

Exchange Mail

DATE-TIME 3/26/98 4:40:35 PM

FROM Pritchard, Charles (Jack) L.

CLASSIFICATION UNCLASSIFIED

SUBJECT State Dinner Guest List for Kim Dae-jung [UNCLASSIFIED]

TO Abercrombie-Winstanley, Gina K.
Burrell, Christina L.
Farrar, Jay C.
Rudman, Mara E.

CARBON_COPY Albert, Ronda A.
Bader, Jeffrey A.
Gagnon, James M.
Kristoff, Sandra J.
Pritchard, Charles (Jack) L.

TEXT_BODY Mara,

I provided Jay a copy of the Congressional invitees a couple of days ago, so this should not be a surprise. Any suggestions you have for additions (I also gave Jay a list of Congressional Korean Conflict veterans to look over), or subtractions are most welcome. Understand WH Leg will have a say in the list.

I would like
to get this to Glyn tomorrow.

Thanks for the help.

jack

TRANSLATED_ATTACHMENT

2240 Memo to Davies.doc

March 26, 1998

ACTION

MEMORANDUM FOR GLYN DAVIES

THROUGH: SANDRA J. KRISTOFF

FROM: JACK PRITCHARD

SUBJECT: Guest List for Korean State Dinner

At Tab I is a memorandum transmitting a draft guest list for the State Dinner in honor of the President of South Korea to Capricia Marshall. Office of Public Liaison was separately tasked for input from the Korean-American community.

Concurrence by: Mara Rudman

RECOMMENDATION

That you sign the memorandum and forward the draft guest list to the Social Office.

Attachment
Tab I Memorandum for Capricia Marshall
Tab A Proposed Guest List
1

2240

TRANSLATED_ATTACHMENT 2240 Davies to Marshall Memo.doc

March 26, 1998

INFORMATION

MEMORANDUM FOR CAPRICIA MARSHALL

FROM: GLYN DAVIES

SUBJECT: Guest List for State Dinner In Honor of Kim Dae-jung,
President of the
Republic of Korea

At Tab A is the NSC-proposed guest list for the State Dinner in honor of Kim Dae-jung, President of the Republic of Korea. Office of Public Liaison is providing separately a recommended list of Korean-Americans for consideration.

Attachment
Tab A Proposed Guest List
1

2240

TRANSLATED_ATTACHMENT State Dinner List.doc

STATE DINNER IN HONOR OF
KIM DAE-JUNG
PRESIDENT OF THE REPUBLIC OF KOREA

Proposed Guest List

Executive Branch/Independent Agency Officials:

The Vice President and Mrs. Gore

Hon. Madeleine K. Albright
Secretary of State
Department of State
Washington, D.C. 20520
POC: Linda Dewan at 647-5733

Hon. Robert E. Rubin
Secretary of the Treasury
1500 Pennsylvania Avenue
Washington, D.C. 20220
Spouse: Judith Rubin
POC: Ester Watkins; tel.: 622-0049

Hon. William S. Cohen
Secretary of Defense
The Pentagon
Room 3E 880
Washington, D.C. 20301-1000
Spouse: Janet Langhart Cohen
POC: OSD Protocol at (703) 697-7064; or
Richard Finn at (703) 697-5278

Hon. Samuel R. Berger
National Security Advisor
1st Floor, West Wing
The White House
Washington, D.C. 20502
Spouse: Susan Berger
POC: Dora Kale at 456-9481

General Henry S.(Hugh) Shelton
Chairman of the Joint Chiefs of Staff
Room 2E 857
The Pentagon
Washington, D.C. 20318-9999
Spouse: Carolyn
POC: Lt. Col. Terri Meyer at (703) 697-9829

Hon. Thomas F. (Mack) McLarty
Counselor to the President and Special Envoy to the Americas
The White House
Washington, D.C. 20502
Spouse: Donna McLarty
POC: (202) 456-2000

Hon. Strobe Talbott
Deputy Secretary of State
Department of State
Washington, D.C. 20520
Spouse: Brooke Shearer
POC: Greg Fukutomi at 647-5888.

Hon. Mary Mel French
US Chief of Protocol
Department of State
Room 1238
Washington, D.C. 20520
POC: 647-4543

Hon. Stephen W. Bosworth
US Ambassador to the Republic of Korea
U.S. Embassy

82 Sejong-Ro
Chong-kuinato-ku
Seoul, Korea
Spouse: Christine Bosworth
POC: DCM Richard Christenson at 82-2-397-4114

Hon. Lawrence H. Summers
Deputy Secretary of the Treasury
1500 Pennsylvania Avenue
Washington, D.C. 20220
Spouse: Victoria Summers
POC: Shirley Gathers at 622-1080

Hon. James B. Steinberg
Deputy Assistant to the President for
National Security Affairs
1st Floor, West Wing
The White House
Washington, D.C. 20502
Spouse: Sherburne Abbott
POC: Kate Friedrich at 456-9481

Hon. David Lipton
Under Secretary of the Treasury
1500 Pennsylvania Avenue
Washington, D.C. 20220
Spouse: Susan Lipton
POC: Fonao Shaw at 622-1270

Mr. Lipton played a crucial role in getting the Korean Government to agree to the IMF financial recovery program.

Hon. Stanley O. Roth
Assistant Secretary of State for East Asian and Pacific Affairs
Department of State
Washington, D.C. 20520
Guest: Carolyn Rhodes
POC: Jim Foster at 647-6600

Hon. Leon S. Fuerth
National Security Advisor for the Vice President
Office of the Vice President
The White House
Washington, D.C. 20504
Spouse: Lynn Fuerth
POC: Ann Woolston at (202) 456-9501

Hon. Allan Greenspan
Chairman of the Board of the Federal Reserve System
20th and Constitution, NW
Washington, D.C. 20551
Spouse: Andrea Mitchell
POC: Ann Nielson at 452-3201

Colonel Charles L. Pritchard
Director for Asian Affairs, NSC
The White House
Washington, D.C. 20504
Spouse: Jean Pritchard
POC: Ronda Albert at 456-9251

General John H. Tilelli, Jr.
Commander-in-Chief, United Nations Command/ROC-U.S.
Combined Forces Command
APO AP 96205-0025
POC: Colonel Rich Rollison at (703) 693-4038

Congressional Invitees:

Senator Craig Thomas
Chairman of the East Asian and Pacific Affairs Subcommittee of the
Foreign
Relations Committee
SH-109 Hart Senate Office Building
Washington, D.C. 20510-5003
Spouse: Susan Thomas
POC: Richard Houghton at 224-6441.

Congressman Doug Bereuter
Chairman of the Asia and Pacific Subcommittee of the International
Relations
Committee
2184 Rayburn House Office Building
Washington, D.C. 20515-2701
Spouse: Louise Bereuter
POC: Sue Plessman at 225-4806

Senator William V. Roth
Chairman of the Finance Committee
SH-104 Hart Senate Office Building
Washington, D.C. 20510-0801
Spouse: Judge Jane Roth
POC: Dan Bob at 224-2441

Senator Jesse Helms
Chairman of the Foreign Relations Committee

SD-403 Dirksen Senate Office Building
Washington, D.C. 20510-3301
Spouse: Dorothy Helms
POC: Ann Chitwood at 224-6342

Senator John F. Kerry
Ranking Minority Member of the East Asian and Pacific Affairs
Subcommittee of the
Senate Foreign Relations Committee
SH-141 Hart Senate Office Building
Washington, D.C. 20510-2704
Spouse: Teresa Heinz
POC: Ayanna Presley at 224-1844

Congressman James A. Leach
Chairman of the Banking and Financial Services Committee and the
Asia and Pacific
Subcommittee of the International Relations Committee
2186 Rayburn House Office Building
Washington, D.C. 20515-1501
Spouse: Elisabeth Leach
POC: Sarah Morgan at 225-6576

Congressman Howard L. Berman
Ranking Minority Member of the Asia and Pacific Affairs
Subcommittee of the
International Relations Committee
2330 Rayburn House Office Building
Washington, D.C. 20515-0526
HIRC Subcommittee.
Spouse: Janis Berman
POC: Nancy Milburn at 225-4695.

Senator Carl Levin
Ranking Minority Member of the Armed Services Committee
SR-459 Russell Senate Office Building
Washington, D.C. 20510-2202
Spouse: Barbara Levin
POC: David Lyle at 224-3830.

Other Public/NGO Officials:

Hon. Sam Nunn
Former U.S. Senator
King and Spalding
1730 Pennsylvania Ave
Washington, DC 20006-4706
Spouse: Colleen Nunn
POC: Regina Exe at 626-5512

Senator Nunn has undertaken Korean peninsula missions on behalf of the White House.

Hon. Richard J. Riordan
Mayor of Los Angeles
200 N. Main Street
Room 800
Los Angeles, CA 90012
Spouse: Nancy Daly Riordan
POC: Bob Kurkjian at (213) 847-3750 or
Moir Stockwell at (213) 847-3476

Mayor Riordan was part of the official U.S. delegation at the inauguration of President Kim Dae-jung on February 25, 1998.

Hon. Morton Abramowitz
Senior Fellow
Council on Foreign Relations
179 Massachusetts Avenue, NW
Washington, D.C. 20006
Spouse: Sheppie Abramowitz
POC: 518-3424

Hon. James T. Laney
Former Ambassador to Korea and President Emeritus of Emory University
Emory University
Center for Ethics, Public Policy and the Professions
Suite 302, Dental Building
1462 Clifton Road
Atlanta, GA 30322
Spouse: Berta Laney
POC: Libby Christian at (404) 727-1242

Hon. Donald P. Gregg
Former Ambassador to Korea and Chairman, The Korea Society
950 Third Avenue, 8th Floor
New York, New York 10022
Spouse: Margaret
POC: (212) 759-7525

Hon. James Lilley
Former Ambassador to Korea and Director, Asian Policy Studies of the Institute for Public Policy Research

1570 17th Street, N.W.
Washington, D.C.
Spouse: Susan
POC: 862-5949

Hon. Michael H. Armacost
President, Brookings Institute
1775 Massachusetts Avenue, NW
Washington, D.C. 20036
Spouse: Roberta
POC: 797-6201

Hon. Nicholas Platt
President, Asia Society
725 Park Avenue
New York, New York 10021
Spouse: Sheila
POC: Mrs. Bartley (212) 327-9256 or
(212) 327-9257 (direct)

Hon. Richard L. Armitage
President, Armitage Associates L.C.
1550 Wilson Blvd., Suite 725
Arlington, VA 22209
Spouse: Laura
POC: Lisa Jaro on 703-875-8660

Hon. Richard Solomon
Director, United States Institute of Peace
1550 M Street
7th Floor
Washington, DC 20005
Spouse: Anne
POC: Susan Cameron on 457-1700

Mr. L. Desaix Anderson
Executive Director
Korean Energy Development Organization
12th Floor
600 3rd Ave.
New York, New York 10016
Spouse: None
POC: Eunhee Arvizu 212-455-0211/0200

Mr. Steven Costello
Director, Kim Dae-jung Peace Foundation
KDJ Peace Foundation
6110 Executive Blvd. Suite 1000
Rockville, MD 20852

POC: (301) 231-5143

Mr. Nick VanNelson
President/Executive Director, U.S.-Korea Business Council
2111 Wilson Blvd., Suite 700
Arlington, VA 22201
Fiancée: Ms. Eletitia Marks
POC: John Leber on (202) 842-1381

Business Invitees:

Mr. Robert J. Eaton
Chairman of the Board and Chief Executive Officer
Chrysler Corporation
1000 Chrysler Drive
Auburn Hills, MI 48326-2766
Spouse: Connie Eaton
POC: Marianne at (248) 512-6728

Mr. Alex Trotman
Chairman of the Board, President and Chief Executive Officer
Ford Motor Company
The American Road
Dearborn, MI 48121
Spouse: Valerie Trotman
POC: Lynn Bratten at (313) 845-2557

Mr. John F. Smith, Jr.
Chairman of the Board, Chief Executive Officer and President
General Motors Corporation
100 Renaissance Center
Detroit, MI 48265-1000
Spouse: Lydia Smith
POC: George A. Peapples at (202) 775-5090 or
(fax) (202) 775-5023

Mr. John E. Pepper, Jr.
Chairman of the Board and Chief Executive Officer
The Procter and Gamble Company
1 Procter and Gamble Plaza
Cincinnati, OH 45202
Spouse: Francie Pepper
POC: Sue Schoenberger at (513) 983-3469

Procter and Gamble is among the most active U.S. firms in the South Korean consumer market.

