

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Jonathan Vaccaro to Michael Hurley. Subject: FW: Pkg 2659 POTUS Mtg with Congress. (7 pages)	04/09/1999	P1/b(1)
002. email	Carlos Pascual to Jonathan Vaccaro. Subject: FW: Pkg 2659 POTUS Mtg with Congress. (7 pages)	04/10/1999	P1/b(1)
003. email	Charles Allen to James Baker. Subject: FW: Pkg 2659 POTUS mtg with Congress. (6 pages)	04/10/1999	P1/b(1)
004. email	James Baker to Michael Hurley, Charles Allen, James Baker et al. Subject: FW: Pkg 2659 POTUS Mtg with Congress. (7 pages)	04/10/1999	P1/b(1)
005. email	Michael Hurley to Gregory Schulte. Subject: FW: Pkg 2659 POTUS Mtg with Congress. (7 pages)	04/10/1999	P1/b(1)
006. email	Caroline Krass to Charles Allen. Subject: FW: For Chop by 2:15 today. 2683 POTUS TPs for Congress. (11 pages)	04/12/1999	P1/b(1)
007. email	Carlos Pascual to Jonathan Vaccaro. Subject: FW: For Chop by 2:15 today. 2683 POTUS TPs for Congress. (13 pages)	04/12/1999	P1/b(1)
008. email	Jonathan Vaccaro to Mary Quinn. Subject: Pls print pkg for Greg signature before 1800. (12 pages)	04/12/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Senator Helms])
OA/Box Number: 620000

FOLDER TITLE:

[04/09/1999-04/12/1999]

2006-1363-F

vz5665

RESTRICTION CODES

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

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

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

RR. Document will be reviewed upon request.

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

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

Exchange Mail

DATE-TIME 4/9/99 8:02:38 PM
FROM Schulte, Gregory L.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Helms Serbian Demo Act [UNCLASSIFIED]
TO Quinn, Mary E.

CARBON_COPY Vaccaro, Jonathan M. (Matt)

TEXT_BODY

mary - pls put in a package for signature. thanks.

-----Original
Message-----

From: Vaccaro, Jonathan M. (Matt)
Sent: Friday, April
09, 1999 7:29 PM
To: Schulte, Gregory L.
Cc: Quinn, Mary E.; Hurley,
C. Michael
Subject: FW: Helms Serbian Demo Act [UNCLASSIFIED]

Greg,
attached is cleared by Miles, Carlos, Jamie, and Schwartz(by me
per guidance). For your review and forward to Mary for transmittal.
Matt

-----Original Message-----

From: Allen, Charles A.
Sent: Friday,
April 09, 1999 7:19 PM
To: Vaccaro, Jonathan M. (Matt)
Cc: @KOSOVO;
@LEGAL - Legal Advisor
Subject: FW: Helms Serbian Demo Act [UNCLASSIFIED]

Matt,
Jamie clears with changes as shown in the memo to the President.

-----Original Message-----

From: Vaccaro, Jonathan M. (Matt)

Sent: Friday, April 09, 1999 6:04 PM

To: Allen, Charles A.
Cc: Vaccaro,
Jonathan M. (Matt); @LEGAL - Legal Advisor
Subject: FW: Helms Serbian
Demo Act [UNCLASSIFIED]

Chuck, the attached version reflects @russia marks and a slight adjustment to the preamble based on advice from Greg. Still looking to forward this tonight.

-----Original
Message-----

From: Pascual, Carlos E.
Sent: Thursday, April 08,
1999 9:07 PM
To: Vaccaro, Jonathan M. (Matt)
Cc: Schulte, Gregory
L.; @LEGISLAT - Legislative Affairs; Schwartz, Eric P.; @LEGAL -
Legal Advisor
Subject: FW: Helms Serbian Demo Act [UNCLASSIFIED]

Thanks
-- a couple of edits from Stuart and me.

