

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001. email	David Sherman to Donald Mitchell. Subject: UN Report. (8 pages)	07/02/1999	P1/b(1)
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COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Non-Record (Mar 97-Jan 01) ([Jesse Helms])
OA/Box Number: 630000

FOLDER TITLE:

[04/01/1999-07/06/1999]

2006-1363-F

vz5694

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Exchange Mail

DATE-TIME 4/1/99 3:42:14 PM
FROM Faranda, Regina D.
CLASSIFICATION UNCLASSIFIED
SUBJECT [UNCLASSIFIED]
TO Kaufman, Stuart J.

CARBON_COPY

TEXT_BODY

TRANSLATED_ATTACHMENT

2117helmslet.doc

April 5, 1999

The Honorable Jesse Helms, Chairman
Senate Committee on Foreign Relations
415 Dirksen Senate Office Building
Washington, D.C. 20510-6225

Dear Senator Helms:

I am writing in reference to the Senate resolution of advice and consent on the Convention on Nuclear Safety.

In accordance with Condition (1) of the resolution of advice and consent to ratification of the Convention on Nuclear Safety, adopted by the Senate of the United States on March 25, 1999, I hereby certify that the United States Government will not engage in any multilateral activity in the field of international nuclear regulation or nuclear safety that unnecessarily duplicates a multilateral activity undertaken pursuant to the Convention.

I would like to thank you for your consideration and action on this important

matter.

Sincerely,

William J. Clinton

April 5, 1999

The Honorable Benjamin Gilman, Chairman
House Committee on International Relations
2170 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Gilman:

I am writing in reference to the Senate resolution of advice and consent on the Convention on Nuclear Safety.

In accordance with Condition (1) of the resolution of advice and consent to ratification of the Convention on Nuclear Safety, adopted by the Senate of the United States on March 25, 1999, I hereby certify that the United States Government will not engage in any multilateral activity in the field of international nuclear regulation or nuclear safety that unnecessarily duplicates a multilateral activity undertaken pursuant to the Convention.

Thank you for your consideration on this important matter.

Sincerely,

William J. Clinton

April 5, 1999

The Honorable Joseph Biden, Jr.
415 Dirksen Senate Office Building
Washington, D.C. 20510-6225

Dear Senator Biden:

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In accordance with Condition (1) of the resolution of advice and consent to ratification of the Convention on Nuclear Safety, adopted by the Senate of the United States on March 25, 1999, I hereby certify that the United States Government will not engage in any multilateral activity in the field of international nuclear regulation or nuclear safety that unnecessarily duplicates a multilateral activity undertaken pursuant to the Convention.

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William J. Clinton

April 5, 1999

The Honorable Sam Gejdenson
B-360 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Gejdenson:

I am writing in reference to the Senate resolution of advice and consent on the Convention on Nuclear Safety.

In accordance with Condition (1) of the resolution of advice and consent to ratification of the Convention on Nuclear Safety, adopted by the Senate of the United States on March 25, 1999, I hereby certify that the United States Government will not engage in any multilateral activity in the field of international nuclear regulation or nuclear safety that unnecessarily duplicates a multilateral activity undertaken pursuant to the Convention.

Thank you for your consideration on this important matter.

Sincerely,

William J. Clinton

TRANSLATED_ATTACHMENT 2117potusmemo.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER

SUBJECT: Proposed Ratification of the Convention on Nuclear Safety

Purpose

To sign the Instrument of Ratification to become a party to the Convention on Nuclear Safety (CNS) and two letters of Certification.

Background

Secretary of State Albright has forwarded the Instrument of Ratification and proclamation for the CNS for your signature.

Attached for your signature are the Instrument of Ratification of the treaty (Tab A), the State Department's memo on the Convention (Tab B), and the text of the Convention (Tab C). Also for your signature are required letters of Certification (Tab D).

The CNS was negotiated with strong U.S. support and leadership, and represents the first international legal instrument to address nuclear reactor safety specifically. Forty-seven of the sixty-five countries that are signatories have deposited their instruments of ratification, including all states with significant nuclear programs except the U.S. and India.

Speedy ratification is crucial. The United States is the only G-8 state that has not met the commitment we made to ratify at the 1996 Moscow Summit on Nuclear Safety and Security. Further, ratification will allow the U.S. to participate in the civilian nuclear program peer review mechanism laid out in the CNS. U.S. involvement in these reviews maintains our ability to provide international leadership in nuclear safety for a, especially with regard to states with weak nuclear safety records and practices. The Senate has conditioned U.S. participation in an important April 1999 meeting of the Contracting Parties on your certification that the U.S. Government will not engage in any unnecessarily duplicative multilateral activity in international nuclear regulation or safety. Therefore, these letters of Certification to the Chairmen of the Senate Foreign Relations Committee and the House international Relations Committee (with copies to the ranking minority members) would be signed at the same time as the Instrument of Ratification. The United States is already in compliance with all

obligations under the CNS.

RECOMMENDATION

That you sign the Instrument of Ratification (Tab A) and the letters of Certification (Tab D).

Attachments

Tab A Instrument of Ratification

Tab B Department of State Memo (Kenney-Davies memo)

Tab C Convention on Nuclear Safety

Tab D Certification letters and copies

2

2117

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 2117srb.doc

March 24, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: CARLOS PASCUAL

FROM: JONATHAN ELKIND

SUBJECT: Proposed Ratification of the Convention on Nuclear Safety

Attached is a memorandum to the President recommending he sign the Instrument of Ratification of the Convention on Nuclear Safety (CNS) is in effect.

The United States was the driving force behind the creation of the CNS, which was designed to strengthen nuclear safety around the world by having each country's civilian nuclear power program held up for peer review every three

years.
Forty-seven of the 65 countries that are signatories have deposited their instruments of ratification, including all states with significant nuclear programs except the United States and India.

The United States signed the CNS on September 20, 1994, and it was submitted to the Senate for advice and consent to ratification in May 1995. Although no controversial issues are associated with this technical convention, the Senate did not act until summer 1998. It then became linked to the appointment of a Republican to the NRC; and key Hill Republicans could not agree on whom to appoint. If we ratify now, we may be able to participate in the Convention's first meeting of Contracting Parties. Our participation in these meetings is crucial because the peer reviews enable the United States to better understand the safety situation in other countries with nuclear power programs. In addition, the peer reviews can help us better tailor our programs I countries where we provide safety assistance.

Concurrence by: Jack Caravelli, Legal, Legislative

RECOMMENDATION

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

Attachments

Tab I Memorandum for the President

Tab A Instrument of Ratification

Tab B Department of State Memo Text of CNS

Tab C Convention on Nuclear Safety

2

Exchange Mail

DATE-TIME 4/1/99 9:01:03 PM
FROM Andreassen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Heritage ABM Rebuttal [UNCLASSIFIED]
TO Rice, Edward A.

CARBON_COPY**TEXT_BODY**

Ed -- FYI. Gives you a bit of the background re the latest Helms incoming. We HAVE been pressing this. Anyways, will proceed along the lines you and I discussed tonight, and send a draft response around tomorrow. Steve.

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

From: Andreassen,
Steven P.
Sent: Friday, March 05, 1999 11:50 AM
To: Krass, Caroline
D.; Bell, Robert G.; Baker, James E.
Subject: RE: Heritage ABM Rebuttal
[UNCLASSIFIED]
Importance: High

Caroline --

Regarding the word "promptly" ... we now have a letter from Jesse Helms to the President requesting his views on yet another legal brief holding that the ABM Treaty is no longer in force (done by Doug Feith and George Miron). Moreover, Gaffney and others continue to pound us on the issue, noting it (i.e., the fact the ABM Treaty is no longer in force) as yet another reason why Senators should vote in favor of the Cochran NMD bill next week. Meanwhile, yours truly and his immediate superior are out on the hustings on the ABM debate, unarmed to defend the Administration's position on this vital point (other than to say, "our lawyers say it isn't so," which has always been comforting to me but doesn't necessarily go down well at the Heritage Foundation and CATO). In short, we really need State to produce points that we can use to "push back" on why we believe the ABM Treaty is still in force today. Can you please check to find out what, exactly, Matheson's definition of the phrase "promptly" is, and see if it can coincide with "early next week."

Thanks. Steve.

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

From: Krass, Caroline D.

Sent: Tuesday, January 26, 1999 9:59 AM

To: Bell, Robert G.; Andreasen,
Steven P.; Baker, James E.

Cc: Rudman, Mara E.; @LEGAL - Legal Advisor;

@DEFENSE - Defense Policy

Subject: RE: Heritage ABM Rebuttal [UNCLASSIFIED]

Jamie

has talked to State/L and Mike Matheson will be promptly preparing talking points in response to the Heritage Foundation study.

-----Original

Message-----

From: Bell, Robert G.

Sent: Monday, January 25, 1999

8:26 PM

To: Andreasen, Steven P.; Krass, Caroline D.; Baker, James
E.

Cc: Rudman, Mara E.; @LEGAL - Legal Advisor; @DEFENSE - Defense
Policy

Subject: RE: Heritage ABM Rebuttal [UNCLASSIFIED]

Hmmm

#2: Caroline: I don't want to be in a "shoot the messenger" mode here (especially since the messenger has only recently joined our distinguished legal brain trust) but..... (why is there always a "but"?). but the original Heritage Foundation study claiming "no treaty exists" was issued (with some fanfare in certain media), like last summer, and we asked State/L to pull together an impeccable rebuttal argument at that time (months before we even knew Congress was going to slip the merger bill into the final Congressional legislative flurry in October). Lo, many moons ago (actually many months ago) I was quoted -- on the record -- as saying that "inter-agency lawyers find the Heritage Foundation's line of argument singularly unimpressive" and have told others, on background, that it "makes the Sofaer reinterpretation seem brilliantly reasoned by comparison." Since then, I have been valiantly holding the outer perimeter of our defenses on this issue, waiting for the State/L cavalry to arrive to reinforce my lonely position. To be informed now -- at this excruciatingly late date -- that (a) State needs to first figure out how this relates to the merger (not due for many moons (oops, weeks) yet to come, and (b) then they can get down to business here is, excuse my primal screaming, "singularly uncomfortable". Is it really the case that at State/L they are not only not at Square One, but that there must

be a process/discussions/decisions/whatever to even get to Square One? Is it really possible --leaving aside the NSC request for this analysis - that certain folks on the Hill and in conservative think tanks have been parading John Norton Moore and Doug Feith and other conservative legal illuminaries around for over half a year trumpeting their claim and no one -- not a soul -- within the upper reaches or even middle reaches of the Department of State has said -- say at a staff meeting -- or written down a note to be sent to L -- "hey, what are we saying about this?"

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

From: Andreasen, Steven P.
Sent: Monday, January 25, 1999 4:53 PM
To: Krass, Caroline D.; Baker, James E.; Bell, Robert G.
Cc: Rudman, Mara E.; @LEGAL
- Legal Advisor
Subject: RE: Heritage ABM Rebuttal [UNCLASSIFIED]
Importance: High

Hmmm

... why do I get the feeling that an imminent clash of Matheson-Hoinkes is on the horizon ... in any event, if this is not "worked out" quickly, suggest we consider asking Holum to step in to adjudicate any process-related perturbations so that someone can get on with it ... otherwise, we risk leaving the field open to that noted international lawyer, George Will ...

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

From: Krass, Caroline D.

Sent: Monday, January 25, 1999 4:47 PM
To: Baker, James E.; Bell, Robert G.; Andreasen, Steven P.
Cc: Rudman, Mara E.; @LEGAL - Legal Advisor
Subject: RE: Heritage ABM Rebuttal [UNCLASSIFIED]

State/L

needs to figure out who the appropriate author of the rebuttal will be (in light of the State/ACDA reorganization) and will then prepare something. I explained the importance and will keep you posted.