Mr. Harry Kamen
Chairman of the Board and Chief Executive Officer
Metlife
1 Madison Avenue
New York, NY 10010
POC: (212) 578-2211; (fax) (212) 685-8042

Metlife has just bought out its Korean joint venture partner, making it a pioneer in the opening of the Korean financial market.

Mr. Seymour Sternberg
Chairman, President and CEO, New York Life Company
51 Madison Ave.
New York, New York 10010
Spouse: Laurie
POC: Barbara Gaffney (212) 576-7280

Dr. Vance Coffman
President and Chief Executive Officer
Lockheed Martin
6801 Rockledge Drive
Bethesda, MD 20817
Spouse: Arlene Coffman
POC: Ronnie Zak at (301) 897-6736 or
Kelly Shea at (703) 413-5684

Lockheed Martin is the largest U.S. supplier of aerospace and defense-related equipment to the Republic of Korea.

Mr. Philip Condit
Chairman and CEO of The Boeing Company
P.O. Box 3707, Mail Stop 10-10
Seattle, WA 98124-2207
Spouse: Jan Condit
POC: Lois White on (206) 544-7000

Mr. Louis V. Gerstner
Chairman of the Board and Chief Executive Officer
IBM
New Orchard Road
Armonk, NY 10504
Spouse: Robin Gerstner
POC: Judy at (914) 499-4900, or
Christopher Caine at (202) 515-5800

Banking and International Financial Institution Invitees:

Mr. James D. Wolfensohn
President
The World Bank
1818 H Street, N.W.
Washington, D.C. 20433
Spouse: Elaine Wolfensohn
POC: 458-5420

Mr. Michel Camdessus
Managing Director
The International Monetary Fund
Room 12-300 C
700 19th Street, N.W.
Washington, D.C. 20431
Spouse: Brigitte Camdessus
POC: 623-4600

George Soros
Chairman
Soros Management Fund
888 7th Avenue
New York, NY 10106
Spouse: Susan Soros
POC: (212) 397-5505; (212) 977-4057

Mr. John S. Reed
Chairman of the Board and Chief Executive Officer
Citicorp
Citicorp Center
153 East 53rd Street
New York, NY 10043
Spouse: Cynthia
POC: (212) 559-2733

Citibank has the largest U.S. banking presence in Korea; helped orchestrate Korea's debt rescheduling with foreign creditors during the Asian financial crisis.

Mr. John Corzine
Chairman of the Board and Chief Executive Officer
Goldman, Sachs and Company
85 Broad Street
New York, NY 10004
Spouse: Joanne Corzine
POC: (212) 902-8281

Goldman Sachs is an official advisor to the Korean Government and is helping

underwrite a large bond offering, Korea's first since the Asian financial crisis.

Mr. Deryck Maughan
Chairman , Salomon Brothers Inc.
7 World Trade Center
43rd Floor
New York, New York 10019
Spouse: Va
POC: Sophie Kolic-(212)783-7500

Media Invitees:

Mr. Donald E. Graham
Chairman of the Board and Chief Executive Officer
Washington Post Company
1150 15th St. NW
Washington, DC 20071
Spouse: Mary Graham
POC: Pam Gazenski at 334-7138; (fax) 496-3784

Mr. Arthur Ochs Sulzberger, Jr.
Publisher and Chairman
New York Times Company
229 W. 43rd Street
New York, NY 10036
Spouse: Mrs. Gail Gregg
POC: Johanne Ficaro at (212) 556-3779;
fax (212) 556-8877

Exchange Mail

DATE-TIME 4/1/98 8:02:20 AM

FROM Bell, Robert G.

CLASSIFICATION UNCLASSIFIED

SUBJECT Debate on the Comprehensive Test Ban (CTB) Treaty
[UNCLASSIFIED]

TO Andreassen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Kelly, Sandra L.
Langley, Janice M.
Mulligan, George D.
Seaton, James B.
Witkowski, Anne A.
Bandler, Donald K.
Bendick, Gordon L.
Braden, Susan R.
Brown, Keim C.
Butler, Lawrence E.
Covey, James P.
Dowling, John N. (Nick)
Flanagan, Stephen J.
Marshall, Betty A.
Maxfield, Nancy H.
McEldowney, Nancy E.
Quinn, Mary E.
Sapiro, Miriam E.
Baldwin, Kenneth
Benjamin, Daniel
Bobbitt, Philip C.
Clarke, Richard A.
Dollar, Carolyn J.
Fung, Mark T.
Gordon-Hagerty, Lisa E.
Hawley, Leonard R.
Klein, Brian P.
McCarthy, Mary O.
Metzl, Jamie F.
Mulligan, George D.
Rosa, Frederick M.
Roundtree, Beverly
Schwartz, Eric P.
Simon, Steven N.
Wechsler, William F.
Abercrombie-Winstanley, Gina K.

Burrell, Christina L.
Farrar, Jay C.
Rudman, Mara E.
Amiri, Rukhsana N.
Cooper, Kathleen H.
Countryman, Thomas M.
Greer, Jason H.
Marty, Joseph H.
Riedel, Bruce O.
Ryu, Rexion Y.
Todd, Gwenth E.
Caravelli, John M.
Edwards, Joan K.
Harris, Elisa D.
Samore, Gary S.
Tucker, Maureen E.
Behring, Deanna M.
Epstein, Gerald L.
Jones, Kerri-Ann D.
Kiernan, Gerald P.
MacDonald, Bruce W.
Rinaldi, Steven M.
Ward, JoAnn
Benjamin, Daniel
Blinken, Antony J.
Gobush, Matthew N.
Gray, Wendy E.
Halperin, David E.
Hill, Roseanne M.
LaFleur, Vinca S.
Leavy, David C.
Widmer, Edward L.
Crowley, Philip J.
Dehqanzada, Yahya A.
Luzzatto, Anne R.
Rubin, Eric S.
Wozniak, Natalie S.
Barnett, Cheryl E.
Caravelli, John M.
Cohen, Julie E.
Courtney, William H.
Fooks, Michael D.
Fort, Jane B.
Pascual, Carlos E.
Silva, Mary Ann T.
Benjamin, Daniel
Blinken, Antony J.
Gobush, Matthew N.
Gray, Wendy E.
Halperin, David E.

Hill, Roseanne M.
LaFleur, Vinca S.
Leavy, David C.
Widmer, Edward L.
Babcock, Douglas W.
Bolan, Christopher J.
Boulton, Darrien D.
Davidson, Leslie K.
Elkind, Jonathan H.
Evans, Peter O.
Fuerth, Leon S.
Hamel, Michael A.
Harding, Bruce D.
Hilty, Joanne M.
Jordan, Donald L.
Norris, John J.
Orfini, Michael H.
Roberts, Michael W.
Saunders, Richard M.
Woolston, Ann E.

CARBON_COPY

Bartlett, L. June
Davies, Glyn T.
Dejban, Donna D.
Friedrich, Mary K.
Helweg, M. Diana
Hilliard, Brenda I.
Hurwitz, Marc I.
Joshi, M. Kay
Kale, Dora A.
Kerrick, Donald L.
Malley, Robert
Millison, Cathy L.
Poole, Jennifer C.
Rice, Edward A.
Scott-Perez, Marilyn L.
Storey, Sharon V.

TEXT_BODY

Text of my opening statement "pro" CTB in CATO-sponsored debate yesterday with Helms' staffer Marshall Billingslea ("con").

TRANSLATED_ATTACHMENT

CFRdebate.doc
Debate on the Comprehensive Test Ban (CTB) Treaty
CATO Institute
Washington, D.C.

March 31, 1998

Opening Statement
by
Robert G. Bell
Special Assistant to the President
for National Security Affairs

I would like to begin this important debate on the CTB by reading four very relevant statements.

The first is a statement issued by four former Chairmen of the Joint Chiefs of Staff on January 27th:

On September 22, 1997, President Clinton submitted the Comprehensive Nuclear Test Ban (CTB) Treaty to the United States Senate for its advice and consent, together with six Safeguards that define the conditions under which the United States will enter into this Treaty. These Safeguards will strengthen our commitments in the areas of intelligence, monitoring and verification, stockpile stewardship, maintenance of our nuclear laboratories, and test readiness. They also specify the circumstances under which the President would be prepared, in consultation with Congress, to exercise our supreme national interest rights under the CTB to conduct necessary testing if the safety or reliability of our nuclear deterrent could no longer be certified. With the Safeguards, we support Senate approval of the CTB Treaty.

The second is a statement made in person to the President by the Directors of our three national nuclear weapons laboratories (Lawrence Livermore, Los Alamos and Sandia) on February 3rd:

We are confident that the Stockpile Stewardship program will enable us to maintain America's nuclear deterrent without nuclear testing. The third statement is the most recent annual certification on our

nuclear
weapons inventory by the Secretaries of Defense and Energy, which
the President
forwarded to Congress on February 12th:

We have thoroughly reviewed the safety and reliability of the
stockpile under the
Comprehensive Test Ban Treaty. The nuclear stockpile has no safety
or
reliability concerns that require underground testing at this time.
Problems
that have arisen in the stockpile are being addressed and resolved
without
underground nuclear testing to ensure the stockpile remains safe and
reliable.
In reaching this conclusion, we have obtained the advice of the
Directors of the
National Weapons Laboratories, the Commander in Chief, United
States Strategic
Command, and the Nuclear Weapons Council.

Last, but not least, is the statement by the President of the United
States in
his letter transmitting the Treaty to the Senate last fall:

I believe that the Comprehensive Nuclear Test Ban Treaty is in the
best interests
of the United States. Its provisions will significantly further our
nuclear
nonproliferation and arms control objectives and strengthen
international
security.

In sum, these four statements reflect the strong, bipartisan views
supportive of
this historic treaty of the following U.S. military and civilian leaders:

General Colin Powell
General John Shalikashvili
Admiral William Crowe
General David Jones
Dr. Bruce Tarter
Dr. John Browne
Ambassador Paul Robinson
Secretary Bill Cohen
Secretary Frederico Pena
President William Jefferson Clinton

I could, of course, cite additional endorsements by prominent
officials,

individuals, and organizations, as well as states allied to the United States.

These would include:

- * All six of the current Joint Chiefs of Staff;
- * The American Association for the Advancement of Science;
- * the United Kingdom and France, both of which plan to deposit their instruments of ratification at the United Nations on Monday; and
- * 70% of the American public, according to a recent national poll by the Mellman Group.

However, my time is limited in this opening statement, so I will shift from citing endorsements of the treaty or statements in its support and instead focus on four other, quite different, statements about the CTB - statements made by Dr. Barker during his testimony last fall before a Senate subcommittee:

1. Sustained nuclear testing, with no less than six tests per year, is the only demonstrated way of maintaining a safe and reliable nuclear deterrent.
2. Deterrence of attacks with weapons of mass destruction ... would be enhanced by the addition of new nuclear capabilities to the U.S. nuclear arsenal. Nuclear testing is needed to meet new requirements.
3. Lest it be thought that I support contentions that this treaty would inhibit proliferation in any way, let me set the record straight... the CTB will add to proliferation.

4. I see no benefits to U.S. ratification of the CTB, and terrible costs.

Obviously, the Administration fundamentally disagrees with each of those four assessments.

1. Do we need to conduct six tests every year - as Bob Barker claims - to demonstrate that our nuclear stockpile is safe and reliable?