-----Original Message-----

From: Kaufman,
Stuart J.
Sent: Thursday, April 08, 1999 8:06 PM
To: Pascual,
Carlos E.
Cc: Kaufman, Stuart J.; Weiss, Andrew S.
Subject: FW:
Helms Serbian Demo Act [UNCLASSIFIED]

Carlos: they want this to
go up tonight if possible. Here's my suggested changes.

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From: Vaccaro, Jonathan M. (Matt)
Sent: Thursday,
April 08, 1999 6:29 PM
To: Pascual, Carlos E.
Cc: @RUSSIA - Russia/Ukraine;
Vaccaro, Jonathan M. (Matt)
Subject: FW: Helms Serbian Demo Act
[UNCLASSIFIED]

Carlos, Miles thought you might want to look at

this as well. For your clearance if you care to.

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Message-----

From: Vaccaro, Jonathan M. (Matt)

Sent: Thursday,

April 08, 1999 6:02 PM

To: @LEGISLAT - Legislative Affairs; Schulte,
Gregory L.; Crowley, Philip J.

Cc: @LEGAL - Legal Advisor; @PRESS

- Public Affairs

Subject: FW: Helms Serbian Demo Act [UNCLASSIFIED]

For

clearance. I have copies of State's analysis of the bill which they
are still working to clear.

Miles/Mark--did I characterize MKA's
conversation in accordance with the TPs you have on this?

-----Original

Message-----

From: Vaccaro, Jonathan M. (Matt)

Sent: Thursday,

April 08, 1999 5:37 PM

To: Schulte, Gregory L.

Cc: Hurley, C. Michael;

Quinn, Mary E.; Vaccaro, Jonathan M. (Matt)

Subject: Helms Serbian

Demo Act [UNCLASSIFIED]

Greg, do you want to look at these
before I send them around for coordination? Matt

TRANSLATED_ATTACHMENT 2517 POTUS.doc

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Senator Helms' Serbian Democracy Act

Madeline and I agree that we ought to work with Senator Helms to

modify his
Serbian Democracy Act so that we can endorse the legislation and ask
for its
swift passage. The bill is designed to help bring about the replacement
of Mr.
Milosevic by a democratic government. It would authorize \$100
million to support
democracy programs and the development of civil society in
Yugoslavia, impose or
strengthen a number of economic, financial, or trade sanctions, and
prohibit
military-to-military cooperation between the U.S. and the FRY,
among other
initiatives.

While appealing on its face, the legislation has numerous problematic
aspects.
Most important, the legislation codifies various economic sanctions
and directs
certain diplomatic and foreign policy measures. It would require us to
oppose FRY
participation in a number of international organizations, to block
official FRY
assets in the United States, and to refuse visas to members of the FRY
leadership
or their immediate families. While many of the provisions reflect
current U.S.
policy, the legislation does not provide waiver authority to permit us
to license
specific transactions and to take certain diplomatic positions if they
are in the
national interest. Constitutional questions are raised by bill provisions
that
prohibit issuance of visas to certain governmental leaders, that require
you to
undertake specific diplomatic positions, and that prohibit direct or
indirect
military cooperation.

In addition, some European allies may be uncomfortable with a
legislated policy
to seek the replacement of Milosevic, and this could thus weaken
NATO cohesion on
Kosovo policy. It also sets a bad precedent for the Russian Duma,
which might
vote to find some of Russia's NIS neighbors "undemocratic" as a
pretext to oust
leaders like Shevardnadze.

However, given Mr. Milosevic's recent behavior, it would be difficult

to oppose
this bill outright. Our strategy, therefore, is to work with Senator
Helms to
modify the bill into something we can support. Madeleine has already
spoken with
the Senator in this regard. When Congress returns next week, State
will begin a
dialogue with Senator Helms on the provisions of the legislation that
would
require modification.

2

2517

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 2715 SRB.doc

April 9, 1999

ACTION

MEMORANDUM FOR SAMUEL BURGER

THROUGH: GREG SCHULTE
ERIC SCHWARTZ

FROM: MATTHEW VACCARO

SUBJECT: POTUS Question on Senator Helms' Serbian Democracy
Act

The attached memo to the President responds to a question he penned
on a Senator
Helms' Op Ed.

