

Iran, 4/80

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WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	
memo	Iran Working Group (17 pp.) 4 summarized pages opened 6/2/94	4/1
memo	Press guidance (1 p.) opened 5/15/95	4/2
memo	GBS News (1 p.) opened 5/15/95	n.
memcon	Morning Reports from Tehran (2 pp.)	4/1
memcon	M. Frecht to HJ, B. Aaron	4/2
embtel	from Rome Summarized copy opened 6/2/94	4/1
memo	from Swiss Embassy (6 pp.)	4/1
memo	Diplomatic Strategy for Iran (24 pp.)	4/1
drafts	Iran Crisis (35 pp.) Opened 35 summarized pages 7/22/92	4/1
memo	David Aaron to JC	4/1
draft	Announcement of Decisions on Iran (4 pp.)	4/1
draft	Announcement of Decisions on Iran (2 pp.) opened 5/15/95	4/1
draft	Announcement of Decisions on Iran (1 p.) opened 5/15/95	4/1
draft	Announcement on Iran (1 p.) opened 5/15/95	4/1
draft	Announcement on Iran (1 p.) opened 5/15/95	4/1
draft	Press release (2 pp.) opened 5/15/95	4/1
memo	HJ to Situation Room (2 pp.) opened 5/15/95	4/1
cable	2pp.	4/1
cable	2pp.	4/1
cable	1 p.	4/1
memcon	to Jordan w/attachment (7 pp.)	4/1

FILE LOCATION

Chief of Staff/Jordan/~~Box 3 of 8~~/Iran-April 1980
Confidential File

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WASHFAX RECEIPT
DEPARTMENT OF STATE

B

S/S #

EY

MESSAGE NO. 123611 CLASSIFICATION SECRET/SENSITIVE/

FROM: HPrecht NEA 26610
(Officer name) (Office symbol) (Extension)

MESSAGE DESCRIPTION Memorandum of Conversation

TO: (Agency)	DELIVER TO:	Extension
WHouse	Mr. Hamilton Jordan	6797
NSC	Mr. Aaron	2236

FOR: CLEARANCE ☐ INFORMATION ☒ PER REQUEST ☐

REMARKS: Please deliver ASAP

S/S Officer: M. Meyer



DEPARTMENT OF STATE

Washington, D.C. 20520

SECRET/SENSITIVE

SUBJECT: [REDACTED] Ghotbzadeh Conversation, 0800,
April 24, 1980

[REDACTED] said Ghotbzadeh's first point was that the position was "very bad." He was desperately fighting within the government to resist a turn towards the Left Bloc and he was losing. [REDACTED] Ghotbzadeh argued that he was the main obstacle to communication in the new revolutionary regime and it was that he was employing this argument to induce us to be more flexible.

The second point was that Ghotbzadeh's present "salami tactics" would no longer work. His idea of a careful step-by-step to persuade Khomeini to change position could not succeed now. Previously he felt that family visits to Iran could have an effect on Ayatollah. Now he thought there was little chance Khomeini would see any of them if they came to Tehran. There was little prospect that a gradual change in the atmosphere could lead to a resolution of the crisis.

Instead, Ghotbzadeh thought, he had to aim for something more dramatic. He had in mind working through the Arabs. He hoped that we could assist in stimulating an initiative with the Arabs. It was not clear what he had in mind, but it appeared that he wanted Algeria or Syria to undertake a mediation effort. It also appeared he wanted us quietly to encourage them to do this. There was some indication of a meeting of leaders of the Arab countries which could result in a visit to Tehran and which could have an influence on Khomeini. [REDACTED] indicated Algeria and Syria were respected by Khomeini. Ghotbzadeh thought that he was in such a difficult position in Tehran that he was unable to take any initiative. Any initiative that was taken should appear to be initiated and originate with the mediating countries.

Ghotbzadeh said that anything we could do on the other side to improve the atmosphere would be welcome.

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RDS-1, 3 4/23/2000

SANITIZED
E.O. 12356
PER [Signature]
BY [Signature] NAR

~~SECRET/SENSITIVE~~

- 2 -

mentioned Senator Church's idea of a White Paper or in that connection.

Finally, Ghotbzadeh said that the hostage issue not having any impact at all on the campaign for parliamentary elections.

NEA:IWG:HPrecht:he
4/24/80 x26610

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MEMORANDUM OF CONVERSATION

IRAN WORKING GROUP

Date: April 6, 1980
Time: 1400 hrs EST
Participants: Villalon - Precht

Subject: Iran Hostages

Villalon said that Capucci and the Papal Nuncio had spent evening working on the militants in the compound. They had not yet returned to the hotel and he did not know what the results of the meeting would be. He asked me to call back in two hours.

[REDACTED] Finally the Council had voted unanimously again to approve the transfer subject to the views of the Imam. A four-man delegation would go to the Imam tomorrow morning. The delegation includes Bani-Ghotbzadeh, Moinfar (Oil Minister with good religious credentials) and a mullah, unnamed.

The last information Villalon had on Capucci's work with the students was their agreement on the transfer subject to the views of the Imam.

In view of our experiences with the Imam in the past, Villalon said he was not optimistic about the outcome of the meeting tomorrow.

Drafted: NEA/IWG:HPrecht:sw

CLASSIFIED
E.O. 12356, Sec. 3.4
PER 12/13/95 JLB/RE MP
BY [Signature] NARS DATE 2



DEPARTMENT OF STATE

Washington, D.C. 20520

~~SECRET~~/SENSITIVE

SUBJECT: Cottam/Ghotbzadeh Conversation, 0800,
April 24, 1980

Cottam said Ghotbzadeh's first point was that the position was "very bad." He was desperately fighting within the government to resist a turn towards the Bloc and he was losing. Cottam said Ghotbzadeh argued that he was the main obstacle to communication in the new revolutionary regime and it was that he was employing this argument to induce us to be more flexible.

The second point was that Ghotbzadeh's previous "salami tactics" would no longer work. His idea of a careful step-by-step to persuade Khomeini to change position could not succeed now. Previously he had thought that family visits to Iran could have an effect on Ayatollah. Now he thought there was little chance that Khomeini would see any of them if they came to Iran. There was little prospect that a gradual change in the atmosphere could lead to a resolution of the crisis.

Instead, Ghotbzadeh thought, he had to aim for something more dramatic. He had in mind working with the Arabs. He hoped that we could assist in starting an initiative with the Arabs. It was not clear what he had in mind, but it appeared that he wanted Algeria or Syria to undertake a mediation effort. It also appeared that he wanted us quietly to encourage them to do this. There was some indication of a meeting of leaders of the Arab countries involved which could result in a visit to Iran and which could have an influence on Khomeini. He indicated Algeria and Syria were respected by Khomeini. Ghotbzadeh thought that he was in such a difficult position in Tehran that he was unable to take any initiative. Any initiative that was taken should appear to be initiated and originate with the mediating countries.

Ghotbzadeh said that anything we could do on the side to improve the atmosphere would be welcome.

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RDS-1, 3 4/23/2000

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E.O. 12356, Sec. 3.4

PER 121315 42 RE MR-NLC-95-68
BY [Signature] NARS DATE 2/13/96

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- 2 -

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Finally, Ghotbzadeh said that the hostage is: not having any impact at all on the campaign for ; mentary elections.

NEA:IWG:HPrecht:he
4/24/80 x26610

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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

APRIL 21, 1980

TO: SITUATION ROOM

FROM: HAMILTON JORDAN *H.J.*

Please dex the attached to Warren Christopher
at State Department immediately - eyes only.

PRIVATE MESSAGE TO FOREIGN MINISTER FROM JORDAN

Through Ambassador Lang

The visit and potential visits of hostage families to their relatives in the compound is only adding to increasing frustration of the American people. The visit of the Timm family has been the leading news in the U.S. press for the past three days. It is making a very unpleasant situation much worse.

It has been and will continue to be the policy of U.S. government to oppose such visits.

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DECLASSIFIED
E.O. 12958, Sec. 3.4
PER 612/81 9/1/81 RE MR-NLC-
BY Jay NARS, DATE 8/3/8

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ANNOUNCEMENT OF DECISIONS ON IRAN

Today is the 156th Monday day of imprisonment for Americans in our Embassy in Tehran. In each and every one of these days, these 50 men and women -- their safety, their health, and their future -- have been my central preoccupations. Every effort has been made to obtain their release on just humanitarian terms but the authorities in Iran have not agreed either to release them or to improve the conditions under which they are held.

The United Nations Commission on Inquiry returned to New York four weeks ago. It suspended its work because the Government of Iran did not arrange for it to fulfill its agreed mandate. While it was at work, we acted with patience and restraint to see if Iran would take steps to resolve the hostage crisis. Those steps have not been taken.

The events of the past week have again shown that the Iranian authorities are unable to take the steps necessary to resolve the crisis. Their inaction holds hostage not only 50 innocent Americans but also the best interests of Iran and all its people. Given the total absence of progress in achieving a solution to the hostage crisis, we cannot persuade the authorities in Iran to assume that their continued inaction will be without cost to Iran and its interests. I have therefore today ordered the following steps:

1. The Secretary of the Treasury will impleme:
State supports ~~/fully the U.S. sanctions as approved/~~ ~~/a total embargo~~
~~U.S. trade with Iran going beyond the economic sanctions~~
~~approved~~ by 10 members of the United Nations Security C
on January 13, in the resolution vetoed by the Soviet Un
The sanctions will take effect immediately.