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

From: Baker, James E.
Sent: Monday, January 25, 1999
12:19 PM
To: Bell, Robert G.; Andreasen, Steven P.

Cc: Rudman,
Mara E.; @LEGAL - Legal Advisor
Subject: RE: Heritage ABM Rebuttal
[UNCLASSIFIED]

Thanks. Caroline Krass is following-up. Please
add her to distribution list.

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

From: Bell,
Robert G.
Sent: Monday, January 25, 1999 12:15 PM
To: Andreassen,
Steven P.; Baker, James E.
Cc: Rudman, Mara E.
Subject: RE: Heritage
ABM Rebuttal [UNCLASSIFIED]

Jamie/Steve:

Just a clarification:
the Condition (#9) was on the CFE Flank Agreement Resolution of
Ratification (not CWC). And our chat was Friday (vice this morning).

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

From: Andreassen, Steven P.
Sent: Monday, January
25, 1999 12:13 PM
To: Baker, James E.
Cc: Bell, Robert G.; Rudman,
Mara E.
Subject: Heritage ABM Rebuttal [UNCLASSIFIED]
Importance: High

Jamie

--

I know you spoke with Bob this morning about the need for a
"legal cut" on whether there is an implicit "clock" ticking on transmitting
the ABM MOU to the Senate, as per Condition 9 of the CWC Resolution
of Ratification (and, taking into account McIntosh).

Some time
ago, we also provided State/L, via the recently departed Newell,
with a copy of the infamous Heritage Foundation brief that makes
the case that the ABM Treaty died with the dissolution of the USSR.
State/L was tasked with putting together a legal rebuttal, which,
to my knowledge, we have yet to see. In short, sooner rather than
later, we are going to need to be able to say more than just "we

disagree" when confronted by the Heritage Foundation brief (i.e., a legal rebuttal of our own), so that we can push back and try and keep this idea from taking "root" with a majority of Republicans

...

Steve

Exchange Mail

DATE-TIME 4/2/99 10:41:43 AM
FROM Pascual, Carlos E.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Helms Letter on ABM [UNCLASSIFIED]
TO Andreasen, Steven P.

CARBON_COPY Andreasen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Brackman, Stella S.
Kelly, Sandra L.
McCausland, Jeffrey D.
Mulligan, George D.
Peterman, David (Brian)
Pimentel, Betsy J.
vonLipsey, Roderick K.
Wasserman, Elaine P.
Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Hunerwadel, Joan S.
Krass, Caroline D.
Burrell, Christina L.
Dempsey, John M. (Jack)
Lackey, Miles M.
Tavlarides, Mark J.
Williams, Mary C.
Black, Steven K.

TEXT_BODY Agree that we should not put ABM and CTBT in this letter.

Agree
that the letter should take the high ground and not get into a legal
debate, but it is crying out for a sentence or two of rationale;
see note in text and a couple of other suggestions.

-----Original

Message-----

From: Andreasen, Steven P.

Sent: Thursday, April

01, 1999 10:50 PM

To: Lackey, Miles M.; Tavlarides, Mark J.; Pascual,

Carlos E.; Weiss, Andrew S.; Baker, James E.; Krass, Caroline D.
Cc: Rice,
Edward A.; @DEFENSE - Defense Policy
Subject: Helms Letter on ABM
[UNCLASSIFIED]
Importance: High

Colleagues --

Attached for
your review and comment is a response to Senator Helms' latest letter
on the issue of the legal status of the ABM Treaty. The response
draws heavily from our latest letters to Helms on the subject
(December
17, 1998 and February 22, 1999) -- although I did add a new sentence
to the end of the first paragraph, in effect, telling Helms that
the advice and consent process begins only after we have formally
transmitted the MOU to the Senate following Russian ratification
of START II. Also: I gave some thought to including in the
President's
response a specific request to begin hearings on the CTBT, but
decided
that it might not be in our best interest to put both the ABM and
CTBT issues in the same POTUS letter -- at least not at this stage
of the game. Other views on this point are welcome. Would appreciate

any comments by COB Friday, if at all possible. Thanks to all.

Steve

TRANSLATED_ATTACHMENT 1606mtb.doc

April 1, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL

FROM: STEVEN P. ANDREASEN

SUBJECT: Response to Senator Helms on ABM

The attached letter from the President to Senator Helms responds to

the Senator's
most recent letter on the issue of ABM Treaty succession. This will be
our third
letter from the President to Senator Helms on the ABM issue since
December 17,
1998 (and the fifth total). We have attached the previous responses for
your
information at Tab II.

Concurrence by: Krass Lackey Pascual

RECOMMENDATION

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

Attachments

Tab I Memorandum to the President

Tab A Letter to Senator Helms

Tab B Letter from Senator Helms

Tab II Previous Letters on ABM

1

1606

TRANSLATED_ATTACHMENT 1606 mtp.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Response to Senator Helms on ABM

Purpose

To respond to Senator Helms on the ABM Treaty.

Background

On November 21, 1997, and May 21, 1998 you wrote to Senator Helms regarding the ABM Treaty, providing detailed answers to a number of legal questions regarding the issue of succession. On December 17, 1998, and February 22, 1999, you provided a response to Senator Helms on the same issue that avoided a legalistic defense of our position on the ABM Treaty (having little to add to your previous two letters) and simply made the essential points that we intend to submit the agreement on succession to the Senate for approval and that the ABM Treaty remains in force.

In Senator Helms' most recent letter, he has requested that the Administration respond to a legal memorandum prepared by two former USG officials. The memorandum concludes that the ABM Treaty lapsed upon the Soviet Union's extinction in 1991. Senator Helms also states he intends to hold hearings on the September 1997 ABM Demarcation and Succession agreements in advance of our transmitting them to the Senate for advice and consent (which we do not intend to do until after START II has been ratified in Russia), and has requested we formally submit the ABM agreements no later than June 1, 1999.

Consistent with our two most recent letters to Senator Helms, the attached response from you avoids a legalistic defense of our position on the ABM Treaty, again making the point that we intend to submit the agreements for Senate approval and that the Treaty remains in force. It remains our view that "taking the high road" at this point is the most appropriate response, and will best position us for the debate over ratification of the ABM Succession agreements, should that debate take place this year.

That said, we have tasked State/L to provide a more detailed set of rebuttal points regarding questions raised by the legal memorandum provided

by Senator
Helms regarding the legal status of the Treaty, which we will clearly
need once
the Senate begins a detailed review of this issue.

RECOMMENDATION

That you sign the letters at Tab A.

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

2

1606

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 1606ltr.doc

Dear Mr. Chairman:

Thank you for your letter concerning the Anti-Ballistic Missile
(ABM) Treaty and
the enclosed legal memorandum. Let me assure you again that there is
no
difference between us on the question of whether 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: it will. Moreover, it
is my
hope that Russia will approve the START II Treaty as soon as
possible, so that we
can begin the formal process of advice and consent to the September
1997 MOU
following its transmittal to the Senate, which I am confident the
Senate will
agree is in our national interest.

While I respect the fact that the MOU will not enter into force without the advice and consent of the Senate, there is no question the ABM Treaty has continued in force following the dissolution of the Soviet Union. [sentence here on the legal rationale for why it is in force would help] If the Senate were to decide not to approve the MOU, the ABM Treaty would continue in force. In that instance, however, we would need to address ambiguities about which states other than Russia remain parties to the Treaty.

The United States has a clear interest in resolving definitively the issues about ABM Treaty succession that are dealt with in the MOU. I am confident that all issues regarding the MOU will be debated fully when it is considered in the Senate. In the interim, I suggest our staffs continue their dialogue regarding the technical legal aspects of ABM Treaty succession.

Sincerely,

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510-3301

Exchange Mail

DATE-TIME 4/4/99 11:18:59 AM
FROM Rice, Edward A.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Heritage ABM Rebuttal [UNCLASSIFIED]
TO Andreasen, Steven P.

CARBON_COPY**TEXT_BODY**

thx

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

From: Andreasen, Steven P.
Sent: Thursday,
April 01, 1999 9:01 PM
To: Rice, Edward A.
Subject: FW: Heritage
ABM Rebuttal [UNCLASSIFIED]
Importance: High

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March 05, 1999 11:50 AM
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Baker, James E.
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Importance: High

Caroline

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Regarding the word "promptly" ... we now have a letter from
Jesse Helms to the President requesting his views on yet another
legal brief holding that the ABM Treaty is no longer in force (done
by Doug Feith and George Miron). Moreover, Gaffney and others continue
to pound us on the issue, noting it (i.e., the fact the ABM Treaty
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- Legal Advisor; @DEFENSE - Defense Policy
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Jamie has talked to State/L and Mike
Matheson will be promptly preparing talking points in response to
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want to be in a "shoot the messenger" mode here (especially since
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[UNCLASSIFIED]

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Jamie/Steve:

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Sent: Monday, January
25, 1999 12:13 PM
To: Baker, James E.
Cc: Bell, Robert G.; Rudman,
Mara E.
Subject: Heritage ABM Rebuttal [UNCLASSIFIED]
Importance: High

Jamie

--

I know you spoke with Bob this morning about the need for a "legal cut" on whether there is an implicit "clock" ticking on transmitting the ABM MOU to the Senate, as per Condition 9 of the CWC Resolution of Ratification (and, taking into account McIntosh).

Some time

ago, we also provided State/L, via the recently departed Newell, with a copy of the infamous Heritage Foundation brief that makes the case that the ABM Treaty died with the dissolution of the USSR. State/L was tasked with putting together a legal rebuttal, which, to my knowledge, we have yet to see. In short, sooner rather than later, we are going to need to be able to say more than just "we disagree" when confronted by the Heritage Foundation brief (i.e., a legal rebuttal of our own), so that we can push back and try and keep this idea from taking "root" with a majority of Republicans

...

Steve

Exchange Mail

DATE-TIME 4/4/99 7:23:40 PM

FROM Andreassen, Steven P.

CLASSIFICATION UNCLASSIFIED

SUBJECT "Final" of Helms Letter [UNCLASSIFIED]

TO Lackey, Miles M.
Tavlarides, Mark J.
Pascual, Carlos E.
Weiss, Andrew S.
Baker, James E.
Krass, Caroline D.

CARBON_COPY Rice, Edward A.
Andreassen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Brackman, Stella S.
Kelly, Sandra L.
McCausland, Jeffrey D.
Mulligan, George D.
Peterman, David (Brian)
Pimentel, Betsy J.
vonLipsey, Roderick K.
Wasserman, Elaine P.
Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Hunerwadel, Joan S.
Krass, Caroline D.

TEXT_BODY Colleagues --

Thanks to all for the quick turnaround on the Helms letter. Attached below is the "final," which I expect to send forward on Monday.

Steve.

TRANSLATED_ATTACHMENT

1606mtb.doc

April 1, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL

FROM: STEVEN P. ANDREASEN

SUBJECT: Response to Senator Helms on ABM

The attached letter from the President to Senator Helms responds to the Senator's most recent letter on the issue of ABM Treaty succession. This will be our third letter from the President to Senator Helms on the ABM issue since December 17, 1998 (and the fifth total). We have attached the previous responses for your information at Tab II.

Concurrence by: Krass Lackey Pascual

RECOMMENDATION

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

Attachments

Tab I Memorandum to the President

Tab A Letter to Senator Helms

Tab B Letter from Senator Helms

Tab II Previous Letters on ABM

1

1606

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Response to Senator Helms on ABM

Purpose

To respond to Senator Helms on the ABM Treaty.

Background

On November 21, 1997, and May 21, 1998 you wrote to Senator Helms regarding the ABM Treaty, providing detailed answers to a number of legal questions regarding the issue of succession. On December 17, 1998, and February 22, 1999, you provided a response on the same issue to Senator Helms that avoided a legalistic defense of our position on the ABM Treaty and simply made the essential points that we intend to submit the agreement on succession to the Senate for approval and that the ABM Treaty remains in force.