Concurrence by: Miles Lackey, Jamie Baker, Carlos Pascual

RECOMMENDATION

That you sign the memo attached at Tab I.

Attachment
Tab I Memo to the President
1

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vz5665

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Exchange Mail

DATE-TIME 4/10/99 12:38:13 PM
FROM Flanagan, Stephen J.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Helms Serbian Demo Act [UNCLASSIFIED]
TO Allen, Charles A.
Lackey, Miles M.

CARBON_COPY

Allen, Charles A.
Baker, James E.
Benjamin, Daniel
Blinken, Antony J.
Bolan, Christopher J.
Braden, Susan R.
Brown, Keirn C.
Busby, Scott W.
Cosgriff, Kevin J.
Crowley, Philip J.
Davidson, Leslie K.
Davies, Glyn T.
Dejban, Donna D.
Flanagan, Stephen J.
Gobush, Matthew N.
Gray, Wendy E.
Guarnieri, Valerie N.
Halperin, David E.
Hammer, Michael A.
Hurley, C. Michael
Kaufman, Stuart J.
Kerrick, Donald L.
Lackey, Miles M.
Leavy, David C.
Malinowski, Tomasz P.
Merletti, Roger D.
Naplan, Steven J.
Pascual, Carlos E.
Rice, Edward A.
Sapiro, Miriam E.
Schulte, Gregory L.
Schwartz, Eric P.
Segal, Jack D.
Sigler, Ralph H.
Simon, Steven N.
Smith, James A.

Tavlarides, Mark J.
Tedstrom, John E.
Vaccaro, Jonathan M. (Matt)
vonLipsey, Roderick K.
Weiss, Andrew S.
Widmer, Edward L. (Ted)

TEXT_BODY

Chuck, Miles

There is a frontline states impact issue re sanctions
that should also be listed among the problems we have with the Helms
bill. I added a sentence, before the constitutional point, in para
2.

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Sent: Friday,
April 09, 1999 7:19 PM
To: Vaccaro, Jonathan M. (Matt)
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April 08, 1999 6:02 PM
To: @LEGISLAT - Legislative Affairs; Schulte,
Gregory L.; Crowley, Philip J.
Cc: @LEGAL - Legal Advisor; @PRESS
- Public Affairs
Subject: FW: Helms Serbian Demo Act [UNCLASSIFIED]

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While appealing on its face, the legislation has numerous problematic aspects.

Most important, the legislation codifies various economic sanctions

and directs certain diplomatic and foreign policy measures. It would require us to oppose FRY participation in a number of international organizations, to block official FRY assets in the United States, and to refuse visas to members of the FRY leadership or their immediate families. While many of the provisions reflect current U.S. policy, the legislation does not provide waiver authority to permit us to license specific transactions and to take certain diplomatic positions if they are in the national interest. We have assured the frontline democracies, whose fragile economies would bear once again much of the burden of rigid economic sanctions against the FRY, that we would only support selective voluntary sanctions. Moreover, the military campaign by disrupting most commerce with the FRY is achieving the goal of any sanctions regime. Constitutional questions are raised by bill provisions that prohibit issuance of visas to certain governmental leaders, that require you to undertake specific diplomatic positions, and that prohibit direct or indirect military cooperation. In addition, some European allies may be uncomfortable with a legislated policy to seek the replacement of Milosevic, and this could thus weaken NATO cohesion on Kosovo policy. It also sets a bad precedent for the Russian Duma, which might vote to find some of Russia's NIS neighbors "undemocratic" as a pretext to oust leaders like Shevardnadze.

However, given Mr. Milosevic's recent behavior, it would be difficult to oppose this bill outright. Our strategy, therefore, is to work with Senator Helms to modify the bill into something we can support. Madeleine has already spoken with the Senator in this regard. When Congress returns next week, State will begin a dialogue with Senator Helms on the provisions of the legislation that would require modification.

