

To: Paul

From: Susan

Re: Hearings on Jackson-Vanik Amendment, Stevenson proposal, S. 339, Sec.2

July 12, 2:30, Room 5300

Witnesses: Les AuCoin (Sponsor of Stevenson bill in House
Mr. Verity (ARCO)
Burton Levinson--National Conference Soviet Jews (conservative)
Dr. Marshall Goldman, Russian Research Center-Harvard
Robert Legvold, Council on Foreign Relations (on leave-Tufts)
Irene Manekofsky, Union Council Soviet Jews (somewhat flexible)

(Manekofsky was just added to witness list which was heavily for Stevenson amendment--Levinson would have been only witness opposed and his group is called "conservative", less flexible by Judy Patkin--Patkin is part of Manekofsky group which will testify for some flexibility.)

An additional hearing with Richard Cooper, Asst. Secy of State is scheduled for July 19 at 2:30

Stevenson amendment to the Trade Act of 1974 would do two things:

- 1) Require the president to "determine" that emigration has improved rather than require that he "receive assurances" from the country
- 2) Extend the Presidential waiver from 12 months to 5 years (AuCoin's bill makes the first waiver 12 months and subsequent ones 5 years.)

Stevenson position: Soviet Union will not give assurances, so waiver provision becomes unworkable. According to his staff, he is not willing to accommodate change in his amendment--he sees his amendment as allowing a waiver process.

Administration position: Most recently called for continuation of Jackson Vanik as is. Has adopted wait and see attitude, but seems to be doing little meaningful negotiation. Administration position has changed significantly in one respect--some months ago administration said waiver of JV for Russia and China had to be taken together. Now they have gone ahead to request waiver for China and non for Russia. Administration has expressed concern that Russia will not give "assurances" required in J-V, but is now opposing efforts of Stevenson, Vanik to find flexible middle ground.

Jewish groups position: At one extreme American Jewish Congress wants no J-V--opposed from beginning. National Conference (Levinson) wants assurances before any waiver granted, but somewhat flexible in saying "assurances" do not have to be in writing. Union Council (Patkin, Manekovsky, Dimitri Simes) vary among selves--will testify that must have annual review of waiver, but could accept Stevenson "presidential determination" instead of "assurances." Determination must show performance in certain areas--allowing refusniks to leave and leniency for prisoners of conscience. (Patkin seems somewhat less flexible on giving up "assurances" for "Pres. determination".

Overview: There does appear to be room for flexibility, but in granting this, close attention must be given to the following:

- 1) The performance of the Soviet Union in granting visas
- 2) Action on refusniks and prisoners of conscience
- 3) Annual review of the waiver--at least for a few years after Russians incentives of SALT and Olympic Games has passed.

During the hearing it will be important to establish an acceptable "determination" procedure--what will the Jewish groups accept, what will the administration accept? Stevenson apparently won't compromise at this point. What will Russia respond to?

Also, you might suggest a compromise on annual waiver--for the first five years annual review, three year review after that.

History of waiver: It has been used in two cases--successfully for Hungary, diminishing success for Romania. Has been in effect for Romania for 4 years --first year 4,000 emigrated, last year only 600 and only 9 were granted visas last month. Judy Patkin expressed concern that Congress rubber stamps the waiver--has asked that you sign letter raising questions to show that this is not rubber stamp and more progress must be made. She is afraid once waiver granted Russia, it too will be hard to revoke. Simes said Jewish groups have not been as diligent on Romania as they will be on Russia and they will monitor granting waiver and subsequent performance closely.

Vanik is now encouraging that waiver be granted Russia. Jackson is adamantly against. Administration wait and see.

Concerns regarding Jewish emigration:

There are new instances of laws and disincentives to Jewish emigration in the Soviet Union:

- 1) Families must publicly announce intention to emigrate, tell schools of their intention--this brings harrassment to children
- 2) If you attend University in Russia, you must spend 3 years in service to the country--this delays emigration

Plus longstanding problems:

- 3) Almost no movement of refusniks out of Russia
- 4) Many celebrated prisoners of conscience--some in prison only because they tried to emigrate (Nudel, Slepak, etc.)
- 5) Catch-22 for teenagers--not allowed to apply to leave between age 16-18 because must serve in military, service in military at age 18 brings status as "security risk" "Security risks" must wait at least 5 more years to emigrate (some have waited 10.)
- 6) Bureaucracy painfully slow in processing emigration papers (In one community the papers must be typed by an "official". Only one "official" available to do this--moved center for "typing" forms out of the town and holds irregular office hours. Waiting list is over 1000--2 or 3 people are being processed each week.) (This from Judy Patkin, based on info. she got from eye-witnesses.)
- 7) Most professionals must resign jobs as soon as they apply for visas--in some cases this is understandable if the person is in high position of authority--but professionals in general should not have to lose means of support.
- 8) Mail often doesn't get through to Jewish community, phone calls (international) often interrupted.

Questions for witnesses.

AuCoin: explore politics of granting to China and not to Russia

Goldman: he was strongly for Jackson-Vanik (may have helped draft).
Now he is here to testify for Stevenson.
Why has he changed his view?

What has changed in the Soviet Union, its behavior toward Jews to bring about this change in his view?

Is removing J-V a symbolic or a practical gesture? What changes in emigration will it bring?

Legvold: believes in quiet diplomacy, has called for continuity of policy.

Won't a change bring confusion as to our policy?

What signal would the Soviets get so soon after the Scharansky trial, other new suppression of dissidents, anti-semitism?

For any witness--Do increases in emigration numbers mean a change in Soviet policy, or that more people are applying?

For Manekovsky and Levinson: What constitutes "assurances"?

Is there a compromise position between "assurances" and "presidential determination"? What are the minimum performance requirements for the Soviet Union on visas, etc.?