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Folder Title:

Bosnia/Iran Arms-Background, April 1996 [2]

Staff Office-Individual:

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Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. letter	To William Danvers [duplicate of ke5524_003] (2 pages)	04/11/1994	P1/b(1)
001b. memo	Memorandum for the Record, Re: Senator Levin Briefed on Bosnia [duplicate of ke5524_004] (3 pages)	02/28/1994	P1/b(1)
001c. memo	Memorandum for the Record - Member Briefing for Representative Kopetski re: Bosnia [duplicate of ke5524_005] (1 page)	12/12/1994	P1/b(1)
001d. memo	Memorandum for the Record - Member Briefing for Senator Mack re: Bosnia [duplicate of ke5524_006] (1 page)	01/30/1995	P1/b(1)
001e. memo	Memorandum for the Record - SSCI Committee Hearing re: Bosnia [duplicate of ke5523_026z] (8 pages)	03/29/1995	P1/b(1)
001f. memo	Memorandum for the Record, re: Briefing for Senate Staffers on Bosnia [duplicate of ke5523_026za] (1 page)	05/24/1995	P1/b(1)
001g. memo	Memorandum for the Record - Staff Briefing to the House Speaker and National Security Advisor (3 pages)	07/18/1995	P1/b(1)
001h. memo	Memorandum for the Record - Staff Briefing for HPSCI (3 pages)	08/01/1995	P1/b(1)
001i. memo	Memorandum for the Record - Staff Briefing for SSCI, re: Bosnia Update [duplicate of ke5524_011] (2 pages)	09/08/1995	P1/b(1)
001j. memo	Memorandum for the Record - Staff Briefing for HIRC, re: Bosnia [duplicate of ke5524_012] (3 pages)	10/13/1995	P1/b(1)
001k. memo	Memorandum for the Record - Staff Briefing for Charles Boyd, Special Assistant to House Speaker, re: Bosnia [duplicate of ke5524_013] (2 pages)	11/29/1995	P1/b(1)

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Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
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FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
ke5610

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]**
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]**
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]**
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]**

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001l. memo	Memorandum for the Record - Member Briefing for Representative Obey, re: Bosnia [duplicate of ke5524_014] (2 pages)	12/04/1995	P1/b(1)
001m. memo	Memorandum for the Record - Staff Briefing for SAC/DEF, re: Bosnia Update [duplicate of ke5524_015] (2 pages)	12/08/1995	P1/b(1)
001n. memo	Memorandum for the Record - Staff Briefing for HPSCI, re: [Bosnia] [duplicate of ke5524_016] (3 pages)	12/15/1995	P1/b(1)
001o. memo	Memorandum for the Record - Member Briefing for Representative Callahan, re: [Bosnia] [duplicate of ke5524_017] (3 pages)	12/20/1995	P1/b(1)
001p. memo	Memorandum for the Record - Member Briefing for Senators, re: Bosnia Update [duplicate of ke5524_018] (2 pages)	12/01/1996	P1/b(1)
001q. memo	Memorandum for the Record - Staff Briefing for HPSCI, re: Bosnia [duplicate of ke5524_019] (2 pages)	02/27/1996	P1/b(1)

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United States Department of State

April 23, 1996

Washington, D.C. 20520

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HIRC Testimony 4/23

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FROM: Henry Kelleg

REMARKS:

includes changes made by Mr Tarnoff yesterday (4/22)



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Statement of Undersecretary of State
for Political Affairs

Peter Tarnoff

House International Relations Committee

April 23, 1996

Mr. Chairman, thank you for this invitation to appear today before the committee. I also welcome the opportunity to join my colleagues from the Defense Department and USAID in a discussion of the situation in Bosnia.

Our efforts to bring peace to Bosnia through the implementation of the Dayton Accords remain well on track. In the five months since the peace agreement was initialed at Wright-Patterson Air Force Base, we have witnessed a remarkable transformation. In a very real sense, we are on the road from confrontation to conciliation. But that journey is in its early stages. Much work remains to be done. But I believe we can be generally encouraged by progress to date.

We have always known this task would be difficult and that there would be setbacks. But we are committed to see this through. The recent tragic loss of Secretary Brown and his mission has only reinforced our determination.