2

2517

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 2715 SRB.doc

April 8, 1999

ACTION

MEMORANDUM FOR SAMUEL BURGER

THROUGH: GREG SCHULTE
ERIC SCHWARTZ

FROM: MATTHEW VACCARO

SUBJECT: POTUS Question on Senator Helms' Serbian Democracy
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Concurrence by: Miles Lackey, Jamie Baker, P.J. Crowley

RECOMMENDATION

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DATE-TIME 4/11/99 4:59:28 PM
FROM Schulte, Gregory L.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Kosovo Talking Points for POTUS Meetings [UNCLASSIFIED]

TO Bartlett, L. June
Cosgriff, Kevin J.
Davies, Glyn T.
Dejban, Donna D.
Elkon, Nicole L.
Hasman, Thomas M.
Hilliard, Brenda I.
Jacobson, Tracey A.
Joshi, M. Kay
Kerrick, Donald L.
Millison, Cathy L.
Rice, Edward A.

DECLASSIFIED
E.O. 13526 *rc 5/16/2007*
White House Guidelines, ~~September 11, 2006~~
By *12* NARA, Date *3/20/2019*
2006-1363-F(7)

CARBON_COPY Davies, Glyn T.
Dejban, Donna D.
Hachigian, Nina L.
Hasman, Thomas M.
Kerrick, Donald L.
Millison, Cathy L.
Moretz, Sheila K.
O'Brien, Penelope R.
Rice, Edward A.
Scott-Perez, Marilyn L.
Storey, Sharon V.
Sutphen, Mona K.

TEXT_BODY Updated Congressional TP to include as Tab to Meeting Memo

-----Original
Message-----
From: Schulte, Gregory L.
Sent: Saturday, April 10,
1999 7:35 PM
To: @EXECSEC - Executive Secretary
Cc: @KOSOVO
Subject: Kosovo
Talking Points for POTUS Meetings [UNCLASSIFIED]

TRANSLATED_ATTACHMENT

POTUS Cong Leaders TP 4-12-991_.doc
Kosovo Talking Points for POTUS Meetings
with Congressional Leaders
April 12, 1999

General

* Glad to have a chance to meet on your first day back so that I can give you an update on where we are with Kosovo and what we are trying to achieve.

* I'll be meeting with a larger group of Members tomorrow morning, and my Foreign Policy Team will be meeting with Members throughout the week.

* I am deeply committed to involving Congress in this effort. I have also tried to talk to the American people every chance that I can. I know that we can't be successful without Congressional and public support. I'd like to get your ideas on how to keep Members informed and involved.

Military Operations

* I was at Barksdale Air Force Base this morning talking with some of the B-52 air crews. I know you share my pride at what they're doing. I believe that everyone down there understands the importance of the mission and that they are really behind our effort in Kosovo.

* Let me reiterate our military objectives: NATO's military action is intended to inflict such damage that either:

* 1) Milosevic will change his calculations and accept NATO conditions; or,

* 2) we will seriously diminish his capacity to maintain his grip and impose his control on Kosovo.

* I'm determined to resolve this confrontation with Milosevic on our terms, not his. We've got to be prepared to see through his half-measures and not

be
deterred from our campaign. This will take time and we must be
prepared to stay
the course.

* We've been making good progress in the air campaign to degrade
Milosevic's
military capabilities. The clear weather last week really helped. Hugh
Shelton
tells me that we've significantly degraded Belgrade's command and
control and
integrated air defense. We've reduced Belgrade's ability to move,
sustain and
supply its forces in Kosovo.

* We've also doing what we can to ensure that General Clark has the
military
assets he needs. We've increased the number of aircraft substantially.
And at
his request, we are deploying attack helicopters and rocket launchers
in Albania.
The lead elements arrived a few days ago, and there should be an
initial
capability later this week. This will give Wes significantly more
firepower
against fielded forces, particularly in bad weather.

* Milosevic remains defiant, but he knows that we're damaging the
military
machine that he uses to maintain his grip on Kosovo. We're also
trying to
increase pressure in other ways. This includes working with
neighboring
countries to increase international broadcasting into Serbia and to shut
off the
provision of fuel and commodities important to his war machine. For
example,
Croatia has shut off a key oil pipeline.