2. The Secretary of the Treasury will make fo
inventories of the outstanding claims of American citize
and corporations against the Government of Iran and of t
substantial Iranian assets frozen by my previous order.

State favors ~~/This accounting will provide the factual basis for subs~~
~~decisions on the handling of those claims. [including tho~~
~~which may be made by the hostages or their families, and~~
~~the disposition of those assets.]~~ ~~/This accounting will~~
~~in designing a claims program against Iran for the hosta~~
~~their families and other U.S. claimants. Legislation to~~
~~facilitate processing those claims is in preparation.]~~

3. The Secretary of State has notified the Go
ment of Iran that its Embassy and Consulates in the Unit
States are to be closed effective immediately and it di
and consular personnel are to depart the United States f

4. The Secretary of State and the Attorney Ge
are ordering the invalidation of all visas issued to Ira
for entry into the United States
citizens effective today. Consular officers will reissu

or issue new visas only to qualified Iranians who require visas for humanitarian reasons or whose entry has been determined to be in our national interest.

The United States remains committed to finding a peaceful resolution to the hostage crisis. We have supported Secretary General Waldheim's activities under his Security Council mandate to work for such a solution. We hope the Commission of Inquiry can return to Tehran to work for an early resolution of the crisis. We will continue to consult with our allies and friendly governments on the steps we are taking and additional measures which may be required to persuade Iran that the peaceful resolution of this crisis and the safety of the hostages are in the best interest of all concerned.

I am committed to resolving this crisis. I am committed to bringing these American prisoners home alive and well. The hostages and their families and all of us in America have lived with the reality and the anguish of their captivity for five months. The steps I have ordered today are steps that are necessary now. Other steps may be necessary if these do not produce the actions which we believe are necessary and which are in Iran's interest as well as our own.

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DEPARTMENT OF JUSTICE
OPERATIONAL OUTLINE
FOR
EXPULSION OF IRANIAN DIPLOMATS
AND
CLOSURE OF DIPLOMATIC MISSIONS
(DRAFT NO. 1)

April 4, 1980

Classified by: Associate Attorney General
Reason for Classification: E.O. 12065, reasons (c),
Date of Review for Declassification: April 4, 2000

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SECRET
E.O. 12065, (c)
PER 41362 DOJ HCR
BY gag NARS.1

~~SECRET~~

I. REQUIREMENTS OF EXPULSION AND CLOSURE ORDER FROM STATE DEPARTMENT

- A. All diplomatic agents and consular officers declared p.n.g. (number in U.S.: 17).
- B. All other members of staff declared "unacceptable" (number U.S.: 19).
- C. All members of above persons' families, except for U.S. citizens or permanent resident aliens, also to be expelled (number unknown due to lack of information).

1. *Policy Question No. 1: What is the policy where the expulsion order will require the separation of the Iranian diplomat, a spouse and/or children who are legally entitled to reside in the United States?*

- D. All facilities to be closed to all normal business except for international administrative functions related to closure

1. *Policy Question No. 2: Should immediate perimeter control be established by Uniformed Division of the U.S. Secret Service at each facility to enforce this policy by permitting only accredited Iranian officials to enter once the note is received? How can this be done in cities outside Washington, given the Secret Service's limited manpower?*

- E. All Iranian officials under travel restrictions pending departure to and from offices by regularly traveled routes and within a five mile radius of home.

1. [REDACTED] to establish a list on State Department list, who will maintain periodic aerial surveillance as required.

2. Violations will result in immediate loss of diplomatic immunity and apprehension by FBI, to be followed by escort to nearest airport for expulsion. FBI to hold violators in custody and provide any necessary escort until expulsion completed.

3. *Policy Question No. 3: In the event of wilful evasion of the travel restriction, what degree of force and immediacy of action is desired to effect an apprehension of an Iranian official?*

4. *Policy Question No. 4:* [REDACTED]

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F. All the officials and their expellable family members must d
within a fixed period of time.

1. *Policy Question No. 5: What is the appropriate time lin
set in the diplomatic note--one or two days?*

II. PRE-NOTIFICATION MECHANICS

A. Justice Department's Emergency Program Center activated on
basis to serve as operating center for Deputy and Associate
General, who will provide overall direction to FBI, U.S. Ma
Service, and INS.

1. Office of Legal Counsel, Criminal Division, and Civil C
attorneys on stand-by alert for legal advice and any li
activities.

B. FBI Command Center activated on 24-hour basis to provide co
and control for all law enforcement personnel.

1. FBI to have primary operational jurisdiction and respo
2. Center will have liaison to U.S. Marshals Service, U.S
Service, and Immigration & Naturalization Service, as
affected local police departments in each city.

C. State Department Operations Center specially staffed on 24
basis to provide immediate advice and diplomatic policy gu
for law enforcement personnel. Special liaison set up wit
Command Center by telephone.

D. FBI field offices, with Special Agents in Charge in local
to establish necessary surveillance/enforcement teams and
up all required liaison with other federal and local law e
ment agencies. Detailed instructions on entire operation
sent by secure means in advance; copies of diplomatic not
furnished as available.

III. SURVEILLANCE AND ENFORCEMENT FOR LISTED OFFICIALS AND FAMILY

A. If ime allowed for Iranian officials to depart is longer
hours, surveillance will be divided into two types:

1. [REDACTED]

2. [REDACTED]

- B. If time allowed for Iranian officials to depart is limited hours, [REDACTED] on listed person plus other methods described above.
- C. Travel violations would be treated according to apparent i as judged by FBI team on the scene, who would consult with FBI office if possible. Time permitting, this would result communication with FBI Command Center (and then State Department Operations Center) before any action taken, but full disclosure must be given to FBI agents locally.
1. Inadvertent or harmless violations will probably be i
 2. More serious violations which do not indicate intent will probably result in a warning to the individual a possible escort back to controlled zone.
 3. Wilful violation indicating intent to flee or otherwise obey travel restrictions will trigger immediate apprehension and FBI escort to nearest airport for expulsion from United States.
 - a. Policy Question No. 6: What travel provisions have been made for Iranian officials or family members who violate the travel restrictions and forfeit their diplomatic immunity? More specifically, what is to be done?
 - (1) Obtaining and paying for airline tickets
 - (2) Informing the airlines about possible problems or difficulties in transporting hostages possibly against their will?
 - (3) Dealing with situation of civilian who refuse to fly such persons, either to U.S. to Washington or from Washington to another country? Should a military plane(s) be used?
 - (4) Possible need to obtain required medical supplies in the case of infant or small child such as formula, diapers, etc.?
 - (5) Provision of armed escort officers, female officers in the case of female persons
 - (6) Entry visas for such persons, especially if they may lack even passports?

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- D. Persons who violate the time limit for voluntary departure will be treated the same way as persons violating the travel restriction.

1. 

2. Policy Question No. 7: If the FBI's negotiations do not result in what action is desired (e.g., forcible entry) and by whom?

- E. Persons who seek political asylum in the United States will be required to inform the State Department directly or through the FBI. A special asylum panel will be set up within State Department to pass on these claims; if granted, Iranian officials will be processed through special INS process.

1. Policy Question No. 8: What will be the nature of the State Department procedure for reviewing political asylum claims?

2. Policy Question No. 9: What is the likely percentage of the listed Iranian officials and family members who will seek asylum? If this represents a very small portion of the total group to be "expelled," what will be the result, both in the U.S. and in Iran, of seeking to expel them rather than not expelling these persons?

- a. Sketchy biographical and immigration information on some of these listed persons indicates most on list are members of the Iranian diplomatic corps with substantial service records under the previous regime, especially the military officials. Unless expelled to a third country, such persons might well qualify for asylum when facing actual return to Iran itself.

3. Policy Question No. 10: If one or more of the Iranian officials seek to evade the expulsion order by seeking "diplomatic asylum" in the mission of a third country (e.g., Libya), what is the desired action?

IV. ENFORCEMENT OF CLOSURE ORDER IF FACILITIES ARE OR BECOME OCCUPIED

- A. FBI would adopt methods used in hostage-type situations: peaceful negotiations and attempt to persuade individuals to leave peacefully.

1. If non-violent, occupiers would be allowed to leave.

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- B. However, intelligence indicates strong likelihood of resistance and armed occupation of at least Embassy and Chancery in Washington and Consulates in Houston and Chicago.

1.



- a. Secret Service Uniformed Division personnel and District of Columbia Metropolitan Police Department personnel observed roof-top "patrols" by individuals armed with shoulder weapons.

b.



- c. Location of Embassy at 3005 Massachusetts Avenue, NW in midst of "Embassy Row" and adjacent to main traffic artery of Washington.

2.



3.



- C. In the event the FBI and Secret Service encounter such resistance occupation, the FBI would attempt to use non-violent means to persuade occupiers to leave the premises.

1. Cut off telephone service immediately.
2. Cut off electrical and water service (if possible, give structure).

- D. However, such non-violent measures may be ineffective, leading to more of the premises occupied.

