

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Dallas Brown to Richard Clarke. Subject: Aristide Talking Points. (10 pages)	10/13/1995	P1/b(1)
002. email	Steven Andreasen to Elisa Harris. Subject: Well, well, well. (1 page)	10/23/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
MSMail-Non-Record (Sept 94-Sept 97) ([Senator Helms])
OA/Box Number: 605000

FOLDER TITLE:

[09/15/1995-10/26/1995]

2006-1363-F

vz5626

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)]

- 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]

M S M a i l

DATE-TIME 15 September 95 15:41

FROM Burrell, Christina L.

CLASSIFICATION UNCLASSIFIED

SUBJECT Helms/Burton Legislative Strategy [UNCLASSIFIED]

TO Armstrong, Fulton T.
Nuccio, Richard A.

CARBON_COPY NO CC's on THIS MESSAGE

TEXT_BODY

Attached is package I have put together.

[[6867.DOC : 3934 in 6867.DOC]] [[6867P.DOC : 3935 in 6867P.DOC]] [[
6867A.DOC : 3936 in 6867A.DOC]] [[6867B.DOC : 3937 in 6867B.DOC]]ATTACHMENT
FILE DATE

15 September 95 13:59

ATTACHMENT
FILE NAME

6867.DOC

~~CONFIDENTIAL~~

6867

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~~~CONFIDENTIAL~~

September 15, 1995

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: RICK NUCCIO/BILL DANVERS/MORTON HALPERIN

SUBJECT: Helms/Burton Legislative Strategy

Attached is a memorandum to the President discussing an initial

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By 12 NARA, Date 3/14/2019

2006-1363-F(3)

legislative strategy for dealing with the Burton bill when it reaches the House next week. The memorandum recommends that the Statement of Administration Position on the Burton bill include a veto threat. This recommendation is supported by State and Treasury. There is some division regarding our position in the Senate. Differences involve whether we should encourage Senators Graham and Dodd to seek to compromise on an alternative to the Helms bill and whether preemptive executive action should be taken to tighten the embargo while avoiding the worst of Helms/Burton. We will develop a second memo on Senate strategy outlining the possible options and making a recommendation as to how to avoid a Presidential veto of undesirable Cuba legislation.

RECOMMENDATION

That you approve the attached memorandum to the President.

Approve _____

Disapprove _____

Attachments

Tab I Memorandum to the President

Tab A Policy Analysis of Helms/Burton

Tab B Political Analysis of Helms/Burton

Tab C Statement of Administration Policy on H.R. 927

**ATTACHMENT
FILE DATE**

15 September 95 14:4

**ATTACHMENT
FILE NAME**

6867P.DOC

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

cc: Vice President

Declassify on: OADR

Chief of Staff

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
PATRICK GRIFFIN
DOUG SOSNIK

SUBJECT: Statement of Administration Policy on
Helms/Burton Legislation

Purpose

To adopt a strategy on the Cuban Liberty and Democratic Solidarity Act (Helms/Burton).

Background

To date, the Administration's position on the Helms and Burton bills has been to state the Administration's view that no additional legislation on Cuba was needed, but to express general support for the expressed goal of promoting a peaceful, democratic transition through an effective economic embargo. (The Senate and House versions differ from each other, but the bills' authors are working closely together and will adjust their content to avoid conflict.) We have detailed our specific opposition to many of the bills' provisions. In their current form Helms/Burton actually damages the prospects of a democratic transition in Cuba and could conflict with broader U.S. interests, including compliance with major international trade agreements, arms control cooperation with and support for democracy in Russia and our commitment to respect international law. The Cuban government has used Helms/Burton as a powerful domestic propaganda tool, claiming that the bill's property provisions would result in the transfer of ownership of schools, homes and hospitals to the exile community. Passage of the bill also would reverse modest gains made recently to explain our Cuba policy to other countries and promote greater acceptance of it. (The Policy Implications of the bills are more fully set out at Tab A).

There are also important political implications to a decision on Helms/Burton. For the conservative majority of the Cuban American vote, Helms/Burton has become a symbol of toughness on Castro and is the top legislative priority of virtually every organized expression of this sector. The one exception is property claimants, some of whom have come out in opposition to the bills' property provisions that would dilute the claims of registered claimants. The small but growing minority of Cuban American moderates opposes the bill, but carries little weight in Washington or electorally. In Florida, the largest concentration of Cuban American votes, anger

with the Administration for opposition to Helms/Burton can probably be overcome by consistent pressure for change on the Castro regime and continued success for the policy of returning rafters to Cuba.

New Jersey is more difficult. The Cuban American community is smaller, but even more conservative than Miami and very concentrated geographically in the important district of Union City. Bob Torricelli is an ardent supporter of Helms/Burton and has said privately that a particular Cuban American organization is more important to his political future than are his relations with the Administration. Thus, opposition to Helms/Burton will likely have just negative consequences politically in New Jersey. (The Political Implications of the bills are outlined at Tab B.)

House

The Burton bill is now scheduled for floor time on Wednesday, September 27. We expect it to pass easily. The sponsors of the House bill have made a number of improvements but our core concerns remain and are not likely to be met. Strenuous opposition would be a waste of Administration resources and time, but we do need to support key Democrats such as Lee Hamilton who wish to oppose the bill strongly on the floor. To provide this support and to give us more bargaining power with the Senate, we believe that the Statement of Administration Position for the House should include a veto threat to the legislation in its current form. State and Treasury agree with this recommendation.

Senate

Senator Helms apparently has concluded that the line up in the SFRC is not conducive to marking up his bill in Committee. His staff has indicated the Senator may take it directly to the Senate floor, either as a free-standing bill or as an attachment to another piece of legislation. Our sense is that the Senate is far more divided than the House, with roughly 30-40 Senators opposed to the bill. Senator Graham, an original co-sponsor of the Helms bill, is key to any successful strategy. The other key Democrat is Senator Dodd. Senator Graham has asked for Administration help in drafting a moderate alternative to Helms, and has recommended to the Cuban American National Foundation that they seek a compromise with the Administration. Senator Dodd opposes the bill strongly and has developed his own more liberal alternative on Cuba policy. He suspects that Senate Republicans will not risk a possible defeat on Helms/Burton and will delay action. We will soon be providing you with an options memorandum regarding our strategy in the Senate. In the meantime, the veto threat in the House will give us added bargaining leverage in our negotiations with the bills' supporters and opponents in the Senate.

RECOMMENDATION

That the Statement of Administration Position on the Burton bill include a veto threat.

Approve _____

Disapprove _____

Attachments

Tab A Policy Analysis of Helms/Burton

Tab B Political Analysis of Helms/Burton

Tab C Statement of Administration Policy on H.R. 927

ATTACHMENT
FILE DATE

15 September 95 14:11

ATTACHMENT
FILE NAME

6867A.DOC

~~CONFIDENTIAL~~ 6867

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

POLICY ANALYSIS OF HELMS/BURTON LEGISLATION

Although the House and Senate versions differ in significant respects, both contain a number of objectionable provisions that would undermine our goal of promoting a democratic transition in Cuba or would damage other important U.S. interests.

ù Presidential Authority -- Both bills attack the President's constitutional authority to conduct foreign policy by requiring the President to pursue certain courses of action respecting Cuba. For example, both bills strictly define the types of assistance that can be provided to Cuba at various stages of a transition and impose rigid conditions before the President can allow Cuban membership in International Financial Institutions or lift any of the additional sanctions imposed in August 1994 on transactions related to family travel and family remittances. Rapidly changing conditions in Cuba might require that you retain flexibility.

ù Relations with third countries -- Both versions would condition our assistance to third countries on their relation to Cuba, thereby undermining important national interests. Specifically, S. 381 would reduce U.S. aid to Russia by the amount Russia pays Cuba for use of the Lourdes facility (a Russian listening post), thereby virtually eliminating all assistance to Russia. The Helms proposal also would require the U.S. to reduce the sugar

quota for countries that import sugar from Cuba (e.g., Canada), without regard to whether that country is shipping such sugar to the U.S. This could be challenged as inconsistent with our obligations under the Uruguay Round Agreements and NAFTA. H.R. 927 would require the withholding of a portion of U.S. assistance to any country or "entity" equal to the sum of assistance and credits provided in support of the completion of the Cuban nuclear facility at Jurugua. This provision likely would affect Russia, France, and Brazil. Finally, the House version also would require the U.S. to exclude any person who "traffics" (broadly defined) in property to which an American citizen has a claim. This would create conflicts with our obligations under NAFTA.

ù Cause of action in U.S. courts -- Both the House and Senate versions would create a private cause of action for U.S. nationals to sue foreigners who invest in certain property located in Cuba. This would create serious difficulties with foreign countries who will object to such extraterritorial assertion of jurisdiction and would be difficult to justify under international law. In addition, it might lead to reciprocal action by foreign countries, increasing litigation risks for U.S. businesses abroad. By defining the category of property claimants to include all U.S. naturalized citizens, the bill would increase the pool of potential litigants, dilute the settlement prospects for those registered claimants who were U.S. citizens when their property was expropriated, and threaten the political and economic viability of any future Cuban government.

ATTACHMENT
FILE DATE

15 September 95 14:14

ATTACHMENT
FILE NAME

6867B.DOC

~~CONFIDENTIAL~~ 6867

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

POLITICAL ANALYSIS OF HELMS/BURTON LEGISLATION

There are differential effects of the Administration's Cuba policy in two key states where Cuban American voters are concentrated. For the conservative majority of the Cuban American vote, Helms/Burton has become a symbol of toughness on Castro and is the top legislative priority of virtually every organized expression of this sector. The one exception is property claimants, some of whom have come out in opposition to the bill's property provisions which

dilute the claims of registered claimants. The small but growing minority of Cuban American moderates opposes the bill, but carries little weight in Washington or electorally. In Florida, the largest concentration of Cuban American votes, anger with the Administration for opposition to Helms/Burton can probably be overcome by consistent pressure for change on the Castro regime and continued success for the policy of returning rafters to Cuba. The pressure shows the minority of Democratic Cuban Americans that we have not abandoned the Cuban Democracy Act with which they agree. The return policy appeals to the majority of Florida voters who are concerned about immigration in general and view the Cuban American community as a privileged one within the state. Both Governor Chiles and Senator Graham defend some aspects of Administration policy, and may be willing to support an alternative to Helms/Burton.

New Jersey is more difficult. The Cuban American community is smaller, but very concentrated geographically in the important district of Union City. Bob Menendez, former mayor and now member from Union City is furious with the Administration for its May 2 decision and for lack of prior consultation with him about it. He has recently refused to lend his name to fund-raisers for the President and remains committed to Helms/Burton. New Jersey's Senators both oppose the Helms/Burton bill on substance, but will probably support it publicly because the bad policy consequences of Helms/Burton for Cuba will not be felt state-wide in New Jersey. Bob Torricelli is an ardent supporter of Helms/Burton and has said privately that a particular Cuban American organization is more important to his political future than is President Clinton. His senatorial aspirations are unlikely to diminish his enthusiasm for Helms/Burton or his reliance on the funding of the Cuban American community. Thus, opposition to Helms/Burton will likely have just negative consequences politically in New Jersey.

