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Folder Title:

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Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Kristie Kenney to Glyn Davies re Presidential Action on KEDO (4 pages)	04/27/1999	P1/b(1)
002a. paper	attachment to memo of justification re KEDO (1 page)	03/01/1999	P1/b(1)
002b. paper	attachment to memo of justification re KEDO (2 pages)	03/00/1999	P1/b(1)
003. notes	summary of conclusions, meeting of NSC deputies (2 pages)	02/14/1997	P1/b(1)
004a. fax	cover sheet, re summary of conclusions (1 page)	03/00/1997	P1/b(1)
004b. draft	notes, summary of conclusions for meeting of NSC deputies (2 pages)	02/14/1997	P1/b(1)
005. memo	information, Jack Pritchard to James Steinberg re objectives for deputies meeting (5 pages)	02/07/1997	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Mary Derosa (Legal Advisor)
OA/Box Number: 2959

FOLDER TITLE:

Korea [1]

2009-0528-F

kc1437

RESTRICTION CODES

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

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

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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 concerning wells [(b)(9) of the FOIA]

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

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

May 4, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

FROM: GARY SAMORE 6S

SUBJECT: Presidential Certification Required to Make the
Initial U.S. Contribution to the Korean Peninsula
Energy Development Organization (KEDO)

The attached memorandum recommends that the President sign the Presidential Determination required under Section 582(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 to provide the second installment (\$20 million) of U.S. funding to KEDO. On March 4, 1999, the President signed a determination that permitted release of the first installment of FY 1999 funds (\$15 million).

The second installment, which can be provided to KEDO 30 days after the certification is sent to Congress, is needed to purchase heavy fuel oil for North Korea. Although these certifications are likely to arouse some Congressional opposition, we believe that the certifications can be defended on both factual and policy grounds. Initiation of the certification process now will help support Bill Perry's mission to North Korea in late May.

All agencies have cleared the supporting documentation.

Concurrence by: (J. Pritchard, C. Krass, D. Shapiro) 6S for

RECOMMENDATION

That you forward the Presidential Determination to the President.

UNCLASSIFIED WITH
CONFIDENTIAL ATTACHMENT

Classified by: GDavies

Reason: 1.5(d) 5/4/09

Derived From: Department of State S/S 9907429

Attachment

Tab I Memorandum for the President

Tab A Presidential Determination

Tab B Draft Congressional Notification Letter with
attachments:

- 1) Presidential Determination
- 2) Draft Letter to Congress
- 3) Memorandum of Justification re: Presidential
Determination under FY 1999 Appropriations
Act

Tab II Incoming Correspondence

TAB I

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: U.S. Funding for the Korean Peninsula Energy
Development Organization (KEDO)

Purpose

To sign the Presidential Certification required to provide the second installment of U.S. funding to the Korean Peninsula Energy Development Organization (KEDO).

Background

Section 582 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted in P.L. 105-277, authorizes \$35 million for KEDO in two installments: up to \$15 million after March 1, 1999 and up to \$20 million after June 1, 1999. For each installment, the President must make specified certifications to Congress thirty days prior to obligating the funds to KEDO. On March 4, you signed the certification required to release the first installment of \$15 million. The certifications required for the second installment of \$20 million are that:

- (1) the United States has initiated meaningful discussions with North Korea on implementation of the Joint Declaration on the Denuclearization of the Korean Peninsula;
- (2) the United States has reached agreement with North Korea on the means for satisfying U.S. concerns regarding suspect underground construction; and
- (3) the United States is making significant progress on reducing and eliminating the North Korean ballistic missile threat, including its ballistic missile exports.

State advises, and we agree, that you are able to make the above certifications. The second and third certifications are different than those you have made for the past three years to provide funding to KEDO. To explain the basis for making these certifications, we will send Congress a detailed Memorandum of Justification (Tab B).

As the Memorandum of Justification explains, our efforts to encourage North-South dialogue, combined with the Agreed Framework's provisions curbing North Korea's nuclear activities, contribute to the implementation of the Joint Declaration. The United States reached agreement with North Korea regarding a site visit by a U.S. team to the underground site at Kumchang-ni in May 1999, with a follow-up visit in May 2000 and visits thereafter as long as our concerns about the site remain. Finally, we believe that our intensified efforts to impede the flow of technology to and from the North Korean missile program, to dissuade potential DPRK missile customers and to have other countries press North Korea for missile restraint, combined with our March missile talks constitute the "significant progress" that justifies certification of this new requirement.

RECOMMENDATION

That you sign the Presidential Determination at Tab A. (Once you have signed the Presidential Determination, the Department of State will send the attached letter and Memorandum of Justification to Congress.)

Attachments

Tab A Presidential Determination
Tab B Draft Congressional Notification Letter
Tab C Memorandum of Justification re: Presidential
Determination under FY 1999 Appropriations Act

TAB A

1

Presidential Determination
No. _____

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: U.S. Contribution to KEDO: Certification Under
Section 582(c) of the Foreign Operations, Export
Financing, and Related Programs Appropriations
Act, 1999, as enacted in P.L. 105-277

Pursuant to Section 582(c) of the Foreign Operations, Export
Financing, and Related Programs Appropriations Act, 1999, as
enacted in P.L. 105-277, I hereby certify that:

- (1) the United States has initiated meaningful discussions
with North Korea on implementation of the Joint Declaration
on the Denuclearization of the Korean Peninsula;
- (2) the United States has reached agreement with North
Korea on the means for satisfying U.S. concerns regarding
suspect underground construction; and
- (3) the United States is making significant progress on
reducing and eliminating the North Korean ballistic missile
threat, including its ballistic missile exports.

You are authorized and directed to report this certification to
the Congress and to arrange for its publication in the Federal
Register.

TAB B

1

Draft

To be sent to Chairs of Appropriations and Foreign Relations Committees following receipt of Presidential Determination:

Dear Mr. Chairman:

Pursuant to Section 582(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted in P.L. 105-277 ("FY 1999 Appropriations Act"), this letter reports the President's certification, on _____, 1999, in Presidential Determination No. _____ in connection with the U.S. contribution to the Korean Peninsula Energy Development Organization ("KEDO"). Specifically, the President certified that:

(1) the United States has initiated meaningful discussions with North Korea on implementation of the Joint Declaration on the Denuclearization of the Korean Peninsula;

(2) the United States has reached agreement with North Korea on the means for satisfying U.S. concerns regarding suspect underground construction; and

(3) the United States is making significant progress on reducing and eliminating the North Korean ballistic missile threat, including its ballistic missile exports.

A copy of the certification and a memorandum of justification are enclosed.

The U.S. contribution of \$20 million will be used to help pay the FY 1999 administrative and heavy fuel oil expenses of KEDO, an international organization established to implement the Agreed Framework between the United States and the Democratic People's Republic of Korea (DPRK), signed October 21, 1994.

The Honorable

_____, Chairman,
Committee on _____,
House of Representatives/United States Senate.

Under the Agreed Framework, the United States agreed to organize under its leadership an international consortium to finance and supply two light-water reactors (LWR) to the DPRK. The United States also agreed to make arrangements for the provision to the DPRK of annual shipments of heavy fuel oil. For its part, North Korea agreed to "freeze" and eventually dismantle its potentially dangerous graphite nuclear reactors and related facilities. It also agreed to allow implementation of full-scope safeguards by the International Atomic Energy Agency (IAEA) on these nuclear facilities in accordance with the timetable specified in the Agreed Framework.

In our letter of March 10, 1999, we described recent developments in the implementation of the Agreed Framework. Since that time, negotiations with the DPRK have led to the successful conclusion of an agreement permitting U.S. access to the underground site at Kumchang-ni. The first such visit is expected to take place in May, and follow-up visits will take place in May 2000 and continue as long as our concerns about the site remain. Of course, we will continue to brief you and your staff on these developments concerning the Agreed Framework and other discussions with North Korea.

There also has been progress in financing KEDO's light water reactor project. KEDO executive board members tentatively approved loan agreements with the Republic of Korea and Japanese governments for ROK and Japanese financing of the reactors. With parliamentary approval of these loans and finalization of the Turnkey Contract for the project expected within the next few months, full-scale construction of the light-water reactors should begin later this year.

In recent months, KEDO has received financial contributions from Italy, Finland, Singapore, and Canada. We continue to urge other members of the international community to join KEDO and to contribute to the organization.

We continue to share concerns raised in Congress and elsewhere regarding North Korean behavior in such areas as missile development and suspect underground construction. As demonstrated by the Kumchang-ni talks, the Administration is engaged in intensive efforts to satisfy our concerns on these issues. At the same time, we believe it is very important to maintain the Agreed Framework as a tool with which to constrain North Korea's nuclear activities. As described in more detail in the enclosed Memorandum of Justification, we

believe that the use of the \$20 million in the manner described is essential to carry out the terms and conditions of the Agreed Framework and to achieve our high-priority nuclear nonproliferation objectives.

Please do not hesitate to contact us if you believe we may be of further assistance.

Sincerely,

Barbara Larkin
Assistant Secretary
Legislative Affairs

Enclosures:

- (1) Presidential Determination under FY 1999
Appropriations Act
- (2) Memorandum of Justification

TAB C

MEMORANDUM OF JUSTIFICATION
FOR PRESIDENTIAL CERTIFICATION UNDER THE SECTION 582(c) OF
THE FOREIGN OPERATIONS, EXPORT FINANCING,
AND RELATED PROGRAMS APPROPRIATIONS ACT, 1999,
IN CONNECTION WITH THE U.S. CONTRIBUTION TO
THE KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

Pursuant to Section 582(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted in P.L. 105-277 ("FY 1999 Appropriations Act"), the President certified on February __, 1999, that:

(1) the United States has initiated meaningful discussions with North Korea on implementation of the Joint Declaration on the Denuclearization of the Korean Peninsula;

(2) the United States has reached agreement with North Korea on the means for satisfying U.S. concerns regarding suspect underground construction; and

(3) the United States is making significant progress on reducing and eliminating the North Korean ballistic missile threat, including its ballistic missile exports.

