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NATIONAL SECURITY COUNCIL

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July 24, 1985

MEMORANDUM FOR ROBERT C. McFARLANE/JOHN M. POINDEXTER

FROM: TYRUS W. COBB *TWC*

SUBJECT: Letter of Protest

As a result of the restricted IG held today (LTG Thompson, J-5; EUR/DAS Tom Niles; OSD/ISP Principal DAS Lou Michael), I have a clearer idea of just what occurred the night of July 13 and the subsequent events following that incident. In brief:

- July 13: Soviet truck pulls out of convoy, follows at high speed USMLM tour vehicle carrying COL Roland Lajoie. MLM vehicle pulls off road, Soviet truck attempts to brake, but rams into rear of our vehicle. COL Lajoie suffers bruised cheekbone. Soviet vehicle follows MLM track (spilled gasoline) back to mission house. COL Lajoie engages driver in heated argument.
- July 15: USMLM Deputy LTC Kelly protests verbally to Soviets, who agree to investigate. Soviet authorities reply that the incident was completely unwarranted. Admitted driver was at fault, but insisted the act was "not deliberate." Kelly replies that we were in a non-restricted area obeying standard guidelines for observation; charges this behavior typical of actions of undisciplined Soviet soldiers. Soviets reply that the incident was serious and that the soldiers would be punished.
- July 18: Soviets confirm that their investigation revealed that their troops were "completely at fault," but stressed that the incident was not deliberate. The "guilty parties" (presumably meaning others besides the driver) would be punished. The Soviet authorities stressed that this incident should not be allowed to impact on U.S.-Soviet relations, nor between the two forces in Berlin. They added that this made it more urgent than ever to move forward with the productive military-to-military staff talks. No formal apology was proffered. The Soviet authorities stressed that it was absolutely necessary that these discussions remain private; LTC Kelly readily agreed to protect the confidentiality of these discussions. As a personal aside, the senior Soviet officer asked LTC Kelly to "extend his personal condolences" to COL Lajoie.

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-- July 20: GEN Lawson summarizes above for GEN Vessey; report received at JCS on July 22. Includes GEN Lawson's recommendations on Letter of Protest.

COMMENT: There are many ramifications to this incident. It is still unclear why the President was never formally informed of the actual incident nor of our on-the-spot evaluation. Obviously, the military were reticent to forward any of this information, fearing that political authorities in DOD would quickly compromise the confidentiality of these discussions. In addition, the ineptness of the military reporting system and the multi-layered armed forces bureaucracy is readily apparent. OSD had an initial report as early as July 22, but failed to send it to us -- even though we repeatedly asked for information. The compromise of Lawson's message, as reflected in yesterday's media stories, probably reflected deliberate intentions to impact on Soviet-American relations. Most importantly, old hands cannot recall any instance of the Soviets being so forthcoming as they were in responding to this incident.

GEN Otis is slated to meet with his counterpart tomorrow to deliver the Letter of Protest, and to arrange at least one more military-to-military staff discussion. I have instructed DOD to send a more comprehensive report to the White House following that meeting, summarizing the entire incident. We will schedule another IG meeting early next week to assess the situation.


Jack Matlock concurs.

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