AND PROCEEDED TO EXAMINE IN

DETAIL THE CONTENTS OF THE BRIEFCASE AND PLASTIC BAG. ONE KGB OFFICIAL, CLEARLY IN CHARGE, GAVE HIS NAME AS KOZEROV. HE ASKED A VARIETY OF QUESTIONS (E. G. WHY EMBOFFS WERE MEETING WITH A SOVIET CITIZEN, ETC.) AND POINTEDLY INQUIRED AS TO WHETHER EMBOFFS WERE ACTING ON THEIR OWN INITIATIVE OR WERE AUTHORIZED BY THE EMBASSY TO MEET WITH SOVIETS. EMBOFFS REFUSED TO ANSWER ANY AND ALL QUESTIONS, BUT REPEATEDLY REFERRED TO THE VIENNA CONVENTION AND THE U. S. /USSR CONSULAR AGREEMENT IN INSISTING ON THEIR DIPLOMATIC PRIVILEGES AND IMMUNITIES. KOZEROV SAID HE WAS AWARE OF THE CONVENTION, BUT STATED
BT

~~SECRET~~

SECRET

NATIONAL SECURITY COUNCIL
SECRETARIAT

PAGE 01 OF 02 MOSCOW 8401
EOB160 AN003005

DTG: 041349Z JUL 84 PSN: 004135
TOR: 186/1704Z CSN: HCE580

DISTRIBUTION: STEI-01 DOBR-01 RAY-01 SEST-01 ROBN-01 LENC-01
MAT-01 /007 A2

WHTS ASSIGNED DISTRIBUTION:
SIT: VP PUBS SIT
EOB:

OP IMMED
STU7419
DE RUEHMO #8401/02 1861356
O 041349Z JUL 84 ZFF4
FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC NIACT IMMEDIATE 0024

INFO AMCONSUL LENINGRAD IMMEDIATE 7855

~~SECRET~~ SECTION 02 OF 03 MOSCOW 08401

EXDIS

E. O. DECL: OADR

TAGS: UR, US, SHUM, PREL

SUBJECT: KGB DETAINS EMBASSY OFFICERS FOR TWO HOURS
THAT IT ONLY APPLIED TO DIPLOMATS ENGAGED IN "NORMAL
DIPLOMATIC FUNCTIONS". HE WENT ON TO SAY THAT HE MUST
CALL THE PROTOCOL DIVISION OF THE FOREIGN MINISTRY TO
VERIFY THE AUTHENTICITY OF EMBOFFS' DOCUMENTS. HE
AND ONE OF HIS SUBORDINATES THEN PRETENDED TO RECOLLECT
THAT EMBOFFS' NAMES WERE MENTIONED IN "PRAVDA" IN
CONNECTION WITH "SAKHAROV."

6. AT APPROXIMATELY 1000 HOURS THIRD SECRETARY
VLADIMIR VLADIMIROVICH POLYAKOV OF THE PROTOCOL SECTION
OF MFA ARRIVED. AFTER EXAMINING EMBOFFS' DIPLOMATIC
CARDS HE ACKNOWLEDGED TO KOZEROV THAT THEY WERE
GENUINE AND HAD BEEN ISSUED BY HIS OFFICE. HOWEVER,
HE TOLD EMBOFFS THAT HE COULD DO NOTHING CONCERNING
THEIR REPEATED REQUESTS TO BE PERMITTED TO PHONE THE EM-
BASSY AND BE RELEASED. HE SAID THAT KOZEROV WAS IN
CHARGE. EMBOFFS ASKED TO SEE POLYAKOV'S MFA IDENTIFICA-
TION AND ONLY AFTER KOZEROV APPROVED THE REQUEST DID
HE PROVIDE IT. KOZEROV'S TWO ASSISTANTS CONTINUED TO TAKE
PHOTOGRAPHS OF EMBOFFS AND OF DOCUMENTS. AT APPROXIMATELY
1015 KOZEROV TOLD POLYAKOV THAT HE COULD NOTIFY THE
EMBASSY. POLYAKOV LEFT THE ROOM AND MANAGED TO PHONE
A CONSUL WHO IMMEDIATELY PROCEEDED TO THE MILITIA
STATION. IN RESPONSE TO FURTHER REQUESTS FROM EMBOFFS,
WHO WERE UNSURE THAT POLYAKOV REALLY DID PHONE THE
EMBASSY, HE PHONED POLCOUNS AS WELL. DURING THIS TIME
KOZEROV CONTINUED EXPRESSLY TO DENY EMBOFFS PERMISSION
TO PHONE EMBASSY THEMSELVES.