The justification for the Presidential certification is set forth below.

(1) Implementation of Joint Denuclearization Declaration

On January 1, 1992, the Republic of Korea and the Democratic People's Republic of Korea issued the Joint Declaration on the Denuclearization of the Korean Peninsula. The provisions of the Joint Declaration state that the North and South:

- shall not test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons;
- shall use nuclear energy solely for peaceful purposes;
- shall not possess nuclear reprocessing and uranium enrichment facilities, and;
- in order to verify the denuclearization of the Korean peninsula, shall conduct inspections of the objects selected by the other side and agreed upon between the two sides, in accordance with procedures and methods to be determined by the North-South Nuclear Control Commission which shall be established within one month of the effectuation of this joint declaration.

The DPRK and the ROK held a series of North-South Joint Nuclear Control Commission meetings in early 1992 as specified in the Joint Declaration, but these were discontinued as relations between the two Korean states worsened and the DPRK threatened to withdraw from the Nuclear Non-Proliferation Treaty (NPT) and refused to cooperate with the IAEA. As a result, the absence of sustained governmental talks between the ROK and DPRK has delayed further implementation of the Denuclearization Declaration.

The United States has, however, taken steps to encourage DPRK compliance with the Joint Declaration by encouraging North-South dialogue and ensuring DPRK implementation of the Agreed Framework. The Agreed Framework itself explicitly provides that the DPRK will take steps to implement the Joint Declaration on the Denuclearization of the Korean Peninsula. In addition, the Agreed Framework, as a step towards full implementation of the Denuclearization Declaration, has succeeded in eliciting positive DPRK movement on key provisions of the Declaration. Specifically, North Korea's agreement to freeze and eventually dismantle its graphite-moderated nuclear reactors and related facilities has halted activities that, had they not been stopped, would have given the DPRK a nuclear weapons capability. Such a capability would have been a threat to peace and security on the Korean Peninsula and to all of northeast Asia. The DPRK agreement to forego reprocessing under the Agreed Framework and to replace its existing nuclear reactors with proliferation-resistant LWRs represents a major step toward the goals of the North-South Denuclearization Agreement, including ensuring that the DPRK will not test, manufacture, produce, store, deploy or possess nuclear weapons.

(2) Agreement on Underground Site

The Agreed Framework prohibits the construction of any new graphite-moderated reactors or related facilities. The Administration became very concerned about reports in mid-1998 of possible surreptitious nuclear activity at an underground site at Kumchang-ni, and engaged the DPRK intensively on the issue. The Administration made clear to the DPRK that the future of the Agreed Framework and of our bilateral relationship hinged on the satisfactory resolution of this issue, and that a solution would have to involve full access and multiple visits to the site.

After four difficult rounds of negotiations, on March 16, 1999, the United States and the DPRK reached an agreement that allows multiple access by a team of U.S. experts to the Kumchang-ni site. The first visit is expected to take place in May, 1999, during which time the U.S. team will, through the use of photography, videotape, and other means, attempt to determine the present state, precise dimensions and configuration of the site. The team will have access to the entire site and facilities,

including underground areas and dams. In accordance with the agreement, another visit will take place in May 2000, with follow-up visits continuing as long as needed to allay our concerns that the site could be converted to prohibited uses.

(3) North Korea's Ballistic Missile Program

The United States is making significant progress on reducing and eliminating the North Korean ballistic missile threat, including its ballistic missile exports. The United States has led the broadening and strengthening of the Missile Technology Control Regime (MTCR), whose export controls have denied substantial missile technology to the DPRK and its missile export customers. These efforts have been made more effective through increased information exchanges in the MTCR, the addition of new commodities to the Regime's export control list (the MTCR Annex), and an increasing focus on regional missile proliferation threats such as North Korea. Our intensified efforts have succeeded in increasing the MTCR's vigilance and effectiveness against DPRK missile activity.

In addition, the United States has worked intensively, particularly so in recent months, to interdict individual shipments of equipment and technology destined for the North Korean missile program, and from North Korea to its missile export customers. (For example, we have interdicted several shipments of solid-propellant ingredients the DPRK attempted to ship to Pakistan, as well as curtailing Japanese exports of specialty steel to the DPRK missile program.) Our interdiction efforts have complicated DPRK efforts to obtain missile technology and supply its missile customers, forcing it to seek and supply lesser technology at higher cost, and with less certainty and timeliness. Moreover, the United States has imposed trade sanctions under U.S. law against DPRK and third-country entities involved in North Korean missile import/export activities, including in 1992, 1996, 1997, and 1998.

These technology denial efforts have been augmented by high-level diplomacy to dissuade potential customers from buying North Korean missile technology, and to persuade countries with influence on North Korea (including China and Russia) to press Pyongyang to restrain its missile development and export activities. In several cases, our diplomatic efforts have successfully forestalled significant contributions to North Korea's missile program as well as new acquisitions by potential customers of DPRK missile technology.

All of the above activities are undergirded by robust U.S. military deployments and coalitions in Northeast Asia and the Middle East -- the areas primarily threatened by North Korean missile deployments and exports -- and by a substantial U.S. and

allied intelligence capability directed against the DPRK missile threat.

Finally, the United States has engaged directly with the DPRK. We have made clear since the Agreed Framework was concluded in 1994 that the missile issue (both export and indigenous development) must be resolved in order to move to full U.S.-DPRK political and economic normalization. We have held four rounds of direct missile negotiations with the DPRK (April 1996, June 1997, October 1998, and March 1999) in which we have laid out the steps the DPRK must take and the specific types of normalization that would result. In the wake of the August 1998 North Korean launch of the Taepo Dong-1 missile, the United States emphasized to the DPRK privately and publicly that further such launches, or the export of long-range missiles or their technology, would have very negative consequences for bilateral relations. These themes were stressed once again at the most recent round of missile talks, held March 29-30 in Pyongyang, after which the sides agreed to meet again for a fifth round of discussions as soon as possible.

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Kristie Kenney to Glyn Davies re Presidential Action on KEDO (4 pages)	04/27/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Mary Derosa (Legal Advisor)
OA/Box Number: 2959

FOLDER TITLE:

Korea [1]

2009-0528-F
kc1437

RESTRICTION CODES

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- P6 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. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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

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- 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 concerning wells [(b)(9) of the FOIA]

The White House
Washington, D.C.
Presidential
Determination
No. _____

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: U.S. Contribution to KEDO: Certification Under the Heading "Nonproliferation, Anti-Terrorism, Demining and Related Programs" in Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted in P.L. 105-277

Pursuant to Section 582(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted in P.L. 105-277, I hereby certify that:

(1) the United States has initiated meaningful discussions with North Korea on implementation of the Joint Declaration on the Denuclearization of the Korean Peninsula;

(2) the United States has reached agreement with North Korea on the means for satisfying U.S. concerns regarding suspect underground construction; and

(3) the United States is making significant progress on reducing and eliminating the North Korean ballistic missile threat, including its ballistic missile exports.

You are authorized and directed to report this certification to the Congress and to arrange for its publication in the Federal Register.

William J. Clinton

Draft

To be sent to Chairs of Appropriations and Foreign Relations
Committees following receipt of Presidential Determination:

Dear Mr. Chairman:

Pursuant to Section 582(c) of the Foreign Operations,
Export Financing, and Related Programs Appropriations Act,
1999, as enacted in P.L. 105-277 ("FY 1999 Appropriations
Act"), this letter reports the President's certification, on
_____, 1999, in Presidential Determination No. _____ in
connection with the U.S. contribution to the Korean Peninsula
Energy Development Organization ("KEDO"). Specifically, the
President certified that:

(1) the United States has initiated meaningful
discussions with North Korea on implementation of the
Joint Declaration on the Denuclearization of the Korean
Peninsula;

(2) the United States has reached agreement with
North Korea on the means for satisfying U.S. concerns
regarding suspect underground construction; and

(3) the United States is making significant progress
on reducing and eliminating the North Korean ballistic
missile threat, including its ballistic missile exports.

A copy of the certification and a memorandum of
justification are enclosed.

The U.S. contribution of \$20 million will be made
available to KEDO only for administrative and heavy fuel oil
costs associated with the Agreed Framework between the United
States and the Democratic People's Republic of Korea (DPRK)
of October 21, 1994.

The Honorable

_____, Chairman,
Committee on _____,
House of Representatives/United States Senate.

Under the Agreed Framework, the United States agreed to organize under its leadership an international consortium to finance and supply two light-water reactors (LWR) to the DPRK and to make arrangements for the provision to the DPRK of annual shipments of heavy fuel oil pending the completion of the first LWR unit. For its part, North Korea agreed to "freeze" and eventually dismantle its potentially dangerous graphite nuclear reactors and related facilities. It also agreed to allow implementation of full-scope safeguards by the International Atomic Energy Agency (IAEA) on these nuclear facilities in accordance with the timetable specified in the Agreed Framework.

In our letter of March 10, 1999, we described recent developments in the implementation of the Agreed Framework. Since that time, negotiations with the DPRK have led to the successful conclusion of an agreement permitting U.S. access to the underground site at Kumchang-ni. The first such visit is expected to take place in May, and follow-up visits will take place in May 2000 and continue as long as our concerns about the site remain. Of course, we will continue to brief you and your staff on these developments concerning the Agreed Framework and other discussions with North Korea.

There has also been progress in financing KEDO's reactor project. KEDO executive board members tentatively approved loan agreements with the Republic of Korea and Japanese governments for ROK and Japanese financing of the reactors. With parliamentary approval of these loans and finalization of the Turnkey Contract for the project, expected within the next few months, full-scale construction of the light-water reactors should begin later this year.

