

Originally Processed With FOIA(s):
2005-1002-F; 2008-1289-F

FOIA Number:
2005-1002-F

FOIA MARKER

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Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: National Security Council
Series: H-Files
Subseries: NSC/DC Meetings Files

OA/ID Number: 90012
Folder ID Number: 90012-002

Folder Title:
NSC/DC 071 - November 01, 1989 - NSC/DC Meeting on, Keywords: Chemical Warfare

Stack:	Row:	Section:	Shelf:	Position:
V	15	2	4	1

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
01a. Handwritten Note	To Bob Re: form over substance (1 pp.)	n.d.	(b)(1)	
01b. Memo	Don Mahley/Judyt Mandel to Robert M. Gates Re: Briefing Memorandum -- Deputies' Committee Meeting (3 pp.)	10/31/89	(b)(1)	S
01c. Report	Re: U.S. Agreement on Bilateral CW Destruction [FOIA restrictions redacted] (4 pp.)	10/30/89	(b)(1)	S
01d. Summary	Re: Summary of Conclusions for NSC Deputies Committee (2 pp.)	11/1/89	(b)(1)	S
01e. Minutes	Re: Minutes of Deputies Committee Meeting on Chemical Weapons [FOIA restrictions redacted] (4 pp.)	11/1/89	(b)(1)	S
01f. Report	Re: U.S. Agreement on Bilateral CW Destruction [FOIA restrictions redacted] (4 pp.)	10/30/89	(b)(1)	S
01g. Memo	G. Philip Hughes to Distribution List Re: Deputies' Committee Meeting Issue Paper (1 pp.)	10/30/89	(b)(1)	S
01h. Distribution Record	Re: DC Meeting on CW [Chemical Weapons] [50 U.S.C. 403g, Sec. 6] (1 pp.)	10/27/89	(b)(3)	

Page 1 of 3

Collection:

Record Group: Bush Presidential Records

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Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 071 - November 01, 1989 - NSC/DC Meeting on, Keywords: Chemical Warfare

Pinksheet Number: cap1452

OA/ID Number: 90012-002

Date Closed: 10/26/2009

FOIA/Sys Case #: 2005-1002-F

Re-review Case #:

P-2/P-5 Review Case #:

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
01i. Distribution Record	Re: DC Meeting on CW [Chemical Weapons] [50 U.S.C. 403g, Sec. 6] (1 pp.)	10/27/89	(b)(3)	
01j. Memo	G. Philip Hughes to Distribution List Re: Deputies' Committee Meeting (1 pp.)	10/27/89	(b)(1)	S
01k. Memo	Donald A. Mahley to G. Philip Hughes Re: Deputies' Committee Meeting on CW [Chemical Weapons] (1 pp.)	10/27/09	(b)(1)	S
02a. Memo	Robert M. Gates to Distribution List Re: Chemical Weapons (CW) (1 pp.)	11/4/89	(b)(1)	S
02b. Paper	Re: Implementing... (4 pp.)	n.d.	(b)(1)	S
02c. Annex	Re: Annex (1 pp.)	n.d.	(b)(1)	S
02d. Memo	Don Mahley to Robert M. Gates Re: State Department Paper on Bilateral CW [Chemical Weapons] Destruction (1 pp.)	11/2/89	(b)(1)	S
02e. Note	Arnie [Kanter] and [Don] Mahley to Bob [Gates] Re: Package 21354 (1 pp.)	n.d.	(b)(1)	S
02f. Paper	Re: Implementing... (4 pp.)	n.d.	(b)(1)	S

Page 2 of 3

Collection:

Record Group: Bush Presidential Records

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Withdrawal/Redaction Sheet
(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
03a. Memo	Diane G. Ross to Anita J. Craig Re: Overnight Note (1 pp.)	12/9/89	(b)(1)	C
03b. Memo	G. Philip Hughes to Distribution List Re: Decisions on Form and Content (2 pp.)	12/9/89	(b)(1)	S
03c. Memo	Don Mahley to G. Philip Hughes Re: Decisions on Form and Content (1 pp.)	12/8/89	(b)(1)	S
03d. Paper	Re: Implementing... (4 pp.)	n.d.	(b)(1)	S

Page 3 of 3

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

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WHORM Cat.:

File Location: NSC/DC 071 - November 01, 1989 - NSC/DC Meeting on, Keywords: Chemical Warfare

Pinksheet Number: cap1452

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Date Closed: 10/26/2009

FOIA/Sys Case #: 2005-1002-F

Re-review Case #:

P-2/P-5 Review Case #:

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NSC/S PROFILE

RECORD ID: 8921335
RECEIVED: 28 OCT 89 12

TO: GATES

FROM: MAHLEY
MANDEL
KANTER

DOC DATE: 31 OCT 89
SOURCE REF:

KEYWORDS: CHEMICAL WARFARE
NSD
AGENDA

USSR
DC
MINUTES

PERSONS:

SUBJECT: BRIEFNG MEMO FOR DC MTG 1 NOV OR CW ISSUES

ACTION: NOTED BY GATES

DUE DATE: 22 MAR 90

STATUS: C

STAFF OFFICER: MAHLEY

LOGREF: 8921354 8921449

FILES: IFM O

NSCP: DC071

NSD0024

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO
BLACKWILL
KANter
MAHLEY
MANDEL

DECLASSIFIED
White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By CAP NARA, Date 10/26/09

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: GD

CLOSED BY: NSAJC

DOC 6 OF 6

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RECORD ID: 8921335

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 HUGHES	X 89102713 FOR SIGNATURE
002	X 89102717 SITTMANN SGD MEMO TO AGENCIES
003 HUGHES	Z 89103018 ADD-ON / FOR SIGNATURE
004	X 89103018 SITTMANN SGD MEMO TO AGENCIES
005 GATES	Z 89110310 ADD-ON #2/FOR DECISION
005	X 89122612 NOTED BY GATES
006 GATES	Z 89103113 ADD-ON / FOR DECISION
006	X 89122610 NOTED BY GATES

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E.O. 12958, SEC 3.4 (B) September 11, 2006

By cap NARA, Date 10/26/07

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ID 8921335

RECEIVED 28 OCT 89 12

TO

HUGHES

FROM KANTER

DOCDATE 27 OCT 89

MAHLEY

27 OCT 89

HUGHES

27 OCT 89

KEYWORDS: CHEMICAL WARFARE

USSR

NSD

DC

AGENDA

MINUTES

SUBJECT: DC MTG ON CHEMICAL WEAPONS NOV 1 / SUMMARY OF CONCLUSIONS / MINUTES /
ISSUE PAPER

ACTION: FOR SIGNATURE

DUE:

STATUS X

FILES IFM 0

FOR ACTION

FOR CONCURRENCE

FOR INFO

HUGHES

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E.O. 12958, SEC 3.4 (B) September 11, 2006

By CAP NARA, Date 10/26/09

COMMENTS

REF#

LOG

NSCIFID NSD0024

(G / AC)

ACTION OFFICER (S)

ASSIGNED

ACTION REQUIRED

DUE

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X 11/31 Add-on / For Decision
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W/ATTCH FILE

(C)

**National Security Council
The White House**

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LOG # 21335

URGENT NOT PROOFED: _____

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BYPASSED WW DESK: _____

DOCLOG CM A/C 02

	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep Exec	<u>1</u>	<u>W</u>	<u>A</u>
Philip Hughes	_____	_____	_____
Bob Gates	<u>2</u>	_____	_____
Brent Scowcroft	_____	_____	_____
Philip Hughes	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>3</u>	_____	<u>W</u>
NSC Secretariat	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

83 NOV 31 P 3:09

<u>A = Action</u>	I = Information	D = Dispatch	R = Retain	N = No further Action
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cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

Pl mtg on Nov. 1 at 10:00 a.m. (Chemical Weapons issues)

THE WHITE HOUSE
WASHINGTON

BR -

Is there a "form over substance" problem?
State's proposal looks like
an agreement in the form of
unilateral acts. Buying
trouble under Act of state l.