The significant impact that U.S. policy has had on this conflict is evident by remembering where we were just one year

ago. In April 1995, the Serbs held nearly 70 percent of Bosnia. International peace efforts were totally stymied. Sarajevo remained surrounded and besieged. Thousands of civilians endured tremendous deprivation. UNPROFOR, the sole source of any form of protection, was contemplating its withdrawal. Today the killing has ended, some refugees are returning home, people are being fed, clothed, and sheltered, and the peace is taking hold throughout Bosnia.

We now face the challenges not of war, but of peace. For it is the need for peace and stability in this corner of Europe, and an end to ethnic and nationalistic strife, that spurred our diplomatic efforts which culminated in the Dayton Accords. Those same objectives now prompt U.S. policy in implementing the Accords.

However, the Dayton Accords are not self-executing assurances of peace. They are simply the agreed plans by which peace can be pursued. To attain that end, we and our allies are working in concert, through military and civilian channels, to encourage the parties to live up to their commitments. We are also determined to enhance the chances for a durable peace by creating the best possible economic and security environment in Bosnia.

The Dayton Accords set out a timetable for measures to be taken by the parties. With each step, the prospects for overall success increase. From the separation of forces to the

exchange of territory to the demobilization of forces, each step builds upon the other and serves to reinforce the overall peace. With the marking of "D+90" on March 19 and the completion of territory transfer, we have reached the end of the first key phase of the Dayton Accords and the start of the next: a return to normal life and preparing proper conditions for elections. The OSCE must certify conditions and set the date for Bosnia's elections. After the OSCE certifies that Bosnia is ready to hold elections, the campaign and extensive preparation for balloting will begin. Once elections are conducted, the institutions agreed at Dayton and crucial to a viable Bosnian state will have to begin functioning.

Mr. Chairman, much has been accomplished since last November. As my colleague from the Department of Defense will affirm, the forces of IFOR, under NATO command, have overseen the separation of warring forces and the territorial exchanges provided for in the Dayton Accords. In Sarajevo, for example, while the unification of formerly Serb-held parts of the city under Federation control was marred by Serb-instigated disruptions, Sarajevans can now legitimately aspire to a better life.

We have also worked very closely with our Contact Group partners, and with High Representative Carl Bildt and his staff, to coordinate our efforts for maximum effect. My colleague from USAID will describe in greater detail the civilian implementation effort.

Yet, despite these accomplishments, compliance with certain commitments - - particularly in areas such as prisoners, freedom of movement, and the sensitive issue of war crimes -- is not what it should be. During Dayton's first phase, implementation was largely driven by IFOR. As we approach elections, the parties will shoulder a larger responsibility for success. It is therefore vital to keep the Dayton signatories -- the political leadership in Bosnia, Croatia and Serbia -- focussed on the tasks ahead and the need for compliance with all terms of the Accords.

One of the most critical aspects of this effort to comply with Dayton involves a commitment by all the parties to expel foreign military and advisory personnel. In this regard, we have insisted especially that Iranian military and intelligence personnel leave Bosnia.

In recent days, there has been considerable attention paid to reports that the U.S. did not actively oppose the shipment of Iranian arms through Croatia to Bosnia two years ago. Let me review the circumstances and facts of that case.

From the outset, the Clinton Administration -- and most members of Congress -- opposed the U.N. arms embargo against Bosnia. We wanted the arms embargo to be lifted multilaterally because if the U.S. had lifted the embargo unilaterally, U.N. sanctions regimes against Libya and Iraq would have been weakened, and UNPROFOR would have departed Bosnia, leaving that

country at greater short-term risk and requiring the U.S. to intervene to help extract UNPROFOR troops in difficult and dangerous circumstances. In the spring of 1994, the Government-held areas of Bosnia were under siege and the newly-established Muslim-Croat Federation was in a precarious state.

In April 1994, we were asked by the Government of Croatia whether the U.S. would object if Croatia were to allow arms shipments to the Bosnian Government from other countries, including Iran, to transit Croatian territory. Given the military urgency of the situation facing the Federation on the ground and the imbalance in favor of Bosnian Serb forces, the Administration did not object to possible arms shipments to the Bosnians through Croatia. We decided that we would neither approve of nor object to such shipments; U.S. representatives were told to respond to further inquiries by the Croatian Government by stating they had "no instructions" on the matter. The U.S. has no contact with the Government of Iran on this matter.