In Senator Helms' most recent letter, he has requested that the Administration respond to a legal memorandum prepared by two former USG officials. The memorandum concludes that the ABM Treaty lapsed upon the Soviet Union's dissolution in 1991. Senator Helms also states he intends to hold hearings on the September 1997 ABM Demarcation and Succession agreements in advance of our transmitting them to the Senate for advice and consent (which we do not intend to do until after START II has been ratified in Russia), and has requested we formally submit these ABM agreements no later than June 1, 1999.

Consistent with our two most recent letters to Senator Helms, the attached

response from you avoids a legalistic defense of our position on the ABM Treaty, again making the point that we intend to submit the agreements for Senate approval and that the Treaty remains in force. It remains our view that "taking the high road" at this point is the most appropriate response, and will best position us for the debate over ratification of the ABM Succession agreements.

RECOMMENDATION

That you sign the letters at Tab A.

Attachments

Tab A Letter to Senator Helms

Tab B Letter from Senator Helms

2

1606

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 1606ltr.doc

Dear Mr. Chairman:

Thank you for your letter concerning the Anti-Ballistic Missile (ABM) Treaty and the enclosed legal memorandum. Let me assure you again that there is no difference between us on the question of whether 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: it will. Moreover, it is my hope that Russia will approve the START II Treaty as soon as

possible, so that we
can quickly submit the September 1997 MOU for advice and consent.
I am confident
the Senate will agree that the MOU is in our national interest.

While I respect the fact that the MOU will not enter into force without
the
advice and consent of the Senate, there is no question the ABM Treaty
has
continued in force following the dissolution of the Soviet Union.
Moreover, if
the Senate were to fail to approve the MOU, ambiguity will remain
about the
extent to which states other than Russia are Parties; however, the
ABM Treaty
would continue in force.

The United States has a clear interest in resolving definitively the
issues about
ABM Treaty succession that are dealt with in the MOU. I am
confident that any
issues regarding the MOU will be debated fully when it is considered
in the
Senate. In the interim, I suggest our staffs continue their dialogue
regarding
the technical legal aspects of ABM Treaty succession.

Sincerely,

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510-3301

Exchange Mail

DATE-TIME 4/5/99 4:44:41 PM
FROM Andreassen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT Helms Letter [UNCLASSIFIED]
TO Krass, Caroline D.

CARBON_COPY

TEXT_BODY Caroline --

As per your request, here is the letter we are now sending across the street for signature. Thanks again for the quick turnaround. P.S. -- how was your weekend?

Steve.

TRANSLATED_ATTACHMENT

1606ltr.doc

Dear Mr. Chairman:

Thank you for your letter concerning the Anti-Ballistic Missile (ABM) Treaty and the enclosed legal memorandum. Let me assure you again that there is no difference between us on the question of whether 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: it will. Moreover, it is my hope that Russia will approve the START II Treaty as soon as possible, so that we can quickly submit the September 1997 MOU for advice and consent. I am confident

the Senate will agree that the MOU is in our national interest.

While I respect the fact that the MOU will not enter into force without the advice and consent of the Senate, there is no question the ABM Treaty has continued in force following the dissolution of the Soviet Union. Moreover, if the Senate were to fail to approve the MOU, ambiguity will remain about the extent to which states other than Russia are Parties; however, the ABM Treaty would continue in force.

The United States has a clear interest in resolving definitively the issues about ABM Treaty succession that are dealt with in the MOU. I am confident that any issues regarding the MOU will be debated fully when it is considered in the Senate. In the interim, I suggest our staffs engage in a dialogue regarding the legal aspects of ABM Treaty succession, which will allow us to elaborate our views on these issues.

Sincerely,

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510-3301

Exchange Mail

DATE-TIME 4/5/99 6:40:26 PM
FROM Tavlarides, Mark J.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Guest List for Goncz [UNCLASSIFIED]
TO Maxfield, Nancy H.

CARBON_COPY Burrell, Christina L.
Dempsey, John M. (Jack)
Lackey, Miles M.
Tavlarides, Mark J.
Williams, Mary C.

TEXT_BODY

Approve. See edits for Hastert and Warner. Also, add Rep. Tom Bliley.

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

From: Maxfield, Nancy H.

Sent: Monday,

April 05, 1999 4:41 PM

To: @LEGISLAT - Legislative Affairs

Subject: Guest

List for Goncz [UNCLASSIFIED]

Attached is the proposed Congressional names for the State Dinner for Hungarian President Gonz. Although the dinner is on June 9, the list is now way overdue. (Had to wait for official list from State.) Would someone please look at the list and concur/comment? This is the list from State. Many, many thanks.

TRANSLATED_ATTACHMENT

Doc13.doc

Guest List for State Dinner IHO

President Arpad Goncz - June 9, 1999

CONGRESS

Senate

Hon. Joseph R. Biden, Jr. (Jill)
221 Russell Senate Office Building Recommended by Hungarians
United States Senate Ranking Minority, SFRC
Washington, D.C. 20510 Co-Chair Senate NATO

(202) 224-5042 Observer Group

Hon. Thomas A. Daschle Senate Minority Leader
509 Hart Senate Office Building
United States Senate
Washington, D.C. 20510
(202) 224-5556

Hon. Jesse Helms (Dorothy)
403 Dirksen Senate Office Building Chairman, SFRC
United States Senate
Washington, D.C. 20510
(202) 224-6342

Hon. Trent Lott (Patricia Thompson)
487 Russell Senate Office Building Senate Majority Leader
United States Senate
Washington, D.C. 20510
(202) 224-6253

Hon. Carl Levin Ranking Democrat, SASC
459 Russell Senate Office Building Recommended by Hungarians
United States Senate
Washington, D.C. 20510
(202) 224-6221

Hon. Richard Lugar SFRC
306 Hart Senate Office Building Recommended by Hungarians
United States Senate
Washington, D.C. 20510
(202) 224-4814

Hon. Barbara Mikulski Senate NATO Observer Grp
709 Hart Senate Office Building Recommended by Hungarians
United States Senate
Washington, D.C. 20510
(202) 224-4654

Hon. Gordon Smith Chairman, European
B40 #2 Dirksen Senate Office Building Subcommittee, SFRC
United States Senate Member, Senate NATO
Washington, D.C. 20510 Observer Group
(202) 224-3753 Recommended by Hungarians

Hon. Ted Stevens Chairman, Appropriations
522 Hart Senate Office Building Committee
United States Senate
Washington, D.C. 20510
(202) 224-3004

Hon. William Roth Co-Chair Senate NATO
104 Hart Senate Office Building Observer Group
United States Senate Recommended by Hungarians
Washington, D.C. 20510
(202) 224-2441

Hon. Robert Byrd
311 Hart Senate Office Building
United States Senate
Washington, D.C. 20510
(202) 224-3954

Hon. Mitch McConnell
361A Russell Senate Office Building
United States Senate
Washington, D.C. 20510
(202) 224-2541

Hon. Patrick Leahy
433 Russell Senate Office Building
United States Senate
Washington, D.C. 20510
(202) 224-4242

Hon. George Voinovich
United States Senate
Washington, D.C. 20510

Hon. John W. Warner Chairman, Senate Armed services Committee
and guest
United States Senate
Washington, D.C. 20510
(202) 224-2023

House Of Representatives

Hon. Doug Bereuter (Louise)
House of Representatives
Washington, D.C. 20515
(202) 225-4806

Hon. Richard A. Gephardt (Jane)
House of Representatives Minority Leader
Washington, D.C. 20515
(202) 225-2671

Hon. Benjamin Gilman (Rita)
House of Representatives Chairman, International
Washington, D.C. 20515 Relations Committee
(202) 225-3776 Recommended by Hungarians

Hon. Sonny Callahan Chairman, Foreign
2418 Rayburn House Office Building Operations Subcommittee
House of Representatives Appropriations Committee
Washington, D.C. 20515
(202) 225-4931

Hon. David Obey Ranking Democrat
2462 Rayburn House Office Building Appropriations Committee
House of Representatives
Washington, D.C. 20515
(202) 225-3365

Hon. Nancy Pelosi Ranking Democrat, Foreign
2457 Rayburn House Office Building Operations Subcommittee
House of Representatives Appropriations Committee
Washington, D.C. 20515
(202) 225-4965

Hon. John Murtha Ranking Democrat, National
2423 Rayburn House Office Building Security Subcommittee
House of Representatives Appropriations Committee
Washington, D.C. 20515
(202) 225-2065

Hon. Bill Young
2407 Rayburn House Office Building
House of Representatives
Washington, D.C. 20515
(202) 225-9764

Hon. William O. Lipinski Recommended by Hungarians
1501 Longworth House Office Building
House of Representatives
Washington, D.C. 20515
(202) 225-5701

Hon. Jerry Lewis
2112 Rayburn House Office Building
House of Representatives
Washington, D.C. 20515
(202) 225-5861

Hon. Charles W. Pickering Recommended by Hungarians
427 Cannon House Office Building
House of Representatives
Washington, D.C. 20515
(202) 225-5031

Hon. Dennis Hastert

The Speaker
House of Representatives
Washington, D.C. 20515
(202) 225-2976

Hon. Tom Lantos Recommended by Hungarians
1526 Longworth House Office Building
House of Representatives
Washington, D.C. 20515
(202) 225-3531

Hon. Sam Gejdenson
2304 Rayburn House Office Building
House of Representatives
Washington, D.C. 20515
(202) 225-2076

Hon. Tom Tancredo Recommended by Hungarians
1123 Longworth House Office Building
House of Representatives
Washington, D.C. 20515
(202) 225-

Hon. Jack Quinn Recommended by Hungarians
331 Cannon House Office Building
House of Representatives
Washington, D.C. 20515
(202) 225-3306

Hon. Curt Weldon Recommended by Hungarians
2452 Rayburn House Office Building
House of Representatives
Washington, D.C. 20515
(202) 225-2011

Rep. Tom Bliley

Exchange Mail

DATE-TIME 4/23/99 8:51:51 AM
FROM Kale, Dora A.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Rqst concur #1605 - Reply to Helms/Biden re Reorg [UNCLASSIFIED]
TO Naplan, Steven J.
CARBON_COPY Kale, Dora A.

TEXT_BODY
SN: let me know as soon as you approve Andreasen's changes and I will do in final! thx.

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

From: Andreasen, Steven P.
Sent: Thursday, April 22, 1999 6:01 PM
To: Kale, Dora A.; Hill, Roseanne M.; Naplan, Steven J.
Cc: Bell, Robert G.; Bouchard, Joseph F.; McCausland, Jeffrey D.
Subject: FW: Rqst concur #1605
- Reply to Helms/Biden re Reorg [UNCLASSIFIED]
Importance: High

Steve

-- OK, we now know that Helms has not "agreed" to the special advisor alternative ... I've made a change in the memos to POTUS and Berger,

but left the letter "as is." Steve

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

From: Andreasen, Steven P.
Sent: Monday, April 19, 1999 7:12 PM
To: Kale, Dora A.; Hill, Roseanne M.; Naplan, Steven J.
Cc: Bell, Robert G.; Bouchard, Joseph F.; McCausland, Jeffrey D.
Subject: FW: Rqst concur #1605
- Reply to Helms/Biden re Reorg [UNCLASSIFIED]
Importance: High

Steve

-- Regarding the attached package, I did not realize that, subsequent to sending his letter, Senator Helms "agreed to the creation of a Special Advisor for Verification and Compliance for Arms Control, as proposed by the Secretary of State." Let me just check with (a) my office (Bob? Joe? Jeff?) to see if anyone can verify, and if not, (b) State, before we pull the trigger on this. Of course, if you know this to be affirmatively true, please advise. Thanks.
Steve.

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

From: Kale, Dora A.

Sent: Monday,

April 19, 1999 6:58 PM

To: Andreasen, Steven P.