New Jersey is more difficult. The Cuban American community is smaller, but very concentrated geographically in the important district of Union City. Bob Menendez, former mayor and now member from Union City is furious with the Administration for its May 2 decision and for lack of prior consultation with him about it. He has recently refused to lend his name to fund-raisers for the President and remains committed to Helms/Burton. New Jersey's Senators both oppose the Helms/Burton bill on substance, but will probably support it publicly because the bad policy consequences of Helms/Burton for Cuba will not be felt state-wide in New Jersey. Bob Torricelli is an ardent supporter of Helms/Burton and has said privately that a particular Cuban American organization is more important to his political future than is President Clinton. His senatorial aspirations are unlikely to diminish his enthusiasm for

Helms/Burton or his reliance on the funding of the Cuban American

community. Thus, opposition to Helms/Burton will likely have just negative consequences politically in New Jersey.

M S M a i l

DATE-TIME 15 September 95 17:14
FROM Burrell, Christina L.
CLASSIFICATION UNCLASSIFIED
SUBJECT New and Improved Haiti Strategy [UNCLASSIFIED]
TO Andricos, George M.
Danvers, William C.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY [[HAISTRAT.DOC : 4445 in HAISTRAT.DOC]]

**ATTACHMENT
FILE DATE** 15 September 95 17:13

**ATTACHMENT
FILE NAME** HAISTRAT.DOC

HAITI CONGRESSIONAL STRATEGY

The Message

Despite, or perhaps because of the overall success of our Haiti policy, we can expect intense Congressional scrutiny of every aspect of it. Rather than having an agenda thrust upon it, the Administration must take steps to re-establish and maintain momentum behind the current policies. The next five months, prior to the February date of withdrawal of UNMIH peacekeeping troops, present us with several milestones, critical events and opportunities for Administration principals to trumpet the success of the policy, to address problem areas and to frame the Congressional debate in such a way Congress will realize that any effort to obstruct Administration policy risks Congress being blamed for adverse consequences. The message to Congress should stress Haiti's overall progress toward democratization and our efforts to rebuild the Haitian economy, while forthrightly acknowledging problem areas and demonstrating Administration leadership in addressing them.

Congressional Concerns

Members will most likely continue to focus on the current political, economic and security situation in Haiti. Although Members support an early timetable for withdrawing U.S. troops, they are also concerned with maintaining a "secure and stable

environment" once the troops are withdrawn. Accordingly, they probably will not seek to interfere with our planned withdrawal schedule (although several Members have warned that they may propose legislation to force withdrawal if the Administration fails to stick to its own schedule). Likewise, in the pre-withdrawal period, Members probably would be chary of restricting funding for activities we can convincingly portray as essential to preparing for withdrawal of U.S. troops (e.g., police training). Members are concerned with the elections, particularly local and Presidential, and continuing human rights violations.

Funding, Notifications and Holds

We can expect the greatest scrutiny (and therefore threat to our efforts) on funding of our on-going programs. It is worth recalling the strong protests we received from the Congress last fall because of extensive use of special authorities to fund the MNF, police training, etc. The extent of continuing concern is reflected in action taken in recent weeks by Senate appropriators to prohibit similar use of Sections 610 and 451 authorities in the future and to weigh down the heretofore unencumbered voluntary peacekeeping account with Congressional notification requirements. Thus, we expect Republican Members will continue to raise concerns about incremental costs of on-going operations and the components of our assistance programs. Under Section 520 of the FY 1996 foreign Operations Appropriations bill, Congress will have to be notified of all USAID projects. We can therefore anticipate Congressional "holds" of varying lengths on upcoming AID programs in Haiti. Senator Helms' staff has already placed such a hold (which we are trying to have lifted as soon as possible) on \$6.5 million in support for the upcoming elections.

In the House, Representative Porter Goss (R-FL) was successful in inserting an amendment to the Foreign Operations bill (H.R. 1868) that would restrict the disbursement of funds to Haiti (effective March 1996) if the elections are not held in substantial compliance with the requirements of the 1987 Haitian Constitution. In essence,

this amendment was targeted at preventing President Aristide from running for a second term or from extending his current term. Senator Dole has announced that he will introduce an amendment to the Senate Foreign Operations bill that would link assistance to Haiti to Administration certification of Haiti's human rights record. Dole's staff has promised us an opportunity to discuss the amendment before it is introduced.

Strategy Steps

- ù Continue highlighting the success of our Haiti policy by demonstrating the distinction and contrasting the situation in

Haiti prior to the invasion and today. Acknowledge problem areas (e.g., elections, human rights) and assert Executive Branch leadership and prerogatives in dealing with them.

ù Share responsibility for the success or failure of our policy with the Congress by stressing that cutting aid to Haiti, or to otherwise restrict the Executive Branch's ability to carry out policy, is a threat to our national security which could result in a return to uncontrolled Haitian migration, a recurrence of wide spread violence in Haiti and/or the potential for another coup.

ù Through the measures listed above, seek to limit Congressional conditionality on Haiti policy. In instances where there is unavoidable, work with Congress so that the conditions they impose are not detrimental to our overall policy.

ù Reduce the Haitian governments vulnerabilities by highlighting our successes and letting Congress know when things go right. Provide "friendly" Members of Congress with background information so that they can promote the Administration's Haiti policy successes. Press the GoH to take corrective measures in problem areas and make clear that we would hold Congress responsible for exacerbating these problems, if Congress interferes with Administration initiatives.

ù Plan carefully for funding contingencies to avoid the neuralgic use of special authorities.

ù Organize interagency briefings (State, DoD, AID, Commerce) for a core group of Congressional supporters (i.e. Members of the Black Caucus, Oberstar, Foglietta) to brief on a regular basis so that they can serve as spokespersons and advocates on the Hill.

ù In contacts with Congress, emphasize economic development efforts, particularly the Department of Commerce role, in light of Congressional interest in business development in Haiti.

ù Encourage "friendly Members and staff" to participate in CODELs during the elections in order diffuse or counter criticism from Members critical of our Haiti policy.

ù Engage "responsible critics" (i.e. Coverdell, Goss) through individual briefings by appropriate senior Administration officials (e.g., Special Haiti Advisor Dobbins).

Upcoming Events/Milestones in Haiti

September 14-15

Visit of DRL A/S Shattuck

(to address human rights and elections)

September 17
Parliamentary runoff and partial runoff elections

September 18 (week of)

Foreign Operation Bill on Senate Floor -- State Department

officials to minimize impact on policy of potential Dole amendment on human rights certification.

September 19
One year anniversary of deployment of U.S. Forces. (Use occasion to recount policy successes publicly.)

Visit of ARA DAS Arturo Valenzuela

September 22-23
Visit of National Security Advisor Lake -- After visit, provide briefings to Members on results of Haiti elections upon request. Provide briefings for HIRC and SFRC staff.

September 25 (week of)
Haiti hearing in HIRC Western Hemisphere Subcommittee.

-- State Department official to testify; Use opportunity to

promote message of successful policy and vigorous Executive Branch leadership in addressing problems in Haiti.

October (TBD)
Seating of new Parliament

October 1
Local run-off elections in remaining few areas where there have been reruns.

October 11-18
Consultative Group follow-up meeting. Offer HIRC and SFRC staff briefings on outcome of meetings.

October 15
Anniversary of President Aristide's return to Haiti.

-- Provide key congressional Members with talking points/background information that they can utilize in floor statements to support successful policy.

November (TBD)
IMF, Worked Bani, IDB Boards review

November 26
Constitutional date for Presidential Election

-- Phone calls or briefings to key Members prior to or immediately following election results.

December (TBD)
CLAA Haiti Day

February (TBD)
Completion of deployment of
Haitian National police to full
strength/phase out of Interim
Public Security Force.

February
Beginning of withdrawal of
UNMIH peacekeeping troops.

-- Offer briefings to relevant
committees on withdrawal of
troops and deployment of
police.

February-March
Visit of Former President
Aristide to Washington

-- Schedule meetings with key
Members.

Spring 1996
Visit of new Haitian President
to Washington.

--Schedule meetings with key
Members.

M S M a i l

DATE-TIME 19 September 95 10:29
FROM Tyler, John T.
CLASSIFICATION UNCLASSIFIED
SUBJECT [UNCLASSIFIED]
TO Cooper, Kathleen H.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY [[6787-1.DOC : 2579 in 6787-1.DOC]] Kathy -- Please print this out for me!
ATTACHMENT FILE DATE 19 September 95 9:44
ATTACHMENT FILE NAME 6787-1.DOC
6787

D R A F T

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: MORTON HALPERIN

FROM: TIM TYLER

SUBJECT: Helms Letter to POTUS on Consolidation

Following their meeting, Senator Helms sent a letter to the President on September 8th offering to work with us and with the State Department on the authorization bill. We need to respond to the letter -- after we decide what to do.

There has been one subsequent meeting between Helm's staff and the interagency (State, USAID, ACDA, USIA and NSC) legislative affairs experts. That meeting was limited to discussion about procedures, i.e. deal with restrictions on presidential prerogatives first, then the numbers and then with the consolidation issue. Nothing has happened since, due in part to activity on the appropriations bills and CJS.

We have an opportunity to make some real progress with Senator Helms; he appears ready to negotiate seriously. However, there is a lack of unanimity within the Administration; particularly, over consolidation issues. While there is "agreement" that we could consolidate one agency, diminish one agency and leave another independent; there is dramatic disagreement over which agency fits in which box. Because of this and because there are still some unwarranted perceptions that the consolidation concept originated with (and is quietly supported by) the State Department--to protect the President's interests, the White House/NPR needs to be responsible for dealing with Senator Helms rather than the Agencies.

This observation is made in the context of the savaging of the State Department and the other agencies in the CJS authorization bill; the realities of the appropriations process, where the numbers are inextricably lower than even the Helm's Bill numbers; and, the fact that any Continuing Resolution is unlikely to exceed the numbers agreed by both houses. This will effect the development of the FY 1997 budget.

By taking control of the process at the center, we should be able to gain agreement with Helms to mutate the consolidation issue to a report to the Congress on efficiencies in government due to the reinvention of the foreign affairs agencies, in time for inclusion in the budget submission for Fiscal Year 1997. This would slow down the seemingly inevitable, budget driven consolidation process and place control of the process back with the Executive Office of the President. A small team led by Erskine Bowles (plus Leon Fuerth and Mort Halperin) could manage the discussions with Senator Helms.

This approach is being explored in the NPR channel by the Vice President.

Concurrence by: Leon Fuerth___Bill
Danvers___Gordon Adams___

RECOMMENDATION

That you forward the attached memorandum to President with a letter

from the President to Senator Helms.

Approve _____ Disapprove _____

Attachment

Tab [I or A] [Enter brief description of attachment]

M S M a i l

DATE-TIME 20 September 95 20:37

FROM Bell, Robert G.

CLASSIFICATION UNCLASSIFIED

SUBJECT FW: Daily Guidance Update [UNCLASSIFIED]

TO Cullin, Brian P.
Fetig, James L.
Johnson, David T.
Mitchell, Calvin A.
Schuker, Jill A.
Wozniak, Natalie S.