Beginning in May 1994, the U.S. intelligence community began to report flights by Iranian transport planes to Croatia with cargoes intended for Bosnia and which were believed to contain military as well as humanitarian supplies. These reports were contained in an intelligence document that is provided on a daily basis to the relevant Congressional committees; the Leadership and its staff have access to this daily report.

In October 1994, as an alternative to unilaterally lifting the arms embargo, the Congress -- with strong bipartisan support and Administration backing -- enacted legislation making it illegal for the U.S. to use appropriated funds to enforce the arms embargo against Bosnia; Congress was aware of Iranian arms shipments to Bosnia at the time. Iranian shipments were not excluded from the applicability of this legislation, which took effect in November.

Our actions were consistent with the will of Congress, as subsequently expressed in the October 1994 legislation that barred us from using appropriated funds to enforce the arms embargo against Bosnia, while avoiding crossing the line of unilaterally abrogating a binding Security Council resolution by providing arms to the Bosnian Government directly or indirectly.

The good news was that the valiant armed forces of Bosnia did manage to hold out and hold on to their territory. Because they did so, it was possible in 1995 for NATO to take action and the U.S. to forge an agreement in Dayton which gives the people of Bosnia from all three communities the best chance they have had in years for peace.

On November 23, the U.N. Security Council adopted resolution 1021 providing for lifting the embargo as a result of the Dayton Accords. Since then, the Bosnian Government has been cooperating with us and is acting to comply with its

obligation under Dayton to remove foreign forces. The presence and influence of Iran in Bosnia is substantially reduced and the Bosnian Government understands that the U.S. has conditioned implementation of our Train and Equip Program on compliance with the foreign forces provisions of the Dayton Accords. This point was driven home to the Bosnians by both the Administration and Congress.

The Dayton Accords included a key incentive for the parties to forsake continued warfare and preserve peace. That was the promise and opportunity for the parties to form partnerships with the international community in the economic reconstruction of Bosnia and Herzegovina. All sides have been exhausted by this bitter conflict. While armies can be demobilized and weapons removed to limited cantonments, it is a much more difficult task for governments to provide soldiers real jobs, let alone a secure livelihood. Reconstruction aid is an essential investment for the future peace of the region. We are using it to break the psychology of war.

The successful Donors' Conference held earlier this month in Brussels both reinforced the international community's recognition of this urgent need and signaled that fiscal benefits would soon flow from the parties' adherence to the Dayton Accords. The conference generated over \$1.2 billion in new commitments for reconstruction, and, along with \$600 million pledged in December, met the international community's overall needs target of \$1.8 billion for 1996.

Congressional support for the President's \$198 million supplemental package was crucial to the success of the Conference, and in particular, allowed us to "leverage" more than three times our pledge from other bilateral donors. With the supplemental, and other new funds, we were able to pledge \$219 million in new monies at the Brussels Conference for reconstruction and associated programs such as police, demining, and elections, for a total commitment to reconstruction and related funding of \$281 million for 1996. This is approximately half of our total commitment of \$550 million to civilian implementation this fiscal year for Bosnia and Eastern Slavonia. Of this total, \$200 million is pure economic reconstruction assistance, representing the first tranche of the President's commitment of \$600 million for economic reconstruction over several years.

Concrete benefits to the people of Bosnia from the Dayton Accords, the so-called "peace dividend", will ensure that the Bosnian people acknowledge the improvement in their lives at the ballot box this summer. We are seeing the re-birth of Sarajevo, but this renaissance is severely hampered by the devastated infrastructure. This is true throughout Bosnia. Our priorities in the coming weeks are to ensure that the funds committed at Brussels flow quickly, that people -- particularly the tens of thousands of demobilized troops -- begin to be employed, and that the various reconstruction programs are properly coordinated. The European Union, which is providing the lion's share of the funding, the World Bank, and High

Representative Bildt, all have roles here, but the US is and must exercise leadership as well to ensure that the job gets done.