7. AT 1040 CONSUL ARRIVED AT MILITIA STATION. SHE
ONFIRMED THAT EMBOFFS WERE ASSIGNED TO EMBASSY. HER
DEMANDS THAT EMBOFFS BE IMMEDIATELY FREED, WERE IGNORED.
HE EXPLAINED THAT DETENTION OF EMBOFFS WAS A VIOLATION
OF THE VIENNA CONVENTION AND DENIAL TO THEM OF PHONE
ACCESS TO THE EMBASSY WAS A VIOLATION OF THE CONSULAR
CONVENTION. KOZEROV, WHO PROFESSED PRECISE KNOWLEDGE OF
THE VIENNA CONVENTION, REFUSED TO BUDGE SAYING THAT
EVERYONE SHOULD SIT DOWN SO THAT HE COULD COMPLETE
PROTOCOL WHICH EMBOFFS WERE TO SIGN. CONSUL SAID THIS
WOULD NOT DO. SHE ANNOUNCED THAT SHE INTENDED TO LEAVE

SECRET

8
~~SECRET~~

NATIONAL SECURITY COUNCIL
SECRETARIAT

PAGE 02 OF 02 MOSCOW 8401

DTG: 041349Z JUL 84 PSN: 004135

WITH EMBOFFS FORTHWITH AND PROCEEDED TO WALK OUT THE DOOR WITH THEM. AT THAT POINT KOZEROV SHOUTED "STOP THEM" AND APPROXIMATELY SIX THUGS FROM A NEIGHBORING OFFICE GRABBED CONSUL AND EMBOFFS AND BODILY SHOVED THEM BACK INTO KOZEROV'S OFFICE.

8. CONSUL ASKED PERMISSION TO USE THE MILITIA'S PHONE TO CALL THE EMBASSY AND WAS REFUSED. CONSUL THEN ASKED WHETHER SHE WAS ALSO BEING DETAINED AND DENIED ACCESS. AFTER SOME DISCUSSION KOZEROV PERMITTED HER TO LEAVE THE MILITIA STATION AS SHE WISHED. CONSUL DEPARTED TO PHONE THE EMBASSY AROUND 1050 HOURS. FIVE MINUTES AFTER HER DEPARTURE, KOZEROV RECEIVED A PHONE CALL AND THEREAFTER TOLD POLYAKOV THAT EMBOFFS WERE FREE TO GO.

9. PERSONAL BELONGINGS OF EMBOFFS WERE RETURNED TO THEM EXCEPT FOR DOCUMENTS KOZEROV ANNOUNCED AS BEING CONFISCATED. EMBOFFS DEPARTED MILITIA STATION AT 1105 HOURS.

10. DURING THE DETENTION, KOZEROV ACKNOWLEDGED TO EMBOFFS THAT HE WAS AWARE THAT ONE OF THEM WAS PART OF THE CURRENT U. S. DELEGATION NEGOTIATING WITH MFA ON CONSULAR MATTERS. AT ONE POINT HE ASKED EMBOFFS WHETHER THEY WORKED FOR THE CIA. RECEIVING NO RESPONSE HE TURNED TO HIS ASSISTANTS TO ASK WHETHER THE MATERIAL CONFISCATED WAS RELATED TO "SPYING". THE ASSISTANT SAID "NO," DESCRIBING THE MATERIAL AS ANTI-SOVIET PROPAGANDA, SOME OF WHICH RELATED TO SAKHAROV. KOZEROV INDICATED THAT TUMANOVA AND EMBOFFS WERE IMPLICATED TOGETHER IN VIOLATION OF ARTICLE 70 OF THE RSFSR CODE, WHICH

PROHIBITS ANTI-SOVIET AGITATION AND PROPAGANDA.

11. FYI: ARTICLE 70 OF THE RSFSR CRIMINAL CODE PROHIBITS, AMONG OTHER THINGS, THE POSSESSION, PREPARATION, OR DISTRIBUTION OF MATERIALS WHICH SLANDER THE SOVIET SYSTEM. SINCE VIRTUALLY ANY PUBLICATION WHICH THE SOVIETS DO NOT OFFICIALLY APPROVE CAN COME UNDER THIS HEADING, WE HAVE NO DOUBT THE AUTHORITIES WILL CONSTRUE THE CONFISCATED DOCUMENTS AS ANTI-SOVIET PROPAGANDA. END FYI.

BT

~~SECRET~~

9
~~SECRET~~

NATIONAL SECURITY COUNCIL
SECRETARIAT

PAGE 01 OF 02 MOSCOW 8401
EOB159 AN003004

DTG: 041349Z JUL 84 PSN: 004137
TOR: 186/1706Z CSN: HCE581

DISTRIBUTION: STEI-01 DOBR-01 RAY-01 SEST-01 ROBN-01 LENC-01
MAT-01 /007 A2

WHTS ASSIGNED DISTRIBUTION:
SIT: VP PUBS SIT EOB
EOB:

OP IMMED
STU7420
DE RUEHMO #8401/03 1861357
O 041349Z JUL 84 ZFF4
FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC NIACT IMMEDIATE 0025

INFO AMCONSUL LENINGRAD IMMEDIATE 7856

~~SECRET~~ SECTION 03 OF 03 MOSCOW 08401

EXDIS
E. O. DECL: OADR
TAGS: UR, US, SHUM, PREL
SUBJECT: KGB DETAINS EMBASSY OFFICERS FOR TWO HOURS

12. UPON LEARNING OF EMBOFFS' DETENTION, AND THERE-AFTER FOR THREE HOURS, DCM ATTEMPTED TO REACH RESPONSIBLE OFFICIALS OF USA DEPARTMENT OF MFA. FINALLY, AT 3:00 P.M., DCM RECEIVED TELEPHONE CALL FROM DEPUTY CHIEF OF USA DEPARTMENT MIKOL' CHAK, TO WHOM STRONG ORAL PROTEST WAS MADE REGARDING VIOLATION OF PURNELL'S AND GLASS' DIPLOMATIC IMMUNITY. DCM ADDED THAT ALLEGATIONS OF WRONG-DOING AGAINST THEM WERE UNFOUNDED, AND SAID THE AMBASSADOR WAS PERSONALLY CONCERNED. MIKOL' CHAK SAID MFA WAS LOOKING INTO THE MATTER AND WAS NOT PREPARED TO ACCEPT OUR VERSION OF THE FACTS. HE INDICATED THAT THE MFA WOULD RESPOND FURTHER IN DUE COURSE.