The answer is "no". In an August 1995 report issued by the highly respected JASONs organization, a prestigious group of nuclear designers and

physicists
concluded that:

The United States can, today, have high confidence in the safety, reliability, and performance margins of the nuclear weapons that are designated to remain in the enduring stockpile. This confidence is based on understanding based on 50 years of experience and analysis of more than 1000 nuclear tests, including the results of approximately 150 nuclear tests of modern weapons types in the past 20 years.

Moreover, this report also concluded that:

For the weapon types planned to remain in the enduring stockpile, we find that the device problems which occurred in the past, and which either relied on or required, nuclear yield tests to resolve, were primarily the result of incomplete or inadequate design activities. In part, these were due to the more limited knowledge and computational capabilities of a decade, or more, ago. We are persuaded that those problems have been corrected and that the weapons types in the enduring stockpile are safe and reliable in the context of explicit military requirements.

2. Do we need - as Bob Barker claims -- to conduct nuclear tests because we have or will have new military requirements for new types of nuclear weapons, for example, a new weapon to use in retaliation against CW or BW attacks?

The answer is "no". I would note that the Bush Administration in July 1992 recognized that because of the dramatic changes in the international security environment, the only purpose that nuclear weapons testing could possibly serve would be to evaluate and improve safety or maintain reliability. In short, the Bush Administration concluded that there was no military requirement for new

nuclear weapons types and hence no requirement for nuclear testing to validate new designs. Moreover, as this Administration demonstrated with the development and deployment of the B-61/Mod 11 nuclear gravity bomb, we are fully capable of taking an existing nuclear physics packages and putting it in a redesigned container while certifying that we retain high confidence in its safety and reliability.

3. Will CTB add to proliferation, as Bob Barker maintains?

Again, the answer is "no". With regard to so-called "vertical proliferation," the CTB's prohibition on nuclear explosive testing will have the practical effect of constraining the declared nuclear weapons states from developing with high confidence more advanced and more dangerous weapons. With regard to "horizontal proliferation," even if rogue states or other nuclear wannabes were able to assemble sufficient nuclear material to produce a simple fission weapon without nuclear testing, the CTB would force them to place confidence in an untested design - which their military leaders might find unacceptable - as well as constrain any further improvement in nuclear weapons design.

4. Will - as Bob Barker claims -- the CTB bring no benefits?

Here, too, the answer is "no". In addition to the gains for our vertical and horizontal nuclear non-proliferation goals that I have already mentioned, I would emphasize that the CTB will improve the Intelligence Community's ability to detect and deter nuclear explosive testing. Detecting, identifying, and attributing nuclear explosive testing will remain a high national security priority with or without the treaty. However, with the CTB we gain the treaty's global network of seismic, hydroacoustic, radionuclide, and infrasound sensors that will aid America's national capabilities to monitor nuclear explosive testing across the globe, as well as deter any nation from believing it

can
conduct a nuclear explosive test undetected by the international
community. With
the CTB in force, the United States will gain a new tool to assess
compliance
with a ban on nuclear testing: the ability to request a short-notice, on-
site
inspection of a suspicious event.

There is, however, one other statement that Dr. Barker made in his
testimony
that I do give him great credit for making, because I believe it is a
reality
which could otherwise be overlooked in the debate over the treaty. In
concluding
his testimony, Dr. Barker said:

Even with no CTBT we pay the costs unless we are ready, able, and
willing to
conduct the nuclear tests that will maintain the nuclear deterrent
component of
our national security posture.

Dr. Barker reminds us that if the CTB should be delayed or defeated,
the
"default position" is not an immediate return to U.S. underground
testing.
Rather, the default position is a continued statutory prohibition on
testing in
accordance with the "Hatfield-Exon-Mitchell" legislation President
Bush signed
into law in 1992.

As a result, those who favor a resumption of U.S. nuclear testing
would need to
go well beyond rejecting the CTB. They would need to urge the
Congress also to
do the following:

1. Repeal the Hatfield-Exon-Mitchell statute;
2. Authorize and appropriate funding for a resumption of U.S. nuclear
testing;
3. Withhold critical comment as Russia, China and perhaps others
announce that
the American scuttling of CTB has led them to renounce their own
moratoria;
4. Ignore sharp criticism from our friends and allies around the world;
5. Stonewall, for whatever period it would take before a U.S. test
could
actually be conducted, the threat of many nations in the developing

world to take
the Non-Proliferation Treaty hostage at the Review Conference in the
year 2000
and to block progress on our non-proliferation agenda across the
board in other
multilateral fora.

I believe that would be a very reckless course indeed. I suspect that
most
Americans would think that a very unwise course. And I am confident
that at
least a two-thirds majority of the United States Senate will reject that
approach, and instead approve this crucial treaty.

Let me close by addressing one final statement - that is a statement by
the man
whom the other participant taking the "con" position in this debate
works for:
Senator Jesse Helms, Chairman of the Senate Foreign Relations
Committee. I
respect Senator Helms. Indeed, I worked for him for four years on the
Republican
Majority Staff throughout President Reagan's first term. Some would
say that
Marshall Billingslea, who joins Bob Barker in talking the "con"
argument in this
debate, now occupies the "Bob Bell Memorial Chair" on the
Committee.

However, I believe Senator Helms was simply wrong when, in a
January 21st letter
to the President he said that the CTB was a "low priority". We believe
ratification of the CTB is a high priority and that the Committee
should turn its
attention to it once the Senate has completed action next month on the
NATO
Enlargement Protocol - also a high priority foreign policy agenda item
for the
President and the Alliance, and one for which we are very
appreciative of
Chairman Helms' strong support and counsel.

President Clinton emphasized in his reply to the Chairman that he
thinks it is
essential that the United States demonstrate leadership with regard to
the
crucial treaties and regimes that strengthen our global non-
proliferation system.
U.S. ratification of the Chemical Weapons Convention last year
facilitated

ratification by Russia, China, Pakistan and Iran. In the same way, early U.S. ratification of the CTB will encourage ratification by other states. Would the opponents of this treaty really prefer that Russia and China not ratify the treaty they have signed? Furthermore, ratification of the CTB by the vast majority of the world's states, led by the United States, will strengthen the international norm against nuclear testing, and thus help to deter nuclear tests by non-signatories. Would the opponents of this treaty really prefer to encourage non-signatories like India and Pakistan to test?

President Clinton is planning to travel to the sub-continent this fall. In his letter to Senator Helms, he stressed the importance that when he makes that trip he do so with U.S. ratification in hand. This we believe offers the best chance of changing Indian and Pakistani attitudes towards the treaty.

But what if India or Pakistan cannot be persuaded to sign? Does the treaty simply die or linger interminably in some sort of limbo? No, the Administration recognized this danger when it negotiated the CTB. That is why the treaty contains provisions, if necessary, to convene an extraordinary conference in September of next year to deal with this problem. However, if the United States has not ratified CTB we cannot call for the conference to be convened, vote to have convened or participate if it is convened.

We believe the United States should lead, not follow. We believe the United States Senate endorsed this fundamental principle in its votes last year on the CWC. And we believe that the Senate will act with the same wisdom and vision when it acts on the CTB this year.

Exchange Mail

DATE-TIME 4/4/98 7:14:21 AM
FROM Highsmith, Newell L.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Helms-Gilman [UNCLASSIFIED]
TO Andreasen, Steven P.

CARBON_COPY Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hill, Roseanne M.
Hunerwadel, Joan S.
Abercrombie-Winstanley, Gina K.
Burrell, Christina L.
Farrar, Jay C.
Rudman, Mara E.
Andreasen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Kelly, Sandra L.
Langley, Janice M.
Mulligan, George D.
Seaton, James B.
Witkowski, Anne A.

TEXT_BODY Legal clears. Had one minor edit to the letter itself.

-----Original
Message-----
From: Andreasen, Steven P.
Sent: Friday, April 03,
1998 4:52 PM
To: @LEGAL - Legal Advisor
Cc: @LEGISLAT - Legislative
Affairs; @DEFENSE - Defense Policy; Fort, Jane B.
Subject: Helms-Gilman
[UNCLASSIFIED]
Importance: High

Newell/Jay --

Attached is

the response package for the Helms-Gilman ABM letter. Newell: The response is almost verbatim the Matheson draft (i.e., I dropped a few "thats", moved a "however"). Please advise whether Mike discussed and or cleared this with his inter-agency legal bretheran. Comments by COB Monday, so that we can decide what, if any, additional interagency steps are required in time to get this in no later than COB Thursday next week.

Thanks. Steve.

TRANSLATED_ATTACHMENT 1994 mtb.doc

April 3, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL

FROM: STEVEN P. ANDREASEN

SUBJECT: Letter from Gilman and Helms on ABM

The attached letter from the President to Representative Gilman and Senator Helms responds to their request for an answer to questions associated with ABM Treaty succession.

Concurrence by: Highsmith Farrar

RECOMMENDATION

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

Attachments

Tab I Memorandum to the President

Tab A Letters to Gilman and Helms

Tab B Letter from Gilman and Helms

1

1994

TRANSLATED_ATTACHMENT 1994 mtp.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Letter from Representative Gilman and Senator Helms
Regarding ABM Treaty

Purpose

To respond to a letter from Representative Gilman and Senator Helms on the ABM Treaty.

Background

Representative Gilman and Senator Helms have written you requesting additional answers to their questions about which states that emerged from the former Soviet Union we now regard as successors for purposes of the ABM Treaty.

In a response to an earlier letter, you said: "Upon its entry into force, the MOU [Memorandum of Understanding on Succession] will confirm the four former Soviet States [Russia, Belarus, Kazakhstan, and Ukraine] participating in the SCC [Standing Consultative Commission] as the successor states to the Soviet Union for purposes of the Treaty," and that "If...the Senate were to fail to act or to disagree and disapprove the agreements, succession arrangements will simply remain unsettled."

Gilman and Helms term this response "profoundly disturbing," as it implies (in their view) that the Administration considers the United States as the only country that is clearly bound at this time by the ABM Treaty. They claim that unless we can clarify what country or countries are now bound by the Treaty, "we will have no choice but to conclude that the ABM Treaty has lapsed until such time as the Senate approves a succession agreement reviving it." The response from you states that even absent ratification of the MOU, it is clear that at least the U.S. and Russia are parties. The letter goes on to make the case why entry into force of the MOU remains essential.

RECOMMENDATION

That you sign the letters to Representative Gilman and Senator Helms at Tab A.

Attachments

Tab A Letters to Gilman and Helms

Tab B Letter from Gilman and Helms

2

1994

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 1994 ltr.doc

Draft: 4/3/98/4:30 p.m.

Dear Mr. Chairman (for both Gilman and Helms):

Thank you for your letter concerning the Anti-Ballistic Missile (ABM) Treaty succession arrangements. As I said in my letter of November 21, 1997, the Memorandum of Understanding (MOU) on ABM Treaty succession, which was signed on September 26, 1997, and will be provided to the Senate for its advice and consent, will resolve the existing questions about ABM Treaty succession. Upon its entry into force, the MOU will confirm Belarus, Kazakstan, Russia, and Ukraine as the successor states to the Soviet Union for the purpose of the Treaty.

In your letter of March 3, you state that if the Administration is unable to identify any country in addition to the United States that is clearly bound by the Treaty, then you would have no choice but to conclude that the Treaty has lapsed until such time as the Senate approves a succession agreement reviving the Treaty.

In our view, it is clear that at least the United States and Russia are parties to the Treaty. Both have reaffirmed they are parties; both have actively participated in every phase of the implementation of the Treaty, including the work of the Standing Consultative Commission (SCC); both have on their territory extensive ABM facilities, as well as strategic offensive forces whose viability might be affected by ABM defenses. Thus, there is no question that the ABM Treaty has continued in force and will continue in force even if the MOU is not ratified. Maintaining the viability of the ABM Treaty, in turn, is key to further reductions in strategic offensive forces, including START II, START III, and beyond.

