

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	James Baker to Mary DeRosa and William Leary. Subject: RE: Helms Request for the "Christmas Warning." (4 pages)	09/16/1998	P1/b(1)
002. email	Steven Andreasen to Robert Bell. Subject: Major Memos for Review. (10 pages)	10/11/1998	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

[07/14/1998-10/27/1998]

2006-1363-F

vz5705

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 7/14/98 6:01:06 PM
FROM Abercrombie-Winstanley, Gina K.
CLASSIFICATION UNCLASSIFIED
SUBJECT EB meeting with Senator Helms [UNCLASSIFIED]
TO Rudman, Mara E.

CARBON_COPY**TEXT_BODY****Background**

The Africa trade bill has hit another bump in the road to enactment. Finance and Foreign Relations Committees staff have worked out an informal agreement to allow the bill to be marked up by both committees. Mr. Helms has not signed off on the agreement yet. He needs to do so quickly so a window of opportunity to get the bill to the floor in this session is not lost.

Talking points*** I**

understand you have just about reached agreement with Senator Roth on moving the Africa trade bill out of committees.

*** Your agreement**

for sequential referral is essential to this process.

This bill

is key to changing our relationship with Africa to a more equal partnership emphasizing trade and investment.

*** African textiles make up only**

.62 of textile and apparel imports in to the United States. Even if it -- unrealistically-- grew 100 percent in the next five years, imports would STILL only equal 1.2 percent of imports.

*** Don't**

forget the products made in Africa will displace imports from places like China and India, not the high quality, high value products made by your constituents.

*** Jesse, a prosperous Africa is the only**

way to cut out these persistent bills for refugee assistance and peacekeeping operations. This is a cheap way of making a real impact in Africa at minimal cost to America.

* 700,00 million prosperous
Africans will buy U.S. products in the long term. This bill is about
American jobs as much as it is about helping Africa.

Exchange Mail

DATE-TIME 7/16/98 8:42:56 PM
FROM Farrar, Jay C.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Read Ahead for Berger/CTBT Meeting [UNCLASSIFIED]
TO Rudman, Mara E.

CARBON_COPY

TEXT_BODY

This is a good primer on CTBT latest information. I called staffers from every "swing" Republican office - the results were all negative.

McCain, Stevens, Hagel, Warner, Domenici, DeWine, Frist and Collins. Robb is also not ready to climb out on the limb - don't know about Brownback - yet.

In light of the Republican setback on Russia-Iran sanctions vote - I hardly think they'll take up CTBT and give POTUS a victory.

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

From: Farrar, Jay C.

Sent: Thursday, July 09, 1998 7:21 PM

To: Andreasen, Steven P.

Subject: RE:

Read Ahead for Berger/CTBT Meeting [UNCLASSIFIED]

I like and
respect your resilience and your tenacity!

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

From: Andreasen,

Steven P.

Sent: Thursday, July 09, 1998 7:19 PM

To: Farrar, Jay

C.

Cc: @LEGISLAT - Legislative Affairs; Bell, Robert G.

Subject: RE:

Read Ahead for Berger/CTBT Meeting [UNCLASSIFIED]

Importance: High

Jay

-- I'm not surprised. We are not discouraged. This will be tough.
That's why we get paid the big bucks. Steve.

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

From: Farrar, Jay C.

Sent: Thursday, July 09, 1998

7:09 PM

To: Andreasen, Steven P.

Cc: @LEGISLAT - Legislative Affairs

Subject: RE:

Read Ahead for Berger/CTBT Meeting [UNCLASSIFIED]

Importance: High

Steve,

I

have done some calling over the past two days on CTBT - especially to the offices of the "swing Republicans" you listed below. I hate to tell you this, but the news is all negative - not one staffer I spoke with indicated their boss would be willing to take on Helms on this issue - although I haven't spoken with Steven's folks, yet. Also, Warner is not/not a supporter of CTBT in any way, shape, or form.

So, I don't mean to discourage you, but I also want you and Bob to have the "real" information that Members' staffers are conveying to me. There is a very real reluctance to take on Helms on CTBT - he's apparently laid down a marker, and no one wants to cross him.

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

From: Andreasen, Steven

P.

Sent: Wednesday, July 08, 1998 12:10 PM

To: @DEFENSE - Defense

Policy; @LEGISLAT - Legislative Affairs; @PLANNING - Strat Plan & Comm; @NSA - Natl Security Advisor

Subject: Read Ahead for Berger/CTBT

Meeting [UNCLASSIFIED]

Importance: High

PLEASE PASS TO SANDY

PRIOR TO THURSDAY'S 1:15-1:45 CTBT MEETING. THANK YOU.

A brief

assessment of where we are and checklist for Thursday's meeting on CTBT.

State of play. Our objective has been to schedule hearings and a floor vote this year on CTBT. While the Indian and Pakistani tests have strengthened public support for the test ban (recent polls show 75-85 percent favor ratification), they have also complicated the ratification dynamic within the Republican caucus: Senator Lott used the tests to publicly tag the Treaty as "unverifiable and ineffectual," and Senator Helms still refuses to schedule hearings -- at least not without a reciprocal commitment by the Administration to support Senate consideration of the ABM protocols this year. Democrats, however, have rallied behind CTBT: Daschle has stated publicly that Senate Democrats will attempt to force the CTBT issue and move the Treaty this year. NGO's are engaged in a campaign to keep CTBT visible and to press for hearings.

Objectives for

July. We need to use the next month to determine whether and how we can still move the CTBT through the Senate this fall, and failing that, lay the groundwork for persuading Senators Lott and Helms to schedule hearings before the Senate adjourns so as to facilitate early approval of the Treaty in 1999. With this in mind, our proposed itinerary for the month calls for: (a) touching base with the Democratic Senate leadership and moderate Republicans; (b) keeping the CTBT issue "visible" with the general public, and (c) considering a variant of our earlier "CTBT/ABM" linkage.

Legislative. We have

previously proposed the following three meetings for your consideration:

- * Meeting with Daschle. If you were not able to reach Daschle prior to your departure for China, recommend we try and schedule a meeting or call to ascertain what he has in mind in terms of a mechanism for "forcing" Senate consideration of the Treaty this year.

- * Meeting with Brownback/Robb. Inviting these two Senators over to discuss their recent trip to India and Pakistan would provide an opportunity to discuss with Brownback -- a key Republican on the Foreign Relations Committee -- how we might move the Treaty.

* Meeting/meetings

with other "swing" Republicans. As previously suggested, we would also recommend a meeting (or meetings) with a core group of "swing" Republicans, including: McCain, Stevens, Hagel, Warner, Domenici, DeWine, Frist and Collins.

Public Affairs. Keeping CTBT

visible plays to our greatest strength: the overwhelming support of the American people for the Test Ban. An aggressive public diplomacy campaign also supports our private engagement with Senators. With

the media "afterglow" following the Indian and Pakistani tests now fading, we will need to work harder to keep CTBT in the public eye.

* Nobel Laureates Event. Our best opportunity for a "high profile" event involving senior administration officials is to schedule something around the endorsement of over 30 Nobel Laureates. This could be done at an event hosted by the Secretary of State involving other key Cabinet heads and validators (such as the four former Chairman of the Joint Chiefs of Staff).

* Berger Op Ed. Editorials across the country are running overwhelmingly in favor of ratification, and we have held our own in the post-India/Pak "Opinion" war (the Exon-Hatfield-Mitchell and Drell Op-Eds, among others). You have a draft Op-Ed responding to Senator Helm's recent attack in the WSJ. We can hopefully make the case for "equal time."

* "Small"
Bell/Berger NGO meeting. Hosted by Bob with a Berger "drop by," designed to maintain a high level of enthusiasm and commitment among our key supporters.

Strategy. In his June 18 OP-ED, Senator Helms states "I intend to begin Foreign Relations Committee consideration of the ABM Protocols shortly and to have a full Senate vote on them before Congress adjourns this year." The Duma's failure to ratify START II by the July recess means we will not have the option of transmitting the ABM protocols to the Senate this summer in exchange for Senate hearings and votes on both CTBT and ABM this year. That said, if needed, we might be able to augment Senator Daschle's efforts to "take a hostage" with a "carrot" -- that is, cut a deal with Helms to the effect that if he agrees to hold all necessary hearings on CTBT (we might even add mark up and a floor vote, at least as an in-going position), we will agree to provide witnesses and support his hearings this fall on ABM. In doing so, we would maintain our position that we would NOT agree to formally transmit the ABM/START package -- or, support a vote on the Senate floor on ABM -- until after the Duma has ratified START II.

Within the Administration.
Secretary Albright has been a vocal proponent of Senate ratification since the Indian/Pakistani tests. You might want to use the next ABC to discuss whether now is the time for the Secretary to privately discuss CTBT with Helms and Biden. You might also consider a discussion of CTBT at an upcoming Foreign Policy Team Meeting.

Exchange Mail

DATE-TIME 7/17/98 12:08:11 PM
FROM Andreasen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Read Ahead for Berger/CTBT Meeting [UNCLASSIFIED]

TO Davies, Glyn T.
Dejban, Donna D.
Friedrich, Mary K.
Hachigian, Nina L.
Kerrick, Donald L.
Malley, Robert
Millison, Cathy L.
O'Brien, Penelope R.
Rice, Edward A.
Scott-Perez, Marilyn L.
Storey, Sharon V.

CARBON_COPY Andreasen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Kelly, Sandra L.
Langley, Janice M.
Mulligan, George D.
vonLipsey, Roderick K.
Wasserman, Elaine P.
Witkowski, Anne A.
Blinken, Antony J.
Rudman, Mara E.

TEXT_BODY Nina -- Sorry for delay. Last week's update should suffice for today's meeting. Thanks. Steve.

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

From: Andreasen,
Steven P.

Sent: Wednesday, July 08, 1998 12:10 PM

To: @DEFENSE

- Defense Policy; @LEGISLAT - Legislative Affairs; @PLANNING - Strat
Plan & Comm; @NSA - Natl Security Advisor

Subject: Read Ahead for

Berger/CTBT Meeting [UNCLASSIFIED]

Importance: High

PLEASE PASS
TO SANDY PRIOR TO THURSDAY'S 1:15-1:45 CTBT MEETING. THANK
YOU.

A

brief assessment of where we are and checklist for Thursday's meeting
on CTBT.

State of play. Our objective has been to schedule hearings and a floor vote this year on CTBT. While the Indian and Pakistani tests have strengthened public support for the test ban (recent polls show 75-85 percent favor ratification), they have also complicated the ratification dynamic within the Republican caucus: Senator Lott used the tests to publicly tag the Treaty as "unverifiable and ineffectual," and Senator Helms still refuses to schedule hearings -- at least not without a reciprocal commitment by the Administration to support Senate consideration of the ABM protocols this year. Democrats, however, have rallied behind CTBT: Daschle has stated publicly that Senate Democrats will attempt to force the CTBT issue and move the Treaty this year. NGO's are engaged in a campaign to keep CTBT visible and to press for hearings.

Objectives for

July. We need to use the next month to determine whether and how we can still move the CTBT through the Senate this fall, and failing that, lay the groundwork for persuading Senators Lott and Helms to schedule hearings before the Senate adjourns so as to facilitate early approval of the Treaty in 1999. With this in mind, our proposed itinerary for the month calls for: (a) touching base with the Democratic Senate leadership and moderate Republicans; (b) keeping the CTBT issue "visible" with the general public, and (c) considering a variant of our earlier "CTBT/ABM" linkage.

Legislative. We have
previously proposed the following three meetings for your consideration:

- * Meeting with Daschle. If you were not able to reach Daschle prior to your departure for China, recommend we try and schedule a meeting or call to ascertain what he has in mind in terms of a mechanism for "forcing" Senate consideration of the Treaty this year.

- * Meeting with Brownback/Robb. Inviting these two Senators over to discuss their recent trip to India and Pakistan would provide an opportunity to discuss with Brownback -- a key Republican on the Foreign Relations Committee -- how we might move the Treaty.

