

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Justin Siberell to Hoyt Yee, Bathsheba Crocker, Wendy Gray et al. Subject: RE: Robertson / ICTY Letter. (17 pages)	05/08/2000	P1/b(1)
002. email	Justin Siberell to Hoyt Yee, Bathsheba Crocker, Wendy Gray et al. Subject: RE: Robertson / ICTY Letter. (18 pages)	05/08/2000	P1/b(1)
003. email	Hoyt Yee to Christopher Hill, Richard Holtzapple, Tina Kindanow et al. Subject: Robertson Letter to ICTY. (4 pages)	05/08/2000	P1/b(1)
004. email	Hoyt Yee to Charles Allen, James Baker, Mary DeRosa et al. Subject: ICTY Letter. (3 pages)	05/10/2000	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

[04/25/2000-05/10/2000]

2006-1363-F

vz5675

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]

Exchange Mail

DATE-TIME 04/25/2000 2:18:09 PM
FROM Bruns, Judson L. (Jay) (INTECON)
CLASSIFICATION UNCLASSIFIED
SUBJECT Draft Agenda for April 25 Deputies Committee Meeting on Sanctions [UNCLASSIFIED]
TO Rudman, Mara E. (NSA)
Feldman, Daniel F. (MULTI)

CARBON_COPY Shapiro, Daniel B. (LEGIS)
DeRosa, Mary B. (LEGAL)
Duncan, John D. (INTECON/DOS)
Gray, Wendy E. (NSA)
Rudman, Mara E. (NSA)
Bruns, Judson L. (Jay) (INTECON)
Duncan, John D. (INTECON/DOS)
Goldberg, David B. (RECORDS/INTECON)
Lee, Malcolm R. (NEC)
Mitsler, Elaine M. (INTECON)
Samans, Richard (NEC)
Yuan, Sharon (NEC)

TEXT_BODY As I believe you know, Lael Brainard has scheduled a DC for tomorrow afternoon on sanctions. The object of the meeting would be to review the bidding on sanctions reform legislation in order to be better prepared for dealing with any sanctions legislation (most likely the Ashcroft language) when it comes up in Congress. With that in mind, I am proposing the following agenda to Lael. (I have discussed it with Dan Feldman). Does it look like it will accomplish the task of focussing attention properly on the sanctions issues that lie ahead? Jay

TRANSLATED_ATTACHMENT

DRAFT AGENDA.doc
DRAFT AGENDA

NEC DEPUTIES MEETING

SANCTIONS LEGISLATION

I. Review of Outcomes of September 14, 1999 Deputies Committee Meeting on

Agricultural Sanctions Legislation

Attachments:

- 1) Paper and Talking Points Prepared by State Department on Ashcroft Amendment (September 16, 1999)
- 2) September 15, 1999 letter from OMB Director Lew to Congressman Bill Young

II. Current Ashcroft Legislation

Attachments:

- 1) Ashcroft language in current Technical Assistance, Trade Promotion and Anti-Corruption Act
- 2) March 23, 2000 letter from State Assistant Secretary Larkin to Senator Helms
- 3) Analysis of differences between current Ashcroft language and language of 1999 Ashcroft Amendment

III. Likely legislative scenarios and discussion of legislative strategy

IV. Implications for General Sanctions Reform

Exchange Mail

DATE-TIME 04/26/2000 1:52:47 AM
FROM Feldman, Daniel F. (MULTI)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Son of Ashcroft [UNCLASSIFIED]
TO Valenzuela, Arturo A. (INTERAM)
Hollis, Caryn C. (INTERAM)
Shapiro, Daniel B. (LEGIS)
Lackey, Miles M. (LEGIS)

CARBON_COPY Burrell, Christina L. (LEGIS)
Cooper, Colby J. (ADMIN)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Bruns, Judson L. (Jay) (INTECON)

TEXT_BODY

Caryn/Arturo -- There's actually going to be a DC on sanctions, with an emphasis on our response to son of Ashcroft (with perhaps a brief mention of son of Lugar), hosted by Lael on Wed. at 3:30. We've prepared a few hand-outs for it, including a line-in line-out of Ashcroft 2000 compared to Ashcroft 1999 (Jay -- could you forward a final copy of these papers to Caryn and Arturo tmw?). Though this year's Ashcroft bill is marginally different than last year's (e.g., some definitional changes, etc.), we're still going to be very opposed to it, as Dan S. very accurately noted. The Administration's response to last year's bill revolved around 5 major concerns: notice/joint resolution provisions, automatic termination, exceptions, commodity definition, and terrorism provisions. Virtually all of these issues remain in Ashcroft 2000. The packet of papers for the DC includes the Administration's talking points in response to Ashcroft 1999, an SAP from last fall re Ashcroft, and State's own response from Barbara Larkin to Sen. Helms on 3/23/00 regarding the SFRC mark-up of the Technical Assistance Act (which includes Ashcroft 2000) -- so someone at State should know what's happening (try EB). Lastly, in case you haven't received it already from Miles or Dan, I forwarded you the most recent draft of Ashcroft 2000 on your unclass system. Call me if you want more details. Dan

-----Original Message-----
From: Valenzuela,
Arturo A. (INTERAM)

Sent: Tuesday, April 25, 2000 2:05 PM
To: Hollis,
Caryn C. (INTERAM); Shapiro, Daniel B. (LEGIS); Lackey, Miles M. (LEGIS); Feldman, Daniel F. (MULTI)
Cc: @LEGISLAT - Legislative Affairs
Subject: RE: Son of Ashcroft [UNCLASSIFIED]

Dans:

Is
son of Ashcroft the same as the old man? Could we see copy of legislation and previous talking points?