The entry into force of the MOU, however, remains essential. As I pointed out in my letter of November 21, Belarus, Kazakstan and Ukraine each have

ABM-related
assets on its territory; each has participated in the work of the SCC;
and each
has affirmed its desire to succeed to the obligations of the former
Soviet Union
under the Treaty, having made clear they have major interests in the
subject
matter of the Treaty. The United States has a clear interest both in
confirming
that these states are bound by the obligations of the Treaty, and in
resolving
definitively the issues about ABM succession that are dealt with in the
MOU.
Without the MOU, ambiguity will remain about the extent to which
states other
than Russia are parties, and about the way in which ABM Treaty
obligations apply
to the successors to the Soviet Union.

We appreciate this opportunity to clarify the record in this area and
look
forward to future opportunities to communicate and consult with you
on these
matters.

Sincerely,

The Honorable Benjamin Gilman
Chairman
Committee on International Relations
House of Representatives
Washington, D.C. 20515

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

Exchange Mail

DATE-TIME 4/9/98 12:32:23 PM
FROM Farrar, Jay C.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Open items... [UNCLASSIFIED]
TO Rudman, Mara E.

CARBON_COPY

TEXT_BODY

Mara,

Will redo the Kerrey letter. We shouldn't have to get anything but a cursory check from Europe and CEE - they have seen the earlier recommended changes and had no heartburn - I'll send it to them with a note saying they've agreed with it, and now we're merely moving forward - and want a final chop.

On supercomputers - I'm out tomorrow - sorry. Jesse Helms (as you know) wrote a letter to Lott about encryption, but also decrying Administration efforts in relaxing supercomputer exports. So Hunter's renewed effort does not surprise me - especially in light of his efforts in past Defense Authorization Acts to get DIA and DOE to write evaluations/assessments of recent past supercomputer sales OK'd by Commerce. I'm not suggesting a Republican conspiracy here, just that there is a common thread.

-----Original

Message-----

From: Rudman, Mara E.

Sent: Thursday, April 09, 1998

10:53 AM

To: Farrar, Jay C.

Subject: Open items... [UNCLASSIFIED]

Jay--

Since

we've missed each other all morning:

1. Kerry NATO-E letter.

After Stein meeting this am, I think Jeremy said he was fine with the reformulation you and I had discussed; but not sure he was up to date on the most recent conversation. If it's settled, can we redo letter and move it forward again (I should review package, hopefully

we wouldn't need to recirculate it though???)

2. Supercomputer

issue. Maureen/Gary/Bill Reinsch want to meet with us tomorrow on how to handle what they think is the beginning of a Duncan Hunter run to prevent us from reopening the issue. Can you see where there's a common time for all of us to get together?

Exchange Mail

DATE-TIME 4/16/98 5:56:47 PM
FROM Bader, Jeffrey A.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Package 1786 [UNCLASSIFIED]
TO Letts, Kelly J.

CARBON_COPY Albert, Ronda A.
Bader, Jeffrey A.
Gagnon, James M.
Kristoff, Sandra J.
Pritchard, Charles (Jack) L.
Abercrombie-Winstanley, Gina K.
Burrell, Christina L.
Farrar, Jay C.
Hill, Roseanne M.
Rudman, Mara E.

TEXT_BODY Kelly, Minor changes in red on the proposed response. Jeff

-----Original
Message-----
From: Letts, Kelly J.
Sent: Thursday, April 16, 1998
4:32 PM
To: @LEGISLAT - Legislative Affairs; @ASIA - Asian Affairs
Subject: Package
1786 [UNCLASSIFIED]

Jeff, Mara

Please clear on the attached
package by 9 am Friday morning. Thanks.

TRANSLATED_ATTACHMENT

1786 PROPOSED RESPONSE - Latest Version.doc

Dear Mr. Chairman:

Thank you for your letter regarding China and the United Nations Commission on Human Rights.

I share your view that vigorous support for human rights must continue to be a key element of our relationship with China. Human rights were a focal point of my discussions with President Jiang during the Washington Summit in October, and will be key to our discussions during my visit to China this spring.

I am also committed to the public dimension of human rights advocacy, and recognize the important role that the UN Human Rights Commission and other international forums can play in ensuring scrutiny and encouraging reform.

Our position on a China resolution at the Human Rights Commission - and our decision to forego a resolution this year -- was guided by our desire to promote positive changes in China. Prior to our decision, we consistently indicated our willingness to forego a resolution based on Chinese measures to address important human rights concerns. In particular, we stressed the significance of dissident releases and action by the Chinese on the International Covenant on Civil and Political Rights. We believe the significance of the Political Covenant goes beyond the human rights obligations to which signatories pledge adherence, as the Covenant also requires that Governments prepare detailed and periodic reports that will be subject to scrutiny by both the UN Human Rights Committee and the public.

On March 12, 1998, the Chinese announced their intention to sign the Political Covenant. This announcement came after China's signing of the

International
Covenant on Economic and Social Rights, as well as the release of
Wei Jingsheng
and several other dissidents. Moreover, we expect there will be
additional
releases in the future.

These measures informed our decision to forego a resolution this year.
At the
same time, the Chinese record on human rights remains far from
satisfactory, and
we will continue to identify and speak out forcefully on abuses. This
was
clearly demonstrated, for example, by Ambassador Bill Richardson's
strong Geneva
statements on human rights in China. (I have enclosed for your
information a
copy of Ambassador Richardson's speech.) Besides forceful public
advocacy, we
will also continue to pursue our human rights agenda with China
through a variety
of other means, including promotion of rule of law programs and both
official and
unofficial dialogues on human rights.

Thank you again for sharing your views with me on these critically
important
issues.

Sincerely,

The Honorable Jesse Helms
Chairman
Foreign Relations Committee
United States Senate
Washington, D.C. 20510

Enclosure

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Response to Congressional Letters Regarding China and
the UN Human
Rights Commission

Purpose

To reply letters from Members of Congress.

Background

Senator Helms and ten other Members of Congress wrote to advocate
U.S. support of
a resolution at this year's session of the UN Human Rights
Commission. The
suggested response explains the reasoning behind our decision to
forego a
resolution this year.

RECOMMENDATION

That you sign the attached letter at Tab A.

Attachments

Tab A Letter for Signature

Tab B Incoming Correspondence

2

2

1786

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 1786 BERGER - Latest Version.doc

April 16, 1998

ACTION

MEMORANDUM FOR SANDY BERGER

THROUGH: ERIC SCHWARTZ

FROM: STEVE NAPLAN

SUBJECT: Response to Letters from Congress Regarding China and
the UN Human
Rights Commission

Attached is a memorandum to the President and a proposed response
on the subject
issue.

Concurrence by: Jeff Bader, Mara Rudman

RECOMMENDATION

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

Attachments
Tab I Memorandum to the President
Tab A Proposed Response
Tab B Incoming Correspondence
1

1786

Exchange Mail

DATE-TIME 4/17/98 9:24:21 AM
FROM Rudman, Mara E.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Package 1786 [UNCLASSIFIED]
TO Letts, Kelly J.

CARBON_COPY Albert, Ronda A.
Bader, Jeffrey A.
Gagnon, James M.
Kristoff, Sandra J.
Pritchard, Charles (Jack) L.
Abercrombie-Winstanley, Gina K.
Burrell, Christina L.
Farrar, Jay C.
Hill, Roseanne M.
Rudman, Mara E.

TEXT_BODY We're fine w/ it w/ Jeff's changes. Thanks.

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

From: Bader,
Jeffrey A.
Sent: Thursday, April 16, 1998 5:57 PM
To: Letts, Kelly
J.
Cc: @ASIA - Asian Affairs; @LEGISLAT - Legislative Affairs
Subject: FW:
Package 1786 [UNCLASSIFIED]

Kelly, Minor changes in red on the
proposed response. Jeff

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

From: Letts,
Kelly J.
Sent: Thursday, April 16, 1998 4:32 PM
To: @LEGISLAT
- Legislative Affairs; @ASIA - Asian Affairs
Subject: Package 1786
[UNCLASSIFIED]

Jeff, Mara

Please clear on the attached package
by 9 am Friday morning. Thanks.

TRANSLATED_ATTACHMENT 1786 PROPOSED RESPONSE - Latest Version.doc

Dear Mr. Chairman:

Thank you for your letter regarding China and the United Nations
Commission on
Human Rights.

I share your view that vigorous support for human rights must
continue to be a
key element of our relationship with China. Human rights were a focal
point of
my discussions with President Jiang during the Washington Summit
in October, and
will be key to our discussions during my visit to China this spring.

I am also committed to the public dimension of human rights
advocacy, and
recognize the important role that the UN Human Rights Commission
and other
international forums can play in ensuring scrutiny and encouraging
reform.

Our position on a China resolution at the Human Rights Commission -
and our
decision to forego a resolution this year -- was guided by our desire to
promote
positive changes in China. Prior to our decision, we consistently
indicated our
willingness to forego a resolution based on Chinese measures to
address important
human rights concerns. In particular, we stressed the significance of
dissident
releases and action by the Chinese on the International Covenant on
Civil and
Political Rights. We believe the significance of the Political Covenant

goes
beyond the human rights obligations to which signatories pledge
adherence, as the
Covenant also requires that Governments prepare detailed and
periodic reports
that will be subject to scrutiny by both the UN Human Rights
Committee and the
public.

On March 12, 1998, the Chinese announced their intention to sign the
Political
Covenant. This announcement came after China's signing of the
International
Covenant on Economic and Social Rights, as well as the release of
Wei Jingsheng
and several other dissidents. Moreover, we expect there will be
additional
releases in the future.

These measures informed our decision to forego a resolution this year.
At the
same time, the Chinese record on human rights remains far from
satisfactory, and
we will continue to identify and speak out forcefully on abuses. This
was
clearly demonstrated, for example, by Ambassador Bill Richardson's
strong Geneva
statements on human rights in China. (I have enclosed for your
information a
copy of Ambassador Richardson's speech.) Besides forceful public
advocacy, we
will also continue to pursue our human rights agenda with China
through a variety
of other means, including promotion of rule of law programs and both
official and
unofficial dialogues on human rights.

Thank you again for sharing your views with me on these critically
important
issues.

Sincerely,

The Honorable Jesse Helms
Chairman

Foreign Relations Committee
United States Senate
Washington, D.C. 20510

Enclosure

2

TRANSLATED_ATTACHMENT 1786 POTUS - Latest Version.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Response to Congressional Letters Regarding China and
the UN Human
Rights Commission

Purpose

To reply letters from Members of Congress.

Background

Senator Helms and ten other Members of Congress wrote to advocate
U.S. support of
a resolution at this year's session of the UN Human Rights
Commission. The
suggested response explains the reasoning behind our decision to
forego a
resolution this year.

RECOMMENDATION

That you sign the attached letter at Tab A.

Attachments

Tab A Letter for Signature
Tab B Incoming Correspondence
2

2

1786

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 1786 BERGER - Latest Version.doc

April 16, 1998

ACTION

MEMORANDUM FOR SANDY BERGER

THROUGH: ERIC SCHWARTZ

FROM: STEVE NAPLAN

SUBJECT: Response to Letters from Congress Regarding China and
the UN Human
Rights Commission

Attached is a memorandum to the President and a proposed response
on the subject
issue.

Concurrence by: Jeff Bader, Mara Rudman

RECOMMENDATION

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

Attachments
Tab I Memorandum to the President
Tab A Proposed Response
Tab B Incoming Correspondence
1

1786

Exchange Mail

DATE-TIME 4/23/98 3:36:31 PM
FROM Andreassen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT Revised ABM Letter [UNCLASSIFIED]

TO Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hunerwadel, Joan S.

CARBON_COPY Bell, Robert G.

TEXT_BODY Newell --

Attached is a revised draft of the Helms letter, taking into account comments received from all agencies. Let us know what you think before we circulate.

Thanks. Steve.

TRANSLATED_ATTACHMENT

1994 ltr.doc

Draft: 4/23/98/3:35 p.m.