13. COMMENT: TUMANOVA WAS NOT DEALT WITH HARSHLY DURING THE ATTACK, AND EMBOFFS FEEL SHE WAS UNDOUBTEDLY INVOLVED IN ARRANGING THE VERY WELL ORCHESTRATED INCIDENT. SHE IS INDEED AN ACTIVE MEMBER OF THE LOCAL DISSIDENT COMMUNITY, AND STANDS AS A STRIKING EXAMPLE OF HOW THOROUGHLY THE KGB HAS APPARENTLY PENETRATED DISSIDENT CIRCLES. EMBOFFS HAVE KNOWN HER SOME 7 OR 8 MONTHS, HAVING BEEN INTRODUCED THROUGH A REFUSENIK CONTACT. WE KNOW HER TO BE CLOSELY ASSOCIATED WITH LARISA BOGORAZ, WIFE OF THE IMPRISONED ANATOLIY MARCHENKO. WE CANNOT BE SURE WHETHER SHE HAS BEEN COOPERATING WITH THE AUTHORITIES FOR SOME TIME OR WHETHER SHE ACTED IN RESPONSE TO RECENT PRESSURES.

14. A NUMBER OF REASONS SUGGEST THEMSELVES FOR THE TIMING OF THE INCIDENT. SEEN TOGETHER WITH THE RECENT DETENTION OF FORMER ISRAELI PRESIDENT KATZIR, IT CAN BE TAKEN AS A FURTHER SIGN THAT NO ONE IS IMMUNE FROM THE CURRENT CRACKDOWN ON FOREIGN CONTACTS WITH SOVIET CITIZENS. A SIMILAR SIGNAL WILL GO OUT TO THE DISSIDENT COMMUNITY, CAUSING THEM TO THINK TWICE BEFORE MEETING WITH US. IN BROADER TERMS, THE SOVIETS MAY BE SUFFICIENTLY STUNG BY THE SAKHAROV CASE AND THEIR APPARENT INABILITY TO BRING IT TO A FAVORABLE CONCLUSION, THAT THEY HAVE DECIDED TO LAUNCH

~~SECRET~~

~~SECRET~~

NATIONAL SECURITY COUNCIL
SECRETARIAT

PAGE 02 OF 02 MOSCOW 8401

DTG: 041349Z JUL 84 PSN: 004137

A SERIOUS CAMPAIGN OF ISOLATING DISSIDENTS OF ALL STRIPES
--NOT JUST JEWISH REFUSENIKS. END COMMENT.

15. WE CONSIDER IT LIKELY THAT THE SOVIETS WILL
PUBLICIZE THIS EPISODE, POSSIBLY IN THE NEAR FUTURE.

-- IN RESPONSE TO PRESS QUERIES, WE INTEND TO
STICK TO THE FOLLOWING STATEMENT:

- "THE EMBASSY CAN CONFIRM THAT JON PURNELL
- AND GEORGE GLASS ARE FOREIGN SERVICE OFFICERS
- ASSIGNED TO THE EMBASSY. MR. PURNELL WORKS
- IN THE EMBASSY'S POLITICAL SECTION AND MR.
- GLASS IN THE CONSULAR SECTION.

- "THE EMBASSY HAS ESTABLISHED THAT NEITHER AT
- THE TIME OF THEIR DETENTION BY SOVIET AUTHORITIES
- ON JULY 4 NOR ON ANY OTHER OCCASION WERE THE
- ACTIVITIES OF MESSRS. PURNELL AND GLASS INCON-
- SISTENT WITH THEIR STATUS AS DIPLOMATS. THE
- EMBASSY CATEGORICALLY REJECTS ANY ALLEGATIONS
- TO THE CONTRARY. IT HAS FORMALLY PROTESTED THEIR
- UNJUSTIFIABLE DETENTION AND THE FAILURE OF
- SOVIET AUTHORITIES--IN BLATANT VIOLATION OF
- BILATERAL AND INTERNATIONAL OBLIGATIONS--
- TO ALLOW THEM TO CONTACT THE EMBASSY IN A
- TIMELY MANNER."

IF ASKED ABOUT THE DOCUMENTS PASSED EMBOFFS,
EMBASSY WILL CONFIRM THAT THEY WERE GIVEN A NUMBER
OF DOCUMENTS BY A SOVIET ACQUAINTANCE IMMEDIATELY
PRIOR TO THEIR DETENTION, BUT HAD HAD NO TIME TO
EXAMINE THE DOCUMENTS AND HAD NO KNOWLEDGE OF THEIR
CONTENTS.