N.

ATTENDEES FOR WEDNESDAY, NOVEMBER 1 DC MEETING AT 10:00 AM

WHITE HOUSE

Robert Gates

VICE PRESIDENT'S OFFICE

Carnes Lord or
John Glassman

NSC

Don Mahley

STATE

Reginald Bartholomew

~~Elizabeth Verville~~ *Richard*

2/17/36

7/13/40

Clarke

DOD

Paul Wolfowitz

12/23/43

Jim Hinds

10/23/35

JCS

Robert Herres

12/1/32

Howard Graves

8/15/39

CIA

Richard Kerr

10/4/35

Douglas MacEachin

7/24/39

ACDA

Read Hanmer

8/15/33

David Clinard

5/11/32

ENERGY

Stephen Wakefield

10/18/40

Victor Alessi

11/26/39

COMMERCE

James LeMunyon

3/12/59

OTHER

Edward Rowny

4/3/17

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~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

21335
~~add-on~~

October 31, 1989

DECLASSIFIED
PER E.O. 13526

2010-2032-MR
mm 7/11/2016

ACTION

Deputy Natl Sec Advisor
has seen

MEMORANDUM FOR ROBERT M. GATES

THROUGH: ARNOLD KANTER/ROBERT BLACKWILL

FROM: DON MAHLEY/JUDYT MANDEL

SUBJECT: Briefing Memorandum -- Deputies' Committee Meeting
for 10:00 a.m. November 1

You have agreed to a Deputies' Committee meeting on November 1 to discuss Chemical Weapons (CW) issues, primarily how to move forward on the President's decision calling for bilateral destruction of substantial quantities of US and Soviet CW stocks before a multilateral treaty is completed. Because we are currently holding a CW bilateral with the Soviets in New York, and will meet with them again later in November, we need to address these issues now. At Tab I is an issue paper that has been circulated interagency for use by principals to focus discussion. (We have discovered one typographical error in the issue paper. We notified agencies, but will distribute a corrected copy at the beginning of the meeting.)

The key issue concerns the nature and scope of the verification provisions included in the bilateral destruction agreement. The question of the legal form of the destruction agreement i.e., does it require formal Congressional approval, is closely related.

Verification. Our severely limited ability to verify CW stocks may turn out to be the Achilles heel of the President's broader CW initiative. The way in which we engage the verification dimension of the bilateral destruction agreement could affect not only the domestic political prospects for the chemical weapons convention, but also the ratification prospects for START and CFE. (Indeed, concerns about the verification spillover from CW has led to some talk about working hard to ensure that START and CFE go to the Hill before CW.)

The Deputies' Committee needs to discuss and, if possible, decide how to treat verification in the bilateral destruction agreement. There are two broad approaches. We can try to side-step or defer the tough CW verification issues for now by deliberately limiting the verification requirements to those things that we can monitor with high confidence (Option 1 and Option 2). Alternatively, we

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Declassify on: OADR

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can more or less directly face the verification issues now. (Option 3 and Option 4). Option 5 is a non-starter. It simply declares what we already know: if we apply traditional arms control verification standards to CW, then we are--and will remain--dead in the water.

NSC staff believe that we should make a virtue of necessity, and use the bilateral destruction agreement to begin to engage the Hill on what can and cannot reasonably be expected of CW verification. This means choosing between Option 2 and Option 3. The choice between the two turns largely on whether we want to hold out hope of improving our ability over time to verify the bilateral destruction agreement itself, or whether we want to confine ourselves to arguing that the bilateral agreement can serve as a valuable learning experience and proving ground for verification of the future chemical weapons convention.

Form of the agreement. The combination of practical political considerations and the Arms Control and Disarmament Act may be sufficient to render moot the question of whether the bilateral destruction agreement is submitted to the Hill: one way or another, Congress is likely to take an active role and we probably would be ill-advised to resist it.

Whether the destruction agreement should be legally binding depends largely on two considerations. First, does a legally binding document somehow imply higher verification standards than one which is only "politically" binding? Second, if the US makes a undertaking to destroy 80 percent of its CW stockpile, can we make a good, straightforward, easily understood case that it is not covered by the Arms Control and Disarmament Act?

NSC staff believes that the second question must be answered in the negative and, therefore, that resisting a legally binding agreement is not worth the price. Moreover, we will face much the same Congressional grilling on verification, whatever legal form the bilateral destruction agreement takes. NSC staff therefore believes that we should proceed on the assumption that the agreement will take the form of a legally binding commitment that will be submitted to the Hill for formal approval.

Conduct of the Meeting

We believe the first discussion should be about the legal basis for any US-Soviet document. ACDA will be the chief proponent for a non-legally-binding regime. We recommend that you get the various agency positions on the table, then determine whether those favoring a non-legally-binding arrangement agree that such a document would nonetheless need to go to the Hill for political review. If so, the debate may be resolvable at this meeting. If not, we recommend recording agency views and submitting a decision document to the President.

With the "form of the Agreement" issue out of the way, you should turn next to the verification issue. If there is a consensus, we believe it would be appropriate to forward a recommendation to

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the President, including views aired by agencies at the meeting.

Finally, it may be useful to have a very short discussion of the next steps. A draft MOU has been reviewed by agencies, which contains placeholder language on verification. NSC Staff believe that it is too late to try to present any document to the Soviets during the short bilateral discussions in New York this week. The opening plenary session yesterday forecast that we would be approaching the Soviets as soon as possible with a proposal. We recommend that you propose a supplemental instruction to the US delegation in New York promising to put down a draft document at the beginning of the bilateral session in Geneva on November 28, then urging the Deputies to make sure that we have fleshed out the verification provisions as much as possible before that date.

Concurrences by: *in Draft* Nick Rostow, *in Draft* Virginia Lampley, *in Draft* Phillip Zelikow

RECOMMENDATION

That you draw on the above memorandum and attached issues paper as appropriate in managing the Deputies' Committee meeting on Wednesday.

Approve _____

Disapprove _____

Attachment

Tab I Issues Paper

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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01c. Report	Re: U.S. Agreement on Bilateral CW Destruction [FOIA restrictions redacted] (4 pp.)	10/30/89	(b)(1)	S

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 071 - November 01, 1989 - NSC/DC Meeting on, Keywords: Chemical Warfare

**Document Partially Declassified
(Copy of Document Follows)**

By MM on 5/11/2023

Date Closed: 10/26/2009	OA/ID Number: 90012-002
FOIA/SYS Case #: 2005-1002-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #: 2010-2032-MR(500.02)
AR Disposition:	MR Disposition: Released in Part
AR Disposition Date:	MR Disposition Date: 7/11/2016

RESTRICTION CODES

Freedom of Information Act (FOIA) - [5 U.S.C. 552(b)]

- (b)(1) National security classified information
- (b)(2) Release would disclose internal personnel rules and practices of an agency
- (b)(3) Release would violate a Federal statute
- (b)(4) Release would disclose trade secrets or confidential or financial information
- (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy
- (b)(7) Release would disclose information compiled for law enforcement purposes
- (b)(8) Release would disclose information concerning the regulation of financial institutions
- (b)(9) Release would disclose geological or geophysical information concerning wells