Dear Mr. Chairman (for both Gilman and Helms):

Thank you for your letter concerning the Anti-Ballistic Missile (ABM) Treaty succession arrangements. As I said in my letter of November 21, 1997, the Memorandum of Understanding (MOU) on ABM Treaty succession, which was signed on September 26, 1997, and will be provided to the Senate for its advice and consent, will resolve the existing questions about ABM Treaty succession. Upon its entry into force, the MOU will confirm Belarus, Kazakhstan,

Russia, and
Ukraine as the successor states to the Soviet Union for the purpose of
the Treaty
and make clear that only these four states are ABM successor states.

In your letter of March 3, you state that if the Administration is unable
to
identify any country in addition to the United States that is clearly
bound by
the Treaty, then you would have no choice but to conclude that the
Treaty has
lapsed until such time as the Senate approves a succession agreement
reviving the
Treaty.

In our view, it is clear that at least the United States and Russia are
parties
to the Treaty. Both have reaffirmed they are parties; both have
actively
participated in every phase of the implementation of the Treaty,
including the
work of the Standing Consultative Commission (SCC); both have on
their territory
extensive ABM treaty-related facilities.

Moreover, since Belarus, Kazakhstan and Ukraine each has ABM
treaty-related
assets on its territory, each has participated in the work of the SCC,
and each
has affirmed its desire to succeed to the obligations of the former
Soviet Union
under the Treaty, a strong case could be made that, even without the
MOU, these
states are parties to the Treaty.

Beyond that, following the dissolution of the Soviet Union, eight other
states
initially asserted a right in a Commonwealth of Independent States
agreement
signed [insert date] in Biskek to assume obligations as successor states
to the
Soviet Union for the purpose of the Treaty. None of these states has
subsequently participated in the work of the SCC or reacted
negatively to our
informing them that, pursuant to the MOU, they will not be
recognized as ABM
successor states. A principal advantage of the Senate's approving the
MOU is
that, once entered into force, it formally precludes any claim to ABM
successor

status by any of the other eight.

Thus, there is no question that the ABM Treaty has continued in force and will continue in force even if the MOU is not ratified. Indeed, the Congress has acted in ways that indicate it has assumed the Treaty has continued in force.

Congress has, for example, adopted legislation (e.g., National Defense

Authorization Acts of 1995 and 1996, the Department of State and Related Agencies Appropriations Act of 1997, and the Senate Resolution of Ratification pertaining to the CFE Flank Agreement) that specifies conditions relative to any substantive modification of the ABM Treaty.

Maintaining the viability of the ABM Treaty is key to further reductions in strategic offensive forces, including START II, START III, and beyond. In this context, the entry into force of the MOU remains essential. As I pointed out in my letter of November 21, the United States has a clear interest both in confirming that these states (and only these states) are bound by the obligations of the Treaty, and in resolving definitively the issues about ABM succession that are dealt with in the MOU. Without the MOU, ambiguity will remain about the extent to which states other than Russia are parties, and about the way in which ABM Treaty obligations apply to the successors to the Soviet Union.

We appreciate this opportunity to clarify the record in this area and look forward to future opportunities to communicate and consult with you on these matters.

Sincerely,

The Honorable Benjamin Gilman
Chairman
Committee on International Relations
House of Representatives

Washington, D.C. 20515

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

Exchange Mail

DATE-TIME 4/24/98 6:49:26 PM
FROM Highsmith, Newell L.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Revised ABM Letter [UNCLASSIFIED]
TO Andreasen, Steven P.

CARBON_COPY Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hunerwadel, Joan S.
Bell, Robert G.

TEXT_BODY I think this is in good shape to circulate, with the exception of one para that is marked in the attached. I like the way the other three are addressed and will be interested to see the reaction from State and ACDA.

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

From: Andreasen, Steven P.

Sent: Thursday, April 23, 1998 3:37 PM

To: @LEGAL - Legal Advisor

Cc: Bell,
Robert G.

Subject: Revised ABM Letter [UNCLASSIFIED]

Importance: High

Newell

--

Attached is a revised draft of the Helms letter, taking into account comments received from all agencies. Let us know what you think before we circulate.

Thanks. Steve.

TRANSLATED_ATTACHMENT

1994 ltr.doc

Draft: 4/23/98/3:35 p.m.

Dear Mr. Chairman (for both Gilman and Helms):

Thank you for your letter concerning the Anti-Ballistic Missile (ABM) Treaty succession arrangements. As I said in my letter of November 21, 1997, the Memorandum of Understanding (MOU) on ABM Treaty succession, which was signed on September 26, 1997, and will be provided to the Senate for its advice and consent, will resolve the existing questions about ABM Treaty succession. Upon its entry into force, the MOU will confirm Belarus, Kazakhstan, Russia, and Ukraine as the successor states to the Soviet Union for the purpose of the Treaty and make clear that only these four states are ABM successor states.

In your letter of March 3, you state that if the Administration is unable to identify any country in addition to the United States that is clearly bound by the Treaty, then you would have no choice but to conclude that the Treaty has lapsed until such time as the Senate approves a succession agreement reviving the Treaty.

In our view, it is clear that at least the United States and Russia are parties to the Treaty. Both have reaffirmed they are parties; both have actively participated in every phase of the implementation of the Treaty, including the work of the Standing Consultative Commission (SCC); both have on their territory extensive ABM treaty-related facilities.

Moreover, since Belarus, Kazakhstan and Ukraine each has ABM treaty-related assets on its territory, each has participated in the work of the SCC, and each has affirmed its desire to succeed to the obligations of the former Soviet Union under the Treaty, a strong case could be made that, even without the MOU, these

states are parties to the Treaty.

Beyond that, following the dissolution of the Soviet Union, eight other states initially asserted a right in a Commonwealth of Independent States agreement signed [insert date] in Biskek to assume obligations as successor states to the Soviet Union for the purpose of the Treaty. None of these states has subsequently participated in the work of the SCC or reacted negatively to our informing them that, pursuant to the MOU, they will not be recognized as ABM successor states. A principal advantage of the Senate's approving the MOU is that, once entered into force, it formally precludes any claim to ABM successor status by any of the other eight.

[Steve: I would delete this para because these statutes don't really indicate whether the Treaty is alive or lapsed. They just reflect what Congress thought (some would argue their perception was wrong because the Admin did not give them all the facts). In other words, these statutes are irrelevant to the real issue of the status of the Treaty, so this argument is likely to raise their hackles unnecessarily.] Thus, there is no question that the ABM Treaty has continued in force and will continue in force even if the MOU is not ratified. Indeed, the Congress has acted in ways that indicate it has assumed the Treaty has continued in force. Congress has, for example, adopted legislation (e.g., National Defense Authorization Acts of 1995 and 1996, the Department of State and Related Agencies Appropriations Act of 1997, and the Senate Resolution of Ratification pertaining to the CFE Flank Agreement) that specifies conditions relative to any substantive modification of the ABM Treaty.

Maintaining the viability of the ABM Treaty is key to further reductions in strategic offensive forces, including START II, START III, and beyond. In this context, the entry into force of the MOU remains essential. As I

pointed out in
my letter of November 21, the United States has a clear interest both
in
confirming that these states (and only these states) are bound by the
obligations
of the Treaty, and in resolving definitively the issues about ABM
succession that
are dealt with in the MOU. Without the MOU, ambiguity will remain
about the
extent to which states other than Russia are parties, and about the way
in which
ABM Treaty obligations apply to the successors to the Soviet Union.

We appreciate this opportunity to clarify the record in this area and
look
forward to future opportunities to communicate and consult with you
on these
matters.

Sincerely,

The Honorable Benjamin Gilman
Chairman
Committee on International Relations
House of Representatives
Washington, D.C. 20515

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

Exchange Mail

DATE-TIME 4/24/98 12:47:25 PM
FROM Langley, Janice M.
CLASSIFICATION UNCLASSIFIED
SUBJECT 2540ltr.doc [UNCLASSIFIED]
TO Andreasen, Steven P.
CARBON_COPY
TEXT_BODY Could you please send me the other one that you might have? thanks!
janice
TRANSLATED_ATTACHMENT 2540 ltr.doc

Dear Mr. Chairman:

Thank you for your letter regarding theater missile defenses in the Asia-Pacific region.

As Secretary of Defense Cohen stated in his Annual report to me and the Congress, the proliferation of nuclear, biological, and chemical (NBC) weapons and the missiles that can deliver them pose a major threat to the security of the United States' forces, its allies, and friendly nations. Robust missile defense programs play a critical role in our broader strategy to prevent, reduce, deter and defend against NBC and missile threats.

With respect to deployment of theater missile defense systems in the Asia-Pacific

region, U.S. deployments will be based on our assessment of the threat to U.S. interests and to U.S. friends and allies. Improvement in relations with China will not take place at the expense of these interests. At the same time, stable U.S.-China relations are vital to stability in the region, and are highly valued by our friends and allies like Taiwan and Japan.

I appreciate hearing your views on this matter.

Sincerely,

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

Exchange Mail

DATE-TIME 5/5/98 2:13:39 PM
FROM Quinn, Mary E.
CLASSIFICATION UNCLASSIFIED
SUBJECT Helms Letter [UNCLASSIFIED]
TO Sandalow, David B.

CARBON_COPY
TEXT_BODY

TRANSLATED_ATTACHMENT Helms Letter.doc

Dear Mr. Chairman:

Thank you for your recent letter on climate change. I fully respect the United States Senate's constitutional authority of advice and consent and have no intention of implementing the Kyoto Protocol without approval of the U.S. Senate.

Your reference to my budget request, however, deserves brief comment. My request for tax cuts and additional investment to promote energy efficiency and renewable energy is one of my top budget priorities. If enacted, these tax cuts and additional investments will improve energy efficiency, spur the development of renewable energy technologies and enhance America's leadership in clean energy exports while, at the same time, reducing greenhouse gases.

The effort to promote energy efficiency and renewable energy has been a long-standing priority of this and previous administrations, and has enjoyed bipartisan support in Congress. For example, the Energy Star, Climate

Wise,
Climate Challenge and Green Lights programs are highly successful public-private partnerships that foster development of low-emission, high-efficiency technologies. In 1996, Energy Star products saved consumers and businesses over \$400 million on their energy bills and reduced emissions by an amount equivalent to the emissions generated by 900,000 cars. My current budget request builds on these existing efforts to improve energy technologies.

Further, the goal of reducing greenhouse gas emissions was formally endorsed by the Senate on a bipartisan basis in October 1992, when it ratified the Framework Convention on Climate Change, which President Bush had agreed on behalf of the United States several months earlier in Rio de Janeiro.

Measures to promote energy efficiency and renewable energy are good for American business and good for the American people. On April 2, 1998, Senators Chafee, Lugar and Domenici made this point eloquently on the Senate floor. They underscored that such measures are "prudent investments" that will strengthen our economy and enhance our energy independence, and cannot fairly be described as efforts to implement the Kyoto Protocol. I applaud these remarks and hope that charges of "backdoor implementation" will not lead Members of Congress to oppose worthwhile measures that reduce greenhouse gas emissions. I hope we can work together to ensure that programs such as my budget request -- which, among other things, cuts taxes on American families -- are evaluated on their merits.

Thank you again for your letter. I look forward to working with you on this and other issues of mutual concern.

Sincerely,

The Honorable Jesse Helms
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

Exchange Mail

DATE-TIME 5/6/98 2:52:45 PM
FROM Andreassen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT Final Draft/Gilman-Helms ABM Letter [UNCLASSIFIED]
TO Highsmith, Newell L.
Farrar, Jay C.
Bell, Robert G.
Courtney, William H.
Fort, Jane B.
Baker, James E.
Rudman, Mara E.

CARBON_COPY**TEXT_BODY**

Colleagues:

Attached is our "final" draft of the response to Gilman and Helms on ABM Treaty Succession, taking into account comments received from the interagency on the April 27 draft. Please provide an affirmative "yes" or (much less preferable) "yes, but..." to the attached package by COB today.