- * Meeting/meetings
with other "swing" Republicans. As previously suggested, we would

also recommend a meeting (or meetings) with a core group of "swing" Republicans, including: McCain, Stevens, Hagel, Warner, Domenici, DeWine, Frist and Collins.

Public Affairs. Keeping CTBT

visible plays to our greatest strength: the overwhelming support of the American people for the Test Ban. An aggressive public diplomacy campaign also supports our private engagement with Senators. With the media "afterglow" following the Indian and Pakistani tests now fading, we will need to work harder to keep CTBT in the public eye.

* Nobel Laureates Event. Our best opportunity for a "high profile" event involving senior administration officials is to schedule something around the endorsement of over 30 Nobel Laureates. This could be done at an event hosted by the Secretary of State involving other key Cabinet heads and validators (such as the four former Chairman of the Joint Chiefs of Staff).

* Berger Op Ed. Editorials

across the country are running overwhelmingly in favor of ratification, and we have held our own in the post-India/Pak "Opinion" war (the Exon-Hatfield-Mitchell and Drell Op-Eds, among others). You have a draft Op-Ed responding to Senator Helm's recent attack in the WSJ. We can hopefully make the case for "equal time."

* "Small"

Bell/Berger NGO meeting. Hosted by Bob with a Berger "drop by," designed to maintain a high level of enthusiasm and commitment among our key supporters.

Strategy. In his June 18 OP-ED, Senator

Helms states "I intend to begin Foreign Relations Committee consideration of the ABM Protocols shortly and to have a full Senate vote on them before Congress adjourns this year." The Duma's failure to ratify START II by the July recess means we will not have the option of transmitting the ABM protocols to the Senate this summer in exchange for Senate hearings and votes on both CTBT and ABM this year. That said, if needed, we might be able to augment Senator Daschle's efforts to "take a hostage" with a "carrot" -- that is, cut a deal with Helms to the effect that if he agrees to hold all necessary hearings on CTBT (we might even add mark up and a floor vote, at least as an in-going position), we will agree to provide witnesses and support his hearings this fall on ABM. In doing so, we would maintain our position that we would NOT agree to formally transmit the ABM/START package -- or, support a vote on the Senate floor on ABM -- until after the Duma has ratified START II.

Within the Administration.

Secretary Albright has been a vocal proponent of Senate ratification

since the Indian/Pakistani tests. You might want to use the next ABC to discuss whether now is the time for the Secretary to privately discuss CTBT with Helms and Biden. You might also consider a discussion of CTBT at an upcoming Foreign Policy Team Meeting.

Exchange Mail

DATE-TIME 7/18/98 1:01:42 AM
FROM Andreassen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT Draft CTBT Memo [UNCLASSIFIED]

TO Bell, Robert G.
Rudman, Mara E.
Blinken, Antony J.
Leavy, David C.
Farrar, Jay C.
Malley, Robert
Hachigian, Nina L.

CARBON_COPY Andreassen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Kelly, Sandra L.
Langley, Janice M.
Mulligan, George D.
vonLipsey, Roderick K.
Wasserman, Elaine P.
Witkowski, Anne A.

TEXT_BODY Colleagues --

Attached is a draft memorandum to the President, which I hope "faithfully captures" the three options outlined by Sandy on Friday night for moving forward on the Treaty. Comments and clearance as soon as possible Saturday morning, so that we can move this memo out to Sandy as early as possible, but no later than early Saturday afternoon. I'll be in around 9:30. Finally, although it goes without saying, it's probably worth noting we should refrain from discussing the options we are now considering with "outsiders."

Thanks. Steve.

TRANSLATED_ATTACHMENT

5149 mtb.doc

July 19, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL

FROM: STEVEN P. ANDREASEN

SUBJECT: Memorandum to POTUS on CTBT Strategy

Attached is the memorandum to the President you requested at our CTBT strategy meeting on Friday.

Concurrence by: Rudman Farrar Blinken Leavy

RECOMMENDATION

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

Attachment
Tab I Memorandum to the President
1

5149

TRANSLATED_ATTACHMENT 5149 mtp.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Legislative Strategy

Purpose

To request approval of an approach to Senator Daschle for moving the Comprehensive Test Ban Treaty (CTBT) through the Senate.

Background

State of play. Our objective has been to schedule hearings and a floor vote this year on CTBT. The South Asian tests have strengthened public support for the Treaty - our greatest asset. Recent polls confirm 73-86 percent favor ratification nationally and in key "swing" states (Oregon, Nebraska, Utah, Ohio, Kansas, Colorado, Tennessee), with large majorities believing the South Asian tests demonstrate the importance of CTBT, not its irrelevance. There is no other national security issue where the public so clearly favors a single course of action - ours.

That said, the South Asian tests have also complicated the CTBT dynamic within the Republican caucus: Senator Lott used the tests to publicly tag CTBT as "unverifiable and ineffectual," and Senator Helms still refuses to schedule hearings - at least not without a reciprocal commitment by the Administration to support Senate consideration this year of the 1997 ABM agreements on demarcation and succession (which we will not submit to the Senate until the Duma ratifies START II, to avoid further complicating Russian ratification of that Treaty). Senate Democrats, however, have rallied behind CTBT: Daschle has stated publicly that Democrats will attempt to force the CTBT issue and move the Treaty this year.

A new dynamic now in play is the fallout from the report by the Rumsfeld Commission. To capitalize on the report's findings that the U.S. might not have "extended warning" of the deployment of an operational ICBM threat from a rogue state, we expect Senate Republicans to move quickly to schedule a

floor vote on
the Cochran bill (which states it is the policy of the United States to
deploy
"as soon as technologically possible" an effective national missile
defense
system). The first attempt to bring the Cochran bill up for approval
failed in
early May, when the Democrats successfully defeated a cloture
motion by holding
41 votes. Lott probably believes he can use the Rumsfeld Report to
turn at least
one Democratic vote and bring the measure before the Senate for final
passage
(although early word from Daschle's staff is they believe they can
hold the
line).

Options. We see three possible approaches for capitalizing on current
events and
laying the ground work for moving CTBT forward, either this year or
early next:

* Option 1. Ratchet up public pressure on CTBT; hang tough on
Cochran bill and
ABM hearings through the rest of the year. A public campaign on
CTBT (including
a POTUS speech after the August Congressional recess; a short
Senate filibuster;
and a public diplomacy campaign) would help keep CTBT visible
through the fall
Congressional elections and strengthen our hand for moving the
Treaty next year.
Whether we could generate enough public pressure to make risk-
averse Senators
convince Lott to move on CTBT this fall is, however, highly unlikely.

* Option 2. Tell Lott we intend to ratchet up public pressure on CTBT
unless he
agrees to hearings this year and a unanimous consent agreement for a
floor vote
by a "date certain" (either this year or early in 1999). This approach
differs
from Option 1 in that we would meet with Trent prior to turning up
the heat on
CTBT and offer to forgo ratcheting up public pressure if he agrees to
CTBT
hearings this year and a vote. If Lott agrees, we "win." If he does not
(more
likely, given his public opposition and pressure from some Republican
Senators),

we also "win" in the sense we will take the public high ground on this issue through the fall (as in Option 1).

* Option 3. Add to Option 2 a sweetener. In exchange for the CTBT package in Option 2, tell Lott (with Daschle's blessing) we will not oppose Senate passage of the Cochran bill and agree to provide Administration witnesses and support SFRC hearings this fall on the ABM agreements (although we would not agree to formally submit the ABM package until after START II is ratified by the Duma). While this approach is more likely to "tempt" Lott and Helms (it provides both something they want and a rationale for changing their position on CTBT), it would also almost certainly force us to veto the Cochran bill and participate in ABM hearings this fall (although we may have to face up to both these developments no matter what approach we take on CTBT, depending on how shaken Senate Democrats are by the Rumsfeld Report and how committed Senator Helms is to ABM hearings).

RECOMMENDATION

That you approve our discussing with Minority Leader Daschle the three options described above. We will report back on his thinking and recommend next steps.

Approve _____

Disapprove _____

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 7/16/98 10:29:08 PM
FROM Andreasen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Read Ahead for Berger/CTBT Meeting [UNCLASSIFIED]
TO Bell, Robert G.

CARBON_COPY

TEXT_BODY

Bob --

Suggest you review the "read-ahead" we sent over to Sandy last Wednesday for the CTBT meeting, along with my "Bell-only Addendum" for you. If you think there needs to be any additions or modifications to the Berger read-ahead, I'll send them over to Sharon first thing Friday morning.

My guess is Sandy will start the meeting by saying, "Is there time enough left this year to expect to do anything on CTBT? Can we still press for hearings? Should we fall-back to shooting for a commitment to hearings and a vote next year?"

My view is we should use what is left of this month to inform our answers to these questions, rather than jump to any conclusions. Specifically, (a) have Berger call Daschle and see what he is thinking, (b) call Specter (yes, Specter) and see what he is planning with his resolution (if he plans to move it, we need to decide whether to weigh-in in support, encourage him to add language calling for action on both CTBT and ABM, which would get alot of votes, or something else), and (c) (time-permitting) meet with a group of moderate Republicans, Baucus/Hagel group and/or Brownback/Robb (we will need to prioritize, given Sandy's schedule).

We should also encourage Sandy to move his Op Ed in the Wall Street Journal, so that our CTBT allies see that we still have a pulse. Also suggest we do the "small" Bell/Berger NGO meeting in the first half of August, after we have a firmer sense as to how we will proceed in September.

Finally, highly recommend you look through the Melman briefing I got Tuesday on CTBT. Even to someone "steeped" in CTBT, it is extremely impressive to see the wide swath of support for us on this issue on every conceivable question.

I intend to send this forward to Sandy, highlighting one or two of the most salient questions (in particular, the "rebuttal" given to Lott's assertion that the CTBT is now irrelevant) tomorrow. Also, tell me what you think of sending Sandy the "CTBT-ABM think piece" referred to in my addendum.

Let me know. Steve.

-----Original

Message-----

From: Andreasen, Steven P.

Sent: Wednesday, July

08, 1998 1:36 PM

To: Bell, Robert G.

Subject: FW: Read Ahead for

Berger/CTBT Meeting [UNCLASSIFIED]

Importance: High

"Bell-only

Addendum" to my CTBT read-ahead:

Bob -- The imminent release of the Rumsfeld Commission Report makes it more likely that a linkage will develop between CTBT -- this year, or next year -- and ABM. As we have discussed, this linkage presents both opportunity and peril, depending on how adeptly we play the "linkage" card.

In our "read-ahead" for Sandy, we reference the possibility of augmenting whatever "hostage" Daschle might have with an ABM "carrot" -- that is, we would agree to support (through witnesses and testimony) hearings this fall on the ABM agreements (we would still hold back on formal transmittal and a Senate vote pending Duma action on START II) in exchange for Senate hearings and a vote on CTBT. This could be sold by Albright as a "significant" concession to Helms, and might be sufficient to get Helms to move forward with at least hearings on CTBT (and ABM) this fall.

That said, our agreeing to support hearings on ABM may not have sufficient distance to get us on the putting green with Lott (in terms of scheduling floor action on CTBT). For that to happen, we may have to throw into the mix a "deal" that involves the Cochran bill (unless Daschle has a really juicy hostage up there).

As you know, I believe there are two options here if the "hostage/ABM hearings" strategy needs to be augmented: (1) agree to support a debate and vote on the Senate floor on Cochran, or (2) more risky, support a debate and vote on the Cochran bill, and agree the President will sign the measure in exchange for CTBT.

Setting aside the merits of either of these two approaches, you might want to indicate to Sandy tomorrow that: (a) the linkage dynamic between CTBT and ABM may develop independent of whatever tac we take, and (b) in addition to agreeing to support ABM hearings, we are thinking through two other more "radical" approaches in the spirit of "out of the box" thinking. We could then send Sandy a "think piece" to provoke a further discussion with him. One consideration: after next week's Rumsfeld report, Lott may be able to get a one-vote switch allowing debate on the Cochran bill independent of any "deal" with us. Thus, if we want to trade, we may have to move quickly.