Deed of Gift Restrictions

- C(1) Closed by Executive Order 13526, governing access to national security information
- C(2) Closed by statute or by the agency which originated the information
- C(3) Closed in accordance with restrictions contained in donor's deed of gift [formerly listed as only C]
- PRM. Removed as a personal record misfile

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]

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U.S. AGREEMENT ON BILATERAL CW DESTRUCTION

In NSD-24, the President challenged the Soviet Union to join the U.S. in reducing our respective chemical weapons stockpiles to less than 20 percent of the current U.S. level (e.g., down to 5000 agent tons) while the negotiations on the chemical weapons convention continue. The President directed that as part of this bilateral undertaking, suitable provisions for the inspection of the destruction process be agreed, and that a U.S. plan for the step-by-step development and implementation of a verification regime be devised. (S)

A U.S. delegation is meeting with the Soviets in New York to discuss implementation of the MOU on CW data exchange that was signed at the Wyoming Ministerial. (The U.S. and the Soviets are scheduled to hold another CW bilateral beginning November 28 in Geneva.) It would be desirable to present the U.S. approach to a bilateral CW destruction agreement during the New York meeting, both to demonstrate prompt follow through on the President's challenge and to pre-empt any Soviet effort to table their own version of an agreement.

Two inter-related policy issues need to be addressed, however, before we pursue this proposal with the Soviets:

- (1) What form should the U.S.-Soviet agreement take? Specifically, should it be a legally-binding agreement (which, therefore, would require formal Congressional approval), or should it take the form of parallel, unilateral statements that would not be legally binding?
- (2) What verification provisions should be included? That is, should we assume:
 - (a) the right and obligation to verify only the amount of CW destroyed, or
 - (b) also the size of the declared residual stockpile, or
 - (c) additionally that no CW is stockpiled at undeclared sites? (S)

There may be a strong political presumption that any joint U.S.-Soviet undertaking on CW destruction should be reflected in a legally-binding document that would be subject to formal Congressional approval. (Section 33 of the Arms Control and

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PER E.O. 13526
2010-2032-MR
mm 7/11/2016

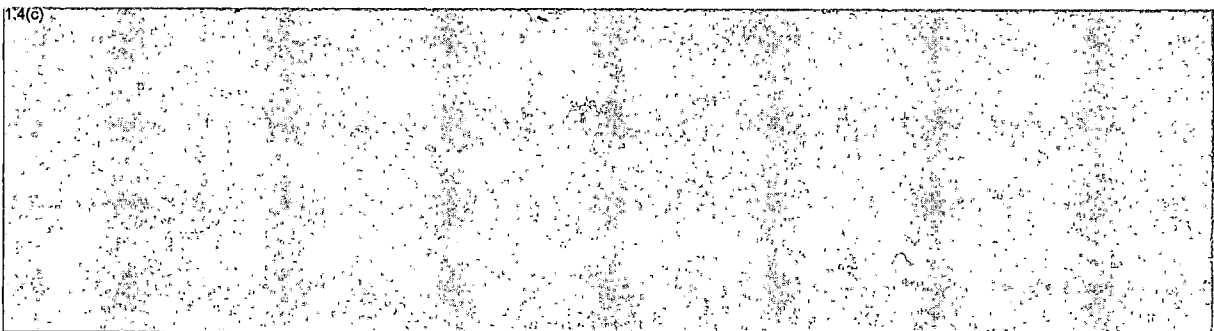
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Disarmament Act provides that no action shall be taken "that will obligate the United States to disarm or to reduce or to limit the Armed Forces or armaments of the United States, except pursuant to the treaty-making power . . . or unless authorized by further affirmative legislation by the Congress) The Congressional approval process would increase the chances that the U.S.-Soviet bilateral agreement would become a referendum on CW verification requirements and capabilities. Depending on when such a debate occurred, it could affect not only our verification approach in the chemical weapons convention, but also Congressional views on other prospective arms control agreements (e.g., START, CFE). (S)



Given ^{1.4(c)} [redacted] and the potential for a CW verification debate to spill over into other arms control areas, some believe that we should avoid entering a legally-binding agreement with the Soviets on CW destruction that would have to be submitted for Congressional approval. Others believe that, as a domestic political matter, there is no practical alternative to at least de facto Congressional review and, further, that a formal Congressional approval process would provide a good opportunity for engaging the Hill on what verification confidence realistically can be achieved in the CW area. (C)

Alternative Verification Provisions

Whatever the U.S. approach, the details of the verification regime will need further work before it is presented to the Soviets. For example, details of the data will depend on information provided as part of the data exchange required by the MOU signed in Wyoming. The immediate issue is what kind of verification approach should we foreshadow in the bilateral in New York. There are five options:

1. Verify the quantities destroyed. Additionally, agree that the two sides will continue discussions about steps to improve CW verification.

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2. Verify the quantities destroyed and that the declared residual stocks are accurately described and located. Additionally, agree that the two sides will continue discussions about steps to improve CW verification.
3. Option 2 plus agreement on specific additional verification measures (e.g., challenge inspections) that would be intended to deter Soviet cheating on the bilateral destruction agreement and build confidence over time in Soviet compliance with that agreement.
4. Option 2 plus agreement on specific additional verification measures (e.g., challenge inspections) that would be intended to gain experience in CW verification which could prove useful for the chemical weapons convention, but would not be aimed at verifying Soviet compliance with the bilateral destruction agreement per se.
5. Verify the quantities destroyed and that the residual stockpile, whether or not declared, does not exceed the permitted limit. (S)

1.4(c) [REDACTED] Options 1 and 2 differ primarily with respect to whether the bilateral destruction agreement includes any requirement for verification of post-reduction CW stocks. Options 3 and 4 differ primarily with respect to the intended purpose of the verification measures, i.e., whether they are designed to improve our confidence that the Soviets are complying with the terms of bilateral destruction agreement, or whether they are designed simply to serve as a test bed in order to gain practical experience that could prove valuable in the future when the verification regime for the chemical weapons convention is negotiated and implemented. (S/NF/WN)

Form of the Agreement

If the U.S. assumes a legally binding obligation to reduce its CW stocks, that agreement must be approved by Congress. A unilateral (but "politically binding") undertaking, would not require formal Congressional approval, but there might be disagreements about whether such an approach could be followed in practice. (There is a consensus that even if not legally binding, any such regime should be briefed to Congress.) (S)

One advantage of a non-binding agreement is that it could be

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concluded and enter into effect more quickly. However, it would not necessarily bind either party to the agreed destruction. It is not clear that an agreement to do unilateral steps would be as useful as an "example" to encourage progress on the multilateral ban. ^{1.4(6)}

A legally binding document would constrain the parties to complete the agreed actions, and lay a foundation for requiring associated measures for confidence and verification that will satisfy both parties. However, it would likely be the first Administration document on CW arms control reviewed by Congress, and perhaps the first agreement on any arms control subject submitted by the Bush Administration. (S)

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NSC/S PROFILE

RECORD ID: 8921335
RECEIVED: 28 OCT 89 12

TO: GATES

FROM: MAHLEY
KANter

DOC DATE: 03 NOV 89
SOURCE REF:

KEYWORDS: CHEMICAL WARFARE
NSD
AGENDA

USSR
DC
MINUTES

PERSONS:

SUBJECT: SOC & MINUTES FOR DC MTG RE CHEMICAL WEAPONS ON 1 NOV

ACTION: NOTED BY GATES DUE DATE: 22 MAR 90 STATUS: C

STAFF OFFICER: MAHLEY

LOGREF: 8921354 8921449

FILES: IFM O

NSCP: DC071

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CODES:

D O C U M E N T D I S T R I B U T I O N

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E.O. 12958, SEC 3.4 (B) September 11, 2006

By cap NARA, Date 10/26/09

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: GD

CLOSED BY: NSAJC

DOC 5 OF 5

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RECORD ID: 8921335

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 HUGHES
002
003 HUGHES
004
005 GATES
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X 89102713 FOR SIGNATURE
X 89102717 SITTMANN SGD MEMO TO AGENCIES
Z 89103018 ADD-ON / FOR SIGNATURE
X 89103018 SITTMANN SGD MEMO TO AGENCIES
Z 89110310 ADD-ON #2/FOR DECISION
X 89122612 NOTED BY GATES

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White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By CAP NARA, Date 10/26/09

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**National Security Council
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DOCLOG 01 A/C 03

	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep Exec	<u>1</u>	<u>W</u>	<u>A</u>
Philip Hughes	<u>2</u>		
Bob Gates			
Brent Scowcroft			
Philip Hughes			
Situation Room			
West Wing Desk	<u>3</u>		<u>N</u>
NSC Secretariat	<u>4</u>	<u>LMS 4/9</u>	<u>R</u>

89 NOV 3 10:38

<u>A</u> = Action	I = Information	D = Dispatch	R = Retain	N = No further Action
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cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

Summary of Conclusion/Minutes of Nov. 1
DC mtg re: Chemical Weapons

**National Security Council
The White House**

PROOFED BY: _____

LOG #

21335

URGENT NOT PROOFED: _____

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DOCLOG

CM

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01

SEQUENCE TO

HAS SEEN

DISPOSITION

Dep Exec

1

[Signature]

A

Philip Hughes

Bob Gates

Brent Scowcroft

Philip Hughes

Situation Room

West Wing Desk

NSC Secretariat

2

CM 10/30 LAX/D

89 06 30 P 7:01

A = Action

I = Information

D = Dispatch

R = Retain

N = No further Action

cc:

VP

Sununu

Other _____

Should be seen by: _____

(Date/Time)

COMMENTS

**National Security Council
The White House**

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LOG # 21335

URGENT NOT PROOFED: _____

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Bob Gates	_____	_____	_____
Brent Scowcroft	_____	_____	_____
Philip Hughes	_____	_____	_____
Situation Room	_____	_____	_____
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NSC Secretariat	_____	_____	_____
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A = Action

I = Information

D = Dispatch

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cc: VP Sununu Other _____

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(Date/Time)

COMMENTS

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add-on

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

November 3, 1989

ACTION

MEMORANDUM FOR ROBERT M. GATES

THROUGH: ARNOLD KANTER *AK*

FROM: DON MAHLEY *M*

SUBJECT: Summary of Conclusions and Minutes for Deputies'
Committee Meeting on November 1, 1989

NOTED

Attached at Tab I for your approval is the Summary of Conclusions for the Deputies' Committee meeting on November 1. At Tab II, also for your approval, is the set of Minutes for the same meeting, with the issues paper used as a basis for discussion attached to the Minutes as Tab A.

RECOMMENDATION

That you approve the Summary of Conclusions at Tab I.

Approve _____

Disapprove _____

That you approve the Minutes at Tab II.

Approve _____

Disapprove _____

Attachments

Tab I	Summary of Conclusions
Tab II	Minutes
Tab A	Issue Paper used at meeting

DECLASSIFIED

White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By CAP NARA, Date 10/26/09

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ADD-ON

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

Summary of Conclusions for
NSC Deputies Committee

DATE: November 1, 1989
LOCATION: Situation Room
TIME: 10:00 - 11:00 am

SUBJECT: Summary of Conclusions of DC Meeting on Chemical
Weapons (C)

PARTICIPANTS:

White House

Robert M. Gates

State:

Reginald Bartholomew
Richard Clarke
Edward Rowny

Defense:

Paul Wolfowitz
Jim Hinds

Energy

Stephen Wakefield
Victor Alessi

CIA

Richard Kerr
Douglas MacEachin

JCS

Robert Herres
Howard Graves

ACDA

Read Hanmer
David Clinard

NSC

Arnold Kanter
Don Mahley

Summary of Conclusions

It was agreed that:

- Whatever the legal form of an agreement, it should be reviewed appropriately by the U.S. Congress. If the agreement were legally binding on the U.S., the minimum level of Congressional review would be that called for

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PER E.O. 13526

2010-2032-MR

mm 7/11/2016

by the Arms Control and Disarmament Act, an affirmation by a majority of both Houses. If the U.S. entered into a full Treaty (which only one agency supported), then the process would have to be formal ratification by the U.S. Senate. (S)

- Under any verification regime for a bilateral destruction agreement, we would only have verification that declared destruction had taken place and that declared residual stocks were accurately declared. (S)
- Soviet stockpile data supplied by Moscow (required by the MOU signed in Wyoming this autumn) would likely be suspect, and in any event would be unverifiable by the U.S.. Therefore, the U.S. should explicitly disavow any ability of the agreement or its associated measures to certify the residual Soviet CW stockpile after the declared destruction had been completed. (S)
- Even if an agreement were not fully verifiable, there would be some chance that cheating could be discovered. Therefore, any agreement should include provisions which would make it possible to challenge suspected instances of cheating. (S)
- Any bilateral agreement on destruction should be, and should be seen to be, not an end in itself, but a means of facilitating and advancing a comprehensive and global multilateral ban on chemical weapons production, stockpiling, and use --such as the U.S. is now pursuing in the Conference on Disarmament. (S)
- The Committee decided that the State Department should draft and the NSC Staff should circulate to DC principals a short paper providing conceptual options for the legal form of an agreement, and recording the apparent consensus on the appropriate verification approach. Depending on reactions, the next step would be an NSC meeting or a decision memorandum to the President to resolve remaining issues. (S)

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01e. Minutes	Re: Minutes of Deputies Committee Meeting on Chemical Weapons [FOIA restrictions redacted] (4 pp.)	11/1/89	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: National Security Council
Series: H-Files
Subseries: NSC/DC Meetings Files
WHORM Cat.:
File Location: NSC/DC 071 - November 01, 1989 - NSC/DC Meeting on, Keywords: Chemical Warfare

Document Partially Declassified
(Copy of Document Follows)
 By mm on 5/11/2023

Date Closed: 10/26/2009	OA/ID Number: 90012-002
FOIA/SYS Case #: 2005-1002-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #: 2010-2032-MR(500.04)
AR Disposition:	MR Disposition: Released in Part
AR Disposition Date:	MR Disposition Date: 7/11/2016

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Freedom of Information Act (FOIA) - [5 U.S.C. 552(b)]

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- PRM. Removed as a personal record misfile

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]

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ADD-ON

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

Meeting of the NSC Deputies Committee

DATE: November 1, 1989
LOCATION: Situation Room
TIME: 10:00 - 11:00 am



SUBJECT: Minutes DC Meeting on Chemical Weapons (Ø)

PARTICIPANTS:

White House

Robert M. Gates

State

Reginald Bartholomew
Edward Rowny
Richard Clarke

Defense

Paul Wolfowitz
Jim Hinds

NSC

Arnold Kanter
Donald Mahley

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2010-2032-MR

MM 7/11/2016

Minutes

The Deputies' Committee convened at 10:00 a.m. under the chairmanship of Mr. Robert M. Gates. The issues under discussion concerned Chemical Weapons (CW) Arms Control, specifically the form an agreement with the Soviet Union on destruction of CW stocks should take and the extent of verification that such an agreement should encompass. (8)