CARBON_COPY Andreasen, Steven P.
Bell, Robert G.
Kelly, Sandra L.
Moody, Angelyn D.
Seaton, James B.
Sestak, Joseph A.
Witkowsky, Anne A.

TEXT_BODY

OK for this directorate for tomorrow.

From: Wozniak, Natalie S.
To: @NSC - NSC Staff
CC: /R, Record at A1
Subject: Daily Guidance Update [UNCLASSIFIED]
Date: Wednesday, September 20, 1995 07:29 PM

[[SEP20GUI.DOC : 5120 in SEP20GUI.DOC]]

Please review and forward your **BOLDED** updates to @PRESS by 10:00 a.m.
Thursday, September 21. Thanks.

**ATTACHMENT
FILE DATE** 20 September 95 19:27

**ATTACHMENT
FILE NAME** SEP20GUI.DOC
FOREIGN AFFAIRS GUIDANCE

September 20, 1995

Bosnia/Croatia (UPDATED/NEW)

Convention on Conventional Weapons (CCW) Review Conference (NEW)
(Landmines/Lasers)

U.S. French Nuclear Cooperation

Visit of CWC Preparatory Commission Officials to Washington (UPDATED)

Conventional Armed Forces in Europe (CFE) Treaty

Iran Sanctions: D'Amato Bill (UPDATED)

Russia

Ireland

Somalia: Aideed Seizes Baidoa

China

Haiti Elections

Cuba -- New Foreign Investment Law

Israeli-Palestinian Peace Process

Iraq

Kashmir

Export Control Reform: Computers

BOSNIA/CROATIA

Air Strikes

ù Last Thursday, NATO and UN commanders suspended air operations for 72 hours to monitor Serb compliance with their commitments to meet the UN/NATO conditions.

ù On Sunday, a further 72-hour pause was announced in view of the fact that the Serbs had withdrawn a

substantial number of their heavy weapons from the exclusion zone and had allowed the opening of the Sarajevo airport and routes into the city.

ù The deadline for complete withdrawal of the heavy weapons is 4:00 p.m. today EDT.

ù UN spokesmen indicate that the Serb withdrawal is continuing, and that convoys and UN flights continue to reach Sarajevo without any difficulty.

ù The Bosnian Serbs should have no doubt, however, that NATO will resume the strikes if they do not follow through on their commitments, or if they resume attacks on Sarajevo or the other safe areas.

ù As the President said, Serb acceptance of the terms of the agreement is the direct result of the steadfastness displayed by the members of the NATO Alliance in carrying out decisions to protect the safe areas, along with the close cooperation between UN and NATO commanders throughout the operation.

ù It also reflects intensive diplomatic efforts by Dick Holbrooke and the rest of the U.S. negotiating team, reinforced by the efforts of the Russians and our other European partners.

ù If the Bosnian Serb commitments are fully carried out, this should give further impetus to our common search for a lasting political settlement to the Balkan conflict, building on the September 8 agreement on "basic principles" of a settlement by the Foreign Ministers of Bosnia, Croatia and Serbia. If the Bosnian Serbs don't comply, air strikes will resume.

ù (If asked) While Bosnian Serb compliance was not conditional on Bosnian Government actions, the Bosnian Government continues to abide by its pledge of 10 days ago that it would refrain from offensive actions in and

around Sarajevo.

GoBH/Croatian Offensive toward Banja Luka

ù We have told the Bosnian and Croatian governments that military moves that risk drawing the Serbs into the conflict are very risky and unwise, and could lead to increased suffering for the civilian population. We believe all sides should refrain from offensive action.

ù We welcome the statement yesterday by Croatian President Tudjman that Croat forces have been ordered to end offensive action in Western Bosnia and will not attack Banja Luka..

ù We also welcome statements by Bosnian Government leaders that they do not plan to attack Banja Luka.

Will the Bosnian Offensive Derail U.S. Diplomatic Efforts?

ù We continue to believe that this conflict will not be settled on the battlefield, and that all parties should redouble their efforts to arrive at an early diplomatic solution. That remains the goal of our policy.

Next Steps

ù Holbrooke and his delegation are back in the U.S. for consultations and discussion with Principals of next steps before returning to the region. We cannot say when the next round of negotiations will begin.

ù (FYI only) The Delegation will meet with Principals tomorrow.

September 8 Geneva Meeting

ù Important progress was made at the September 8 Geneva meeting between the foreign ministers of Bosnia, Serbia and Croatia, and Contact Group representatives. Ambassador Holbrooke and EU negotiator Carl Bildt co-chaired the meeting.

-- In specific, the three foreign ministers announced they had agreed to basic principles for further negotiations toward final settlement. The principles are the following:

-- For the first time, all agreed that Bosnia-Herzegovina will continue as a single state, with its present borders, and with continuing international recognition.

-- Consistent with the Contact Group plan, all three agreed that under the terms of a settlement, Bosnia-Herzegovina will consist of two entities: the Federation established under last year's Washington Agreements, and a Bosnian Serb republic.

-- The 51-49 parameter of the Contact Group's territorial proposal will be the basis for a settlement, subject to any adjustments the parties make by mutual agreement.

-- The two entities will have the right to establish relationships with neighboring states, but new relationships must be consistent with the sovereignty and territorial integrity of Bosnia-Herzegovina.

-- The parties have pledged to adhere to human rights standards, to ensure freedom of movement and the right of the displaced to return to their homes, and to collaborate on joint economic projects that will promote transportation links and communications among all of Bosnia's peoples.

-- As the President said, this is an important milestone on the path to peace.

(If asked whether the new diplomatic effort divides Bosnia)

-- We have not partitioned Bosnia, nor do we intend to.

-- It cannot be emphasized too strongly that according to the Geneva agreements, Bosnia-Herzegovina remains a single state, retaining its seat in international organizations and its bilateral diplomatic relations with other countries in the world, including the U.S.

-- I would note President Izetbegovic's statement last week that the Serbs compromised by accepting the state of Bosnia-Herzegovina, and the Bosnians compromised by accepting a Serb republic. Izetbegovic further noted that the reason for the compromises was to end the war. According to Izetbegovic, "the world has made clear its support for peace but not for war."

Downed French Pilots

-- We have no confirmation of the Bosnian Serb claim that the pilots are in their custody.

-- Because of our concern for the safety of the pilots, we plan to make no further comment.

CORE BOSNIA POINTS

-- From the outset, we have consistently worked to relieve the human suffering in Bosnia, contain the war, and bring about a peaceful settlement. These efforts have saved many lives, brought an end to the fighting between Muslims and Croats through the formation of the Bosnian-Croat Federation, and prevented the war from spreading. However, as we all know, the fighting continues and peace has been tragically elusive in Bosnia.

-- We are now at an important moment in the history of the Bosnian conflict. The events of recent months changed the situation on the ground in Bosnia and presented the sides with opportunities for peace that could disappear rapidly.

-- Since June, we have worked with our allies to strengthen the United Nations operation by supporting the Rapid Reaction Force and providing for the protection of safe areas by the threat of decisive use of NATO air power.

-- And in early August, the President decided to launch a new diplomatic initiative aimed at achieving a comprehensive settlement, and sent his National Security Advisor, Anthony Lake, to Europe to consult with the Russians and our other European partners.

-- Assistant Secretary Richard Holbrooke and his team have now conducted three rounds of shuttle diplomacy in the region and have made important progress toward a settlement.

-- The September 8 meeting in Geneva of the three Foreign Ministers (Bosnia, Croatia, Serbia), where agreement was reached on "Agreed Basic Principles" of a Bosnia settlement -- was an important initial milestone on the road to peace.

Have you retreated from troop commitments upon settlement? (Aug. 28 WP p. 24)

-- No.

-- We have long said we would be willing to participate in a NATO-led effort, under

previously-specified conditions, to help implement a viable peace settlement.

Are You considering fewer troops?

-- Cannot say what will be the size of the NATO force or the U.S. contribution.

-- The number of troops will depend on the nature of the settlement package.

Are you presenting a U.S. map/Have you ceded Goradze to the Serbs

-- We are discussing a number of ideas, including some notions on territorial issues

-- We are not presenting a U.S. map, nor are we insisting on any particular territorial trades.

Did the Bosnians reject our plan out of hand?

-- No. They have been very supportive, as has Serbian President Milosevic.

Mini Marshall plan?

-- Certainly, a major reconstruction effort would need to follow any peaceful settlement.

-- Hope the international community would be prepared to assist in that effort.

-- Look to the EU to take the lead, in tandem with the International Financial Institutions.

Haiti or Cyprus model?

-- Avoid such comparisons.

-- Any plan would be specific to the needs in Balkans.

Hasn't U.S. leadership in Bosnia failed?/What is new about the current initiative?

-- American diplomacy has had several notable successes: creation of the Federation and ending the fighting in Central Bosnia; stabilizing Macedonia; ending the siege of Sarajevo; containing the conflict; the new constitutional arrangements agreed upon in Geneva on September 8, and last week's Serbian agreement to comply with UN/NATO conditions in Sarajevo.

-- New elements aiding our current efforts: recent developments on the ground, coupled with general war-weariness, have created new opportunities to break long-standing diplomatic logjams.

Give up on multi-ethnic Bosnian state?

-- No. Continue to support maintaining Bosnia within internationally recognized borders.

-- Supported Federation, combined Croat-Muslim enterprise.

Croatians engaged in ethnic cleansing?

-- Refugee flow is human tragedy and we are actively supporting efforts of international relief agencies.

-- Have been reports of abuses. We strongly condemn all violations of the rights of civilians, prisoners of war and international personnel.

-- We have repeatedly stressed to the Croatian government its obligation to respect these rights; to investigate allegations of human rights abuses, and to hold accountable those responsible.

-- Also urged government of Croatia to provide assurances to all Serbs in the Krajina, and to those who fled, that they are welcome to stay and return. Importance of allowing international monitors (ICRC) to assure rights of Serbs are respected. Croatian government has agreed.

-- It is not clear whether the Croatian government's actions in Krajina amount to a systematic policy of ethnic cleansing -- a deliberate and organized strategy of force and intimidation to drive all members of an ethnic group from their homes to "purify" the area. But clearly, serious abuses have occurred and we condemn any acts that force anyone to leave because of ethnicity.

-- We will continue to monitor the situation closely and hold the Croatians to the same standards

as the Serbs and others in this conflict.

Shattuck report on atrocities

[Assistant Secretary of State John Shattuck confirmed reports of egregious human rights violations committed by Bosnian-Serb forces in the aftermath of their attack on Srebrenica and Zepa..]

-- We continue to condemn the policy of ethnic cleansing. We continue to call for international access to all those detained and displaced, and for a full accounting of the whereabouts of those missing. We will continue to urge all parties in the former Yugoslavia to respect human rights and international humanitarian law.

-- Ambassador Albright presented information we have on atrocities to the U.N. Security Council.

-- At our urging, the U.N. Security Council has adopted resolutions condemning crimes on all

sides, highlighting Bosnian Serb atrocities against refugees from Srebrenica and Zepa.