Steve

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

From: Andreassen,
Steven P.

Sent: Wednesday, July 08, 1998 12:10 PM

To: @DEFENSE

- Defense Policy; @LEGISLAT - Legislative Affairs; @PLANNING - Strat
Plan & Comm; @NSA - Natl Security Advisor

Subject: Read Ahead for

Berger/CTBT Meeting [UNCLASSIFIED]

Importance: High

PLEASE PASS

TO SANDY PRIOR TO THURSDAY'S 1:15-1:45 CTBT MEETING. THANK
YOU.

A

brief assessment of where we are and checklist for Thursday's meeting
on CTBT.

State of play. Our objective has been to schedule hearings and a floor vote this year on CTBT. While the Indian and Pakistani tests have strengthened public support for the test ban (recent polls show 75-85 percent favor ratification), they have also complicated the ratification dynamic within the Republican caucus: Senator Lott used the tests to publicly tag the Treaty as "unverifiable and ineffectual," and Senator Helms still refuses to schedule hearings -- at least not without a reciprocal commitment by the Administration to support Senate consideration of the ABM protocols this year. Democrats, however, have rallied behind CTBT: Daschle has stated publicly that Senate Democrats will attempt to force the CTBT issue and move the Treaty this year. NGO's are engaged in a campaign to keep CTBT visible and to press for hearings.

Objectives for

July. We need to use the next month to determine whether and how we can still move the CTBT through the Senate this fall, and failing that, lay the groundwork for persuading Senators Lott and Helms to schedule hearings before the Senate adjourns so as to facilitate early approval of the Treaty in 1999. With this in mind, our proposed itinerary for the month calls for: (a) touching base with the Democratic Senate leadership and moderate Republicans; (b) keeping the CTBT issue "visible" with the general public, and (c) considering a variant of our earlier "CTBT/ABM" linkage.

Legislative. We have previously proposed the following three meetings for your consideration:

- * Meeting with Daschle. If you were not able to reach Daschle prior to your departure for China, recommend we try and schedule a meeting or call to ascertain what he has in mind in terms of a mechanism for "forcing" Senate consideration of the Treaty this year.

- * Meeting with Brownback/Robb. Inviting these two Senators over to discuss their recent trip to India and Pakistan would provide an opportunity to discuss with Brownback -- a key Republican on the Foreign Relations Committee -- how we might move the Treaty.

- * Meeting/meetings with other "swing" Republicans. As previously suggested, we would also recommend a meeting (or meetings) with a core group of "swing" Republicans, including: McCain, Stevens, Hagel, Warner, Domenici, DeWine, Frist and Collins.

Public Affairs. Keeping CTBT visible plays to our greatest strength: the overwhelming support of the American people for the Test Ban. An aggressive public diplomacy campaign also supports our private engagement with Senators. With the media "afterglow" following the Indian and Pakistani tests now fading, we will need to work harder to keep CTBT in the public eye.

- * Nobel Laureates Event. Our best opportunity for a "high profile" event involving senior administration officials is to schedule something around the endorsement of over 30 Nobel Laureates. This could be done at an event hosted by the Secretary of State involving other key Cabinet heads and validators (such as the four former Chairman of the Joint Chiefs of Staff).

- * Berger Op Ed. Editorials across the country are running overwhelmingly in favor of ratification, and we have held our own in the post-India/Pak "Opinion" war (the Exon-Hatfield-Mitchell and Drell Op-Eds, among others). You have

a draft Op-Ed responding to Senator Helm's recent attack in the WSJ. We can hopefully make the case for "equal time."

* "Small"

Bell/Berger NGO meeting. Hosted by Bob with a Berger "drop by," designed to maintain a high level of enthusiasm and commitment among our key supporters.

Strategy. In his June 18 OP-ED, Senator Helms states "I intend to begin Foreign Relations Committee consideration of the ABM Protocols shortly and to have a full Senate vote on them before Congress adjourns this year." The Duma's failure to ratify START II by the July recess means we will not have the option of transmitting the ABM protocols to the Senate this summer in exchange for Senate hearings and votes on both CTBT and ABM this year. That said, if needed, we might be able to augment Senator Daschle's efforts to "take a hostage" with a "carrot" -- that is, cut a deal with Helms to the effect that if he agrees to hold all necessary hearings on CTBT (we might even add mark up and a floor vote, at least as an in-going position), we will agree to provide witnesses and support his hearings this fall on ABM. In doing so, we would maintain our position that we would NOT agree to formally transmit the ABM/START package -- or, support a vote on the Senate floor on ABM -- until after the Duma has ratified START II.

Within the Administration.

Secretary Albright has been a vocal proponent of Senate ratification since the Indian/Pakistani tests. You might want to use the next ABC to discuss whether now is the time for the Secretary to privately discuss CTBT with Helms and Biden. You might also consider a discussion of CTBT at an upcoming Foreign Policy Team Meeting.

Exchange Mail

DATE-TIME 7/18/98 10:46:13 AM
FROM Rudman, Mara E.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Draft CTBT Memo [UNCLASSIFIED]
TO Andreasen, Steven P.

CARBON_COPY Bell, Robert G.
Rudman, Mara E.
Blinken, Antony J.
Leavy, David C.
Farrar, Jay C.
Malley, Robert
Hachigian, Nina L.

TEXT_BODY Steve -- see suggested changes. Jay should review as well, if at all possible -- please check back here before you have to send it in -- he'll be in today but not sure when.

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

From: Andreasen,
Steven P.
Sent: Saturday, July 18, 1998 1:02 AM
To: Bell, Robert
G.; Rudman, Mara E.; Blinken, Antony J.; Leavy, David C.; Farrar,
Jay C.; Malley, Robert; Hachigian, Nina L.
Cc: @DEFENSE - Defense
Policy
Subject: Draft CTBT Memo [UNCLASSIFIED]
Importance: High

Colleagues

--

Attached is a draft memorandum to the President, which I hope "faithfully captures" the three options outlined by Sandy on Friday night for moving forward on the Treaty. Comments and clearance as soon as possible Saturday morning, so that we can move this memo out to Sandy as early as possible, but no later than early Saturday afternoon. I'll be in around 9:30. Finally, although it goes without saying, it's probably worth noting we should refrain from discussing the options we are now considering with "outsiders."

Thanks.
Steve.

TRANSLATED_ATTACHMENT 5149 mtb.doc

July 19, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL

FROM: STEVEN P. ANDREASEN

SUBJECT: Memorandum to POTUS on CTBT Strategy

Attached is the memorandum to the President you requested at our CTBT strategy meeting on Friday.

Concurrence by: Rudman Farrar Blinken Leavy

RECOMMENDATION

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

Attachment
Tab I Memorandum to the President
1

5149

TRANSLATED_ATTACHMENT 5149 mtp.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Legislative Strategy

Purpose

To request approval of an approach to Senator Daschle for moving the Comprehensive Test Ban Treaty (CTBT) through the Senate.

Background

State of play. Our objective has been to schedule hearings and a floor vote this year on CTBT. The South Asian tests have strengthened public support for the Treaty - our greatest asset. Recent polls confirm 73-86 percent favor ratification nationally and in key "swing" states (Oregon, Nebraska, Utah, Ohio, Kansas, Colorado, Tennessee), with large majorities believing the South Asian tests demonstrate the importance of CTBT, not its irrelevance. There is no other national security issue where the public so clearly favors a single course of action - ours.

That said, the South Asian tests have also complicated the CTBT dynamic within the Republican caucus: Senator Lott used the tests to publicly tag CTBT as "unverifiable and ineffectual," and Senator Helms still refuses to schedule hearings - at least not without a reciprocal commitment by the Administration to support Senate consideration this year of the 1997 ABM agreements on demarcation and succession (which we will not submit to the Senate until the Duma ratifies START II, to avoid further complicating Russian ratification of that Treaty). Senate Democrats, however, have rallied behind CTBT: Daschle has stated publicly that Democrats will attempt to force the CTBT issue and move the Treaty this

year.

A new dynamic now in play is the fallout from the report by the Rumsfeld Commission. To capitalize on the report's findings that the U.S. might not have "extended warning" of the deployment of an operational ICBM threat from a rogue state, we expect the Senate to move quickly to schedule a floor vote on the Cochran bill (which states it is the policy of the United States to deploy "as soon as technologically possible" an effective national missile defense system). The first attempt to bring the Cochran bill up for approval failed in early May, when a cloture motion was just barely defeated, by holding 41 votes. Lott probably believes he can use the Rumsfeld Report to turn at least one Democratic vote and bring the measure before the Senate for final passage (although early word from Daschle's staff is they believe they may be able to hold the line).

Options. We see three possible approaches for capitalizing on current events and laying the ground work for moving CTBT forward, either this year or early next:

* Option 1. Ratchet up public pressure on CTBT; hang tough on not moving Cochran bill and or testifying at ABM hearings through the rest of the year. A public campaign on CTBT (including a POTUS speech after the August Congressional recess; a short Senate filibuster based on Helms and Lott's refusal to move CTBT; and a public diplomacy campaign) would help keep CTBT visible through the fall Congressional elections and strengthen our hand for moving the Treaty next year. Whether we could generate enough public pressure to make risk-averse Senators convince Lott to move on CTBT this fall is, however, highly unlikely.

* Option 2. Tell Lott we intend to ratchet up public pressure on CTBT unless he agrees to hearings this year commits to a floor vote by a "date certain" (either

this year or early in 1999). This approach differs from Option 1 in that we would meet with Lott prior to turning up the heat on CTBT and offer to forgo ratcheting up public pressure if he agrees to CTBT hearings this year and a vote. If Lott agrees, we "win." If he does not (more likely, given his public opposition and pressure from some Republican Senators), we also "win" in the sense we will take the public high ground on this issue through the fall (as in Option 1).

* Option 3. Add to Option 2 a sweetener. In exchange for the CTBT package in Option 2, tell Lott (with Daschle's blessing) we will not oppose Senate passage of the Cochran bill and agree to provide Administration witnesses and support SFRC hearings this fall on the ABM agreements (although we would not agree to formally submit the ABM package until after START II is ratified by the Duma). While this may be attractive to Lott and Helms (it provides both something they want and a rationale for changing their position on CTBT), it would also almost certainly force us to veto the Cochran bill and participate in ABM hearings this fall (although we may have to face up to both these developments no matter what approach we take on CTBT, depending on how shaken Senate Democrats are by the Rumsfeld Report and how committed Senator Helms is to ABM hearings).

RECOMMENDATION

That you approve our discussing with Minority Leader Daschle the three options described above. We will report back on his thinking and recommend next steps.

Approve _____

Disapprove _____

3

5149

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 7/18/98 12:10:57 PM
FROM Andreassen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT Revised CTBT Memo: Final Countdown [UNCLASSIFIED]
TO Bell, Robert G.
Rudman, Mara E.
Farrar, Jay C.
Blinken, Antony J.
Leavy, David C.
Hachigian, Nina L.
Malley, Robert
Davies, Glyn T.
Bartlett, L. June

CARBON_COPY Andreassen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Kelly, Sandra L.
Langley, Janice M.
Mulligan, George D.
vonLipsey, Roderick K.
Wasserman, Elaine P.
Witkowski, Anne A.
Bartlett, L. June
Davies, Glyn T.
Dejban, Donna D.
Friedrich, Mary K.
Hachigian, Nina L.
Hilliard, Brenda I.
Hurwitz, Marc I.
Joshi, M. Kay
Kerrick, Donald L.
Malley, Robert
Millison, Cathy L.
O'Brien, Penelope R.
Rice, Edward A.
Scott-Perez, Marilyn L.
Storey, Sharon V.

TEXT_BODY

Colleagues --

Attached draft reflects comments from Bell, Rudman

and Hachigian. Please provide any final edits no later than 1:00 p.m. this afternoon, at which point (assuming I am able to run down Mr. Blinken at whatever social function he is now attending), I intend to go final, afix two red dots, and deliver to the West Wing Desk...