In recent months, KEDO has received financial contributions from Italy, Finland, Singapore, and Canada. We continue to urge other members of the international community to join KEDO and to contribute to the organization.

We continue to share concerns raised in Congress and elsewhere regarding North Korean behavior in such areas as missile development and suspect underground construction. As demonstrated by the Kumchang-ni talks, the Administration is engaged in intensive efforts to satisfy our concerns on these issues. At the same time, we believe it is very important to maintain the Agreed Framework as a tool with which to constrain North Korea's nuclear activities. As described in more detail in the enclosed Memorandum of Justification, we

believe that the use of the \$20 million in the manner described is essential to carry out the terms and conditions of the Agreed Framework and to achieve our high-priority nuclear nonproliferation objectives.

Please do not hesitate to contact us if you believe we may be of further assistance.

Sincerely,

Barbara Larkin
Assistant Secretary
Legislative Affairs

Enclosures:

- (1) Presidential Determination under FY 1999
Appropriations Act
- (2) Memorandum of Justification

MEMORANDUM OF JUSTIFICATION
FOR PRESIDENTIAL CERTIFICATION UNDER THE SECTION 582(c) OF
THE FOREIGN OPERATIONS, EXPORT FINANCING,
AND RELATED PROGRAMS APPROPRIATIONS ACT, 1999,
IN CONNECTION WITH THE U.S. CONTRIBUTION TO
THE KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

Pursuant to Section 582(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted in P.L. 105-277 ("FY 1999 Appropriations Act"), the President certified on May , 1999, that:

(1) the United States has initiated meaningful discussions with North Korea on implementation of the Joint Declaration on the Denuclearization of the Korean Peninsula;

(2) the United States has reached agreement with North Korea on the means for satisfying U.S. concerns regarding suspect underground construction; and

(3) the United States is making significant progress on reducing and eliminating the North Korean ballistic missile threat, including its ballistic missile exports.

The justification for the Presidential certification is set forth below.

(1) Implementation of Joint Denuclearization Declaration

On January 1, 1992, the Republic of Korea and the Democratic People's Republic of Korea issued the Joint Declaration on the Denuclearization of the Korean Peninsula. The provisions of the Joint Declaration state that the North and South:

- shall not test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons;
- shall use nuclear energy solely for peaceful purposes;
- shall not possess nuclear reprocessing and uranium enrichment facilities, and;
- in order to verify the denuclearization of the Korean peninsula, shall conduct inspections of the objects selected by the other side and agreed upon between the two sides, in accordance with procedures and methods to be determined by the North-South Nuclear Control

Commission which shall be established within one month of the effectuation of this joint declaration.

The DPRK and the ROK held a series of North-South Joint Nuclear Control Commission meetings in early 1992 as specified in the Joint Declaration, but these were discontinued as relations between the two Korean states worsened and the DPRK threatened to withdraw from the Nuclear Non-Proliferation Treaty (NPT) and refused to cooperate with the IAEA. As a result, the absence of sustained governmental talks between the ROK and DPRK has delayed further implementation of the Denuclearization Declaration.

The United States has, however, taken steps to encourage DPRK compliance with the Joint Declaration, in part by encouraging North-South dialogue and ensuring DPRK implementation of the Agreed Framework. The Agreed Framework itself explicitly provides that the DPRK will take steps to implement the Joint Declaration on the Denuclearization of the Korean Peninsula. In addition, the Agreed Framework, as a step towards full implementation of the Denuclearization Declaration, has succeeded in eliciting positive DPRK movement on key provisions of the Declaration. Specifically, North Korea's agreement to freeze and eventually dismantle its graphite-moderated nuclear reactors and related facilities has halted activities that, had they not been stopped, would have given the DPRK a nuclear weapons capability. Such a capability would have been a threat to peace and security on the Korean Peninsula and to all of northeast Asia. The DPRK agreement to forego reprocessing under the Agreed Framework and to replace its existing nuclear reactors with proliferation-resistant LWRs represents a major step toward the goals of the North-South Denuclearization Agreement, including ensuring that the DPRK will not test, manufacture, produce, store, deploy or possess nuclear weapons.

The United States has also raised directly with DPRK representatives the issue of their implementation of the Joint Declaration. In light of the comprehensive review of our policy toward North Korea currently being undertaken, as mandated by the FY 1999 Appropriations Act, we expect to address the substance of the Joint Declaration further with the DPRK in a meaningful manner.

(2) Agreement on Underground Site

The Agreed Framework prohibits the construction of any new graphite-moderated reactors or related facilities. The Administration became very concerned about reports in mid-1998 of possible surreptitious nuclear activity at an underground site at Kumchang-ni, and engaged the DPRK intensively on the issue. The Administration made clear to the DPRK that the future of the Agreed Framework and of our bilateral relationship hinged on the

satisfactory resolution of this issue, and that a solution would involve full access and multiple visits to the site.

After four difficult rounds of negotiations, on March 16, 1999, the United States and the DPRK reached an agreement which allows multiple access by a team of U.S. experts to the Kumchang-ni site. The first visit is expected to take place in May, 1999, during which time the U.S. team will, through the use of photography, videotape and other means, attempt to determine the present state, precise dimensions and configuration of the site. The team will have access to the entire site and facilities, including underground areas and dams. In accordance with the agreement, another visit will take place in May 2000, with follow-up visits continuing as long as needed to allay our concerns that the site could be converted to prohibited uses.

(3) North Korea's Ballistic Missile Program

The United States is making significant progress on reducing and eliminating the North Korean ballistic missile threat, including its ballistic missile exports. The United States has led the broadening and strengthening of the Missile Technology Control Regime (MTCR), whose export controls have denied substantial missile technology to the DPRK and its missile export customers. These efforts have been made more effective through increased information exchanges in the MTCR, the addition of new commodities to the Regime's export control list (the MTCR Annex), and an increasing focus on regional missile proliferation threats such as North Korea. Our intensified efforts have succeeded in increasing the MTCR's vigilance and effectiveness against DPRK missile activities.

In addition, the United States has worked intensively, particularly so in recent months, to interdict individual shipments of equipment and technology destined for the North Korean missile program, and from North Korea to its missile export customers. (For example, we have interdicted several shipments of solid-propellant ingredients the DPRK attempted to ship to Pakistan, as well as curtailing Japanese exports of specialty steel to the DPRK missile program.) Our interdiction efforts have complicated DPRK efforts to obtain missile technology and supply its missile customers, forcing it to seek and supply lesser technology at higher cost, and with less certainty and timeliness. Moreover, the United States has imposed trade sanctions under U.S. law against DPRK and third-country entities involved in North Korean missile import/export activities, including in 1992, 1996, 1997, and 1998.

These technology denial efforts have been augmented by high-level diplomacy to dissuade potential customers from buying North Korean missile technology, and to persuade countries with influence on North Korea (including China and Russia) to press

Pyongyang to restrain its missile development and export activities. In several cases, our diplomatic efforts have successfully forestalled significant contributions to North Korea's missile program, as well as new acquisitions by potential customers of DPRK missile technology.

All of the above activities are undergirded by robust U.S. military deployments and coalitions in Northeast Asia and the Middle East -- the areas primarily threatened by North Korean missile deployments and exports -- and by a substantial U.S. and allied intelligence capability directed against the DPRK missile threat.

Finally, the United States has engaged directly with the DPRK. We have made clear since the Agreed Framework was concluded in 1994 that the missile issue (both export and indigenous development) must be resolved in order to move to full U.S.-DPRK political and economic normalization. We have held four rounds of direct missile negotiations with the DPRK (April 1996, June 1997, October 1998, and March 1999) in which we have laid out the steps the DPRK must take and the specific types of normalization that would result. In the wake of the August 1998 North Korean launch of the Taepo Dong-1 missile, the United States emphasized to the DPRK privately and publicly that further such launches, or the export of long-range missiles or their technology, would have very negative consequences for bilateral relations. These themes were stressed once again at the most recent round of missile talks, held March 29-30 in Pyongyang, after which the sides agreed to meet again for a fifth round of discussions as soon as possible.

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THE WHITE HOUSE
WASHINGTON

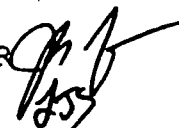
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February 26, 1999

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER 
LARRY STEIN 

SUBJECT: U.S. Funding for the Korean Peninsula Energy
Development Organization (KEDO)

Purpose

To sign the Presidential Certification required to provide the first installment of U.S. funding to the Korean Peninsula Energy Development Organization (KEDO).

Background

Section 582 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted in P.L. 105-277, authorizes \$35 million for KEDO in two installments: up to \$15 million after March 1, 1999 and up to \$20 million after June 1, 1999. For each installment, the President must make specified certifications to Congress 30 days prior to obligating the funds to KEDO. The certifications required for the first installment of \$15 million are that:

(1) (A) the parties to the Agreed Framework have taken and continue to take demonstrable steps to assure that progress is made on the implementation of the January 1, 1992, Joint Declaration on the Denuclearization of the Korean Peninsula in which the government of North Korea has committed not to test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons;

(B) the parties to the Agreed Framework have taken and continue to take demonstrable steps to assure that progress is made on the implementation of the North-South dialogue; and

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(C) North Korea is complying with all provisions of the Agreed Framework and with the Confidential Minute between North Korea and the United States;

(2) North Korea is cooperating fully in the canning and safe storage of all spent fuel from its graphite-moderated nuclear reactors;

(3) North Korea has not significantly diverted assistance provided by the United States for purposes for which it was not intended; and

(4) the United States is fully engaged in efforts to impede North Korea's development and export of ballistic missiles.

State advises, and we agree, that you are able to make the above certifications, which are similar to certifications you have made the past three years to provide funding to KEDO. To explain the basis for making these certifications, we will send Congress a detailed Memorandum of Justification, including a classified attachment that addresses the issue of heavy fuel oil diversions (Tab B).