IF ASKED WHAT WE WILL DO IF THEY ARE EXPELLED,
WE WILL REFUSE TO SPECULATE. HARTMAN
BT

~~SECRET~~

CONFIDENTIAL

CONFIDENTIAL

NATIONAL SECURITY COUNCIL
SECRETARIAT

File

PAGE 01 OF 05
EOB265

SECSTATE WASHDC 6790
AN008259

DTG: 291343Z AUG 85 PSN: 049514
TOR: 241/1647Z CSN: HCE312

DISTRIBUTION: STEI-01 RAY-01 MALY-01 LEVN-01 SOMM-01 MAT-01
COBB-01 /007 A2

WHTS ASSIGNED DISTRIBUTION:
SIT:
EOB:

DECLASSIFIED

PRIORITY
DE RUEHC #6790 2411345
P 291343Z AUG 85 ZEX
FM SECSTATE WASHDC

NLRR F06-114/10 #11179
BY CN NARA DATE 1/2/08

TO ALL DIPLOMATIC POSTS PRIORITY

INFO USMISSION USUN NEW YORK PRIORITY 0000
AMCONSUL MONTREAL PRIORITY 0000
UNVIE MISSION VIENNA PRIORITY 0000

~~CONFIDENTIAL~~ STATE 266790

EXDIS, NEW DELHI FOR WALTERS; NESCO; UNEP; FOR ICAO REP

E.O. 12356: DECL: OADR

TAGS: PREL, US, UR

SUBJECT: TRAVEL BY UN SECRETARIAT PERSONNEL IN U.S.

1. ~~CONFIDENTIAL~~ ENTIRE TEXT.

2. BEGIN SUMMARY. THE USG HAS DECIDED TO REQUIRE AS OF SEPTEMBER 15 THAT CERTAIN HOSTILE-COUNTRY EMPLOYEES OF THE UN SECRETARIATS STATIONED IN NEW YORK USE THE TRAVEL AND BOOKING SERVICES OF THE OFFICE OF FOREIGN MISSIONS (OFM) AND MEET OTHER TRAVEL-RELATED REQUIREMENTS ADMINISTERED BY USUN. THESE PERSONS ARE TO:

(A) GIVE PRIOR NOTIFICATION OF AND FULL ITINERARIES FOR ALL TRAVEL IN THE UNITED STATES OUTSIDE THE AREA OF NEW YORK CITY;

(B) BOOK ALL TRAVEL BY COMMON CARRIER AND PUBLIC ACCOMMODATIONS THROUGH OFM'S FOREIGN MISSIONS SERVICE BUREAU; AND

(C) OBTAIN PRIOR APPROVAL FOR ALL UNOFFICIAL TRAVEL IN THE UNITED STATES OUTSIDE THE AREA OF NEW YORK CITY.

ADDRESSEES ARE AUTHORIZED IN THEIR DISCRETION TO BRIEF HOST GOVERNMENTS ON THE RATIONALE AND CONTENT OF THESE MEASURES.

END SUMMARY

3. THE USG INITIATIVE ARISES FROM GROWING AND DEEP CONCERN OVER REPORTS OF ESPIONAGE AND RELATED CLANDESTINE ACTIVITIES BY CERTAIN MEMBERS OF THE UNITED NATIONS SECRETARIATS (I.E., THE UN, UNDP, UNICEF, UNFPA, AND UNITAR) IN NEW YORK. THESE ACTIVITIES POSE A CLEAR THREAT TO THE SECURITY OF THE UNITED STATES. THEY ARE WHOLLY INCONSISTENT WITH THE STATUS OF THE SECRETARIAT EMPLOYEES INVOLVED, AND THE TERMS UNDER

CONFIDENTIAL

12
~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL
SECRETARIAT

PAGE 02 OF 05 SECSTATE WASHDC 6790

DTG: 291343Z AUG 85 PSN: 049514

WHICH THE USG ADMITS THESE PERSONS INTO THE UNITED STATES' THE CONGRESS AND THE AMERICAN PEOPLE SHARE THIS BROAD CONCERN AND SUPPORT THE ADMINISTRATION'S DETERMINATION TO TAKE FORCEFUL MEASURES TO DEAL WITH THE PROBLEM'

4' THE ADMINISTRATION HAS CONSIDERED -- AND IS STILL REVIEWING -- A RANGE OF COUNTERINTELLIGENCE MEASURES HERE AND ABROAD. ONE OF THESE MEASURES, NOW BEING IMPLEMENTED, INVOLVES THE PLACING OF EFFECTIVE TRAVEL CONTROLS AND OTHER TRAVEL-RELATED REQUIREMENTS ON IN-COUNTRY TRAVEL BY CERTAIN MEMBERS OF THE SECRETARIAT. USUN HAS INFORMED UNSYG PEREZ DE CUELLAR' IN HIS CAPACITY AS CHIEF EXECUTIVE OF THE UN SECRETARIAT, OF THESE REQUIREMENTS' THE UNSYG HAS EXPRESSED DEEP CONCERN, INDICATING THE LIKELIHOOD OF ADVERSE DEBATE AND/OR A RESOLUTION IN THE 40TH UNGA THIS FALL. THERE IS ALSO A POSSIBILITY OF ARBITRATION PROCEEDINGS OR RECOURSE TO THE ICJ.