Direct aid alone cannot assure peace. Economic life depends on trade. The principle that trade enhances peace led Secretary Brown and his party to the Balkans earlier this month. This notion did not perish in the tragedy above Dubrovnik. We are committed to continue pursuing peace through commerce, both as a remembrance of the Brown delegation and as an effective tool to achieve lasting stability in the Balkans.

The Muslim-Croat Federation is a cornerstone of the Dayton Accords. It plays an essential role in preventing a renewal of fighting between these communities and channeling their differences into the political arena. In addition, the Federation provides the necessary counter-balance to the Republika Srpska. The entire legal structure of post-Dayton Bosnia-Herzegovina presumes a healthy, functioning Federation.

Given its importance for the success of the Dayton accords, the United States has made the Federation the focus of a broad-based program of political, technical and economic support. Along with our partners, we have conducted a series of high-level meetings in Rome, Geneva, Moscow, and Sarajevo, devoted primarily to the solution of Federation problems. I will lead the American delegation to the next such meeting this Thursday in Bonn.

On April 3 in Sarajevo, Acting Assistant Secretary Kornblum convened the first meeting of the Federation Forum, a regular U.S.-led mechanism for more intensive, regular discussions with the two parties on Federation issues.

The groundwork for a lasting peace depends not just on elections but also on creating an effective deterrent to renewed Bosnian Serb aggression against the Federation, as well as balancing the number of arms throughout the region.

Moreover, Dayton Agreement commits the Parties to a series of confidence building and arms control measures. These measures aim to build transparency and confidence and achieve balanced and stable defense forces at the lowest levels consistent with the Parties' respective security and the need to avoid an arms race in the region.

Finally, it is impossible to envision a lasting peace that does not take account of the atrocities carried out over the past years. We do not advocate revenge, for this will only breed more contempt and violence. Nor can we hold groups collectively responsible for the evil actions of individuals in their midst. This is why the United Nations, at the urging of this Administration, established the International Tribunal at The Hague. Since the Dayton Accords were signed, 57 persons have been indicted, six taken into custody, and investigators have spent thousands of hours in Bosnia and its neighbors seeking evidence.

Compliance with the International Tribunal was made one of the touchstones of the Dayton Accords. Sarajevo, Zagreb and Belgrade have each taken steps to improve its cooperation with the Tribunal since last year. But the lack of Bosnian Serb cooperation with the Tribunal continues as the most glaring example of non-compliance with the Accords.

In conclusion, it must be remembered that it was American leadership that produced the relative but real improvements that we can now observe in Bosnia. And American leadership, in cooperation with our friends and allies, will see us through the challenges and opportunities I have described.

When we and our NATO allies committed IFOR to Bosnia, we made it clear to the former warring parties that they were ultimately responsible for implementing the peace agreement. By limiting IFOR's deployment to one year, NATO signaled that it would not substitute for real progress by the parties toward achieving a lasting peace. Certainly the full implementation process will take longer than one year, but we are counting on the parties to build on the progress made during this critical first year so as to continue to consolidate peace and develop institutions after IFOR departs. The Agreement reached at Dayton envisioned a gradual process of reconciliation and institution building that the U.S. intends to support.

Given the remarkable advances that have been made in the past year -- and the results of American leadership during that period -- this Administration intends to persevere. As President Clinton has said repeatedly, it is in the U.S. national interest to help bring peace to Bosnia. We will work with others to achieve that goal.



Department of Defense
Office of the Assistant Secretary
of Defense for Public Affairs
1400 Defense Pentagon
Washington, D.C. 20301-1400

FAX COVER SHEET

DATE: April 20, 1996

TO: Jodie

PHONE:
FAX:

FROM: Susan Hansen

PHONE: (703) 695-0192
FAX: (703) 697-3501
DSN 227-3501

SUBJECT: Transcript of Defense Dept Backgrounder on Bosnian Arms Embargo, Nov 11, 1994

Number of pages including cover sheet:

23 9

If all pages are not received or are illegible, please call (703) 695-0192

MESSAGE:

*This may be the
"summer backgrounder"
See page 4.*

DoD Background Briefing
Attributable to: Senior Defense Official
Subject: SecDef Trip to Eastern Europe
Thursday, July 14, 1994 - 2:00 p.m.

Q: Who's going on the trip?

A: I am, and John is.

Q: That's it?