Cc: Kale, Dora

A.; Hill, Roseanne M.; Naplan, Steven J.

Subject: FW: Rqst concur

#1605 - Reply to Helms/Biden re Reorg [UNCLASSIFIED]

Importance: High

package
for clearance. thx.

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

From: Kale, Dora

A.

Sent: Thursday, April 08, 1999 12:39 PM

To: @RUSSIA - Russia/Ukraine;

@DEFENSE - Defense Policy; @LEGISLAT - Legislative Affairs

Cc: Kale,

Dora A.; Hill, Roseanne M.; Naplan, Steven J.

Subject: Rqst concur

#1605 - Reply to Helms/Biden re Reorg [UNCLASSIFIED]

Importance: High

Thanks
for your attention.

TRANSLATED_ATTACHMENT 1605 AM POTUS.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Letter from Senators Helms and Biden Regarding the
Strategy for Foreign
Affairs Reorganization

Purpose

To respond to a letter from Senators Helms and Biden.

Background

Senators Helms and Biden wrote to you to express their concerns with
three
specific elements of the Administration's preliminary
Reorganizational Plan and
Report.

This preliminary report has been overtaken by a revised report that has
been
delivered to Congress.

The Helms-Biden letter praised the overall plans for restructuring at
State, but
expresses three key concerns. We resolved two of the three concerns
in
accordance with the preferences expressed by the Senators.

Consistent with these preferences, the revised reorganization plan
includes:

- * a separate State Bureau of Educational and Cultural Affairs
(including the
Fulbright Scholarship program), independent from USIA's Office of
International
Information Programs.

- * a single European bureau inclusive of the former Soviet states,
without the
creation of an Eastern European and Eurasian Bureau (EEE), to which
the Senators
objected.

The revised reorganization plan does not, however, include the
separate State
Bureau for Verification and Compliance of Arms Control Treaties
which Senators

Helms favored. State continues to resist such an arrangement, favoring instead the creation of a "Special Advisor for Verification and Compliance for Arms Control."

The suggested response notes that the revised reorganization report was significantly informed by the views expressed by the senators in their letter.

RECOMMENDATION

That you sign the attached letter at Tab A.

Attachments

Tab A Letters for Signature

Tab B Incoming Correspondence

1

2

1605

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 1605 AM SRB.doc

April 8, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ERIC SCHWARTZ

FROM: STEVEN NAPLAN

SUBJECT: Reply to Letter from Senators Helms and Biden.

At Tab I is a memorandum for the President and a proposed response

to a letter
from Senators Helms and Biden expressing concern about three
specific elements
from the Administration's preliminary strategy for reorganization of
the foreign
affairs agencies.

The preliminary strategy has been overtaken by a revised strategy,
recently
approved, which addresses two of the three concerns expressed by
Senators Helms
and Biden.

An interim reply was drafted and then pulled back as final resolution
of the
issues raised in the letter from Senator Helms and Biden emerged in
time to send
a complete reply.

Concurrences by: Defense; RUE; Legislative

RECOMMENDATION

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

Attachments

Tab I Memorandum for the President

Tab A Proposed Response

Tab B Incoming Correspondence

1

1605

TRANSLATED_ATTACHMENT 1605 letter.doc

Dear Senator Helms:

Thank you for your letter concerning our strategy for reorganizing the foreign affairs agencies and implementing the Foreign Affairs Reform and Restructuring Act of 1998.

Your views on these matters were very important to me, and had a significant impact on our final conclusions. When you review our revised March 1999 Reorganization Plan and Report, you will see that it proposes, consistent with your preferences, the formation of a separate Bureau of Educational and Cultural Affairs. This new bureau will ensure that international educational and cultural programs will remain a key component of our foreign policy, with the strong leadership they need and the support they deserve. As you know, this new bureau will be under the policy oversight of the new Under Secretary of State for Public Diplomacy and Public Affairs, thus ensuring very senior level attention to our engagement of foreign audiences and communities.

Also consistent with your stated views, our reorganization plan ensures that our diplomatic relations with the independent states of the former Soviet Union - a region of enormous strategic importance - will continue to be managed by the Bureau of European Affairs. This region will continue to receive the high-level leadership attention it deserves.

Finally, the creation of the new position of Special Advisor for Verification and Compliance will help maintain our commitment to a strong arms control verification and compliance process that ensures that critical assessments reach the highest levels.

Intensive planning and preparation for the reorganization is well underway. We will do all we can to ensure that this sensitive process is implemented in an open and transparent fashion, and with continued consideration of your perspectives.

Best regards.

Sincerely,

The Honorable Jesse Helms
United States Senate
Washington, D.C. 20510
2

2

Exchange Mail

DATE-TIME 4/28/99 3:21:50 PM
FROM Burrell, Christina L.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Congressional excerpt from Goncz guest list (proposed)
[UNCLASSIFIED]
TO Shapiro, Daniel B.

CARBON_COPY

TEXT_BODY Hungary proposed congressional guest list

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

From: Maxfield,

Nancy H.

Sent: Wednesday, April 28, 1999 3:19 PM

To: Burrell,

Christina L.

Subject: Congressional excerpt from Goncz guest list
(proposed) [UNCLASSIFIED]

TRANSLATED_ATTACHMENT

Doc2.doc

Guest List

State Dinner in Honor of Arpad Goncz

President of the Republic of Hungary

June 9, 1999

MEMBERS OF CONGRESS**Senate**

Hon. Trent Lott (Patricia Thompson)

Majority Leader

United States Senate

Washington, D.C. 20510

(202) 224-6253

Hon. Thomas A. Daschle (Linda Hall)

Minority Leader

United States Senate

Washington, D.C. 20510
(202) 224-5556

*Hon. Joseph R. Biden, Jr. (Jill)
United States Senate Ranking Minority, SFRC
Washington, D.C. 20510 Co-Chair Senate NATO
(202) 224-5042 Observer Group

Hon. John Glenn (Anna Margret)
United States Senate
Washington, D.C. 20510
Washington, DC 20510
(202) 224-3353

Hon. Bob Graham (Adele -- has Hungarian ties)
United States Senate
Washington, D.C. 20510
(202) 224-3041

Hon. Jesse Helms (Dorothy)
United States Senate Chairman, SFRC
Washington, D.C. 20510
(202) 224-6342

*Hon. Carl Levin (Barbara)
United States Senate Ranking Democrat, SASC
Washington, D.C. 20510 Recommended by Hungarians
(202) 224-6221

Hon. Joseph Lieberman (Hadassah)
United States Senate
Washington, D.C. 20510
(202) 224-4041

*Hon. Richard Lugar (Charlene)
United States Senate Requested by the Hungarians

Washington, D.C. 20510
(202) 224-4814

Hon. Mitch McConnell (Elaine)
United States Senate
Washington, D.C. 20510
(202) 224-2541

*Hon. Barbara Mikulski NATO Observer Group
United States Senate Recommended by Hungarians
Washington, D.C. 20510
(202) 224-4654

*Hon. William Roth (Jane)
United States Senate Co-Chair NATO Observer Group
Washington, D.C. 20510 Recommended by Hungarians
(202) 224-2441

*Hon. Gordon Smith (Sharon)
United States Senate Chairman, Europe Subcommittee
Washington, D.C. 20510 SFRC, NATO Observer Group
(202) 224-3753 Recommended by Hungarians

Hon. Ted Stevens (Catherine)
United States Senate Chairman, Appropriations Washington, D.C.
20510
(202) 224-3004

Hon. John W. Warner
United States Senate Chairman
Washington, D.C. 20510 Senate Armed Services
(202) 224-2023 Committee

House Of Representatives

Hon. Dennis Hastert (Jean)
The Speaker
House of Representatives
Washington, D.C. 20515
(202) 225-2976

Hon. Richard A. Gephardt (Jane)
House of Representatives Minority Leader
Washington, D.C. 20515
(202) 225-2671

Hon. Doug Bereuter (Louise)
House of Representatives
Washington, D.C. 20515
(202) 225-4806

Hon. Sonny Callahan (Karen)
House of Representatives Chairman, Foreign Operations Washington,
D.C. 20515
Subcommittee
(202) 225-4931

Hon. Sam Gejdenson (Betsy)
House of Representatives Ranking, Committee on
Washington, D.C. 20515 International Relations
(202) 225-2076

*Hon. Benjamin Gilman (Rita)

House of Representatives Chairman, International
Washington, D.C. 20515 Relations Committee
(202) 225-3776 Recommended by Hungarians

*Hon. Dennis Kucinich
House of Representatives (Large Hungarian-American
Washington, D.C. 20515 constituency)
(202) 225-5871

*Hon. Tom Lantos (Annette)
House of Representatives Hungarian-American
Washington, D.C. 20515

(202) 225-3531

Hon. William O. Lipinski (Rose Marie)
House of Representatives Recommended by Hungarians
Washington, D.C. 20515
(202) 225-5701

Hon. John Murtha (Joyce)
House of Representatives Ranking, National Security
Washington, D.C. 20515 Subcommittee, Appropriations
(202) 225-2065

Hon. David Obey (Joan)
House of Representatives Ranking, Appropriations
Washington, D.C. 20515
(202) 225-3365

Hon. Nancy Pelosi Ranking Democrat, Foreign
House of Representatives Operations Subcommittee
Washington, D.C. 20515 Appropriations Committee
(202) 225-4965

Hon. Louis Stokes
U.S. House of Representatives
Washington, D.C. 20515
(202) 225-7032

Exchange Mail

DATE-TIME 5/21/99 3:51:44 PM
FROM Benjamin, Daniel
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: SBTPS POTUS Names Sean Maloney as Assistant to the President
Staff
Secretary [UNCLASSIFIED]
TO Simon, Steven N.

CARBON_COPY

TEXT_BODY Sean is a terrific guy, but somehow, I think Jesse Helms may think otherwise.

TRANSLATED_ATTACHMENT

Sean Maloney.doc
THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release May 21, 1999

STATEMENT BY THE PRESS SECRETARY

President Clinton has named Sean Maloney as Assistant to the President Staff Secretary. He served as Deputy Assistant to the President and Deputy Staff Secretary since October 1998 and as Special Assistant to the President and Deputy Staff Secretary prior to that, beginning in July 1997. As Staff Secretary, Maloney is responsible for clearing all written material going to and from the Oval Office, including all presidential briefing and decision memos, executive orders, directives and legislation.

"Sean Maloney has done an outstanding job of managing the flow of information to and from my desk and providing important counsel," President Clinton said. "He is a valued member of my senior staff in a critically important job. I am confident that he will continue to serve with distinction as Staff Secretary."

Mr. Maloney began working for then Governor Clinton during the 1992 presidential campaign.

primaries and worked on the 1992 Democratic Convention in New York and later at the Clinton/Gore campaign headquarters in Little Rock, Arkansas. Following the 1992 campaign, Maloney joined the law firm of Willkie I Gallagher in New York where he specialized in institutional and criminal investigations.

Mr. Maloney earned his B.A. in International Relations from the University of Virginia in 1988; and received a J.D. from the University of Virginia School of Law in 1992. From June 1988, to June 1989, he was a volunteer social worker in rural Peru, where he focused on community development programs.

Mr. Maloney and his partner, Randy Florke, have a 9-year-old son.

30-30-30

Exchange Mail

DATE-TIME 5/25/99 3:39:20 PM
FROM vonLipsey, Roderick K.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Cox and CTBT [UNCLASSIFIED]

TO Andreasen, Steven P.
Bell, Robert G.
Lackey, Miles M.
Rudman, Mara E.
Tavlarides, Mark J.
Leavy, David C.

CARBON_COPY Andreasen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Brackman, Stella S.
Kelly, Sandra L.
McCausland, Jeffrey D.
Mulligan, George D.
Peterman, David (Brian)
Pimentel, Betsy J.
vonLipsey, Roderick K.
Wasserman, Elaine P.

