

**SCOMM**

**64:4**

Original sponsor(s): House Special Committee on Foreign Trade

1 IN THE HOUSE BY THE HOUSE SPECIAL COMMITTEE ON FOREIGN TRADE  
2 CS FOR HOUSE JOINT RESOLUTION NO. 69 (Foreign Trade)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Encouraging the United States government  
6 to include Aleut people and their blood  
7 relatives under future Native visa free  
8 travel agreements with the U.S.S.R.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 WHEREAS, in September 1989, the United States and the Union of Soviet  
11 Socialist Republics signed a Native Visa Free Agreement that establishes  
12 visitation rights and visa free travel between Native inhabitants who live  
13 on both sides of the Soviet-American border; and

14 WHEREAS because the agreement employs a geographical definition to  
15 determine who is eligible to travel and limits Alaska travelers to rela-  
16 tives or Natives who share linguistic or cultural ties with the Natives in  
17 the Soviet geographical area, only Inuit Natives are eligible to use the  
18 new travel rights; and

19 WHEREAS the Aleut people have historic and ethnic ties to the Russian  
20 people since the Aleutian Chain was once occupied by the Russians and  
21 formed part of Russia's trading link with other parts of Alaska; and

22 WHEREAS Russian surnames and the practice of the Russian Orthodox  
23 religion are present day evidence of Aleut cultural and ethnic ties with  
24 the Russian people; and

25 WHEREAS the Aleut people would like to be included in any future  
26 version of the Native Visa Free Agreement so that they can explore and  
27 reestablish their common heritage with the citizens of the U.S.S.R.;

28 BE IT RESOLVED that the Alaska State Legislature encourages the United  
29 States government to include Aleut people and their blood relatives among

1 the Alaska Natives allowed to travel between the U.S.S.R. and Alaska under  
2 future versions of the Native Visa Free Agreement.

3 COPIES of this resolution shall be sent to the Honorable George Bush,  
4 President of the United States; the Honorable Mikhail S. Gorbachev,  
5 President of the U.S.S.R.; the Russian Soviet Federated Socialist Republic  
6 Ministry of Foreign Affairs; the Honorable James A. Baker, III, U.S. Secre-  
7 tary of State; the Honorable Eduard A. Shevardnadze, Minister for Foreign  
8 Affairs of the U.S.S.R.; the Honorable Ted Stevens and the Honorable Frank  
9 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,  
10 members of the Alaska delegation in Congress; and to the Bering Straights  
11 Regional Commission.

BY THE HOUSE SPECIAL COMMITTEE ON FOREIGN TRADE

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2

HOUSE JOINT RESOLUTION NO. 69

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - SECOND SESSION

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11 Regional Commission.

## NATIVE AFFAIRS

### STATUS:

The Native Visa Free Agreement signed by Secretary of State Baker and Foreign Minister Schevernadze in Jackson Hole, Wyoming last September should be implemented within the year.

Many of the Native regional and village corporations in Northwest Alaska have established cultural and business ties with the Soviet North East. Kawer Regional Corporation has had a particular interest in bringing together Siberian Yupik relatives from St. Lawrence Island and the Soviet North East. The North Slope Borough has been planning to invite several dance groups over and has experienced difficulties in Soviet bureaucracy. NANA Corporation has been active in contacts with the town of Lavrentiya.

Unfortunately, Soviet authorities have been slow in helping the Soviet Natives get visas to travel to Alaska. Local authorities are predominately non-native and local native representatives expressed that they have little interest in helping Native groups get their visas.

Work is being done to bring together the Aleuts on the Admiralty Islands, USSR together with Alaskan Aleuts.

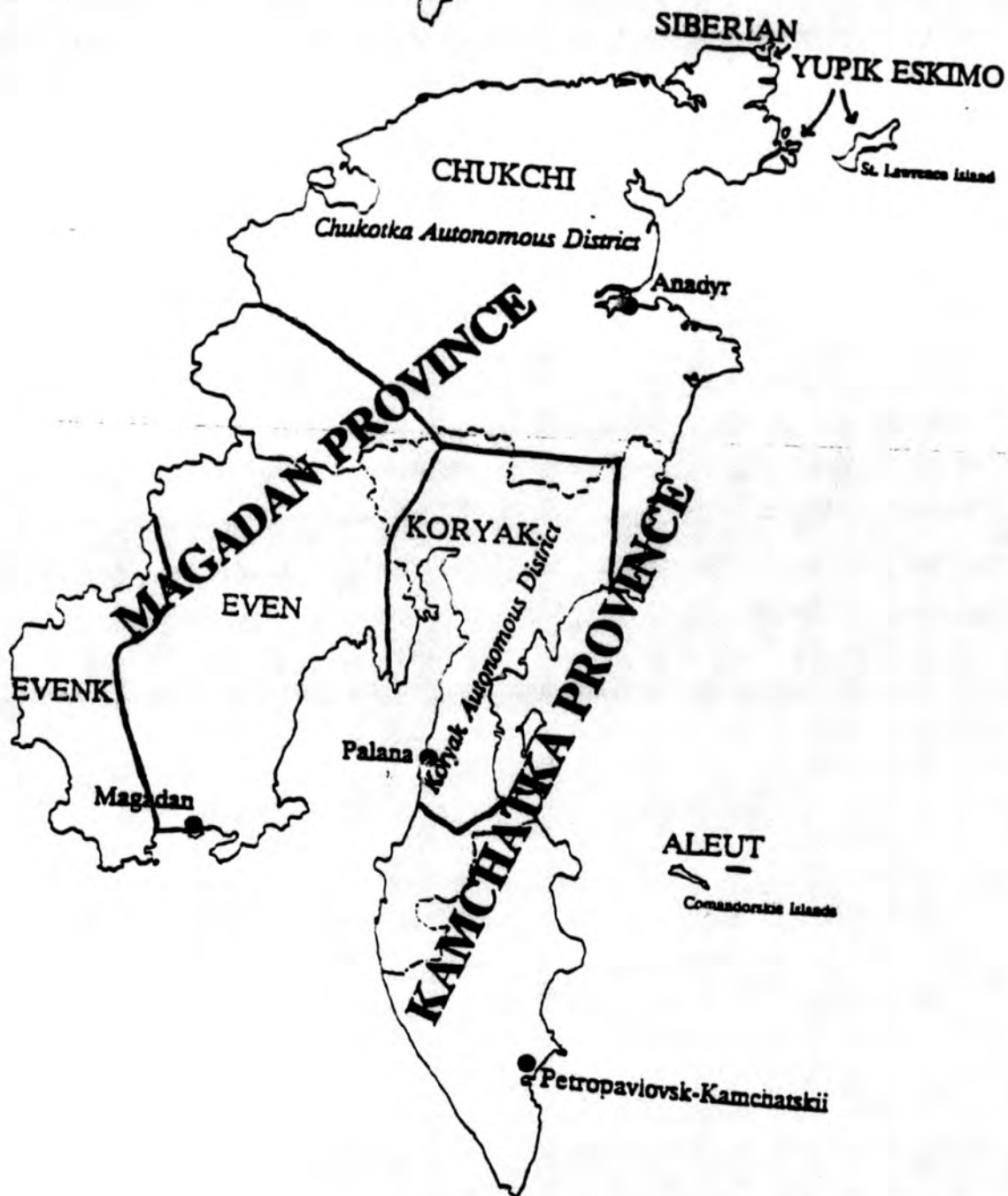
### SOVIET CONTACTS:

Dimitry Karave  
Head of the Department on Northern Nationalities  
Magadan Executive Committee  
Telephone: 2-31-00

Kagak Serikova  
Teacher in charge of bi-lingual education in Chukotka  
Otko St. 33-a Apt. 27  
Anadyr, Magadan Region 686710 USSR

NATIVE AFFAIRS STATUS

# NATIVE GROUPS OF THE SOVIET NORTH EAST



## THE SOVIET UNION



## THE SOVIET FAR EAST AND ALASKA



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10 members of the Alaska delegation in Congress; and to the Bering Straights  
11 Regional Commission.

# House of Representatives

While in Session:  
Box V  
Juneau, Alaska 99811  
(907) 465-4942

P.O. Box 47001  
Pedro Bay, Alaska 99647  
(907) 850-2208



Chair  
Special Committee on Foreign Trade  
Vice Chair  
Resources Committee  
Member  
Health, Education &  
Social Services Committee

March 14, 1990

**Rep. George Jacko, Jr.**

Senator Arliss Sturgulewski  
Alaska State Senate  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Sturgulewski:

I wanted to respond to the concerns you voiced on Monday during the Senate International Trade and Tourism Committee hearing on HJR 69. My foreign trade committee aide, Alexis Miller, said that you wanted to know whether Yupik Eskimos had ever been considered for visa free status during the development of this agreement.

The primary reason for the agreement was to coordinate visits between Eskimos in the Bering Straits Region. The historic, cultural and geographic link between St. Lawrence and Little Diomed Islands and Big Diomed Island is very strong. In your committee packet, which I've included here also, is information from the State Department that dates back to 1930. The State Department memorandum details the trading practices and exchanges between Siberian Eskimos and Alaskan Eskimos in the Bering Strait region.

With the melting of the ice curtain, our two governments felt that as a show of good faith to allow visa free status for Natives on these islands was an excellent example of our new-found camaraderie. It was also believed at the time of the negotiations that if too large a group were given visa free status then the agreement would not pass.

I do not advocate including Yupiks in our resolution. Their history with the Soviet Union is not as strong as that of the Aleuts. Historically, Aleuts have had the longest contact with their Soviet relatives. If you will look on the map that is enclosed you will be able to see where Soviet Aleuts reside and note their close geographic relationship to the Aleutian

DISTRICT 26: ADAK, AKUTAN, ALEKNAGIK, ATKA, BELKOPSKI, CLARK'S POINT, COLD BAY, DILLINGHAM, DUTCH HARBOR, EGEKIK, EKUK, EKWOK, FALSE PASS, IGIUGIG, ILIAMNA, KING COVE, KING SALMON, KOKHANOK, KOLIGANEK, LEVELOCK, MANOKOTAK, NAKNEK, NELSON LAGOON, NEWHALEN, NEW STUYAHOK, NIKOLSKI, NONDALTON, PEDRO BAY, PILE BAY, PILOT POINT, PORT A JAMES, PORT MOLLER, PORTAGE CREEK, SAND POINT, SOUTH NAKNEK, UNALASKA