Diplomacy

* One of the most impressive developments is the strong sense of
resolve and
unity among our NATO allies. Milosevic's horrific acts and his
intransigence have
only deepened their determination. I've been talking to NATO leaders
practically
every day. Even the Italians and Greece, who have the greatest
domestic
difficulties, have supported our efforts.

* The NATO Foreign Ministers meeting today was a reflection of that unity.

Everybody remains on board for a tough set of conditions: Milosevic must withdraw his security forces, allow the refugees to return and accept the deployment of an international security force. This will make it possible for the Kosovars to achieve the security and self-government they deserve.

* I was also pleased by Kofi Annan's statement last Friday. He basically endorsed our conditions for ending the bombing, and did not argue that we should stop now. This will help strengthen international support and undermine Milosevic's legitimacy.

* The Annan statement may help us with the Russians as well. I'm deeply concerned about some of the statements they made, and the deployment of an intelligence ship. Al told Primakov bluntly that there would be serious consequences if they provided assistance, including intelligence, that threaten our people. But over the weekend during a G-8 political directors meeting the Russians showed some willingness to agree with us on the conditions that Milosevic must accept. Madeleine will follow up with Ivanov tomorrow in Norway. I think both they and we want to find a way to manage this without jeopardizing our important bilateral interests.

Humanitarian Response

* We are still facing a difficult humanitarian situation with 500,000 refugees in Albania and Macedonia alone.

* Have made available \$50 million in additional humanitarian assistance to help Albania and other frontline states deal with refugees. Also, want to work with you on reprogramming of \$50 million in SEED, FMF/IMET, and other non-humanitarian assistance to help these countries deal with some of the social, economic, and

security problems related to the conflict.

- * NATO is helping with relief efforts in both Macedonia and Albania.

In

Macedonia, NATO is taking advantage of the headquarters and 12,000 troops that

are already there, standing by to implement a settlement in Kosovo.

At the same

time, NATO is deploying a second headquarters into Albania together with up to

8,000 troops from Italy, other allies and partners, in order to help with the

humanitarian situation.

- * As part of these efforts, we have sent 600 U.S. military personnel to help

deliver supplies, coordinate air operations and otherwise provide relief. Also

sent food rations, blankets, tents and other supplies.

- * The result is that we are beginning to reach most of the refugees and see

conditions improve in the camps.

- * We agreed to provide temporary refuge for 20,000 refugees and are preparing

Guantanamo Bay. Our commitment was needed to alleviate Macedonia's security

concerns, thereby encouraging it to keep its border open, and help leverage

commitments from European countries.

- * The situation has changed somewhat and Albania has expressed its preference to

host additional refugees, rather than seeing them leave the region. As a result,

we've put the Guantanamo option on hold while we look at other options, including

possibly constructing more camps in Albania.

- * We are very concerned about the humanitarian situation inside Kosovo, where

there could be as many as 800,000 displaced by Serb atrocities. We've asked NATO

to explore ways to help, and are looking at other options as well.

Supplemental Funding

- * I know that the question of funding is important to you. We are currently

developing an emergency supplemental designed to sustain the ongoing air

campaign, maintain military readiness, ease the plight of Kosovo's refugees and

help the neighboring countries survive the sudden stress of military operations

and thousands of refugees.

- * The budget package will be based on four key assumptions:

* First, resources will be provided to fund military activities at current levels

through the end of the fiscal year. We hope to have achieved our objectives

before then. In this case, like for Iraq, we'll return the funds we no longer

need. But we don't want to give Milosevic any sense that budget considerations

will bring air operations to an abrupt end.

* Second, we haven't provided any funding for ground forces in Kosovo. If in the

coming weeks Milosevic accepts an international security presence, and we decide

to participate, we'll need to come back to you to discuss the financial implications.

* Third, resources will be provided to accommodate 650,000 refugees, and

contingent funding will be provided to handle more people if necessary. This is

based on the US providing 25% of the civilian humanitarian assistance.