Thanks. Steve.

TRANSLATED_ATTACHMENT

1994 mtb.doc

May 6, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL

FROM: STEVEN P. ANDREASEN

SUBJECT: Letter from Gilman and Helms on ABM

The attached letter from the President to Representative Gilman and Senator Helms responds to their request for an answer to questions associated with ABM Treaty succession.

Concurrence by: Highsmith Farrar Courtney

RECOMMENDATION

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

Attachments

Tab I Memorandum to the President

Tab A Letters to Gilman and Helms

Tab B Letter from Gilman and Helms

1

1994

TRANSLATED_ATTACHMENT 1994 mtp.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Letter from Representative Gilman and Senator Helms
Regarding ABM Treaty

Purpose

To respond to a letter from Representative Gilman and Senator Helms on the ABM Treaty.

Background

Representative Gilman and Senator Helms have written you requesting additional answers to their questions about which states that emerged from the former Soviet Union we now regard as successors for purposes of the ABM Treaty.

In a response to an earlier letter, you said: "Upon its entry into force, the MOU [Memorandum of Understanding on Succession] will confirm the four former Soviet States [Russia, Belarus, Kazakstan and Ukraine] participating in the SCC [Standing Consultative Commission] as the successor states to the Soviet Union for purposes of the Treaty," and that "If...the Senate were to fail to act or to disagree and disapprove the agreements, succession arrangements will simply remain unsettled."

Gilman and Helms term this response "profoundly disturbing," as it implies (in their view) that the Administration considers the United States as the only country that is clearly bound at this time by the ABM Treaty. They claim that unless we can clarify what country or countries are now bound by the Treaty, "we will have no choice but to conclude that the ABM Treaty has lapsed until such time as the Senate approves a succession agreement reviving it." The response from you states that even absent ratification of the MOU, the United States and Russia clearly are parties to the Treaty, and that a strong case can be made that Belarus, Kazakhstan and Ukraine are parties to the Treaty. The letter goes on to make the case why entry into force of the MOU remains essential.

RECOMMENDATION

That you sign the letters to Representative Gilman and Senator Helms at Tab A.

Attachments

Tab A Letters to Gilman and Helms

Tab B Letter from Gilman and Helms

2

1994

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 1994 ltr.doc

Draft: 5/6/98/2:40 p.m.

Dear Mr. Chairman (for both Gilman and Helms):

Thank you for your letter concerning the Anti-Ballistic Missile (ABM) Treaty succession arrangements. As I said in my letter of November 21, 1997, the Memorandum of Understanding (MOU) on ABM Treaty succession, which was signed on September 26, 1997, will be provided to the Senate for its advice and consent. Moreover, the MOU will settle ABM Treaty succession. Upon its entry into force, the MOU will confirm Belarus, Kazakhstan, Russia, and Ukraine as the successor states to the Soviet Union for purposes of the Treaty and make clear that only these four states, along with the United States, are the ABM Treaty Parties.

In your letter of March 3, you state that if the Administration is unable to identify any country in addition to the United States that is clearly bound by the Treaty, then you would have no choice but to conclude that the Treaty has lapsed until such time as the Senate approves a succession agreement reviving the Treaty.

Following the dissolution of the Soviet Union, ten of the twelve states of the former Soviet Union initially asserted a right in a Commonwealth of Independent

States resolution, signed on October 9, 1992, in Bishkek, to assume obligations as successor states to the Soviet Union for purposes of the Treaty. Only four of these states have subsequently participated in the work of the Standing

Consultative Commission (SCC), and none of the other six has reacted negatively when we informed each of them that, pursuant to the MOU, it will not be recognized as an ABM successor state. A principal advantage of the Senate's approving the MOU is that, once it enters into force, it will effectively dispose of any such claim by any of the other six states.

In contrast, Belarus, Kazakhstan and Ukraine each has ABM treaty-related assets on its territory, each has participated in the work of the SCC, and each has affirmed its desire to succeed to the obligations of the former Soviet Union under the Treaty. Thus, a strong case can be made that, even without the MOU, these three states are parties to the Treaty.

Finally, the United States and Russia clearly are parties to the Treaty. Each has reaffirmed its intention to be bound by the Treaty; each has actively participated in every phase of the implementation of the Treaty, including the work of the SCC; and each has on its territory extensive ABM treaty-related facilities.

Thus, there is no question that the ABM Treaty has continued in force and will continue in force even if the MOU is not ratified. However, the entry into force of the MOU remains essential. As I pointed out in my letter of November 21, the United States has a clear interest both in confirming that these states (and only these states) are bound by the obligations of the Treaty, and in resolving definitively the issues about ABM Treaty succession that are dealt with in the MOU. Without the MOU, ambiguity will remain about the extent to which states

other than Russia are parties, and about the way in which ABM Treaty obligations apply to the successors to the Soviet Union. Equally important, maintaining the viability of the ABM Treaty is key to further reductions in strategic offensive forces under START II and START III.

I appreciate this further opportunity to clarify the record in this area.

Sincerely,

The Honorable Benjamin Gilman
Chairman
Committee on International Relations
House of Representatives
Washington, D.C. 20515

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

2

2

Exchange Mail

DATE-TIME 5/6/98 5:16:23 PM
FROM Bell, Robert G.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: 1994 ltr.doc [UNCLASSIFIED]
TO Andreasen, Steven P.

CARBON_COPY

TEXT_BODY Steve: I do not have the stamina to go through any more rounds of edits on this d... letter. Let's cut to the chase. Unless Newell has some major LEGAL concern, let's close it out and get it out.

-----Original
Message-----
From: Fort, Jane B.
Sent: Wednesday, May 06, 1998
4:13 PM
To: @DEFENSE - Defense Policy
Cc: @RUSSIA - Russia/Ukraine
Subject: 1994
ltr.doc [UNCLASSIFIED]
Importance: High

Steve -- good letter,
had some suggestions, mostly because to say BOTH ABM in effect
and
MOU essential at times sounds contradictory when two thoughts are
juxtaposed. I understand it's not contradictory -- but just sounds
so at times.

TRANSLATED_ATTACHMENT

1994 ltr_.doc

Draft: 5/6/98/2:40 p.m.

Dear Mr. Chairman (for both Gilman and Helms):

Thank you for your letter concerning the Anti-Ballistic Missile
(ABM) Treaty
succession arrangements. As I said in my letter of November 21,
1997, the

Memorandum of Understanding (MOU) on ABM Treaty succession, which was signed on September 26, 1997, will be provided to the Senate for its advice and consent.
(Moreover, the MOU will settle? ABM Treaty succession.) this sentence might illogical in context of your argument that MOU not needed re U.S., Russia Upon its entry into force, the MOU will confirm Belarus, Kazakhstan, Russia, and Ukraine as the successor states to the Soviet Union for purposes of the Treaty and make clear that only these four states, along with the United States, are the ABM Treaty parties. don't know what happened here! w/spacing!

In your letter of March 3, you state that if the Administration is unable to identify any country clearly bound by the Treaty other than the United States , then you would have no choice but to conclude that the Treaty has lapsed until such time as the Senate approves a succession agreement reviving the Treaty.

Following the dissolution of the Soviet Union, ten of the twelve states of the former Soviet Union initially asserted a right in a Commonwealth of Independent States resolution, signed on October 9, 1992, in Bishkek, to assume obligations as successor states to the Soviet Union for purposes of the Treaty. Only four of these states have subsequently participated in the work of the Standing

Consultative Commission (SCC), and none of the other six reacted negatively when we informed each of them that, pursuant to the MOU, it will not be recognized as an ABM successor state. A principal advantage of the Senate's approving the MOU is that, once it enters into force, it will definitely dispose of any such claim by any of the other six states.

In contrast, Belarus, Kazakhstan and Ukraine all have ABM treaty-related assets on its territory, each has participated in the work of the SCC, and each has

affirmed its desire to succeed to the obligations of the former Soviet Union under the Treaty. On that basis, a strong case can be made that, even without the MOU, these three states are parties to the Treaty.

Finally, the United States and Russia clearly are parties to the Treaty. Each has reaffirmed its intention to be bound by the Treaty; each has actively participated in every phase of the implementation of the Treaty, including the work of the SCC; and each has on its territory extensive ABM treaty-related facilities.

Thus, there is no question that the ABM Treaty has continued in force and will continue in force even if the MOU is not ratified. However, the entry into force of the MOU remains important in confirming that these states (and only these states) are bound by the obligations of the Treaty, and in resolving definitively the issues about ABM Treaty succession that are dealt with in the MOU. Without the MOU, ambiguity may remain about the extent to which states other than Russia are parties, and about the way in which ABM Treaty obligations apply to the successors to the Soviet Union. Equally important, maintaining the viability of the ABM Treaty is key to further reductions in strategic offensive forces under START II and START III.

I appreciate this further opportunity to clarify the record in this area.

Sincerely,

The Honorable Benjamin Gilman
Chairman
Committee on International Relations

House of Representatives
Washington, D.C. 20515

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

2

2

Exchange Mail

DATE-TIME 5/7/98 5:14:43 PM
FROM Highsmith, Newell L.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Final Draft/Gilman-Helms ABM Letter [UNCLASSIFIED]
TO Andreasen, Steven P.

CARBON_COPY Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hill, Roseanne M.
Hunerwadel, Joan S.
Andreasen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Kelly, Sandra L.
Langley, Janice M.
Mulligan, George D.
Seaton, James B.
vonLipsey, Roderick K.
Witkowski, Anne A.
Barnett, Cheryl E.
Caravelli, John M.
Courtney, William H.
Fooks, Michael D.
Fort, Jane B.
Kingsley, Neil R.
Pascual, Carlos E.
Silva, Mary Ann T.
Abercrombie-Winstanley, Gina K.
Burrell, Christina L.
Farrar, Jay C.
Rudman, Mara E.

TEXT_BODY Small changes to para 3 and punctuation change for consistency between para at bottom of page 1 and para at top of page 2.

-----Original
Message-----
From: Andreasen, Steven P.
Sent: Wednesday, May 06,

1998 2:53 PM

To: Highsmith, Newell L.; Farrar, Jay C.; Bell, Robert G.; Courtney, William H.; Fort, Jane B.; Baker, James E.; Rudman, Mara E.

Subject: Final Draft/Gilman-Helms ABM Letter [UNCLASSIFIED]

Importance: High

Colleagues:

Attached

is our "final" draft of the response to Gilman and Helms on ABM Treaty

Succession, taking into account comments received from the interagency

on the April 27 draft. Please provide an affirmative "yes" or (much less preferable) "yes, but..." to the attached package by COB today.

Thanks. Steve.

TRANSLATED_ATTACHMENT 1994 mtb.doc

May 6, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL

FROM: STEVEN P. ANDREASEN

SUBJECT: Letter from Gilman and Helms on ABM

The attached letter from the President to Representative Gilman and Senator Helms responds to their request for an answer to questions associated with ABM Treaty succession.

Concurrence by: Highsmith Farrar Courtney

RECOMMENDATION

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

Attachments

Tab I Memorandum to the President

Tab A Letters to Gilman and Helms

Tab B Letter from Gilman and Helms

1

1994

TRANSLATED_ATTACHMENT 1994 mtp.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Letter from Representative Gilman and Senator Helms
Regarding ABM Treaty

Purpose

To respond to a letter from Representative Gilman and Senator Helms
on the ABM
Treaty.

Background

Representative Gilman and Senator Helms have written you
requesting additional
answers to their questions about which states that emerged from the
former Soviet
Union we now regard as successors for purposes of the ABM Treaty.

In a response to an earlier letter, you said: "Upon its entry into force,
the
MOU [Memorandum of Understanding on Succession] will confirm
the four former
Soviet States [Russia, Belarus, Kazakstan and Ukraine] participating
in the SCC

[Standing Consultative Commission] as the successor states to the Soviet Union for purposes of the Treaty," and that "If...the Senate were to fail to act or to disagree and disapprove the agreements, succession arrangements will simply remain unsettled."