Mr. Gates opened the meeting by asking that the Deputies first take up the form of any agreement. He then noted that the U.S. Congress had already mandated, by law that the U.S. should

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destroy the bulk of our CW stocks. Mr. Bartholomew stated that the law requires the U.S. to destroy all "unitary" CW stocks by April 30, 1997, and asked why the issues paper for this meeting had not addressed the impact of the law. (S)

Mr. Bartholomew turned to the specific question of the form of a U.S.-U.S.SR agreement, noting that all agencies seemed to agree that any agreement should call for observation of destruction of each country's CW stocks. The issue was how much more should the regime include. He further stated that he did not believe the President's intent was to seek a fully-developed bilateral treaty, which would require Senate ratification, but rather a step along the way to a multilateral chemical weapons ban. He concluded by recommending that the bilateral agreement consist of parallel declarations of intent to destroy specified amounts of CW, readiness to continue working on other aspects of CW, and a way to build on the Wyoming MOU (data exchange and verification experiments) to carry forward general verification work, but not to verify residual levels of CW stocks. (S)

Mr. Gates observed that this was essentially an amalgam of some of the options in the issues paper for this meeting (paper attached), an agreement that would include statements of intent, a regime that might prepare the way for a multilateral treaty where both sides would monitor destruction, monitor declared remaining stocks, and provide some additional verification experiments. This would allow the U.S. to do the things we can do, and still work on learning about things we do not now have confidence in our ability to do. There was general assent that it would be relatively easy to monitor declared stocks. (S)

Mr. Gates continued that, under the terms of the Wyoming MOU, the U.S. will get data by the end of this year about what the Soviets declare to be their CW inventory. We may have serious question about this data, which is another reason we do not want to have to argue that we have confidence that the Soviets, even after destruction, retain a specific level of CW stocks. (S)

Mr. Wolfowitz pointed out that there is a wide range of views about the current level of Soviet CW stocks, with the likely Soviet level at the bottom of that range. He continued that it would be a mistake to try to avoid Congressional review of any bilateral U.S.-U.S.SR destruction agreement -- to do so would generate a procedural debate, about Constitutional prerogatives when the real issue is the substance of any verification regime. (S)

Mr. Wolfowitz continued that we could say that not every arms control agreement is verifiable -- the BW convention is a classic example. Even though the agreement may not be "verifiable" in the traditional sense, it might still be possible to detect some violations, and then the object would be to have a regime to permit investigation of such alleged violations. (S)

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In response to a direct question, Mr. Wolfowitz stated his view that the agreement should be a treaty. No other agency supported that view. (S)

Mr. Gates reviewed the discussion to this point, noting that the salient points were: (1) that our approach to a bilateral agreement with the Soviets should be to characterize it as a step in the larger process leading to the multilateral CW convention; (2) that agencies agreed that whatever the legal form of the agreement, it should be submitted to Congress, if for no other reason than to start the educational process in Congress of what was possible and advantageous in CW verification; and (3) that even if no verification regime to catch all cheating was possible, we might find some cheating and would want to be able to act on such discoveries. (S)

Mr. Hanmer noted that a ratification debate might adversely impact on START and CFE agreements, while a bilateral agreement that only required the U.S. to observe destruction would not raise the full verification issue. (S)

Mr. Kerr

General Herres argued that the goal of the bilateral agreement should be to build confidence in our assessment of Soviet CW capabilities -- which would seem to be consistent with the President's intentions, and asked whether any agreement could be cast in terms of its value as a confidence-building measure. (S)

Mr. Gates

Mr. Bartholomew stated that we would doubtlessly "get smarter." However, he argued, if we are going to confront the issue of verification, it would be better to do so in the context of a full-blown CW convention, not in the context of a bilateral agreement. He noted that the concept of parallel non-binding declarations had precedent, for example, the U.S. proposal for how to treat nuclear SLCMs in START. He then argued that between the current law mandating unilateral US destruction of unitary stocks and the idea of an educational effort with Congress, the "Hill problem," at least with an agreement that did not legally bind reductions or allege verification of residual stock levels, might be less than we have been worrying about. (S)

Ambassador Rowny observed that a treaty is always preferable. However, a treaty should include a full verification regime. If we can't get that, we should opt for a non-binding agreement, but with additional measures to make it a real step toward a multilateral CWC. (S)

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There was general discussion of the differences between Option 3 and Option 4 in the issue paper. General consensus was that the agreement should make no claim about verifying residual stock levels, which resulted in general acceptance that Option 4 was preferable because it contained the same kinds of measures, but made it clear that their purpose was not to verify residual stockpile levels. (S)

Mr. Gates pointed out that even under a non-binding set of unilateral declarations, there should be some way of "calling" the Soviets if we discovered a violation. (S)

Mr. Wakefield and General Herres reminded the Deputies of the vulnerability of US programs to challenge inspections. The idea would be to get access to all sites necessary to pursue suspected CW violations without hurting non-CW US programs. (S)

In general discussion, the Deputies agreed that the agreement must not try to nor appear to validate Soviet-supplied figures about their stockpile levels, either now or at the end of the destruction process. (S)

All discussants agreed that additional visits or other mechanisms would be useful. All also agreed that the U.S. should be explicit in denying that under any agreement it was verifying residual stockpile levels. (S)

Mr. Gates asked the State Department to draft a short paper, which NSC staff would circulate, that outlined the options discussed about the legal form of an agreement, and the apparent consensus regarding a verification approach. Deputies should confirm their support for the proposed verification approach, indicate their preferred form from the agreement, and state whether an NSC meeting on the subject was needed. If not, any remaining issues could be resolved by means of a decision memorandum to the President. (S)

Mr. Gates observed that it was time for the U.S. to begin to "back away" from the rhetoric about verification that has marked our discussion of CW agreements. (S)

Mr. Bartholomew then stated that our traditional rhetoric with regard to CW agreements was to have a "truly global, effectively verifiable" ban on CW production, stockpiling, and use. (S)

Mr. Gates pointed out that "further measures" in any agreement could have challenge inspections as an example. (S)

Mr. Hanmer noted that as we move forward on such inspections, the question of how to fund site visits and such activities would have to be answered. (S)

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Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01f. Report	Re: U.S. Agreement on Bilateral CW Destruction [FOIA restrictions redacted] (4 pp.)	10/30/89	(b)(1)	S

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 071 - November 01, 1989 - NSC/DC Meeting on, Keywords: Chemical Warfare

Document Partially Declassified
(Copy of Document Follows)
By MM on 5/11/2023

Date Closed: 10/26/2009	OA/ID Number: 90012-002
FOIA/SYS Case #: 2005-1002-F	Appeal Case #:
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AR Case #:	MR Case #: 2010-2032-MR(500.02)
AR Disposition:	MR Disposition: Released in Part
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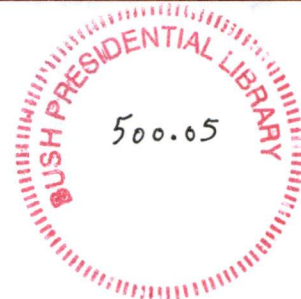
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- P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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30 October 1989

U.S. AGREEMENT ON BILATERAL CW DESTRUCTION

In NSD-24, the President challenged the Soviet Union to join the U.S. in reducing our respective chemical weapons stockpiles to less than 20 percent of the current U.S. level (e.g., down to 5000 agent tons) while the negotiations on the chemical weapons convention continue. The President directed that as part of this bilateral undertaking, suitable provisions for the inspection of the destruction process be agreed, and that a U.S. plan for the step-by-step development and implementation of a verification regime be devised. (S)

A U.S. delegation is meeting with the Soviets in New York to discuss implementation of the MOU on CW data exchange that was signed at the Wyoming Ministerial. (The U.S. and the Soviets are scheduled to hold another CW bilateral beginning November 28 in Geneva.) It would be desirable to present the U.S. approach to a bilateral CW destruction agreement during the New York meeting, both to demonstrate prompt follow through on the President's challenge and to pre-empt any Soviet effort to table their own version of an agreement.