A: And Associated Press and UPI.

This is a trip I've been trying to get the Secretary to take for months. We just met with him this morning, so I'll give you basically the trip briefing that I gave him. I said this is an important trip for him. It's even a more important trip for the countries of the region.

Why is it important for the Secretary? This is an opportunity for him to get a first-hand read on Balkan security problems. We in the United States Government, for reasons all of you will understand, focus on Bosnia. As tragic as the conflict in Bosnia is, it's only one piece of a larger Balkan mosaic of conflicts and tension. I think it's very important for the Secretary to get a first-hand understanding from the senior officials in these governments of how they see not only Bosnia, but also other problems in the region. Kosovo, Macedonia -- two places where the United States has not a guarantee, but it has made a commitment to the security, or to the peaceful resolution of conflicts in those regions.

President Bush said that Kosovo is very important to the United States. That's a statement that was reiterated by President Clinton. We saw the problem in Kosovo, which is part of Serbia, with 90 percent ethnic Albanians, resolved in a peaceful way.

The former Yugoslav Republic of Macedonia, I have to say this the right way, is a country where we do not yet have an ambassador, but we have 500 American troops as part of an UNPROFOR unit arrayed along the border of Skopje, FYRM, and Serbia. The Cryena, an other important problem that tends to get pushed aside in our current focus on things within the boundaries of Bosnia.

There are serious tensions between Greece and Albania. Greece has a blockade against Macedonia. And, of course, there are tensions in the Aegean that periodically flare up between Greece and Turkey -- NATO allies.

This will be the Secretary's first trip as Secretary to this part of the world. He will get first-hand an assessment of how this region looks to the players there. You all know the clash of civilizations, I don't need to explain to you how important the Balkans is, but it's the part of the world that for all of the interests we have in it, our interest is focused just on one country, and very few people go out there.

Why is the trip important for the region? These folks feel as though they are the forgotten part of Europe. For every person who goes to this southern tier, every American official who goes to the southern tier, probably 10 or 20 go to the northern tier. The Vichigrad states have received a great deal of attention. The President stopped in Prague after the January NATO summit. The President was just in Poland. The Secretary of State and others are frequent visitors to the Vichigrad states. Rarely do American officials go to what I call the Nichigrad states, this southern tier.

A visit by the American Secretary of Defense will help enormously encouraging these states towards democratization, towards market-based economies, toward civilianization of their defense establishments. It will make them see that we consider them part of Europe. That our notion of Europe doesn't stop when you get down to Hungary. It will make them understand that we value them as partners in this new trans-Atlantic security relationship called Partnership for Peace.

All of these states that we'll be visiting, with the exception of Skopje, the former Republic of Macedonia which is not eligible, have signed the Partnership for Peace. Romania, I believe, was the very first country to do it. We will be talking with them about how to take full advantage of the partnership. I expect we will be talking about the possibility of PFP exercises with these states, and in other ways widening and deepening the bilateral security relationship the United States has with these countries.

It's a busy trip. The Secretary is a busy person. It's hard to get him away from town for a long time. We're going to ten countries in seven days. Let me walk you through the route of march here.

We'll start in Romania. From there we'll go to Bulgaria, from there to Skopje. The Secretary will visit the headquarters of Task Force Able Sentry -- that's the American troop contingent there, near the airport in Skopje. Then we'll helicopter up to an observation post right on the border with Serbia.

Q: When you say Skopje, you mean also what people commonly refer to as Macedonia?

A: That's the politically incorrect way to refer to it. You either say FYRM or Skopje. If I say Macedonia please...

The American troops are deployed in observation posts right along the border, and the Secretary will go out and visit with those troops.

From Skopje we go to Athens; from there to Tirane, Albania; and backtracking a little bit to Turkey, spend a day in Ankara. From Ankara we're going into Bosnia by way of Split, Croatia. And we hope, although it's not yet settled, that we will be able to meet with Croatian government officials in that stop in Split. This is on Friday, the 22nd, the date is important. We'll leave Ankara, we'll go to Split, possibly have this meeting, and then into Sarajevo. Those of you on the trip will go in with us.

The deadline for the warring factions to respond to the contact group's map is Wednesday the 20th. So we will be going in right after that, when we will have responses from both the Serbs and the Bosnian government.