5. AS A CRITERION FOR APPLICATION, THE USG HAS DECIDED TO REQUIRE THAT EMPLOYEES OF THE SECRETARIATS COME UNDER THE SAME KINDS OF REQUIREMENTS WHICH WE ALREADY APPLY TO THEIR RESPECTIVE UN MISSIONS IN NEW YORK NATIONALS OF THE FOLLOWING COUNTRIES WILL BE AFFECTED: ~~USSR (INCLUDING BYELORUSSIA AND THE UKRAINE), CUBA, AFGHANISTAN, IRAN, LIBYA, AND VIETNAM.~~ THIS GROUP INCLUDES SOME 500 PERSONS, OF THE 6000 EMPLOYEES OF THE VARIOUS UN SECRETARIATS IN NEW YORK'

no EE countries?

6' ADDRESSEE POSTS, AT THEIR DISCRETION, ARE AUTHORIZED TO INFORM HOST GOVERNMENTS OF THIS DECISION, CONSISTENT WITH OUR DESIRE TO

(A) AVOID UNDUE PUBLICITY OVER THE REQUIREMENTS FOR TRAVEL CONTROLS, NOTIFICATIONS, AND SERVICES;

(B) TREAT THIS MEASURE AS A MATTER BETWEEN THE USG AND THE UN SECRETARIAT;

(C) HEAD OFF POSSIBLE ADVERSE REACTION OR COMMENT BY OFFICIAL CIRCLES;

(D) AVOID STEPS WHICH MIGHT PREJUDICE A SUCCESSFUL DEFENSE IN ARBITRATION OR BEFORE THE ICJ; AND

(E) COUNTER EXPECTED PROPAGANDA FROM THE USSR AND ITS CLIENTS.

TALKING POINTS FOR THIS PURPOSE FOLLOW.

7. PLEASE NOTE THAT THE USG IS NOT/NOT REQUIRED BY THE HOST COUNTRY AGREEMENT OR INTERNATIONAL LAW TO INFORM OTHER UN MEMBER STATES OF THIS DECISION' WE ARE AUTHORIZING YOU IN YOUR DISCRETION TO BRIEF HOST GOVERNMENTS IN AN ATTEMPT TO MITIGATE ADVERSE REACTIONS. WE ARE NOT/NOT CONCERNED BY THOSE FEW GOVERNMENTS WHOSE NATIONALS WILL BE DIRECTLY AFFECTED BY THE NEW MEASURES. THEIR REACTIONS ARE PREDICTABLE AND BEYOND OUR INFLUENCE' WE ARE CONCERNED WITH HEADING OFF REACTIONS BY THE FAR LARGER GROUP OF GOVERNMENTS WHICH ARE WELL DISPOSED TO THE UNITED NATIONS AND - IN THE ABSENCE OF ANY EXPLANATION OF USG RATIONALE -- COULD VIEW OUR TRAVEL MEASURES AS A THREAT TO THE INTEGRITY OF THE ORGANIZATION AND THE INTERNATIONAL CIVIL SERVICE STATUS OF ITS EMPLOYEES. FOR THIS REASON, WE LEAVE TO DISCRETION OF ADDRESSEE POSTS WHETHER OR NOT TO APPROACH HOST GOVERNMENTS, AND AT

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~
NATIONAL SECURITY COUNCIL
SECRETARIAT

PAGE 03 OF 05 SECSTATE WASHDC 6790 DTG: 291343Z AUG 85 PSN: 049514

WHAT LEVEL.

-- " --

8. TALKING POINTS
-- -- -- -- --

- THE USG IS DEEPLY CONCERNED BY THE PRESENCE OF CERTAIN HOSTILE-COUNTRY NATIONALS IN THE UN SECRETARIATS IN NEW YORK, AND REPORTS OF ESPIONAGE AND OTHER CLANDESTINE ACTIVITIES BEING CONDUCTED BY SUCH PERSONS AT THE EXPENSE OF US SECURITY.

-- THE USG ALREADY REGULATES IN-COUNTRY TRAVEL BY DIPLOMATS OF CERTAIN COUNTRIES IN NEW YORK CITY, FOR REASONS OF NATIONAL SECURITY. IMPOSITION OF SIMILAR REQUIREMENTS ON COMPATRIOTS OF THESE PERSONS EMPLOYED BY THE UN SECRETARIATS IS A LOGICAL AND ESSENTIAL STEP. THE PROBLEM POSED BY THE UNINHIBITED MOVEMENT WITHIN THE UNITED STATES OF SUCH PERSONS IS A MATTER OF PROFOUND CONCERN TO THE AMERICAN PEOPLE AND THEIR ELECTED REPRESENTATIVES IN THE UNITED STATES CONGRESS.

-- WE HAVE EXAMINED WAYS TO ADDRESS THIS PROBLEM, TAKING INTO ACCOUNT USG NATIONAL SECURITY CONCERNS, OUR LEGAL OBLIGATIONS, THE INTERESTS OF THE SECRETARIAT, AND THE CLEAR WILL OF THE CONGRESS.

-- THE USG HAS DECIDED THAT THE BEST WAY TO MITIGATE THIS PROBLEM WITHOUT INTERFERING WITH LEGITIMATE FUNCTIONS OF THE SECRETARIAT IS TO REQUIRE UN SECRETARIAT EMPLOYEES, IF ANY, OF THE FOLLOWING NATIONALITIES TO MEET CERTAIN TRAVEL-RELATED REQUIREMENTS AND TO USE THE OFM FOREIGN MISSIONS SERVICE BUREAU TO BOOK PUBLIC TRANSPORTATION AND ACCOMMODATIONS WITHIN THE UNITED STATES: AFGHANISTAN, CUBA, IRAN, LIBYA, USSR, AND VIETNAM. THIS REQUIREMENT ENTERS INTO EFFECT ON SEPTEMBER 15, 1985. WE HAVE INFORMED THE SECRETARY GENERAL AND THE SECRETARIAT.