TEXT_BODY Steve, I didn't realize you were also staffing the Cox commission on CTBT issues. Nice work!

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

From: Andreasen,
Steven P.
Sent: Tuesday, May 25, 1999 3:30 PM
To: Bell, Robert
G.; Lackey, Miles M.; Rudman, Mara E.; Tavlarides, Mark J.; Leavy,
David C.
Cc: @DEFENSE - Defense Policy
Subject: Cox and CTBT [UNCLASSIFIED]
Importance: High

Colleagues

--

Note the piece released today by the Arms Control NGO's about the relevance of the Cox Report for CTBT. I will be tracking who

says what about this connection in the next 24-48 hours, pro and con ... note the Spratt excerpt from today's news conference, which I've tacked on to the end of this e-mail also ...

Nuclear

Weapons Experts Say Cox Nuclear Transfers Report Cites Role of Test

Ban in Blocking Chinese Gains

To: National Desk, Defense Reporter

Contact: Adam Eiding or Steve Rabinowitz,
202-547-3577 or
202-744-2671,
for the Coalition to Reduce Nuclear Dangers;

Web site: www.crnd.org

WASHINGTON, May 25 /U.S. Newswire/

-- The newly-released report of the House Select Committee led by Rep. Chris Cox (R-Calif.) raises important questions about what steps the U.S. Senate is not taking to minimize damage to U.S. security by the loss of sensitive nuclear weapons secrets from our nation's laboratories, say leading nuclear weapons experts.

The United

States, like the People's Republic of China, has signed the Comprehensive

Test Ban Treaty (CTBT), but the United States and other key states

have not yet ratified, preventing entry into force of the global

agreement, which would create a verification system to monitor and

deter nuclear testing worldwide. Foreign Relations Committee Chairman

Jesse Helms (R-N.C.) has blocked action on the CTBT for over 1 1/2

half years. The Cox Committee report acknowledges that "if (China)

violates the Comprehensive Test Ban Treaty by testing surreptitiously,

it could further accelerate its nuclear development."

"In

addition to a thorough review and tightening of nuclear weapons

know-how and laboratory security, Senate leaders should take

immediate action on the Comprehensive Test Ban Treaty (CTBT) to mitigate the effect of the loss of these nuclear secrets," says Charles Ferguson of the Federation of American Scientists.

"China's nuclear arsenal is not, as the report claims, on par with the United States' and these data alone will not allow China to approximate America's at any time in the near future. Any country that wishes to deploy and prepare to use advanced nuclear weapons needs more than blueprints and computer codes for them. Those nations would need to conduct nuclear test explosions before they could be confident a nuclear weapon would work as designed. The CTBT is our last line of defense against the use of stolen technology, but the Senate is derelict in its duty to help stop China and others from conducting the nuclear test explosions that could help them perfect advanced types of warheads," added Ferguson, a former research scientist at Los Alamos National Laboratory.

Worst-case scenarios, as outlined by the Cox Committee's report, suggest that China may have already used some U.S. nuclear bomb data to test and certify one warhead type. Ironically, it was U.S. test monitoring intelligence gained from Chinese nuclear test explosions that indicated that China had access to design information on America's advanced W-88 warhead.

"These facts confirm that China cannot confidently incorporate new and advanced designs into its arsenal without extensive explosive testing," said Matthew MacKenzie, senior scientist at the Natural Resources Defense Council.

"The CTBT would, at the very least, help prevent China and other

states from adding advanced nuclear warhead types that have not already been tested thoroughly enough to achieve confidence in their performance," he added.

"America's ability to detect test ban violations will be greatly enhanced by the CTBT, which would establish a far-reaching global monitoring network and the option of on-site inspections, backed up by military and civilian intelligence-gathering tools. The U.S. must detect and deter nuclear testing by other states with or without the test ban -- a job that can be done much more effectively with the test ban than without," said Daryl Kimball, executive director of the Coalition to Reduce Nuclear Dangers, an organization comprised of 17 of the nation's leading non-proliferation groups. "To deny ratification and global implementation of the Test Ban Treaty is to deny our nation a vital defense against nuclear proliferation."

Daryl Kimball, Charles Ferguson and Matthew MacKenzie are available for interviews by contacting Adam Eiding at 202-547-3577 or 202-986-6186.

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/U.S.

News wire 202-347-2770/

SPRATT: ...

One final point. At most what we can hope from export control, counterintelligence, is to slow down, impede, retard the development of Chinese nuclear weapons and delivery systems such as ballistic missiles. They are a capable country, they have capable scientists, and they have other sources of technology, like the Russians, who have given them copious quantities of information.

So at most we can hope to impede,
slow down and extend the pace.
We probably cannot hope to completely
prevent their development. In
that connection, probably the most
effective device we can use to
slow them down at this point in their
development cycle, is the
Comprehensive Test Ban Treaty.

The
last amendment I offered the committee, which was not
accepted,
was to say that at the end of the report: That the CTBT
has the
kind of impediment, poses a kind of major impediment to
them as
opposed to a minor impediment to us and should be viewed in
that
light and in the light of what we found in this report.
Thank
you very much.

Exchange Mail

DATE-TIME 5/25/99 8:21:03 PM
FROM Andreasen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Cox and CTBT [UNCLASSIFIED]
TO Rudman, Mara E.

CARBON_COPY**TEXT_BODY**

...Defense Policy ...

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

From: Rudman,
Mara E.
Sent: Tuesday, May 25, 1999 8:21 PM
To: Andreasen, Steven
P.
Subject: RE: Cox and CTBT [UNCLASSIFIED]

that's being cute,
right? (it's hard to catch these tone things via email...)

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

From: Andreasen, Steven P.
Sent: Tuesday, May 25,
1999 8:18 PM
To: Rudman, Mara E.
Subject: RE: Cox and CTBT [UNCLASSIFIED]
Importance: High

Did
we talk about this?

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

From: Rudman,
Mara E.
Sent: Tuesday, May 25, 1999 8:15 PM
To: Andreasen, Steven
P.
Subject: RE: Cox and CTBT [UNCLASSIFIED]

okay, for the record,
did i or did i not put this idea in your mind when i mentioned spratt's

comments at the end of the press conference?

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

From: Andreassen,
Steven P.
Sent: Tuesday, May 25, 1999 3:30 PM
To: Bell, Robert
G.; Lackey, Miles M.; Rudman, Mara E.; Tavlarides, Mark J.; Leavy,
David C.
Cc: @DEFENSE - Defense Policy
Subject: Cox and CTBT [UNCLASSIFIED]
Importance: High

Colleagues

--

Note the piece released today by the Arms Control NGO's about the relevance of the Cox Report for CTBT. I will be tracking who says what about this connection in the next 24-48 hours, pro and con ... note the Spratt excerpt from today's news conference, which I've tacked on to the end of this e-mail also ...

Nuclear

Weapons Experts Say Cox Nuclear Transfers Report Cites Role of Test

Ban in Blocking Chinese Gains

To: National Desk, Defense Reporter

Contact: Adam Eidinger or Steve Rabinowitz,
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States, like the People's Republic of China, has signed the Comprehensive Test Ban Treaty (CTBT), but the United States and other key states

have not yet ratified, preventing entry into force of the global agreement, which would create a verification system to monitor and deter nuclear testing worldwide. Foreign Relations Committee Chairman Jesse Helms (R-N.C.) has blocked action on the CTBT for over 1 1/2 half years. The Cox Committee report acknowledges that ``if (China) violates the Comprehensive Test Ban Treaty by testing surreptitiously, it could further accelerate its nuclear development." ``In addition to a thorough review and tightening of nuclear weapons know-how and laboratory security, Senate leaders should take immediate action on the Comprehensive Test Ban Treaty (CTBT) to mitigate the effect of the loss of these nuclear secrets," says Charles Ferguson of the Federation of American Scientists. ``China's nuclear arsenal is not, as the report claims, on par with the United States' and these data alone will not allow China to approximate America's at any time in the near future. Any country that wishes to deploy and prepare to use advanced nuclear weapons needs more than blueprints and computer codes for them. Those nations would need to conduct nuclear test explosions before they could be confident a nuclear weapon would work as designed. The CTBT is our last line of defense against the use of stolen technology, but the Senate is derelict in its duty to help stop China and others from conducting the nuclear test explosions that could help them perfect advanced types of warheads," added Ferguson, a former research scientist at Los Alamos National Laboratory. Worst-case scenarios, as outlined by the Cox Committee's report,

suggest that China may have already used some U.S. nuclear bomb data to test and certify one warhead type. Ironically, it was U.S. test monitoring intelligence gained from Chinese nuclear test explosions that indicated that China had access to design information on

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``America's ability to detect test ban violations will be greatly enhanced by the CTBT, which would establish a far-reaching global monitoring network and the option of on-site inspections, backed up by military and civilian intelligence-gathering tools. The U.S. must detect and deter nuclear testing by other states with or without the test ban -- a job that can be done much more effectively with the test ban than without," said Daryl Kimball, executive director of the Coalition to Reduce Nuclear Dangers, an organization comprised of 17 of the nation's leading non-proliferation groups. ``To deny ratification and global implementation of the Test Ban Treaty is to deny our nation a vital defense against nuclear proliferation."

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/U.S.

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So at most we can hope to impede, slow down and extend the pace.

We probably cannot hope to completely prevent their development. In that connection, probably the most effective device we can use to slow them down at this point in their development cycle, is the Comprehensive Test Ban Treaty.

The last amendment I offered the committee, which was not accepted, was to say that at the end of the report: That the CTBT has the kind of impediment, poses a kind of major impediment to them as opposed to a minor impediment to us and should be viewed in that light and in the light of what we found in this report. Thank you very much.

Exchange Mail

DATE-TIME 5/26/99 6:25:43 PM
FROM Sapiro, Miriam E.
CLASSIFICATION UNCLASSIFIED
SUBJECT CYPRUS REPT - FW: pkg 3766 [UNCLASSIFIED]
TO Allen, Charles A.
Tavlarides, Mark J.

CARBON_COPY Blinken, Antony J.
Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Hunerwadel, Joan S.
Krass, Caroline D.
Burrell, Christina L.
Lackey, Miles M.
Shapiro, Daniel B.
Tavlarides, Mark J.
Blinken, Antony J.
Braden, Susan R.
Brown, Keirn C.
Butler, Lawrence E.
Flanagan, Stephen J.
Gordon, Philip H.
Holtzapple, Richard A.
Hurley, C. Michael
Marshall, Betty A.
Maxfield, Nancy H.
McEldowney, Nancy E.
Moyn, Samuel A.
Quinn, Mary E.
Russ, Judith P.
Sapiro, Miriam E.
Schulte, Gregory L.
Uyehara, Margaret A.

TEXT_BODY chuck/mark - cld i plse have your concurrence on this package by
11 am Thurs. thx, ms

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

From: Russ,
Judith P.

Sent: Wednesday, May 26, 1999 5:35 PM

To: Sapiro, Miriam
E.
Subject: pkg 3766 [UNCLASSIFIED]

TRANSLATED_ATTACHMENT 3766 Rprt to Congress.doc

President's Bimonthly Report on Cyprus
February - March 1999

U.S. Ambassador to Cyprus Kenneth Brill met with Cypriot President Clerides on February 5 to discuss next steps on the Cyprus issue.

Special Cyprus Coordinator Thomas J. Miller traveled to Russia and Sweden during February 9-11 for consultations on Cyprus. In Moscow, Ambassador Miller met with officials from the Russian Foreign Ministry, including Russian Special representative for Cyprus Vladimir Chizov. In Stockholm, he met jointly with Swedish State Secretary Jan Eliasson, Finnish State Secretary Jakob Bloomberg and Norwegian State Secretary Aslaug Haga. In both capitals, Ambassador Miller and his counterparts agreed to continue to support the United Nations (UN) Secretary-General's September 30 initiative to reduce tensions and promote a just and lasting Cyprus settlement.

