

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Tomasz Malinowski to Christina Burrell, John Dempsey, Miles Lackey, et al. Subject: Kosovo Talking Points for POTUS Meetings. (14 pages)	04/12/1999	P1/b(1)
002. email	James Baker to Tomasz Malinowski and Gregory Schulte. Subject: FW: Kosovo Talking Points for POTUS Meetings. (12 pages)	04/12/1999	P1/b(1)
003. email	Mona Sutphen to Douglas Bayley, Gary Bresnahan, Bonnie Broadwick et al. Subject: Kosovo Points for Hill Meetings. (14 pages)	04/12/1999	P1/b(1)
004. email	Jonathan Vaccaro to Douglas Bayley, Gary Bresnahan, Bonnie Broadwick et al. Subject: Caucus Meetings on Tuesday. (15 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:

[04/12/1999-04/16/1999]

2006-1363-F

vz5666

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]
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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.

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Exchange Mail

DATE-TIME 4/12/99 6:35:19 PM
FROM Lackey, Miles M.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: clearances: Helms/Lott letter [UNCLASSIFIED]
TO Tavlarides, Mark J.

CARBON_COPY

TEXT_BODY can you do

-----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

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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

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Exchange Mail

DATE-TIME 4/12/99 8:57:53 PM
FROM Cosgriff, Kevin J.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Kosovo Talking Points for POTUS Meetings [UNCLASSIFIED]
TO Hasman, Thomas M.

CARBON_COPY

TEXT_BODY Use these and note the need to reorganize the last points per Greg's email

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

From: Schulte, Gregory L.

Sent: Monday,

April 12, 1999 8:08 PM

To: @EXECSEC - Executive Secretary

Subject: Kosovo

Talking Points for POTUS Meetings [UNCLASSIFIED]

Kevin - For convenience,
I've bolded the changes. Note -- the new language on Summit and Strategic concept should be moved to the end.

TRANSLATED_ATTACHMENT

POTUS Cong Leaders TP 4-12_.doc
POINTS FOR MEETING WITH CONGRESSIONAL LEADERS

General

* Important to meet with you today so that I can give you an update on where we are with Kosovo. My Foreign Policy Team will be meeting with you this afternoon and throughout the week.

* Deeply committed to involving Congress in this effort. I have also tried to talk to American people every chance I can. Know we can't be successful without Congressional and public support. Need your ideas on how to keep Members

informed and involved.

Military Operations

* I was at Barksdale Air Force Base yesterday talking with B-52 air crews. I know you share my pride in them. Everyone down there understands the importance of the mission.

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

* 1) Milosevic accepts NATO conditions; or,

* 2) we seriously diminish his capacity to impose his control on Kosovo.

* Determined to resolve confrontation on our terms, not his. Must be prepared to see through his half-measures and not be deterred. This will take time and we must stay the course.

* Must also remain cognizant of risks. Serb air defenses have been degraded, but they continue to fire surface-to-air missiles. The accidental hit on a train yesterday also illustrates the risks to innocent civilians on the ground.

* Some good progress in air campaign to degrade Milosevic's military. Clear weather last week really helped. Hugh Shelton tells me we've significantly degraded command and control and integrated air defense. Also reduced Belgrade's ability to move, sustain and supply forces in Kosovo.

* Also working to ensure General Clark has military assets he needs. Increased the number of aircraft substantially and, at his request, are deploying attack helicopters and rocket launchers to 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 we're damaging the military machine he uses to maintain his grip on Kosovo. Also trying to increase pressure in other ways. Working with neighboring countries to increase international broadcasting into Serbia and to shut off fuel and commodities important to his war machine. For example, Croatia has shut off a key oil pipeline.

Diplomacy

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

* NATO Foreign Ministers meeting yesterday demonstrated that unity. Everybody remains on board for a tough set of conditions: Milosevic must withdraw security forces, allow refugees to return and accept deployment of an international security force. This will enable Kosovars to achieve security and self-government they deserve.

* Also pleased by Kofi Annan's statement last Friday. He basically endorsed our conditions for ending bombing, and did not argue we should stop now. This strengthens international support and undermines Milosevic's legitimacy.

* Annan statement may help us with Russians as well. I'm deeply concerned about some of the statements they made, and the deployment of an intelligence ship. Al Gore told Primakov bluntly there would be serious consequences if Russia provided assistance, including intelligence, that threaten our people. But over the weekend during a G-8 political directors meeting, Russians showed some willingness to agree with us on conditions Milosevic must accept. Madeleine is following up with Ivanov today in Norway. I think Russians and we

want to find a way to manage this without jeopardizing important bilateral interests.

Humanitarian Response

- * 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 \$50 million in SEED, FMF/IMET, and other non-humanitarian assistance to help these countries deal with 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 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 humanitarian situation.

- * As part of 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.

- * Result is 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.

- * Situation now 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.

- * Very concerned about the humanitarian situation inside Kosovo,

where as many as 800,000 are 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 the question of funding is important to you. We are developing an emergency supplemental designed to sustain ongoing air campaign, maintain military readiness, ease plight of Kosovo's refugees and help the neighboring countries survive sudden stress of military operations and thousands of refugees.

* Budget package will be based on four key assumptions:

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

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

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

But we

don't want to give Milosevic any sense that budget considerations will end air

operations.

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

coming weeks Milosevic accepts an international security presence, and we

participate, we'll need to come back to you to discuss 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 U.S. providing 25 percent of the civilian humanitarian assistance.