Q: That's the 22nd?

A: We'll be in Sarajevo on the 22nd. The deadline is the 20th. So there will be some fait accomplis by that time, and that will certainly have some bearing on the Secretary's visit.

While in Sarajevo, he will meet with President Ezabegavich, with General Delich, with a whole range of Bosnian government and defense officials. He will also meet with General Rose, the UNPROFOR commander, and review with General Rose the whole NATO- UNPROFOR relationship which, as you know, is a very important one and one that requires some tending. UNPROFOR runs the ground operation and NATO has the air part of this. They'll be talking about what to do if one party or another does not accept this peace plan. They'll also be talking about what to do if they both do accept the peace plan and we find ourselves on the way toward implementation of the peace agreement.

On that same day then we will fly out of Sarajevo to Italy. We'll go to Aviano. That's where we'll spend that night. We'll have a meeting with the Italian Minister of Defense, Previti who will fly out for that meeting. The Secretary will

have a chance to debrief his Italian counterpart on the day in Bosnia. And more generally, to share impressions of this Balkan swing with him. That's nine countries. The tenth is Ireland. We'll stop in Shanon on our way back. (Laughter)

Let me take your questions. In a capsule, that's the trip.

Q: I'd like to ask you about (inaudible) into the region. You mentioned you're going to Split and talking to Croatian officials. Is there some concern about particularly Iranian weapon shipments and other Moslem countries shipping arms into Bosnia through Croatia following this [new federation]? Can you comment on that?

A: There is obviously some leakage of the arms embargo into Bosnia. It's of concern to us for reasons that members of this Administration have testified to on the Hill. We don't think that is a good idea at this time. Not helpful to the peace process.

If we have an opportunity to talk to Croatian officials, we might get their view on the extent of this and what actions might be taken to minimize it, if not bring it to a halt.

Q: As to the source of the arms that might be leaking into Bosnia...

A: No. There are all sorts of rumors and reports that are not confirmed, so I wouldn't want to speculate. If we knew where they were coming from I think we'd have a better handle on trying to stop it. They are delivered circuitously, we know that. Some by air, some by ship as well.

Q: You're in Split, and you're going to fly from Split to Sarajevo. You're not going to go on the ground any more...

A: No, the time simply doesn't permit it. If we had more time it would be good to get out of Sarajevo to see a place like Thusela, or an UNPROFOR operation out in the field, but we're just boxed into a fairly short time. We'll be in Sarajevo about 10:00 o'clock and have to leave before dark, so I think we'll leave about 1700. That's not enough time to...

Q: You mentioned the Secretary will be discussing scenarios, if one of the parties doesn't agree to the peace plan, or all do. What is your assessment, and what are the chances of both parties agreeing to the peace agreement? And which side is most likely not to agree to the peace agreement?

A: There have been indications I have read in the press, positive indications from the Bosnian government. There are pieces of this that they are unhappy about, but indications are that they are positively inclined, and we are hopeful. Of course it's not only a question for the government, senior, the presidency itself, but also for the Bosnian parliament which will vote on this I think

on Wednesday. Certainly we're hopeful that the Bosnian government will agree to this plan.

I am hopeful, but less confident, about the Bosnian Serbs. Mr. Caradich said this was an American, I've forgotten his words, "dicta." He doesn't like it. It requires them to give up a substantial amount of territory that they already possess. But we will await their official response. The initial response was negative, complaining, but Minister Jupet of France and Heard of Great Britain have done a tour over there. The Russians have been helpful in this process, trying to make the Bosnian Serbs understand that this is the last clear chance, we think, to bring this thing to a peaceful conclusion.

Q: Are you testing the war weariness on the part of the parties there? Or are they just going to keep going?

A: We are concerned that if there is not a peace now, that war will break out again in the fall. There's certainly a war weariness in the population. Unfortunately, it doesn't seem to have spread to the troops that are doing the fighting. That's one of the reasons why we think this is a very important opportunity for peace.

Q: In the last several weeks you've seen a substantial lull in the fighting.

A: There has been a ceasefire, generally respected, that has diminished the fighting significantly. The Bihaj is about the highest level of activity and there it's hard to say who's fighting whom.