Two inter-related policy issues need to be addressed, however, before we pursue this proposal with the Soviets:

- (1) What form should the U.S.-Soviet agreement take? Specifically, should it be a legally-binding agreement (which, therefore, would require formal Congressional approval), or should it take the form of parallel, unilateral statements that would not be legally binding?
- (2) What verification provisions should be included? That is, should we assume:
 - (a) the right and obligation to verify only the amount of CW destroyed, or
 - (b) also the size of the declared residual stockpile, or
 - (c) additionally that no CW is stockpiled at undeclared sites? (S)

There may be a strong political presumption that any joint U.S.-Soviet undertaking on CW destruction should be reflected in a legally-binding document that would be subject to formal Congressional approval. (Section 33 of the Arms Control and

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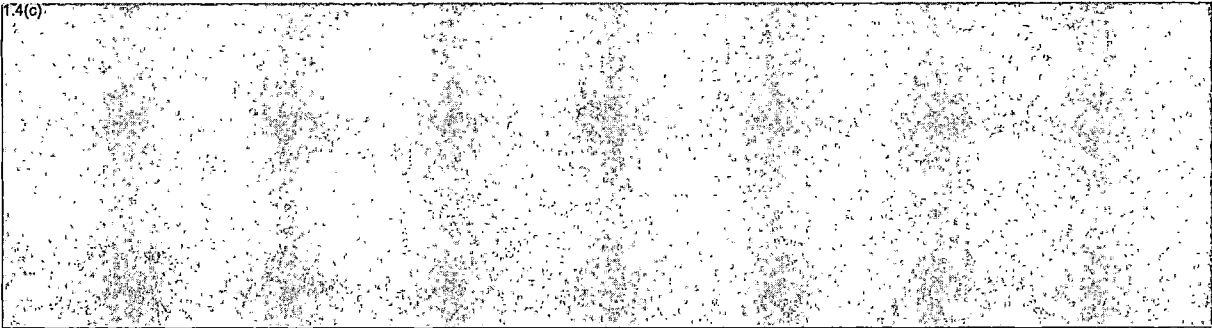
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Disarmament Act provides that no action shall be taken "that will obligate the United States to disarm or to reduce or to limit the Armed Forces or armaments of the United States, except pursuant to the treaty-making power . . . or unless authorized by further affirmative legislation by the Congress) The Congressional approval process would increase the chances that the U.S.-Soviet bilateral agreement would become a referendum on CW verification requirements and capabilities. Depending on when such a debate occurred, it could affect not only our verification approach in the chemical weapons convention, but also Congressional views on other prospective arms control agreements (e.g., START, CFE). (S)



Given ^{1.4(c)} [redacted] and the potential for a CW verification debate to spill over into other arms control areas, some believe that we should avoid entering a legally-binding agreement with the Soviets on CW destruction that would have to be submitted for Congressional approval. Others believe that, as a domestic political matter, there is no practical alternative to at least de facto Congressional review and, further, that a formal Congressional approval process would provide a good opportunity for engaging the Hill on what verification confidence realistically can be achieved in the CW area. (S)

Alternative Verification Provisions

Whatever the U.S. approach, the details of the verification regime will need further work before it is presented to the Soviets. For example, details of the data will depend on information provided as part of the data exchange required by the MOU signed in Wyoming. The immediate issue is what kind of verification approach should we foreshadow in the bilateral in New York. There are five options:

1. Verify the quantities destroyed. Additionally, agree that the two sides will continue discussions about steps to improve CW verification.

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2. Verify the quantities destroyed and that the declared residual stocks are accurately described and located. Additionally, agree that the two sides will continue discussions about steps to improve CW verification.
3. Option 2 plus agreement on specific additional verification measures (e.g., challenge inspections) that would be intended to deter Soviet cheating on the bilateral destruction agreement and build confidence over time in Soviet compliance with that agreement.
4. Option 2 plus agreement on specific additional verification measures (e.g., challenge inspections) that would be intended to gain experience in CW verification which could prove useful for the chemical weapons convention, but would not be aimed at verifying Soviet compliance with the bilateral destruction agreement per se.
5. Verify the quantities destroyed and that the residual stockpile, whether or not declared, does not exceed the permitted limit. (S)

1.4(6)

Options 1 and 2 differ primarily with respect to whether the bilateral destruction agreement includes any requirement for verification of post-reduction CW stocks. Options 3 and 4 differ primarily with respect to the intended purpose of the verification measures, i.e., whether they are designed to improve our confidence that the Soviets are complying with the terms of bilateral destruction agreement, or whether they are designed simply to serve as a test bed in order to gain practical experience that could prove valuable in the future when the verification regime for the chemical weapons convention is negotiated and implemented. (S/NF/WN)

Form of the Agreement

If the U.S. assumes a legally binding obligation to reduce its CW stocks, that agreement must be approved by Congress. A unilateral (but "politically binding") undertaking, would not require formal Congressional approval, but there might be disagreements about whether such an approach could be followed in practice. (There is a consensus that even if not legally binding, any such regime should be briefed to Congress.) (S)

One advantage of a non-binding agreement is that it could be

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concluded and enter into effect more quickly. However, it would not necessarily bind either party to the agreed destruction. It is not clear that an agreement to do unilateral steps would be as useful as an "example" to encourage progress on the multilateral ban. ¹⁷⁴⁽⁶⁾

A legally binding document would constrain the parties to complete the agreed actions, and lay a foundation for requiring associated measures for confidence and verification that will satisfy both parties. However, it would likely be the first Administration document on CW arms control reviewed by Congress, and perhaps the first agreement on any arms control subject submitted by the Bush Administration. (S)

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MEMORANDUM FOR

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Executive Secretary
Department of Defense

MR. CRAIG R. HELSING
Chief of Staff
Department of Commerce

MR. WILLIAM V. VITALE
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MR. H. LAWRENCE SANDALL
Executive Secretary
Central Intelligence Agency

BGEN THOMAS E. WHITE, JR.
Executive Assistant to the
Chairman
Joint Chiefs of Staff

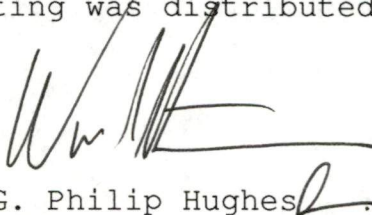
AMBASSADOR EDWARD ROWNY
Special Assistant to the
President and Secretary of
State for Arms Control Matters

MS. BARBARA STARR
Acting Executive Secretary
Arms Control and Disarmament
Agency

Subject: Deputies' Committee Meeting Issue Paper (U)

Attached is the issue paper for discussion at the Deputies' Committee meeting on November 1 at 10:00 a.m. in the Situation Room. Announcement of the meeting was distributed previously.