On February 9, Ambassador Brill met with Cypriot Foreign Minister Kassoulides to renew the status of the Cyprus situation in preparation for the Foreign Minister's upcoming visit to the United States.

Ambassador Brill met on February 10 with Turkish Cypriot leader Denktash to exchange views on the current situation on the island and prospects for the settlement process. He urged Mr. Denktash to lift the Turkish Cypriot suspension of bicommunal contacts between the two sides.

Special Presidential Emissary for Cyprus Richard C. Holbrooke and Ambassador Miller met on February 16 with Mr. Kassoulides in New York. They discussed the

status of the Secretary-General's September 30 initiative concerning Cyprus.

Also on February 16, Ambassador Brill met with Mr. Clerides to discuss the status of the UN Secretary-General's September 30 initiative and the Cyprus settlement process.

Secretary of State Madeleine K. Albright met on February 17 with Mr. Kassoulides in Washington. The Secretary reiterated firm U.S. support for the UN Secretary-General's initiative to reduce tensions and promote a just and lasting settlement. She reiterated U.S. support for a solution based on a bizonal, bicommunal federation and stressed that the United States is committed to working with both sides and "will not hesitate to bring to the table whatever contributions we can make ourselves." Secretary Albright urged both sides to "negotiate creatively and flexibly."

Ambassador Miller subsequently met on February 24 with Mr. Kassoulides to follow up on aspects of the Secretary's meeting, including prospects for a settlement.

U.S. Representative Doug Bereuter led a delegation to Cyprus during February 17-18. Representatives Bateman, Bilirakis, Bliley, Gillmor, Goss, Hefley, McInnis, Packard, Roukema, and Tanner participated in the delegation. They met with Messrs. Clerides and Denktash, UN Secretary-General's Deputy Special Representative for Cyprus Ann Hercus, and a cross-section of Cypriots from both sides of the island. In Athens on February 18, the representatives met with Greek Defense minister Tsouhazopoulos and Greek Parliament Speaker Kaklamanis to discuss Cyprus as well as other issues.

On February 23, Deputy Assistant National Security Adviser James B. Steinberg and Under Secretary for Political Affairs Thomas Pickering met separately with UK Special Cyprus Representative David Hannay in Washington to review the Cyprus

settlement process. Ambassador Hannay also met with Ambassador Miller to discuss next steps.

On February 24, Ambassador Brill met with Mr. Denktash to discuss prospects to resume the negotiation process.

On March 8, Ambassador Brill met with Mr. Kassoulides to follow up on his visit to the United States and discuss the upcoming visit by Ambassador Miller.

Ambassador Miller traveled to Turkey, Cyprus, and Greece during March 8 - 13. On March 8, Ambassador Miller met in Istanbul with Turkish business leaders. In Ankara on March 9, he met with Foreign Minister Cem, Deputy Foreign Minister Gurel and other senior MFA officials. In Nicosia on March 10 and 11, Ambassador Miller held separate meetings with Messers. Clerides and Denktash to discuss prospects for resuming settlement negotiations. On March 11 - 12, Ambassador Miller met in Athens with Foreign Minister Papandreou, alternate Foreign Minister Kranidiotis and other senior MFA officials.

On March 12, Cypriot MFA Director General Shambos called in Charge d'Affairs Deborah Graze and the ambassadors from the other Permanent five UN Security Council members to lodge a protest about reported plans by Turkish Cypriots to change the status of Varosha.

During his visit to the United States on March 24, Greek Deputy foreign Minister Niotis called upon U/S Pickering, Assistant Secretary for European Affairs Marc Grossman, NSC Senior Director Antony Blinken and Ambassador Miller to discuss a wide-range of issues, including Cyprus and the settlement process.

On March 25, Ambassador Miller met in London with Ambassador Hannay regarding the Cyprus dispute.

Ambassador Miller traveled to Paris on March 26 for consultations

with MFA Deputy
Political Director Baleine du Laurens and other senior MFA officials
to review
prospects for settlement negotiations.

On March 26, Ambassador Brill met with Mr. Kassoulides to continue
discussion of
U.S. efforts to resume Cyprus settlement talks.

Ambassador Miller met with Brussels on March 30 with European
Union (EU) Troika
representatives to discuss the Cyprus problem. Among the EU
representatives were
German Council President and German Cyprus Coordinator Detlev Zu
Rantzau, EU
Commissioner for Cyprus, Malta, and Turkey Eric Van Der Linden,
EU Commission
Administrator for Cyprus, Malta, and Turkey Benoit Hambueckers,
Austrian MFA
Director of Southern European Affairs Walter Hagg, Finnish MFA
Deputy Director
General Anneli Puura-Markala, and EU Council Secretariat Principal
Administrator
for South East Europe Leena Aalto.

3

3

3766

TRANSLATED_ATTACHMENT 3766ltrHastert.doc

Dear Mr. Speaker:

In accordance with Public Law 95-384 (22 U.S.C. 2372(c)), I submit
to you this
report on progress toward a negotiated settlement of the Cyprus
question covering
the period February 1, 1999 to March 31, 1999. The previous
submission covered

events during December 1998 and January 1999.

The United States remains actively engaged in efforts to promote a negotiated settlement to the Cyprus dispute, under UN auspices and on the basis of a bizonal, bicomunal federal solution. Secretary Albright underscored the U.S. commitment to finding a comprehensive solution to Cypriot Foreign Minister Kassoulides during their February 17 meeting in Washington.

Our efforts also continued in the region. Special Cyprus Coordinator Thomas J. Miller traveled to Turkey, Cyprus and Greece during March 8-13, and Ambassador Brill continued discussions with the Greek Cypriot and Turkish Cypriot leadership on next steps. Ambassador Miller also discussed prospects for progress with counterparts in EU capitals and in Moscow.

Sincerely,

The Honorable J. Dennis Hastert
Speaker of the House of Representatives
Washington, D.C. 20515

1

2

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Sincerely,

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

1

2

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Report to Congress on Cyprus

Purpose

Forward the bimonthly Presidential Report to the Congress on Cyprus.

Background

The International Security Assistance Act of 1978 requires that you submit a bimonthly report on progress made during the period toward "the conclusion of a negotiated solution of the Cyprus problem," including any relevant reports prepared by the UN Secretary General for the Security Council. The Department of State has prepared for your approval a draft Presidential Report on Cyprus, which is at Tab B. At Tab A are transmittal letters to the Speaker of the House of Representatives and the Chairman of the Senate Committee on Foreign Relations.

The previous report covered progress during December 1998 to January 1999. The current report covers the period February 1999 to March 1999.

The United States remains actively engaged in efforts to promote a negotiated settlement to the Cyprus dispute, under UN auspices and on the basis of a bizonal, bicomunal federal solution. Secretary Albright underscored the U.S. commitment to finding a comprehensive solution to Cypriot Foreign Minister

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Miller traveled to Turkey, Cyprus and Greece during March 8-13, and Ambassador

Brill continued discussions with the Greek Cypriot and Turkish Cypriot leadership

on next steps. Ambassador Miller also discussed prospects for progress with counterparts in EU capitals and in Moscow.

RECOMMENDATION

That you sign the letters to the Congress at Tab A.

Attachments

Tab A Transmittal Letters to Congress

Tab B Report to Congress

2

2

3766

cc: Vice President
Chief of Staff

TRANSLATED_ATTACHMENT 3766SRB.doc

May 26, 1999

ACTION

EMORANDUM FOR SAMUEL R. BERGER

THROUGH: ANTONY BLINKEN

FROM: MIRIAM SAPIRO

SUBJECT: President's Report to Congress on Cyprus

Attached at Tab I is a memorandum to the President transmitting his bimonthly Report to Congress on Cyprus, submitted in accordance with the International Security Assistance Act of 1978. This report covers the February 1999 - March 1999 timeframe and should be submitted as soon as possible.

Concurrence by: Chuck Allen, Mark Tavlarides

RECOMMENDATION

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

Attachments

Tab I Memorandum to the President
Tab A Transmittal Letters to Congress
Tab B Report to Congress
Tab II Incoming from State

1

3766

Exchange Mail

DATE-TIME 6/8/99 4:55:44 PM
FROM Andreassen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT CTBT -- Positive Developments ... [UNCLASSIFIED]

TO Bell, Robert G.
Lackey, Miles M.
Rudman, Mara E.
Tavlarides, Mark J.
Leavy, David C.
Samore, Gary S.
Tucker, Maureen E.
Krass, Caroline D.
Camp, Donald A.
Riedel, Bruce O.

CARBON_COPY Andreassen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Brackman, Stella S.
Kelly, Sandra L.
McCausland, Jeffrey D.
Mulligan, George D.
Peterman, David (Brian)
Pimentel, Betsy J.
vonLipsey, Roderick K.
Wasserman, Elaine P.

TEXT_BODY

Colleagues --

A number of promising -- or at least positive -- developments on the CTBT front shortly before and during my absence last week (let me resist, in advance, any suggestion that there was a correlation between the two). Major negative, as I see it, was the Pakistani Foreign Office suggesting that the pulling down of the Brownback bill on May 27 might jeopardize Pakistani CTBT signature. Beginning with yesterday, and moving back through the last two weeks, here are "the positives." I'll follow up with another e-mail suggesting "next steps."

1. June 7 -- Senator Dorgan repeats his May 24 pitch for CTBT ratification on the Senate floor. For the second time in two weeks (see below), Senator Dorgan stated on the floor

of the Senate that he intends to try to move CTBT in the next "two to three months." Dorgan said he was organizing a letter with others to appropriate committee members requesting a debate, and said he would be urging other Senators to join him in this effort. Senator Reid followed Dorgan to the floor and endorsed his remarks, saying everything that can be done should be done to ratify the Treaty.

2. June 6 -- Senator Bob Kerry pitches CTBT on "Meet the Press." The Senator said: "What we need to do is engage significantly on the strategic front, on the cooperative effort and continue the advances we've made with the Comprehensive Test Ban treaty ..." Adds to the voices of Senator Levin, Congressman Spratt, and other "Congressional Cox Commentators" who have noted the relevance of CTBT ratification in the wake of the Cox Committee report.

3. June 2 -- News and Editorials/Op-Eds. AP piece entitled "Nuclear Test Ban Treaty Languishes in Senate", by Tom Raum, runs nationally (full text reprinted at the end of this e-mail). Notes, inter-alia, that the Treaty has languished in the Senate for 20 months. More significant, a number of "pro-CTBT" Editorials and Op Eds -- many from America's heartland (Mara: this includes everything north, west and south of Massachusetts) -- have appeared in the last two weeks, including in the: Tennessean ... News and Observer (Raleigh, North Carolina) ... Minneapolis Star and Tribune ... Austin American Statesman ... the Dallas Morning News ... the Miami Herald ... Omaha-World Herald ... and Atlanta Constitution.

4. June 2 -- Senate staff meet to discuss CTBT (sensitive -- protect). Staff from the offices of Senators Daschle, Biden, Levin, Bingamen, Specter, and Domenici's office meet to discuss ratification. From a single source, I understand that the "action item" being worked is a letter to Helms from a small, bipartisan group of Senators requesting hearings. However, the group was of the view that -- in order for the letter to "advance the ball" beyond last year's Specter resolution -- prominent Republicans (like Domenici and Stevens) must be on board.

5. May 31 -- Statement by Lab Directors (sensitive -- protect). On Saturday, May 29, DOE informed me that Ian Hoffman (Albuquerque Tribune) was working on a story to the effect that a small number of lab scientists were suggesting to a certain Senator's staff that CTBT should be put on hold (or even that the U.S. should resume testing) in the wake of the Cox Committee report. To knock this down, DOE obtained a statement from the three lab directors reaffirming their belief that "...we remain confident that the U.S. stockpile stewardship program, as conceived and is being executed, is able to perform this task under a Comprehensive Test Ban Treaty and its safeguards. Recent

concerns over losses of U.S. stockpile information have not changed this assessment in any way." I understand that Richardson personally handed the statement to Hoffman at some point over the Memorial Day weekend: unclear how Hoffman now plans to proceed. That said, we have a statement from the three lab directors "in the can," if needed.