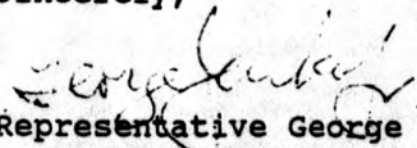
*Sponsor Letter*

Page Two  
Senator Sturgulewski

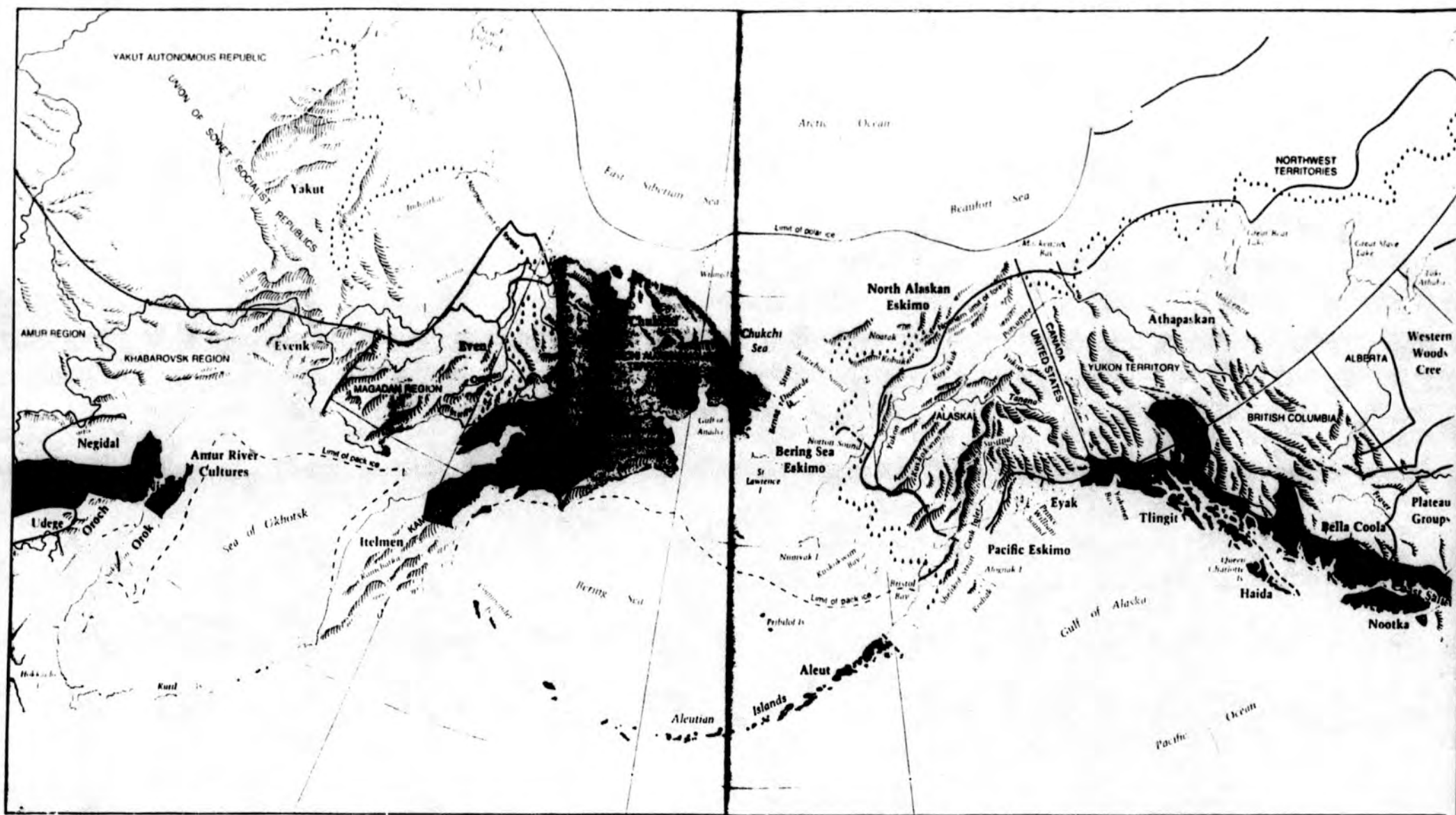
Chain. Under Russian rule many Aleuts were moved from the Chain to the Comandorsky Islands, where more than 600 full-blooded Aleuts reside today.

I hope this answers your question and alleviates your concerns. Senator Szymanski has said he will bring the resolution up again soon and I hope you will vote to pass it out of committee. If you have any additional questions please contact my office.

Sincerely,

  
Representative George Jacko, Jr.

cc: ✓ Senator Mike Szymanski



1 Cultures of the North  
Pacific: Bering Sea Region ca. 1900

Bering Sea Region 1900

Communications Between the Soviet Embassy and  
the United States Department of State Establishing  
Procedures Governing Visits to Siberia by Alaska Natives  
in the 1930's and 1940's

**VISITS TO SIBERIA BY AMERICAN ESKIMOS**

*Soviet memorandum dated at Washington February 7, 1938; exchange  
of notes at Washington March 26 and April 18, 1938*

*Entered into force April 18, 1938*

*Terminated May 29, 1948*

Department of State files

*The Soviet Embassy to the Department of State*

**MEMORANDUM**

According to information at the disposal of this Embassy every year during the summer months various settlements of the Chukotsk National Region of the U.S.S.R. (Wellen, Dezhnev, Chaplino, Naukan and others) are visited by American Eskimos in groups of 25 to 35 men who come by motorboat from St. Lawrence Island and Little Diomed Island, territories of the United States, with the purpose of meeting their relatives, citizens of the U.S.S.R.

In addition to gifts for their relatives the visitors bring for sale seal and walrus skins, sable furs, raw hides and other products of their craft. They exchange these products in Soviet trading posts for different consumer goods (flour, sugar, tobacco, underclothing, etc.). For instance, American Eskimos who came from Little Diomed Island to Cape Dezhnev in the summer of 1937 sold their furs and raw skins for the sum of 2300 rubles and acquired consumer goods to approximately the same amount.

In view of the foregoing and taking into consideration the fact that until the present time the arrivals of American Eskimos on Soviet territory have not been legalized by due procedure, the Government of the U.S.S.R. intends to introduce the following simplified procedure for temporary stay on Soviet territory of American Eskimos residing on the above-mentioned islands of the Bering Straits, territory of the United States of America, provided that these Eskimos carry certificates issued by local United States authorities which certify their nationality, occupation and place of permanent residence:

1. The entrance of American Eskimos into the territory of the U.S.S.R. shall be permitted under condition of possession of group lists or individual certificates issued by local United States authorities. These certificates (or

<sup>1</sup> Pursuant to notice of termination given by the U.S.S.R. May 29, 1948.

lists) shall be presented for registration at the frontier guard station nearest to the point of entrance. At places without frontier guards the registration of Eskimos arriving from the United States shall be performed by the local Soviets.

2. The registration of the certificates (or lists) shall give the American Eskimos the right of stay on Soviet territory within a definite limit not to exceed three months, as well as the right of exit after the expiration of the permit and of free movement along the coast of the Chukotsk Peninsula and on the adjacent Soviet islands.

3. The number of American Eskimos arriving at different points in the Chukotsk National Region shall tentatively not exceed 100 persons during one year.

4. American Eskimos arriving on Soviet territory to visit their relatives shall be permitted to bring them as personal gifts walrus, seal and other skins and other products of their craft. These gifts shall enter in non-commercial quantities, the limits of such quantities to be fixed at the discretion of the local authorities.

Skins, furs and raw hides entering in commercial quantities shall be brought to the nearest Soviet trading station to be exchanged for different consumer goods which in these cases the trading station shall sell to the native Soviet citizens for exchange with skins and furs. The prices for this exchange of goods shall be fixed by mutual agreement of those trading.