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

From: Hollis,
Caryn C. (INTERAM)
Sent: Tuesday, April 25, 2000 1:14 PM
To: Shapiro,
Daniel B. (LEGIS); Lackey, Miles M. (LEGIS); Valenzuela, Arturo A. (INTERAM); Feldman, Daniel F. (MULTI)
Cc: @LEGISLAT - Legislative Affairs
Subject: RE: Son of Ashcroft [UNCLASSIFIED]

Thanks, I
thought we'd go that way but had to make sure. Will talk to Dan.
caryn

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

From: Shapiro, Daniel B. (LEGIS)

Sent: Tuesday, April 25, 2000 11:05 AM
To: Hollis, Caryn C. (INTERAM);
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Cc: @LEGISLAT
- Legislative Affairs
Subject: RE: Son of Ashcroft [UNCLASSIFIED]

Caryn

-- We've said we strongly oppose the Ashcroft legislation because it would seriously limit the President's ability to carry out foreign policy and respond expeditiously to crises, without getting prior Congressional approval. You should check in with Dan Feldman in Multilat on further background and detail before responding to State. State should know this, or at least some people in State should.
-- Dan

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

From: Hollis, Caryn C. (INTERAM)

Sent: Tuesday, April 25, 2000 10:31 AM
To: Lackey, Miles M. (LEGIS);
Shapiro, Daniel B. (LEGIS); Valenzuela, Arturo A. (INTERAM)
Subject: Son
of Ashcroft [UNCLASSIFIED]

Miles,
Got a query from State as to
what our position is on the son of ashcroft and the Lugar bill on
sanctions. I know there is a problem at State with the issue of
Executive privilege. What are we saying?

Thanks, Caryn

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Tavlarides, Mark J. (LEGIS)
Feldman, Daniel F. (MULTI)
McLean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)

TEXT_BODY

Caryn/Arturo -- FYI, the DC on sanctions was postponed at the last moment until next Mon. at 2, in case you were looking for a read-out from it. If you haven't received some of the other information, like the line-in line-out, or want to talk further about son of Ashcroft, let me know. Dan

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

From: Valenzuela,
Arturo A. (INTERAM)
Sent: Wednesday, April 26, 2000 10:44 AM
To: Feldman,
Daniel F. (MULTI); Hollis, Caryn C. (INTERAM); Shapiro, Daniel B.
(LEGIS); Lackey, Miles M. (LEGIS)
Cc: @LEGISLAT - Legislative
Affairs; Bruns, Judson L. (Jay) (INTECON)
Subject: RE: Son of
Ashcroft [UNCLASSIFIED]

Dan, thanks very much. This is very helpful.

-----Original

Message-----

From: Feldman, Daniel F. (MULTI)

Sent: Wednesday,

April 26, 2000 1:53 AM

To: Valenzuela, Arturo A. (INTERAM); Hollis,
Caryn C. (INTERAM); Shapiro, Daniel B. (LEGIS); Lackey, Miles M.
(LEGIS)

Cc: @LEGISLAT - Legislative Affairs; Bruns, Judson L.

(Jay) (INTECON)

Subject: RE: Son of Ashcroft [UNCLASSIFIED]

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Thanks, Caryn

Exchange Mail

DATE-TIME 04/28/2000 6:56:34 PM
FROM Wozniak, Natalie S. (PRESS)
CLASSIFICATION UNCLASSIFIED
SUBJECT 4-28-2000 Lockhart Press Briefing [UNCLASSIFIED]
TO Anderson, Brooke D. (NSCCOMM)
Crowley, Philip J. (PRESS)
Gobush, Matthew N. (VP)
Hammer, Michael A. (PRESS)
Hoelzer, Jennifer I. (PRESS/INTERN)
Stockwell, David B. (PRESS)
Wozniak, Natalie S. (PRESS)
Halperin, David E.
Malinowski, Tomasz P. (SPCHW)
Matthews, Sonyia (SPCHW)
Orzulak, Paul K. (SPCHW)
Rosshirt, Thomas M. (SPCHW)
Widmer, Edward L. (Ted) (SPCHW)
Gray, Wendy E. (NSA)
Rudman, Mara E. (NSA)

CARBON_COPY

TEXT_BODY Press Briefing
4-28-2000 Lockhart Press Briefing

TRANSLATED_ATTACHMENT Lockhart Press Briefing 4-28-2000.doc
THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release April 28, 2000

PRESS BRIEFING
BY
JOE LOCKHART

The James S. Brady Briefing Room

11:45 A.M. EDT

MR. LOCKHART: Good morning. Would anyone object if I went directly to the week ahead? Well, Terry, your objection is noted, but overruled. Questions?

Q What do you think of all this Miami business, of firing of the city manager and --

MR. LOCKHART: I actually watched a little bit of it just as I was coming out. I'm not fully briefed up on the story. I think that this is a matter for the internal governor of Miami. I don't think it would be appropriate to make any comments one way or the other this morning.

Q Well, the Miami officials don't mind commenting on your business.

MR. LOCKHART: Our business seems in order today.

Q Joe, has the President had any meetings on Vieques here, about doing something to remove the protestors? I think Mr. Podesta did, yesterday, but has the President been involved?

MR. LOCKHART: I'm not aware of the President having any meetings. As you know, he's been on the road for the last two days. I know he's aware of the plans, or of the agreement that he helped negotiate to allow the military to restart their training there. As far as the flurry of stories about it, you'd have to talk to the Department of Justice. I'm not going to get into a law enforcement operation.

Q Has he been briefed on the Microsoft proposed remedy? And what's his view of it?

MR. LOCKHART: He has not gotten a briefing from his team. I think Mr. Sperling has traveled now to Africa for a conference. The group did get an informational briefing earlier in the week, but I don't know that they have had a chance to get with the President.

Q So he is completely in the dark about it, I mean, except what he reads in the paper?

MR. LOCKHART: No, I wouldn't suggest that. I think the group were given an informational briefing. I think they will get information to the President in a timely way. But, again, this was just an informational briefing; I don't expect this building to get involved in this next phase of the court case.

Q Joe, the government's response in Microsoft I think was due today. So there was no input then -- the economic folks had said they wanted the briefing because there might be economic impact and then they might want to weigh in, but they decided not to weigh in?

MR. LOCKHART: I'm not aware of any input into the development of the Department of Justice response -- from here.

Q Are you aware of any opinion the President may have on the issue?

MR. LOCKHART: I think the President believes the appropriate place for this to be litigated is at the Department of Justice, and they have worked very hard on this and they are now entering a new phase of it, and their recommendation will speak for itself.

Q But you must be concerned about its impact on the economy, one way or another.

MR. LOCKHART: I haven't talked to him about that, but I'm not sure I would agree or disagree with that statement.

Q Is the President meeting with Preston King today here later -- Preston King?

MR. LOCKHART: Not that I'm aware of. Preston King is the gentleman who was pardoned. Not that I'm aware of. I just haven't heard that.