-- There must be justice, and those who have violated international humanitarian law must be held accountable. We will continue to work with the International War Crimes Tribunal and urge that it prosecute those suspected of war crimes, crimes against humanity and genocide. Such criminal actions must not and will not remain unpunished.

What about Kosovo?

-- We have told Belgrade we believe major resettlement of Krajina Serbs in Kosovo is potentially very provocative.

-- Before the "FRY" can be integrated into the world community, a solution must be found to the situation in Kosovo.

Second-level ethnic cleansing in Sandzak, Vojvodina

-- We have urged Serbian authorities to enforce laws preventing the eviction of ethnic minorities from their homes in the aim of making room for Krajina refugees.

U.S. relief to Krajina Serbs

-- We support efforts of international relief agencies, and have called for comprehensive, direct relief to all those in need.

Reconstruction aid

-- The U.S. has consulted with the EU on the size and shape of an economic reconstruction effort, should a peace settlement be achieved.

-- The Spaniards, in their EU presidency capacity, have agreed to take the lead in planning for the effort. We are consulting with Congress on what the U.S. might be prepared to provide.

-- We expect the effort to include reconstruction assistance, IFI debt relief, humanitarian aid and encouragement of regional economic interdependence in terms of trade and other economic activities.

CONVENTION ON CONVENTIONAL WEAPONS (CCW) REVIEW CONFERENCE (LANDMINES/LASERS)

-- Primary U.S. objective at the Convention on Conventional Weapons (CCW) Review Conference, opening September 25, will be to strengthen the CCW's restrictions

on the use of landmines. We are gravely concerned with humanitarian tragedy caused by the indiscriminate use of these weapons.

-- Signed in 1980, the President obtained Senate advice and consent to CCW ratification in March of this year.

-- The U.S. has advanced the principle proposals to improve the CCW "landmines" protocol that will be considered at the Review Conference. These include, for example:

- requiring that all remotely delivered mines (those delivered by aircraft, rocket or artillery) used outside of marked and monitored minefields self-destruct after a relatively short period, so that they will not remain a threat to civilians after a conflict ends;

- requiring that all mines be detectable using commonly-available technology, to facilitate their clearing;

- expanding the scope of the "landmines" protocol to apply in internal armed conflicts, where the greatest civilian casualties have occurred; and

- requiring that the party laying the mines assume responsibility for clearing them, including a duty at the "cessation of active hostilities" to clear them or maintain them in controlled fields to protect civilians. Where the party laying the mines no longer controls the territory in which they were laid, it would have a duty to provide assistance for their clearance, to the extent possible.

-- (If asked) The U.S. will also be prepared to support a protocol on the use of so-called "blinding" lasers, provided it protects certain military requirements for the legitimate use of lasers on the battlefield, such as targeting and range-finding.

-- Ambassador Michael J. Matheson, Principal Deputy Legal Advisor to the Department of State, will lead our delegation.

U.S. - FRENCH NUCLEAR COOPERATION

Q: Do you have any comment on the September 19 Washington Post article on U.S. - French nuclear cooperation.

A:

ù As NSC Senior Director Bell confirmed in an on the record press briefing on August 11, we have had and continue to have a cooperation program with France in the nuclear area.

ù The program with France is not intended to help France conduct nuclear tests. As the President has made clear, the United States regrets continued French nuclear testing.

ù Our program with France is designed to help ensure the safety and reliability of existing nuclear weapons under a true zero yield Comprehensive Test Ban (CTB) Treaty and not to aid the development of new nuclear weapons.

ù In this regard, we take note of President Chirac's strong commitment to sign a CTB Treaty banning all nuclear tests regardless of level no later than the fall of 1996.

[If asked: Has the United States offered to cooperate with France on nuclear simulation]

ù Yes. Again, this effort is focused on maintaining the safety and reliability of existing nuclear weapons under a zero yield CTB Treaty. There is no cooperation planned or envisioned to aid the development of new nuclear

weapons.

[If asked about French overflights of the United States to the Mururoa test site]

ù Under the code of federal regulations, governments requesting overflight clearance are required to specify whether any hazardous materials are on board the aircraft.

ù We have granted overflight clearance to several French military missions to Mururoa in 1995.

ù The French informed us of the presence of small arms and ammunition on board one flight. The French did not indicate that hazardous materials -- which would include toxic chemicals, explosives, and radioactive material -- would be transported on board any of the other aircraft.

[If asked whether the overflight of U.S. territory of aircraft transporting plutonium is prohibited by law]

ù The overflight of U.S. territory by aircraft transporting plutonium in any form from a foreign country to a foreign country is prohibited by Public Law 100-203 (1987), the "Murkowski Amendment"

VISIT OF SENIOR CHEMICAL WEAPONS CONVENTION PREPARATORY COMMISSION OFFICIALS TO WASHINGTON

-- Three senior officials from the Chemical Weapons Convention Preparatory Commission will be in Washington this week to discuss the status of U.S. efforts to ratify the international treaty outlawing chemical weapons -- the Chemical Weapons Convention (CWC).

-- Earlier this week, they met with the National Security Adviser, the Secretary of State, the ACDA Director, the Chairman of the JCS and the Acting Secretary of Defense. They will also be meeting with members of the Senate Foreign Relations Committee and their staff.

-- The CWC has enjoyed strong bipartisan support, having been negotiated by President Reagan,

completed and signed by President Bush, and submitted to the Senate by President Clinton.

-- The President sees CWC ratification and entry into force as a key element of his

nonproliferation policy and an urgent next step in stemming the spread of weapons of mass destruction, following the successful NPT Extension Conference.

-- That is why he welcomed the Senate amendment adopted on September 5 calling for prompt ratification of the CWC and the START II treaty and urged the Senate to provide its advice and consent to ratification before the end of this session.

IF ASKED whether Senator Helms is holding CWC hostage to the State Department reorganization plan:

-- Our dialogue with Senator Helms on that issue is continuing. Meanwhile, we have made clear for many months and will continue to make clear that the President believes that it is crucial for the Senate to complete action on the CWC (and START II) this year.

IF ASKED why the Administration hasn't done more to get CWC ratified:

-- This Administration has made clear, through its words as well as its actions, that securing CWC ratification and entry into force is one of its highest priorities.

-- Even before the President submitted the CWC to the Senate in November 1993, he pressed the case for prompt CWC ratification and entry into force in his first address to the United Nations.

-- Our most senior officials (the Secretary of State, ACDA Director, JCS Chairman, CIA Director,

and DOD Deputy Secretary) all gave strong testimony in support of the CWC last year.

-- In May, former Congressman Martin Lancaster was appointed "Special Advisor to the President and ACDA Director on the Chemical Weapons Convention." Since then, Lancaster has met with over 90 Senators or their staff to urge ratification.

-- The President has made clear on numerous occasions -- in his State of the Union Address in January, at the Nixon Center in March, at the Air Force Academy in May, and at the 50th Anniversary of the UN in San Francisco in June -- the priority he attaches to the earliest possible CWC ratification and entry into force.

-- The President emphasized the importance of CWC ratification again in his meeting with the Congressional leadership last week.

IF ASKED whether there are any substantive obstacles to CWC ratification:

-- There do not appear to be any substantive obstacles to Senate advice and consent to the CWC. Some issues, such as verification, have been raised recently in the press, but these were dealt with in great detail in the nine Senate hearings and hundreds of questions we answered last year.

CONVENTIONAL ARMED FORCES IN EUROPE (CFE) TREATY

-- The United States and our NATO Allies have for some time been looking at ways to address Russian and Ukrainian concerns about the Treaty's "flank" limits. Last week NATO Allies agreed on a

proposal to be presented to Russia and Ukraine. Since the presentation of the proposal has not yet been made, it would not be appropriate to comment on its details.

-- The strategic picture has changed dramatically since the Treaty was signed in 1990. Now, neither the Warsaw Pact nor the Soviet Union exist and forces once deployed by the USSR as far west as Eastern Germany have been withdrawn to Russia. NATO Allies are looking at ways to respond to those changes, while maintaining the key elements of the Treaty, including its flank limits.

-- Allies have developed this proposal as part of a broader set of preparations for the CFE Review Conference, established by the Treaty for May, 1996. Our goal is to preserve the viability of the Treaty, which remains a cornerstone of European security.

-- The "flank" issue does not concern the overall equipment limit for Russia and Ukraine, but the restrictions which the Treaty places on the amount of equipment permitted in certain regions. Russia and Ukraine have participated fully in the Treaty's implementation over the past three years, destroying thousands of pieces of Treaty-limited equipment and submitting to hundreds of inspections under the terms of the Treaty.

-- It is not certain whether Russia will be prepared to negotiate a solution to the flank issue on the basis of the new NATO proposal. However, we and our Allies continue to reject completely the Russian idea of an "exclusion zone" in its Caucasus region. There is no basis for such an "exclusion zone" in the Treaty.

-- Any solution must be acceptable to all Treaty parties. The forum for negotiation

will be the
CFE Joint Consultative Group in Vienna.

(If asked about statement by Senator Helms staff that Treaty changes are not likely to be approved "anytime soon":.)

-- Any agreement along the lines of the NATO proposal would require the approval of Congress.

IRAN SANCTIONS: D'AMATO BILL

Background: The amendment in current form has mandatory and discretionary sanctions against foreign companies that export oil and natural gas equipment and technology to Iran. Mandato ry sanctions prohibit awarding U.S. Government contracts, granting licenses, and admitting senior officer s of such companies into the U S. Discretionary sanctions include an import prohibition, a merger and acquisitio n prohibition, and a prohibition from receiving EXIM bank financing or commercial bank loans.

Points

-- Believe the D'Amato proposal tackles important issues, but it has not yet been fo rmally introduced.

-- We will look at it seriously.

-- We look forward to further consultations on this issue with the Congress.

RUSSIA

Current Items

Spring 1996 Summit in Moscow

-- As Canadian Prime Minister Chretien announced June 17, G-7 leaders and Russian President Yeltsin agreed in Halifax to hold summit on nuclear safety and security in Moscow in spring 1996.

-- Summit to cover two broad areas: safety of civilian nuclear power and security of nuclear materials. These are areas in which there is already substantial cooperation between U.S., G-7 and Russia. Summit will provide impetus to deepen cooperation.

Embassy Moscow Attack

-- Continue to work with Russian authorities to determine who launched rocket-propelled grenade attack September 13. Security upgraded at Embassy and at consulates in St. Petersburg, Vladivostok and Yekaterinburg. Pursuing vigorous investigation.

Belarus Balloon Shoot-down

-- Two U.S. citizens killed September 12 when hot air balloon shot down in southwestern Belarus. Appreciate President Lukashenko's condolences and creation of high-level international commission to investigate.

-- Concerned, however, that Belarusian government took 24 hours to notify Embassy and that some Belarusian officials have tried to fix blame on balloon pilots and event organizers. Reject any attempt to justify this senseless and tragic incident.

-- Continuing to talk to Belarus about how this incident occurred.

Iranian Oil Swaps

-- As part of our policy of supporting independence and stability of Caucasus and Ce

entral Asia

states, USG willing to consider allowing American companies to swap Caspian oil with

Iran in

short-term while alternative reliable export pipelines are developed. Long-term ind

ependence of these

states depends on ability to export energy resources.