Thanks
Again...Steve

TRANSLATED_ATTACHMENT 5149 mtp.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Legislative Strategy

Purpose

To request approval of an approach to Senator Daschle for moving the Comprehensive Test Ban Treaty (CTBT) through the Senate.

Background

State of play. Our objective has been to schedule hearings and a floor vote this year on CTBT. The South Asian tests have strengthened public support for the Treaty - our greatest asset. Recent polls confirm 73-86 percent favor ratification nationally and in key "swing" states (Oregon, Nebraska, Utah, Ohio, Kansas, Colorado, Tennessee), with large majorities believing the South Asian tests demonstrate the importance of CTBT, not its irrelevance. There is no other national security issue where the public so clearly favors a single course of action - ours.

That said, the South Asian tests have also complicated the CTBT

dynamic within
 the Republican caucus: Senator Lott used the tests to publicly tag
 CTBT as
 "unverifiable," "ineffectual" and "irrelevant." Senator Helms still
 refuses to
 schedule hearings, at least not without a reciprocal commitment by the
 Administration to support Senate consideration this year of the 1997
 ABM
 agreements on demarcation and succession (which we will not submit
 to the Senate
 until the Duma ratifies START II, to avoid further complicating
 Russian
 ratification of that Treaty). Senate Democrats, however, have rallied
 behind
 CTBT: Daschle has stated publicly that Democrats will attempt to
 force the CTBT
 issue and move the Treaty this year.

A new dynamic now in play is the fallout from the report by the
 Rumsfeld
 Commission. To capitalize on the report's findings that the U.S. might
 not have
 "extended warning" of the emergence of an operational ICBM threat
 from a rogue
 state, we expect the Senate majority to move quickly to schedule a
 floor vote on
 the Cochran bill, which states it is the policy of the United States to
 deploy an
 effective National Missile Defense (NMD) "as soon as technologically
 possible."
 The first attempt to bring the Cochran bill up for approval failed by
 just one
 vote in early May, when a cloture motion was just barely defeated by
 holding 41
 votes. Lott probably believes he can use the Rumsfeld Report to turn
 at least
 one Democratic vote and bring the measure before the Senate for final
 passage and
 force you to veto the bill just prior to the Fall elections (although early
 word
 from Daschle's staff is they believe they may be able to hold the line).

Options. We see three options for capitalizing on current events and
 advancing
 CTBT toward ratification, either this year or early next:

* Option 1. Ratchet up public pressure on CTBT; hang tough for rest
 of the
 session in opposition against debating the Cochran bill and testifying

at ABM
hearings prior to Duma approval of START II. A public campaign on
CTBT
(including a POTUS speech after the August Congressional recess; a
short but
high-visibility Senate filibuster based on Helms and Lott's refusal to
move CTBT;
and a public diplomacy campaign) would help keep CTBT on the
public's radar scope
and lay the foundation for trying to move the Treaty next year.
Whether we could
generate enough public pressure to prompt reluctant Senators to
pressure Lott to
schedule CTBT this fall is, however, highly unlikely.

* Option 2. Tell Lott we intend to ratchet up public pressure on CTBT
unless he
agrees to (a) hearings this year and (b) either a unanimous consent
agreement
(U/C) or his own public commitment for a floor vote by a "date
certain" (either
this year or early in 1999). This approach differs from Option 1 in that
we
would meet with Trent prior to turning up the heat on CTBT (as
described in
Option 1) and offer to forgo ratcheting up public pressure if he agrees
to CTBT
hearings this year and a vote. We doubt, though, he will agree. If he is
not
willing to act, we also "win" in the sense we will take the public high
ground on
this issue through the fall (as in Option 1).

* Option 3. Agree to a quid pro quo. In addition to threatening Lott
with a
public campaign on the Treaty, we would add a "sweetener" if he
agrees to our
schedule for moving CTBT: we (with Daschle's support) would agree
to give Lott
an early "clean" vote on the Cochran bill and agree to provide senior
Administration witnesses for SFRC hearings this fall on the ABM
agreements
(although we would still not agree to submit the ABM package until
after START II
is ratified by the Duma). While this may be attractive to Lott and
Helms since
it provides something they both want and a rationale for dropping
their
procedural blocking of CTBT, it would also almost certainly force
you to veto the

Cochran bill and ensure a high profile debate on ABM before our best argument for ratification is in place: that ABM was crucial to winning Russian approval of START II. We may, however, have to face up to both these developments no matter what approach we take on CTBT, since there are indications that the Rumsfeld Report has shaken Members who previously opposed an early decision on NMD deployment and Helms can decide to hold hearings on ABM whether or not we participate.

RECOMMENDATION

That you approve our exploring these three options with Daschle this week. We will report back on his thinking and recommend next steps.

Approve _____

Disapprove _____

2

5149

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 7/20/98 12:08:10 PM

FROM Andreassen, Steven P.

CLASSIFICATION UNCLASSIFIED

SUBJECT CTBT Memo [UNCLASSIFIED]

TO Davies, Glyn T.
Dejban, Donna D.
Friedrich, Mary K.
Hachigian, Nina L.
Kerrick, Donald L.
Malley, Robert
Millison, Cathy L.
O'Brien, Penelope R.
Rice, Edward A.
Scott-Perez, Marilyn L.
Storey, Sharon V.

CARBON_COPY Andreassen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Kelly, Sandra L.
Langley, Janice M.
Mulligan, George D.
vonLipsey, Roderick K.
Wasserman, Elaine P.
Witkowski, Anne A.

TEXT_BODY Rob -- this is the CTBT memo that went to Sandy on Saturday. Steve.

TRANSLATED_ATTACHMENT 5149 mtp.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Legislative Strategy

Purpose

To request approval of an approach to Senator Daschle for moving the Comprehensive Test Ban Treaty (CTBT) through the Senate.

Background

State of play. Our objective has been to schedule hearings and a floor vote this year on CTBT. The South Asian tests have strengthened public support for the Treaty - our greatest asset. Recent polls confirm 73-86 percent favor ratification nationally and in key "swing" states (Oregon, Nebraska, Utah, Ohio, Kansas, Colorado, Tennessee), with large majorities believing the South Asian tests demonstrate the importance of CTBT, not its irrelevance. There is no other national security issue where the public so clearly favors a single course of action - ours.

That said, the South Asian tests have also complicated the CTBT dynamic within the Republican caucus: Senator Lott used the tests to publicly tag CTBT as "unverifiable," "ineffectual" and "irrelevant." Senator Helms still refuses to schedule hearings, at least not without a reciprocal commitment by the

Administration to support Senate consideration this year of the 1997 ABM agreements on demarcation and succession (which we will not submit to the Senate until the Duma ratifies START II, to avoid further complicating Russian ratification of that Treaty). Senate Democrats, however, have rallied behind CTBT: Daschle has stated publicly that Democrats will attempt to force the CTBT issue and move the Treaty this year.

A new dynamic now in play is the fallout from the report by the

Rumsfeld

Commission. To capitalize on the report's findings that the U.S. might not have

"extended warning" of the emergence of an operational ICBM threat from a rogue

state, we expect the Senate majority to move quickly to schedule a floor vote on

the Cochran bill, which states it is the policy of the United States to deploy an

effective National Missile Defense (NMD) "as soon as technologically possible."

The first attempt to bring the Cochran bill up for approval failed by just one

vote in early May, when a cloture motion was just barely defeated by holding 41

votes. Lott probably believes he can use the Rumsfeld Report to turn at least

one Democratic vote and bring the measure before the Senate for final passage and

force you to veto the bill just prior to the Fall elections (although early word

from Daschle's staff is they believe they may be able to hold the line).

Options. We see three options for capitalizing on current events and advancing

CTBT toward ratification, either this year or early next:

* Option 1. Ratchet up public pressure on CTBT; hang tough for rest of the

session in opposition against debating the Cochran bill and testifying at ABM

hearings prior to Duma approval of START II. A public campaign on CTBT

(including a POTUS speech after the August Congressional recess; a short but

high-visibility Senate filibuster based on Helms and Lott's refusal to move CTBT;

and a public diplomacy campaign) would help keep CTBT on the public's radar scope

and lay the foundation for trying to move the Treaty next year.

Whether we could

generate enough public pressure to prompt reluctant Senators to pressure Lott to

schedule CTBT this fall is, however, highly unlikely.

* Option 2. Tell Lott we intend to ratchet up public pressure on CTBT unless he

agrees to (a) hearings this year and (b) either a unanimous consent agreement

(U/C) or his own public commitment for a floor vote by a "date

certain" (either this year or early in 1999). This approach differs from Option 1 in that we would meet with Lott prior to turning up the heat on CTBT (as described in Option 1) and offer to forgo ratcheting up public pressure if he agrees to CTBT hearings this year and a vote. We doubt, though, he will agree. If he is not willing to act, we also "win" in the sense we will take the public high ground on this issue through the fall (as in Option 1).

* Option 3. Agree to a quid pro quo. In addition to threatening Lott with a public campaign on the Treaty, we would add a "sweetener" if he agrees to our schedule for moving CTBT: we (with Daschle's support) would agree to give Lott an early "clean" vote on the Cochran bill and agree to provide senior Administration witnesses for SFRC hearings this fall on the ABM agreements (although we would still not agree to submit the ABM package until after START II is ratified by the Duma). While this may be attractive to Lott and Helms since it provides something they both want and a rationale for dropping their procedural blocking of CTBT, it would also almost certainly force you to veto the Cochran bill and ensure a high profile debate on ABM before our best argument for ratification is in place: that ABM was crucial to winning Russian approval of START II. We may, however, have to face up to both these developments no matter what approach we take on CTBT, since there are indications that the Rumsfeld Report has shaken Members who previously opposed an early decision on NMD deployment and Helms can decide to hold hearings on ABM whether or not we participate.

RECOMMENDATION

That you approve our exploring these three options with Daschle this week. We will report back on his thinking and recommend next steps.

Approve _____

Disapprove _____

2

5149

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 7/24/98 10:14:32 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT For clearance: new ICC guidance [UNCLASSIFIED]
TO Bouchard, Joseph F.
DeRosa, Mary B.

CARBON_COPY Andreassen, Steven P.
Bell, Robert G.
Bouchard, Joseph F.
Kelly, Sandra L.
Langley, Janice M.
Mulligan, George D.
vonLipsey, Roderick K.
Wasserman, Elaine P.
Witkowski, Anne A.
Allen, Charles A.
Baker, James E.
DeRosa, Mary B.
Highsmith, Newell L.
Hunerwadel, Joan S.
Busby, Scott W.
Davis, Mary K.
Hawley, Leonard R.
Kale, Dora A.
Malley, Robert
Metzl, Jamie F.
Naplan, Steven J.
Ragan, Richard F.
Schwartz, Eric P.
Wippman, David

TEXT_BODY Joe, Mary -- Need your quick clearance on guidance reacting to the comments of Helms during yestrday's hearing on ICC. First bullet only (but you may certainly comment on existing guidance as well).

TRANSLATED_ATTACHMENT ICC guidance 7-24.doc
INTERNATIONAL CRIMINAL COURT
July 24, 1998

What is your reaction to the comments by Senator Helms during yesterday's hearing that the United States should withdraw from all foreign peacekeeping activities and reopen our Status of Forces Agreements with other countries given the final text of the ICC treaty?

* We do need to assess the implications for U.S. policy of adoption of the ICC treaty and have begun the process of doing so. At the same time, we note that the treaty will not enter into force until 60 countries have ratified it. This will take some time. We need to make judgments in this area judiciously and will do so in the weeks and months ahead.

What is the U.S. reaction to the final text of the treaty relating to the International Criminal Court?

* We are disappointed with the final text of the treaty. While we have always supported the establishment of a permanent court and continue to support the concept of such a court, we are concerned that this treaty's provisions could make persons, including U.S. citizens, who are involved in critical international activities vulnerable to unwarranted prosecution before the court.