* Fourth, funding will be provided to reinforce frontline states dealing with the

brunt of the humanitarian and military fallout. Their continued stability is

essential to our overall strategy.

* I need to warn you that the request, like the ongoing operations, will be

substantial. We should be able to give you the details later this week.

* 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.

CONTINGENCY POINTS ON SUBJECTS LEADERSHIP MAY RAISE

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 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 he faces an

open-ended civil war 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 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 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 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 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 United States 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 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 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 impact on NATO Summit:

* Plan was always to have a substantive, working summit. Need to go ahead with set of initiatives designed to prepare NATO for 21st century missions - including those like Kosovo.

* Indeed, most of our initiatives are all directly relevant to Kosovo-like missions.

* Naturally, will be sensitive to tone of events. Will still commemorate NATO's 50th anniversary and give warm welcome to new members.

* But now expect that more time will be devoted to leaders working hard on the Kosovo crisis itself.

If asked whether Kosovo means we should delay approval of the Strategic Concept:

* Know that Senator Warner has suggested we consider delaying approval of NATO's new Strategic Concept until after Kosovo sorted out.

* Appreciate his careful attention to the issue and share his concern about gravity of Kosovo situation, but I am convinced that the right course is to proceed with the new Strategic Concept at the Summit.

* New Strategic Concept will make NATO even more effective in dealing with problems like Kosovo - will ensure preparedness for full spectrum of missions, greater interoperability of forces, stronger European contribution to

security.

- * New Strategic Concept fully consistent with Kyl amendment calling for reaffirmation of collective defense as well as recognition of new challenges.

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.

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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

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

RR. Document will be reviewed upon request.

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

- 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]

Exchange Mail

DATE-TIME 4/14/99 11:35:44 AM
FROM Keenan, Josefine (Chris)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: clearances: Helms/Lott letter [UNCLASSIFIED]
TO Caravelli, John M.
Gordon-Hagerty, Lisa E.
Lackey, Miles M.
Harris, Elisa D.

CARBON_COPY Benjamin, Daniel

TEXT_BODY FYI - After speaking with Ed Rice, we have decided that this is a final instead of an interim response. Please provide your concurrence/comments accordingly as soon as possible. -Ken

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

From: Bernard,
Kenneth W.
Sent: Wednesday, April 14, 1999 9:58 AM
To: Keenan,
Josefine (Chris)
Subject: FW: clearances: Helms/Lott letter [UNCLASSIFIED]

The
package is attached below.

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

From: Bernard,
Kenneth W.
Sent: Tuesday, April 13, 1999 10:23 AM
To: Rice, Edward
A.
Subject: FW: clearances: Helms/Lott letter [UNCLASSIFIED]

I
have sent for clearances, the response to 2093 below (yep, it is late). I'll get the package to you as soon as they are obtained.
--Ken

-----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

TRANSLATED_ATTACHMENT 2093reply.doc

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

Exchange Mail

DATE-TIME 4/15/99 1:29:26 PM
FROM Harris, Elisa D.
CLASSIFICATION UNCLASSIFIED
SUBJECT smallpox letter [UNCLASSIFIED]
TO Bernard, Kenneth W.
CARBON_COPY Caravelli, John M.

TEXT_BODY

ken: i clear subject to the attached changes:

jack:
when will folks in the secretariat learn who does what in our office?
i've taken care of this, tx!

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 proposed
response to a
letter from Senators Helms, Lott, Lugar, Kyl, Murkowski, Thomas,
and Coverdell
opposing destruction of the U.S. stocks of smallpox virus. (you don't
need to

bold; we also don't generally repeat for sandy things in the memo to potus; he's too busy to have to read things twice.)

Concurrence by: (I do this for nonpro, not jack)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 Proposed Response

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 seven Senators concerning smallpox destruction.

Background

The World Health Assembly (WHA) in 1996 recommended that the world's remaining declared stocks of live smallpox virus in the U.S. and Russia 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.

Senators Helms, Lott, Lugar, Kyl, Murkowski, Thomas, and
Coverdell have written
urging you to oppose the destruction of the smallpox virus stocks in
the U.S. A
proposed response is at Tab A.

RECOMMENDATION

That you sign the proposed response at Tab A.

Attachments
Tab A Proposed Response
Tab B Incoming Correspondence

2

2093

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 2093reply.doc

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, the Administration initiated a review of 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, the Institute of Medicine at the National Academy of Sciences was asked to assess the future need for smallpox virus for scientific research, including development of better treatments and vaccines. The results of this report will be critically important in considering the U.S. position.. Thank you again for sharing your views on this important issue.

Sincerely,

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

1

2

Exchange Mail

DATE-TIME 4/16/99 10:09:01 AM
FROM Hachigian, Nina L.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Q&As for JS [UNCLASSIFIED]
TO Schulte, Gregory L.
Burrell, Christina L.
Dempsey, John M. (Jack)
Lackey, Miles M.
Tavlarides, Mark J.

CARBON_COPY Hurley, C. Michael

TEXT_BODY thanks very much!! pls see one additional Q on cong. authorization

-----Original

Message-----

From: Schulte, Gregory L.

Sent: Friday, April 16,
1999 10:07 AM

To: @LEGISLAT - Legislative Affairs; Hachigian, Nina
L.

Cc: Hurley, C. Michael

Subject: Q&As for JS [UNCLASSIFIED]

If

asked about Supplemental Funding:

- * 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.

- * We will look for your support in early adoption of this supplemental on an emergency basis.

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 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.