-- Bottlenecks in Russian pipeline system severely limit ability of Kazakhstan, Turk

menistan and

Azerbaijan to export oil and gas. No other pipelines currently available.

-- Actively encouraging U.S. companies in region to develop alternative non-Iranian

options for oil

export, including pipelines through Caucasus to Turkey. That will take time.

Chevron Swap Deal with Iran

-- Chevron has not yet presented license application. We will review all applicatio

ns on

case-by-case basis.

General Items

U.S. Stake in Relationship

-- U.S. has vital stake in engaging Russia and supporting political, economic reform

there. It

matters greatly to us if Russia, other NIS are dictatorships or democracies, central ly planned or market-oriented economies.

-- Long-term strategy. Understand transformation underway will be complex, protract ed.

Struggle going on between those who support reform and those who oppose or fear chan

ge. Will be

setbacks, like Chechnya. Have to work to make progress on these.

-- But engagement also producing important successes: reducing nuclear threat, over

50% of

Russian GDP now from private sector, no Russian troops in Central Europe or Baltics.

Cuts in/Conditions on Bilateral Aid

-- Have differences with Russians on important areas. Working hard to resolve these

-- But our assistance advances critical U.S. interests, by helping reformers succeed in building democracy and market economy, and by helping to reduce nuclear threat to U.S. Not in our interest to cut this assistance.

Yeltsin's Warning Against NATO Enlargement

-- Understand Russia has concerns about NATO enlargement. We intend to manage enlargement process in deliberate and transparent manner that threatens no country and strengthens security and stability of Europe as a whole.

-- Want to engage Russia closely in developing Europe's security structure. Russia a key player in building stable, undivided Europe. Our goal is to develop NATO-Russia relationship in parallel with NATO's process of taking in new members. Robust NATO-Russia relationship in interests of U.S., Europe and Russia.

Russian Banking Crisis

-- Good news is that Russian government and Central Bank effectively managed complex

short-term problems. Financial markets have stabilized; no general run on deposits.

-- Expect additional bank closures and consolidations as weaker banks fold. If prudently

managed, will strengthen banking system. We encourage Russian to keep working with IMF and World Bank on bank reform, as it is already doing.

Fred Cuny

-- Engaged Yeltsin, Russian officials to secure cooperation on Cuny case. Doing all we can to find out what happened, e.g., sent FBI team. Investigation ongoing.

-- Sympathize with Cuny family's deep sense of frustration. Share Cuny family's commitment to thorough and honest investigation.

-- No confirmed reports on fate of Cuny or the Russians traveling with him.

Chechnya

-- Russians and Chechens signed military agreement on July 30 that inter alia provides for cessation of hostilities, disarmament and stage-by-stage withdrawal of Russian forces.

-- Clashes continue. Implementation of agreement proceeding slowly -- complex and h its frequent snags. Situation changing daily.

-- Dispute can only be resolved by negotiated settlement. Urge sides quickly to resolve these issues and move toward political agreement.

Iran Reactor Sale

-- President has discussed Bushehr reactor sale with Yeltsin. Vice President and Prime Minister Chernomyrdin have begun serious dialogue that will continue.

-- Have made clear and continue to stress our opposition to any nuclear cooperation with Iran, given Tehran's ambitions to acquire nuclear weapons capability.

IRELAND

President Has Lost Interest?

-- No, the President remains deeply interested in the peace process in Northern Ireland and, and the Administration continues actively to support the efforts of the British and Irish governments to move the process forward.

-- In fact, we have had a number of contacts over the 2 weeks about how to give the process momentum.

-- Sinn Fein President Gerry Adams met with National Security Advisor Anthony Lake September 13 for over an hour. The Vice President joined them for part of the meeting.

-- Mr. Lake and the Vice President met September 8 with UK Minister of State for Northern Ireland Michael Ancram.

-- We also remain in touch with the Irish Government and other parties.

-- Contacts with all the parties are continuing. I am not prepared to go into any detail.

U.S. Position

-- We see a basis for progress in the "twin-track" proposal to begin inclusive talks between the British and Irish Governments and the Northern Ireland political parties and to establish an international body to address the issue of decommissioning of paramilitaries' weapons.

-- We will continue to encourage all sides to be flexible and find a way to move the process forward.

Comment on Paisley Press Conference

-- Dr. Paisley is incorrect to say that the President's visit to Northern Ireland is in serious doubt.

There has been no change in his plans, and in fact he is very much looking forward to the trip.

-- As for the possibility that there could be "serious trouble" during the President's visit, we sincerely hope that he will be welcome in Northern Ireland, where he will be bringing a message of peace and reconciliation.

-- We regret that Dr. Paisley did not accept Mr. Lake's invitation to discuss the situation in Northern Ireland face-to-face.

Comments on Adams Visit

-- In their meeting with Adams September 13, the Vice President and Mr. Lake expressed their satisfaction that Northern Ireland has enjoyed a year of peace, and reiterated that the best guarantee of a just and lasting peace is meaningful dialogue among the parties representing the people of Northern Ireland.

-- Both the Vice President and Mr. Lake said they saw merit in the "twin-track" strategy, establishing an international body to address the issue of decommissioning of weapons, and the importance of a serious discussion of decommissioning.

-- We have had a number of constructive discussions with all parties, including Sinn Féin, over the last week.

-- Those discussions are continuing, and continue to be constructive and productive.

British Stalling on Talks?

-- As we have said , we hope that momentum will have been restored to the process by the time the President visits Northern Ireland at the end of November.

Position on Decommissioning:

-- On decommissioning of weapons, the President has said that parties observing the cease-fire "must take the next step and begin to discuss serious decommissioning." We have made it clear to Sinn Fein and loyalists that we expect movement on this issue.

Decommissioning a Precondition to Talks:

-- It is up to the parties to resolve the remaining obstacles.

-- We continue to urge all parties to address outstanding issues seriously and flexibly and move to talks that will lead to a lasting settlement.

(If asked)

-- The President has not said that he favors discussing decommissioning of IRA weapons at new, all-party talks rather than before them. He has said that decommissioning remains an essential element of the peace process, and he has urged the IRA and loyalist paramilitaries to begin to discuss decommissioning seriously.

Background: USA Today of August 28 in its World Roundup says "Clinton, who has thrown his weight behind efforts to end one of Europe's longest guerrilla wars, said in a letter that he favors discussing the decommissioning of IRA arms at new, all-party talks rather than before them." The letter is one the President wrote to former congressman Bruce Morrison in July in which he said "To help heal th

e wounds of an entire generation of people in Northern Ireland and as part of the peace process, all the parties should have the opportunity to raise issues of concern to them. Thus, I would expect all-party talks to address policing, prisoner issues, decommissioning of weapons and other issues of particular concern to communities and families."

Senator Mitchell to Chair Commission on Decommissioning?:

-- The two governments and parties are discussing the proposal. Have not yet made a decision.

-- It's premature to discuss any U.S. Government or private citizen role until there is a formal decision.

Election of new Ulster Unionist Party Chairman

-- David Trimble was elected UUP chairman on September 8.

-- Tony Lake called to congratulate him and to express our hope that he will visit Washington soon.

-- We hope to continue to build on the good relations with the UUP that we enjoyed during Mr. Molyneaux's tenure as party leader.

SOMALIA: AIDEED SEIZES BAIDOA

Q: What is the situation on the ground in Baidoa now?

A: According to available information, on September 19, the fighting touched off by General Aideed and his militia's seizure of the southwestern city of Baidoa has continued. We understand that the increased fighting and looting have caused the situation to deteriorate. We have

e no further details of
the fighting or casualties.

The United States views this as a significant setback to political reconciliation i
n Somalia.

Q: What will be the fate of aid workers who have been rounded up by Aideed's
forces?

Are any
Americans being held hostage?

A: We understand that approximately 18 aid workers, working for UN agencies
and
non-governmental relief organizations (NGOs) are being held at a compound in
Baidoa
by Aideed's
forces.

Our immediate goal is to work for the immediate and safe release of all personnel
who are now
said to be "under house arrest." We have asked Aideed to guarantee their safe
relea
se.

(If Asked): We understand that five American citizens are among those detained.
W
e are in
close contact with the UN and NGO community in Nairobi, Kenya, which serves
as a bas
e for the
organizations which employ these persons.

Q: Does Aideed's seizing of Baidoa signal the beginning of a new offensive and a
ret
urn to violence
in Somalia? What does this forebode for the humanitarian and political situation
in
Somalia?

A: We hope that there will be no further violence in Somalia and that the Somali
peo
ple will return
to peaceful negotiations.

Political reconciliation at the local level was beginning to return in Somalia. Th
is, in turn,
permitted the movement of both locally grown and imported food supplies.

It is too early to predict if this development forebodes a return to increased violence, but it is not a good sign.

CHINA

CHINA - U.S.

Q: Is the U.S. negotiating a joint communiqu, with China, as the Wall Street Journal reported?

A: No. The Administration has made clear in a variety of ways that there has been no change in our approach to China. We have maintained a "One China" policy, as have the previous five administrations.

This point has been reiterated on numerous occasions, both public and private. It is explicit in the three joint communiqu,s already signed with China.

We do not see, therefore, a need for another communiqu, to say the same thing.

The Lee Teng-hui visit was a private and unofficial.

HAITI

Background: The second round of legislative elections as well as some reruns of first round elections (both legislative and local) marred by irregularities were held on September 17. Turn-out was low (probably around 20%) but process was free of violence and far better organized than the first round.

Points

- As was the case for the first round, the elections held on September 17 were free of violence or intimidation. In light of Haiti's recent history, this is a remarkable achievement.
- In addition, the management and administration of the September 17 elections were significantly better than those of the first round. Haitian authorities, with the help of the international community, took effective steps to address many of the problems that arose on June 25.
- Turn-out was low, however. While the reasons for this are unclear, it should be remembered that Haitians have now been to the polls three times in less than three months.
- Efforts should now turn to the presidential elections which are scheduled for the end of 1995. They will result in the first transition between two democratically elected Presidents in Haiti's history.

CUBA -- NEW FOREIGN INVESTMENT LAW

- We have not yet reviewed in detail the text of the new foreign investment law but it appears to offer new opportunities for foreign investors.
- While this would be a welcome development, it also appears to have serious limitations. Cuban citizens, for instance, are still barred from investing in property, hiring non-family employees or forming small businesses. In addition, foreign investors are required to contract labor through the Cuban government, thereby preserving the government's strict economic hold on individuals.

-- These continuing restrictions significantly limit the scope of the law and indicate that the Cuban government is not interested in fundamental changes.

-- These changes are necessary to create incentives to raise Cubans' standard of living, improve Cuba's overall investment climate, and allow individuals essential economic freedom.

-- As we have indicated, major reforms of the kind that would bring about fundamental change could merit a carefully calibrated responses from the United States.

-- Finally, we will continue to urge foreign investors to avoid investing in properties on which U.S. citizens have claims.

ISRAELI-PALESTINIAN PEACE PROCESS

Q: What is the status of the Israeli-Palestinian peace talks?