As the attachment explains, we believe that North Korea has diverted a small portion of KEDO-supplied heavy fuel oil for uses not allowed under the Agreed Framework, but we do not believe that such diversions are "significant". Therefore, we are able to certify that North Korea has not "significantly diverted assistance". The Memorandum of Justification also explains our basis for certifying that North Korea is "in compliance" with the Agreed Framework because we do not have evidence that North Korea is constructing nuclear facilities at the suspect underground site in violation of the Agreed Framework.

Some critics of our North Korea policy are likely to question these certifications, for example, citing the suspect underground construction site as a violation of the "spirit" of the Agreed Framework. Nonetheless, we believe it is essential to provide additional funding to KEDO at this time, which will maintain the flow of heavy fuel oil to North Korea and help to sustain the Agreed Framework. The certifications required to provide the second installment of funds to KEDO after June 1, 1999 are more difficult to fulfill, but we do not intend to recommend that you make these certifications until we have reached agreement with North Korea on access to the suspect underground site. We are meeting with the North Koreans in late

February to resume our negotiations to secure access to the underground site.

RECOMMENDATION

That you sign the Presidential Determination at Tab A. (Once you have signed the Presidential Determination, the Department of State will send the attached letter and Memorandum of Justification to Congress.)

Attachments

Tab A Presidential Determination
Tab B Draft Congressional Notification Letter
Tab C Memorandum of Justification re: Presidential
Determination under FY 1999 Appropriations Act
Tab II Incoming Correspondence

TAB A

THE WHITE HOUSE

WASHINGTON

Presidential Determination
No. _____

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: U.S. Contribution to KEDO: Certification Under
Section 582(b) of the Foreign Operations, Export
Financing, and Related Programs Appropriations
Act, 1999, as enacted in P.L. 105-277

Pursuant to Section 582(b) of the Foreign Operations, Export
Financing, and Related Programs Appropriations Act, 1999, as
enacted in P.L. 105-277, I hereby certify that:

(1) (A) the parties to the Agreed Framework have taken and
continue to take demonstrable steps to assure that progress
is made on the implementation of the January 1, 1992, Joint
Declaration on the Denuclearization of the Korean Peninsula
in which the government of North Korea has committed not to
test, manufacture, produce, receive, possess, store, deploy
or use nuclear weapons;

(B) the parties to the Agreed Framework have taken and
continue to take demonstrable steps to assure that progress
is made on the implementation of the North-South dialogue;
and

(C) North Korea is complying with all provisions of the
Agreed Framework and with the Confidential Minute between
North Korea and the United States;

(2) North Korea is cooperating fully in the canning and
safe storage of all spent fuel from its graphite-moderated
nuclear reactors;

(3) North Korea has not significantly diverted assistance
provided by the United States for purposes for which it was
not intended; and

(4) the United States is fully engaged in efforts to impede North Korea's development and export of ballistic missiles.

You are authorized and directed to report this certification to the Congress and to arrange for its publication in the Federal Register.

TAB B

Draft

To be sent to Chairs of Appropriations and Foreign Relations Committees following receipt of Presidential Determination:

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(UNCLASSIFIED when separated from Enclosure)

Dear Mr. Chairman:

Pursuant to Section 582(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted in P.L. 105-277 ("FY 1999 Appropriations Act"), this letter reports the President's certification, on _____, 1999, in Presidential Determination No. _____ in connection with the U.S. contribution to the Korean Peninsula Energy Development Organization ("KEDO"). Specifically, the President certified that:

(1) (A) the parties to the Agreed Framework have taken and continue to take demonstrable steps to assure that progress is made on the implementation of the January 1, 1992, Joint Declaration on the Denuclearization of the Korean Peninsula in which the government of North Korea has committed not to test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons;

(B) the parties to the Agreed Framework have taken and continue to take demonstrable steps to assure that progress is made on the implementation of the North-South dialogue; and

(C) North Korea is complying with all provisions of the Agreed Framework and with the Confidential Minute between North Korea and the United States.

(2) North Korea is cooperating fully in the canning and safe storage of all spent fuel from its graphite-moderated nuclear reactors;

The Honorable

_____, Chairman,
Committee on _____,
House of Representatives/United States Senate.

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(3) North Korea has not significantly diverted assistance provided by the United States for purposes for which it was not intended; and

(4) the United States is fully engaged in efforts to impede North Korea's development and export of ballistic missiles.

A copy of the certification and its justification are enclosed.

The U.S. contribution of \$15 million will be used to help pay the FY 1999 administrative and heavy fuel oil expenses of KEDO, an international organization established to implement the Agreed Framework between the United States and the Democratic People's Republic of Korea (DPRK), signed October 21, 1994. Under the Agreed Framework, the United States agreed to organize under its leadership an international consortium to finance and supply two light-water reactors (LWR) to the DPRK. The United States also agreed to make arrangements for the provision to the DPRK of annual shipments of heavy fuel oil. For its part, North Korea agreed to "freeze" and eventually dismantle its potentially dangerous graphite nuclear reactors and related facilities. It also agreed to allow implementation of full-scope safeguards by the International Atomic Energy Agency (IAEA) on these nuclear facilities in accordance with the timetable specified in the Agreed Framework.

Over the past year, there have been further developments in the implementation of the Agreed Framework. Building on the 1995 KEDO-DPRK agreement for the provision of the two light-water reactors specified under the Agreed Framework and the ground-breaking at the Kumho LWR site on August 19, 1997, KEDO Executive Board members reached agreement in late 1998 on cost-sharing arrangements for the LWR project. As a result, major financing from South Korea and Japan should begin to become available in mid-1999. KEDO has also continued to make shipments of heavy fuel oil to the DPRK in accordance with the Agreed Framework. North Korea continues to maintain the freeze on its nuclear facilities at Yongbyon, and that freeze is being monitored by international inspectors from the IAEA. We are concerned about an underground construction site in North Korea that could be intended to house nuclear production facilities in violation of the Agreed Framework, but we do not

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-3-

believe that the North has to date violated the terms of the nuclear freeze in the Agreed Framework. Canning of the spent fuel from North Korea's 5MW(e) reactor began in April 1996; by the end of October 1997 virtually all intact fuel rods had been canned and placed under IAEA seal. After an interruption in mid-1998, work resumed in October on the cleanup and storage of rod fragments from the spent fuel basin.

The United States, Japan and South Korea continue to play a leading role in KEDO through the organization's Executive Board, its main decision-making body. They were joined by the European Union in September 1997. The Republic of Korea will play the central role in financing and constructing KEDO's reactor project and has already contributed a total of \$62 million to KEDO, including a \$45 million loan to finance the initial LWR site preparation work. Japan will play a significant role in financing the reactor project and has already contributed \$16 million to KEDO, as well as advancing \$19 million to provide liquidity to support the financing of heavy fuel oil expenses. Contributions from the EU have amounted to \$52 million to date, with an additional 15 million ecu pledged annually through 2000.

Since KEDO's establishment in March 1995, the original three Executive Board members have approached more than 35 countries from Europe, Asia, Latin America and the Middle East to ask their support for the organization. On January 5, 1999, the Czech Republic was accepted as a new KEDO member, bringing the total membership to 13. Several other countries have informed us that they are considering becoming members.

A number of other countries -- Brunei, Germany, Greece, Italy, Malaysia, the Netherlands, Norway, Oman, the Philippines, Singapore, Switzerland, Thailand and the UK -- have made contributions in support of the organization. We look forward to additional pledges from members of the international community to join KEDO and to contribute to the organization over the coming year.

We recognize and share concerns raised in Congress and elsewhere regarding North Korean activities in such areas as missile development and suspect underground construction. The Administration is engaged in intensive efforts to satisfy our concerns on these issues. At the same time, we believe it is very important to maintain the Agreed Framework as a

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-4-

tool with which to constrain North Korea's nuclear activities. As described in more detail in the enclosed Memorandum of Justification, we believe that the use of the \$15 million in the manner described is essential to carry out the terms and conditions of the Agreed Framework and to achieve our high-priority nuclear nonproliferation objectives.

Please do not hesitate to contact us if you believe we may be of further assistance.

Sincerely,

Barbara Larkin
Assistant Secretary
Legislative Affairs

Enclosures:

- (1) Presidential Determination under FY 1999
Appropriations Act
- (2) Memorandum of Justification

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TAB C

MEMORANDUM OF JUSTIFICATION
FOR PRESIDENTIAL CERTIFICATION UNDER THE SECTION 582(b) OF
THE FOREIGN OPERATIONS, EXPORT FINANCING,
AND RELATED PROGRAMS APPROPRIATIONS ACT, 1999,
IN CONNECTION WITH THE U.S. CONTRIBUTION TO
THE KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

Pursuant to Section 582(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted in P.L. 105-277 ("FY 1999 Appropriations Act"), the President certified on February __, 1999, that:

(1) (A) the parties to the Agreed Framework have taken and continue to take demonstrable steps to assure that progress is made on the implementation of the January 1, 1992, Joint Declaration on the Denuclearization of the Korean Peninsula in which the government of North Korea has committed not to test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons;

(B) the parties to the Agreed Framework have taken and continue to take demonstrable steps to assure that progress is made on the implementation of the North-South dialogue; and

(C) North Korea is complying with all provisions of the Agreed Framework and with the Confidential Minute between North Korea and the United States.

(2) North Korea is cooperating fully in the canning and safe storage of all spent fuel from its graphite-moderated nuclear reactors;

(3) North Korea has not significantly diverted assistance provided by the United States for purposes for which it was not intended; and

(4) the United States is fully engaged in efforts to impede North Korea's development and export of ballistic missiles.

The justification for the Presidential certification is set forth below.