* Fourth, funding will be provided to reinforce the front-line states dealing

with the brunt of the humanitarian and military fallout. Their continued

stability is essential to our overall strategy.

* I will look for your support in early adoption of this supplemental on an

emergency basis. I'm sure that you'll agree that this package is too vital -

with respect to the safety of American troops and the lives of displaced Kosovars

- to become embroiled in budgetary politics.

If asked why NATO's air operations did not involve more aircraft in the first

place, or why the tempo hasn't been greater:

* Had to deal with the air defenses first; also difficult weather and terrain.

* Have moved quickly to expand scope and intensity; will continue to intensify

with more aircraft and Task Force Hawk (Apaches and Multiple Launch Rocket System).

If asked why is it taking so long to get the Apaches there:

* Understood from the beginning that this would take 10 days to two

weeks; on
track, Times article wrong.

If asked whether we should equip and train the KLA:

- * Concerned about destabilizing the region with more arms.
- * Unlikely to achieve an impact in short term.
- * Violating the UN arms embargo would lead others (e.g. Russia) to arm the Serbs.
- * Opposed by allies; could crack unity in support of the air campaign.

If asked the point of "damaging his military" or "weakening his grip on Kosovo"
if the refugees can't/won't return:

* Milosevic's power and authority depend on his control of the military, and his ability to use the military to suppress the population of Kosovo. We knew that he undertook this ethnic cleansing because he thought he could wipe out the KLA in a week or so.

* If we seriously damage his military, he will also come to see that he faces an open-ended civil war that he can't win. We will have changed the balance of power on the ground and thwarted his war aims.

* In addition, his internal power and control will be weakened, and over time, the hardship that the war brought on the Serb people will take its toll.

If asked why no ground troops:

- * We looked at this hard. First, we believe that we can achieve our goals with air power. Second, there are serious risks with ground forces:
 - * Estimates range from 75,000 to 200,000 troops; would take months to assemble.
 - * CIA and military believe that Serbs would resist, difficult terrain.
 - * No allied support for this course.
 - * Questionable whether we could stop at Kosovo border, or would be forced to go all the way to Belgrade.
 - * Difficult to extricate forces once they had to fight their way in.

If asked why we aren't planning for ground options:

- * We have an air campaign in place and underway to achieve our objectives.

- * NATO has detailed planning for ground forces in a permissive environment, and last year completed assessments of ground force options in a non-permissive environment.

- * Both sets of plans can be updated quickly if it is necessary to do so.

If asked whether it was a mistake to rule out ground options:

- * I have an obligation to be straightforward with the American people about sending our men and women in harm's way. In a democracy such as ours, it is critical to be truthful with the Congress and American people about what military options are being contemplated.

- * In addition, when threatening the use of force, it is more irresponsible and damaging to our credibility to make pledges and pursue options if you are not prepared to carry them out.

If asked whether we overestimated effectiveness of airpower:

- * The President's national security team, including his military commanders, were unanimous in their recommendation to launch air strikes and we remain convinced that we can achieve our objectives through the planned air campaign.

- * It can take time to change the military balance. By the time NATO began our strikes, Milosevic's campaign of ethnic cleansing was well underway. His forces were on the ground in Kosovo, burning and looting towns and murdering civilians. Meanwhile, our initial days of strikes had to focus on degrading a sophisticated network of Serbian air defenses and command and control, so that subsequent waves of strikes could attack Serb forces and assets that have been or could be directed against the Kosovar Albanian population.

- * I would urge the American people to have resolve, to stay with your leaders, to

stay the course. We cannot view this as something that will be instantaneously successful. This is something that will require time and resolve.

If asked about press reports of JCS concerns:

* In attempting to resolve Kosovo conflict, everyone's first choice was diplomacy. Diplomatic efforts began soon after conflict erupted in February 1998, and intensified in the fall. Diplomacy and threat of NATO force led to October Agreement cease-fire and verification regimes. The US and allies pressed hard through the Rambouillet and Paris talks.

* When talks failed, we faced a series of difficult choices, but all agreed that an air campaign was the best response available.

