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8/30/84

~~SECRET~~

ROUTINE

DECLASSIFIED BY 60324 uc baw/dk/sbs
ON 04-17-2009

FM DIRECTOR FBI

TO FBI WASHINGTON FIELD OFFICE (65C-13191) ROUTINE

BT

~~SECRET~~

UNSUBS; THEFT OF CLASSIFIED DOCUMENTS FROM THE UNITED STATES
TRADE REPRESENTATIVES; ESPIONAGE-ISRAEL; OO:WFO

~~THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS ENTIRETY.~~

RE WASHINGTON FIELD OFFICE AIRTEL, AND ENCLOSED LHM, DATED
AUGUST 13, 1984.

IN DISCUSSIONS WITH THE DEPARTMENT OF JUSTICE (DOJ)
REGARDING CAPTIONED CASE, DOJ OPINED THAT CAPTIONED MATTER DID
NOT REPRESENT A VIOLATION OF THE ESPIONAGE STATUE AS IT WAS
REPORTED THAT NO NATIONAL DEFENSE INFORMATION WAS UTILIZED IN
THE PREPARATION OF THE REPORT. DOJ ADVISED A VIOLATION OF THE
THEFT OF GOVERNMENT PROPERTY (TGP) STATUS HAS OCCURRED AND THAT
THE MERITS OF THE TGP VIOLATION SHOULD BE PRESENTED TO THE LOCAL
UNITED STATES ATTORNEY'S OFFICE FOR A PROSECUTIVE OPINION.

TK8:LP (3)

8/30/84

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SEE NOTE PAGE THREE

~~C BY: 8049, DCL-OADR~~

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PAGE THREE

NOTE:

THIS CASE WAS PREDICATED UPON RECEIPT OF INFORMATION FROM THE OFFICE OF THE U.S. TRADE REPRESENTATIVE (USTR), ON 6/19/84. USTR HAD REQUESTED THE U.S. INTERNATIONAL TRADE COMMISSION (ITC) TO PREPARE A REPORT REGARDING THE EFFECTS OF LOWERING IMPORT TARIFFS ON ISRAEL PRODUCTS. THE REPORT CLASSIFIED "CONFIDENTIAL" CONTAINS NO NATIONAL DEFENSE INFORMATION. BEFORE THE REPORT WAS MADE AVAILABLE TO THE USTR, THERE WERE REPORTS THAT THE AMERICAN ISRAELI PUBLIC AFFAIRS COMMISSION (AIPAC) HAD ALREADY RECEIVED A COPY OF THE REPORT. USTR CONTACTED AIPAC AND AIPAC SUBSEQUENTLY RETURNED A COPY OF THE REPORT TO THE USTR.

THIS MATTER WAS DISCUSSED WITH [REDACTED], INTERNAL SECURITY SECTION, DOJ, ON 8/21/84; WITH SSA [REDACTED], FUGITIVE/GENERAL GOVERNMENT CRIMES PROGRAM, ROOM 5062, ON 8/24/84; AND WITH [REDACTED] GENERAL LITIGATION AND LEGAL ADVISE SECTION, DOJ, ON AUGUST 24, 1984.

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THIS COMMUNICATION IS TO ADVISE WFO THAT THE DOJ HAS RECOMMENDED THAT CAPTIONED MATTER BE PRESENTED TO THE UNITED STATES ATTORNEY OFFICE FOR A PROSECUTIVE OPINION REGARDING VIOLATION OF THE TGP STATUE AS THE MATTER WOULD NOT WARRANT PROSECUTION AS A VIOLATION OF THE ESPIONAGE STATUE.