(1) (A) Implementation of Joint Denuclearization Declaration

On January 1, 1992, the Republic of Korea and the Democratic People's Republic of Korea issued the Joint Declaration on the Denuclearization of the Korean Peninsula. The provisions of the Joint Declaration state that the North and South:

- shall not test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons;
- shall use nuclear energy solely for peaceful purposes;
- shall not possess nuclear reprocessing and uranium enrichment facilities, and;
- in order to verify the denuclearization of the Korean peninsula, shall conduct inspections of the objects selected by the other side and agreed upon between the two sides, in accordance with procedures and methods to be determined by the North-South Nuclear Control Commission which shall be established within one month of the effectuation of this joint declaration.

The DPRK and the ROK held a series of North-South Joint Nuclear Control Commission meetings in early 1992 as specified in the Joint Declaration, but these were discontinued as relations between the two Korean states worsened and the DPRK threatened to withdraw from the Nuclear Non-Proliferation Treaty (NPT) and refused to cooperate with the IAEA. As a result, the absence of sustained governmental talks between the ROK and DPRK has delayed further implementation of the Denuclearization Declaration.

The United States has, however, taken steps to encourage DPRK compliance with the Joint Declaration by encouraging North-South dialogue and ensuring DPRK implementation of the Agreed Framework. The Agreed Framework itself explicitly provides that the DPRK will take steps to implement the Joint Declaration on the Denuclearization of the Korean Peninsula. In addition, the Agreed Framework, as a step towards full implementation of the Denuclearization Declaration, has succeeded in eliciting positive DPRK movement on key provisions of the Declaration. Specifically, North Korea's agreement to freeze and eventually dismantle its graphite-moderated nuclear reactors and related facilities has halted activities that, had they not been stopped, would have given the DPRK a nuclear weapons capability. Such a capability would have been a threat to peace and security on the Korean Peninsula and to all of northeast Asia. The DPRK agreement to forego reprocessing under the Agreed Framework and

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-3-

to replace its existing nuclear reactors with proliferation-resistant LWRs represents a major step toward ensuring that the DPRK will not test, manufacture, produce, store, deploy or possess nuclear weapons.

(1) (B) Implementation of North-South Dialogue

It is the firm position of the United States that North-South contacts are the key to resolving the most important issues on the Korean Peninsula. The U.S.-DPRK Agreed Framework provides that "the DPRK will engage in North-South dialogue," and we have used every available opportunity to press the DPRK to do so. The United States has supported South Korean initiatives toward the North and has urged the DPRK to engage in inter-Korean dialogue. Since the signing of the Agreed Framework in October 1994, the United States has also encouraged China to use its influence with the DPRK to encourage it to participate more fully in dialogue with the South.

It is against this backdrop that President Clinton and President Kim Young Sam of the Republic of Korea on April 16, 1996, issued a joint proposal for Four Party Talks (U.S., ROK, DPRK and China) to discuss peace on the Korean Peninsula. In announcing this initiative, the two Presidents confirmed the fundamental principle that the establishment of a stable, permanent peace on the Korean Peninsula was an important goal of the Korean people and that South and North Korea should take the lead in a renewed search for peace. In addition, the Four Party proposal was designed to begin a process leading to tension reduction, greater economic cooperation, and eventually the creation of a new, permanent peace mechanism to replace the 1953 Armistice Agreement.

On June 30, 1997, the DPRK announced, after a series of meetings in New York involving U.S., ROK and DPRK officials, that it would participate in the Four Party talks. After further preparatory talks, the first two plenary rounds took place in Geneva December 9-10, 1997, and March 16-20, 1998. In a third round of talks October 21-24, 1998, the DPRK agreed to the formation of subcommittees to discuss tension reduction and a permanent peace regime. In the most recent round, January 18-22, 1999, the two subcommittees met for the first time and established procedures for their work. The Four Party representatives will meet again in mid-April, when the subcommittees are expected to address agenda items. The PRC, which is a full participant in the Four Party talks, has continued to offer its strong, constructive support for this effort. Other countries in the region, including Japan and Russia, also continue to support the Four Party process.

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Implementation of the Agreed Framework also continues to create many occasions for direct North-South contact. The Korean Peninsula Energy Development Organization (KEDO), established by the United States, the ROK and Japan to implement various components of the Agreed Framework, has proven to be an effective vehicle for North-South dialogue. KEDO has engaged in extensive negotiations with the DPRK on the LWR supply agreement and related protocols. ROK government officials and technical experts have participated in the formulation of KEDO's negotiating strategy; have directly engaged in negotiations with the DPRK; and have held numerous consultations with DPRK experts on technical issues. The installation in 1997 of mail and phone links between the LWR site and South Korea marks the first such direct ties between North and South since the Korean War.

In the site-preparation work following the August 19, 1997, LWR ground-breaking, South Korea has supplied the large majority of the personnel involved in initial site preparation at the Kumho reactor site. Their presence will increase significantly when actual construction of the LWR commences during the coming year. Progress on the LWR in 1998 was less than had been hoped as a direct consequence of the August 31, 1998, DPRK launch of a missile/satellite. However, agreement in late 1998 on cost-sharing arrangements for the LWR project means that major financing from South Korea and Japan should begin to become available in mid-1999. Completion of the Turnkey Contract with KEDO -- now under negotiation -- and the commencement of actual LWR construction should result in a concomitant increase in the pace of negotiations with the DPRK on the various protocols called for in the KEDO-DPRK Supply Agreement.

Shortly after his election, President Kim Dae-jung invited the DPRK to participate in a North-South summit. Since then, he has continued to promote North-South engagement. President Kim has pursued improved relations with the North more vigorously than any of his predecessors. Following his stated policy of separating politics from economics in dealing with the DPRK, the ROK Government supported Hyundai Corporation's efforts to engage in business projects in North Korea in 1998. This is most dramatically illustrated by the successful launch in November of South Korean cruise ship tours to Mt. Kumgang in the DPRK.

The United States has encouraged ROK efforts to engage the DPRK in productive dialogue related to international humanitarian efforts to address the North's food crisis. The ROK and the United States (and Japan) have closely coordinated their responses to appeals in 1996, 1997, and 1998 for humanitarian relief for the DPRK from international organizations such as the

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UN World Food Program. The ROK pledged 50,000 tons of assistance to be donated through the WFP in 1998. North-South talks were held in Beijing in April 1998 to discuss ROK provision of 200,000 tons of fertilizer to the DPRK and other bilateral issues. The talks ended, however, without any concrete agreements. In June 1998, Hyundai Chairman Chung Ju-Young donated 500 head of cattle to North Korea and, in an historic first, was permitted to deliver them via the DMZ. A subsequent delivery of an additional 500 cattle was made in October.

(1) (C) DPRK Compliance with Agreed Framework

Described below are the relevant commitments undertaken by the DPRK in the Agreed Framework and the Confidential Minute, followed by a discussion of the steps taken by the DPRK to comply:

- The freeze on the DPRK's graphite-moderated reactors and related facilities will be fully implemented within one month of the date of this document.

The DPRK agreed to implement the freeze on its nuclear facilities within one month after signing the Agreed Framework. Since November 1994, North Korea's graphite-moderated nuclear facilities at Yongbyon have been frozen. Specifically, this means no refueling or operation of the 5 MW research reactor; no construction on the 50 and 200 MW reactors; no reprocessing; sealing of the reprocessing facility; no operation of the fuel fabrication plant; and no construction of new graphite-moderated reactors or related facilities.

- During the one-month period, and throughout the freeze, the International Atomic Energy Agency (IAEA) will be allowed to monitor this freeze, and the DPRK will provide full cooperation to the IAEA for this purpose.

The IAEA has maintained a continuous presence at the Yongbyon nuclear facility and has continued with inspection activities related to verifying and monitoring the freeze in the DPRK according to the terms of the Agreed Framework. These activities have allowed it to determine that North Korea is complying with the provisions of the Agreed Framework freezing its nuclear facilities. (In addition to IAEA monitoring activities, the United States uses National Technical Means to help monitor DPRK compliance with the agreement.)

While the IAEA has been monitoring the nuclear freeze, it has also conducted bilateral discussions with the DPRK to resolve a

number of issues, some related to technical aspects of freeze monitoring. North Korean and IAEA officials met in January, June, and September of 1996, in January and October 1997, and in February, June and October 1998, and the two sides resolved a number of issues related to the canning and safe storage of spent fuel. The most recent set of technical discussions focused on ensuring that the IAEA is able to monitor successfully maintenance-related activity at North Korea's reprocessing facility. To date all maintenance work has been completed under full monitoring by the IAEA.

Other issues discussed relate to the preservation of historical data for the IAEA to use in determining the amount of plutonium the DPRK produced in the past. Under the terms of the Agreed Framework, "when a significant portion of the LWR project is completed, but before delivery of key nuclear components, the DPRK will come into full compliance with its safeguards agreement with the IAEA, including taking all steps that may be deemed necessary by the IAEA, following consultations with the Agency with regard to verifying the accuracy and completeness of the DPRK's initial report on all nuclear material in the DPRK." In the June 1996 meeting, the North presented a paper concerning the preservation of historical data at Yongbyon. Differences between the two sides still remain, as reflected in the 1998 GAO report on IAEA activities in North Korea. The IAEA continues to discuss this issue with the DPRK.

- Dismantlement of the DPRK's graphite-moderated reactors and related facilities will be completed when the LWR project is completed.

At present, North Korea is not required by the Agreed Framework to take immediate steps to comply with this requirement of the agreement.

- The United States and the DPRK will cooperate in finding a method to store safely the spent fuel from the 5 MW(e) experimental reactor during the construction of the LWR project, and to dispose of the fuel in a safe manner that does not involve reprocessing in the DPRK.

This topic is addressed in a separate certification (see item 2).

- The DPRK will remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and will allow implementation of its safeguards agreement under the Treaty.