* The Administration worked hard to define a militarily acceptable solution that the chiefs supported.

* Chiefs fully recognized the security interests at stake in NATO and the threat to regional instability posed by Belgrade.

If asked about proposed legislation:

* We've begun to talk to Senator Helms about his Serbian Democracy Act. I very much support its intent - moving to a Serbia without Milosevic. We are working with Senator Helms to overcome some particular concerns.

* We cannot, however, support the McConnell/Lieberman bill, that would have us arm the KLA. I've said all along that I'm not interested in escalating wars in the Balkans. Further, I'm convinced that if we armed the KLA, Russia would move in immediately to re-arm Milosevic.

If asked about authority to conduct these operations:

* I authorized our participation in NATO air strikes pursuant to my constitutional authority. In doing so, I took into account the support expressed by the Congress in S.Con.Res. 21 and H.Con. Res. 42.

* My decision to use force is based on U.S. national security interests, which are clear and significant in this case. Milosevic's violent repression and atrocities upon the Kosovars could not go unanswered. The conflict he caused has no natural boundaries. We have seen this in the horrific effects on the Kosovar people who have become refugees in great numbers. His actions could ignite a wider European war with dangerous consequences for the United States.

* Congress has an important role to play in these matters.

* Congressional action to show support for action in Kosovo has been helpful to our united effort. This includes legislative action you have taken in H.Con.Res. 42 and S.Con.Res. 21, and your unwavering support for our men and women in uniform.

* I am committed to continued active consultations with you.

If asked if this is consistent with the War Powers Resolution:

* Yes. As you know, we have taken the matter of consultations with the Congress very seriously. My whole national security team and I consulted closely with Members of Congress before the air strikes began and have continued to so since that time.

* I reported to the Congress on March 26 and April 7, consistent with the War Powers Resolution and will continue to so.

* I have also reported to you three times under the Roberts Amendment to provide written information on additional ground unit deployments to Albania and Macedonia.

If asked about the War Powers Resolution's 60-day clock:

* Previous administrations have contested the constitutionality of this provision

and I have supported its repeal.

* I am aware of the War Powers Resolution and will carefully consider its constitutionality/look at this question as we move forward.

* I don't want to debate about where we might be in May or June; what is important is where we are now. It is important that Milosevic understand that his aggression will not stand. We and NATO are determined to see this through.

If asked whether we're at "war" with a sovereign country:

* I do not accept that characterization, or the legal premise that the use of the word "war" requires the President to seek a declaration of war.

* United States objectives are not offensive or aggressive in aim and contemplate the limited use of force to meet clear objectives.

* We certainly do not consider ourselves to be "at war" with Serbia or its people. NATO is acting to deter unlawful violence in Kosovo that endangers the fragile stability of the Balkans; threatens a wider conflict in Europe; and to address a humanitarian crisis, unseen in Europe since World War II.

* Just last week, Kofi Annan said that we cannot allow ethnic cleansers to hide behind the mantle of sovereignty. This is particularly true for an ethnic cleanser who launched wars against Croatia and Bosnia, in complete disregard for their sovereignty.

4

~~SECRET~~ April 9, 1999

~~SECRET~~

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. email	Caroline Krass to Charles Allen. Subject: FW: For Chop by 2:15 today. 2683 POTUS TPs for Congress. (11 pages)	04/12/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Senator Helms])
OA/Box Number: 620000

FOLDER TITLE:

[04/09/1999-04/12/1999]

2006-1363-F

vz5665

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]
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- 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]

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. email	Carlos Pascual to Jonathan Vaccaro. Subject: FW: For Chop by 2:15 today. 2683 POTUS TPs for Congress. (13 pages)	04/12/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Senator Helms])
OA/Box Number: 620000

FOLDER TITLE:

[04/09/1999-04/12/1999]

2006-1363-F

vz5665

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Exchange Mail

DATE-TIME 4/12/99 2:38:36 PM
FROM Harris, Elisa D.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: clearances: Helms/Lott letter [UNCLASSIFIED]
TO Caravelli, John M.
CARBON_COPY
TEXT_BODY jack: i'll handle for nonpro. any idea of why he included you??