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1. Policy Question No. 11: What is action desired if occup cannot be persuaded to leave the premises peacefully? More specifically, would it be appropriate or necessary to at forcible eviction from the premises if:

- a. Occupiers and/or their supporters outside the occupied building claim the buildings have become "People's E
- b. One or more shots are fired from within the building
- c. Occupiers set up a radio broadcasting system from within building and begin communicating with the media and supporters by that means?

2. 

3. 

- a. Standard 500-foot rule could be applied here in Washington enforced by U.S. Secret Service Uniformed Division Metropolitan Police Department.
- b. Upon designation by President and Secretary of State diplomatic missions can likewise be isolated to some by Secret Service, backed up by other federal and enforcement personnel. Liaison with local police is essential, both in advance of entire operation and period when facilities will be closed and sealed.
 - (1) If premises are leased, may need to use local to explore legal and financial relationships to maintain facilities on a closed and sealed
 - (2) To extent facilities are in general-use commercial structures, crowd control and protective functions tend to be disruptive and pose risk to bystander adjacent properties.

V. POST-EVICTION SECURITY OF DIPLOMATIC PREMISES

- A. Even after expulsion of diplomatic personnel, properties of "diplomatic missions" under both international and domestic law and will require protection by U.S. Government.

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- B. In Washington, Embassy and Chancery, along with diplomatic residences, can be secured by personnel of Uniformed Division of Secret Service.
- C. In other cities, Secret Service may have to contract for long protective services from General Services Administration or p security agencies.
- D. Such protection will be required regardless of appointment of third country as protecting power, since risk of student prot occupation will remain whether premises are closed entirely c with protecting power's supervision.
 - 1. Consistent with international obligations, United States prefer to work out terminations of leases on any leased c properties under force majeure clauses, if any, so that i will be no (or at least fewer) premises to be at risk. I records, etc. could then be put in storage and returned : when consulates were to be reopened and new leased facil obtained.

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The Department of State hereby notifies the Government of the Islamic Republic of Iran that the Government of the United States of America has determined that the continued operation of the Embassy and of Iranian consular posts in the United States is no longer acceptable in the present circumstances.

Accordingly, the Embassy is directed to terminate its functions and those of the Iranian consular posts in the United States, effective immediately. For purposes of Article 9 of the Vienna Convention on Diplomatic Relations and Article 23 of the Vienna Convention on Consular Relations, all Iranian diplomatic agents and consular officers are declared persona non grata and all other members of the staffs of the Embassy and consulates are declared unacceptable. All persons have been notified to the Department as being present in the United States as members of the staffs of the Embassy and consulates of the Islamic Republic of Iran as indicated in the annexed list, must depart from the United States no later than midnight tomorrow. The families of these persons (other than those who are U.S. citizens or permanent residents of the United States) are also notified to depart.

must also depart by that time. Thereafter, the United States will no longer regard these persons as being entitled to the privileges, immunities and protection which they now enjoy by virtue of their official status and they will be subject to immediate expulsion.

Until their departure, these persons may continue to use regularly traveled routes for travel between their homes and offices, but otherwise must remain within a two-mile radius of their homes. Any failure to observe this restriction without the express approval of the Department will result in the immediate termination of official status and the immediate expulsion of the individual concerned. All departures are to be from Dulles International Airport unless the Department's consent to another port of embarkation is obtained. The Embassy is required to submit to the Department no later than noon tomorrow a complete list of the scheduled times and places of departure for all individuals. Those individuals are hereby required to depart from the United States. All credentials issued to these individuals by the Department must be surrendered prior to their departure.

The Department is prepared to consider the appointment of a third state, acceptable to the United States, to which the Islamic Republic of Iran may entrust the custody of its diplomatic and consular property and the protection of its interests. If such an appointment

made before midnight tomorrow the Department would be prepared to consider deferring until April , the required departure of one member of the Embassy staff, to be designated by the Department, in order to facilitate transitional arrangements.

The Embassy and consulates shall be closed immediately to any activity (other than internal administrative functions) by or on behalf of the Islamic Republic of Iran. After tomorrow the premises of Embassy and consulates shall be closed and sealed except to the extent that the Department may authorize any particular use of such premises by a protective power.

Enclosure:

List of Diplomatic and Consular Officials and
Employees Notified to the Department of State

ANNEX

OFFICIALS AND EMPLOYEES OF THE EMBASSY
AND CONSULAR POSTS OF
THE ISLAMIC REPUBLIC OF IRAN

A. Embassy

1. Mr. Ali A. Agah	Charge d'Affair
2. Mr. Abdol-azim Biabani	Counselor
3. Mr. Esmail Jamshad	First Secretar
4. Mr. Allaollah Shafii	Third Secretar
5. Mr. Masoud Afghan	Third Secretar
6. Mr. Mohammad Hossein Lavassani	Consultant
7. Mr. Samad Farshbaf	Attache
8. Ms. Mahrokh Hodai	Secretary, Acc
9. Mr. Rahim Golnari	Staff, Account
10. Ms. Mahin Hojjatoleslami Sedarati	Staff, Consula
11. Mr. Mahmood Raouf Kazemi	Staff, Adminis
12. Mr. Iraj Naderi	Staff, Student
13. Capt. Siavash Soutedeh	Armed Forces i
14. Capt. Ali Saraf Yazdi	Financial Offi
15. Sargeant Yousuf Jahangiri	Clerk

B. Consulate General in Chicago

1. Mr. Moghadem Mohammad Hashem	Acting Consul
2. Mr. F zeli Matin Manouchehr	Account

C. Consulate General in Houston

1. Mr. Taherian Hassan	Acting Consul
2. Mr. Mirghassemi Ali	Accountant
3. Mr. Hezarkhani Mohammad Reza	Counselor Aff
4. Mrs. Moezi Shirin	Secretary
5. Mr. Sadighi Hamid	Second Secret

D. Consulate General in New York

- | | |
|-----------------------------------|-------------|
| 1. Mr. Mohammad Hassan Fadaifar | Consul |
| 2. Mr. Mohammad Karim Eshragh | Vice Consul |
| 3. Mr. Reza Mahrroadeh | Vice Consul |
| 4. Miss Razieh Mamaghani Moghadam | Secretary |

E. Consulate General in San Francisco

- | | |
|------------------------|------------------|
| 1. Mr. Ali Khorram | Acting Consul |
| 2. Mr. Ali Farshchi | Consul |
| 3. Miss Maryam Memari | Consular Affairs |
| 4. Mr. Jalal Shirin | Information |
| 5. Mr. Fereydon Razi | Consular Affairs |
| 6. Mr. Nasser Rastkhah | Student Affairs |
| 7. Miss Zahra Safari | Receptionist |
| 8. Mr. Reza Shaker | Student Affairs |
| 9. Mr. Sarmadi Ali | Account |



DEPARTMENT OF STATE
BRIEFING MEMORANDUM

SS

April 5, 1980

SECRET

TO: D - Mr. Christopher
P - Mr. Newsom

FROM: L - Roberts B. Owen *RB*

SUBJECT: Asylum Claims by Expelled Iranian
Diplomatic and Consular Personnel
and Members of Their Families

Our tentative planning on the above subject has contemplated that the Department of State would conduct an expedited, informal review of any asylum claims in order to assure that, consistent with our obligation under the Refugee Protocol, the United States would not return to Iran anyone who had a well-founded fear that he or she would be subjected to political persecution there. On policy grounds it has now been decided, however, that we will not entertain any such asylum claim in the United States. Instead, since there are no direct flights from the United States to Iran, we are proceeding on the assumption that any Iranian with a right to be treated as a refugee will have an opportunity to assert that right at some transit point along the way (e.g. London, Paris, Frankfurt, Rome).

At this point we believe that, in order to live up to our obligations under the Protocol, we must take steps to insure that the foregoing assumption will be realized -- i.e., to insure that (1) at such a transit point any individual who has a claim to refugee status will have an opportunity to present it to the author and (2) if the claim appears to be valid, he will be mitted not to return to Iran.

SECRET

GDS, 4/5/86

DECLASSIFIED

E.O. 12356, Sec. 3.4

PER *6/12/89 State HRE* *MD-NLC-89-39*

BY *Jay* NARS, DATE *8/3/89*

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As a practical matter probably the best solution is to obtain assurances from one convenient transit country (e.g., the U.K.) that it will hear such claim and honor them if valid -- and then make sure that that country is on the route of any Iranian who indicates before his departure from the U.S., that he has or may have a claim to refugee status.

^{JA/m}
Drafted:L:RBOwen:JHMichel:nr
4/5/80 x29598 x25036

~~SECRET~~

To

EXECUTIVE ORDER

AMENDMENT OF DELEGATION OF AUTHORITY
WITH RESPECT TO ENTRY OF CERTAIN ALIENS INTO THE

By the authority vested in me as President by Constitution and laws of the United States, including Section 215 of the Immigration and Nationality Act, amended (8 U.S.C. 1185), and Section 301 of Title United States Code, it is hereby ordered as follows:

1-101. Amendment.

Section 1-101 of Executive Order 12172 of November 1979, is amended by deleting "holding nonimmigrant

1-102. Effective Date.