5. The following goods shall not be permitted to be imported into the territory of the U.S.S.R.:

- a) firearms of all kinds including hunting rifles in personal possession
- b) narcotics
- c) Soviet currency
- d) printed matter
- e) liquor and wines
- f) objects of religious worship (with the exception of those in the personal use of the visitors).

6. The following goods shall not be permitted to be exported from the territory of the U.S.S.R.:

- a) firearms including hunting rifles
- b) Soviet and foreign currency (with the exception of those amounts of foreign currency which are brought by the American Eskimos and registered by them with the local authorities of the nearest settlement)
- c) valuable furs (with the exception of a reasonable quantity found to be in the personal use of the visitors and received by them as gifts from their relatives, Soviet citizens. These quantities are to be established by the local authorities).

February 7, 1938

## EXCHANGE OF NOTES

### *The Secretary of State to the Soviet Ambassador*

The Secretary of State presents his compliments to His Excellency the Ambassador of the Union of Soviet Socialist Republics and has the honor to refer to the memorandum dated February 7, left at the Department by the Ambassador, with respect to the desire of the Soviet Government to establish a certain procedure governing the visits to the Siberian mainland of American Eskimos residing on St. Lawrence Island and Little Diomed Island.

The contents of this memorandum have been brought to the attention of the competent authorities of this Government, who have expressed themselves as being in accord with the desire of the Soviet Government to regularize the temporary visits of American Eskimos to Siberia and with the procedure which has been suggested by the Ambassador with a view to achieving this end.

The Eskimos residing on St. Lawrence and Little Diomed Islands in Bering Strait are quite isolated from contact with Eskimos and whites residing on the mainland of Alaska. The only representatives of the United States Government on these two islands are teachers and a nurse employed by the Office of Indian Affairs of the Department of the Interior.

The teachers in charge of the American Indian Service schools on St. Lawrence Island and on Little Diomed Island will be instructed to prepare and to issue to such Eskimos under their jurisdiction as may wish to make temporary visits to Siberia during the summer months, group lists or individual certificates setting forth their names, occupations, and places of permanent residence. They also will be instructed to advise the Eskimos to take these documents with them when they visit Siberia and to present them to the Soviet authorities upon demand.

DEPARTMENT OF STATE

Washington

March 26, 1938

### *The Soviet Ambassador to the Secretary of State*

The Ambassador of the Union of Soviet Socialist Republics presents his compliments to the Secretary of State and has the honor to acknowledge receipt of his note dated March 26th stating that the contents of the memorandum of February 7 left at the Department by the Ambassador, with respect to the desire of the Soviet Government to establish a certain procedure governing the visits to the Siberian mainland of American Eskimos residing on St. Lawrence Island and Little Diomed Island, have been brought to the attention of the competent authorities of the United States Government.

It has been noted by the Ambassador that the United States authorities have expressed themselves as being in accord with the desire of the Soviet Government to regularize the temporary visits of the American Eskimos to Siberia and with the procedure which has been suggested by the Ambassador with a view to achieving this end.

THE AMBASSADOR OF THE

UNION OF SOVIET SOCIALIST REPUBLICS

Washington, D.C.

April 13, 1938

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*Native Visa Free  
Agreement*

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Native Visa Free Agreement

### Bering Straits Travel Discussions

The United States Government began discussions with the Soviet Government on a restoration of visitation rights for related Alaskan and Siberian Inuit in February, 1989 in Anchorage, Alaska. They produced a joint statement pledging both governments' commitment to restoring such travel rights. Inuit persons played prominent roles in both delegations, which were headed by Russian Soviet Federated Socialist Republic Ministry of Foreign Affairs officer Stepan Malepa on the Soviet side and State Department officer Wayne Neill on the U.S. side.

Negotiations took place in Moscow in April, headed by Senior State Department Deputy Legal Advisor Mary Mochary on the U.S. side and senior Ministry of Foreign Affairs legal advisor Yuriy Rybakov on the Soviet side. Substantial progress was made on an agreement for limited visa-free travel for related Inuit. It is expected that these negotiations will resume in August in Washington, D.C.

The agreement was signed in September in Jackson, Wyoming between Secretary of State Baker and Foreign Minister Edward Shevardnadze.

### Agreement

Between the Government of the United States of America and  
the Government of the Union of Soviet Socialist Republics  
Concerning the Bering Straits Regional Commission

The Government of the United States of America and the  
Government of the Union of Soviet Socialist Republics ,

Desiring to promote cooperation in the Bering Straits  
Region; and

Desiring to provide a mechanism for resolving minor  
disputes at the local level;

Have agreed to create the Bering Straits Regional  
Commission (hereinafter Commission) for the settlement of local  
minor incidents which shall be established and function as  
follows:

### Article 1

1. The Commission shall be composed of three U.S. and three  
U.S.S.R. members. The Government of the U.S. and the  
Government of the U.S.S.R. shall each appoint three  
Commissioners, and each designate one of them as the Chief  
Commissioner.

2. The Commissioners shall cooperate in performing the duties  
arising from this agreement and shall maintain direct working  
contacts with a view to resolving expeditiously matters which  
arise within their jurisdiction under this Agreement.

### Article 2

1. The official seat and district of operation of the Chief  
Commissioners shall be as follows:

~~on the part of the U.S., the Commissioners shall have~~  
permanent seats in Gambell and Nome. ~~The district of operation~~  
shall be the Nome and Kobuk census areas of Alaska.

on the part of the U.S.S.R., the Commissioners shall have  
permanent seats in Provideniya and Anadyr. The district of  
operation shall be the Iultinskii Rayon, Providenskii Rayon,  
and Chukotsky Rayon, as well as the eastern part of the  
Anadyrskii Rayon, bounded on the south by the Anadyr River and  
on the west by the Tanyuruy River, including the city of Anadyr  
(Chukotsky Autonomous Okrug).

2. Each party shall communicate the names of the Commissioners  
to the other party through diplomatic channels.

## Article 3

## 1. The Commission shall:

A. Investigate and, where appropriate, resolve all local minor incidents including:

(1) The unintentional entry by individuals into the territory of the other party without the permission of that party or other legal basis;

(2) In cases not covered by the U.S.-U.S.S.R. Agreement on Mutual Fisheries Relations, the return of fishing equipment, including crab pots, in the national territory of the other party as a result of natural causes;

(3) As appropriate, the return of property which, in connection with an incident, is found in the territory of the other party.