(S)


G. Philip Hughes
Executive Secretary

Attachment
Issue Paper (SECRET/NOFORN/WNINTEL)

DECLASSIFIED
White House Guidelines
E.O. 13526, SEC 3.4 (b), September 11, 2006
By MM NARA, Date 1/30/2014

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21335
Follow-on

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

October 30, 1989



ACTION

SIGNED

MEMORANDUM FOR G. PHILIP HUGHES

THROUGH: ARNOLD KANTER *AK*

FROM: DON MAHLEY *DM*

SUBJECT: Issue Paper for Deputies' Committee Meeting

Attached at Tab I is a memorandum to your counterparts at agencies with an attached issue paper for use by principals to focus discussion at the Deputies' Committee meeting scheduled for 10:00 a.m. on Wednesday, November 1. The previous memorandum you distributed to your counterparts announcing the meeting indicated that an issue paper would be provided separately.

RECOMMENDATION

That you sign the memorandum at Tab I.

Attachments

Tab I	Memorandum to Agency Counterparts
Tab A	Issue Paper (SECRET/NOFORN/WNINTEL)

DECLASSIFIED

White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By cap NARA, Date 10/26/09

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Record Group: Bush Presidential Records
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Series: H-Files
Subseries: NSC/DC Meetings Files
WHORM Cat.:
File Location: NSC/DC - November 01, 1989 - NSC/DC Meeting on, Keywords: Chemical Warfare

Date Closed:	10/26/2009	OA/ID Number:	90012-002
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Re-review Case #:		Appeal Disposition:	
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AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

October 27, 1989

MEMORANDUM FOR

MR. CARNES LORD
Assistant to the Vice President
for National Security Affairs

MR. H. LAWRENCE SANDALL
Executive Secretary
Central Intelligence Agency

MR. J. STAPLETON ROY
Executive Secretary
Department of State

BGEN THOMAS E. WHITE, JR.
Executive Assistant to the
Chairman
Joint Chiefs of Staff

COLONEL GEORGE P. COLE, JR.
Executive Secretary
Department of Defense

MS. BARBARA STARR
Acting Executive Secretary
Arms Control and Disarmament
Agency

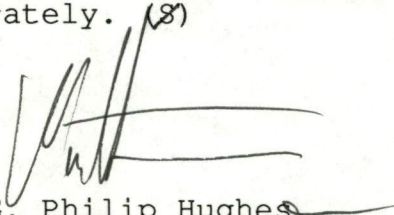
MR. CRAIG R. HELSING
Chief of Staff
Department of Commerce

AMBASSADOR EDWARD L. ROWNY
Special Advisor to the
President and the Secretary
of State for Arms Control
Matters
Department of State

MR. WILLIAM V. VITALE
Executive Secretary
Department of Energy

SUBJECT: Deputies' Committee Meeting (U)

There will be a Deputies' Committee meeting at 10:00 a.m. on November 1 in the White House Situation Room. The subject will be the US proposal for an agreement with the USSR to destroy CW stocks, as directed in NSD-24. Attendance will be limited to principal plus one. An issue paper to frame discussion will be distributed to principals separately. (S)


G. Philip Hughes
Executive Secretary

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

October 27, 1989

ACTION

MEMORANDUM FOR G. PHILIP HUGHES

THROUGH: ARNOLD KANTER *AK*
FROM: DONALD A. MAHLEY *DM*
SUBJECT: Deputies' Committee Meeting on CW

SIGNED

Robert Gates has agreed to have a Deputies' Committee meeting on Wednesday, November 1, at 10:00 a.m. covering issues of NSD-24 interpretation and on agreement between the US and USSR to destroy CW stocks. Attached at Tab I is a memorandum to your counterparts announcing the meeting.

Concurrences by: Nicholas *N* Rostow, Philip Zelikow *PZ*

RECOMMENDATION

That you sign the memo to counterparts at Tab I.

Attachment
Tab I Memo to Agencies

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NSC/S PROFILE

RECORD ID: 8921354
RECEIVED: 02 NOV 89 20

TO: GATES

FROM: MAHLEY
KANter

DOC DATE: 02 NOV 89
SOURCE REF:

KEYWORDS: CHEMICAL WARFARE
DC

ARMS CONTROL
USSR

PERSONS:

SUBJECT: STATE DEPT PAPER ON BILATERAL CW DESTRUCTION

ACTION: FOR INFORMATION

DUE DATE: 15 JUN 90

STATUS: C

STAFF OFFICER: MAHLEY

LOGREF: 8921335 8921449

FILES: IF

NSCP: DC071

CODES:

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E.O. 12958, SEC 3.4 (B) September 11, 2006

By CAP NARA, Date 10/26/09

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CAO ASSIGNED ACTION REQUIRED

001 GATES

Z 89110220 FOR SIGNATURE

002

X 89110413 GATES SGD MEMO TO AGENCIES

003 GATES

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Dep Exec	<u>1</u>	<u>W</u>	<u>A</u>
Philip Hughes	_____	_____	_____
Bob Gates	<u>2</u>	<u>8</u>	_____
Brent Scowcroft	_____	_____	_____
Philip Hughes	_____	_____	_____
Situation Room	_____	_____	_____
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NSC Secretariat	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

A = Action I = Information D = Dispatch R = Retain N = No further Action

cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

R6/ Paper on Bilateral
cw Destruction

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Assistance

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Under Secretary for Security
Pentagon, Room 4E830
697-7200

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P. Wolfowitz

STEPHEN WAKEFIELD
General Counsel

Forrestal Bldg, Rm 6A-245
Energy 586-5281 ~~6732~~

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RICHARD KERR

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CIA Bldg 482-1100

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EDWARD ROWNY

Special Advisor to President
& Sec State on Arms Control Matters
Department of State
647-3612

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11/06/89 0618

V. Hamble

READ HANMER

Deputy Director
State Bldg, Rm 5934
Department of State
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Special Advisor to President

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02a. Memo	Robert M. Gates to Distribution List Re: Chemical Weapons (CW) (1 pp.)	11/4/89	(b)(1)	S

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC - November 01, 1989 - NSC/DC Meeting on, Keywords: Chemical Warfare

Date Closed:	10/26/2009	OA/ID Number:	90012-002
FOIA/SYS Case #:	2005-1002-F	Appeal Case #:	
Re-review Case #:		Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
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P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

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Date Closed:	10/26/2009	OA/ID Number:	90012-002
FOIA/SYS Case #:	2005-1002-F	Appeal Case #:	
Re-review Case #:		Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
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Office: National Security Council

Series: H-Files

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

November 2, 1989



ACTION

MEMORANDUM FOR ROBERT M. GATES

SIGNED

THROUGH: ARNOLD KANTER *AK*

FROM: DON MAHLEY *DM*

SUBJECT: State Department Paper on Bilateral CW Destruction

At the Deputies' Committee meeting on November 1, you tasked State to provide a short paper on the form and verification approach of a US-USSR bilateral agreement on Chemical Weapons (CW) destruction.

Attached at Tab I is a cover memorandum from you to DC principals, circulating the State draft (Tab A). We will be providing you our own comments and assessment separately.

We have put a short suspense on replies. You should be aware that during the bilateral US-USSR discussions in New York this week the Soviet side has been unwilling to discuss the President's UNGA initiative. The Soviets state that Gorbachev is preparing a reply to the President's letter of September 23 (the weekend before the UNGA speech) which will respond to the initiative. When pressed on when we could expect to see the Gorbachev letter, the Soviet side replied simply that it was "in preparation." We therefore believe that we should press forward to settle on a USG position, but do not believe the Soviets will be prepared to engage in detailed discussion of this subject until the Gorbachev letter is completed and delivered.

RECOMMENDATION

That you sign the memorandum to DC principals at Tab I.