-----Original
 Message-----
 From: Bernard, Kenneth W.
 Sent: Monday, April 12,
 1999 1:07 PM
 To: Caravelli, John M.; Gordon-Hagerty, Lisa E.; Lackey,
 Miles M.; Harris, Elisa D.
 Cc: Benjamin, Daniel
 Subject: clearances:
 Helms/Lott letter [UNCLASSIFIED]

 Changes and/or clearance requested.
 This is an "interim" response, requested by execsec. I tried to
 delay pending the Pres. decision, but.... --Ken

TRANSLATED_ATTACHMENT
 2093 SRB Memo.doc

April 12, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

FROM: KENNETH W. BERNARD

**SUBJECT: Presidential Response to Senate Letter on Smallpox
 Destruction**

Attached at Tab I is a memorandum to the President and draft interim

responses to
a letter from Senators Helms, Lott, Lugar, Kyl, Murkowski, Thomas,
and Coverdell.

The Senators express their strong objection to destroying the U.S.
stocks of
smallpox virus.

These are interim responses, prepared prior to finalizing the
administration
position.

Concurrence by: John Caravelli, Lisa Gordon-Hagerty,
Miles Lackey, Elisa Harris

RECOMMENDATION

That you sign the memorandum to the President at Tab I

Attachments

Tab I Memorandum to the President

Tab A Draft Responses from the President

Tab B Incoming Correspondence

1

2093

TRANSLATED_ATTACHMENT 2093 SRB to POTUS.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Response to Senate Letter Concerning Smallpox
Destruction

Purpose

To respond to a letter from Senators Helms, Lott, Lugar, Kyl,
Murkowski, Thomas,

and Coverdell that strongly urges you to reject the destruction of the U.S. stocks of smallpox virus.

Background

The World Health Assembly (WHA) in 1996 recommended that the world's remaining declared stocks of live smallpox virus be destroyed on June 30, 1999, subject to a final decision at the 1999 WHA in Geneva. This year's Assembly (May 17-25) could either reconfirm that recommendation or ask for a delay.

An interagency consensus recommendation for our position has been forwarded to you under separate cover.

The attached response is meant as an interim reply pending your review and final decision on the issue.

RECOMMENDATION

That you sign the seven responses to the Senators at Tab A.

Attachments

Tab A Responses to Senator Helms and others
Tab B Incoming Correspondence

2

2093

cc: Vice President
Chief of Staff

Dear Senator Helms:

Thank you for the letter expressing your views on the destruction of the remaining U.S. smallpox stocks.

We are clearly at a decision point. The World Health Assembly (WHA) in 1996 recommended that the world's remaining declared stocks of live smallpox virus, held in the U.S. and Russia, be destroyed on June 30, 1999. This year's Assembly, starting on May 17, will either reconfirm that recommendation or ask for a delay in destruction.

As you point out, the threat of bioterrorism is refocusing the smallpox debate. Last October, I asked the NSC to chair an interagency process to review all of the issues related to the U.S. position, including science, security, public health, foreign policy and intelligence matters. To help with our discussions, HHS, DOE and DOD asked the Institute of Medicine at the National Academy of Sciences to assess the future need for smallpox virus for scientific research, including development of better treatments and vaccines.

The results of this report are now part of our broader discussions, and will be critically important in considering the U.S. position on smallpox destruction for the debate in May in Geneva. I expect to review the interagency recommendations in the very near future, and will carefully consider your valuable arguments and comments.

Sincerely,

[Name/Title in Initial Caps]
[Title/Senate/House in Initial Caps]
[Organization/Position - Initial Caps]
[Address - Initial Caps]

1

2

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. email	Jonathan Vaccaro to Mary Quinn. Subject: Pls print pkg for Greg signature before 1800. (12 pages)	04/12/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Record (Sept 97-Jan 01) ([Senator Helms])
OA/Box Number: 620000

FOLDER TITLE:

[04/09/1999-04/12/1999]

2006-1363-F

vz5665

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