This order is effective immediately.

THE WHITE HOUSE

April , 1980

Presidential Documents

Executive Order 12172 of November 28, 1979

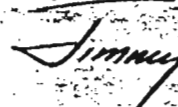
Delegation of Authority With Respect to Ent Aliens Into the United States

By virtue of the authority vested in me as President by the laws of the United States, including the Immigration and Naturalization Act, as amended, 8 USC 1185 and 3 USC 301, it is hereby ordered:

Section 1-101. Delegation of Authority. The Secretary of State and the Attorney General are hereby designated and empowered to exercise the authority conferred by section 215(a)(1) of the Act of June 27, 1952 (8 USC 1185) with respect to the limitations and exceptions on the rules and regulations governing the entry of aliens into the United States.

Section 1-102. Effective Date. This order is effective immediately.

THE WHITE HOUSE,
November 28, 1979.



[FR Doc. 79-36819

Filed 11-27-79; 10:45 am]

Billing code 3195-01-M

DEPARTMENTAL
REGULATION

DEPARTMENT OF STATE

ISSUED

EFFECTIVE

TITLE 22 - FOREIGN RELATIONS

CHAPTER I - DEPARTMENT OF STATE

PART 46 - TRAVEL DOCUMENTATION OF ALIEN
CITIZENS UNDER THE IMMIGRATION AND
NATIONALITY ACT, AS AMENDED

Additional Requirements in the Case of Certain
Nonimmigrant Aliens

AGENCY: STATE DEPARTMENT

ACTION: FINAL RULE

SUMMARY: A new section 46.8 is added to Part 46 of Title 22 to impose certain additional requirements on nonimmigrants of Iran, other than Iranian Government officials travelling on Government business to the United Nations. ** These requirements shall apply to both the bearers of immigrant and nonimmigrant visas issued prior to April ___, 1980, and applicants for immigrant or nonimmigrant visas on and after April ___, 1980. A previously-issued visa will not meet the requirements of section 212(a)(20) or (26)(B), as amended by the Immigration and Nationality Act, as amended, if it has been presented to a consular officer on or after April ___, 1980, and the consular officer has refused the visa.

EFFECTIVE DATE: April ___, 1980

FOR CONTACT: Corne

Acting Director, Office of Legislation, Regulations and
Advisory Assistance, Visa Services, Bureau of Consular
Department of State, (202) 632-1980

SUPPLEMENTARY INFORMATION: Section 215(a)(1), (92 Stat.
8 U.S.C. 1185), of the Immigration and Nationality Act
amended, authorizes the President to promulgate "re-
rules, regulations, and orders" respecting the entry
into the United States and to subject such entry to
limitations and exceptions as he may prescribe." The President
delegated this power to the Secretary of State, subject to the
concurrence of the Attorney General.

In light of the fact that the Government of Iran
to resolve the hostage crisis, it is in the national interest
to review all outstanding visas and further to restrict the entry
of Iranians into the United States. Many nationals of Iran
in the United States are bearers of valid visas. As a result of
the routine use of these visas is therefore necessary to take
action to limit the routine issuance of visas to those who are
necessary**For this reason, a new section 46.8 of the
46 of Title 22 requiring presentation of previous visas to
grant and nonimmigrant visas, other than those issued pursuant
to section 101(a)(15)(G), to a consular office

A visa issued to a national of Iran prior to April 1980, not appropriately endorsed will not be valid for entry to the United States.**Adjudication of new application on or after April 1, 1980, will be subject to the same requirements as those affecting endorsement of previously-issued visas.

The provisions of the Administrative Procedure Act (5 U.S.C. 553) relative to notice of proposed rule making are hereby incorporated by reference into this order because the regulations contained herein are of general applicability and affect the foreign affairs functions of the United States. Part 4 of the order is amended by adding at the end thereof a new § 46.8 to read

* * * * *

§ 46.8 Documentation of certain Iranian nationals entering the United States.

(a) An immigrant or nonimmigrant visa, other than one issued pursuant to section 101(a)(15)(G) of the Act, issued prior to April 1, 1980, to a national of Iran shall not be valid for entry into the United States pursuant to the provisions of section 212(a)(20) or (26)(B), as applicable, of the Immigration and Nationality Act unless such visa has been presented to a consular officer on or after April 1, 1980, and the consular officer shall have endorsed the visa in accordance with the requirements of this section.

manner prescribed by the Department of State.

******(b) The issuance of immigrant and nonimmigrant nationals of Iran, other than those issued pursuant to 101(a)(15)(G), shall be subject to the same condition affecting endorsement of previously-issued visas.******

- - - - -

AUTHORITY: This amendment is issued pursuant to the provisions contained in section 215(a)(1) of the Immigration and Naturalization Act, (92 Stat. 971, 8 U.S.C. 1185) and delegation of authority of November 26, 1979, as amended April 1, 1980.

DATED:

Cyrus R.
Secretary

CONCURRENCE:

Benjamin R. Civiletti
Attorney General

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APPROVED BY THE SECRETARY
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NEA:WHSANDEPS
NSC:7622E7ZINSKY
S/S:PSFITZ

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NODIS
CHEROKEE

E.O. 12065: RDS-3 3/25/2002 (PRECHT, HENRY)

TAGS: PEPK, PINS, TR, US

SUBJECT: IRAN HOSTAGES

1. IS - ENTIRE TEXT.

2. PLEASE DELIVER THE FOLLOWING MESSAGE FROM THE
TO PRIME MINISTER COSSIGA, AND PRIME MINISTER TRU

3. BEGIN TEXT:

DURING THE PAST 150 DAYS THAT OUR DIPLOMATS HAVE
HOSTAGE IN IRAN, I HAVE VALUED YOUR SUPPORT AND /
THE ACTIONS THAT YOUR COUNTRY HAS IMPLEMENTED HAS

~~SECRET~~

DECLASSIFIED
E.O. 12356, Sec. 3A
PER 1/22/90 NSC HR RE MR-NLC
BY Jay P 3. DATE 5/29

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Department of State

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PAGE 42

STATE 270208

TO ISOLATE IRAN POLITICALLY AND TO BRING HOME TO THE
IRAN LEADERSHIP THE HIGH COSTS OF THEIR CONTINUED VIOL
OF INTERNATIONAL LAW. NOTWITHSTANDING THE EFFORTS TH
ALL OF US HAVE MADE, IRAN CONTINUES TO AFFRONT WORLD
AND HAS MADE NO MOVE TOWARDS RELEASE OF OUR PEOPLE OR
IMPROVEMENT IN THEIR CONDITION. BECAUSE OF IRANIAN
SILENCE AND THE SUFFERING OF THE CAPTIVES, I HAVE COME
TO THE CONCLUSION THAT THE TIME HAS COME FOR STRONGER ME
UNLESS IRAN MOVES BEFORE MONDAY TO SHOW ITS GOODWILL
WILLINGNESS TO RESOLVE THE CRISIS BY TRANSFERRING THE
HOSTAGES TO GOVERNMENT CONTROL AND IMPROVING THEIR C

OF DETENTION, I WILL ORDER THE FOLLOWING ADDITIONAL
MEASURES:

-- IMPLEMENTATION OF FORMAL ECONOMIC SANCTIONS AGAIN
AS PROVIDED FOR IN THE UN RESOLUTIONS

-- A COMPILATION BY THE TREASURY DEPARTMENT OF ALL C
AGAINST IRAN, WITH THE SUGGESTION THAT WE MAY MOVE L
LATERALLY TO SETTLE THOSE CLAIMS OUT OF BLOCKED ASSE

-- THE EXPULSION OF ALL IRANIAN DIPLOMATIC AND CONSI
OFFICERS FROM THE U.S.

4. WE CONTINUE TO NEED YOUR ACTIVE SUPPORT AND ASS
AS A FIRST STEP, IT WOULD BE VALUABLE IF YOU WOULD
COMMUNICATE NOW WITH PRESIDENT RANI-SADR SO THAT HE MI
CLEARLY UNDERSTAND THE SERIOUSNESS OF THE PRESENT M
AND THE CONSEQUENCES THAT WILL FLOW FROM CONTINUED I
INTRANSIGENCE.

5. THE U.S. STRONGLY HOPES THAT YOU AND OUR OTHER

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Department of State

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PAGE 23

STATE 070208

FRIENDS WILL LET THE IRANIAN OFFICIALS KNOW THAT IN THE EVENT THE ABOVE STEPS DO NOT RESULT IN FREEDOM OF THE HOSTAGES BY NO LATER THAN TWO WEEKS AFTER THE MAJLIS CONVENES, IN ANY CASE NO LATER THAN MID-MAY, YOU WILL JOIN WITH US AT THAT TIME IN COMPLETE AND FORMAL SEVERANCE OF ALL DIPLOMATIC RELATIONS WITH IRAN. WITHOUT THIS KIND OF SUPPORT FROM OUR CLOSE FRIENDS, THE U.S. WILL HAVE LITTLE CHOICE BUT TO UNDERTAKE FURTHER AND MORE SEVERE UNILATERAL ACTION.