Gilman and Helms term this response "profoundly disturbing," as it implies (in their view) that the Administration considers the United States as the only country that is clearly bound at this time by the ABM Treaty. They claim that unless we can clarify what country or countries are now bound by the Treaty, "we will have no choice but to conclude that the ABM Treaty has lapsed until such time as the Senate approves a succession agreement reviving it." The response from you states that even absent ratification of the MOU, the United States and Russia clearly are parties to the Treaty, and that a strong case can be made that Belarus, Kazakhstan and Ukraine are parties to the Treaty. The letter goes on to make the case why entry into force of the MOU remains essential.

RECOMMENDATION

That you sign the letters to Representative Gilman and Senator Helms at Tab A.

Attachments

Tab A Letters to Gilman and Helms

Tab B Letter from Gilman and Helms

2

1994

cc: Vice President
Chief of Staff

Draft: 5/6/98/2:40 p.m.

Dear Mr. Chairman (for both Gilman and Helms):

Thank you for your letter concerning the Anti-Ballistic Missile (ABM) Treaty succession arrangements. As I said in my letter of November 21, 1997, the Memorandum of Understanding (MOU) on ABM Treaty succession, which was signed on September 26, 1997, will be provided to the Senate for its advice and consent. Moreover, the MOU will settle ABM Treaty succession. Upon its entry into force, the MOU will confirm Belarus, Kazakhstan, Russia, and Ukraine as the successor states to the Soviet Union for purposes of the Treaty and make clear that only these four states, along with the United States, are the ABM Treaty Parties.

In your letter of March 3, you state that if the Administration is unable to identify any country in addition to the United States that is clearly bound by the Treaty, then you would have no choice but to conclude that the Treaty has lapsed until such time as the Senate approves a succession agreement reviving the Treaty.

Following the dissolution of the Soviet Union, ten of the twelve states of the former Soviet Union initially asserted a right in a Commonwealth of Independent States resolution, signed on October 9, 1992, in Bishkek, to assume obligations as successor states to the Soviet Union for purposes of the Treaty. Only four of these states have subsequently participated in the work of the Standing

Consultative Commission (SCC), and none of the other six has reacted negatively when we informed each of them that, pursuant to the MOU, it will not be recognized as an ABM successor state. A principal advantage of the Senate's approving the MOU is that the MOU's entry into force will effectively

dispose of
any such claim by any of the other [STET] states.

In contrast, Belarus, Kazakhstan and Ukraine each has ABM treaty-related assets on its territory; each has participated in the work of the SCC; and each has affirmed its desire to succeed to the obligations of the former Soviet Union under the Treaty. Thus, a strong case can be made that, even without the MOU, these three states are parties to the Treaty.

Finally, the United States and Russia clearly are parties to the Treaty. Each has reaffirmed its intention to be bound by the Treaty; each has actively participated in every phase of the implementation of the Treaty, including the work of the SCC; and each has on its territory extensive ABM treaty-related facilities.

Thus, there is no question that the ABM Treaty has continued in force and will continue in force even if the MOU is not ratified. However, the entry into force of the MOU remains essential. As I pointed out in my letter of November 21, the United States has a clear interest both in confirming that these states (and only these states) are bound by the obligations of the Treaty, and in resolving definitively the issues about ABM Treaty succession that are dealt with in the MOU. Without the MOU, ambiguity will remain about the extent to which states other than Russia are parties, and about the way in which ABM Treaty obligations apply to the successors to the Soviet Union. Equally important, maintaining the viability of the ABM Treaty is key to further reductions in strategic offensive forces under START II and START III.

I appreciate this further opportunity to clarify the record in this area.

Sincerely,

The Honorable Benjamin Gilman
Chairman
Committee on International Relations
House of Representatives
Washington, D.C. 20515

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

2

2

Exchange Mail

DATE-TIME 5/7/98 6:01:35 PM
FROM Courtney, William H.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Final Draft/Gilman-Helms ABM Letter [UNCLASSIFIED]
TO Andreasen, Steven P.

CARBON_COPY**TEXT_BODY**

A very tiny typo. Good work.

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

From: Highsmith,
Newell L.
Sent: Thursday, May 07, 1998 5:15 PM
To: Andreasen,
Steven P.
Cc: @LEGAL - Legal Advisor; @DEFENSE - Defense Policy;
@RUSSIA - Russia/Ukraine; @LEGISLAT - Legislative Affairs
Subject: FW:
Final Draft/Gilman-Helms ABM Letter [UNCLASSIFIED]
Importance: High

Small
changes to para 3 and punctuation change for consistency between
para at bottom of page 1 and para at top of page 2.

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

From: Andreasen, Steven P.
Sent: Wednesday, May 06,
1998 2:53 PM
To: Highsmith, Newell L.; Farrar, Jay C.; Bell, Robert
G.; Courtney, William H.; Fort, Jane B.; Baker, James E.; Rudman,
Mara E.
Subject: Final Draft/Gilman-Helms ABM Letter [UNCLASSIFIED]
Importance: High

Colleagues:

Attached
is our "final" draft of the response to Gilman and Helms on ABM
Treaty
Succession, taking into account comments received from the

interagency
on the April 27 draft. Please provide an affirmative "yes" or (much
less preferable) "yes, but..." to the attached package by COB today.

Thanks. Steve.

TRANSLATED_ATTACHMENT 1994 mtb.doc

May 6, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL

FROM: STEVEN P. ANDREASEN

SUBJECT: Letter from Gilman and Helms on ABM

The attached letter from the President to Representative Gilman and
Senator Helms
responds to their request for an answer to questions associated with
ABM Treaty
succession.

Concurrence by: Highsmith Farrar Courtney

RECOMMENDATION

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

Attachments

Tab I Memorandum to the President

Tab A Letters to Gilman and Helms

Tab B Letter from Gilman and Helms

1

1994

TRANSLATED_ATTACHMENT

1994 mtp.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Letter from Representative Gilman and Senator Helms
Regarding ABM Treaty

Purpose

To respond to a letter from Representative Gilman and Senator Helms on the ABM Treaty.

Background

Representative Gilman and Senator Helms have written you requesting additional answers to their questions about which states that emerged from the former Soviet Union we now regard as successors for purposes of the ABM Treaty.

In a response to an earlier letter, you said: "Upon its entry into force, the MOU [Memorandum of Understanding on Succession] will confirm the four former Soviet States [Russia, Belarus, Kazakhstan and Ukraine] participating in the SCC [Standing Consultative Commission] as the successor states to the Soviet Union for purposes of the Treaty," and that "If...the Senate were to fail to act or to disagree and disapprove the agreements, succession arrangements will simply remain unsettled."

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claim that
unless we can clarify what country or countries are now bound by the Treaty, "we will have no choice but to conclude that the ABM Treaty has lapsed until such time as the Senate approves a succession agreement reviving it." The response from you states that even absent ratification of the MOU, the United States and Russia clearly are parties to the Treaty, and that a strong case can be made that Belarus, Kazakhstan and Ukraine are parties to the Treaty. The letter goes on to make the case why entry into force of the MOU remains essential.

RECOMMENDATION

That you sign the letters to Representative Gilman and Senator Helms at Tab A.

Attachments
Tab A Letters to Gilman and Helms
Tab B Letter from Gilman and Helms

2

1994

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 1994 ltr.doc

Draft: 5/6/98/2:40 p.m.

Dear Mr. Chairman (for both Gilman and Helms):

Thank you for your letter concerning the Anti-Ballistic Missile (ABM) Treaty succession arrangements. As I said in my letter of November 21, 1997, the Memorandum of Understanding (MOU) on ABM Treaty succession, which was signed on September 26, 1997, will be provided to the Senate for its advice and

consent.

Moreover, the MOU will settle ABM Treaty succession. Upon its entry into force, the MOU will confirm Belarus, Kazakhstan, Russia, and Ukraine as the successor states to the Soviet Union for purposes of the Treaty and make clear that only these four states, along with the United States, are the ABM Treaty Parties.

In your letter of March 3, you state that if the Administration is unable to identify any country in addition to the United States that is clearly bound by the Treaty, then you would have no choice but to conclude that the Treaty has lapsed until such time as the Senate approves a succession agreement reviving the Treaty.

Following the dissolution of the Soviet Union, ten of the twelve states of the former Soviet Union initially asserted a right in a Commonwealth of Independent States resolution, signed on October 9, 1992, in Bishkek, to assume obligations as successor states to the Soviet Union for purposes of the Treaty. Only four of these states have subsequently participated in the work of the Standing

Consultative Commission (SCC), and none of the other six has reacted negatively when we informed each of them that, pursuant to the MOU, it will not be recognized as an ABM successor state. A principal advantage of the Senate's approving the MOU is that the MOU's entry into force will effectively dispose of any such claim by any of the other [STET] states.

In contrast, Belarus, Kazakhstan and Ukraine each has ABM treaty-related assets on its territory; each has participated in the work of the SCC; and each has affirmed its desire to succeed to the obligations of the former Soviet Union under the Treaty. Thus, a strong case can be made that, even without the MOU, these three states are parties to the Treaty.

Finally, the United States and Russia clearly are parties to the Treaty. Each has reaffirmed its intention to be bound by the Treaty; each has actively participated in every phase of the implementation of the Treaty, including the work of the SCC; and each has on its territory extensive ABM treaty-related facilities.

Thus, there is no question that the ABM Treaty has continued in force and will continue in force even if the MOU is not ratified. However, the entry into force of the MOU remains essential. As I pointed out in my letter of November 21, the United States has a clear interest both in confirming that these states (and only these states) are bound by the obligations of the Treaty, and in resolving definitively the issues about ABM Treaty succession that are dealt with in the MOU. Without the MOU, ambiguity will remain about the extent to which states other than Russia are parties, and about the way in which ABM Treaty obligations apply to the successors to the Soviet Union. Equally important, maintaining the viability of the ABM Treaty is key to further reductions in strategic offensive forces under START II and START III.

I appreciate this further opportunity to clarify the record in this area.

Sincerely,

The Honorable Benjamin Gilman
Chairman
Committee on International Relations
House of Representatives
Washington, D.C. 20515

The Honorable Jesse Helms

Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

2

2

Exchange Mail

DATE-TIME 5/14/98 8:21:28 PM
FROM Bell, Robert G.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: "America" Sticks with the Test Ban [UNCLASSIFIED]

TO Bartlett, L. June
Davies, Glyn T.
Dejban, Donna D.
Friedrich, Mary K.
Helweg, M. Diana
Joshi, M. Kay
Kale, Dora A.
Kerrick, Donald L.
Malley, Robert
Millison, Cathy L.
Poole, Jennifer C.
Rice, Edward A.
Scott-Perez, Marilyn L.
Storey, Sharon V.

CARBON_COPY Andreasen, Steven P.
Davies, Glyn T.
Dejban, Donna D.
Friedrich, Mary K.
Helweg, M. Diana
Kale, Dora A.
Kerrick, Donald L.
Malley, Robert
Millison, Cathy L.
Rice, Edward A.
Scott-Perez, Marilyn L.
Storey, Sharon V.

TEXT_BODY PLEASE PASS TO SANDY WHEN CONVENIENT. NOT URGENT.

Sandy:

Per
our conversation tonight, see below. Your instincts on this are
right on the mark.

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

From: Andreassen,
Steven P.

Sent: Thursday, May 14, 1998 7:57 PM

To: Bell, Robert

G.; Farrar, Jay C.; Rudman, Mara E.; Blinken, Antony J.

Cc: @DEFENSE

- Defense Policy

Subject: "America" Sticks with the Test Ban [UNCLASSIFIED]

Importance: High

Colleagues

-- a scientific sampling of editorials from the heartland, post-Indian
Nuclear Tests.