B. Assist in arranging emergency services for citizens of one party visiting in the other party's national territory. Such emergency services may include:

(1) checking and verifying the welfare and whereabouts of individuals who are detained, arrested, lost, or ill;

(2) assisting in the transmission of funds for the repatriation of destitute individuals;

(3) assisting in matters arising from the death of an individual; and

(4) assisting in arranging medical treatment for individuals who take ill.

C. Cooperate to prevent incidents of a local character from arising.

D. In furtherance of the U.S.-U.S.S.R. Maritime Search and Rescue Agreement, cooperate in the search for persons, vessels, and property which are lost in the territory of each other.

2. The Commission shall refer any incident where there is a dispute over the location of the maritime boundary for resolution through diplomatic channels.

will

## Article 4

1. Persons who have been detained for unintentionally crossing into the territory of the other party without the permission of that party or other lawful basis, shall be returned as soon as possible to the Commissioners or appointed representative from whose territory they have crossed.
2. Vessels, means of conveyance, floats, hunting and fishing gear, and other articles in the possession of the detained person shall be returned at the same time such person is returned.
3. The Commission shall decide on the procedure and designated meeting points for the return of persons and property referred to in paragraphs 1, 2, and 5 of this Article.
4. The Commissioners shall not refuse to accept the persons returned.
5. Questions concerning the return of persons who have intentionally crossed into the territory of the other party without the permission of that party or other lawful basis, which cannot be handled directly by the Commission shall be dealt with through diplomatic channels.

## Article 5

1. Each Chief Commissioner may, at his/her discretion, refer any matter of particular importance for settlement through diplomatic channels.
  2. All incidents of particular gravity, such as homicide, serious bodily harm, or unauthorized overflight, shall in every case be referred for settlement through diplomatic channels.
  3. Incidents which cannot be settled by agreement of the Commission shall be settled through diplomatic channels. In such cases, the Commission shall make the necessary inquiries into the incident and register the results in a common record.
  4. The Commission shall undertake activities in settlement of local incidents and record their activities.
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5. When incidents are referred for settlement through diplomatic channels, Commissioners shall, at the direction of their Governments, cooperate in providing relevant information.

#### Article 6

Commissioners shall provide information to visitors concerning resources available for the settlement of claims. Commissioners shall in no way be held liable, or involve themselves in, the settlement of matters relating to claims for damages.

#### Article 7

Each Party will fund its own expenses for activities pertinent to this Agreement.

#### Article 8

1. Periodic meetings will be scheduled. Additional meetings may take place at the request of a Commissioner. The agenda of a meeting shall be settled by means of preliminary discussions or by correspondence. Items not on the agenda may be dealt with by mutual consent.

2. The Commission shall keep a record of each meeting which shall briefly indicate the proceedings of the meeting and actions taken at the meeting. The record shall be in the English and Russian languages, with each text considered as equally authentic.

3. Location of meetings shall alternate between the U.S. and the U.S.S.R.

4. Commissioners may enter into the territory of the other party for the purpose of attending Commission meetings by giving appropriate notification to the other Party's Chief Commissioner. The documents authorizing such visits are:

For the U.S.S.R. Commissioners, a Soviet passport or identification document and written authorization issued by the chief of the U.S.S.R. Border Troops;

For the U.S. Commissioners, a U.S. passport and written authorization of the U.S. Department of State.

4/11/54

## 5

## Article 9

Commissioners shall inform each other as soon as possible of actions taken in accordance with the decisions adopted at a meeting.

## Article 10

1. The Commission shall decide on the procedure for the exchange of official correspondence.
2. Official correspondence shall be accepted at any time of day or night, including holidays and other non-working days.
3. Communications and logistics capabilities of agencies of the parties, including the U.S. Coast Guard and the U.S.S.R. Border Troops, may be utilized in furtherance of this Agreement.
4. For the purpose of implementing this Agreement, the Chief Commissioner may bring to the meetings one assistant and one interpreter, who shall be entitled to enter the territory of the other Party with at least ten days prior notification to the other Party's Chief Commissioner. The documents authorizing the visit by an assistant and an interpreter shall be passports or identification documents and the written authorization of the Chief Commissioner identifying the person as an assistant or interpreter. Such persons shall depart with the Commissioners.
5. The crew of the aircraft or vessel transporting the Commissioners to meetings may disembark and remain in the area designated by the Chief Commissioner of the Party hosting the meeting until the meeting is concluded. The crew shall depart with the aircraft or vessel transporting the Commissioners. The documents necessary for disembarkation shall be passports or identification documents and written authorization by their Chief Commissioner identifying the person as a crew member.

## Article 11

1. Nothing in this agreement shall prejudice the ongoing maritime boundary negotiations between the two parties or any agreements or understandings resulting from those discussions.
  2. Nothing in this agreement shall derogate in any way from the rights and obligations provided for in other agreements between the parties.
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## Article 12

1. This Agreement shall enter into force on the date the Parties exchange letters notifying each other in writing that necessary internal procedures have been completed.
2. This Agreement shall remain in force unless terminated by either Party upon six months' advance written notice to the other Party of its intention to terminate this Agreement.
3. This Agreement may be amended by written agreement between the Parties.

Done at \_\_\_\_\_, on \_\_\_\_\_, in duplicate, in the English and Russian languages, both texts being equally authentic.

\_\_\_\_\_  
FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA

\_\_\_\_\_  
FOR THE GOVERNMENT OF THE  
UNION OF SOVIET SOCIALIST REPUBLICS

MEM

### Agreement

Between the Government of the United States of America  
and the Government of the Union of Soviet Socialist  
Republics Concerning Mutual Visits by Inhabitants  
of the Bering Straits Region.