6. IT IS IMPORTANT TO KEEP THE ATTENTION OF THE IRANIAN GOVERNMENT ON THE ISSUE OF RELEASING THE HOSTAGES. WHILE THE DEPARTURE OF THE SHAH FROM PANAMA WAS DICTATED BY MEDICAL CONSIDERATIONS, HIS PRESENCE IN EGYPT HAS THE EFFECT OF REMOVING THE EXTRADITION OF THE SHAH AS A POSSIBLE ELEMENT IN THE ARRANGEMENTS FOR RELEASE OF THE HOSTAGES. WE SOUGHT TO ENABLE THE SHAH TO HAVE NECESSARY SURGERY IN PANAMA, BUT THAT PROVED IMPOSSIBLE GIVEN HIS ASSUMED MEDICAL CIRCUMSTANCES THERE.

7. WE WILL WANT TO BE IN CLOSE TOUCH WITH YOUR GOVERNMENT DURING THE DAYS AHEAD SO AS TO SHARE ASSESSMENTS OF CHANGING CIRCUMSTANCES AND TO COORDINATE OUR ACTIONS IN THE MOST EFFECTIVE WAY POSSIBLE. NO ONE CAN DISPUTE THE FACT THAT THE PATIENCE OF THE AMERICAN PEOPLE DURING THIS CRISIS HAS BEEN EXTRAORDINARY. THAT PATIENCE WILL NOT ENDURE IN THE FACE OF FURTHER IRANIAN INACTION. I TRUST YOU WILL AGREE THAT IT IS NOW TIME TO BRING HOME FORCEFULLY TO IRAN THE CONSEQUENCES OF THEIR ILLEGAL ACTION.

8. THANK YOU AGAIN FOR YOUR HELP DURING THIS DIFFICULT TIME. VANCE

~~SECRET~~

DRAFT CABLE

1. The President has determined that limiting access to the United States by Iranians is an appropriate adjunct to the measures being undertaken to bring home to the authorities of that country the cost of continued holding of the hostages.

2. It is not intended, however, that this program exclude those whom it would be in our interest to admit. The program will include: (a) cases involving humanitarian considerations, such as ethnic and religious minority situations, US relatives, persons in need of urgent medical treatment, etc.); (b) Iranians who have emigrated to third countries and broken their ties with Iran; and (c) cases found to be in our national interest, such as those with ties to the USG of a distinctive character).

3. To implement this policy, the Secretary and the Attorney General have promulgated a new regulation, 22 CFR 121.12, which requires that all immigrant and nonimmigrant visas issued to those classified under Section 101(a)(15)(G), is not valid after April ___, 1980, be endorsed by a consular officer on or before that date in order to be valid for travel to the United States. (Carriers are being appropriately informed.) The regulation also pertains to new visa applications submitted after April ___, 1980.

4. Upon receipt of an application for such an immigrant or nonimmigrant visa, other than those classified under 101(a)(15)(G), the consular officer shall first determine if the case falls within the guidelines of para 2.

applicant does not volunteer information necessary to determination, the consular officer should make appropriate enquiries. If a nonimmigrant case clearly does not, not, meet the first test, no further processing is required and the visa should be refused under Section 215. If a case might, or clearly does, fall within one of the categories set forth in outstanding instructions (reftels) and a Donkey/Oryx message shall be sent to the Department. All, repeat, nonimmigrant cases shall be subject to Donkey/Oryx processing. 5. All Donkey/Oryx messages relating to nonimmigrant visa refusals must contain a specific, detailed explanation under the heading of the basis on which the consular officer concludes that the applicant's case does or may fall within one of the categories set forth in para 2 above.

6. A negative response not based on Section 212(c)(1)(A)(i) "NIV, (name), Iranian. It is not in the national interest to issue a nonimmigrant visa be issued to this alien at this time. The refusal should be recorded as having been made under the authority of the INA as the procedure set forth herein has to that section. The same section should be cited in the explanation about refusals.

7. No visa may be issued without a favorable recommendation in the Donkey/Oryx message.

REVISED by State 4/1

ACTION: IMMEDIATE NATO Countries, Tokyo, Canberra,
Stockholm, Berne, Seoul, Vienna, Madrid, Brussels, a
FOR AMBASSADORS

1. Ambassadors and Charges should seek appoint the highest available level to present the following Memoire.

2. (The Aide Memoire should begin with an exp paragraph on the situation in Iran and the likeliho Iran is unlikely to release the hostages unless it prospect of heavy economic and political costs.)

3. We have now come to the reluctant conclus we have no other alternative than to put into effe formal economic and political sanctions against Ir measures taken by the President have been fully de in septel. The effect of these sanctions will be pronounced if they are reinforced by our allies a friendly nations.

4. Shortly after the detention of the hosta United States prohibited the import of Iranian oi assets. In the hopes of encouraging the release hostages, however, we have avoided more intensiv

5. On several occasions we have asked your others to restrain financial and trade relations

6. (For Paris, Bonn, London, Tokyo, Rome, Brussels, The Hague, Luxembourg, Berne only). I agreed to stop ^{oblique} export credits to Iran. Your Go to give informal advice to banks to issue no ne

and to allow no substantive ^{ed} increase in existing no deposits for Iran. (For _____ government also agreed to ~~give informal~~ advice to require punctual payments of principle and interest on its debts.) And the government agreed to request trading companies to pay for Iranian oil only in d and not to purchase Iranian oil on terms ^{sharply} ~~shortly~~ d from that of other OPEC suppliers.

7. (For Tokyo Only) Your government also pl to import oil from Iran above the level of 620,000 a day and to proceed with only minimal work on the Khomeini petro-chemical complex. Your government that trading companies have recently begun tighte on other transactions with Iran.

8. (For Paris, Bonn, London, Rome, Ottawa, The Hague, Luxembourg, Rome) Your government al to ship military equipment and spare parts to Ir

9. (For Tokyo and London only) We request ment not to replace the US in supplying a large

10. (For Canberra only) You agreed to rest of your wheat shipments to Iran.

11. Assistance that we have received from been greatly appreciated and has been helpful i pressure on Iran, but we are now convinced that The UN resolution, vetoed by the Soviet Union c have prohibited: (a) exports of all goods to Ir

medicine, medical supplies (and donations of clothing; shipment of ~~these~~ embargoed items on national vessels; credit and certain other financial transactions with (d) shipment of embargoed goods on Iranian vessels; service contracts in support of industrial projects;

12. At a previous stage we had considered imposing sanctions formally and we suggested that others do though the UN Resolution had not been vetoed. How negotiating situation changed and we withheld imposing recognizing that others would also withhold, in or ~~the negotiations to~~ take advantage of what seemed ^{transfer} atmosphere for ~~release~~ of the hostages. That atmosphere appeared, and we have seen a number of other potential events also turn to dust.

13. We are driven to the conclusion that the government is not negotiating in a serious manner.

14. The President has now decided that the United States will formally put into effect the entire range of measures called for in the United Nations resolution, through the national Emergency Economic Powers Act. [We will impose these sanctions and will also prohibit _____,

At 8. (State has strong reservations about adding any element)

15. For economic sanctions to produce a significant impact among the governing circles in Iran that they must release the hostages, we ~~hope to~~ count upon the assistance of other friendly nations. The United States requests the Iranian government continue to maintain in effect those restraints which you have already undertaken. 1

that you intensify these measures insofar as it is possible for you to do so and that you do all that hinder commercial and financial relations with Iran; it particularly important to prevent the signing of agreements or contracts with Iran. If your government that its legal powers are insufficient to take commensurate measures, we ~~hope that you will submit legislation~~ ^{would hope where possible, that you would} power, which in itself would convey our collective ~~(we know that this is a problem in France and Germany)~~ Tehran. ^ We believe that the Iranian authorities are more serious about releasing the hostages if they economic consequences for Iran of continued refusal in the long run, be calamitous. End text.

16. (For Brussels-USEEC) Ambassador Enders Jenkins and Haerckamp and remind them of Jenkins' conversation with Secretary Vance about Community action to restrict transactions with Iran, especially EC exports. Ask them to pursue the possibility of a Community embargo against Iran of the goods indicated in the Annex.

EB:EJohnston

Clearances: EUR:AHolmes
EA:Marmacost
EA/J:ARomberg
NEA:PConstable
E:EMorse; R.C.
EB:DHinton

17. On the political side we believe it is important that allied governments reinforce the diplomatic *isolation* ~~reaction~~ of Iran with specific steps. We urge that allies withdraw their Ambassadors from Tehran ^{immediately} ~~now~~ to demonstrate their deep concern over the failure of Iranian authorities to take control over the hostages the militant students as they had said they would do. ~~Governments with large missions in Tehran may wish to reduce their size at the same time.~~ We also strongly urge that allied governments give serious consideration to a complete break in relations with Iran in the week if Iranian authorities continue to reject efforts to achieve a peaceful solution. While we understand the desire of our allies to exert a moderating influence on Tehran and to avoid enhancement of Soviet influence, we strongly believe that a stark demonstration to the leadership of the alternatives they face will have more persuasive moderating influence than will a post-normal diplomatic interchange.

April 7, 1

DRAFT ANNOUNCEMENT OF DECISIONS ON IRAN

Today is the 156th day of imprisonment for 50 Americans in our Embassy in Tehran. In each and every one of these days, these 50 men and women -- their health, and their future -- have been my central preoccupation. Every effort has been made to obtain their release on just and humanitarian terms but the authorities in Iran refused to release them or to improve the conditions under which they are held.

