

Jackson-Vanik Amendment (USSR favored nation status vs. emigration rates)

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Date: July 23, 1977

MEMORANDUM

FOR ACTION:

Stu Eizenstat
Hamilton Jordan
Bob Lipshutz
Frank Moore

FOR INFORMATION:

The Vice President

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Brzezinski's memo dated 7/22/77 re response to Senator Jackson regarding the Dole Amendment.

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 9:00 A.M.

DAY: Monday

DATE: July 25, 1977

ACTION REQUESTED:

☒ Your comments

Other:

STAFF RESPONSE:

☐ I concur.

Please note other comments below:

☒ No comment.

WJ

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone 7052)

THE WHITE HOUSE

WASHINGTON

July 22, 1977

MEMORANDUM FOR:

THE PRESIDENT

FROM:

ZBIGNIEW BRZEZINSKI *ZB*

SUBJECT:

Response to Senator Jackson
Regarding the Dole Amendment

There has been some confusion regarding the Administration's position on legislation proposed by Senator Dole (S. 1415) to modify the Jackson-Vanik Amendment in order to permit extension of CCC credits to non-market economies.

Secretary Vance, to clarify an earlier State letter, wrote Jackson on July 14 indicating that we are not seeking repeal of the Jackson-Vanik Amendment, we will fully implement the law as expressed in the Trade Act, and we neither oppose nor support S. 1415. This position was intended to leave it to the Congress to debate the question of extending agricultural export credits to non-market economies. Jackson's letter to you (Tab I) argues that Vance's assurances and your recently expressed view that "burden for removal of obstacles to trade rests on the shoulders of the Soviet Union" are inconsistent with Vance's expression of neutrality on S. 1415.

The issue for your decision is whether (1) to indicate that the Administration opposes the Dole Amendment or (2) to reiterate Vance's position that we do not support it.

Option 1:

- Avoids a fight with Jackson.
- Puts an end to any implication of a weakening support for Jackson-Vanik.
- Opposition to the Dole provision would be consistent with your statements to Jackson on other occasions.
- There is, in fact, little increase in exports likely.
- Neutrality implies acquiescence in overturning Jackson-Vanik.

-- Avoids a break between you and Vance on this issue.

-- Avoids the implication that we are permanently wedded to the precise formulation of Jackson-Vanik, when we may some day decide that our interests are served by modifications (if not for the Soviets, then perhaps for China or Eastern Europe).

-- Allows Dole and Jackson to fight it out and in so doing will provide an insight into the strength of public and Congressional support for Jackson-Vanik.

-- Is neither a failure to implement the present law nor an act of seeking repeal, contrary to what Jackson argues.

RECOMMENDATION

That you decide between:

1. The reply at Tab A, opposing S. 1415.
2. The reply at Tab B, withholding support for S. 1415.

I have discussed this with Cy and we both recommend B. I gather Senators Telmadye, Humphrey, Bellman, Curlin, Long also favor the approach.

United States Senate

WASHINGTON, D.C. 20510

June 17, 1977

FILE

The President
The White House
Washington, D. C.

Dear Mr. President:

You and I have had an opportunity to discuss the uncertainty that exists within the American Jewish Community toward your Administration. Thus I was astonished to read remarks by the Secretary of State who commented on Section 402 (Jackson-Vanik Amendment) of the Trade Act of 1974 as follows: "However, I would hope that in time this [to have that amendment removed] could be done."

Just this past Tuesday, June 14 I addressed the National Conference on Soviet Jewry with remarks that commended you for the position of the Administration on human rights in general and the implementation of the Jackson amendment in particular. Obviously I cannot be effective in reassuring the American Jewish community, in urging them to place confidence in your Administration if a long-standing position of the Administration is reversed abruptly in an ill-timed and ill-advised remark by the Secretary of State.

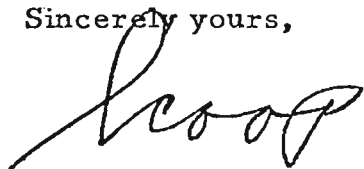
Indications that, even in the future, the Administration might seek the removal of the Jackson amendment to the Trade Act can only encourage the Soviets to conclude that they need not comply with American law in order to receive the trade concessions they seek from us. You will recall that the last Administration began to speak of repeal of the amendment within days of its enactment, despite the fact that it passed the Senate by a vote of 88-0 and the House by a 4 to 1 margin. That posture virtually assured that the Soviets would continue to repress those wishing to emigrate. It would be a tragic disappointment if this Administration were to follow its predecessor.

For myself, I will continue to have confidence in your letter to me of September 29, 1976. I am pleased to note that you have stood by those understandings that we have been able to achieve on a variety of issues and I look forward to a continuing relationship of trust and confidence. I am proud of your landmark effort on behalf of international human rights.

I would be most grateful if you could clarify the position of the Administration on this issue in a way that would assure that the Soviets are not misled into believing that trade concessions will flow despite their failure to meet the requirements of Section 402 or that they can anticipate support by the Administration for the repeal of Section 402.

I am enclosing a copy of my speech of last Tuesday.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "H. M. Jackson", written in a cursive style.

Henry M. Jackson, U.S.S.