- OVER A NUMBER OF YEARS THE USG HAS TAKEN SIMILAR STEPS WITH RESPECT TO THE STAFFS OF THE UN MISSIONS OF THESE COUNTRIES.

-- THESE TRAVEL-RELATED REQUIREMENTS ARE A MODERATE, MEASURED APPROACH THAT MEETS USG NATIONAL SECURITY NEEDS AND LEAVES UNIMPEDED THE INDEPENDENT FUNCTIONING OF THE UN SECRETARIAT. THESE NEW REQUIREMENTS WILL NOT HAMPER OFFICIAL TRAVEL BY SECRETARIAT PERSONNEL IN THE UNITED STATES, AND ARE DESIGNED TO MINIMIZE INCONVENIENCE WITH RESPECT TO PRIVATE TRAVEL. THESE MEASURES ARE NOT/NOT INCONSISTENT WITH OUR OBLIGATIONS UNDER THE UN CHARTER AND THE HEADQUARTERS AGREEMENT.

-- IT IS TRUE THAT A MAJORITY OF THE UN SECRETARIAT EMPLOYEES AFFECTED ARE SOVIET NATIONALS (APPROXIMATELY 300 OUT OF 500). THE PURPOSE OF THESE TRAVEL MEASURES IS TO PROTECT THE NATIONAL SECURITY OF THE UNITED STATES. OUR AIM IS NOT TO AGGRAVATE U. S. - SOVIET RELATIONS, NOR IS THERE ANY CONNECTION TO THE SCHEDULED NOVEMBER 19-20 MEETING BETWEEN PRESIDENT REAGAN AND GENERAL SECRETARY GORBACHEV. WE DO NOT ANTICIPATE

THESE TRAVEL MEASURES WILL HAVE AN EFFECT ON THAT MEETING.

-- USUN WILL INFORM YOUR UN MISSION OF DETAILS OF THESE

EXDIS

EXDIS

EXDIS

EXDIS

~~CONFIDENTIAL~~
NATIONAL SECURITY COUNCIL
SECRETARIAT

PAGE 04 OF 05 SECSTATE WASHDC 6790 DTG: 291343Z AUG 85 PSN: 049514

NEW REQUIREMENTS, ON REQUEST.

-- IN CONVEYING THIS INFORMATION TO YOU, THE USG IS NOT/NOT SEEKING OVERT EXPRESSIONS OF SUPPORT FOR STEPS IT HAS TAKEN AS A SOVEREIGN STATE IN THE DEFENSE OF ITS SECURITY. WE ARE NOTIFYING YOU IN THE INTEREST OF MAKING SURE THAT YOU HAVE CORRECT INFORMATION RE THE BASIS FOR OUR MEASURES.

-- -- -- -- --
ADDITIONAL TALKING POINTS FOR MONTREAL, GENEVA, LONDON, PARIS, VIENNA, ROME, STOCKHOLM, BANGKOK, NAIROBI, SANTIAGO, BAGHDAD, AND ADDIS ABABA:
-- -- -- -- --

9. YOUR HOST GOVERNMENTS/HOST CITIES EITHER HAVE UN BODIES IN RESIDENCE OR UN PERSONNEL ASSIGNED ON A FULL-TIME BASIS, AND WE ASSUME ALSO A HEADQUARTERS AGREEMENT OF SOME KIND.

-- THE USG HAS TAKEN THESE STEPS OUT OF CONVICTION THAT HOSTILE-COUNTRY PERSONNEL IN OUR COUNTRY ARE A DANGER TO OUR SECURITY. WE HAVE LONG IMPOSED CERTAIN REQUIREMENTS ON SUCH PERSONNEL ASSIGNED TO EMBASSIES AND UN MISSIONS; IT IS ONLY LOGICAL TO DO THE SAME TO THEIR COMPATRIOTS ON THE UN SECRETARIATS.

-- HAVE YOU CONSIDERED THE PROBLEM WHICH HOSTILE-COUNTRY PERSONNEL ON UN STAFFS IN YOUR COUNTRY MIGHT POSE FOR YOUR SECURITY?

-- --
OFM
-- --

10. IF ASKED, YOU CAN DESCRIBE OFM AND ITS ENABLING LEGISLATION, THE FOREIGN MISSIONS ACT OF 1982, IN THE FOLLOWING TERMS:

THE OFFICE OF FOREIGN MISSIONS HAS THE AUTHORITY TO REGULATE THE PROVISION OF BENEFITS SUCH AS TRAVEL SERVICES TO FOREIGN MISSIONS AND PUBLIC INTERNATIONAL ORGANIZATIONS WITHIN THE UNITED STATES. THE FOREIGN

MISSIONS ACT AUTHORIZES THE SECRETARY OF STATE, FOR THE PROTECTION OF THE INTERESTS OF THE UNITED STATES, TO DETERMINE THE TERMS AND CONDITIONS UNDER WHICH SUCH

BENEFITS TO FOREIGN MISSIONS AND INTERNATIONAL ORGANIZATIONS MAY BE OBTAINED.