The events of the last few days have revealed the true dimension of this matter. The militants controlling the Embassy have stated they are willing to turn the hostages over to the Revolutionary Council but Ayatollah Khomeini and the Government of Iran have refused to take custody of them. This lays bare the full responsibility on Ayatollah Khomeini and the Revolutionary Council for the illegal and outrageous holding of the hostages. They can no longer escape responsibility by hiding behind the Revolutionary Council at the Embassy.

I am determined to make it clear to Ayatollah Khomeini and the Government of Iran that the failure to release the hostages will involve increasingly heavy costs to Iran and its interests. I have today ordered the following

April 7,

DRAFT ANNOUNCEMENT ON IRAN

Today is the 156th day of imprisonment for 50
in our Embassy in Tehran. ~~In each and every one of~~ ^{FOR ALL THIS PERIOD}
~~days~~, these 50 men and women -- their safety, their
and their future -- have been ^{OUR} ~~central~~ ^{CONCERN}
WE HAVE MADE
Every effort ~~has been made~~ to obtain their release
and humanitarian terms, but the authorities in Iran
release them or to improve the conditions under which
are held.

The events of the last few days have revealed
dimension of this matter. The militants controlling
Embassy have stated they are willing to turn the hostages
over to the Government of Iran, but the Government
to take custody of them. This lays bare the full
lity of the Ayatollah Khomeini and the Revolutionary Guards
for the illegal and outrageous holding of the hostages
can no longer escape responsibility by hiding behind
militants at the Embassy.

I am determined to make it clear that the failure to
the hostages will involve increasingly heavy costs to the United States
and its interests. I have today ordered the following

April 7, 1

DRAFT ANNOUNCEMENT ON IRAN

Today is the 156th day of imprisonment for 50 Americans in our Embassy in Tehran. For all this period, these men and women -- their safety, their health, and their future have been our central concern. We have made every effort to obtain their release on honorable and humanitarian terms but the authorities in Iran refused to release them or improve the conditions under which they are held.

The events of the last few days have revealed a new dimension of this matter. The militants controlling the Embassy have stated they are willing to turn the hostages over to the Government of Iran, but the Government has refused to take custody of them. This lays bare the full responsibility of the Ayatollah Khomeini and the Revolutionary Council for the illegal and outrageous holding of the hostages. The Government can no longer escape responsibility by hiding behind the militants at the Embassy.

I am determined to make it clear that the failure to release the hostages will involve increasingly heavy costs to Iran and its interests. I have today ordered the following

DRAFT 4/7/80

FOR IMMEDIATE RELEASE
April 7, 1980

CONTACT: E
2

TREASURY MOVES TOWARD SEIZURE OF IRANIAN ASSETS
TO SATISFY U.S. CLAIMS; ADOPTS SANCTIONS REGULATIONS

The Treasury Department today took steps to begin the process of the blocked Iranian assets to settle the claims of American hostages, their families and other U.S. citizens against Iran.

By amendments to the Iranian Asset Control Regulations, Treasury required the submission of information on potential U.S. claims against Iran and detailed the process for all official Iranian assets blocked by President Carter on November 14, 1979.

Treasury also issued regulations to implement the economic sanctions on Iran imposed today by President Carter.

The inventory of claims against Iran would be the design of a claims program, but information submitted in a survey would not constitute formal claims against Iran. Establishment of a claims program requires an Act of Congress.

The claims against Iran, to be reported by May 15, 1980, are those arising from expropriation, nationalization, exchange controls or other takings of property in Iran, such as defaults on loans to Iran, claims for breach of contract and personal claims for injury to persons or property by Iran.

Reports, to be submitted on Treasury form T-1, must cover claims arising before April 15, 1980. Failure to submit a report of claims would be a violation of the Iranian Asset Control Regulations and could prejudice the status of a claim under a formal claims program.

Upwards of \$8 billion in Iranian official assets are blocked or frozen by President Carter. The submission of reports also due by May 15, will provide information on the amount and location of assets held by Iranian companies in the United States and foreign branches and subsidiaries of U.S. companies in which Iran, the Iranian bank or other Iranian government-controlled entity has a significant interest.

The report on assets must cover the period November 15, 1979 and March 31, 1980 and be submitted on form TFR 615.

The amendments to the Iranian Asset Control Regulations to implement the economic sanctions against Iranian exports to Iran other than donated clothing -- are excluded from the sanctions by statute.

The regulations also forbid:

- * shipments of the prohibited exports to Iran or Iranian vessels;

- * new industrial service contracts in Iran concerned with medical care;

- * new credits or loans, new deposit facilities, increases in non-dollar deposits greater than 10% above the average daily balance during the last

- * unusually favorable payment terms, defined on conditions "sharply different" from those of sellers of the same commodity in terms of price, payment, and

- * any transaction which has the purpose or effect of evading or avoiding the prohibitions in the Regulations.

The Asset Control Regulations, as amended previously, implement United Nations Security Council Resolution 461, adopted December 31, 1979, calling for sanctions on Iran if the American hostages were released by January 7, 1980. A resolution mandating economic sanctions on Iran would have been adopted by the Security Council on January 13, 1980 but for a veto by the Soviet Union.

The November 14, 1979 freeze of Iranian assets was announced by Secretary of the Treasury G. William Miller. It was not aimed at blocking commercial transactions or imposing a trade embargo. While the freeze nevertheless has the effect of substantially limiting exports to Iran, today's Regulations make the restraints on exports explicit and more comprehensive -- they cover all entities and persons in Iran -- not just Iranian entities -- and prohibit new service contracts.

Violators of the Iranian Asset Control Regulations are subject to civil penalties of up to \$10,000. They may be punished by fines of up to \$50,000 and/or imprisonment of up to 10 years.

The new Regulations, to be published in the Federal Register, are available from the Treasury.

April 7, 19

DRAFT ANNOUNCEMENT OF DECISIONS ON IRAN

Today is the 156th day of imprisonment for 50 Americans in our Embassy in Tehran. In each and every one of these days, these 50 men and women -- their health, and their future -- have been my central preoccupation. Every effort has been made to obtain their release on just and humanitarian terms but the authorities in Iran refused to release them or to discuss the conditions under which they are held.

The events of the last few days have revealed another dimension of this matter. The militants controlling the Embassy have stated they are willing to turn the hostages over to the Revolutionary Council but Ayatollah Khomeini and the Government of Iran have refused to take custody of them. This lays bare the full responsibility on Ayatollah Khomeini and the Revolutionary Council for the illegal and outrageous holding of the hostages. They can no longer escape responsibility by hiding behind the Government at the Embassy.

I am determined to make it clear to Ayatollah Khomeini and the Government of Iran that the failure to release the hostages will involve increasingly heavy costs to Iran's interests. I have today ordered the following

4. The Secretary of State and the Attorney will order the invalidation of all visas issued Iranian citizens for entry into the United States effective today. Consular officers will not reissue or issue new visas except for compelling and proven humanitarian concerns on our national

The United States has acted with exceptional restraint in this crisis. We have supported General Waldheim's activities under his Security Council mandate to work for such a solution. [We hope the Commission on Inquiry can return to Tehran to work for an early resolution of the crisis.] We will continue to consult with our allies and friendly governments on the steps we are taking and on additional measures which may be required to persuade Iran that the safe release of the hostages are in the best interest of all concerned.

I am committed to resolving this crisis. I am committed to bringing these American prisoners home and well. The hostages and their families and Americans in America have lived with the reality and the agony of their captivity for five months.

The steps I have ordered today are steps that are necessary now. Other steps may be necessary if these do not produce the prompt release of the hostages. The result is in Iran's interest as well as our own.

MEMORANDUM OF CONVERSATION

IRAN WORKING GROUP

Date: April 6, 1980
Time: 1400 hrs EST
Participants: Villalon - Precht

Subject: Iran Hostages

Villalon said that Capucci and the Papal Nuncio had spent the evening working on the militants in the compound. They had not yet returned to the hotel and he did not know what the results of the meeting would be. He asked me to call him in two hours.

[REDACTED] Finally the Council had voted unanimously again to approve the transfer subject to the views of the Imam. A four-man delegation would go to the Imam tomorrow morning. The delegation includes Ban Ghotbzadeh, Moinfar (Oil Minister with good religious credentials) and a mullah, unnamed.

The last information Villalon had on Capucci's work with the students was their agreement on the transfer subject to the views of the Imam.

In view of our experiences with the Imam in the past, I said he was not optimistic about the outcome of the meeting tomorrow.

SENTINEL
12358, Sec.
State Dept.
BY _____ MARG. DAY

Drafted: NEA/IWG:HPrecht:sw

MEMORANDUM OF CONVERSATION

IRAN WORKING GROUP

Date: April 5, 1980

Time: 1615 EST

Participants: Hector Villalon

Henry Precht

Subject: Iran Hostage Crisis

Villalon said that the meeting between the Revolutionary Council and Khomeini had been postponed by Bani Sadr because the conditions were not right (presumably he was referring to the attack on the idea of transfer by the religious hardliners).