Q Was it appropriate for the Cuban government officials to go out to the Wye

River Plantation and meet with Elian the day he was brought out there, at a time when the Miami family is not --

MR. LOCKHART: Juan Miguel is a citizen of Cuba. I think it's appropriate if he wants to meet with government officials that he can meet with them.

Q Joe, in connection with today's buy-back announcement, what does the President say to critics who say that these buy-backs don't work, that they really have not been proven to reduce gun violence?

MR. LOCKHART: I'm sorry, I'll come back to you. I'm told that Preston King was invited to the radio address, so the President will have a chance, as is his custom, to, after the radio address, of taking a picture with people and talking to them for a moment.

Q Is the address on a related subject?

MR. LOCKHART: No.

Q Will that be taped today?

MR. LOCKHART: Yes.

Q Can you tell us the topic?

MR. LOCKHART: Can we? No, we can't. We know it, but we're just not telling.

Thank you. The safe answer is no.

I'm sorry, Kelly.

Q On the buy-back, what does the President say to critics who say these buy-backs don't work and that they are not proven to lead to any reduction in gun violence on the city streets?

MR. LOCKHART: Well, there is sort of a knee-jerk reaction to anything we do that goes to prevention, particularly when it comes to the NRA. They were against -- they tried to kill the Maryland bill; they've worked very hard to kill

the sensible legislation that's before Congress. I think it defies basic logic that if we can get guns off the street, that that's not going to have some impact.

You can debate the level of impact, that's a legitimate debate. But to sort of argue that it has no impact and to oppose it I think is keeping your head in the sand or pursuing a political agenda. I mean, there are excepting crimes and putting crimes away, there is a study by the CEA that shows that homes that have a gun are five times more likely to have a suicide in it than homes that do not have a gun. There are also studies -- when we talk about 12 young people every day being killed by gun fire, more than a third of those are suicides and accidents.

So we believe that gun buy-backs can play an important part. It's not the answer to the problem, but it can be an important part, particularly as they grow in success around the country. One of the reasons the President is doing this today is to highlight what local communities can do working with HUD, working with the government, working with local community officials about trying to get guns off the street. The rhetoric that argues that this doesn't work is just empty.

Q If I could follow on that, you seem to ascribe this argument to the NRA, but, in fact, there's a 1998 Justice Department study, "Preventing Crime: What Works, What Doesn't," and at the top of the list of what doesn't work -- gun buy-back programs.

MR. LOCKHART: I'm not familiar with that study. I know there is no comprehensive study out there now that can quantify how it works. But the President believes strongly, he has spoken out on it repeatedly, that gun

buy-backs are a part of an overall strategy to reduce gun violence, and we need to do more.

The gun buy-backs, before the money was appropriated last year, were really done on a local level in a sort of ad hoc way. But the \$15 million that HUD now has available -- we think we can do this in a more comprehensive and national way, working with communities around the country, and the President believes that gun buy-backs definitely work.

Q Have you commented on the gun manufacturers' lawsuit?

MR. LOCKHART: I think that Senator Schumer probably put it the best yesterday when he said, to paraphrase him, if they want a fight, we're willing to fight them.

Q Joe, any comments from the President on the fact that Senator Helms says he won't bring any of it up before his committee any agreement the President reaches with President Putin?

MR. LOCKHART: Listen, Senator Helms' views are well-known. He has been known to make statements like that. We're going to work with Senator Helms because it is in our national security interest, as well as the 99 other senators, to move our arms control agenda forward.

Q So you're still going to try to come to a new amended agreement when the President goes into Moscow?

MR. LOCKHART: I wouldn't expect on that trip that there will be any sort of breakthrough on this, but it's certainly high on the agenda, both looking at the ABM in the context of a national missile defense, and also at the START II, START III discussions.

Q What do you think of the Russian Foreign Minister meeting with Governor Bush?

MR. LOCKHART: Pretty interesting.

Q How so?

MR. LOCKHART: I don't know. I couldn't think of anything else. I was going to try to come up with something light, but ultimately cutting, and somewhat witty, but I came up blank. (Laughter.) Jim, you got any help here? (Laughter.) Should I try that other one that we were talking about before? Save that one? Okay, never mind.

Q Is Ivanov giving you conflicting messages with respect to renegotiating the ABM Treaty?

MR. LOCKHART: I don't think so. I think we, starting in our discussions in Cologne last year, we've had very serious discussions on how we're going to move forward with this, and those discussions continue.

Q Does the administration, after the meeting that Ivanov had on -- what was it -- Tuesday --

MR. LOCKHART: I think Tuesday, yes.

Q -- does the administration believe that the new government in Moscow is open to renegotiating the ABM --

MR. LOCKHART: I think we believe that the new government is committed to continuing these serious discussions that started in Cologne.

Q What's the President's schedule, his own timetable of making a decision on this missile defense system?

MR. LOCKHART: As we've said for some time, we expect the recommendation to come over in the end of June, July, sort of the mid-summer period. And the President will make his decision once he's received the recommendation.

Q Well, he's already made his decision, obviously, if he's pushing --

MR. LOCKHART: No, I think the President has made very clear that this decision will be made based on the four criteria that he's clearly laid out. And he's looking now to see what the Pentagon recommends. As you all know, they're still in the process, the testing process and we'll see, when that's complete, what the recommendation is.

Q You're saying he will wait, Joe, until November to do this? There was a report that he might wait as late as November to make the decision.

MR. LOCKHART: I haven't heard any discussion that would back that up.

Q One of the major themes of Senator Helms' speech was that the President is worried that he'll be seen as the only President in recent memory to not have a major arms treaty under his belt at the end of his administration and, therefore, he's just going for anything so they'll have a photo op treaty. How do you respond to that kind of rhetoric?

MR. LOCKHART: I think Senator Helms is over-thinking it a little bit. As most Presidents who assume the responsibilities of this office understand, they have an absolute obligation to pursue the national security interests of this country. These discussions are in that -- are for achieving goals that relate to our national security. And to ascribe political motivations here is just wrong.

Q Well, is that going to affect the negotiations in any way, that the Chairman of the Foreign Relations Committee said he's not going to approve any --

MR. LOCKHART: I certainly would hope that the statements by the Chairman of the Senate Foreign Relations Committee would not undercut the negotiations, and I don't expect them to.