A: Both the Israelis and the Palestinians continue to work hard to bridge their differences and have made progress.

We understand that both sides believe they are fairly close to an agreement.

Q: Will there be a ceremony for the parties to sign their agreement in Washington so on?

A: The parties have expressed their desire for a signing ceremony in Washington. As we have said, we are prepared to host a ceremony, once agreement has been reached.

IRAQ

If asked:

Q: Does the United States want to see Saddam Hussein replaced?

A: The Iraqis themselves should decide who leads Iraq. We want to see a stable Iraq that does not represent a threat to its neighbors. We support Iraq's territorial integrity.

As we have said in the past, it is difficult to foresee Saddam remaining in power where Iraq to comply fully with all the resolutions, which he is obliged to do.

Recent events, including the Hussein Kamal defection, tend to reinforce this impression.

But I don't want to speculate on possible succession scenarios. It is up to the Iraqis themselves to determine who should lead them.

KASHMIR

Background: The situation remains unclear and extremely fluid. Contact between the Al-Faran group holding the hostages and the Indian authorities continues to be intermittent and the crisis appears to be building toward a conclusion. Tension in the area continues to mount following a bomb blast in Srinagar this past weekend and troop movements by both India and Pakistan along the line of control (border) that separates them.

Points

-- We are encouraged by reports that the hostages are well.

-- We continue to work closely with the Indian authorities and hope for the speedy a

nd safe
release of the hostages.

-- We urge all involved to continue to work cooperatively to secure the release of
t
hese innocent
men.

EXPORT CONTROL REFORM: COMPUTERS

Q: Is the Administration planning to loosen export controls so that high-powered
com
puters could
help our foes build nuclear and other high-tech weapons?

A: We are now reviewing the appropriate levels for export controls on computers.
Ou
r review will
take all factors into account -- including our strong commitment to
nonproliferation
-- in seeking to
establish a level that advances U.S. interests from a military and economic
standpoi
nt.

When we last revised U.S. computer thresholds, two years ago, we said we
would nee
d to
revisit those levels within about two years. That is what we have been doing.

M S M a i l

DATE-TIME 26 September 95 15:00
FROM Burrell, Christina L.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Urgent Action [UNCLASSIFIED]
TO Andricos, George M.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

fyi

From: Cooper, Kathleen H.
To: Bell, Robert G.; Clarke, Richard A.; Danvers, William C.
CC: /R, Record at A1; Burrell, Christina L.; Kelly, Sandra L.; Lindsey, Wanda D.
Subject: Urgent Action [UNCLASSIFIED]
Date: Tuesday, September 26, 1995 02:16 PM

[[6787-1A.DOC : 3884 in 6787-1A.DOC]][[6787-2A.DOC : 3885 in 6787-2A.DOC
]]][6787-3A.DOC : 3886 in 6787-3A.DOC]]

Senator Helms has followed up his meeting with the President on the consolidation issue with a letter saying that he was waiting to hear back from the President.

I am sending you the attached package for coordination. Obviously several parts of the White House, including OVP and OMB, will need to be consulted before the package can go to the President.

Tony has asked that all packages related to consolidation be kept out of the system and be very tightly held. I would, therefore, appreciate your holding this memo closely and e-mailing your comments/concurrence to me. Thanks.

**ATTACHMENT
FILE DATE** 26 September 95 14:14
**ATTACHMENT
FILE NAME** 6787-1A.DOC
6787

LIMITED ACCESS

D R A F T

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: MORTON H. HALPERIN

FROM: TIM TYLER

SUBJECT: Helms Letter to POTUS on Consolidation

Following their meeting, Senator Helms sent a letter to the President on September 8th offering to work with us and with the State Department on the authorization bill. We need to respond to the letter -- after we decide what to do.

There has been one subsequent meeting between Helm's staff and the interagency (State, USAID, ACDA, USIA and NSC) legislative affairs experts. That meeting was limited to discussion about procedures, i.e. deal with restrictions on presidential prerogatives first, then the numbers and then with the consolidation issue. Since then the context has changed.

ù Jesse Helms won a 57-43 vote on tabling his amendment to force consolidation -- he then withdrew his amendment.

ù Bob Dole is now involved: Sheila Burke is calling Pat Griffin

ù John Kerry commented on the Senate floor that he was willing to see one of the agencies consolidated; and in the context of debate, he was not willing to offer a sense of the Congress amendment that we should get back to them with our plan.

ù Issue has been raised by Leon Panetta at his staff meeting: his feeling is that we have to solve the problem. (He provided guidance that cut across the bow of the Vice President--who is the key player for the Administration on consolidation.)

ù We can no longer rely on "hanging tough." Helms will keep coming at us on CJS or Reconciliation and he is gathering Democratic support.

ù The heads of the Agencies are neuralgic about the consolidation of their agency...it's a set of rice bowl issues for them.

ù We have had a solid hang tough--all for one and one for all--position for months, which is identified with the Vice President. When we shift from that position, the Republicans will trumpet victory.

We need to control the process from the center and deliver a

concise message to the Agency heads to attenuate outright revolt. The Vice President will need to call Christopher, Atwood, Duffey and Holum and tell them what the White House decision is.

If we work carefully within the EXOP we should be able to execute a gameplan that protects Agencies' interests for as long as possible, and more importantly, protects the prerogatives of both the President and the Vice President.

Leon Fuerth has raised with the Vice President the need to move from the position of "Hang Tough" to that of agreeing to examine the Agencies' duplications and overlaps in the projected budget context and commit to getting back to the Congress before we send up the FY 1997 budget. This may help us avoid the "Sophie's Choice" option of publicly having to choose one Agency for elimination (Kerry's solution).

If you and the Vice President approve this approach, the Vice President needs to call the heads of Agencies and tell them:

- The situation has changed. We do not want to be forced to veto the Foreign Ops Bill, CJS or reconciliation because of mandated consolidation that leaves us with no choices.

We now need to talk seriously with Helms, Dole and Kerry;

- We will work within the changed budget context and within NPR Channels;

- We will take a hard look and develop a plan that we can offer the Congress when we submit the FY 97 budget;

Our end game is simple:

ù Avoid forced, mandated consolidation;

ù Use the budget context to force a hard look at the reinvention of the foreign affairs agencies and move toward acceptance of the position developed through the NPR review of the four agencies;

By taking control of the process at the center, we should ultimately be able to gain agreement with Helms to mutate the consolidation issue to a report to the Congress in time for inclusion in the budget submission for Fiscal Year 1997.

A small team led by Leon Fuerth (plus Mort Halperin and Gordon Adams) could manage the discussions with Senator Helms. The idea would be to hang tough initially, obtain commitment to some progress with ambassadorial appointments and other, normal committee business, and agree to a Presidential report on re-engineering the four agencies.

Meanwhile we also can answer Senator Helms' letter to the President.

Concurrence by: Richard Clarke; Bill Danvers; Bob Bell

RECOMMENDATION

That you support the process suggested above and encourage the Vice President to call the Agency heads and then have a team headed by Leon Fuerth deal with the Congress.

Approve _____ Disapprove _____

That you forward the attached memorandum to the President with a letter from the President to Senator Helms.

Approve _____ Disapprove _____

Attachments
Tab I Memorandum for the President
Tab A Letter to Senator Helms
Tab B Letter from Senator Helms

ATTACHMENT
FILE DATE

26 September 95 14:15

ATTACHMENT
FILE NAME

6787-2A.DOC

6787

LIMITED ACCESS

cc: Vice President

Chief of Staff

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ET. AL.

SUBJECT: Response to Sen. Helms Letter of
September 8, 1995

Purpose

To respond to Senator Jesse Helm's offer to work with us on the issue of "reorganizing the State Department" (and the other foreign affairs agencies) and discuss how we deal with the pressure to consolidate the foreign affairs agencies.

Background

Following your meeting with him, Senator Helms wrote you on September 8th, offering to work with us and the State Department on the State Department Bill (i.e. on the issue of consolidation of the foreign affairs agencies). There has also been a follow-up meeting with Helm's staff and interagency legislative affairs representatives on procedural matters. Since then the situation has changed:

ù Jesse Helms won a 57-43 vote on tabling his amendment to force consolidation -- he then withdrew his amendment.

ù Bob Dole is now involved.

ù John Kerry commented on the Senate floor that he was willing to see one of the agencies consolidated; and in the context of debate, he was not willing to offer a sense of the Congress amendment that we should get back to them with our plan.

ù We can no longer rely on "hanging tough." Helms will keep

coming at us on CJS or Reconciliation and he is gathering Democratic support. He may have a deal with Kerry and Dole to put consolidation into the Foreign Ops bill in Conference.

ù The heads of the Agencies are neuralgic about the consolidation of their agency...it's a set of rice bowl issues for them.

ù We have had a solid hang tough--all for one and one for all--position for months, which is identified with the Administration and especially with the Vice President.

We have an opportunity to make some progress. Senator Helms may be ready to negotiate seriously; however, there is a lack of unanimity within the Administration, particularly, over consolidation

issues. To protect your interests, the White House/NPR needs to be responsible for dealing with Senator Helms.

We need to "hang tough" for now. This is necessary to avoid open revolt by the Agencies and to avoid a Republican victory dance over our having agreed to "consolidation." In fact, lower appropriations numbers for Agency operating expenses and our own quest to balance the budget will probably stimulate significant re-engineering of the Agencies. It is better that we take the credit for it.

We should be aim for agreement with Senator Helms to mutate the consolidation issue to a report to the Congress on efficiencies in government due to the reinvention of the foreign affairs agencies. This would be in time for inclusion in the budget submission for Fiscal Year 1997, and would enable us to manage the inevitable, budget driven consolidation process.

A small team led by Leon Fuerth (plus Mort Halperin and Gordon Adams) could manage any discussions with Senator Helms. We would see Senator Helms' agreement to proceed concurrently with his committee's normal business of confirming your Ambassadors and working with us on treaty ratification.

RECOMMENDATION

That Leon Fuerth lead a small team to talk with Senator Helms.

Approve _____

Disapprove _____

That you sign the attached letter to Senator Helms.

Attachments
Tab A Letter to Senator Jesse Helms
Tab B Letter from Senator Helms

**ATTACHMENT
FILE DATE**

26 September 95 12:24

**ATTACHMENT
FILE NAME**

6787-3A.DOC

Dear Mr. Chairman:

When we met last August, I did mention that I would get back to you on your State Department Bill. Since then, I am pleased that the staffs have been able to get together and begin work on critical procedural matters.

In this context, it is naturally important for the Committee to resume its work with us on Ambassadorial confirmations and other committee business.

If you agree, I would propose that Leon Fuerth and a small group meet with you or your representatives and continue discussion on some of the issues raised in the foreign assistance authorization bill.

I continue to believe that it is critical for this nation to pursue a strongly bipartisan foreign policy and that the Congress provide the resources necessary to keep America's world leadership strong.

