

Case Number: 2015-0183-S

# MR MARKER

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| Original OA/ID Number:<br>2282 |               |             |                |             |
|                                |               |             |                |             |
| Document ID:<br>9400614        |               |             |                |             |
| Row:<br>46                     | Section:<br>1 | Shelf:<br>5 | Position:<br>1 | Stack:<br>v |

TO: PRESIDENT

FROM: LAKE

ORIGINAL FILE

DOC DATE: 27 JAN 94  
SOURCE REF:

KEYWORDS: RUSSIA  
BELGIUM  
LEGAL ISSUES

UKRAINE  
KAZAKHSTAN  
CONGRESSIONAL

PERSONS:

SUBJECT: DELEGATION OF RESPONSIBILITY UNDER SECTION 1203-1207 OF TITLE X11 OF  
NATL DEFENSE AUTHORIZATION ACT OF TY 1994 NUNN LUGAR PROVISIONS

ACTION: PRESIDENT SGD PER WH EXEC CLERK DUE DATE: 29 JAN 94 STATUS: C

STAFF OFFICER: GOTTEMOELLER

LOGREF:

FILES: PA

NSCP:

CODES:

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

BURNS  
GOTTEMOELLER  
NSC CHRON

COMMENTS:

DISPATCHED BY \_\_\_\_\_ DATE \_\_\_\_\_ BY HAND W/ATTCH

OPENED BY: NSGP

CLOSED BY: NSJDA

DOC 2 OF 2

UNCLASSIFIED  
ACTION DATA SUMMARY REPORT

RECORD ID: 9400614

DOC ACTION OFFICER

001 LAKE  
002 PRESIDENT  
002

CAO ASSIGNED ACTION REQUIRED

Z 94012717 FWD TO PRESIDENT FOR SIG  
Z 94012712 FOR SIGNATURE  
X 94020115 PRESIDENT SGD PER WH EXEC CLERK

UNCLASSIFIED ·

Recd 127 5:25pm

National Security Council  
The White House

PROOFED BY: PK LOG # 0614  
URGENT NOT PROOFED: \_\_\_\_\_ SYSTEM PBS NSC INT  
BYPASSED WW DESK: \_\_\_\_\_ DOCLOG PK A/O \_\_\_\_\_

|                 | SEQUENCE TO | HAS SEEN                            | DISPOSITION |
|-----------------|-------------|-------------------------------------|-------------|
| DepExecSec      | <u>1</u>    | <u>Wah</u>                          | <u>A</u>    |
| ExecSec         |             |                                     |             |
| Staff Director  |             |                                     |             |
| D/APNSA         | <u>2</u>    | <u>MW</u>                           |             |
| APNSA           | <u>3</u>    | <u>Natl Sec Advisor</u><br>has seen |             |
| Situation Room  |             |                                     |             |
| West Wing Desk  | <u>1</u>    | <u>JB 1/31</u>                      | <u>N</u>    |
| NSC Secretariat | <u>5</u>    |                                     |             |
|                 |             |                                     |             |
|                 |             |                                     |             |

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

cc: VP

COMMENTS:

DISPATCH INSTRUCTION

ExecSec +

Gottmoeller  
wants a  
copy of this  
As soon as we  
get it from  
exec clerk!  
JB 1/31

THE WHITE HOUSE  
WASHINGTON

January 27, 1994

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKH 

SUBJECT: Delegation of Responsibilities under Sections  
1203-1207 of Title XII of the National Defense  
Authorization Act for Fiscal Year 1994 -- the  
"Nunn-Lugar Provisions"

Purpose

The letter attached at Tab A delegates certain responsibilities under the Cooperative Threat Reduction Act of 1993. These responsibilities were delegated to the Secretaries of State and Defense in FY 92 and FY 93; the attached memorandum continues this practice.