The Government of the United States of America and the  
Government of the Union of the Soviet Socialist Republics (the  
"Parties")

Recognizing that native inhabitants live on both sides  
of the American-Soviet border;

Noting that these inhabitants have relatives on both  
sides of the American-Soviet border; and

Striving to promote contacts between U.S. and U.S.S.R.  
inhabitants of the Bering Straits Region;

Have agreed as follows:

*MM*

## Article 1

For the purposes of this Agreement:

1.1 "Inhabitants of the U.S." shall mean U.S. citizens who are permanent residents of the designated U.S. area.

1.2 "Inhabitants of the U.S.S.R." shall mean U.S.S.R. citizens who are permanent residents of the designated U.S.S.R. area.

1.3 "Designated U.S. area " shall mean the Nome and Kobuk census areas of Alaska.

1.4 "Designated U.S.S.R. area" shall mean the Iultinskiy Rayon, Providenskiy Rayon, and Chukotsky Rayon, as well as the eastern part of the Anadyrskiy Rayon, bounded on the south by the Anadyr River and on the west by the Tanyurur River, including the city of Anadyr (Chukotsky Autonomous Okrug).

1.5 "Relatives" shall mean blood relatives, fellow clan or tribe members, or native inhabitants who share a linguistic or cultural heritage with native inhabitants of the other territory.

MEM

1.6 "Designated U.S. authorities" shall mean designated representatives of the U.S. Secretary of State.

1.7 "Designated U.S.S.R. authorities" shall mean the internal affairs authorities of the Magadan Oblispolkom and the departments of internal affairs of city and rayon Ispolkoms of the Magadan Oblast.

1.6 "Chief Commissioner" is as defined in the Agreement between the Government of the United States and the Government of the Union of Soviet Socialist Republics of 1989 Concerning the Bering Straits Regional Commission.

## Article 2

2.1 Upon invitation of relatives, U.S. and U.S.S.R. inhabitants may travel to the designated areas in accordance with the procedures established by this Agreement.

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2.2 U.S. inhabitants desiring to visit relatives residing in the designated U.S.S.R. area shall notify the U.S.S.R. Chief Commissioner, through the U.S. Chief Commissioner or through the U.S.S.R. relative who has extended them a written invitation to visit, a minimum of ten days in advance of the visit. They shall provide their names and passport numbers, the name and address of the relative who has extended them an invitation to visit, the date of their intended visit, their method of travel, and their intended checkpoint of entry.

2.3 Upon notification of the U.S.S.R. Chief Commissioner, U.S. inhabitants may enter and exit the designated U.S.S.R. area, including passage through U.S.S.R. territorial waters, using a U.S. passport and an inset to the passport stating that they are inhabitants of the designated U.S. area.

2.4 U.S.S.R. inhabitants desiring to visit relatives residing in the designated U.S. area shall notify the U.S. Chief Commissioner, through the U.S.S.R. Chief Commissioner or through the U.S. relative who has extended them a written invitation to visit, a minimum of ten days in advance of the visit. They shall provide their names and passport numbers, the name and address of the relative who has extended them an invitation to visit, the date of their intended visit, their method of travel, and their intended checkpoint of entry.

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2.5 Upon notification of the U.S. Chief Commissioner, U.S.S.R. inhabitants may enter and exit the designated U.S. area, including passage through U.S. territorial waters, using a U.S.S.R. passport and an inset to the passport stating that they are inhabitants of the designated U.S.S.R. area.

2.6 Unmarried children under the age of sixteen may travel only when accompanying their parents or another adult. An inset stating that such children are inhabitants of the designated U.S. or U.S.S.R. areas shall be placed in the passport of the parent or accompanying adult.

2.7 The Chief Commissioners shall determine the air and sea routes permitted for travel.

### Article 3

3.1 The inset referred to in Article 2 of this agreement shall be issued by the designated authorities of the U.S. and the U.S.S.R. in their respective territories.

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3.2 The Chief Commissioners shall exchange samples of the inset, and shall notify each other of any modifications to the inset thirty days in advance of the issuance of such modified inset. The inset shall be in English and Russian and a photograph shall be attached.

#### Article 4

Duration of stay for U.S. and U.S.S.R. inhabitants in the territory of the other shall not exceed ninety days.

#### Article 5

5.1 Crossing by the inhabitants of the U.S. and U.S.S.R. into the designated areas shall be made through the following checkpoints:

~~In~~ the designated U.S. area, the checkpoints for crossing the border shall be Nome and Gambell, Alaska. *INVALID  
DIOMEDE*

In the designated U.S.S.R. area, the checkpoints for crossing the border shall be Provideniya, Anadyr, Lavrentiya, and Uelen (Chukotsky Autonomous Okrug).

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5.2 U.S. and U.S.S.R. inhabitants may enter only at the checkpoint provided in the prior notification of the Chief Commissioners.

5.3 Different procedures for operation of checkpoints may be established by agreement in writing signed by the Chief Commissioners.

#### Article 6

6.1 U.S. and U.S.S.R. inhabitants crossing into the designated areas pursuant to this agreement shall be subject to border and customs control.

6.2 Customs control at the checkpoints shall be carried out in accordance with the laws of the parties and bilateral agreements in force.

6.3 U.S. and U.S.S.R. inhabitants may bring in with them items intended for personal use or for gifts. These items cannot be sold in the country of visit.

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6.4 Procedures for taking items, including currency and financial documents, in and out of the country shall be subject to the laws of the parties and bilateral agreements in force.

#### Article 7

7.1 In the event that passports or insets of a U.S. or U.S.S.R. inhabitant are lost or destroyed during a visit in the territory of the other party, such person shall notify the designated authority of the country of visit.

7.2 After consultation with the designated authority of the other country, the designated authority of the country of visit shall issue a document to facilitate return travel.

#### Article 8

8.1 U.S. and U.S.S.R. inhabitants while visiting in the territory of the other party pursuant to this agreement are subject to the laws of the latter.

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8.2 Persons acting contrary to the provisions of this agreement or laws of the country of visit may be denied permission to enter the country or to stay further in its territory.

8.3 In those cases referred to in paragraph 2, the Designated authority of the country of the visit shall notify such person of the grounds for such decisions.

#### Article 9

In exceptional circumstances, such as epidemics and natural disasters, a party may temporarily restrict or suspend entry to its territory, by notifying the other party through diplomatic channels. Such party shall give notice of the lifting of the restrictions as soon as possible.