-- -- -- -- --
ROTH AMENDMENT
-- -- -- -- --

11. THE KEY PASSAGE OF THE ROTH AMENDMENT IS AS FOLLOWS:

QTE. THE SECRETARY SHALL APPLY TO THOSE EMPLOYEES OF THE UNITED NATIONS SECRETARIAT WHO ARE NATIONALS OF A FOREIGN COUNTRY OR MEMBERS OF A FOREIGN MISSION ALL TERMS, LIMITATIONS, RESTRICTIONS, AND CONDITIONS WHICH ARE APPLICABLE PURSUANT TO THIS TITLE (I.E., THE FOREIGN MISSIONS ACT) TO THE MEMBERS OF THAT COUNTRY'S MISSION OR OF ANY OTHER MISSION TO THE UNITED NATIONS UNLESS THE SECRETARY DETERMINES AND REPORTS TO THE CONGRESS THAT NATIONAL SECURITY AND FOREIGN POLICY CIRCUMSTANCES REQUIRE THAT THIS PARAGRAPH BE WAIVED IN

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL
SECRETARIAT

PAGE 05 OF 05 SECSTATE WASHDC 6790

DTG: 291343Z AUG 85 PSN: 049514

SPECIFIC CIRCUMSTANCES. END QTE

12. IN ADDITION, THE SECRETARY IS REQUIRED TO REPORT TO CONGRESS WITHIN THIRTY (30) DAYS OF ENACTMENT OF THIS BILL ON PLANS TO IMPLEMENT THIS REQUIREMENT, AND WITHIN SIX (6) MONTHS ON ACTIONS TAKEN TOWARD THAT END.

13. PLEASE CABLE TO THE DEPARTMENT AND USUN ALL RESPONSES BY HOST GOVERNMENT AND HOST-COUNTRY OPINION LEADERS. WHITEHEAD
BT

EXDIS

EXDIS

EXDIS

EXDIS

~~CONFIDENTIAL~~

DECLASSIFIED

9336

~~SECRET~~

NLRR f06-114/10 #11136

BY CW NARA DATE 1/7/08

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~SECRET~~

November 29, 1985

Must lock!

File

MEMORANDUM FOR MR. NICHOLAS PLATT
Executive Secretary
Department of State

SUBJECT: Update on the Equivalence and Reciprocity in
the Treatment of U.S. and Soviet Bloc Diplomatic
Officials

The NSC Staff has reviewed the initial draft of the Presidential report to the Congress on reciprocity as required by the Leahy-Huddleston amendment to the FY 1985 Intelligence Authorization Bill that was due to Congress on November 8, 1985.

Your draft dated November 19, 1985, does not meet aspects of the reporting requirements in a number of areas that would merit a Presidentially-approved report. As such, the Department of State is requested to coordinate this report with the FBI and OFM and redraft a jointly agreed upon report. This report should be resubmitted to the NSC by December 10, 1985.

We have coordinated with Congress to facilitate this delayed reporting.

The redraft should address the following points:

- "The Amendment requires reporting on "number, status, privileges, benefits (omitted), immunities, travel, accommodations and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States."

- Countries to Report on:

In this context, it is the NSC interpretation that a comparison of these factors must be reported for conditions in the U.S. and the conditions in the host country to include not just Soviet and Soviet Bloc countries, but all criteria countries which include the PRC, Vietnam, Korea, Nicaragua and others which were omitted in this draft.

- Numbers:

The numbers used to determine official presence in the U.S. from each criteria country should include all the individuals working in the bilateral establishments as well as United Nations Missions, the United Nations Secretariat, and commercial

~~SECRET~~

Declassify on: OADR

~~SECRET~~

offices. The numbers should not be restricted to only accredited diplomatic personnel. The same standard should also be used to compare U.S. Government personnel in the respective criteria countries.

The numbers used in the draft report are not consistent with the numbers the FBI reports in its monthly criteria country official hostile presence report. The Department of State is requested to coordinate these numbers with the FBI and used in the redrafted report.

It is noted in the report that in Moscow we employ 44 spouses of U.S. Embassy officers, 17 teachers for the Anglo-American School, supplemented by 10 spouses of Embassy officers. These individuals are included in the total official American presence in Moscow. Similar specific numbers should be set forth for Soviets in Washington and San Francisco as the official Soviet presence in respective establishments.

- Consistent Terminology:

Page 1 of the report discusses both Soviet diplomatic personnel and American permanent personnel. The report should consistently report on personnel permanently assigned in the U.S. and the criteria countries.

- When the report addresses items such as privileges and immunities (Page 2) it should also indicate when such agreements do not exist (note Czechoslovakia omitted in report).

- On November 1, 1985, the President signed NSDD 196 implementing the CI SIG(I) options. The essence of this policy decision should be addressed in this report. These decisions were missing in the draft report, particularly as it related to East European OFM control on accommodations and travel. In addition, Page 12 of the draft report states that "reduction in the ceiling now would likely be more than outweighed by damage to our foreign policy and security interest." This contradicts Presidential policy which calls for a reduction in hostile government presence in bilateral presence in the U.S. and increase of U.S. presence by replacing foreign nationals.