Q: Do we support the notion that if they don't sign an agreement we would go for an expansion of the so-called safe havens and of the exclusion zones?

A: We do.

Q: Is there any way to quantify, I don't know how to ask this. Would they be (inaudible)? Are we talking about a substantial expansion?

A: We have asked the NATO military authorities to give us their military advice about how we might expand and more rigorously enforce these exclusion zones.

Q: If you do both of those (inaudible), especially when you say more rigorously enforce, are we talking about NATO having to put more troops over there to enforce both more rigorously and a greater geographic area?

A: We're talking about doing this through the air. Through air power.

Q: But you're saying two things. A bigger geographic area and more rigorous enforcement of what it is that you do.

A: That's right.

Q: Does that require more air troops or air power on the part of NATO?

A: We'll wait and see what NATO military authorities recommend, but my hunch is not, that we can do that with the forces that we have over there. After all, we have a substantial air presence there now to do Deny Flight.

Q: When you say more rigorous...

A: The Serbs have regularly tested our patience on these exclusion zones. They have brought weapons through those zones. They have taken weapons out of control by UNPROFOR. One time they gave us the excuse that they wanted to polish these weapons and took them back under control.

We have tolerated those transgressions in the spirit that these were isolated incidents, that it didn't represent a deliberate and provocative pattern of violations. And we could certainly tell the Serbs that those sorts of actions will no longer be tolerated.

Q: And would you be also including a more rigorous enforcement of helicopter flights?

A: That's not part of this conception.

Q: If I remember right, the British and the French both indicated they wanted to get their ground troops out of there, or they will if there's no general peace agreement. How can it be possible to carry out this more rigorous enforcement and these expanded safe haven zones if at the same time the UNPROFOR ground forces is shrinking?

A: That's exactly what we've asked the NATO military authorities to discuss and to raise with UNPROFOR. It's a question that I expect the Secretary and General Rose will discuss in Sarajevo. Our allies with forces on the ground have said that any steps to enforce or expand exclusion zones must be undertaken with account for the forces on the ground. Any action along those lines will be fully coordinated between NATO and UNPROFOR. It's part of the planning to make sure that that coordination takes place.

Q: Do you need to make sure, though, that the UK and the French actually maintain some certain level of ground forces so that you have more people in fact fighting (inaudible)?

A: We would like to do this with forward air controllers. It's not imperative that they be on the ground. We will do what is necessary to protect or to assure the safety of UNPROFOR forces. We will not undertake any action like this that is contrary to the wishes of UNPROFOR. If in the judgment of UNPROFOR it requires a retrenchment of UNPROFOR before we start doing this, we'll make sure that that happens.

Q: Has there been a reaction by the Serbs, by the Bosnian Serbs, regarding the very close vote in the Senate, and then the words of the Administration I think to the effect that we can't hold the line on the arms embargo indefinitely. Isn't there a paradox in the possible lifting of the arms embargo or the United States popping out of it, and to keeping the UN troops, particularly the French, in the game?

A: Our allies have told us that, and we have agreed with them, that multilateral lifting of the arms embargo is a last resort after this other action to induce Serb signatures have failed. We would start with the tougher sanctions regime, we would move to this exclusion zone enforcement and expansion notion, and if that doesn't work, then we would be forced to consider multilateral lifting of the arms embargo. Once again, they have told us that doing that raises questions about UNPROFOR's ability to carry out its mission. We understand that, and that's why we have asked our military authorities to make sure that UNPROFOR and NATO understand the sequencing of events if we move to that step.

You will certainly see a redeployment of UNPROFOR forces in the event that the arms embargo is lifted.

Q: As far as unilateral action on the United States, the Congress cannot take a unilateral action to lift the arms embargo over the President. The President would have a veto over any legislation that would come out. So is it even possible that the United States could unilaterally lift the embargo and preempt some of these other steps?

A: We hope not. There is now, as you know, there was a tie vote in the Senate on this idea. So there is no legislation now moving a unilateral lift ahead. As Secretary Perry argued in his testimony on the Hill, this is a critical moment for these negotiations. You could not imagine a worse time unilaterally to lift the arms embargo, and we're very grateful that the Senate, half the Senate saw it our way.