As specified in the Agreed Framework, the DPRK has remained a party to the NPT. Paragraph IV, subparagraph 2 of the Agreed Framework specifies that "upon conclusion of the supply contract for the provision of the LWR project, ad hoc and routine inspections will resume under the DPRK's safeguards agreement with the IAEA with respect to facilities not subject to the freeze." With the successful conclusion of the agreement on the supply of light-water reactors (LWRs) to the DPRK, signed by the DPRK and KEDO in New York City on December 15, 1995, the DPRK allowed the IAEA to resume such inspections.

This is a first step towards the DPRK's adherence to its safeguards agreement; additional actions are not immediately required. As mentioned above, the IAEA and DPRK have held discussions relating to the preservation of historical data for use in eventually bringing the DPRK into full compliance with its safeguards agreement. Full compliance is required by the Agreed Framework once "a significant portion of the LWR project is completed, but before delivery of key nuclear components."

- Within three months of the date of this document, both sides will reduce barriers to trade and investment, including restrictions on telecommunications services and financial transactions.

In January 1995, the DPRK announced its lifting of all existing restrictions against trade with the United States.

- Each side will open a liaison office in the other's capital following resolution of consular and other technical issues through expert-level discussions.

The United States and the DPRK have held two rounds of expert-level discussions on opening liaison offices, and several other exchanges in diplomatic channels. Technical issues still remain to be resolved before those offices can be established.

- As progress is made on issues of concern to each side, the United States and the DPRK will upgrade bilateral relations to the Ambassadorial level.

Issues of concern for the United States cover a number of areas, such as DPRK missile proliferation, accounting of U.S. servicemen who are missing in action (MIA) as a result of the Korean War, and North Korea's relation to international terrorism. At our request, North Korea has engaged the United States on these topics, either in specific negotiations or through standing diplomatic channels. The United States will not consider an upgrade in bilateral relations until liaison offices

have been opened, nor will an upgrade occur until the United States is fully satisfied with the progress on issues of concern.

The justification regarding North Korean compliance with the Confidential Minute is provided in a classified attachment.

(2) Spent-Fuel Canning and Storage

U.S. and DPRK personnel have been cooperating since November 1994 with respect to the canning and storage of the spent fuel from North Korea's 5MW(e) reactor at Yongbyon. In January 1995, the United States and DPRK agreed on the method for safely storing the spent fuel as an interim step toward its ultimate transfer out of North Korea. The agreed-upon method consists of the treatment of the water in the spent fuel basin, the placement of spent fuel rods in a dry, atmospheric condition in specially designed stainless steel canisters, and the storage of the canisters in racks stationed in the basin. All of these activities have been carried out in the presence of IAEA inspectors and with the application of the appropriate seals.

A U.S.-supplied water treatment system, including a chiller to lower the temperature of the water, filters, and an ion exchange system, was jointly installed in September 1995. This system was designed to regulate pH and biological levels, ionic chloride and sulfate concentrations, gamma radionuclide concentrations, and water temperature in order to minimize radiation and clouding in the basin and slow further corrosion of the spent fuel rods that were in contact with the pool water. A sludge-vacuuming system was also installed in the fall of 1995 to remove the buildup of magnesium hydroxide sludge caused by the deterioration of the fuel cladding and to prepare the area for canning operations. DPRK personnel, having been fully trained by U.S. personnel at the spent fuel site, have been operating the system since the fall of 1995.

Actual canning of the nearly 8,000 spent fuel rods began on April 27, 1996. U.S. and DPRK personnel have been working to safely store the spent fuel since that time. Four canning stations were established, three operated by DPRK personnel and one operated by U.S. personnel, according to a regular work schedule. Each station has been responsible for removing individual spent fuel rods from baskets contained in the spent fuel basin and proceeding with the cleaning, conditioning, and placement of these rods in the stainless steel storage canisters. A lid is then placed on each canister; the canister is pressurized with a mixture of argon and oxygen to remove the water; and the same gas mixture is used to condition and inert

the fuel for long-term storage. Following this procedure, each canister is transferred from the canning station to storage racks in the spent fuel basin. The storage racks are then sealed by the IAEA and placed under international safeguards.

For most of the canning project, cooperation and consultation among DPRK and U.S. technical experts has been close. DPRK personnel have met their commitments to assist the canning effort by facilitating the entry of U.S. personnel and equipment into the DPRK; unloading and helping to install and maintain equipment; providing necessary utilities; and disposing of wastes from the project.

Canning of the fuel rods from the spent fuel pond and the dry storage pit was largely completed at the end of October 1997. Work then began on cleaning up and storing loose rods and rod fragments from the spent fuel basin. This work was interrupted by the DPRK in April 1998, as a protest against alleged KEDO slowdown in delivery of HFO, but resumed in October 1998 as the result of a bilateral U.S.-DPRK agreement in New York on September 5, 1998. Sludge and debris continue to be vacuumed from the spent fuel pond in order to recover the few remaining fuel rods and rod fragments. These rods and fragments will then be canned. While we previously had expected completion of the canning of fuel rods and fragments by April 1998, it is now estimated that this process will be completed early in 1999.

(3) Diversion of U.S.-Provided Assistance

The United States has financed the delivery of heavy fuel oil (HFO) by KEDO to the Democratic People's Republic of Korea in accordance with the U.S./DPRK Agreed Framework and has also provided humanitarian assistance in the form of food aid.

Heavy Fuel Oil

The Agreed Framework provides for the annual provision of 500,000 metric tons of HFO to the DPRK in compensation for the foregone output of its three graphite-moderated nuclear reactors (the 5 MW, 50 MW and 200 MW reactors). KEDO therefore provides for the delivery of 500,000 metric tons of HFO annually. This heavy fuel oil is to be used for purposes specified in the Confidential Minute.

While the original agreement provided for the delivery of KEDO HFO to Sonbong, in the summer of 1995 the United States agreed to allow the DPRK to consume KEDO HFO at a total of seven thermal power plants. KEDO, with North Korean cooperation, has

installed flow meters at all of these power plants. Upgrades to the monitoring regime, including the installation of improved monitoring equipment at many plants, more frequent flow meter readings and visits and additional information on disposition of HFO, were agreed in meetings with the DPRK up to October 1997. Maintenance and upgrade of the monitoring equipment have proceeded on a continuing basis.

KEDO's monitoring arrangements, along with other means, give us confidence that the HFO supplied by KEDO has largely been used in the manner prescribed by the Agreed Framework. However, comparison of delivery statistics with reported power plant use over the period 1995-98 reveals a gap of over 100,000 metric tons out of the 1.5 million tons delivered. (Some of the apparent gap could be explained by the unreliability of the flow meters.) The DPRK has acknowledged storing a large quantity of KEDO oil in response to the irregularity of KEDO oil deliveries, which may account for a large proportion of the shortfall. There has also been some evidence that the DPRK has used small amounts of the oil -- perhaps five percent -- for purposes not specified in the Confidential Minute. (See the classified attachment.) However, no clear evidence has emerged of any significant diversion to prohibited uses of the half-million metric tons of HFO being delivered annually. We take any evidence of North Korean violations seriously and remind DPRK authorities at every opportunity of the importance of full compliance.

Humanitarian Assistance

The United States has contributed to UN appeals for North Korea every year since 1995. The totals follow:

<u>Year</u>	<u>Value</u>	<u>Type</u>
1995	\$ 2,000,000	Cash
1996	7,170,000	13,100 MT rice & corn
1997	52,448,000	122,000 MT rice & corn
1998/99	171,851,000	500,000 MT corn & wheat

Of these totals, 55,000 MT in 1997 and 75,000 MT in 1998 were designated for Food-for-Work projects monitored by the U.S. Private Voluntary Organization Consortium. The Consortium plans to monitor at least 75,000 MT in 1999.

The World Food Program (WFP) and UNICEF have overall responsibility for monitoring the distribution of U.S. contributions, and neither agency reports any significant

diversion of humanitarian goods. The United States has funded visits by a USAID Office of Foreign Disaster Assistance contract observer and by two USAID observers to inspect WFP operations in North Korea, and has also funded food monitors through the WFP. In 1997, a USG interagency team visited North Korea to assess independently the food situation and the adequacy of the monitoring regime. Both the United States and international observers agree that the DPRK is making an encouraging effort to cooperate with the international humanitarian relief effort. While the government supervises closely monitors' movements and does not permit unscheduled, random visits, the WFP has gained access to as many as 171 (out of 211) counties where it distributes food. This number fluctuates, ostensibly for security reasons. The number of international monitors in the DPRK has steadily increased from four in 1995 to 54 in 1999. The WFP's main office is in Pyongyang; it has sub-offices in other parts of the country.

In August 1998, a Congressional staff delegation visited North Korea and reported that it did not see or hear of reports of any U.S. or WFP food being diverted to the North Korean military. It did, however, witness a suspicious incident involving EU-donated food. In September 1998, the organization Doctors Without Borders withdrew from North Korea, citing problems with access to beneficiaries and suspicions that medicines were not reaching its patients. While we have confidence in the ability of the WFP monitoring system to ensure that assistance reaches the targeted beneficiaries, we continue to press for further improvements with the government of North Korea.

(4) North Korea's Ballistic Missile Program

The United States has been fully engaged in efforts to impede North Korea's development and export of ballistic missiles since those efforts became apparent in the 1980's. The United States has led the broadening and strengthening of the Missile Technology Control Regime (MTCR), whose export controls have denied substantial missile technology to the DPRK and its missile export customers. These efforts have been made more effective through increased information exchanges in the MTCR, the addition of new commodities to the Regime's export control list (the MTCR Annex), and an increasing focus on regional missile proliferation threats such as North Korea.