#### Article 10

Questions relating to application or interpretation of this agreement shall be resolved through diplomatic channels.

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## Article 11

11.1 This agreement shall enter into force on the date the parties exchange letters notifying each other that the necessary internal procedures have been completed.

11.2 This agreement shall remain in force unless terminated by either party upon six months' advance written notice to the other party of its intention to terminate this agreement.

11.3 This agreement may be amended by written agreement between the parties.

Done at \_\_\_\_\_, on \_\_\_\_\_, in duplicate, in the English and Russian languages, both texts being equally authentic.

\_\_\_\_\_  
FOR THE GOVERNMENT OF  
THE UNITED STATES OF AMERICA

\_\_\_\_\_  
FOR THE GOVERNMENT OF  
THE UNION OF SOVIET SOCIALIST  
REPUBLICS

11044 signed Sept 15, 1989 in Jackson, WY

Craig Alderman, deputy undersecretary of defense for security policy, told the panels that the administration is comfortable with current clearance denial policies for DOD civilian employees and military members.

These persons are entitled to a statement of reasons and the right to respond with explanatory, extenuating, or mitigating information, Alderman said. The procedure also requires a statement of final reasons, and then the individual may appeal an unfavorable action to a higher level within the DOD component concerned.

#### *Hearing Issue Being Reviewed*

Alderman also stated that he does not "at this time" believe a hearing to be "necessary or appropriate" for DOD personnel, but said the agency is going to review the matter in the near future.

Contractor employees holding clearances under the industrial security program have been entitled to appeal clearance denials through a hearing before the Directorate for Industrial Security Clearance Review (DISCR) since 1960, when President Eisenhower issued Executive Order 10865.

Leon J. Schachter, who since last August has been DISCR director, said EO 10865 may have been limited to defense contractor employees because the order was designed to address a 1959 U.S. Supreme Court case involving a worker in that category. Or, Schachter continued, loss of clearance may have a harsher impact on contractor employees than on federal employees, who presumably enjoy greater job security than do private employees.

Civil Service Subcommittee Chairman Gerry Sikorski (D-Minn) said he doubted the impact of loss of clearance on a federal employee was any less harsh. He said lack of a hearing joined low pay and a poor public image as another example of mistreatment of federal employees.

Schachter said he lacked data on whether employees stand a greater chance of keeping their clearances when they can have a hearing. "But personally, I think the hearing is a good process," he said. Schachter, who was a hearing examiner and then chief hearing examiner before taking charge at DISCR, said, "I've done 1,000 hearings, and I've always had more confidence in the propriety of my decisions when I could observe the credibility of witnesses."

Schachter estimated that if his office were to be given jurisdiction over DOD employees' clearance appeals, its caseload would be boosted by 30 percent to 50 percent. He said he would need another 20 to 50 people above the currently authorized 77 to handle caseload.

When pressed by Sikorski, Alderman conceded that the cost of adding a few dozen personnel to DISCR was not the main reason he opposed giving DOD employees hearing rights. "DOD civilian and military employees have adequate due process already," he said. Later, he told Sikorski, "I'll look at the whole area again, but I may [conclude] that we're overprotecting people through the DISCR."

Schachter later said that "government attorneys find the hearing process quite successful." He said

they find the hearing lets them present facts to the hearing examiner that support the government position. □

#### *International Trade*

#### **U.S., SOVIET TRADE NEGOTIATIONS 'ON TARGET' FOR PACT TO BE SIGNED IN JUNE, OFFICIAL SAYS**

The United States and the Soviet Union, after two rounds of negotiations on a new bilateral trade agreement, continue to have "differences," but the agreement still is likely to be signed on schedule next June, the head of the U.S. delegation to the negotiations said March 2.

"I think we're precisely on target," Julius Katz, deputy U.S. trade representative, told reporters. "I'm confident we can do this in time."

Katz said the differences between the United States and the Soviet Union continue to focus—as they did during the first round of talks in Washington Feb. 12-13—on "a preference on their side for a very simple agreement merely exchanging MFN [most-favored-nation trade status] and, on our side, a need for a more detailed elaboration of provisions which are designed, in our view, to assure a better balance of commercial opportunity."

The U.S. official, speaking with reporters by telephone from London, where the talks were held March 1-2, said the latest round of discussions was devoted almost exclusively to examining "article by article, on a kind of first run through" the draft text of an agreement presented to the Soviets by the United States late last month. The official refused to disclose the details of the U.S. proposal, saying, "We're not going to negotiate the text in public."

However, according to Katz, "We are in no sense at an impasse on anything. Where there were problems or objections, they were noted for further examination or for further consideration. Nothing is hard and fast. I think most things were presented in terms of preferences. In some cases, I think they [the Soviet negotiators] indicated an inability to go along with [the U.S. suggestions], but even in those cases they said, 'Well, let's think about it some more, and think if there isn't some other way we can do it.' We haven't encountered anything that I would say at this point is impossible."

#### *Next Round Later This Month*

Katz said the two sides would now prepare for the next round of talks, scheduled for the week of March 19 in Vienna, "which is more likely to be a negotiation in the sense of actually trying to draft articles."

At their summit meeting in December 1989, President Bush and Soviet General Secretary Mikhail Gorbachev agreed to order their negotiators to begin talks on concluding a bilateral trade agreement in time for signing at their next meeting, tentatively scheduled for June.

Katz told reporters March 2 the two countries were due to begin talks on a separate investment-protection agreement, also ordered by Bush and Gorbachev at their December summit meeting, in Washington March 12-13.

At a congressional hearing March 1, Commerce Secretary Robert Mosbacher said it is "imperative" that the U.S.-Soviet trade agreement contain "offsetting benefits" for U.S. exporters, because granting reciprocal MFN status under the agreement likely would result in greater opportunities being opened up for Soviet exporters than it would for U.S. companies hoping to increase sales to the Soviet Union (42 DER A-1, 3/2/90). He said he had in mind such things as the abolition of "onerous" registration requirements that constrain the ability of American companies to do business in the Soviet Union.