Q Do you -- his remarks to what George W. Bush said last night? He said approximately the same thing, that he would hope that the President would not sign any half-hearted agreement on the ABM Treaty.

MR. LOCKHART: I think the President is in a much better position, given his experience on this subject, to make judgments and negotiate this treaty.

Q I want to try another Bush question, Joe. Is the President at all perturbed, perhaps, that the Russian Foreign Minister --

MR. LOCKHART: No. The President, in 1992, met with President Yeltsin briefly, so I don't believe he's perturbed. I think that if the statement is, as phrased, and the question is accurate, he would not agree with the position that the Governor took. But we look forward to a more expansive and detailed exposition of Governor Bush's views on arms control, START II, the ABM Treaty. And when he gets there, we'll be glad to hear it.

Q So the President thinks the system works?

MR. LOCKHART: What system?

Q Missile, defense.

MR. LOCKHART: The President is waiting for a recommendation from the Department of Defense, and he'll make his decision based on the criteria that we've outlined.

Q Joe, what can you tell us about the federal government's plans to require auto makers to have a 25-mph test for air bags? Do you know about that at all?

MR. LOCKHART: Let me take that question. There was a Wall Street Journal story this morning, I did see it and I forgot to check on it.

Q Joe, why wouldn't what Helms said influence the talks? I mean, do you think

Helms is not serious, that he's just --

MR. LOCKHART: No, I think both the United States and Russia approaches this with both of our national security interests at the heart of these discussions. These discussions are serious. They're not about domestic politics in this country. So I think both from out side and from the other side, we can put those aside.

Q Joe, had the United States raised any protests or condemned the arrest of an AP photographer in Zimbabwe?

MR. LOCKHART: I know we are aware of it. Let me check to see if any diplomatic message has been sent. We obviously believe that reporters and photographers should be allowed to do their job, and I expect that the message we will send will be that and that reporters, as anyone, should be given due process in the legal system.

Q Is anybody looking into the circumstances of this arrest or --

MR. LOCKHART: They will be as soon as I get off here and ask them to.

Q Will you get back to --

MR. LOCKHART: Yes.

Q There is also an amendment that was put on in the Senate on the Africa free trade bill, a bill that the administration supports, affecting the banana and beef dispute with Europe. Do you know about that? Is that something that's acceptable?

MR. LOCKHART: I don't -- I'll check on that for you.

Q The President has a right to negotiate a treaty, whether the Senate goes for it or not.

MR. LOCKHART: That's absolutely correct.

Q Joe, I know there's nothing been announced about the President going to Vietnam, but I wonder if you have any reaction to Senator McCain saying that if the President did decide to go in November, anytime, that it might be sort of improperly rewarding the government that really hasn't done enough for the Vietnamese people.

MR. LOCKHART: Well, again, I respect the right of Senator McCain to make statements, but I'm not going to speculate on the purpose of a trip and what it will mean when we haven't decided to make the trip. So we could sort of take that out into speculative limbo, which wouldn't serve anybody.

Q It is accurate that the President does want to go to Vietnam before the end of his term, isn't it?

MR. LOCKHART: I would not disagree with that, but I'm not sure I could name a country in the world that the President -- that wouldn't also fit that bill.

Q What is the stage of plan?

Q Nice try --

MR. LOCKHART: Bingo. Knoller wins again. (Laughter.) Will someone get the teeshirt for Knoller?

Q Ethiopia?

Q What's the state of planning --

MR. LOCKHART: The President's actually been quite involved in talking to the leaders of those two countries. I'm sure that he would love to go and see a peaceful resolution. Whether that will happen or whether we can, I don't know.

Q Vietnam -- where is the state of that planning on that?

MR. LOCKHART: I don't know that there's any planning. I haven't heard of any

planning.

Q Nobody is even looking at it now or --

MR. LOCKHART: Listen, if they are, they haven't told me about it.

Q Yeah, well, what about Antarctica?

MR. LOCKHART: What about Antarctica? (Laughter.)

Q Is he ever going to get off Air Force One in the next eight months?

MR. LOCKHART: Can someone get me the globe so I can like have some help, because this book isn't going to help me today. (Laughter.)

Q -- any particular reflections by the President?

MR. LOCKHART: Not that he shared with me. I haven't seen him in the last two days because he's been on the road.

Q Joe, the President has been traveling an extraordinary amount just domestically. He's going to a school next week. He's been doing a lot of digital divide stuff. What is it exactly that he's planning to accomplish with these trips? Do you expect him to continue --

MR. LOCKHART: I certainly expect him to continue. The purpose of the trips is to try to highlight success stories around the country and build support for the legislative agenda back here. We have an aggressive agenda on education that he'll push next week on digital divide that he talked about this week and last week. We're making progress, working with both Democrats and Republicans in Congress. I expect him to be out talking about prescription drugs for Medicare. I expect him to be out talking about a patients' bill of rights, raising the minimum wage. These are all issues that we think we can get bills passed this year that he can sign, and he'll continue to go out and make the case.

I will give you, just as an aside, we've spent a good part of the last 18 months and wherever we go, talking about the benefits of a prescription drug

benefit for
Medicare. The Republican Party started last year, dead set against it.
There
was no way they were going to do it, and their opposition was put in
the
strongest language possible. We've spent 18 months going out and
talking about
how important it is, and look where we are today. There's a real sense
that this
is going to get done this year because it's the right thing to do.

Q Joe, sometime last week, the President filed a response
to the efforts that some folks are making to disbar him in his home
state of
Arkansas. Under the rules of the committee, he has the right to waive
the
confidentiality of the proceedings. Do you think in light of his
commitment to
openness he would be willing to waive the confidentiality of this
proceeding?

MR. LOCKHART: And deprive the other side the chance to leak it?
No, he
wouldn't want to deprive them of that.

Q Well, it wouldn't be a leak if it was put on the public record.

MR. LOCKHART: We have no intention of putting it on the public
record.

Q Why?

MR. LOCKHART: Because this is a -- the bar has set this up with a
set of
procedures and we're going to follow them.

Q On China, do you have any indication of how successful your
lobbying efforts
have been over the recess?

MR. LOCKHART: Ask me at the end of the week of May 22nd.

Q -- events planned for next week?