6. May 26 -- Kissinger "stands aside" (for the moment) on CTBT. When asked by Senator Hagel during the SFRC hearing on ABM "where does the CTBT fit into all this," Kissinger replied: "I really am not adequately prepared on the Comprehensive -- on all the nuances of the Comprehensive Test Ban Treaty. And I'm not ducking, I'll be glad to come back and tackle that. I have not addressed that issue. In my day, it was always believed that you could not go below a certain threshold with safety. And all the analysis that I was familiar with when I was conducting these negotiations was to believe that you needed to have below a certain -- a, that you couldn't fine-test below a certain threshold, and secondly, that you needed it for the confidence of your own weapons. But this is knowledge that I have not updated." Even better, when Senator Frist asked Kissinger "with regard to the Comprehensive Test Ban Treaty -- could you just share your thoughts of whether it has any value today in our overall defense strategy, either on its own or as part of a larger package of arms control agreements?", Kissinger replied: "Well, I like -- I haven't really studied this in detail, so I don't want to -- I think we have an arms control objective, and must have to prevent the proliferation of nuclear weapons. And anything that makes it more difficult to develop more nuclear weapons, I would, in principle, favor. But then one has to weigh that against the constraints it places on us (ph). But non-proliferation -- prevention or slowing down of non-proliferation -- is an arms control objective to which we should pay a great deal of attention."

7. May 24 -- Senator Dorgan gives floor speech on CTBT. Dorgan chastised the Senate for not taking action and hinted he will lead efforts to make sure the Senate approves the Treaty this year. He said: "...the Comprehensive Nuclear Test Ban Treaty is here in a committee without movement. There were no hearings on the treaty in the last session of the 105th Congress. We are now 5 months into the 106th Congress. ... I intend to work with a number of my colleagues to see if we are able, in the coming weeks, to speak with some aggressiveness on this issue here on the floor of the Senate and, on behalf of the American people, to make the case that we ought to have the opportunity to vote on the ratification of the Comprehensive Nuclear Test Ban Treaty. We ought to do it soon. ... I have seen the agenda that has been offered by the Majority Leader as to what he hopes to bring to the floor to the Senate before Memorial Day, before the Fourth of July. This is not on it. It must be. It should be. I hope it will be,

because this is a critically important issue to our country and to the world."

There you have it. AP piece follows ...

^Nuclear
test ban treaty languishes in Senate<
^By TOM RAUM=
^Associated
Press Writer=
WASHINGTON (AP) If ratified, a nuclear test ban
treaty that
has languished before the Senate for 20 months could
make it harder
for China to advance its acquired nuclear-weapons
capacity,
arms-control advocates say.
But the pact the Comprehensive
Nuclear Test Ban Treaty
remains caught in a dispute between the
Clinton administration and
the Republican-led Senate over modifications
to an earlier
arms-control agreement, the 1972 Anti-Ballistic Missile
treaty.
Sen. Jesse Helms, R-N.C., has refused to schedule hearings
on
the Comprehensive Nuclear Test Ban Treaty until the administration
sends
the ABM amendments to the Senate for ratification. Helms had
given
the White House until Tuesday to submit the ABM legislation
threatening
to put a freeze on all treaties if it failed to do so.
The ABM
modifications, which concern how the treaty affects
other former
Soviet republics as well as Russia, were agreed to by
Clinton and
Russian President Boris Yeltsin. But the administration
doesn't
want to submit them to the Senate until the Russian
parliament ratifies
a later arms control regimen the so-called
START II treaty.

With US-Russian relations strained by NATO's bombing in
Yugoslavia,
the Russian Duma does not seem inclined to act soon.
''The situation

has been thrown off course by the Kosovo operation," said a senior White House official who spoke on condition of anonymity. "We intend to try to put the arms control track back in gear with the Russians."

Administration officials fear that Helms and other Senate conservatives will use the delay to pull the United States out of the ABM treaty entirely. Helms has said the 1972 treaty belongs in the "dust bin of history" because the Soviet Union no longer exists.

Some Democratic supporters of the Comprehensive Nuclear Test Ban Treaty have hinted that they may use procedural devices in the Senate this month to pressure Senate Majority Leader Trent Lott, R-Miss., to put the treaty on the agenda this summer. Sen. Byron Dorgan, D-S.D., said he and the others would "speak with some aggressiveness on this issue."

The treaty which obligates its signatories not to carry out any nuclear weapons test explosions sets a September 1999 deadline for winning ratification. But neither the Senate GOP leadership nor the administration seemed ready to budge.

Daryl Kimball, executive director of the Coalition to Reduce Nuclear Dangers, an umbrella group of the 17 largest nonproliferation organizations, said the Comprehensive Nuclear Test Ban Treaty "is one of the few tools that is available to the United States to prevent China from conducting nuclear tests on its warhead designs." "How helpful is it to national security to delay consideration of a treaty that's been in the Senate for 20 months now?" Kimball

asked.

The

treaty has been signed by 152 countries, including Russia and China.

But only 29 have ratified it. And of those, only two are nuclear

powers: Britain and France. To take effect, all 44 nations with

nuclear technology must ratify the treaty.

China held its last

underground nuclear test in 1996 and then

declared a moratorium

on nuclear testing. It has given no

indication that it will resume

testing.

Even so, many treaty advocates claim the Senate delay

is keeping

other nations from ratifying the treaty. They say this

is

especially important given last year's nuclear tests by India

and

Pakistan.

The treaty would set up a worldwide monitoring

system.

"These are not salad days for arms control," said

Chris

Madison, a spokesman for Sen. Joseph Biden of Delaware. Biden,

the

senior Democrat on the Foreign Relations Committee, is leading

the

charge for the treaty but has been frustrated by Helms.

"I will do everything within my power to ensure that the ABM

treaty

is never resurrected or reconstituted," Helms said last

week.

Meanwhile, the administration contends the ABM treaty "remains

in

force" with Russia, even though the Soviet Union no longer

exists,

the official said.

APE- 06/02/99 13:04:00

Exchange Mail

DATE-TIME 7/1/99 6:10:36 PM

FROM Armstrong, Fulton T. (INTERAM)

CLASSIFICATION ~~CONFIDENTIAL~~

CLASSIFICATIONREASON 1.5(d)

DATECLASSIFIEDON 07/01/1999

DECLASSIFYON 07/01/2009

SUBJECT Cuba: Helms-Burton Title III Suspension Renewal
~~CONFIDENTIAL~~

TO Allen, Charles A. (LEGAL)
Baker, James E. (LEGAL)
DeRosa, Mary B. (LEGAL)
Hunerwadel, Joan S. (LEGAL)
Krass, Caroline D. (LEGAL)
Burrell, Christina L. (LEGIS)
Lackey, Miles M. (LEGIS)
Shapiro, Daniel B. (LEGIS)
Tavlarides, Mark J. (LEGIS)
Hammer, Michael A. (PRESS)
Duncan, John D.
Hammonds, D. Holly (INTECON)
Hendricks, Lori A. (INTECON)
Mitsler, Elaine M. (INTECON)
Schaefer, Matthew P. (INTECON)

DECLASSIFIED
E.O. 13526 5/16/2017
White House Guidelines, September 11, 2006
By 12 NARA, Date 2/2/2019
2006-1363-F(2)

CARBON_COPY

TEXT_BODY Colleagues: It's that time again pls. clear.

Mike Hammer:

Note proposed rollout -- to avoid conflict with Miami trip. Make sense?

--Fulton

TRANSLATED_ATTACHMENT 5032 srb.doc

July 1, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ARTURO VALENZUELA

FROM: FULTON T. ARMSTRONG

SUBJECT: Continued Suspension of Provisions of Title III of Helms-Burton Act

At Tab I is a Memorandum for the President recommending renewal of the suspension of provisions of Title III of the Cuban Liberty and Democratic Solidarity Act (Helms-Burton) for another six months. The State Department supports the recommendation.

We also request the President's signature on letters (Tab A) informing the Congress of his decision. The law requires that notification be made before July 16 -- i.e., at least 15 days before the date on which the new suspension period is to begin. However, we may want to do so on/around July 7 so that it will not be an issue during the President's visit to Miami on July 13.

We propose a low-key public rollout. Release of a brief Presidential statement and a press statement by Stu Eizenstat, as the President's Special Representative for Promotion of Democracy in Cuba, would be appropriate.

Concurrence by: Miles/Mark/Dan; Mary DeRosa; Holly Hammonds; Mike Hammer

RECOMMENDATION

That you forward the Memorandum for the President.

Attachments

Tab I Memorandum for the President

Tab A Certification Letters to Congress

Tab B Sampling of Allies' Efforts to Promote Democracy

2

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~ 5032

~~CONFIDENTIAL~~

Reason: 1.5 d

Declassify On: 07/01/09

TRANSLATED_ATTACHMENT 5032 POTUS.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Continued Suspension of Provisions of Title III of Helms-Burton Act

Purpose

To decide whether to renew for another six months the suspension of provisions of

Title III of the Cuban Liberty and Democratic Solidarity Act (Helms-Burton).

Background

On July 15, 1996, and at six-month intervals since, you decided to suspend

provisions of the Helms-Burton Act under which U.S.-national claimants could file

suit in federal court against foreign firms "trafficking" in confiscated properties in Cuba. As provided by the law, you determined that suspension was

necessary to the U.S. national interests and would expedite democratic transition in Cuba.

Recent Progress

Our efforts to encourage allies' cooperation in promoting democracy and human

rights in Cuba continued to gain momentum during the past six months.

International pressure on the Cuban government to respect human rights grew stronger, particularly after the sentencing of four prominent human rights activists in March. Canadian Foreign Minister Axworthy raised human rights with Fidel Castro in January and, more recently, ordered a review of Canadian assistance programs to Cuba. The Foreign Ministers of many EU and Latin American countries have condemned Cuban rights abuses. During a visit to Havana, Colombian President Pastrana made a speech emphasizing democratic themes. Votes in key forums underscore this trend. Reversing its position from last year, the UN Human Rights Commission in Geneva in April approved a resolution -- notably sponsored by the Czech Republic and Poland -- critical of the situation in Cuba. The EU on June 25 renewed its "Common Position" on Cuba, again conditioning assistance and warmer relations on clear movement toward democracy and respect for human rights. (A sampling of allies' efforts is at Tab B.) NSC, NEC, Treasury and State support extending the suspension of U.S. citizens' right to file suit under Title III for six more months. They believe our allies' pro-democracy initiatives warrant it, and failure to extend would jeopardize this cooperation. It would also derail the Understanding With Respect to Disciplines on Expropriated Property, reached at the EU Summit in May 1998, under which the EU, among other things, undertook to inhibit and deter investment in expropriated properties in Cuba and elsewhere if we secured Congressional amendment of Helms-Burton to allow you to waive Title IV (dealing with denial of visas to directors of firms investing in confiscated properties in Cuba) for countries discouraging such investments. This decision is unlikely to draw major criticism. The last four renewals passed largely unnoticed, with even the three Cuban-Americans in Congress and other perennial opponents of the waivers offering only mild criticism.

Moderates in the Cuban-American community, as well as numerous Members of the House and Senate, have welcomed past waivers and are certain to support this one.

At Tab A is a proposed letter to the chairmen and ranking minority members of the House and Senate foreign relations and appropriations committees notifying them of your decision by July 16, as required by the law. We further propose issuing a brief Presidential statement announcing the decision.