#### *Differences Over Intellectual Property*

According to Katz, the talks in London March 1-2 also revealed continuing differences between the two sides over the issue of protecting intellectual property, with the Soviet negotiators indicating that they would be satisfied with some general statement on the subject and the U.S. delegation seeking "greater detail and greater commitment."

However, Katz maintained that none of the difficulties encountered so far in the negotiations is "insuperable," and that the "mental target" for concluding the talks remains the end of April, although "that may be a little more ambitious than practical." He said the two sides "really want to finish it in early May, in any event."

"We want to get it out of the way as soon as we can, and that's their view as well," Katz said. "Apart from formulations of words, I don't see any insuperable difficulties at this point. I don't see anything now that is insuperable."

Katz described the Soviet negotiators as "business-like" and "serious." □

#### *Immigration*

##### **LABOR STATISTICS OF LIMITED USE IN SETTING LEVELS, NORWOOD SAYS**

Janet Norwood, commissioner of the Bureau of Labor Statistics, told a joint congressional hearing on immigration March 1 that gathering additional statistics on labor shortages to guide immigration policy would provide an insufficient basis for immigration decisions.

She explained that relevant statistics—such as the levels of labor shortages in particular occupations—are not currently collected on a national basis. To collect the necessary information would require gathering information on wages, non-wage compensation, the extent of training, worker mobility, and occupational characteristics of the unemployed, Norwood said. Such data collection could prove prohibitively expensive, she commented.

The feasibility of determining labor shortages is of great importance to the success of several immigration bills that currently are being considered by members of the House immigration subcommittee and the Education and Labor Task Force on Immigration, who held the joint hearing.

Proposed bills by Rep. Bruce Morrison (D-Conn), chairman of the House immigration subcommittee, and Rep. Charles Schumer (D-NY) would tie the sponsorship of immigrant workers to a determination by the Department of Labor that there is a general shortage of labor for a particular occupation.

Panelists before the joint hearing, however, found that such a system may be unrealistic. The bills propose a scientific method of determining labor shortage, according to Muzaffar Chishti, director of the immigration project at the International Ladies Garment Workers Union. "But labor shortages are a murky area," he said. "There is no way of determining labor shortages as your bill requests," Chishti told Morrison.

Even if the statistics were available, Norwood said policy decisions on how to interpret the data would have to be made before declaring a labor shortage. Congress would ultimately have to make those decisions, she added.

Before declaring a labor shortage in a specific occupation, Norwood explained, the Labor Department would have to determine the effect of a rise in wage rates and non-wage compensation on that occupation. That effect can not be forecasted without basing such a determination on a policy decision or using a specific economic model, she said.

Norwood also commented that immigration needs must be weighed against the needs for "American citizens, especially minority and disadvantaged citizens, to participate fully in our economy."

Several witnesses testified that the problem is more of a mismatch of labor demand and supply than an actual shortage. Pointing to the high unemployment rates among blacks (11 percent) and Hispanics (7 percent), witnesses cautioned that immigration policy should not increase the competition for jobs among lower skilled groups.

Doris Meissner, with the Carnegie Endowment for International Peace, blamed many of the United States' labor problems on a skills mismatch that results from inadequate education and training. She warned that significant increases in immigration could impede our ability to make the necessary advancements in U.S. worker training.

While admitting that a modest increase in immigration may be useful in filling the skills gap, Meissner said, "We don't need to overhaul our whole system of immigration laws using the assumption that there is a national labor shortage."

The U.S. government needs to keep up "serious pressure" on employers to continue to encourage innovation in training and recruiting U.S. workers, she said.

#### *Immigration And Productivity*

Professor Philip Martin of the University of California emphasized that immigration policy has implications that go far beyond labor policy.

In the early 1970s, for example, both Japan and West Germany were faced with labor shortages for assembly-line workers in the auto industry, Martin explained. While the West German government decid-

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Original sponsor(s): House Special Committee on Foreign Trade

1 IN THE HOUSE

BY THE HOUSE SPECIAL COMMITTEE  
ON FOREIGN TRADE

2 CS FOR HOUSE JOINT RESOLUTION NO. 69 (Foreign Trade)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Encouraging the United States government  
6 to include Aleut people and their blood  
7 relatives under future Native visa free  
8 travel agreements with the U.S.S.R.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 WHEREAS, in September 1989, the United States and the Union of Soviet  
11 Socialist Republics signed a Native Visa Free Agreement that establishes  
12 visitation rights and visa free travel between Native inhabitants who live  
13 on both sides of the Soviet-American border; and

14 WHEREAS because the agreement employs a geographical definition to  
15 determine who is eligible to travel and limits Alaska travelers to rela-  
16 tives or Natives who share linguistic or cultural ties with the Natives in  
17 the Soviet geographical area, only Inuit Natives are eligible to use the  
18 new travel rights; and

19 WHEREAS the Aleut people have historic and ethnic ties to the Russian  
20 people since the Aleutian Chain was once occupied by the Russians and  
21 formed part of Russia's trading link with other parts of Alaska; and

22 WHEREAS Russian surnames and the practice of the Russian Orthodox  
23 religion are present day evidence of Aleut cultural and ethnic ties with  
24 the Russian people; and

25 WHEREAS the Aleut people would like to be included in any future  
26 version of the Native Visa Free Agreement so that they can explore and  
27 reestablish their common heritage with the citizens of the U.S.S.R.;

28 BE IT RESOLVED that the Alaska State Legislature encourages the United  
29 States government to include Aleut people and their blood relatives among

1 the Alaska Natives allowed to travel between the U.S.S.R. and Alaska under  
2 future versions of the Native Visa Free Agreement.

3 COPIES of this resolution shall be sent to the Honorable George Bush,  
4 President of the United States; the Honorable Mikhail S. Gorbachev,  
5 President of the U.S.S.R.; the Russian Soviet Federated Socialist Republic  
6 Ministry of Foreign Affairs; the Honorable James A. Baker, III, U.S. Secre-  
7 tary of State; the Honorable Eduard A. Shevardnadze, Minister for Foreign  
8 Affairs of the U.S.S.R.; the Honorable Ted Stevens and the Honorable Frank  
9 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,  
10 members of the Alaska delegation in Congress; and to the Bering Straights  
11 Regional Commission.  
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