MR. LOCKHART: We'll have some things next week. Can I go to the
week ahead?

Q One second. Is there a White House response to George W. Bush's
comment that
this administration is the most relentlessly partisan administration in

the
nation's history?

MR. LOCKHART: That sounds like a pretty partisan statement from someone who purports to be compassionately conservative.

Q Joe, if I could just add one more thing on Vieques. I mean, how concerned is the White House about the possibility of violence, or violence erupting by clearing out protestors from the U.S. Navy bombing range there?

MR. LOCKHART: The President worked very hard to make a deal that was in our national security interests, that the government of Puerto Rico could work with, that the people of Puerto Rico and Vieques could work with, that took a lot of time and a lot of effort by a number of parties. We have reached an agreement, now some time ago, and I'm just not going to speculate on any law enforcement aspect of it.

Okay, now I've got to find the week ahead -- when I closed the book, I lost it.

Q Joe, if he's taping his radio this afternoon, does he have something on the schedule tomorrow?

MR. LOCKHART: He's got a dinner, but I've been telling him that he doesn't really need to get there because it's no big deal.

Q He'll miss your performance if he doesn't go.

MR. LOCKHART: What performance?

Q Interview.

MR. LOCKHART: What interview?

Q Are you denying that you're on a video that will be played tomorrow night?
(Laughter.)

MR. LOCKHART: Well, let me put it this way. If you're referring to an item

that was in the paper yesterday, I can, without a doubt, deny every single part of it, except the part about me being in a video. (Laughter.)

Q You're not going to do the "Joe Lockhart Show"?

Q This is it.

MR. LOCKHART: This is it. (Laughter.)

Q It's pretty exciting.

MR. LOCKHART: Yes. (Laughter.) Ratings are booming. (Laughter.)

Q One last question. What is the commencement address about on Sunday?

MR. LOCKHART: That's a secret. I'll let you know.

The week ahead. Saturday, April 29th --

Q They don't know. They haven't decided yet. (Laughter.)

MR. LOCKHART: No, I know what it is. I'm just trying to decide whether I should tell you.

Okay, Saturday, April 29th, the President's weekly radio address will air at 10:06 a.m. The radio address is being taped at 5:30 p.m. this afternoon.

Q What's the subject?

MR. LOCKHART: Boy, this is a really good description of what it is.

Later that day, the President will attend the White House Correspondents Dinner at the Washington Hilton. He departs around 6:45 p.m. actually. I think that's early. We'll leave later than that. I don't think we'll leave at --

Q Mrs. Clinton?

MR. LOCKHART: I heard a rumor she's attending the dinner, so check with her office.

Sunday, April 30th, the President will depart Andrews at 10:45 a.m.

en route to Michigan where he will deliver the commencement address at Eastern Michigan University. He will also attend an NAACP dinner at Cobo Convention Hall. He will then depart Michigan at around 7:00 p.m. for Chappaqua. I expect that he will return Monday morning and we'll have the rest of the day free.

Tuesday, the President will drop by the Independent Insurance Agents of America Conference at the Grand Hyatt. The President will also give remarks at the opening of the White House Conference on Raising Teenagers in the East Room. At 12:15 p.m. the President will make remarks to the Council of America's Conference at the State Department.

Wednesday, the President will leave for his school reform tour, a two-day tour that will take him to Owensboro, Kentucky, Davenport, Iowa, St. Paul, Minnesota and Columbus, Ohio. Friday, the President will travel to Pennsylvania to attend the Senate Democratic Caucus.

Q What time?

MR. LOCKHART: It doesn't say here.

Q Are they separate trips? He comes back?

MR. LOCKHART: Yes, he comes back, spends the night at the White House Thursday night. Friday, he goes out to Pennsylvania. That is, as is the tradition, closed press. Saturday, the President's Weekly radio address will be broadcast at 10:06 a.m. It doesn't indicate whether it will be taped or live.

Q Friday he comes home and he stays home that night?

MR. LOCKHART: Well, we're not sure yet. We'll let you know.

Q Can you tell us how the idea of the teen conference came about and what the goal is?

MR. LOCKHART: I think it's something that we've been working on

here in
conjunction with the First Lady's Office for quite some time, and it's
to build
on some of the conferences we've had in the past. We've looked at the
early
years of adolescence, and it's looking at the many issues that are
raised to
ultimately help give parents the tools they need and the government
the policies
they need to help promote successful family life and balancing family
life with
the pressures that parents face in their workplace.

Q Joe, does the President have to spend a certain amount of days in
New York
State in order to vote?

MR. LOCKHART: No.

Q He doesn't?

MR. LOCKHART: No. I think the rule is you just have to register and
--

Q Even if you're not --

Q But if he spends a certain number of days in New York State, he
has to pay
income tax, doesn't he?

MR. LOCKHART: He does, yes, which he did.

Q Did the President register yet in New York?

MR. LOCKHART: Not that I know of. I'll let you know when he
does. I thought
the week ahead was the end of this. New rules.

Q There was this report a few days ago that Chelsea Clinton is
fundraising for
an upcoming DNC event here in Washington. Is that accurate?

MR. LOCKHART: I don't know. I'll have to check with the DNC. I
know there's a
big gala event in June or the end of May -- the end of May. And I'll
have to
check to see if she has any role in that.

Q -- blue jeans and cowboy boots at MCI?

MR. LOCKHART: Yes.

Q It's not something she's done before, as far as you know, is it?

MR. LOCKHART: She certainly attended events with her parents that were fundraisers.

Q She did the 50th --

MR. LOCKHART: Yes, but I don't know what her role is. We'll check.

Thanks.

END

12:10 P.M. EDT #189-04/28

Exchange Mail

DATE-TIME 04/28/2000 8:24:20 PM
FROM Yee, Hoyt B. (EUR)
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Helms letter on ICTY letter? [UNCLASSIFIED]
TO Feldman, Daniel F. (MULTI)

CARBON_COPY Blinken, Antony J. (EUR)
Crawford, Bernard T. (RECORDS)
Kass, Nicholas S. (EUR)
Maxfield, Nancy H. (EUR)
Munter, Cameron P. (EUR)
Norland, Richard B. (EUR)
Quinn, Mary E. (EUR)
Yee, Hoyt B. (EUR)
Feldman, Daniel F. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)
Hill, Christopher R. (SEE)
Holtzapfel, Richard A.
Kaidanow, Tina S. (SEE)
Maxfield, Nancy H. (EUR)
Muir, Morgan C. (SEE)
Russ, Judith P. (SEE)
Sapiro, Miriam E. (SEE)
vonLipsey, Roderick K. (SEE)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Williams, Mary C. (ADMIN)

TEXT_BODY No readout, nor confirmation it took place.