RECOMMENDATION

That you suspend the right to file suit under Title III of Helms-Burton for another six months and sign the congressional notification letters at Tab A.

Attachments

Tab A Congressional Notification Letters

Tab B Sampling of Allies' Efforts to Promote Democracy

2

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~ 5032

~~CONFIDENTIAL~~ cc: Vice President

Reason: 1.5 d Chief of Staff

Declassify On: 07/01/09

TRANSLATED_ATTACHMENT 5032 HBIII letters.doc
[to chair/rankingmember of SFRC/HIRC and SAC/HAC]

Dear Mr. Chairman:

Pursuant to subsection 306(c)(2) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104-114), (the "Act"), I

hereby determine and
report to the Congress that suspension for six months beyond August
1, 1999, of
the right to bring an action under Title III of the Act is necessary to
the
national interests of the United States and will expedite a transition to
democracy in Cuba.

Sincerely,

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510-3301

Enclosure

2

TRANSLATED_ATTACHMENT 5032 TAB B.doc

**SAMPLING OF ALLIES' EFFORTS TO PROMOTE DEMOCRACY
IN CUBA**

? EU and Latin American leaders have increased private and public
pressure on the
Cuban government to release political prisoners and respect human
rights.
Canadian Foreign Minister Axworthy pressed Fidel Castro for release
of human
rights activists from the "Dissident Working Group," and Prime
Minister Chretien
-- disappointed when they were subsequently sentenced to 4-6 years in

prison on trumped-up charges -- announced that Canada would review its assistance to Cuba.

The EU Commission and the Foreign Ministers of Belgium, Italy, Spain and other EU and Latin American countries also criticized the sentencing. During a visit to Havana, Colombian President Pastrana made a speech emphasizing the importance of democracy and human rights.

? In April, the UN Human Rights Commission in Geneva passed a resolution sponsored by the Czech Republic and Poland highlighting Cuba's human rights problems. Although the resolution passed by only one vote, EU member states strongly supported it, as did an unprecedented number of Latin American countries.

? In June, the EU renewed for an additional six months its "Common Position" on Cuba, conditioning assistance and improved relations on Cuban progress regarding human rights and democracy. The EU concluded that there had been no improvement over the past six months.

? International nongovernmental organizations have remained active in promoting freedom in Cuba. Leaders of the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labor (WCL) have privately and publicly called on the government to respect human rights. Various international press organizations, including Reporters sans Frontiers and the Committee to Protect Journalists, have criticized Cuba's treatment of independent journalists, particularly new laws outlawing their activities. Amnesty International and other human rights groups based in Europe and Canada continued to promote the cause of Cuban human rights activists.

5032

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	David Sherman to Donald Mitchell. Subject: UN Report. (8 pages)	07/02/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
NSC Emails
Exchange-Non-Record (Mar 97-Jan 01) ([Jesse Helms])
OA/Box Number: 630000

FOLDER TITLE:

[04/01/1999-07/06/1999]

2006-1363-F
vz5694

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Exchange Mail

DATE-TIME 7/6/99 9:46:27 AM
FROM Armstrong, Fulton T. (INTERAM)
CLASSIFICATION ~~CONFIDENTIAL~~
CLASSIFICATIONREASON 1.5(d)
DATECLASSIFIEDON 07/01/1999
DECLASSIFYON 07/01/2009
SUBJECT LAST CALL: Cuba: Helms-Burton Title III Suspension Renewal
~~[CONFIDENTIAL]~~
TO Burrell, Christina L. (LEGIS)
 Lackey, Miles M. (LEGIS)
 Shapiro, Daniel B. (LEGIS)
 Tavlarides, Mark J. (LEGIS)
 Williams, Mary C. (ADMIN)
 Duncan, John D.
 Hammonds, D. Holly (INTECON)
 Hendricks, Lori A. (INTECON)
 Mitsler, Elaine M. (INTECON)
 Schaefer, Matthew P. (INTECON)

DECLASSIFIED
 E.O. 13526 5/14/2017
 White House Guidelines, September 11, 2006
 By VZ NARA, Date 2/7/2019
 2006-1363-F(3)

CARBON_COPY

TEXT_BODY

Miles, Holly: Last call. Gotta move this package. --Fulton

-----Original

Message-----

From: Armstrong, Fulton T. (INTERAM)

Sent: Friday,

July 02, 1999 5:34 PM

To: @LEGAL - Legal Advisor; @LEGISLAT - Legislative
 Affairs; Hammer, Michael A. (PRESS); @HAMMONDS

Subject: PLEASE:

Cuba: Helms-Burton Title III Suspension Renewal

~~[CONFIDENTIAL]~~

Colleagues:

Hope you can clear by OOB Tuesday. Gracias. --Fulton

-----Original

Message-----

From: Armstrong, Fulton T. (INTERAM)

Sent: Thursday,

July 01, 1999 6:11 PM

To: @LEGAL - Legal Advisor; @LEGISLAT - Legislative Affairs; Hammer, Michael A. (PRESS); @HAMMONDS

Subject: Cuba: Helms-Burton

Title III Suspension Renewal ~~CONFIDENTIAL~~

Colleagues: It's
that time again pls. clear.

Mike Hammer: Note proposed
rollout -- to avoid conflict with Miami trip. Make sense?

--Fulton

TRANSLATED_ATTACHMENT 5032 srb.doc

July 1, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ARTURO VALENZUELA

FROM: FULTON T. ARMSTRONG

SUBJECT: Continued Suspension of Provisions of Title III of Helms-Burton Act

At Tab I is a Memorandum for the President recommending renewal of the suspension of provisions of Title III of the Cuban Liberty and Democratic Solidarity Act (Helms-Burton) for another six months. The State Department supports the recommendation.

We also request the President's signature on letters (Tab A) informing the Congress of his decision. The law requires that notification be made before July 16 -- i.e., at least 15 days before the date on which the new suspension period is to begin. However, we may want to do so on/around July 7 so that it will not

be an issue during the President's visit to Miami on July 13.

We propose a low-key public rollout. Release of a brief Presidential statement and a press statement by Stu Eizenstat, as the President's Special Representative for Promotion of Democracy in Cuba, would be appropriate.

Concurrence by: Miles/Mark/Dan; Mary DeRosa; Holly Hammonds; Mike Hammer

RECOMMENDATION

That you forward the Memorandum for the President.

Attachments

Tab I Memorandum for the President

Tab A Certification Letters to Congress

Tab B Sampling of Allies' Efforts to Promote Democracy

2

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~ 5032

~~CONFIDENTIAL~~

Reason: 1.5 d

Declassify On: 07/01/09

TRANSLATED_ATTACHMENT 5032 POTUS.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER

LARRY STEIN

SUBJECT: Continued Suspension of Provisions of Title III of Helms-Burton Act

Purpose

To decide whether to renew for another six months the suspension of provisions of Title III of the Cuban Liberty and Democratic Solidarity Act (Helms-Burton).

Background

On July 15, 1996, and at six-month intervals since, you decided to suspend provisions of the Helms-Burton Act under which U.S.-national claimants could file suit in federal court against foreign firms "trafficking" in confiscated properties in Cuba. As provided by the law, you determined that suspension was necessary to the U.S. national interests and would expedite democratic transition in Cuba.

Recent Progress

Our efforts to encourage allies' cooperation in promoting democracy and human rights in Cuba continued to gain momentum during the past six months.

International pressure on the Cuban government to respect human rights grew

stronger, particularly after the sentencing of four prominent human rights

activists in March. Canadian Foreign Minister Axworthy raised human rights with

Fidel Castro in January and, more recently, ordered a review of Canadian

assistance programs to Cuba. The Foreign Ministers of many EU and Latin American

countries have condemned Cuban rights abuses. During a visit to Havana,

Colombian President Pastrana made a speech emphasizing democratic themes.

Votes in key forums underscore this trend. Reversing its position from last

year, the UN Human Rights Commission in Geneva in April approved a resolution --

notably sponsored by the Czech Republic and Poland -- critical of the situation

in Cuba. The EU on June 25 renewed its "Common Position" on Cuba, again

conditioning assistance and warmer relations on clear movement toward democracy

and respect for human rights. (A sampling of allies' efforts is at Tab B.)

NSC, NEC, Treasury and State support extending the suspension of U.S. citizens'

right to file suit under Title III for six more months. They believe our allies'

pro-democracy initiatives warrant it, and failure to extend would jeopardize this

cooperation. It would also derail the Understanding With Respect to Disciplines

on Expropriated Property, reached at the EU Summit in May 1998, under which the

EU, among other things, undertook to inhibit and deter investment in expropriated

properties in Cuba and elsewhere if we secured Congressional amendment of

Helms-Burton to allow you to waive Title IV (dealing with denial of visas to

directors of firms investing in confiscated properties in Cuba) for countries

discouraging such investments.

This decision is unlikely to draw major criticism. The last four renewals passed

largely unnoticed, with even the three Cuban-Americans in Congress and other

perennial opponents of the waivers offering only mild criticism.

Moderates in

the Cuban-American community, as well as numerous Members of the House and

Senate, have welcomed past waivers and are certain to support this one.

At Tab A is a proposed letter to the chairmen and ranking minority members of the

House and Senate foreign relations and appropriations committees notifying them

of your decision by July 16, as required by the law. We further propose issuing

a brief Presidential statement announcing the decision.

RECOMMENDATION

That you suspend the right to file suit under Title III of Helms-Burton for

another six months and sign the congressional notification letters at Tab A.

Attachments

Tab A Congressional Notification Letters

Tab B Sampling of Allies' Efforts to Promote Democracy

~~CONFIDENTIAL~~ 5032

~~CONFIDENTIAL~~ cc: Vice President
Reason: 1.5 d Chief of Staff
Declassify On: 07/01/09

TRANSLATED_ATTACHMENT 5032 HBIII letters.doc
[to chair/rankingmember of SFRC/HIRC and SAC/HAC]

Dear Mr. Chairman:

Pursuant to subsection 306(c)(2) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104-114), (the "Act"), I hereby determine and report to the Congress that suspension for six months beyond August 1, 1999, of the right to bring an action under Title III of the Act is necessary to the national interests of the United States and will expedite a transition to democracy in Cuba.

Sincerely,

The Honorable Jesse Helms
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510-3301

Enclosure

2

TRANSLATED_ATTACHMENT 5032 TAB B.doc

SAMPLING OF ALLIES' EFFORTS TO PROMOTE DEMOCRACY IN CUBA

? EU and Latin American leaders have increased private and public pressure on the Cuban government to release political prisoners and respect human rights. Canadian Foreign Minister Axworthy pressed Fidel Castro for release of human rights activists from the "Dissident Working Group," and Prime Minister Chretien -- disappointed when they were subsequently sentenced to 4-6 years in prison on trumped-up charges -- announced that Canada would review its assistance to Cuba. The EU Commission and the Foreign Ministers of Belgium, Italy, Spain and other EU and Latin American countries also criticized the sentencing. During a visit to Havana, Colombian President Pastrana made a speech emphasizing the importance of democracy and human rights. ? In April, the UN Human Rights Commission in Geneva passed a resolution sponsored by the Czech Republic and Poland highlighting Cuba's human rights problems. Although the resolution passed by only one vote, EU member states strongly supported it, as did an unprecedented number of Latin American countries. ? In June, the EU renewed for an additional six months its "Common Position" on Cuba, conditioning assistance and improved relations on Cuban progress regarding human rights and democracy. The EU concluded that there had been no improvement over the past six months. ? International nongovernmental organizations have remained active in promoting

freedom in Cuba. Leaders of the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labor (WCL) have privately and publicly called on the government to respect human rights. Various international press organizations, including Reporters sans Frontiers and the Committee to Protect Journalists, have criticized Cuba's treatment of independent journalists, particularly new laws outlawing their activities. Amnesty International and other human rights groups based in Europe and Canada continued to promote the cause of Cuban human rights activists.

2

5032