In addition, the United States has worked for over 15 years to interdict individual shipments of equipment and technology destined for the North Korean missile program, and from North Korea to its missile export customers. Moreover, the United

States has imposed trade sanctions under U.S. law against DPRK and third-country entities involved in North Korean missile import/export activities, including in 1992, 1996, 1997, and 1998. These technology denial efforts have been augmented by high-level diplomacy to dissuade potential customers from buying North Korean missile technology, and to persuade countries with influence on North Korea to press Pyongyang to restrain its missile development and export activities. All of the above activities are undergirded by robust U.S. military deployments and coalitions in Northeast Asia and the Middle East -- the areas primarily threatened by North Korean missile deployments and exports -- and by a substantial U.S. and allied intelligence capability directed against the DPRK missile threat.

Finally, the United States has engaged directly with the DPRK. We have made clear since the Agreed Framework was concluded in 1994 that the missile issue (both export and indigenous development) must be resolved in order to move to full U.S.-DPRK political and economic normalization. We have held three rounds of direct missile negotiations with the DPRK (April 1996, June 1997, and October 1998) in which we have laid out the steps the DPRK must take and the specific types of normalization that would result. In the wake of the August 1998 North Korean launch of the Taepo Dong-1 missile, the United States emphasized to the DPRK privately and publicly that further such launches, or the export of long-range missiles or their technology, would have very negative consequences for bilateral relations.

Attachment:

DPRK Compliance with Confidential Minute

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002a. paper	attachment to memo of justification re KEDO (1 page)	03/01/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Mary Derosa (Legal Advisor)
OA/Box Number: 2959

FOLDER TITLE:

Korea [1]

2009-0528-F
kc1437

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002b. paper	attachment to memo of justification re KEDO (2 pages)	03/00/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Mary Derosa (Legal Advisor)
OA/Box Number: 2959

FOLDER TITLE:

Korea [1]

2009-0528-F

kc1437

RESTRICTION CODES

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TO: AGENCIES

FROM: HARMON

DOC DATE: 03 MAR 97
SOURCE REF:

KEYWORDS: KOREA
SOC

DC

PERSONS:

SUBJECT: SUMMARY OF CONCLUSIONS FOR 14 FEB DC MTG ON KOREA

ACTION: HARMON SGD MEMO TO AGENCIES

DUE DATE: 18 FEB 97 STATUS: C

STAFF OFFICER: PRITCHARD

LOGREF: 9720104 9720135

FILES: IFM O

NSCP: DC0338

CODES: KOR

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

FOR ACTION

FOR CONCURRENCE

FOR INFO

BIERNACKI
KERRICK
KRECKO
KRISTOFF
NSC CHRON
PRITCHARD
RAGAN
SAMORE

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By (U) NARA, Date 03/16/15
2009-0528-F

COMMENTS:

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OPENED BY: NSDRS

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DOC 3 OF 3

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICERCAO ASSIGNED ACTION REQUIRED

001	STEINBERG	Z	97021422	FOR DECISION
001	PRITCHARD	Z	97021812	FOR FURTHER ACTION
002	STEINBERG	Z	97022721	FOR DECISION
002		Z	97030307	STEINBERG APPROVED RECOMS
002	HARMON	Z	97030307	FOR SIGNATURE
003		X	97030308	HARMON SGD MEMO TO AGENCIES

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTIONDISPATCH FOR INFO

003	970303	FUERTH, L
003	970303	BURNS, W
003	970303	NYE, J
003	970303	MATTIS, J
003	970303	SYMINGTON, S
003	970303	ADAMS, G
003	970303	YANNUZZI, R
003	970303	CONROY, R
003	970303	STARR, B
003	970303	WILSON, F

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NATIONAL SECURITY COUNCIL
WASHINGTON, D C 20504

20137

March 3, 1997

MEMORANDUM FOR

MR. LEON FUERTH
Assistant to the Vice
President for National
Security Affairs

MR. WILLIAM J. BURNS
Executive Secretary
Department of State

MR. J. BENJAMIN NYE
Executive Secretary
Department of the Treasury

COL. JAMES N. MATTIS
Executive Secretary
Department of Defense

MR. STUART SYMINGTON
Executive Assistant to the
Representative of the U.S.
to the United Nations

DR. GORDON M. ADAMS
Associate Director for
National Security and
International Affairs
Office of Management and
Budget

MR. RICK E. YANNUZZI
Executive Secretary
Central Intelligence Agency

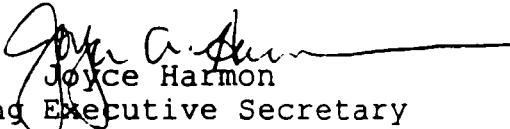
MS. RYAN CONROY
Executive Secretary
Agency for International
Development

MS. BARBARA STARR
Executive Secretary
Arms Control and Disarmament
Agency

COL. F.C. WILSON
Secretary, Joint Staff

SUBJECT: Summary of Conclusions of Deputies Committee
Meeting on Korea (S)

Attached at Tab A for Deputies' use is the summary of conclusions
of the Deputies Committee meeting on Korea held on Friday,
February 14, 1997. (S)


Joyce Harmon
Acting Executive Secretary

Attachment
Tab A Summary of Conclusions

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By  NARA, Date 03/16/15
2009-0528-F

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Reason: 1.5(b)(d)

Declassify On: After Korean Reunification

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. notes	summary of conclusions, meeting of NSC deputies (2 pages)	02/14/1997	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Mary Derosa (Legal Advisor)
OA/Box Number: 2959

FOLDER TITLE:

Korea [1]

2009-0528-F
kc1437

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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

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NATIONAL SECURITY COUNCIL
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DATE 03 MAR 97

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DOCUMENT CLASSIFICATION: ~~SECRET~~

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PAGE 01 OF 02 PAGES

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SUBJECT: SUMMARY OF CONCLUSIONS OF 14 FEB DC MTG ON KOREA
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PAGE 02 OF 02 PAGES

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(Including Cover)
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(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION: Summary of Conclusions of Deputies Committee Mtg.

on Korea

NSC LOG # 20137

<u>TO (AGENCY)</u>	<u>DELIVER TO</u>	<u>DEPT/ROOM NO.</u>	<u>PHONE NUMBER</u>
<u>State</u>	<u>Executive Secretary</u>	_____	_____
<u>Treasury</u>	<u>Executive Secretary</u>	_____	_____
<u>Defense</u>	<u>Executive Secretary</u>	_____	_____
<u>USUN/State</u>	<u>Stuart Symington</u>	_____	<u>736-7699</u>
<u>CIA</u>	<u>Executive Secretary</u>	_____	_____
<u>AID</u>	<u>Executive Secretary</u>	_____	_____
<u>ACDA</u>	<u>Executive Secretary</u>	_____	_____
<u>JCS</u>	<u>Secretary</u>	_____	_____

REMARKS:

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2009-0528-F

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004a. fax	cover sheet, re summary of conclusions (1 page)	03/00/1997	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Mary Derosa (Legal Advisor)
OA/Box Number: 2959

FOLDER TITLE:

Korea [1]

2009-0528-F
kc1437

RESTRICTION CODES

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

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RR. Document will be reviewed upon request.

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

20137redo

February 20, 1997

ACTION

MEMORANDUM FOR JAMES B. STEINBERG

THROUGH: SANDRA KRISTOFF *SK*

FROM: JACK PRITCHARD *J*

SUBJECT: Summary of Conclusions of the Deputies Committee
Meeting on Korea

Attached at Tab A is the Summary of Conclusions of the Deputies Committee meeting held on February 14, 1997.

Concurrences by: Gary Samore, Richard Ragan *RS*

RECOMMENDATIONS

That you authorize Joyce Harmon to sign the memorandum to agencies at Tab I forwarding the summary of conclusions.

Approve *JS* Disapprove _____

That you authorize Joyce Harmon to file the summary of conclusions attached at Tab A for the record.

Approve *JS* Disapprove _____

Attachments

Tab I Memorandum to Agencies

Tab A Summary of Conclusions

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By *CA* NARA, Date *03/16/15*

2009-0528-F

~~SECRET~~

Reason: 1.5(b)(d)

Declassify On: 2/14/2007

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NATIONAL SECURITY COUNCIL
WASHINGTON, D C. 20504

20137

MEMORANDUM FOR

MR. LEON FUERTH
Assistant to the Vice
President for National
Security Affairs

MR. WILLIAM J. BURNS
Executive Secretary
Department of State

MR. J. BENJAMIN NYE
Executive Secretary
Department of the Treasury

COL. JAMES N. MATTIS
Executive Secretary
Department of Defense

Stuart Symington
~~MR. RICK INDERFURTH
Office of the Representative
of the U.S. to the
United Nations~~

DR. GORDON M. ADAMS
Associate Director for
National Security and
International Affairs
Office of Management and
Budget

MR. RICK E. YANNUZZI
Executive Secretary
Central Intelligence Agency

MS. RYAN CONROY
Executive Secretary
Agency for International
Development

MS. BARBARA STARR
Executive Secretary
Arms Control and Disarmament
Agency

COL. F.C. WILSON
Secretary, Joint Staff

SUBJECT: Summary of Conclusions of Deputies Committee
Meeting on Korea (S)

Attached at Tab A for Deputies' use is the summary of conclusions
of the Deputies Committee meeting on Korea held on Friday,
February 14, 1997. (S)

Joyce A. Harmon
Joyce Harmon
Acting Executive Secretary

Attachment
Tab A Summary of Conclusions

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By *(M)* NARA, Date *03/16/15*
2009-0528-F

~~SECRET~~

Reason: 1.5(b)(d)
Declassify On: After Korean Reunification

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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004b. draft	notes, summary of conclusions for meeting of NSC deputies (2 pages)	02/14/1997	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Mary Derosa (Legal Advisor)
OA/Box Number: 2959

FOLDER TITLE:

Korea [1]

2009-0528-F
kc1437

RESTRICTION CODES

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SUBJECT: SUMMARY OF CONCLUSIONS OF 14 FEB DC MTG ON KOREA
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ROOM 238
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WASHINGTON, DC 20503
OFFICE OF MANAGEMENT & BUDGET