Sincerely,

The Honorable Jesse Helms
United States Senate

Washington, D.C. 20510

M S M a i l

DATE-TIME 27 September 95 14:17
FROM Kelly, Sandra L.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Halperin Package [UNCLASSIFIED]
TO Moody, Angelyn D.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY
per your request, change made to first document

From: Danvers, William C.
To: Bell, Robert G.; Clarke, Richard A.; Halperin, Morton H.
CC: /R, Record at A1; Cooper, Kathleen H.; Kelly, Sandra L.; Lindsey, Wanda D.; @LEGISLAT-Legislative Affairs
Subject: FW: Halperin Package [UNCLASSIFIED]
Date: Wednesday, September 27, 1995 01:49 PM

[[6787-1A.BAK : 3657 in 6787-1A.BAK]][[6787-2A.DOC : 3655 in 6787-2A.DOC
]] [[6787-3A.DOC : 3656 in 6787-3A.DOC]]

Some changes.

From: Burrell, Christina L.
To: Danvers, William C.
CC: /N, NonRecord at A1
Subject: Halperin Package [UNCLASSIFIED]
Date: Wednesday, September 27, 1995 01:36 PM

**ATTACHMENT
FILE DATE** 27 September 95 13:33

**ATTACHMENT
FILE NAME** 6787-2A.DOC

6787

LIMITED ACCESS

cc: Vice President

Chief of Staff

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
PAT GRIFFIN

SUBJECT: Response to Sen. Helms Letter of
September 8, 1995

Purpose

To respond to Senator Jesse Helms' offer to work with us on the issue of "reorganizing the State Department" and the other foreign affairs agencies.

Background

Following your meeting with him, Senator Helms wrote you on September 8th, offering to work with us and the State Department on the State Department Bill (i.e. on the issue of consolidation of the foreign affairs agencies). There has also been a follow-up meeting with Helms' staff and interagency legislative affairs representatives on procedural matters. Since then the situation has changed:

- ù Jesse Helms won a 57-43 vote on tabling an amendment he sponsored with Senator Dole to force consolidation last week during Senate consideration of the Foreign Operations Appropriations bill. He subsequently withdrew his amendment.

- ù Senator Helms has stated publicly on several occasions that he is waiting for a response from you to your meeting with him and that he will hold up nominations and consideration of treaties, particularly START II and the Chemical Weapons Convention; nominations; and other Committee business until he has an up or down vote on his proposal.

- ù There is some Democratic support for consolidation. Three Democrats voted against the motion to table the Helms amendment last week. Senator Kerry stated on the Senate floor that he is

willing to see one of the agencies consolidated, a position he took during Senate Foreign Relations Committee deliberations on this issue.

On the other side of this issue, Agencies targeted by the Helms legislation continue to oppose any consolidation. There are also key Democrats who are willing to back us in our resistance to the Helms plan. We believe that in order to try to get the Foreign Relations Committee business moving again, we should respond to Senator Helms by telling him that we will present to Congress by a date certain a reorganization plan. This will allow us and our

supporters to be able to say that we have responded to the Senator and that he should now allow the SFRC to meet to conduct its business.

RECOMMENDATION

That you sign the attached letter to Senator Helms.

Attachments

Tab A Letter to Senator Jesse Helms

Tab B Letter from Senator Helms

**ATTACHMENT
FILE DATE**

27 September 95 13:16

**ATTACHMENT
FILE NAME**

6787-3A.DOC

Dear Mr. Chairman:

I wanted to get back to you following our meeting to discuss your proposal to reorganize the foreign affairs agencies. Since then, I am pleased that representatives from the Administration have met with your staff as a follow on to that discussion.

I am asking the Vice President to submit to you and Representative Gilman a proposal that we will get back to you by a date certain our detailed plan for reorganizing the foreign affairs agencies.

As you know, I strongly believe that the organization of the federal government is the prerogative of the Executive branch, although I think it is important to take into consideration Congressional concerns and ideas as we complete this process.

I ask that in the interim the Committee resume its work with us on treaties such as START II and the Chemical Weapons Convention, Ambassadorial confirmations and other committee business.

I continue to believe that it is critical for this nation to pursue a strongly bipartisan foreign policy and that the Congress provide the resources necessary to keep America's world leadership strong.

Sincerely,

The Honorable Jesse Helms
United States Senate
Washington, D.C. 20510

**ATTACHMENT
FILE DATE**

27 September 95 13:20

**ATTACHMENT
FILE NAME**

6787-1A.BAK

6787

LIMITED ACCESS

D R A F T

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: MORTON H. HALPERIN

FROM: TIM TYLER

SUBJECT: Helms Letter to POTUS on Consolidation

Following their meeting, Senator Helms sent a letter to the President on September 8th offering to work with us and with the State Department on the authorization bill. We need to respond to the letter -- after we decide what to do.

There has been one subsequent meeting between Helms' staff and the interagency (State, USAID, ACDA, USIA and NSC) legislative affairs offices. That meeting was limited to discussion about procedures, i.e. deal with restrictions on presidential prerogatives first, then the numbers and then with the consolidation issue. Since then the context has changed.

ù Jesse Helms won a 57-43 vote on tabling his amendment to force consolidation -- he then withdrew his amendment.

ù Bob Dole is now involved.

ù John Kerry commented on the Senate floor that he was willing to see one of the agencies consolidated.

ù Issue has been raised by Leon Panetta at his staff meeting: his feeling is that we have to solve the problem.

ù "Hanging tough is an increasingly difficult strategy." Helms will keep coming at us and he has some Democratic support.

ù The heads of the Agencies remain opposed to consolidation.

ù We have had a solid hang tough--all for one and one for all--position for months, which is identified with the Vice President. A shift from that position could move Helms to claim victory.

We need to decide how to proceed once we have an agreed upon position. We suggest that there be a VP-led meeting of concerned agency heads, bringing them on board. We should then get back to our Democrats in the Senate and House to let them know what we want to do. Finally, contact should be made with Helms and Gilman, presenting our proposal. The issue remains as to what our "proposal" will be. The most workable solution is to tell Helms and Gilman that we will get back to them with a specific

reorganization plan by a date certain.

Our end game is simple:

ù Respond to Helms;

ù Avoid forced, mandated consolidation; and

ù Use the budget context to force a hard look at the reinvention of the foreign affairs agencies and move toward acceptance of the position developed through the NPR review of the four agencies.

We have attached a memo to the President (Tab I) and a letters from the President to Senator Helms (Tab A) reflecting this position.

Concurrence by: Richard Clarke; Bill
Danvers; Bob Bell

Attachments

Tab I Memorandum for the President

Tab A Letter to Senator Helms

Tab B Letter from Senator Helms

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Dallas Brown to Richard Clarke. Subject: Aristide Talking Points. (10 pages)	10/13/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
MSMail-Non-Record (Sept 94-Sept 97) ([Senator Helms])
OA/Box Number: 605000

FOLDER TITLE:

[09/15/1995-10/26/1995]

2006-1363-F
vz5626

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)]

- 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]

M S M a i l

DATE-TIME 19 October 95 13:13
FROM Schuker, Jill A.
CLASSIFICATION UNCLASSIFIED
SUBJECT Haiti [UNCLASSIFIED]
TO Malley, Robert
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

[[POLMIL3A.DOC : 3366 in POLMIL3A.DOC]]
Please note recommended changes in BIG TYPE , in 11.1....11.3....and 11.4.
Thanks.

**ATTACHMENT
FILE DATE** 19 October 95 13:10

**ATTACHMENT
FILE NAME** POLMIL3A.DOC

11.0 Congress, the Media and Public Outreach

11.1 USG Objectives: The objective is to maintain the necessary [UNDERSTANDING AND] conditions to continue [DELETE current] U.S. policy [TOWARD/DELETE in] Haiti [,INCLUDING, DELETE That means] [ENHANCING, DELETE/building up] Public and congressional [UNDERSTANDING AND] support for U.S. policy, and in particular resisting congressional attempts to undermine it. The message [BOTH] to Congress and the public should stress Haiti's remarkable progress in terms of respect for human rights, democracy, and economy recovery, while forthrightly acknowledging problem areas and demonstrating US leadership in addressing them. In view of the forthcoming presidential elections in Haiti, we must stress that the US [POSITION IS FOR FREE AND FAIR CONDUCT OF ELECTIONS,] [DELETE/does] not favor[ING] any particular [DELETE/political] party.

11.2 Congressional Strategy

11.2.1 Congressional Concerns: Despite, or perhaps because of the overall success of the policy, we can expect intense congressional scrutiny. Members probably will not seek to interfere with our planned withdrawal schedule because of concern with maintaining a "secure and stable environment" once the troops are withdrawn. Likewise, in a pre-withdrawal period, Members will be chary of restricting funding for activities we convincingly can portray as essential to preparing for withdrawal of U.S. troops (e.g., police training). Instead, Congress most likely will continue to focus on

the political, human rights, economic and security situation.

11.2.2 USG Strategy: Between now and the February withdrawal of UNMIH peacekeeping troops, we should use the opportunity of several major events to highlight the Administration's success, address problem areas and frame the debate in such a way that Congressional efforts to obstruct USG efforts will be blamed for any adverse consequences. Specifically, we should:

- ù Share responsibility for the success or failure of our policy with the Congress by stressing that cutting aid to Haiti, or otherwise restricting the Executive Branch's ability to carry out our policy, is a threat to US national security which could result in a return to uncontrolled Haitian migration, a recurrence of widespread violence in Haiti, and/or the potential for another coup.

- ù Seek to limit Congressional conditionality on Haiti policy. In instances where this is unavoidable, work with Congress to ensure that the conditions imposed are not detrimental to overall policy.

- ù Reduce the GOH's vulnerability by highlighting successes, pressing it to take corrective action in problem areas, and letting Congress know when things go right. Provide regular background information so that congressional supporters of the Administration's policy can promote US successes.

- ù We also should make clear that Congress would be held responsible for exacerbating Haiti's problems if Congress interferes with Administration initiatives. In particular, stress that congressional holds on programs like election assistance threaten Haiti's presidential transition.

- ù Make every effort to avoid using special authorities which can result in congressional holds.

- ù Organize as appropriate interagency briefings (State, DOD, AID, Commerce) for a core group of congressional supporters (e.g., members of the Black Caucus, Oberstar, Foglietta) to brief on a regular basis so that they can serve as advocates on the Hill.

- ù In contacts with Congress, emphasize economic development efforts, particularly Commerce's role, in light of congressional interest in business development in Haiti.

- ù Engage "responsible critics" (e.g., Coverdell, Goss) through individual briefings by appropriate senior Administration officials.

11.3 Media/Public Outreach Strategy: USG public message should stress [DEMONSTRABLE] success of Haiti policy, emphasizing the following points in media briefings, op-eds, and meetings with foreign policy leaders:

ù [THE PRESIDENT/DELETE America} acted in [SUPPORT OF AMERICA'S VALUES AND INTERESTS] and those of the Hemisphere in restoring democracy to Haiti. We were aware of the risks, but we couldn't permit brutal violence and instability [ESPECIALLY] that close to our own shores to continue indefinitely.