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Declassify on: OADR

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PER E.O. 13526

2010-2032-MR

MM 3/23/2016

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Withdrawal/Redaction Sheet

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Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02e. Note	Arnie [Kanter] and [Don] Mahley to Bob [Gates] Re: Package 21354 (1 pp.)	n.d.	(b)(1)	S

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC - November 01, 1989 - NSC/DC Meeting on, Keywords: Chemical Warfare

Date Closed:	10/26/2009	OA/ID Number:	90012-002
FOIA/SYS Case #:	2005-1002-F	Appeal Case #:	
Re-review Case #:		Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

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(b)(1) National security classified information [(b)(1) of the FOIA]
(b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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(b)(9) Release would disclose geological or geophysical information

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NSC/S PROFILE

RECORD ID: 8921482
RECEIVED: 08 DEC 89 11

TO: AGENCIES

FROM: HUGHES

DOC DATE: 09 DEC 89
SOURCE REF:

KEYWORDS: CHEMICAL WARFARE
ARMS CONTROL
NSC

USSR
MOU
DC

PERSONS:

SUBJECT: DECISIONS ON FORM & CONTENT FOR DRAFT BILATERAL US - USSR MEMO OF
UNDERSTANDING / MOU / ON CW DESTRUCTION

ACTION: HUGHES SGD MEMO TO AGENCIES DUE DATE: 12 APR 90 STATUS: C

STAFF OFFICER: MAHLEY

LOGREF: 8921335 8921354

FILES: IFM O

NSCP: DC071

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DOCUMENT DISTRIBUTION

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FOR INFO

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Dep Exec	<u>1</u>	<u>W</u>	<u>A</u>
Philip Hughes	<u>2</u>	<u>ABZ</u>	
Bob Gates	_____	_____	_____
Brent Scowcroft	_____	_____	_____
Philip Hughes	_____	_____	_____
Situation Room	_____	_____	<u>done 12/11</u>
West Wing Desk	<u>3</u>	<u>54.12/11</u>	<u>LOX/D</u>
NSC Secretariat	_____	_____	_____
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A = Action I = Information D = Dispatch R = Retain N = No further Action

cc: VP Sununu Other _____

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COMMENTS

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Date December 9, 1989

Subject: MOU on CW Destruction

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PAGES 2

DTG 092200Z Dec 87

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FROM/LOCATION

1. G Philip Hughes

TO/LOCATION/TIME OF RECEIPT

1. Robert Ross/DOJ

Stu III: 633-1680

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SPECIAL INSTRUCTIONS/REMARKS:

21482 - now on CW Destruction

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E.O. 12958, SEC 3.4 (B) September 11, 2006

By CAP NARA, Date 10/26/09

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PAGES 2

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MESSAGE NO. _____ CLASSIFICATION _____ PAGES 2

FROM G. PHILIP HUGHES _____
(NAME) (EXTENSION) (ROOM NUMBER)

MESSAGE DESCRIPTION Form & Content of US-USSR Bilateral
Destruction MOU on Chemical Weapons LOG # 21482

TO (AGENCY)	DELIVER TO:	DEPT/ROOM NO.	EXTENSION
<u>State</u>	<u>Stapleton Roy</u>	<u>Exec Sec</u>	_____
<u>DOD</u>	<u>George Cole</u>	<u>"</u>	_____
<u>Commerce</u>	<u>Craig Helsing</u>	<u>Chief of Staff</u>	_____
<u>CIA</u>	<u>Lawrence Sandall</u>	<u>Exec Sec</u>	_____
<u>JCS</u>	<u>Thomas White</u>	<u>Exec. Asst</u>	_____
<u>ACDA</u>	<u>Barbara Starr</u>	<u>Exec Sec</u>	_____
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REMARKS _____

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CAP 10/26/09

NATIONAL SECURITY COUNCIL

09-Dec-1989 17:08 EDT

~~CONFIDENTIAL~~

MEMORANDUM FOR:

Anita J. Craig
Entell Ford

(CRAIG)
(FORD)

FROM:

Diane G. Ross
(ROSSDG)

SUBJECT:

overnight note

Good morning, Anita!

I ended up having the West Wing Desk duty on Saturday. Of course you know that I am not very familiar with the procedures, but I do know the basics. Anyway, I did the best I could. However, I had to leave a few thing pending. They are as follows:

1) There were two multiple dispatches : a) 21487 - I sent out all LDX copies and hardcopy to State. Other agencies will need to pick up their hardcopies on Monday morning. b) 21482 - I sent out all LDX copies. All agencies that get hard copies will need to pick them up on Monday morning. I did not update the computers on either of these because I am very unfamiliar with the NSC system.

2) 21491 - I sent copies over to all who needed them, but I did not put it in the NSC system

3) 21490, 21488, 21472 & 21484 - I didn't do anything with these, again they need to go in the NSC system

All of these things are in the overnight folder. And if you have any questions, please feel free to call me home through Signal on Monday.

Thanks,
Diane

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Withdrawal/Redaction Sheet

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21482

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

December 8, 1989

ACTION

MEMORANDUM FOR G. PHILIP HUGHES

THROUGH: ARNOLD KANTER *AK*
FROM: DON MAHLEY *M*
SUBJECT: Decisions on Form and Content of US-USSR Bilateral
Destruction MOU on Chemical Weapons

As a result of the Deputies' Committee meeting on CW on 1 November, several decisions were needed about the form and content of a draft US-USSR Memorandum of Understanding (MOU) on Chemical Weapons (CW) destruction. General Scowcroft decided not to seek a National Security Council meeting on the subject, but to make decisions on the basis of agency views and NSC Staff recommendations. The agency views and staff recommendations were forwarded via package 21354, dated 18 November (Tab II). General Scowcroft made the necessary decisions orally in a meeting with Arnie. These are reflected in the memorandum to agencies at Tab I.

These decisions should be promulgated promptly, in order to energize the agencies to proceed with preparation of a draft MOU reflecting the appropriate content.

RECOMMENDATION

That you sign the memorandum at Tab I to agency counterparts.

Attachments

Tab I Memorandum to Agencies
Tab II Copy of Package 21354

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PER E.O. 13526

2010-2032-MR
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P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

(b)(1) National security classified information [(b)(1) of the FOIA]
(b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
(b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
(b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
(b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
(b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
(b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
(b)(9) Release would disclose geological or geophysical information

DC71

NSC TIME PLANNING SHEET

TYPE: NSC NSPG/PCG/PRG	DATE AND TIME: 11/1/89 10:00
LOCATION: 5th Room	DURATION: 1 hour
SUBJECT: 06-5000 CW destruction	

Participants	Invited	Agency Rep.	Date of Birth	Social Security Number	Confirm
VP	☒		01 urb		
STATE	☒	Remond Bartholomew	2/17/36		
		Elizabeth Verville	7/13/40		
TREASURY		Richard Clarke	10/30/50		
BAKER (PERSONAL)					
DOD	☒	P. Wolfswy	12/23/43		
		Jim Hinds	23 Oct 35		
JUSTICE					
MEESE (PERSONAL)					
JCS	☒	Herres	12/1/32		
		Graves	18/15/39		
CIA	☒	Richard Kerr			
OMB		Gates			
USUN		Malley			
		Ridola			
WALTERS (PERSONAL)					
ACDA	☒	Read Hammer	8/15/33		
		David Clinard	5-11-32		
USIA		Stephen Wickham	10/19/40	566-5284	
Energy		Victor Alessi	11/24/39	546-6210	
H. BAKER					
Commerce		James E. Munroe	3/12/59		
		Edward K. Munny	6/4/53	377-3433	

COMMENTS:

☐ Principals

☒ Principals Plus 1