Background

Title XII of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160) is entitled the Cooperative Threat Reduction Act of 1993--often referred to as Nunn-Lugar assistance for dismantlement of strategic nuclear weapons and related projects in Russia, Ukraine, Belarus and Kazakhstan. Title XII assigns certain responsibilities to the President. The attached memorandum would delegate these responsibilities as follows:

To the Secretary of State: Certification that recipient states are complying with standards of behavior specified in Section 1203(d) of Title XII.

To the Secretary of Defense: Certification that the programs of assistance under this act directly contribute to the national security interests of the U.S. (Section 1203(a)); designation of a Demilitarization Enterprise Fund (Section 1204); notification to Congress 15 days prior to making an obligation under the Act (Section 1206); preparation of semi-annual reports to Congress on assistance granted under the Act (Section 1207).

In addition, the attached memorandum directs that the Secretary of Defense may not obligate funds under Title XII unless the Director of OMB determines that resulting expenditures will be scored as discretionary spending in the national defense function (050).

cc: Vice President  
Chief of Staff

RECOMMENDATION

That you sign the memorandum at Tab A.

Attachment

Tab A      Memorandum delegating responsibilities for "Nunn-Lugar provisions".

MEMORANDUM FOR: THE SECRETARY OF STATE  
THE SECRETARY OF DEFENSE  
THE DIRECTOR OF THE OFFICE OF MANAGEMENT  
AND BUDGET

SUBJECT: Delegation of Responsibilities under Sections  
1203-1207 of Title XII of Public Law 103-160

By the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate:

1. to the Secretary of State the authority and duty vested in the President under section 1203(d) of the Cooperative Threat Reduction Act of 1993, Title XII of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160);
2. to the Secretary of Defense the authorities and duties vested in the President under sections 1203a, 1204, 1206, and 1207 of Public Law 103-160.

The Secretary of Defense shall not exercise authority delegated by paragraph 2 hereof with respect to any former Soviet republic unless the Secretary of State has exercised his authority and performed the duty delegated by paragraph 1 hereof, as applicable, with respect to that former Soviet Republic. The Secretary of Defense shall not obligate funds in exercise of authority delegated by paragraph 2 hereof unless the Director of the Office of Management and Budget has made the determination that expenditures are to be counted as discretionary spending in the national defense function (050), as applicable to the funds to be transferred.

The Secretary of State is directed to publish this memorandum in the Federal Register.

NATIONAL SECURITY COUNCIL  
WASHINGTON D.C. 20506

January 26, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: NICHOLAS BURNS *NB*  
FROM: ROSE GOTTEMOELLER *RG*  
SUBJECT: Delegation of Responsibilities under the  
Cooperative Threat Reduction Act

*1/29/94*

Title XII of the National Defense Authorization Act for Fiscal Year 1994 is entitled the Cooperative Threat Reduction Act of 1993. It covers the Nunn-Lugar programs of assistance to Russia, Ukraine, Belarus and Kazakhstan for nuclear and chemical weapon dismantlement, nuclear material storage and accounting, defense conversion, reactor safety and related projects.

Since the program's inception in FY 92, certain of the President's responsibilities under Title XII have been routinely delegated to the Secretaries of State and Defense. These have to do with certifications to Congress (e.g. concerning each country's commitment to implement arms control agreements) and notifications of funding obligations before they are communicated to the relevant governments.

The responsibility being newly delegated this year is the one-time establishment of a Demilitarization Enterprise Fund, which will fund enterprises that are converting from defense production. The fund, originally proposed by Secretary-designate Perry, will complement our other enterprise funds and is supported by all agencies.

We are finishing the certifications for FY 94 that are routinely prepared by the State Department. They must be sent to Congress by January 31, so the memorandum delegating responsibility for the certifications should be signed by the President prior to that date. It would be helpful if the memorandum could be signed and sent to the State and Defense Departments and OMB by Friday, January 28.

Concurrences by: Neal Wolin, *NW* Gordon Adams *GA*

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab I       Memorandum to the President

Tab A       Memorandum delegating responsibilities