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DATE 03 MAR 97

SUBJECT: SUMMARY OF CONCLUSIONS OF 14 FEB DC MTG ON KOREA
DOCUMENT CLASSIFICATION: ~~SECRET~~

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MR. WILLIAM J. BURNS ROOM 7224, MAIN STATE 2201 C STREET, N.W. WASHINGTON, D.C. 20520 DEPARTMENT OF STATE	_____	_____	_____
		PRINT LAST NAME:	_____
		COPY: <u>VIA FAX+1</u>	_____
MR. J. BENJAMIN NYE ROOM 3408, MAIN TREASURY BLDG 1500 PENNSYLVANIA AVE, NW WASHINGTON, DC 20220 DEPARTMENT OF THE TREASURY	_____	_____	_____
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COL JAMES N. MATTIS ROOM 3E880 PENTAGON WASHINGTON, DC 20301-1000 DEPARTMENT OF DEFENSE	_____	_____	_____
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DR. GORDON M. ADAMS ROOM 238 OLD EXECUTIVE OFFICE BLDG WASHINGTON, DC 20503 OFFICE OF MANAGEMENT & BUDGET	_____	_____	_____
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SUBJECT: SUMMARY OF CONCLUSIONS OF 14 FEB DC MTG ON KOREA
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	PRINT LAST NAME: <u>McMinn</u>		
	COPY: <u>VIA FAX+1</u>		
MR. WILLIAM J. BURNS ROOM 7224, MAIN STATE 2201 C STREET, N.W. WASHINGTON, D.C. 20520 DEPARTMENT OF STATE	_____	_____	_____
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MR. J. BENJAMIN NYE ROOM 3408, MAIN TREASURY BLDG 1500 PENNSYLVANIA AVE, NW WASHINGTON, DC 20220 DEPARTMENT OF THE TREASURY	_____	_____	_____
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COL JAMES N. MATTIS ROOM 3E880 PENTAGON WASHINGTON, DC 20301-1000 DEPARTMENT OF DEFENSE	_____	_____	_____
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SUBJECT: SUMMARY OF CONCLUSIONS OF 14 FEB DC MTG ON KOREA

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MR. WILLIAM J. BURNS ROOM 7224, MAIN STATE 2201 C STREET, N.W. WASHINGTON, D.C. 20520 DEPARTMENT OF STATE	_____	_____	_____
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MR. J. BENJAMIN NYE ROOM 3408, MAIN TREASURY BLDG 1500 PENNSYLVANIA AVE, NW WASHINGTON, DC 20220 DEPARTMENT OF THE TREASURY	_____	_____	_____
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DR. GORDON M. ADAMS ROOM 238 OLD EXECUTIVE OFFICE BLDG WASHINGTON, DC 20503 OFFICE OF MANAGEMENT & BUDGET	<u>3-3-97</u>	<u>2:04 pm</u>	<u>Dwight J. Harper</u>
		PRINT LAST NAME:	<u>HARPER</u>
		COPY: 1	_____

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PAGE 01 OF 02 PAGES

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MAR 3 9 42 AM

PRECEDENCE:

 IMMEDIATE
 PRIORITY
 ROUTINE

RELEASER:

DTG:

3 MAR '97 9:36

MESSAGE NO:

468

CLASSIFICATION:

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PAGES:

4

(Including Cover)

FROM: NSC WEST WING DESK

(202) 456-9425

WH SITUATION ROOM

(NAME)

(PHONE NUMBER)

(ROOM NO.)

MESSAGE DESCRIPTION:

Summary of Conclusions of Deputies Committee Mtg.

on Korea

NSC LOG # 20137

TO (AGENCY)

DELIVER TO

DEPT/ROOM NO.

PHONE NUMBER

State

Executive Secretary

Treasury

Executive Secretary

Defense

Executive Secretary

USUN/State

Stuart Symington

736-7699

CIA

Executive Secretary

AID

Executive Secretary

ACDA

Executive Secretary

JCS

Secretary

REMARKS:

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Initials:

Date:

03/16/15

2009-0528-F

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PRECEDENCE:

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3 MAR '97 9:36

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468

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4

(Including Cover)

FROM: NSC WEST WING DESK

(202) 456-9425

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JCS

Secretary

REMARKS:

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 OF CLASSIFIED ATTACHMENTS

Initials: WJ Date: 03/16/15

2009-0528-F

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TIME OF TRANSMISSION:

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WHITE HOUSE SITUATION ROOM

-3 MAR 97 09 43
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PRECEDENCE: _____

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3 MAR 97 9:36

MESSAGE NO: 468 CLASSIFICATION: ~~SECRET~~PAGES: 4FROM: NSC WEST WING DESK
(NAME)(202) 456-9425
(PHONE NUMBER)(Including Cover)
WH SITUATION ROOM
(ROOM NO.)MESSAGE DESCRIPTION: Summary of Conclusions of Deputies Committee Mtg.on Korea

NSC LOG # 20137

TO (AGENCY)	DELIVER TO	DEPT/ROOM NO.	PHONE NUMBER
State	Executive Secretary		
Treasury	Executive Secretary		
Defense	Executive Secretary		
USUN/State	Stuart Symington		736-7699
CIA	Executive Secretary		
AID	Executive Secretary		
ACDA	Executive Secretary		
JCS	Secretary		

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OF CLASSIFIED ATTACHMENTSInitials: CA Date: 03/16/15

2009-0528-F

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TIME OF RECEIPT:

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SITUATION ROOM**

K-1
0950

PRECEDENCE: _____

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PRIORITY
ROUTINE

RELEASER: PDW

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3 MAR '97 9:36

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(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION: Summary of Conclusions of Deputies Committee Mtg.

on Korea

NSC LOG # 20137

TO (AGENCY)	DELIVER TO	DEPT/ROOM NO.	PHONE NUMBER
State	Executive Secretary		
Treasury	Executive Secretary		
Defense	Executive Secretary		
USUN/State	Stuart Symington		736-7699
CIA	Executive Secretary		
AID	Executive Secretary		
ACDA	Executive Secretary		
JCS	Secretary		

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OF CLASSIFIED ATTACHMENTS

Initials: MA Date: 03/16/15

2009-0528-F

TIME OF TRANSMISSION:

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SITUATION ROOM**

N
09:43
84P

PRECEDENCE: _____

X

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RELEASER: FW

DTG: _____

3 MAR '97 9:36

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(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION: Summary of Conclusions of Deputies Committee Mtg.

on Korea

NSC LOG # 20137

<u>TO (AGENCY)</u>	<u>DELIVER TO</u>	<u>DEPT/ROOM NO.</u>	<u>PHONE NUMBER</u>
<u>State</u>	<u>Executive Secretary</u>	_____	_____
<u>Treasury</u>	<u>Executive Secretary</u>	_____	_____
<u>Defense</u>	<u>Executive Secretary</u>	_____	_____
<u>USUN/State</u>	<u>Stuart Symington</u>	_____	<u>736-7699</u>
<u>CIA</u>	<u>Executive Secretary</u>	_____	_____
<u>AID</u>	<u>Executive Secretary</u>	_____	_____
<u>ACDA</u>	<u>Executive Secretary</u>	_____	_____
<u>JCS</u>	<u>Secretary</u>	_____	_____

REMARKS:

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Initials: (U) Date: 03/16/15

2009-0528-F

TO: STEINBERG

FROM: PRITCHARD
KRISTOFF

DOC DATE: 07 FEB 97
SOURCE REF:

KEYWORDS: KOREA

DC

PERSONS:

SUBJECT: BACKGROUND PAPER FOR 14 FEB DC MTG ON KOREA

ACTION: NOTED BY STEINBERG

DUE DATE: 17 FEB 97 STATUS: C

STAFF OFFICER: PRITCHARD

LOGREF: 9720104 9720137

FILES: IFM O

NSCP: DC0338

CODES: KOR

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

FOR ACTION

FOR CONCURRENCE

FOR INFO

BIERNACKI
KRISTOFF
NSC CHRON
PRITCHARD

COMMENTS: _____

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By (10) NARA, Date 03/16/15
2009-0528-F

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ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 STEINBERG

Z 97021320 FOR INFORMATION

001

X 97021811 NOTED BY STEINBERG

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005. memo	information, Jack Pritchard to James Steinberg re objectives for deputies meeting (5 pages)	02/07/1997	P1/b(1)

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Clinton Presidential Records
National Security Council
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Korea [1]

2009-0528-F
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RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 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. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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

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- 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]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

The White House
Washington, D.C.
Presidential Determination
No. _____

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: U.S. Contribution to KEDO: Certification Under the
Heading "Nonproliferation, Anti-Terrorism, Demining
and Related Programs" in Title II of the Foreign
Operations, Export Financing, and Related Programs
Appropriations Act, 1997 (as enacted in P.L. 104-208) (spell out)

Pursuant to the requirements set forth under the heading
"Nonproliferation, Anti-Terrorism, Demining and Related
Programs" in Title II of the Foreign Operations, Export
Financing, and Related Programs Appropriations Act, 1997 (as
enacted in P.L. 104-208), I certify that:

(1)(A) the United States is taking steps to assure
that progress is made on the implementation of the January
1, 1992, Joint Declaration on the Denuclearization of the
Korean Peninsula and the implementation of the North-South
dialogue, and (B) North Korea is complying with the other
provisions of the Agreed Framework between North Korea and
the United States and with the Confidential Minute;

(2) North Korea is cooperating fully in the canning
and safe storage of all spent fuel from its
graphite-moderated nuclear reactors and that such canning
and safe storage is scheduled to be completed by the end of
fiscal year 1997; and

(3) North Korea has not significantly diverted
assistance provided by the United States for purposes for
which it was not intended.

You are authorized and directed to report this ^{determination} to the
Congress and to publish ~~them~~ ^{it} in the Federal Register.

black's
edit
3/12/97