* In particular, we do not support the way in which the court's jurisdiction may be extended to the citizens of States that are not parties to the treaty. Under the treaty as drafted, the court may assert jurisdiction over a person if it has only the consent of the state where an alleged offense occurred. This means that U.S. citizens and others involved in important international activities - - even though their countries may not be parties to this treaty -- could be hauled before the court without the agreement of their country of nationality. This violates basic principles of treaty law and could greatly inhibit the ability of the United States and others to participate in critical overseas

operations,
including humanitarian interventions to save lives.

* We find this jurisdictional provision particularly troubling because, in essence, it provides a shield to those who abuse human rights inside their own borders while making vulnerable others who are engaged in overseas activities.

* We have several other problems with the treaty, including the inclusion within the court's jurisdiction of the crime of aggression.

* We will be digesting the treaty over the next several days to determine what our response will be.

Will the U.S. actively oppose the establishment of the court?

* We are not prepared to answer that question at this time. We are studying the treaty to determine how to respond.

Why would the U.S. vote against this treaty while all of our chief allies supported it?

* The United States plays a unique role in maintaining international peace and security and we wish to ensure that we can continue to play such a role without undue interference. We are concerned that the treaty as drafted could jeopardize activities associated with this role.

Exchange Mail

DATE-TIME 8/3/98 11:56:46 AM
FROM Busby, Scott W.
CLASSIFICATION UNCLASSIFIED
SUBJECT INTERNATIONAL CRIMINAL COURT [UNCLASSIFIED]
TO Schwartz, Eric P.

CARBON_COPY

TEXT_BODY

OK?

TRANSLATED_ATTACHMENT

ICC SRB points.doc
INTERNATIONAL CRIMINAL COURT
August 3, 1998

Why did the U.S. vote against the treaty agreed upon in Rome that would establish an international criminal court?

* Have strongly supported efforts to bring to justice those who have committed serious international crimes (e.g., former Yugoslavia, Rwanda and Khmer Rouge) and to establish a permanent ICC to handle these sorts of cases.

* However, efforts to achieve justice must be well integrated with efforts to maintain international peace and security. The two go hand-in-hand.

* We believe that the treaty reached at Rome does not accomplish this. Indeed, we think the treaty could very well jeopardize critical international activities in which our soldiers play a central role.

* Most concerned about provisions that in certain circumstances would extend the court's jurisdiction to citizens of governments that are not parties to the treaty.

* Such provisions would make it possible that a U.S. soldier involved in seeking to bring an end to Iraq's production of WMD could be prosecuted before the court while Saddam himself may not.

* Don't think such provisions are good for the U.S. or the international community and that is why we voted against the treaty.

Given these concerns, what does the Administration intend to do about the treaty?

* Important to keep in mind that the treaty will not become effective until 60 countries have ratified it. This will take time.

* Will be discussing our concerns with our allies in the weeks and months ahead.

* Will be looking at our existing international agreements, including status of forces agreements, to ensure that U.S. soldiers are not at risk.

* Evaluating currently what our posture should be towards the court should it come into being in the form contemplated by current text.

In the wake of the landmines conference and now the Rome conference on the ICC, is the U.S. concerned that it is increasingly isolated on important international issues?

* Would, of course, prefer full agreement with our allies rather than disagreement.

* But the U.S. plays a unique role in the world today. We are at the forefront of efforts to ensure peace and stability - in Iraq, Bosnia, etc.

* Given this unique role, we have special concerns that may not be shared by others in the international community.

What is your reaction to the comments by Senator Helms during a hearing that the United States should withdraw from all foreign peacekeeping activities and reopen our Status of Forces Agreements with other countries given the final text of the ICC treaty?

(We do need to assess the implications for U.S. policy of adoption of the ICC treaty and have begun the process of doing so. At the same time, we note that the treaty will not enter into force until 60 countries have ratified it. This will take some time. We need to make judgments in this area judiciously and will do so in the weeks and months ahead.

What is the U.S. reaction to the final text of the treaty relating to the International Criminal Court?

(We are disappointed with the final text of the treaty. While we have always supported the establishment of a permanent court and continue to support the concept of such a court, we are concerned that this treaty's provisions could make persons, including U.S. citizens, who are involved in critical international activities -- like peacekeeping operation, humanitarian relief and enforcement of sanctions -- vulnerable to unwarranted prosecution before the court.

(In particular, we do not support the way in which the court's jurisdiction may be extended to the citizens of States that are not parties to the treaty. Under the treaty as drafted, the court may assert jurisdiction over a person if it has only the consent of the state where an alleged offense occurred. This means that

U.S. citizens and others involved in international activities even though their countries may not be parties to this treaty -- could be hauled before the court without the agreement of their country of nationality. This violates basic principles of treaty law and could greatly inhibit the ability of the United States and others to participate in these sorts of operations.

(We find this jurisdictional provision particularly troubling because, in essence, it provides a shield to those who abuse human rights inside their own borders while making vulnerable others who are engaged in overseas activities.

(We have several other problems with the treaty, including the inclusion within the court's jurisdiction of the crime of aggression.

(We will be digesting the treaty over the next several days to determine what our response will be.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	James Baker to Mary DeRosa and William Leary. Subject: RE: Helms Request for the "Christmas Warning." (4 pages)	09/16/1998	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

[07/14/1998-10/27/1998]

2006-1363-F
vz5705

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 9/22/98 10:54:27 AM

FROM Andreasen, Steven P.

CLASSIFICATION UNCLASSIFIED

SUBJECT For what it's worth... [UNCLASSIFIED]

TO Bell, Robert G.

CARBON_COPY Rudman, Mara E.
Farrar, Jay C.

TEXT_BODY Bob --

Understand from a State Dept "Weekly Activities Report" that Holum met with Senator Glenn last week. On CTBT, Glenn noted that Senator Helms may be willing to hold CTBT hearings if he was offered one of his priorities [NFI]. Glenn warned against sending up the ABM agreements because of its negative impact on START-2 ratification in Russia.

Steve

Exchange Mail

DATE-TIME 10/8/98 6:14:43 PM
FROM Andreasen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: POTUS CTBT Remarks [UNCLASSIFIED]
TO Bell, Robert G.

CARBON_COPY**TEXT_BODY**

Bob -- Attached is my first draft of the two-page CTBT memo to the President requested by Berger. Note that I've taken Sandy's admonition (i.e., "without pointing fingers") to heart in toning down what was yesterday a "harder-edged" version. That said, I think the point is still made that we need to do better. With your comments, I'll send to Rudman, Farrar, and Blinken for comments. Note also I have not set this up as a "Berger-Stein" product, but might have too; presumably, we can let Mara and Sandy make that call. Steve.

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

From: Bell, Robert G.
Sent: Friday,
September 25, 1998 4:19 PM
To: Andreasen, Steven P.
Subject: FW:
POTUS CTBT Remarks [UNCLASSIFIED]

Steve:

Do you want to take
your hand at this? Obviously not "due yesterday" or even "due
Monday"
but we should shoot to move it next week while POTUS still has CTB
on his mind.

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

From: Sutphen, Mona
K.
Sent: Friday, September 25, 1998 3:31 PM
To: Bell, Robert G.

Cc: @EXECSEC
- Executive Secretary
Subject: RE: POTUS CTBT Remarks [UNCLASSIFIED]

SRB
Responds:

Bob -

I agree. Please prepare CTBT memo to POTUS
: Need to Do Better. Without pointing fingers, should note that
it has been difficult to get this issue on the agenda, lost the
"educational
Fall", why this is a winner in all respects (2 pages). SRB

-----Original
Message-----
From: Bell, Robert G.
Sent: Thursday, September 24,
1998 10:04 AM
To: Berger, Samuel (Sandy)
Cc: @NSA - Natl Security
Advisor; @PLANNING - Strat Plan & Comm; @UP - APNSA
Special Assistants;
Andreasen, Steven P.; Blinken, Antony J.; Rudman, Mara E.;
@DEFENSE
- Defense Policy
Subject: FW: POTUS CTBT Remarks [UNCLASSIFIED]

PLEASE
PASS TO SANDY. THANKS.

Sandy:

I appreciate your best efforts,
together with those of Jim and Tony, to try to reverse this decision.
At some point this fall, when hopefully things foreign and domestic
are a bit quieter, I hope there may be an opportunity for you to
have a candid conversation with Erskine, John, Rahm, Larry, and
Stephanie
(and the President) that puts the CTB ratification issue in stark
relief. Much as we faced a fundamental "are we really serious about
winning?" gut-check decision on CWC in the winter of 1997 (when
you
reaffirmed the President's commitment to go for broke and then
chaired
the PC SIVITS in which you asked your counterparts to "take the
pledge"
and we then delivered that treaty against very long odds), we are
going to need to confirm during the upcoming congressional

adjournment

that we really will pull out the stops next year. We cannot delude ourselves into thinking ratification in 2000 is an option.

The

pattern the last several months has been all too depressingly familiar. Every time we (the NSC) proposes a specific CTB-related POTUS event,

set of remarks or, in this case, even a brief reference, the countervailing

arguments from others in the West Wing ("not convenient that day", "we have a different message planned", "don't want to detract from something else scheduled", "not going to get CTB this year anyway", "NSC already has got 2 hours that day", etc.) always seem to trump our proposal. Unfortunately, the whole of these turn-downs is greater than the sum of the parts, in terms of the net adverse outcome.

The current impasse could soon turn downward and begin to snowball.

The Hill will conclude we think CTB is a lost cause. Dems will quit trying. NGOs (who have been very active) will lose heart.

The media will drop the treaty from their radar scopes. Trying to revive the fight later will confront these new hurdles, and the "don't throw good money after bad" arguments of folks in the White House who have other priorities will be strengthened.

Unfortunately,

there will come a day toward the end of his term when the President asks why we failed to deliver on what he properly regards as a legacy achievement (the "longest sought, hardest-fought prize in the history of arms control"). And in that post-mortem we will be very hard pressed to remember just what the "conflicts" were on all the occasions

when some other event, some other meeting, some other message, some

other theme led "the powers that be" not schedule a CTB-related activity,

event, trip, speech or statement that could have helped build -- brick-by-brick-- the foundation for winning the Senate's approval of this historic treaty.

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

From: Blinken,

Antony J.

Sent: Thursday, September 24, 1998 9:23 AM

To: Andreasen,

Steven P.; @PLANNING - Strat Plan & Comm; @PRESS - Public Affairs

Cc: @DEFENSE

- Defense Policy

Subject: RE: POTUS CTBT Remarks [UNCLASSIFIED]

Sorry

-- bad news. The powers that be now want to turn this into a written statement and have McCurry echo it at his briefing, despite pleadings to the contrary from SRB, JS and moi. Ted, would you please do that -- if need be, can be longer.

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

From: Andreassen,

Steven P.

Sent: Thursday, September 24, 1998 9:18 AM

To: @PLANNING

- Strat Plan & Comm; @PRESS - Public Affairs

Cc: @DEFENSE - Defense

Policy

Subject: POTUS CTBT Remarks [UNCLASSIFIED]

Importance: High

Tony/Ted/Dave

--

Do we know yet at what time the President will be making his remarks on CTBT?

Thanks. Steve.

TRANSLATED_ATTACHMENT CTBT 98 and 99.doc

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: CTBT Update

The fate of the 40-year effort to conclude a CTBT will be decided in 1999.

Senate approval is the key to entry into force: without it, India and Pakistan

(as well as Russia and China) are unlikely to ratify, and the Treaty will die. A

successful campaign in the Senate will require an all-out push by the Administration, and will require both legislative hostage taking and

ransom
paying.

1998 - the year that was. Our objective for 1998 was to make CTBT the next order of business following NATO enlargement, with hearings and a floor vote prior to adjournment. To set the stage, we began the year with a positive series of events - including the endorsement by four former Chairmen of the JCS; your trip to Los Alamos and briefing by the nuclear lab directors; and Administration briefings to relevant Senate Committee staff. In addition, we initiated a weekly "CTBT News" fax; worked closely with NGO's; and orchestrated a series of speeches, statements and events involving senior Administration officials calling on the Senate to act.