St. Louis Post Dispatch

"America's moral
dilemma lies at the doorstep of our own homegrown nationalist, Sen.
Jesse Helms, who has helped prevent ratification of the only international
accord that provides leverage to deal with developing nuclear states....The
United States would be in an excellent position to condemn India
if we had ratified the Comprehensive Test Ban Treaty. We have not,
thanks to Sen. Helms. Without ratifying the Treaty, the United States
can only talk out of both sides of its mouth....But every American
should be aware that our moral outrage is built on loose sand."

Dallas Morning News

"The tests occurred just as President Clinton
was preparing to mount a ratification push in the Senate. Now it
will be even harder to achieve the required two-thirds majority.
Mr. Clinton should still try. The right approach is not to shelve
the treaty but to ratify it, and to encourage other countries to
ratify it, thereby intensifying India's pariah status."

The
Denver Post

"While the United States has pressured other countries
to abide by nuclear non-proliferation pacts, its own Senate hasn't
yet voted on the crucial Nuclear Test Ban Treaty -- indeed, U.S.
Sen. Jesse Helms, who chairs the pivotal Foreign Relations Committee,
has refused to even schedule a hearing on the matter. How to cure
Asia's nascent MAD-ness is a nasty international puzzle. But India's
atomic tests this week should have blasted away the last shred of
complacency about the issue in the United States -- or anywhere else
around the globe."

There will be more...Steve

Exchange Mail

DATE-TIME 5/21/98 8:27:14 PM

FROM Farrar, Jay C.

CLASSIFICATION UNCLASSIFIED

SUBJECT Update [UNCLASSIFIED]

TO Rudman, Mara E.

CARBON_COPY Abercrombie-Winstanley, Gina K.

TEXT_BODY

State Brief on KEDO: Jack Pritchard (Asia) called to report that State's brief to Inglee and crowd may have gone beyond what Barbara Larkin indicated it would. Also, he said that Roth objected to the briefing going forward only because of timing - that SRB should know the results of the DC and be thoroughly briefed before State went to the Hill. Not confirmed yet, but appears discussion may have gone into more detail than we thought about using 614 waiver to fund the remaining shipments of heavy oil, among other things. Pritchard is concerned that the briefing may have gotten too far out in front of a "gameplan" to approach the Hill in a more concerted effort. I suggested we all stay calm until we had a better read on the facts.

China Steel Brief to Levin staffer: Jack Caravelli will brief Richard Fieldhouse on China steel case Friday at 0900. Russian-Iran sanctions bill is scheduled to come to the floor at 1030 Friday.

Landmines: Jesse Helms released a letter today calling for a complete ban of the FY96 Leahy landmine moratorium. He's looking for support to co-sponsor an amendment to the Defense Authorization Bill. This will support our efforts to put this problem behind us - as we have now concluded a deal with Leahy to move ahead on solving the problem.

Exchange Mail

DATE-TIME 6/1/98 7:15:46 PM
FROM Witkowsky, Anne A.
CLASSIFICATION UNCLASSIFIED
SUBJECT CFE Compliance Report -- [UNCLASSIFIED]
TO Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hunerwadel, Joan S.
Barnett, Cheryl E.
Caravelli, John M.
Courtney, William H.
Fooks, Michael D.
Fort, Jane B.
Kingsley, Neil R.
Pascual, Carlos E.
Silva, Mary Ann T.
Weiss, Andrew S.
Abercrombie-Winstanley, Gina K.
Burrell, Christina L.
Farrar, Jay C.
Rudman, Mara E.

CARBON_COPY**TEXT_BODY**

Newell/Ki/Jay:

Attached is transmittal package for CFE Compliance Report (finally). Will be transmitted to Helms and Biden, Gingrich and Gephardt. Request your concurrence by 3:00 pm tomorrow.

Newell:

You saw and cleared this report some time ago, then as you recall it became stuck over the N-K issue, now resolved.

TRANSLATED_ATTACHMENT

3717ltr.doc

Dear Mr. Chairman:

In accordance with the Condition (5)(C) of the resolution of advice and consent to ratification on the Document Agreed Among the States parties to the Treaty on Conventional Armed Forces in Europe of November 19, 1990 ("The CFE Flank Document"), adopted by the Senate of the United States on May 14, 1997, enclosed is the Report on CFE Compliance.

The Report is provided in both a classified and unclassified version.

Sincerely,

The Honorable Jesse Helms
Chairman
Senate Foreign Relations Committee
Washington, D.C.

TRANSLATED_ATTACHMENT 3717prs.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Report on CFE Compliance

Purpose

To transmit the Report to Congress on CFE Compliance.

Background

Attached at Tab B is the first annual Report to Congress on CFE Compliance, required by Condition (5)(C) of the May 14, 1997 Senate resolution of advice and consent to ratification of the CFE Flank Document.

The Report judges that, of the 30 CFE Parties, Armenia, Azerbaijan, Belarus, Russia, and Ukraine are not certified to be in compliance. This judgment was based mainly on previously-existing compliance issues, most of which have already been discussed in other reports to Congress, including the report that ACDA is required to submit annually on all arms control treaties. This Report concludes that none of the compliance issues it identifies are militarily significant to the United States, our NATO allies, or to NATO as a whole.

RECOMMENDATION

That you sign the letters of transmittal for the CFE Compliance Report at Tab A.

Attachment
Tab A Letters of Transmittal
Tab B Report to Congress

Chief of Staff

TRANSLATED_ATTACHMENT 3717srb.doc

June 2, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL

FROM: ANNE WITKOWSKY

SUBJECT: CFE Compliance Report

Attached is the Report on CFE Compliance for submittal to Congress pursuant to the Senate Resolution of Ratification to the CFE Flank Document. The Report was due on January 1, 1998. The memorandum for the President at Tab I recommends he forward the Report to the Congress.

The Report is the first of its kind responding to a new Congressionally-established "standard" for judging compliance issues. Rather than requiring us to pass judgement on whether states are non-compliant, this Report requires that we certify states to be in compliance and then to identify and discuss the compliance issues concerning states that haven't made the "compliant" certification "cut." By establishing this new standard, Congress -- and the SFRC in particular -- has required us to be much starker in our judgments about treaty compliance than we are under the existing all-treaty reporting requirement (the ACDA Annual Report). The Report may generate some interest on the Hill, but because the judgments in it are based mainly on previously-identified compliance issues, none of which are militarily significant, we do not expect it to be controversial.

Concurrence by: Newell Highsmith, Ki Fort, and Jay Farrar

RECOMMENDATION

That you approve the Memorandum for the President at Tab I.

Attachment

Tab I Memorandum for the President

Tab A Letters of Transmittal

Tab B Report to Congress

Tab II Incoming Correspondence

2

3717

Exchange Mail

DATE-TIME 6/3/98 4:10:44 PM
FROM Andreasen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: CTBT Commentary [UNCLASSIFIED]
TO Bell, Robert G.
Blinken, Antony J.

CARBON_COPY**TEXT_BODY**

...add to that, "your mamma..."

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

From: Bell,
Robert G.

Sent: Wednesday, June 03, 1998 3:37 PM

To: Blinken,
Antony J.

Cc: Andreasen, Steven P.

Subject: RE: CTBT Commentary
[UNCLASSIFIED]

No deal - I meant a Director's slot; not an irreplaceable Senior Directors' slot. There is a serious tactical issue here, though: at what stage do we send someone out to lay some real lumber up against the side of the heads of certain Republican Senate leaders. That is, when do we supplement our "high road" approach ("I again urge the Senate to act this year") with some pointed comments ("In stonewalling this treaty, the Senate Republican leadership is on the wrong side of US diplomatic and national security interests, the wrong side of history, the wrong side of American public opinion and the wrong side of the view of virtually the rest of the entire world.")?

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

From: Blinken, Antony J.

Sent: Wednesday, June 03, 1998 2:24 PM

To: Bell, Robert G.; Andreasen,
Steven P.

Subject: RE: CTBT Commentary [UNCLASSIFIED]

he can
have mine.

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

From: Bell, Robert G.
Sent: Wednesday,
June 03, 1998 12:36 PM
To: Andreassen, Steven P.; Blinken, Antony
J.
Subject: RE: CTBT Commentary [UNCLASSIFIED]

Hey, do we have
a slot open in Speechwriting for this guy?!

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

From: Andreassen,
Steven P.
Sent: Wednesday, June 03, 1998 9:13 AM
To: Bell, Robert
G.; Blinken, Antony J.
Subject: CTBT Commentary [UNCLASSIFIED]
Importance: High

Bob/Tony

-- Another sample of "what's out there..." Steve...

^Nuclear
Tests Rain Fallout on Cause of Nonproliferation<
^Walsh is a visiting
scholar at the Center for Global Security<
^Research at the Lawrence
Livermore National Laboratory<
^By Jim Walsh=
^Special to the Los
Angeles Times=
Historians and theologians have long recognized
a perverse logic
in human affairs: Bad events can lead to good outcomes.
This has
been particularly true of nuclear weapons, where actions
by
countries to acquire or use nuclear weapons often have led to
a
strengthening of the international efforts to stem their spread.

China's test of a nuclear weapon in 1964 focused the attention
of
American and Soviet leaders and the result was the Nuclear
Nonproliferation
Treaty, the cornerstone of today's
nonproliferation regime. India's
peaceful nuclear test in 1974 had

similar effects. Likewise, revelations about Iraq's clandestine nuclear program led countries to tighten their export laws and to changes at the International Atomic Energy Agency.

But what of the recent nuclear tests in South Asia?

Will they

spur the international community to do a better job on the problem

of proliferation? Early indications are not encouraging.

World reaction to the nuclear tests has been negative but understated.

Major countries like England, France and Germany have issued statements

denouncing the tests while at the same time making clear that they

will not impose full-scale sanctions. France and Germany went so

far as to thwart an EU effort to impose strong penalties on the

guilty parties.

Here in the U.S., political discussions of the Indian and

Pakistani tests have taken a decidedly odd turn. While arms control

advocates watched passively from the sidelines, conservatives jumped

on the testing issue and with a straight face, declared that the

tests had proved them right: The Comprehensive Test Ban Treaty was

a bad idea.

The conservative senators and pundits who have trotted out this

line have to be admired for theirchutzpah, if not their logic. A

month ago, the two most vociferous critics of the comprehensive test

ban were Jesse Helms and the prime minister of India. Today, Helms

somehow manages to simultaneously condemn the Indian tests and the

treaty banning such tests.

Who is responsible for this sad state

of affairs? Two parties

deserve special mention. The first is President Clinton. Clinton,

like other presidents before him, ignored the

South Asian nuclear rivalry. Now the administration is paying the price for its neglect.

The second group deserving criticism consists of the arms control community and its more flamboyant cousin, the peace movement. These groups have fallen on hard times as the public's interest in nuclear weapons has all but evaporated. Worse still, fickle foundations have abandoned the nuclear issue in favor of new, sexier topics.

But the arms control and peace groups also have contributed to their own irrelevance. Arms control groups have myopically focused on U.S. policy. Their "Beltway mentality" has prevented them from seeing that arms control has fundamentally changed, that it is an international issue requiring the expenditure of time and resources in other countries.

Peace groups, known for their youthful exuberance, have performed no better. When France conducted a series of nuclear tests a few years back, these groups responded with protests and wine boycotts. The result: French public opinion shifted and France eventually committed itself to the test ban treaty. Now there are new tests, but where are the protests? Where are the boycotts of Indian goods? Where is the criticism of India's provocatively nationalist government? Many of these groups are no doubt embarrassed by their past endorsement of the Indian position. India had long been the darling of some peace groups because of its "Third World" critique of the U.S. nuclear policies.

This situation need not continue. Clinton could take on the ideologues

in the Senate. Arms control and peace groups could start looking beyond the Beltway, and foundations might acknowledge that the problem of nuclear weapons has not gone away and that serious work on proliferation will require sustained effort for years to come.

If the president and others fail this challenge, it will mark a new departure in the history of nuclear weapons. The Indian and Pakistani missteps could lead, not to a strengthening of the nonproliferation regime, but rather to its erosion and eventual collapse.

LAWP 06/03/98
02:20:00