Villalon said that a committee had been formed, composed of Capucci, the Swiss Ambassador, Bourguet, Villalon, and the Papal Nuncio (presumably Noland). These men had met all afternoon and evening to try to find a solution to the crisis. They had worked with Ghotbzadeh and developed the proposition which Capucci planned to put to the students at 10 a.m. Sunday.

Capucci had met for three hours with the students today and found that a large number of them seem to be willing to end the crisis. There was only a small element of hardliners who wanted to hold out. Villalon did not wish to discuss the committee's proposition in detail. It seemed to involve the release of all the hostages to the Revolutionary Council, while the students remained on the compound. This would be a student initiative designed to preserve face rather than eventually have themselves forced to give in by the government.

At 1500 Capucci and the other clergy would conduct their religious visit to the compound. At the same time, the Revolutionary Council would meet and would coordinate the work of the Capucci Committee and any communication they had from the students. Villalon assumed that the Council would end at about 1730 and a delegation would then go to see the Imam for his blessing of the final proposal. One way or the other, the matter of the transfer should be finally decided tomorrow.

Drafted: NEA/IWG:HPrecht:mf

DECLASSIFIED
E.O. 1235
PER 11/13/81 GSK/H
BY [Signature] NAF

~~SECRET/SENSITIVE~~

- 2 -

Villalon said that if the decision went against transfer, the U.S. would have made a full effort and would be justified in taking whatever steps it felt appropriate against Iran. I asked Villalon if he sensed that the Iranians wanted some further clarification from us. He said that was a dead issue and that we should not make any further move to give the Iranians anything by the way of clarification or conciliatory statement. I asked whether he knew of any reaction to the message of Ambassador Probst. Villalon had no knowledge.

Finally, Villalon commented that the major obstacle had been the weakness and lack of capacity of Bani Sadr. He lacked the courage to act, or had acted ineptly through the recent critical days.

~~SECRET/SENSITIVE~~

SECRET

NEA:HSAUNDERS:CEL
4/5/80
THE SECRETARY

S/S-0:

NIACT/IMMEDIATE BONN NIACT, LONDON NIACT IMMEDIATE
IMMEDIATE

NODIS
CHEROKEE

E.O. 11652: RDS-1, 4/5/80 {VANCE, CYRUS}

TAGS: PPDC, PINS, IR, US

SUBJECT: PRESIDENTIAL MESSAGE

EYES ONLY FOR AMBASSADOR OR CHARGE FROM SECRETARY

1. PLEASE DELIVER THE MESSAGE BELOW AT THE EARLIEST POSSIBLE MOMENT SUNDAY TO THATCHER, SCHMIDT, AND D
AS APPROPRIATE.

2. BEGIN TEXT: DEAR{MARGARET/HELMUT/VALERY}: DE
OUR PERSISTENT EFFORTS, THE IRANIAN AUTHORITIES HA
NOT TAKEN STEPS TO TRANSFER THE HOSTAGES TO THE FU
CUSTODY AND PROTECTION OF THE REVOLUTIONARY COUNCI
WANT YOU TO KNOW THAT IF THE ISSUE OF THE TRANSFER
SATISFACTORILY RESOLVED ON MONDAY I INTEND PROMPTL
THEREAFTER TO IMPOSE THE ADDITIONAL MEASURES WHICH
DESCRIBED TO YOU SINCERELY, JIMMY END T

DECLASSIFIED

E.O. 12356, Sec. 3.4

PER 2101/2356 H. RE. 4/12-157
BY 2101/2356 H. RE. 4/12-157
NARS. DATE 4/12-157

SECRET

FOR IMMEDIATE RELEASE

APRIL 1,

Office of the White House Press Secretary

THE WHITE HOUSE

The announcement by President Bani Sadr that the host will be transferred to the care and protection of the government is a positive step. Accordingly, we will imposing further sanctions at this time.

The Iranian government has said that the hostage iss resolved when the new Parliament convenes. We will to work for the earliest possible release of all the

-- Jody Powell

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PRESS GUIDANCE

Q. How are you going to respond to Bani-Sadr's statement that the United States has not responded adequately to Iran's demands?

A. -- There have been conflicting reports of the Iranian position. We have not had any authoritative word substantiating last night's press report.

Q. Are you prepared to say that the United States will take any provocative measures against Iran before the new Parliament decides about the release of the hostages?

A. -- The U.S. position is very clear. We have shown great restraint and will continue to show restraint in our words and in our actions as progress is being made toward release of the hostages. The President's statement of yesterday concerning the hostages reflects that fact. As long as serious steps are being taken to improve the conditions of the hostages and to pave the way for their release, we will continue to show restraint. We hope the Iranians will show similar restraint.

-- As we have stated in the past, we recognize the right of Iranians to manage their own affairs and we do not desire to interfere in their internal affairs.

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4 APR 2055Z GJS/CHJ *****

THE 50 HOSTAGES ARE BEING HELD BY MILITANTS WHO SEIZED THE U.S. EMBASSY ON NOVEMBER 4 AND DEMANDED AS THE PRICE OF THEIR RELEASE THE RETURN OF THE DEPOSED SHAH FOR TRIAL.

MR BANFI-SADR HAD SAID THE RULING REVOLUTIONARY COUNCIL MUST TAKE RESPONSIBILITY FOR THE HOSTAGES. IF THE UNITED STATES IS AN OFFICIAL DECLARATION AND ANNOUNCES THAT IT WILL NOT, UNTIL FORMATION OF THE (IRANIAN) PARLIAMENT AND ITS DECISION ON THE HOSTAGES, MAKE PROPOSALS, CLAIMS, SPEAK OR INSIST ON THE

ALL THE CONDITIONS THAT HE ASKED FOR MUST BE PUBLISHED.
NO, THOSE ARE NOT ENOUGH AT ALL. A DECLARATION CONTAINING

THE IRANIAN PRESIDENT SAID:
SPEECH BY MR BANFI-SADR MET IRAN'S CONDITIONS FOR SUCH A TRANS
ASKED BY REUTERS WHETHER PRESIDENT CARTER'S RESPONSE TO A

ABOLMUSSEN BANFI-SADR SAID TONIGHT.

OF AMERICAN HOSTAGES TO IRANIAN GOVERNMENT CONTROL, PRESIDENT

TODAY CONCERNING IRAN FAILED TO MEET IRAN'S DEMANDS FOR TRI

(TEXT) TEHRAN, APRIL 4, REUTER--PRESIDENT CARTER'S STATEM

APR042054 LONDON REUTER IN ENGLISH 2048 GMT 4 APR 80 MR

BANFI-SADR: CARTER FAILS TO MEET IRAN'S DEMANDS

APR 99 *****

FBIS 400 (SEE 99--DANI-SADR REMARKS) *****

IRON'S PRESIDENTIAL ADVISER ON CARTER REMARKS, HOSTAGE ISSU

LD042043 TEHRAN DOMESTIC SERVICE IN PERSIAN 2043 GMT 4 APR 68

(TEXT) MUSAVI GARMARUDI, CULTURAL AND PRESS ADVISER

TO THE PRESIDENT, IN A TELEPHONE CONVERSATION WITH THE PARS

AGENCY TONIGHT STATED:

RECENTLY NEWS HAS BEEN REPORTED BY PRESS AGENCIES WHICH
CARTER TO THE EFFECT THAT POSITIVE CHANGES HAVE COME
CONCERNING THE HOSTAGE ISSUE. THE PRESIDENT (BANI-SADR) SA
IN THIS RESPECT: IT IS NOT IMPORTANT IN OUR VIEW AS TO WHAT
CARTER HAS EXPRESSED. WHAT IS IMPORTANT IS WHETHER OR NOT
HE WILL TAKE THE MEASURES TO WHICH WE HAVE REFERRED. IF HE TAKES
THESE MEASURES, THE REVOLUTION COUNCIL WILL UNDERTAKE RESPONSIBILITY
FOR THE HOSTAGES UNTIL THE MAJLIS REQUIRES ITS OPINION ON THIS
OTHERWISE, IT WILL NOT. ON THE WHOLE, UNTIL THE MAJLIS--THAT
IS, THE GENUINE REPRESENTATIVES OF THE PEOPLE--AS THE IMAM
SAID, HAS DECIDED ON THE FATE OF THE HOSTAGES, WE HAVE NOTHING
FURTHER TO SAY TO MR CARTER.

4 000 2400Z DR/CAT *****

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DIPLOMATIC STRATEGY FOR IRAN -- THE PERIOD AHEAD

This paper lays out for discussion, revision, decision certain possible propositions from which a strategy for the period until the new Iranian Parliament is formed might be built. It goes on to describe the elements from which our strategy will be fashioned and suggests for consideration a specific course of action over the next few weeks.

After six months of frustrating dealings with Iranians, it is clear that we are dealing with an Iran that differs fundamentally from our own, and a chaotic internal situation. Our character, our society are based on optimism--a long history of strength and the possibility of equality, the protection of inalienable rights enshrined in a constitution, the belief in our ability to control our own destiny. Iran, on the other hand, has a long and painful history of foreign invasions, occupation and domination. Their outlook is a function of this history and the solace most Iranians have found in Shi'ite Islam. They place a premium on survival. They are manipulative, fatalistic, suspicious and xenophobic.