On the positive side, international and domestic support for CTBT has never been stronger, despite this year's nuclear tests by India and Pakistan. Recent polls show 75-80 percent of the American public favor ratification, and editorials across the country overwhelmingly support the Treaty. Moreover, both India and Pakistan have moved closer to adhering to the CTBT by next September, improving the overall prospects for entry into force.

That said, Senator Helms has successfully stonewalled hearings, arguing the Treaty is a low-priority given doubts over Indian, Pakistani and North Korean adherence; Helms has also made clear his first priority is to hold hearings on the September 1997 ABM accords (which we do not intend to submit to the Senate until Russia ratifies START II). Majority Leader Lott is also now solidly in the "oppose" column, using the Indian and Pakistani tests to argue the Treaty is "unverifiable and ineffectual."

1999 - make or break. The fate of the 40-year effort to conclude a CTBT will be decided one way or the other in 1999. If the U.S. fails to ratify, it is

unlikely India or Pakistan will follow through with "adhering" to the Treaty;
Russia and China will almost certainly hold back; and the Treaty will fail to enter into force. Nuclear testing, then, will almost certainly take place in the next millennium, complicating an already complex proliferation and security equation.

What will be needed: an all-out campaign. A prerequisite for victory next year will be to declare CTBT our number one foreign policy legislative priority - and for the Administration to act accordingly. This will involve a focused, sustained effort by senior officials - including Secretary Albright, Secretary Cohen, Vice President Gore and yourself - with the full support of the Office of the Chief of Staff.

Horse-trading. Even with an all-out campaign, we must be prepared to play "hard ball" with Senator Republicans, including working with Senate Democrats to take legislative hostages in order to get CTBT on the Senate calendar (as was done with the CWC). Moreover, the Administration may have to make concessions on issues unrelated to the CTBT if we are to get this Treaty.

Security wild cards: START II, the ABM Treaty and missile defense. Whether or not Russia ratifies START II this fall will directly impact on CTBT. If START II is approved by the Duma, we will be in position to submit the ABM agreements to the Senate for approval, removing one of the principle obstacles placed by Helms in the way of CTBT hearings. The debate over the ABM agreements, however, will be difficult, and will almost certainly be tied - perhaps with CTBT - to the Administration's policy on deployment of a National Missile Defense (I will send you a separate memorandum regarding the NMD debate shortly).

Bottom line. The CTBT is a legacy-achievement of your Presidency, marking both a significant step back from the Cold War and a significant step forward

in
constraining nuclear proliferation (a point driven home by Indian and
Pakistani
testing this year). The American people are overwhelmingly on your
side on this
issue. Our national security demands we not fail.

2

2

0000

cc: Vice President
Chief of Staff

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Steven Andreasen to Robert Bell. Subject: Major Memos for Review. (10 pages)	10/11/1998	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

[07/14/1998-10/27/1998]

2006-1363-F

vz5705

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 10/22/98 10:24:42 AM
FROM Blinken, Antony J.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: CTBT: POTUS Action Memo [UNCLASSIFIED]
TO Andreassen, Steven P.
Rudman, Mara E.
Farrar, Jay C.
Blinken, Antony J.
Gray, Wendy E.
Burrell, Christina L.
Bell, Robert G.

CARBON_COPY**TEXT_BODY**

please see one comment near the top. thanks.

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

From: Andreassen,
Steven P.
Sent: Thursday, October 22, 1998 9:54 AM
To: Rudman,
Mara E.; Farrar, Jay C.; Blinken, Antony J.; Gray, Wendy E.; Burrell,
Christina L.
Cc: Bell, Robert G.
Subject: FW: CTBT: POTUS Action
Memo [UNCLASSIFIED]
Importance: High

Mara/Jay/Tony -- Apologies
for the reminder, but I really do need comments on the attached by
early afternoon today so we can send across by COB -- before Mr.
Bell departs for Colorado to do battle on CTBT. Thanks. Steve.

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

From: Andreassen, Steven P.
Sent: Tuesday,
October 20, 1998 2:21 PM
To: Rudman, Mara E.; Farrar, Jay C.; Blinken,
Antony J.
Cc: @DEFENSE - Defense Policy
Subject: CTBT: POTUS Action
Memo [UNCLASSIFIED]

Importance: High

Mara/Jay/Tony --

Attached
is a Bell/Andreasen draft memorandum to the President requesting
his approval of a proposed course of action on CTBT. Request your
comments and insights by sometime tomorrow (Wednesday) morning.

To be clear, this falls into the category of "close hold" at this
point.

Thanks. Steve.

TRANSLATED_ATTACHMENT MTP CTBT Proposal.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Proposal

Purpose

This memorandum requests your approval of a specific proposal we
could present to
Senator Lott to try to win his commitment to schedule a Senate vote
on CTBT next
year.

Background

The fate of our efforts to ratify the CTBT and achieve its international
entry
into force (EIF) could well be decided in 1999. Under the Treaty, a
Conference
of States that have ratified the CTBT is to be held as early as next
September if
all 44 States that must ratify to trigger EIF have not done so by then.
But if

the U.S. does not ratify, we cannot assume other key States in the "Group of 44" (including India, Pakistan, Russia and China) will. [not sure I understand logical progression here. Don't you want to go right to "if we don't ratify, we don't get a seat at the table at conference" and then pick up point that our failure to ratify also would make it less likely that other key countries will do so. Indeed, if we have not ratified, we are not even allowed to participate in the Conference (which will consider steps to accelerate EIF) in any status except "observer." Measured against this challenge, our legislative experience in 1998 does not bode well. As the 105th Congress leaves town, it is clear that a successful campaign in the Senate next year will require more of an all-out push by the Administration, to include either legislative hostage-taking or deal making.

1998 - the year that was. Our objective for 1998 was to make CTBT the first order of business following NATO enlargement, with hearings and a floor vote prior to adjournment. To set the stage, we began the year with a positive series of events - including your State of the Union appeal; the endorsement by four former Chairmen of the JCS; your trip to Los Alamos which featured the endorsement of the CTBT by the three nuclear lab directors; and Administration briefings to relevant Senate Committee staff. In addition, we initiated a weekly "CTBT News" fax; worked closely with NGO's; and orchestrated a series of speeches, statements and events involving senior Administration officials. The nuclear tests by India and Pakistan provided a further - albeit unexpected and unwelcome - impetus to our appeals to the Senate to act.

On the "plus" side, international and domestic support for CTBT has never been stronger, fueled by global abhorrence of India's and Pakistan's tests. Recent

polls show 75-80 percent of the American public favor ratification, and editorials across the country overwhelmingly support the Treaty.

Nonetheless, Senator Helms, with open support from Lott, has successfully stonewalled hearings in his committee. Helms has made clear that his order of priorities is, first, hearings on the September 1997 ABM accords (which we do not intend to submit to the Senate until Russia ratifies START II), and second, hearings on the Kyoto Treaty (which we do not intend to submit until the developing world agrees to some form of meaningful participation).

Game Plan for 1999. Even with an all-out campaign, including a focused, sustained effort involving your frequent participation and that of all national security principals, we are not likely to even get to bat unless we are prepared to play "hard ball." That means either working with Senate Democrats to take legislative hostages in order to get CTBT on the Senate calendar (as was done with the CWC) or making concessions on issues unrelated to the CTBT. We simply do not believe we can break the current impasse with Helms otherwise.

We believe the \$1 billion in ballistic missile defense funding that Congress inserted in the FY 1999 "emergency supplemental" might provide such an opportunity. Specifically, it may give us leverage to persuade Lott, Stevens, Kyl, Warner and other pro-missile defense Republicans to prevail on Helms to either schedule CTBT hearings next Spring or face a discharge of the Treaty for a vote in the full Senate well before September. First, we do not have to invoke an "emergency" and thereby free up this spending, as these Republicans want. Indeed, for us to assuage Obey and other Democrats, we would have to show that we got something very important to them in return. CTBT fits that bill. Second, in

deciding how to allocate the distribution of the billion between various theater and national missile defense research and development accounts, we have the option of deciding to increase our funding for additional research and testing of the Space-Based Laser (SBL) - a program of particular interest to Lott - but do so in a way that does not undercut the ABM Treaty. We should explore whether getting the billion, and getting more dollars for SBL, would be sufficiently attractive to Lott to overrule Helms.

Bottom line. The CTBT is a legacy-achievement of your Presidency, marking both a significant step back from the Cold War and a significant step forward in constraining nuclear proliferation. The American people are overwhelmingly on your side on CTBT, and this is a "win/win" issue for us.

RECOMMENDATION

That you approve our developing, in consultation with John, Jack and Bill Cohen, a "missile defense spending for CTBT" deal that we could pitch to Lott.

Approve _____

Disapprove _____

3

0000

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 10/23/98 5:10:00 PM
FROM Farrar, Jay C.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: CTBT: POTUS Action Memo [UNCLASSIFIED]
TO Rudman, Mara E.

CARBON_COPY

TEXT_BODY

Mara,

My concern here is focused on the terms/elems of a deal.
Is CTBT worth such a cost, or should we look to craft a broader package?

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

From: Andreasen, Steven P.

Sent: Friday, October 23, 1998 4:22 PM

To: Rudman, Mara E.; Farrar, Jay C.

Cc: Bell, Robert G.

Subject: FW: CTBT: POTUS Action Memo [UNCLASSIFIED]

Importance: High

I have this vision: Corks popping immediately after Congress left town on Wednesday... papers thrown in the air in celebration, now strewn on the floor in 375... Jay, ripping his suit-jacket in two, throwing his shoes off the third-floor balcony, collapsed on the couch... Mara, laying semi-conscious across

the zerox machine, my memo in hand, muttering the initials "CTBT" and the word "crazy," in sequence, a glassed-over look in her eye...

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

From: Andreasen, Steven P.

Sent: Thursday, October 22, 1998 9:54 AM

To: Rudman, Mara E.; Farrar, Jay C.; Blinken, Antony J.; Gray, Wendy E.; Burrell, Christina L.

Cc: Bell, Robert G.

Subject: FW: CTBT: POTUS Action Memo [UNCLASSIFIED]
Importance: High

Mara/Jay/Tony

-- Apologies for the reminder, but I really do need comments on the attached by early afternoon today so we can send across by COB -- before Mr. Bell departs for Colorado to do battle on CTBT. Thanks. Steve.

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

From: Andreasen, Steven
P.

Sent: Tuesday, October 20, 1998 2:21 PM

To: Rudman, Mara E.;

Farrar, Jay C.; Blinken, Antony J.

Cc: @DEFENSE - Defense Policy

Subject: CTBT:

POTUS Action Memo [UNCLASSIFIED]

Importance: High

Mara/Jay/Tony

--

Attached is a Bell/Andreasen draft memorandum to the President requesting his approval of a proposed course of action on CTBT. Request your comments and insights by sometime tomorrow (Wednesday) morning. To be clear, this falls into the category of "close hold" at this point.

Thanks. Steve.

TRANSLATED_ATTACHMENT MTP CTBT Proposal.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Proposal

Purpose

This memorandum requests your approval of a specific proposal we could present to Senator Lott to try to win his commitment to schedule a Senate vote on CTBT next year.

Background

The fate of our efforts to ratify the CTBT and achieve its international entry into force (EIF) could well be decided in 1999. Under the Treaty, a Conference of States that have ratified the CTBT is to be held as early as next September if all 44 States that must ratify to trigger EIF have not done so by then. But if the U.S. does not ratify, we cannot assume other key States in the "Group of 44" (including India, Pakistan, Russia and China) will. Indeed, if we have not ratified, we are not even allowed to participate in the Conference (which will consider steps to accelerate EIF) in any status except "observer." Measured against this challenge, our legislative experience in 1998 does not bode well. As the 105th Congress leaves town, it is clear that a successful campaign in the Senate next year will require more of an all-out push by the Administration, to include either legislative hostage-taking or deal making.