-----Original Message-----
From: Feldman,

Daniel F. (MULTI)

Sent: Friday, April 28, 2000 8:08 PM

To: vonLipsey,

Roderick K. (SEE); Yee, Hoyt B. (EUR); @LEGISLAT - Legislative Affairs; @LEGAL - Legal Advisor; @SEE - Southeast European Affairs; @MULTILAT - Multilateral and Humanitarian Affairs

Cc: @BLINKEN

Subject: RE:

Helms letter on ICTY letter? [UNCLASSIFIED]

me neither.

does

anyone have a read-out of sandy's call tonight to robertson?

-----Original

Message-----

From: vonLipsey, Roderick K. (SEE)

Sent: Friday,

April 28, 2000 6:04 PM

To: Yee, Hoyt B. (EUR); @LEGISLAT - Legislative Affairs; @LEGAL - Legal Advisor; @SEE - Southeast European Affairs; @MULTILAT - Multilateral and Humanitarian Affairs

Cc: @BLINKEN

Subject: RE:

Helms letter on ICTY letter? [UNCLASSIFIED]

Not here.

-----Original

Message-----

From: Yee, Hoyt B. (EUR)

Sent: Friday, April 28,

2000 5:56 PM

To: @LEGISLAT - Legislative Affairs; @LEGAL - Legal Advisor; @SEE - Southeast European Affairs; @MULTILAT - Multilateral and Humanitarian Affairs

Cc: @BLINKEN

Subject: Helms letter on
ICTY letter? [UNCLASSIFIED]

Importance: High

I've heard a rumor

Sen. Helms is about to send us a letter about the Feb. 8 ICTY letter to NATO SYG Robertson. Has anyone heard/seen anything to corroborate this?

Exchange Mail

DATE-TIME 05/05/2000 6:46:44 PM
FROM Samore, Gary S. (NONPRO)
CLASSIFICATION UNCLASSIFIED
SUBJECT Press Stories on China Missile Talks [UNCLASSIFIED]

TO Bash, Brooks L. (EXSEC)
Bradtke, Robert A. (EXSEC)
Crocker, Bathsheba N. (NSA)
Gray, Wendy E. (NSA)
Jacobson, Tracey A. (ADMIN)
Joshi, M. Kay (EXSEC)
Kale, Dora A. (NSA)
Millison, Cathy L. (EXSEC)
Moretz, Sheila K. (NSA)
NSA Email
Rudman, Mara E. (NSA)
Scott-Perez, Marilyn L. (NSA)
Siberell, Justin H. (NSA)
Storey, Sharon V. (NSA)
Sutphen, Mona K. (NSA)

CARBON_COPY Lieberthal, Kenneth G. (ASIA)
Keith, James R. (ASIA)
Crowley, Philip J. (PRESS)
Samore, Gary S. (NONPRO)
Lackey, Miles M. (LEGIS)

TEXT_BODY PLEASE PASS TO SANDY/JIM - TONIGHT

Susan Shirk reports that the Far East Economic Review and Promfret (Washington Post Beijing Bureau) have asked Embassy Beijing about upcoming U.S.-China missile talks. Far East Economic Review also plans to report that Administration made deal with Senator Helms to pursue missile sanctions cases in exchange for Einhorn and Prueher nominations. Story does not seem to be picked up by Washington-based press, but presumably will happen next week.

State is preparing contingency guidance along following lines:

U.S. and China will hold expert level missile talks on May 10. This is part of our ongoing nonproliferation dialogue; hope

to resume senior level talks soon.

U.S. remains concerns about missile-related export activities of certain Chinese entities. [If asked] We continue to examine whether these activities trigger U.S. sanctions laws.

Administration has assured Congress that we will continue to pursue our missile proliferation concerns with Chinese government.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Justin Siberell to Hoyt Yee, Bathsheba Crocker, Wendy Gray et al. Subject: RE: Robertson / ICTY Letter. (17 pages)	05/08/2000	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

[04/25/2000-05/10/2000]

2006-1363-F
vz5675

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]
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- 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]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Justin Siberell to Hoyt Yee, Bathsheba Crocker, Wendy Gray et al. Subject: RE: Robertson / ICTY Letter. (18 pages)	05/08/2000	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

[04/25/2000-05/10/2000]

2006-1363-F

vz5675

RESTRICTION CODES

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

Exchange Mail

DATE-TIME 05/08/2000 7:54:07 PM

FROM Yee, Hoyt B. (EUR)

CLASSIFICATION UNCLASSIFIED

SUBJECT Helms' letter complains that the ICTY inquiry into NATO actions is "preposterous" and urges NATO not to dignify it with a response, [UNCLASSIFIED]

TO Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Hill, Christopher R. (SEE)
Holtzapple, Richard A.
Kaidanow, Tina S. (SEE)
Maxfield, Nancy H. (EUR)
Muir, Morgan C. (SEE)
Russ, Judith P. (SEE)
Sapiro, Miriam E. (SEE)
vonLipsey, Roderick K. (SEE)
Blinken, Antony J. (EUR)
Feldman, Daniel F. (MULTI)
McClean, Matthew K. (MULTI)
Naplan, Steven J. (MULTI)
Patten, Wendy L. (MULTI)
Schwartz, Eric P. (MULTI)
Smith, Peter D. R. (MULTI)
Vaccaro, Jonathan M. (Matt) (MULTI)
Wilcox, Richard M. (MULTI)
Williams, Mary C. (ADMIN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)

CARBON_COPY

Blinken, Antony J. (EUR)
Crawford, Bernard T. (RECORDS)
Kass, Nicholas S. (EUR)
Maxfield, Nancy H. (EUR)
Munter, Cameron P. (EUR)
Norland, Richard B. (EUR)

Quinn, Mary E. (EUR)
Yee, Hoyt B. (EUR)

TEXT_BODY

Jamie, Rod, others:

Pls clear comment asap on attached note requested by Sandy tonight. Let me know if you need a copy of Helms' letter. Thanks, Hoyt

TRANSLATED_ATTACHMENT

Helms ltr 5-8.doc
Helms' letter complains that the ICTY inquiry into NATO actions is "preposterous" and urges NATO not to dignify it with a response. Helms acknowledges, however, that "Robertson seems intent on [sending a response to the ICTY]" and outlines what kind of letter Robertson should send if he sends one. (FYI: State has kept Helms' staff briefed on our general approach to the ICTY inquiry, and Helms' letter seems to reflect this.) the draft letter we sent to Robertson on Friday conforms to Helms' outline in most respects:

- * refutes moral equivalency between Milosevic and NATO;
- * provides no details of specific missions
- * does not recognize authority of Tribunal to investigate NATO's actions in Serbia
- * does nothing to prevent NATO from acting militarily in the future.