With such fundamental cultural and historical differences, it is easier to understand why most Iranians have remained unmoved by our various actions through this crisis. We are not in a classic bargaining position.

If we are to help create a break in the situation, recognizing the hard fact that the odds are against a break so long as the internal situation in Iran remains inchoate and the clerics dominant--we need a strategy which takes account of both the complexities of Iranian politics and the complexities of the Iranian outlook. It must combine elements of reasonableness with realism to the future without making the concessions now that Iranians take as weakness. It must convey a strong element of threat without implying retribution when hostages are released. And the elements of threat must be both credible and conveyed in a way which does not so challenge their pride that they simply posture, blunder, and recall their history of martyrdom.

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RDS 1-2-3, 4/30/2000

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Some Basic Propositions

1. We can start by eliminating two extreme opt

-- We have long since embarked on a policy of posing costs on Iran for prolonging the hostage crisis so no one is proposing a policy of negotiation without some form of pressure.

-- A policy of pressure alone cannot force a solution. For one thing Khomeini and the clerics are not susceptible to Western-style pressures, so we have to find a different approach to them. Even then, some will have to work out a political strategy for engineering the release. We will have to play a role whether we win or not.

2. Within Iran, different leadership groups have different aspirations, vulnerabilities and objectives in this crisis. Our strategy must play on these varying hopes and fears. Our strategy, therefore, must also be a mix of punitive measures and diplomatic initiatives, to try to help construct a solution which would be politically acceptable both to key groups of the Iranians and to us. The issues are (a) the mix of pressures and diplomatic initiatives and (b) timing.

3. Our first opportunity for a breakthrough could come, as the Iranians have said, with the convening of a new parliament. We should keep in mind, however, that the Majlis will be fractionated and unruly and perhaps lack effective leadership. No date has even been set for the opening session. The major purpose of the Majlis may be as a device toward furthering a solution--or rubber-stamping a consensus among lay and religious leaders that it is time to end the crisis. The Majlis is likely to have to assume a leading role in forging a solution. But the period between now, the May 9 elections, and the date the parliament is convened will be a time of political flux in Iran. It seems sensible to focus our immediate efforts on this period. There will be relative calm in the political process. Delegates will have been elected, but will be unsure how to use the new institutions. For some time after the convening of Parliament, there will be no clear lines between parties, personal alliances, or

strategies. At that moment, a determined and effective leadership might be able to push through a well-planned solution to the crisis. It is thus important that we to engage Iranian authorities in a productive dialogue on how the release of the hostages might be presented to win positive support in the new parliament.

4. This time we will want to broaden our approach to work with three separate but related leadership elements: Bani Sadr, who will be responsible for presenting before the Majlis a program to end the crisis with the U.S. as part of his overall program; with Ghotbzadeh as our most helpful collaborator; and, more than before, with the clerics, who must be prepared to follow Bani Sadr's lead or at least not to resist it and make a solution impossible. The failure of our last effort to achieve a negotiated settlement resulted from rivalry between the lay leadership and the clerics. We must find a way, through a combination of carrots and sticks, to persuade the clerics to accept the outlines of a program that the government could push through the Majlis in future meetings.

5. In designing our approach, there may be some limitations in some of our communications, in broadening it beyond the hostage issue. With Bani Sadr and Ghotbzadeh as well as in seeking help from our allies, we must be aware of the consequences of widening the crisis for the people of Iran and for the future of Europe. We could also consider the kind of U.S.-Iranian relationship we might achieve. However, with the clerics, who believe that a real U.S.-Iranian relationship is impossible or undesirable, it will be necessary to point more specifically to the consequences for their own leadership if the crisis continues.

6. The U.S. position on the elements of a program which might be useful in dealing with the allies of Bani Sadr--remains that described in the six points presented to Waldheim in January (Tab 1), with one possible addition. It may be desirable to elaborate on these points to make clear that we would forego retaliation against Iran if the hostages are released safely under honorable circumstances.

Near-Term Objectives

If these propositions are accepted, three specific objectives should be discussed:

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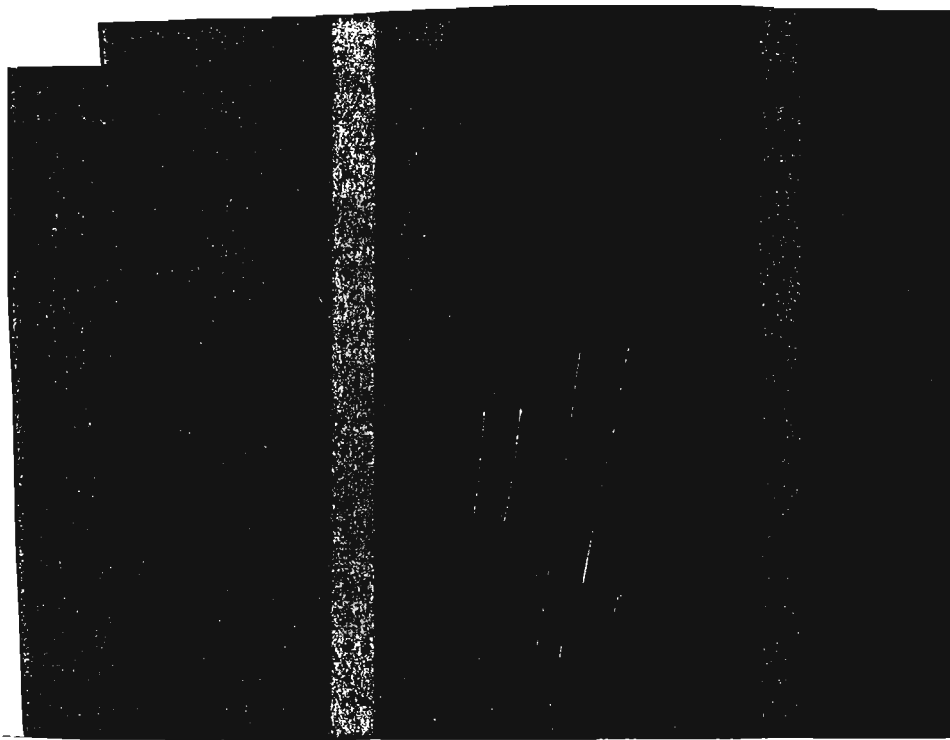
-4-

-- To encourage progressive improvements in conditions of the hostages--beginning with regular visits and messages for families--with the purpose of working for a more active official Iranian involvement in the management of the hostages' welfare and in accounting for them.

-- To increase steadily tangible pressure on the Iranian states and, where possible, to encourage other states to take more limited measures against Iran; in this connection, by portraying Iran's holding of hostages as offensive to the world community, to broaden the confrontation between Iran and the non-communist world.

-- To engage key Iranians in discussions that will lead to an understanding on (1) a scenario for the release of the hostages when the Majlis is convened; (2) the role of the U.S. and other third countries during the Majlis consideration; and (3) the role of the U.S. or third countries that would facilitate the release decision by the Majlis.

The issues to be decided are the degree and nature of new pressures, if any, and the nature of a broad diplomatic effort.



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(pages 5 thru 12 entirely sanitized)

US POSITION

1). The safe and immediate departure from Iran of all US employees of the Embassy in Tehran and other US personnel held hostage is essential to a resolution of other issues.

2). The US understands and sympathizes with the grievances felt by many Iranian citizens concerning the practices of the former regime. The US is prepared to work out in advance firm understandings on a forum in which grievances may subsequently be aired, so that the hostages could be released with confidence that those grievances would be heard in an appropriate forum after the release has taken place. The US will not concur in any hearing that involves the release of the hostages. The US is prepared to cooperate in seeking through the efforts of the UN to establish such a forum or commission to hear the grievances and to produce a report on them. The US will cooperate with such a group in accordance with its laws, international law, and the Charter of the UN.

3). The US Government will facilitate any legal claims brought by the Government of Iran in courts of the United States to account for assets within the custody or control of the Government of Iran that may be judged to belong to the national treasury of Iran by advising the courts, and other interested parties, that the US Government recognizes the right of the Government of Iran to bring such claims before the courts and to request the courts' assistance in obtaining information about such assets from financial institutions and other parties.

4.) Once the hostages are safely released, it is prepared to lift the freeze of Iranian assets and facilitate normal commercial relations between the countries, on the understanding that Iran will meet financial obligations to US nationals and that the arrangements to be worked out will protect the legitimate interests of US banks and other claimants. The US is prepared to appoint members of a working group to reach agreement on those arrangements.

5.) The United States is prepared to appoint a representative to discuss with Iranian representatives the current threat posed by the Soviet invasion of Afghanistan and to recommend to their government steps that they and Iran might take in order to enhance the security of Iran, including the resumption of the supply of military spare parts by the United States to Iran.

6.) The US Administration is prepared to make a statement at an appropriate moment that it understands the grievances felt by the people of Iran, and that it respects the integrity of Iran, and the right of the people of Iran to choose their own form of government. The United States Government recognizes the Government of the Islamic Republic of Iran as the legal government of Iran. The United States reaffirms that the people of Iran have the right to determine their own form of government.