1998 - the year that was. Our objective for 1998 was to make CTBT the first order of business following NATO enlargement, with hearings and a floor vote prior to adjournment. To set the stage, we began the year with a positive series of events - including your State of the Union appeal; the endorsement by four former Chairmen of the JCS; your trip to Los Alamos which featured the endorsement of the CTBT by the three nuclear lab directors; and Administration briefings to relevant Senate Committee staff. In addition, we initiated a weekly "CTBT News" fax; worked closely with NGO's; and orchestrated a series of

speeches, statements and events involving senior Administration officials. The nuclear tests by India and Pakistan provided a further - albeit unexpected and unwelcome - impetus to our appeals to the Senate to act.

On the "plus" side, international and domestic support for CTBT has never been stronger, fueled by global abhorrence of India's and Pakistan's tests. Recent polls show 75-80 percent of the American public favor ratification, and editorials across the country overwhelmingly support the Treaty.

Nonetheless, Senator Helms, with support from Senator Lott, has successfully prevented hearings in his committee. Helms has made clear that his order of priorities is, first, hearings on the September 1997 ABM accords (which we do not intend to submit to the Senate until Russia ratifies START II), and second, hearings on the Kyoto Treaty (which we do not intend to submit until the developing world agrees to some form of meaningful participation).

Game Plan for 1999. Even with an all-out campaign, including a focused, sustained effort involving your frequent participation and that of all national security principals, we are not likely to even get to bat unless we are prepared to play "hard ball." That means either working with Senate Democrats to take legislative hostages in order to get CTBT on the Senate calendar (as was done with the CWC), or making concessions on issues unrelated to the CTBT. We simply do not believe we can break the current impasse with Helms otherwise.

We believe the \$1 billion in ballistic missile defense funding that Congress inserted in the FY 1999 "emergency supplemental" might provide such an opportunity. Specifically, it may give us leverage to persuade Lott, Stevens, Kyl, Warner and other pro-missile defense Republicans to prevail on Helms to

either schedule CTBT hearings next Spring or face a discharge of the Treaty for a vote in the full Senate well before September. First, we do not have to invoke an "emergency" and thereby free up this spending, as these Republicans want. Indeed, for us to assuage Obey and other Democrats, we would have to show that we got something very important in return. CTBT fits that bill. Second, in

deciding how to allocate the distribution of the billion between various theater and national missile defense research and development accounts, we have the option of deciding to increase our funding for additional research and testing of the Space-Based Laser (SBL) - a program of particular interest to Lott - but do so in a way that does not undercut the ABM Treaty. We should explore whether getting the billion, and getting more dollars for SBL, would be sufficiently attractive to Lott to overrule Helms.

Bottom line. The CTBT is a legacy-achievement of your Presidency, marking both a significant step back from the Cold War and a significant step forward in constraining nuclear proliferation. The American people are overwhelmingly on your side on CTBT, and this is a "win/win" issue for us.

RECOMMENDATION

That you approve our developing, in consultation with John, Jack and Bill Cohen, a "missile defense spending for CTBT" deal that we could pitch to Lott.

Approve _____

Disapprove _____

2

0000

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 10/23/98 5:13:53 PM
FROM Rudman, Mara E.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: CTBT: POTUS Action Memo [UNCLASSIFIED]
TO Farrar, Jay C.

CARBON_COPY**TEXT_BODY**

are you looking at this ctbt stuff???

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

From: Andreasen, Steven P.
Sent: Friday, October 23, 1998 4:22 PM
To: Rudman, Mara E.; Farrar, Jay C.
Cc: Bell, Robert G.
Subject: FW: CTBT: POTUS Action Memo [UNCLASSIFIED]
Importance: High

I have this vision:
Corks popping immediately after Congress left town on Wednesday...papers thrown in the air in celebration, now strewn on the floor in 375...Jay, ripping his suit-jacket in two, throwing his shoes off the third-floor balcony, collapsed on the couch...Mara, laying semi-conscious across the xerox machine, my memo in hand, muttering the initials "CTBT" and the word "crazy," in sequence, a glassed-over look in her eye...

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

From: Andreasen, Steven P.
Sent: Thursday, October 22, 1998 9:54 AM
To: Rudman, Mara E.; Farrar, Jay C.; Blinken, Antony J.; Gray, Wendy E.; Burrell, Christina L.
Cc: Bell, Robert G.
Subject: FW: CTBT: POTUS Action Memo [UNCLASSIFIED]
Importance: High

Mara/Jay/Tony

-- Apologies for the reminder, but I really do need comments on the attached by early afternoon today so we can send across by COB -- before Mr. Bell departs for Colorado to do battle on CTBT. Thanks. Steve.

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

From: Andreasen, Steven

P.

Sent: Tuesday, October 20, 1998 2:21 PM

To: Rudman, Mara E.;

Farrar, Jay C.; Blinken, Antony J.

Cc: @DEFENSE - Defense Policy

Subject: CTBT:

POTUS Action Memo [UNCLASSIFIED]

Importance: High

Mara/Jay/Tony

--

Attached is a Bell/Andreasen draft memorandum to the President requesting his approval of a proposed course of action on CTBT. Request your comments and insights by sometime tomorrow (Wednesday) morning. To be clear, this falls into the category of "close hold" at this point.

Thanks. Steve.

TRANSLATED_ATTACHMENT MTP CTBT Proposal.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Proposal

Purpose

This memorandum requests your approval of a specific proposal we

could present to
Senator Lott to try to win his commitment to schedule a Senate vote
on CTBT next
year.

Background

The fate of our efforts to ratify the CTBT and achieve its international
entry
into force (EIF) could well be decided in 1999. Under the Treaty, a
Conference
of States that have ratified the CTBT is to be held as early as next
September if
all 44 States that must ratify to trigger EIF have not done so by then.
But if
the U.S. does not ratify, we cannot assume other key States in the
"Group of 44"
(including India, Pakistan, Russia and China) will. Indeed, if we have
not
ratified, we are not even allowed to participate in the Conference
(which will
consider steps to accelerate EIF) in any status except "observer."
Measured
against this challenge, our legislative experience in 1998 does not
bode well.
As the 105th Congress leaves town, it is clear that a successful
campaign in the
Senate next year will require more of an all-out push by the
Administration, to
include either legislative hostage-taking or deal making.

1998 - the year that was. Our objective for 1998 was to make CTBT
the first
order of business following NATO enlargement, with hearings and a
floor vote
prior to adjournment. To set the stage, we began the year with a
positive series
of events - including your State of the Union appeal; the endorsement
by four
former Chairmen of the JCS; your trip to Los Alamos which featured
the
endorsement of the CTBT by the three nuclear lab directors; and
Administration
briefings to relevant Senate Committee staff. In addition, we initiated
a weekly
"CTBT News" fax; worked closely with NGO's; and orchestrated a
series of
speeches, statements and events involving senior Administration
officials. The
nuclear tests by India and Pakistan provided a further - albeit

unexpected and
unwelcome - impetus to our appeals to the Senate to act.

On the "plus" side, international and domestic support for CTBT has never been stronger, fueled by global abhorrence of India's and Pakistan's tests. Recent polls show 75-80 percent of the American public favor ratification, and editorials across the country overwhelmingly support the Treaty.

Nonetheless, Senator Helms, with open support from Lott, has successfully stonewalled hearings in his committee. Helms has made clear that his order of priorities is, first, hearings on the September 1997 ABM accords (which we do not intend to submit to the Senate until Russia ratifies START II), and second, hearings on the Kyoto Treaty (which we do not intend to submit until the developing world agrees to some form of meaningful participation).

Game Plan for 1999. Even with an all-out campaign, including a focused, sustained effort involving your frequent participation and that of all national security principals, we are not likely to even get to bat unless we are prepared to play "hard ball." That means either working with Senate Democrats to take legislative hostages in order to get CTBT on the Senate calendar (as was done with the CWC) or making concessions on issues unrelated to the CTBT. We simply do not believe we can break the current impasse with Helms otherwise.

We believe the \$1 billion in ballistic missile defense funding that Congress inserted in the FY 1999 "emergency supplemental" might provide such an opportunity. Specifically, it may give us leverage to persuade Lott, Stevens, Kyl, Warner and other pro-missile defense Republicans to prevail on Helms to either schedule CTBT hearings next Spring or face a discharge of the Treaty for a vote in the full Senate well before September. First, we do not have to

invoke
an "emergency" and thereby free up this spending, as these
Republicans want.
Indeed, for us to assuage Obey and other Democrats, we would have
to show that we
got something very important to them in return. CTBT fits that bill.
Second, in
deciding how to allocate the distribution of the billion between
various theater
and national missile defense research and development accounts, we
have the
option of deciding to increase our funding for additional research and
testing of
the Space-Based Laser (SBL) - a program of particular interest to Lott
- but do
so in a way that does not undercut the ABM Treaty. We should
explore whether
getting the billion, and getting more dollars for SBL, would be
sufficiently
attractive to Lott to overrule Helms.

Bottom line. The CTBT is a legacy-achievement of your Presidency,
marking both a
significant step back from the Cold War and a significant step forward
in
constraining nuclear proliferation. The American people are
overwhelmingly on
your side on CTBT, and this is a "win/win" issue for us.

RECOMMENDATION

That you approve our developing, in consultation with John, Jack and
Bill Cohen,
a "missile defense spending for CTBT" deal that we could pitch to
Lott.

Approve _____

Disapprove _____

0000

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 10/26/98 7:45:33 PM

FROM Rudman, Mara E.

CLASSIFICATION UNCLASSIFIED

SUBJECT FW: CTBT: POTUS Action Memo [UNCLASSIFIED]

TO Andreasen, Steven P.

CARBON_COPY Rudman, Mara E.
Farrar, Jay C.
Bell, Robert G.

TEXT_BODY

See changes. I'd like to see revised version before concurring and/or would be happy to discuss (preferably tomorrow am.)

-----Original

Message-----

From: Andreasen, Steven P.

Sent: Friday, October

23, 1998 4:22 PM

To: Rudman, Mara E.; Farrar, Jay C.

Cc: Bell,

Robert G.

Subject: FW: CTBT: POTUS Action Memo [UNCLASSIFIED]

Importance: High

I

have this vision: Corks popping immediately after Congress left town on Wednesday...papers thrown in the air in celebration, now strewn on the floor in 375...Jay, ripping his suit-jacket in two, throwing his shoes off the third-floor balcony, collapsed on the couch...Mara, laying semi-conscious across the xerox machine, my memo in hand, muttering the initials "CTBT" and the word "crazy," in sequence, a glassed-over look in her eye...

-----Original

Message-----

From: Andreasen, Steven P.

Sent: Thursday, October

22, 1998 9:54 AM

To: Rudman, Mara E.; Farrar, Jay C.; Blinken, Antony

J.; Gray, Wendy E.; Burrell, Christina L.

Cc: Bell, Robert G.

Subject: FW:

CTBT: POTUS Action Memo [UNCLASSIFIED]

Importance: High

Mara/Jay/Tony

-- Apologies for the reminder, but I really do need comments on the attached by early afternoon today so we can send across by COB -- before Mr. Bell departs for Colorado to do battle on CTBT. Thanks. Steve.

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

From: Andreasen, Steven

P.

Sent: Tuesday, October 20, 1998 2:21 PM

To: Rudman, Mara E.;

Farrar, Jay C.; Blinken, Antony J.

Cc: @DEFENSE - Defense Policy

Subject: CTBT:

POTUS Action Memo [UNCLASSIFIED]

Importance: High

Mara/Jay/Tony

--

Attached is a Bell/Andreasen draft memorandum to the President requesting his approval of a proposed course of action on CTBT. Request your comments and insights by sometime tomorrow (Wednesday) morning. To be clear, this falls into the category of "close hold" at this point.

Thanks. Steve.

TRANSLATED_ATTACHMENT MTP CTBT Proposal.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Proposal

Purpose

This memorandum requests your approval of a specific proposal we could present to Senators Lott and Daschle to try to win a commitment to schedule a Senate vote on CTBT next year, and to gain Democratic support for making an emergency designation to free up defense spending.