One area of possible dispute with Helms may be his demand that "there should be no details of NATO operational plans, procedures or policies concerning Allied Force or any other military operation." As you know, we were very sparing with such details and for the most part included only those NATO had already made available to the public.

Helms asks that his concerns be passed to Robertson, and warns that this saga could jeopardize (1) the political support NATO enjoys in the U.S.

and (2)
continued U.S. financial support for the ICTY.

We recommend that we:

(1) inform Robertson via USNATO of Senator Helms concerns, as illustration of some of the constraints under which we are working (this may actually help discourage Robertson and his staff from making any further changes to the draft) but that we not prevent Robertson from sending his letter, since it is our common assessment that the letter will help turn off any ICTY investigation, a goal which Senator Helms would certainly share;

(2) prepare a response to Senator Helms that will agree with (most of) his concerns, explain the approach and rationale behind Robertson's letter, including how it stays within Helms' general outline.

____ Agree

____ Discuss

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Hoyt Yee to Christopher Hill, Richard Holtzapple, Tina Kindanow et al. Subject: Robertson Letter to ICTY. (4 pages)	05/08/2000	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

[04/25/2000-05/10/2000]

2006-1363-F

vz5675

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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- 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]
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- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
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- 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 05/09/2000 7:31:39 PM
FROM Andreasen, Steven P. (DEFENSE)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 05/09/2000
DECLASSIFYON 05/10/2010
SUBJECT RE: Question from the VP ~~[CONFIDENTIAL]~~
TO Krass, Caroline D. (LEGAL)

DECLASSIFIED
E.O. 13526 5/16/2017
White House Guidelines, September 11, 2006
By VL NARA, Date 1/7/2019
2006-1363-F(3)

CARBON_COPY

TEXT_BODY

...you are, without a doubt, my favorite female ... I'll send you something.

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

From: Krass, Caroline
D. (LEGAL)
Sent: Tuesday, May 09, 2000 19:15 PM
To: Andreasen,
Steven P. (DEFENSE)
Subject: RE: Question from the VP ~~[CONFIDENTIAL]~~

Defer

to your excellent drafting. The succession paper I sent you yesterday may be of some help. I'll be happy to clear, of course.

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

From: Andreasen, Steven P. (DEFENSE)
Sent: Tuesday,
May 09, 2000 7:12 PM
To: Krass, Caroline D. (LEGAL)
Subject: FW:
Question from the VP ~~[CONFIDENTIAL]~~
Importance: High

Caroline

... FYI. I'll need to draft something up ... or, feel free to volunteer the essential points ...

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

From: Black,
Steven K. (VP)
Sent: Tuesday, May 09, 2000 18:36 PM
To: Andreasen,
Steven P. (DEFENSE); Binnendijk, Johannes A. (Hans) (DEFENSE)
Subject: Question
from the VP [~~CONFIDENTIAL~~]

paraphrased: What is Sen Helms' talking
about? What does he mean by saying that the ABM Treaty is no longer
in force by virtue of the dissolution of the Soviet Union?

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Hoyt Yee to Charles Allen, James Baker, Mary DeRosa et al. Subject: ICTY Letter. (3 pages)	05/10/2000	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

[04/25/2000-05/10/2000]

2006-1363-F
vz5675

RESTRICTION CODES

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- 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 05/10/2000 6:08:01 PM
FROM Marsh, Thomas S (RECORDS)
CLASSIFICATION UNCLASSIFIED
SUBJECT Letter from Sen. Helms re ICTY [UNCLASSIFIED]
TO Lackey, Miles M. (LEGIS)

CARBON_COPY Blinken, Antony J. (EUR)
Crawford, Bernard T. (RECORDS)
Holtzapple, Richard A.
Kass, Nicholas S. (EUR)
Maxfield, Nancy H. (EUR)
Munter, Cameron P. (EUR)
Norland, Richard B. (EUR)
Quinn, Mary E. (EUR)
Sapiro, Miriam E. (SEE)
Yee, Hoyt B. (EUR)
Darnes, Victoria J. (RECORDS)
Ficklin, John W. (RECORDS)
Goldberg, David B. (RECORDS/INTECON)
Good, Travis C. (RECORDS)
Lee, Sang Won (INFOMGMT)
Marsh, Thomas S (RECORDS)
Porter, Pete (RECORDS)
Sanborn, Daniel R. K. (Records)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)

TEXT_BODY Mr. Lackey --

I have a letter from Senator Helms re ICTY & NATO.
I understand from Ms. Rudman that you may have done something with
this already. Should it be staffed or just entered for the record?

Exchange Mail

DATE-TIME 05/10/2000 8:08:14 PM
FROM Binnendijk, Johannes A. (Hans) (DEFENSE)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 05/09/2000
DECLASSIFYON 05/10/2010
SUBJECT RE: Question from the VP ~~CONFIDENTIAL~~
TO Black, Steven K. (VP)

CARBON_COPY

TEXT_BODY

Andreasen was going to send you something. I have a non-USG analysis of this which I would be glad to give you. Hans

-----Original

Message-----

From: Black, Steven K. (VP)

Sent: Wednesday, May

10, 2000 6:35 PM

To: Binnendijk, Johannes A. (Hans) (DEFENSE)

Subject: RE:

Question from the VP ~~CONFIDENTIAL~~

not yet. can you help?