ù [ONE NEEDS ONLY TO think] back to where Haiti was just a year ago: Military rule; rampant political violence and killings; absence of democracy, free speech, elections; instability and the real threat of a [CONTINUING DANGEROUS AND] massive refugee flow; [AND A DEVASTATINGLY HIGH MORTALITY RATE FROM DISEASE AND THE RAVAGES OF VIOLENCE]. [ANECDOTAL EVIDENCE ABOUNDS]

ù US and Haitian efforts have been remarkably successful. Constitutional government has been restored; [THE DEMOCRATICALLY-ELECTED] Aristide is back in office [HAVING JUST CELEBRATED HIS ONE YEAR RETURN TO HAITI AFTER THE DEPARTURE OF THE JUNTA]; Haitians can speak freely and elect representatives of their choice without intimidation; people no longer are fleeing the island out of fear [OF REPRISAL]; a new, legitimate judicial system is being established; reliable, newly trained police are now patrolling the streets. These are real, concrete [MEANINGFUL] changes that improve the lives of Haiti's people and, by reducing the flow of refugees and [LESSENING THE] risk of instability [ON THE ISLAND], the lives of US citizens.

[ADD NEW BULLET: EXISTENCE OF/COST OF GUANTANAMO OPERATION FOR HAITIANS ABLE TO BE DISSOLVED]

ù By February 1996 [A NEW ELECTION WILL HAVE BEEN HELD WITH THE NEXT/DELETE/new] President [DELETE/will have been] elected and inaugurated. This will be a milestone, for we will be witnessing the first peaceful transition from one democratically-elected President to another in Haiti's history.

ù Haiti is still desperately poor and facing daunting challenges after decades of misrule and plundering of its resources. But now is not the time to retreat. Rather, we [MUST/DELETE should]

build on what already has been accomplished in so short a time to help Haitians move forward and construct a stable, peaceful democracy. [THIS IS IN THE SECURITY INTERESTS OF THE US AND THE HEMISPHERE]

11.4 Issues

11.4.1 Congressional Restrictions: We can expect a number of

restrictions and conditions imposed on US activity in Haiti. Senator Dole's amendment to the Senate Foreign Operations bill links assistance to Haiti to Administration certification concerning investigation of the Bertin killing and conduct of Haiti's security forces. Senator Helms has placed a hold on election assistance funds, citing in particular concerns regarding the conduct of the elections and the use of US funds. In the House, Rep. Goss inserted an amendment to the Foreign Operations bill that would restrict the disbursement of funds to Haiti (effective March 1996) if the elections are not held in substantial compliance with the Haitian Constitution. We can anticipate other Congressional holds of varying lengths on upcoming USAID programs in Haiti, since under Section 520 of the FY 96 foreign Operations Appropriations bill, Congress will have to be notified of all USAID projects. Senate appropriators also have taken action to prohibit use of special authorities (which in the past were used to fund the MNF, police training, etc.) and to weigh down the heretofore unencumbered voluntary peacekeeping account with congressional notification requirements.

11.4.2 Haiti's Political Situation: The major opposition parties boycotted the reruns and runoffs of the parliamentary and local elections. They are threatening to boycott the presidential elections if changes are not made to the electoral council. A non-competitive presidential election will create problems both with the Congress and with public opinion. To minimize this risk and maintain our credibility [AND RECORD], the USG should continue its efforts to break the political impasse and urge the GOH to address the opposition's legitimate concerns. The Administration also should refrain from blaming the opposition parties for the existing situation and continue its dialogue with them.

11.5 Milestones

ù December 17: Tentative date of first round of presidential elections.

ù January 21: Tentative date for second round of presidential elections (if needed)

ù February 7: Scheduled date for inauguration of new president.

ù February: Beginning of withdrawal of UNMIH peacekeeping troops. Offer briefings to relevant committees on withdrawal of troops and deployment of police.

ù February-March: Visit of Former President Aristide to Washington. Schedule meetings with key Members.

ù Spring 1996: Visit of new Haitian President to Washington. Schedule meetings with key Members.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Steven Andreasen to Elisa Harris. Subject: Well, well, well. (1 page)	10/23/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
MSMail-Non-Record (Sept 94-Sept 97) ([Senator Helms])
OA/Box Number: 605000

FOLDER TITLE:

[09/15/1995-10/26/1995]

2006-1363-F

vz5626

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)]

- 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]

M S M a i l

DATE-TIME 26 October 95 16:13
FROM Burrell, Christina L.
CLASSIFICATION UNCLASSIFIED
SUBJECT Haiti Strategy [UNCLASSIFIED]
TO Danvers, William C.
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY [[HAISTRAT.DOC : 4155 in HAISTRAT.DOC]]

**ATTACHMENT
FILE DATE** 15 September 95 17:14

**ATTACHMENT
FILE NAME** HAISTRAT.DOC

HAITI CONGRESSIONAL STRATEGY

The Message

Despite, or perhaps because of the overall success of our Haiti policy, we can expect intense Congressional scrutiny of every aspect of it. Rather than having an agenda thrust upon it, the Administration must take steps to re-establish and maintain momentum behind the current policies. The next five months, prior to the February date of withdrawal of UNMIH peacekeeping troops, present us with several milestones, critical events and opportunities for Administration principals to trumpet the success of the policy, to address problem areas and to frame the Congressional debate in such a way Congress will realize that any effort to obstruct Administration policy risks Congress being blamed for adverse consequences. The message to Congress should stress Haiti's overall progress toward democratization and our efforts to rebuild the Haitian economy, while forthrightly acknowledging problem areas and demonstrating Administration leadership in addressing them.

Congressional Concerns

Members will most likely continue to focus on the current political, economic and security situation in Haiti. Although Members support an early timetable for withdrawing U.S. troops, they are also concerned with maintaining a "secure and stable environment" once the troops are withdrawn. Accordingly, they

probably will not seek to interfere with our planned withdrawal schedule (although several Members have warned that they may propose legislation to force withdrawal if the Administration fails to stick to its own schedule). Likewise, in the pre-withdrawal period, Members probably would be chary of restricting funding for activities we can convincingly portray as essential to preparing for withdrawal of U.S. troops (e.g., police training). Members are concerned with the elections, particularly local and Presidential, and continuing human rights violations.

Funding, Notifications and Holds

We can expect the greatest scrutiny (and therefore threat to our efforts) on funding of our on-going programs. It is worth recalling the strong protests we received from the Congress last fall because of extensive use of special authorities to fund the MNF, police training, etc. The extent of continuing concern is reflected in action taken in recent weeks by Senate appropriators to prohibit similar use of Sections 610 and 451 authorities in the future and to weigh down the heretofore unencumbered voluntary peacekeeping account with Congressional notification requirements. Thus, we expect Republican Members will continue to raise concerns about incremental costs of on-going operations and the components of our assistance programs. Under Section 520 of the FY 1996 foreign Operations Appropriations bill, Congress will have to be notified of all USAID projects. We can therefore anticipate Congressional "holds" of varying lengths on upcoming AID programs in Haiti. Senator Helms' staff has already placed such a hold (which we are trying to have lifted as soon as possible) on \$6.5 million in support for the upcoming elections.

In the House, Representative Porter Goss (R-FL) was successful in inserting an amendment to the Foreign Operations bill (H.R. 1868) that would restrict the disbursement of funds to Haiti (effective March 1996) if the elections are not held in substantial compliance with the requirements of the 1987 Haitian Constitution. In essence,

this amendment was targeted at preventing President Aristide from running for a second term or from extending his current term. Senator Dole has announced that he will introduce an amendment to the Senate Foreign Operations bill that would link assistance to Haiti to Administration certification of Haiti's human rights record. Dole's staff has promised us an opportunity to discuss the amendment before it is introduced.

Strategy Steps

- ù Continue highlighting the success of our Haiti policy by demonstrating the distinction and contrasting the situation in Haiti prior to the invasion and today. Acknowledge problem areas

(e.g., elections, human rights) and assert Executive Branch leadership and prerogatives in dealing with them.

ù Share responsibility for the success or failure of our policy with the Congress by stressing that cutting aid to Haiti, or to otherwise restrict the Executive Branch's ability to carry out policy, is a threat to our national security which could result in a return to uncontrolled Haitian migration, a recurrence of wide spread violence in Haiti and/or the potential for another coup.

ù Through the measures listed above, seek to limit Congressional conditionality on Haiti policy. In instances where there is unavoidable, work with Congress so that the conditions they impose are not detrimental to our overall policy.

ù Reduce the Haitian governments vulnerabilities by highlighting our successes and letting Congress know when things go right. Provide "friendly" Members of Congress with background information so that they can promote the Administration's Haiti policy successes. Press the GoH to take corrective measures in problem areas and make clear that we would hold Congress responsible for exacerbating these problems, if Congress interferes with Administration initiatives.

ù Plan carefully for funding contingencies to avoid the neuralgic use of special authorities.

ù Organize interagency briefings (State, DoD, AID, Commerce) for a core group of Congressional supporters (i.e. Members of the Black Caucus, Oberstar, Foglietta) to brief on a regular basis so that they can serve as spokespersons and advocates on the Hill.

ù In contacts with Congress, emphasize economic development efforts, particularly the Department of Commerce role, in light of Congressional interest in business development in Haiti.

ù Encourage "friendly Members and staff" to participate in CODELs during the elections in order diffuse or counter criticism from Members critical of our Haiti policy.

ù Engage "responsible critics" (i.e. Coverdell, Goss) through individual briefings by appropriate senior Administration officials (e.g., Special Haiti Advisor Dobbins).

Upcoming Events/Milestones in Haiti

September 14-15
Visit of DRL A/S Shattuck

(to address human rights and elections)

September 17
Parliamentary runoff and partial runoff elections

September 18 (week of)

Foreign Operation Bill on Senate Floor -- State Department

officials to minimize impact on policy of potential Dole amendment on human rights certification.

September 19
One year anniversary of deployment of U.S. Forces. (Use occasion to recount policy successes publicly.)

Visit of ARA DAS Arturo Valenzuela

September 22-23
Visit of National Security Advisor Lake -- After visit, provide briefings to Members on results of Haiti elections upon request. Provide briefings for HIRC and SFRC staff.

September 25 (week of)
Haiti hearing in HIRC Western Hemisphere Subcommittee.

-- State Department official to testify; Use opportunity to promote message of successful

policy and vigorous Executive Branch leadership in addressing problems in Haiti.

October (TBD)
Seating of new Parliament

October 1
Local run-off elections in remaining few areas where there have been reruns.

October 11-18
Consultative Group follow-up meeting. Offer HIRC and SFRC staff briefings on outcome of meetings.

October 15
Anniversary of President Aristide's return to Haiti.

-- Provide key congressional Members with talking points/background information that they can utilize in floor statements to support successful policy.

November (TBD)
IMF, Worked Bani, IDB Boards review

November 26
Constitutional date for Presidential Election

-- Phone calls or briefings to key Members prior to or immediately following election results.

December (TBD)

CLAA Haiti Day

February (TBD)

Completion of deployment of
Haitian National police to full
strength/phase out of Interim
Public Security Force.

February

Beginning of withdrawal of
UNMIH peacekeeping troops.

-- Offer briefings to relevant
committees on withdrawal of
troops and deployment of
police.

February-March

Visit of Former President
Aristide to Washington

-- Schedule meetings with key
Members.

Spring 1996

Visit of new Haitian President
to Washington.

--Schedule meetings with key
Members.