Background

The fate of our efforts to ratify the CTBT and achieve its international entry into force (EIF) could be decided in 1999. Under the Treaty, a Conference of States that have ratified the CTBT is to be held as early as next September if all 44 States that must ratify to trigger EIF have not done so by then. If the U.S. does not ratify, we cannot assume other key States in the "Group of 44" (including India, Pakistan, Russia and China) will. Indeed, if we have not ratified, we cannot participate in the Conference (which will consider steps to accelerate EIF) in any status except "observer." In the 105th Congress, Majority Leader Lott showed no inclination to push this out of SFRC (where Chairman Helms has made his opposition clear) and to the Senate floor. A successful campaign in the Senate next year will require making CTBT ratification a top Administration priority.

1998 - the year that was. [STEVE-I would cut down or cut out entirely this paragraph. I don't think you need to laundry list to POTUS what we did that ultimately didn't work - I'd just get to the bottom line faster. If you feel it necessary, summarize this stuff in a sentence.] Our objective for 1998 was to make CTBT the next order of Senate foreign policy/defense business following NATO enlargement, with hearings and a floor vote prior to adjournment. We began the year with a positive series of events - including your State of the Union appeal;

the endorsement by four former Chairmen of the JCS; your trip to Los Alamos which featured the endorsement of the CTBT by the three nuclear lab directors; and Administration briefings to relevant Senate Committee staff. In addition, we initiated a weekly "CTBT News" fax; worked closely with NGOs; and orchestrated a series of speeches, statements and events involving senior Administration officials. The nuclear tests by India and Pakistan provided a further - albeit unexpected and unwelcome - impetus to our appeals to the Senate to act.

On the "plus" side, international and domestic support for CTBT is strong, fueled by global abhorrence of India's and Pakistan's tests. Recent polls show 75-80 percent of the American public favor ratification, and editorials across the country overwhelmingly support the Treaty.

Nonetheless, Senator Helms, with open support from Lott, has successfully stonewalled hearings in his committee. Helms has made clear that his order of priorities is, first, hearings on the September 1997 ABM accords (which we do not intend to submit to the Senate until Russia ratifies START II), and second, hearings on the Kyoto Treaty (which we do not intend to submit until the developing world agrees to some form of meaningful participation).

Game Plan for 1999. We believe the \$1 billion in ballistic missile defense funding that Congress inserted in the FY 1999 "emergency supplemental" might provide an opportunity to get CTBT on the Senate calendar. Specifically, it may give us leverage to persuade Lott, Stevens, Kyl, Warner and other pro-missile defense Republicans to schedule the Treaty for a vote in the full Senate well before September. In order free up this spending, as these Republicans want, you must make an "emergency designation." Democrats at this point have no desire to see such a designation made. To . Democrats, we would have to show

that we got something very important to them in return for the emergency designation for defense spending. CTBT may fit that bill. Second, in deciding how to allocate the distribution of the billion between various theater and national missile defense research and development accounts, we have the option of deciding to increase our funding for additional research and testing of the Space-Based Laser (SBL) - a program of particular interest to Lott - but do so in a way that does not undercut the ABM Treaty. We should explore whether getting the billion, and getting more dollars for SBL, would be sufficiently attractive to Lott to overrule Helms, and sufficiently attractive to Democrats to overcome their opposition to the emergency designation for more defense spending.

Bottom line. The CTBT is a legacy-achievement of your Presidency, marking both a significant step back from the Cold War and a significant step forward in constraining nuclear proliferation. The American people are overwhelmingly on your side on CTBT, and this is a "win/win" issue for us.

RECOMMENDATION

That you approve our developing, in consultation with John, Jack and Bill Cohen, a "missile defense spending for CTBT" deal that we could pitch to Lott and Daschle.

Approve _____

Disapprove _____

0000

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 10/27/98 12:06:08 PM
FROM Rudman, Mara E.
CLASSIFICATION UNCLASSIFIED
SUBJECT FW: Revised CTBT Memo [UNCLASSIFIED]
TO Andreasen, Steven P.

CARBON_COPY Rudman, Mara E.
Farrar, Jay C.
Bell, Robert G.

TEXT_BODY OK with one additional phrase. I want to make very sure at every turn that we are not suggesting anything that would sell out our Democratic supporters to get Republicans to move it.

-----Original
Message-----
From: Andreasen, Steven P.
Sent: Tuesday, October
27, 1998 11:13 AM
To: Rudman, Mara E.; Farrar, Jay C.
Cc: Bell,
Robert G.
Subject: Revised CTBT Memo [UNCLASSIFIED]
Importance: High

Mara

--

Attached is a revised version of the CTBT memo, taking into account your mark-up and Bob's e-mail response. I've shortened the 1998 section you found overdone considerably, while still making the point we were "active" this year. I've also reduced to one simple sentence the point regarding the necessity of "hostage-taking/deal-making" (it reads: "Even with an all-out campaign in 1999, we are unlikely to break the current impasse with Helms unless we are prepared to "cut a deal" involving CTBT and a Republican legislative priority."). Quite frankly, this might be too oblique a reference to suit Bob (who has yet to see this redraft). Why don't you take another look, and tell me what you think.

Thanks. Steve.

TRANSLATED_ATTACHMENT MTP CTBT Proposal.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Proposal

Purpose

To request your approval of a proposal we could present to Senators Lott and Daschle to win a commitment to schedule a Senate vote on CTBT next year and gain Democratic support for making an emergency designation to free up defense spending.

Background

The CTBT is a legacy-achievement, marking both a significant step back from the Cold War and a significant step forward in constraining nuclear proliferation. The fate of our efforts to ratify the CTBT and achieve its international entry into force (EIF) could be decided in 1999. Under the Treaty, a Conference of States that have ratified the CTBT is to be held as early as next October if all 44 States that must ratify to trigger EIF have not done so by then. If we have not ratified, we can only participate in the Conference (which will consider steps to accelerate EIF) as an "observer." Moreover, if the U.S. does not ratify, we cannot assume other key States in the "Group of 44" (including India, Pakistan, Russia and China) will.

1998. Our effort to make CTBT the first order of business following

NATO

enlargement built on a series of "CTBT" events - including your State of the Union appeal; the endorsement by four former Chairmen of the JCS; and your trip to Los Alamos - supplemented by Administration briefings and statements. The nuclear tests by India and Pakistan provided a further - albeit unexpected and unwelcome - impetus to our appeals to the Senate.

On the "plus" side, support for CTBT is strong, fueled by global abhorrence of India's and Pakistan's tests. Recent polls show 75-80 percent of the American public favor ratification, and editorials across the country overwhelmingly support the Treaty. Nonetheless, Senator Helms, with open support from Lott, has stonewalled hearings in his committee. Helms has made clear his order of priorities is, first, hearings on the September 1997 ABM accords (which we do not intend to submit to the Senate until Russia ratifies START II), and second, hearings on the Kyoto Treaty (which we do not intend to submit until developing states agree to some form of meaningful participation).

Game Plan for 1999. Even with an all-out campaign in 1999, we are unlikely to break the current impasse with Helms unless we are prepared to "cut a deal" involving CTBT and a Republican legislative priority, without compromising Democratic support. The \$1 billion in ballistic missile defense funding that Congress inserted in the FY 1999 "emergency supplemental" might give us leverage to persuade Lott, Stevens, Kyl, Warner and other pro-missile defense Republicans to get CTBT on the Senate calendar well before September.

In order to free up this spending as the Republicans want, you must make an "emergency" designation. Democrats at this point have no desire to see such a designation made. To assuage Democrats, we would have to show that we got something very important to them in return for the emergency

designation for
defense spending. CTBT may fit that bill. Moreover, in deciding how
to allocate
the distribution of the billion between various theater and national
missile
defense programs, we have the option of deciding to increase our
funding for
additional research and testing of the Space-Based Laser (SBL) - a
program of
particular interest to Lott - but do so in a way that does not undercut
the ABM
Treaty.

We should explore whether getting the billion, and getting more
dollars for SBL,
would be sufficiently attractive to Lott to overrule Helms, and (with
CTBT as
part of the deal) sufficiently attractive to Democrats to overcome their
opposition to the emergency designation for more defense spending.

RECOMMENDATION

That you approve our developing, in consultation with John, Jack and
Bill Cohen,
a "missile defense spending for CTBT" deal that we could pitch to
Lott and
Daschle.

Approve _____

Disapprove _____

3

0000

cc: Vice President
Chief of Staff

Exchange Mail

DATE-TIME 10/27/98 1:52:56 PM
FROM Andreassen, Steven P.
CLASSIFICATION UNCLASSIFIED
SUBJECT Final CTBT Memo [UNCLASSIFIED]
TO Rudman, Mara E.
Farrar, Jay C.

CARBON_COPY Bell, Robert G.
Blinken, Antony J.

TEXT_BODY Mara --

Bob accepted your proposed changes to the CTBT memo, which we will now send forward. We have also made a (very) few "streamlining" edits, which are non-substantive (but, perversely, kicked the memo over into a third page). Thanks for your help.

Steve.

TRANSLATED_ATTACHMENT MTP CTBT Proposal.doc

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: CTBT Proposal

Purpose

To request your approval of a proposal we could present to Senators

Lott and Daschle to win a commitment to schedule a Senate vote on CTBT next year and gain Democratic support for making an emergency designation to free up defense spending.

Background

The CTBT is a legacy achievement, marking both a significant step back from the Cold War and a significant step forward in constraining nuclear proliferation. The fate of our efforts to ratify the CTBT and achieve its international entry into force (EIF) could well be decided in 1999. Under the Treaty, a Conference of States that have ratified the CTBT is to be held as early as next October if all 44 States that must ratify to trigger EIF have not done so by then. If we have not ratified, we can only participate in the Conference (which will consider steps to accelerate EIF) as an "observer." Moreover, if the U.S. does not show leadership by ratifying, we cannot assume other key States in the "Group of 44" (including India, Pakistan, Russia and China) will ratify.

1998. Our effort to move the CTBT last session built on a series of "CTBT" events - including your State of the Union appeal; the endorsement by four former Chairmen of the JCS; and your trip to Los Alamos - supplemented by Administration briefings and statements. The nuclear tests by India and Pakistan provided a further - albeit unexpected and unwelcome - impetus to our appeals to the Senate.

On the "plus" side, our efforts helped establish strong public support for CTBT, fueled by global abhorrence of India's and Pakistan's tests. Recent polls show 75-80 percent of the American public favor ratification, and editorials across the country overwhelmingly support the Treaty.

Nonetheless, Senator Helms, with open support from Lott,

stonewalled hearings in his committee. Helms has made clear his order of priorities continues to be, first, hearings on the 1997 ABM accords (which we do not intend to submit to the Senate until Russia ratifies START II), and second, hearings on the Kyoto Treaty (which we do not intend to submit until developing states agree to some form of meaningful participation).

Game Plan for 1999. Even with an all-out campaign in 1999, we are unlikely to break the current impasse with Helms unless we are prepared to "cut a deal" involving CTBT and a Republican legislative priority, without compromising Democratic support. The \$1 billion in ballistic missile defense funding that Congress inserted in the FY 1999 "emergency supplemental" might give us leverage to persuade Lott, Stevens, Kyl, Warner and other pro-missile defense Republicans to get CTBT on the Senate calendar well before September.

In order to free up this spending as the Republicans want, you must make an "emergency" designation. Democrats at this point have no desire to see such a designation made. To assuage Democrats, we would have to show we got something very important to them in return for this emergency designation. CTBT may fit that bill. Moreover, in deciding how to allocate the distribution of the billion between various theater and national missile defense programs, we could consider the option of deciding to increase our funding for additional research and testing of the Space-Based Laser (SBL) - a program of particular interest to Lott - but do so in a way that does not undercut the ABM Treaty.

We should explore whether getting the billion, and getting more dollars for SBL, would be sufficiently attractive to Lott to overrule Helms, and (with CTBT as part of the deal) sufficiently attractive to Democrats to overcome their opposition to the emergency designation for more defense spending.

RECOMMENDATION

That you approve our developing, in consultation with John, Jack and Bill Cohen, a "missile defense spending for CTBT" deal that we could pitch to Lott and Daschle.

Approve _____

Disapprove _____

2

7340

cc: Vice President
Chief of Staff