-----Original

Message-----

From: Binnendijk, Johannes A. (Hans) (DEFENSE)

Sent: Wednesday,

May 10, 2000 6:17 PM

To: Black, Steven K. (VP)

Subject: RE: Question

from the VP ~~CONFIDENTIAL~~

Steve, did you get an answer to this question? Hans

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

From: Black, Steven

K. (VP)

Sent: Tuesday, May 09, 2000 6:36 PM

DECLASSIFIED
 E.O. 13526 5/16/2007
 White House Guidelines, September 11, 2006
 By 12 NARA, Date 2/2/2011
 2006-1363-F(3)

To: Andreassen, Steven
P. (DEFENSE); Binnendijk, Johannes A. (Hans) (DEFENSE)
Subject: Question
from the VP ~~[CONFIDENTIAL]~~

paraphrased: What is Sen Helms' talking
about? What does he mean by saying that the ABM Treaty is no longer
in force by virtue of the dissolution of the Soviet Union?

Exchange Mail

DATE-TIME 05/10/2000 8:35:53 PM
FROM Marsh, Thomas S (RECORDS)
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Letter from Sen. Helms re ICTY [UNCLASSIFIED]
TO Darnes, Victoria J. (RECORDS)
Ficklin, John W. (RECORDS)
Goldberg, David B. (RECORDS/INTECON)
Good, Travis C. (RECORDS)
Lee, Sang Won (INFOMGMT)
Marsh, Thomas S (RECORDS)
Porter, Pete (RECORDS)
Sanborn, Daniel R. K. (Records)

CARBON_COPY

TEXT_BODY This letter is on my desk pending instructions from Legislative Affairs....

-----Original

Message-----

From: Marsh, Thomas S (RECORDS)

Sent: Wednesday,

May 10, 2000 6:08 PM

To: Lackey, Miles M. (LEGIS)

Cc: @EUROPE

- European Affairs; @WWD - West Wing Desk; @LEGISLAT - Legislative Affairs

Subject: Letter from Sen. Helms re ICTY [UNCLASSIFIED]

Mr.

Lackey --

I have a letter from Senator Helms re ICTY & NATO.

I understand from Ms. Rudman that you may have done something with this already. Should it be staffed or just entered for the record?

Exchange Mail

DATE-TIME 05/12/2000 2:40:48 PM

FROM Black, Steven K. (VP)

CLASSIFICATION UNCLASSIFIED

SUBJECT DRAFT RESPONSE TO VP'S QUESTION RE ABM SUCCESSION
[UNCLASSIFIED]

TO Andreasen, Steven P. (DEFENSE)
Binnendijk, Johannes A. (Hans) (DEFENSE)
Cullom, Philip H. (DEFENSE)
Hill, Roseanne M. (DEFENSE)
Metzinger, Erin M. (DEFENSE)
Mitchell, Rebecca (Julie) J. (DEFENSE)
Peterman, David (Brian) (DEFENSE)
Pimentel, Betsy J. (DEFENSE)
Witkowsky, Anne A. (DEFENSE)
Barnett, Cheryl E. (RUE)
Brzezinski, Mark F. (RUE)
Cooper, Colby J. (ADMIN)
Elkind, Jonathan H. (RUE)
Hinckley, Steedman (VP)
Massey, Stephen M. (RUE/INTERN)
Medish, Mark C. (RUE)
Tedstrom, John E. (RUE)
Weiss, Andrew S. (RUE)
Williams, Mary C. (ADMIN)
Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Scharfen, Jonathan R. (LEGAL)
Williams, Mary C. (ADMIN)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Walldorff, Rebecca L. (LEGIS)

CARBON_COPY**TEXT_BODY**

I have been directed to send the following to the Vice President tonight. Please note that I am characterizing the Administration's position at the very bottom of the piece. If you disagree with what I've written, or otherwise have comments, I need to hear from you

this afternoon. Thank you. Steven Black

There is nothing particularly complicated about the essence of Senator Helms' argument concerning Russia's legal status as ABM Treaty successor to the Soviet Union. His assertion is that the ABM Treaty expired when the Soviet Union collapsed in 1991.

However, the 1997 Memorandum of Understanding on ABM Treaty succession (signed on Sept 26, 1997 by Secretary Albright and her Russian, Kazakstani, Ukrainian and Belarussian counterparts) established that Russia, Kazakstan, Ukraine and Belarus are the legal successors to the Soviet Union.

When the Senate gave its advice and consent to the CFE Flank Document in May 1997, one of the 14 conditions the Senate imposed (Condition 9) requires the President to submit the 1997 ABM MOU to the Senate for advice and consent. The President's response to the Senate in May 1997 pointed out that it is

clearly within the President's authorities to determine the successor States to a treaty when the original Party dissolves, and to make the adjustments required to accomplish such succession, and to enter into agreements for this purpose.

The President added that

throughout our history the executive branch has made a large number of determinations concerning the succession of new States to the treaty rights and obligations of their predecessors. The ABM Succession MOU negotiated by the United States effectuated no substantive change in the ABM Treaty requiring Senate advice and consent. Nonetheless, in light of my commitment to agree to seek Senate approval of the Demarcation Agreements associated with the ABM Treaty, I have, without prejudice to the legal principles involved, certified, consistent with Condition (9), that I will submit any agreement concluded on ABM Treaty succession to the Senate for advice and consent.

Critics of the 1997 MOU argue that the agreement imposes restrictions on just four of the 15 states now occupying the territory of the former Soviet Union, and that any of the 11 states not party to the MOU are free to develop and deploy an ABM system. They also argue that the Standing Consultative Commission, originally established to operate on the basis of consensus between the two ABM Treaty partners, has now been altered in such a way as to permit the U.S. to be isolated and outvoted by the other four members. Somewhat disingenuously, the same critics also complain

that the MOU subordinates the security interests of Belarus, Kazakstan, and Ukraine to those of Russia by permitting Russia to take advantage of the privilege extended by the Treaty to deploy a single ABM system, defining the word "capital" to mean "Moscow," and in general encouraging Russia to establish hegemony over the "near abroad."

Bottom line:

The Administration's position is that Russia obviously remains a party to the ABM Treaty. If the Senate declines to ratify the MOU on ABM succession, then there might be some legal question about whether Kazakstan, Ukraine and Belarus are also successors. The Administration has not undertaken any legal assessments that would address some of the other criticisms articulated by opponents of the ABM Treaty and its associated MOU on succession.