- The draft report indicates that the Department of State has a program to prevent certain countries from entry to properties near sensitive U.S. facilities. It is NSC understanding that we have the opportunity to begin such a program, but it is not in effect at this time.

- When the report deals with a specific issue, it should be reported in comparison to our reciprocal situation. For example, on Page 6 it is stated the Soviets maintain 62 leased residences in the Washington area while no similar figure is stated for the number of apartments we lease in Moscow. A similar number should be reported for each relevant country.
- On Page 8, the draft reports approximately 1,250 exchange visitors from Eastern European countries but fails to compare this with the number of U.S. exchange visitors to these same countries. The number of exchange visitors is omitted as it relates to our bilateral exchange with the USSR.
- Certain current procedures are overstated in the report such as on Page 9, "The itinerary and period of stay for all visitors is tightly limited."


William F. Martin
Executive Secretary

cc: Mr. James Geer, Assistant Director,
Intelligence Division,
Federal Bureau of Investigation

~~SECRET~~

9336

19

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~SECRET~~

ACTION

MEMORANDUM FOR WILLIAM F. MARTIN

FROM:

DAVID G. MAJOR *DGM*

SUBJECT:

Presidential Report on Reciprocity Required
by the Leahy-Huddleston Amendment

On November 19, 1985, the Department of State submitted a draft text (Tab I) of a Presidential report due to Congress on the reciprocity issue as of November 8, 1985. This report complies with reporting requirements as a result of an amendment to the 1985 Intelligence Authorization Bill. Not only was this report submitted late, but it is incomplete, manipulates the facts and contradicts Presidential policy. This report is self-serving and does not merit Presidential sanction. Accordingly, I have contacted Senator Leahy, the author of the bill, and have obtained his concurrence in delaying this report.

This report was prepared by the Department of State without coordinating the draft with OFM or the FBI. I have prepared the attached memorandum (Tab I) requesting this report be coordinated and redrafted for submission to the NSC NLT December 10, 1985. It is imperative we return this report to the Department of State to redraft as soon as possible.

KP
Ken deGraffenreid, *R. G. B. Gable* and Jack *Jew* Matlock concur.

RECOMMENDATION

That you sign the memorandum to the Department of State at Tab I.

Approve

WKP

Disapprove

Attachments

Tab I Memo to State
Tab II Incoming State Memo, dtd
November 19, 1985

DECLASSIFIED

NLRR *FOI-114/110* #11137

BY *CH* NARA DATE *6/25/09*

~~SECRET~~

Declassify on: OADR

~~SECRET~~

COUNTERINTELLIGENCE AND OFFICIAL REPRESENTATION

Subsection (a) It is the sense of the Congress that the numbers, status, privileges and immunities, travel, accommodations, and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States should not exceed the respective numbers, status, privileges and immunities, travel, accommodations, and facilities within such country of official representatives of the United States to such country.

(b) Beginning one year after the date of enactment of this section, and at intervals of one year thereafter, the President shall prepare and transmit to the Committee on Foreign Relations and Select Committee on Intelligence of the Senate and the Committee on Foreign Affairs and Permanent Select Committee on Intelligence of the House of Representatives a report on the numbers, status, privileges and immunities, travel, accommodations, and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States and the respective numbers, status, privileges and immunities, travel, accommodations, and facilities within such country of official representatives of the United States to such country, and on any actions which may have been taken with respect thereto.

NSC/S PROFILE

~~SECRET~~

43
ID 8600276

RECEIVED 10 JAN 86 15

TO POINDEXTER FROM PLATT, N

DOCDATE 09 JAN 86

DECLASSIFIED

White House Guidelines, August 28, 1997
By AS NARA, Date 7/31/12

KEYWORDS: INTELLIGENCE USSR
CONGRESSIONAL

*File
USSR-
Reciprocity*

SUBJECT: STATE UPDATE ON EQUIVALENCE & RECIPROCITY IN TREATMENT OF US & SOVIET
BLOC DIPLOMATIC OFFICIALS / PROPOSED TEXT OF PRES RPT TO CONGRESS

ACTION: APPROPRIATE ACTION DUE: 15 JAN 86 STATUS S FILES PA

FOR ACTION

FOR CONCURRENCE

FOR INFO

MAJOR

DE GRAFFENREID

MATLOCK

PEARSON

SABLE

COMMENTS

REF# 8600339

LOG 8509336

NSCIFID NSDD0196 (HW)

ACTION OFFICER (S) ASSIGNED ACTION REQUIRED DUE COPIES TO

DISPATCH _____ W/ATTCH FILE _____ (C)

COUNTERINTELLIGENCE AND OFFICIAL REPRESENTATION

Subsection (a) It is the sense of the Congress that the numbers, status, privileges and immunities, travel, accommodations, and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States should not exceed the respective numbers, status, privileges and immunities, travel, accommodations, and facilities within such country of official representatives of the United States to such country.

(b) Beginning one year after the date of enactment of this section, and at intervals of one year thereafter, the President shall prepare and transmit to the Committee on Foreign Relations and Select Committee on Intelligence of the Senate and the Committee on Foreign Affairs and Permanent Select Committee on Intelligence of the House of Representatives a report on the numbers, status, privileges and immunities, travel, accommodations, and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States and the respective numbers, status, privileges and immunities, travel, accommodations, and facilities within such country of official representatives of the United States to such country, and on any actions which may have been taken with respect thereto.