U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 52B-18153

Washington Field Office
Washington, D. C. 20535

September 19, 1984

United States Attorney
Washington, D. C. 20001

Attention: Assistant United States Attorney
(AUSA) Charles Harkins

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-17-2009 BY 60324 uc baw/dk/sbs

Re: Unknown Subjects;
Theft of Classified Documents
From The United States Trade
Representatives; Theft of
Government Property

Dear Sir:

Please recall a conversation between AUSA Charles Harkins and Special Agent [redacted] of this office on September 18, 1984. On this occasion, the following facts were discussed: b6 b7C

On January 25, 1984, the U.S. International Trade Commission (ITC), Washington, D. C., was requested by the United States Trade Representatives (USTR) to prepare a report for the President relating to the establishment of a free trade area with Israel. This report was to be available within four months. The first "pre hearing report" was published April 4, 1984, by ITC.

On or about May 30, 1984, prior to the USTR distribution of the "final report", a member of the Trade Subcommittee of the Senate Finance Committee notified USTR that after a conversation with an employee of the AIPAC, Washington, D. C., this member was left with the impression that AIPAC had a copy of the subject report.

On June 15, 1984, the USTR general counsel telephoned AIPAC employee [redacted] and inquired if AIPAC had a copy of the USTR report. [redacted] advised they did. [redacted] was asked to b6 b7C

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return this report and all copies. Subsequently, [redacted] of AIPAC, contacted USTR, to claim no knowledge of the report himself and to disassociate himself from such activities. A copy of the USTR report was subsequently delivered to USTR. Also delivered was a substantial portion of a second copy of the report in an unsorted condition. The full report copy was a copy of the "final report" and had no identifying mark on the outside cover which was clearly stamped confidential. This indicates that this copy was probably made prior to the May 30 delivery to USTR. USTR officials advised the significance of the unauthorized disclosure of the contents of the ITC report is that the bargaining position of the United States was compromised and "Business Confidential" information used in the report was made available to the public. No national defense information was utilized in the preparation of the ITC report.

The USTR conducted an internal investigation into the unautyhorized release of the document. This investigation revealed that 78 copies of the document were made prior to May 30, 1984, a large number of USTR personnel had access to the document. The investigation was inconclusive as to who released the document.

Representatives from FBIHQ discussed the case with Department of Justice (DOJ) officials and the DOJ officials stated the matter did not present a violation of the Espionage Statute because no national defense information was utilized in the preparation of the report. DOJ advised a violation of the Theft of Government Property (TGP) statute has occurred and that the merits of the TGP violation should be presented to the local U.S. Attorney's Office for prosecutive opinion.

AUSA Harkins and SA [redacted] discussed the matter and both agreed the case lacks prosecutive merit. Thus, AUSA Harkins declined prosecution of the matter under the TGP statute.

In view of AUSA Harkins' opinion, this office will not investigate the matter any further.

Sincerely,

Norman A. Zigrossi
Special Agent in Charge

By: [redacted]
Supervisory Special Agent