Q: To the best of your knowledge, is this the first time that a Secretary of Defense has gone to Albania?

A: There wasn't anybody when Hoxa was there -- the dictator who wouldn't let anybody go in there. So there wasn't one until... Secretary of State Baker was there some years ago.

Q: (Inaudible)

A: Let's get you a definitive answer on that. The resident historian...

Voice: The encyclopedia says no.

Q: ...military diplomacy to the entire region was never really, I can't envision any sort of Defense Secretary's trip to countries that are this small. A big summit with the major powers, but...

A: Romania is a pretty big country. After Poland it's the second largest country in Central and Eastern Europe. But you're right. These are all countries that are still in the transition from communist authoritarian regimes with a military structure that was typical of those governments. They are inculcating democratic values. They are modeling their military establishments on those of the West. They are eagerly participating in Partnership for Peace activities. This is one of the most important things that the United States can do in European security right now -- that is to help these countries make the transition to a new concept of civil/military relations, democratic control, civilian control of the military. The Secretary's sheer presence there will help to legitimize those pro-Western forces. This transition is by no means assured.

Q: What direction is the general region heading then?

A: Some disenchantment, as you see in the rest of Central Europe, with the great dream they had for democracy and pluralism. So some cutting back from that. But also I think some real suspicion that the West doesn't care about that. That's a misperception that we can correct on this trip.

Q: They're all PFP except for Macedonia.

A: Which would love to join, but...

Q: Why can't it? They're not recognized?

A: That's a problem. Slovenia was allowed in, but we sort of fenced off all of the countries of the former Yugoslavia and then said any state that all members of NATO can agree on can also be added.

Q: Albania is in there, though?

A: Albania is, indeed, a peace partner, and would love to do everything it can to participate.

Q: There are so many local antagonisms there. Are you taking any special measure, or how are you going to assure that the Secretary doesn't get drawn into these (inaudible)?

A: You mean physical measures?

Q: Are there going to be lots of pressures on him to be taking sides, or is he going to be taking special pains to not...

A: He is going to tell these folks that he is mostly over there in the receive mode. He's not in transmit. He is certainly not going over there to try to resolve the Greek/FYRM dispute. He's not going to be carrying messages, not going to be doing shuttle diplomacy between Athens and Ankara. This is his first trip as Secretary to this region of the world. He's on a fact finding consciousness expanding mission. He's not trying to settle these disputes. He's only going to be there for a week. Some of these disputes...

My favorite story about the Balkans, if you've read Robert Caplan's book, "Balkan Ghosts", Caplan heard about some skirmish between forces and he went to this village and found some militia and said, "Was there a battle here yesterday?" The soldiers said, "Yesterday?" "Yesterday nothing happened here, but 600 years ago, right here there was a big..." (Laughter)

Q: Is there any chance of increasing troops in Macedonia?

A: Not at this time.

Q: How many have we got there now?

A: Five hundred. We're on our way to 500.

Press: Thank you.

-END-



**Department of Defense
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1400 Defense Pentagon
Washington, D.C. 20301-1400**

FAX COVER SHEET

DATE: April 20, 1996

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SUBJECT: Transcript of Defense Dept Backgrounder on Bosnian Arms Embargo, Nov 11, 1994

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DEFENSE DEPARTMENT
BACKGROUND BRIEFING
SUBJECT: BOSNIAN ARMS EMBARGO

ATTRIBUTABLE TO SENIOR DEFENSE OFFICIALS

THE PENTAGON

11:45 A.M. ET
FRIDAY, NOVEMBER 11, 1994

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STAFF: This briefing is on background. I have on my right a
senior military official, on my left, a senior defense official, and
the senior defense official will start.

SR. DEFENSE OFFICIAL: The purpose of the backgrounder this
morning is to outline the actions that the Department of Defense will
take to comply with restrictions on U.S. participation in enforcement
of the Bosnian arms embargo from midnight tomorrow night.

As you know, the Nunn-Mitchell provision of the 1995 Fiscal Year
Defense Authorization Act requires that if the United Nations has not
agreed by 15 days after the introduction of a resolution to lifting
the embargo, certain actions are to be taken, and I'll run through
those and what the requirements are, and the senior military official

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The measures which are being undertaken will comply fully with the law, but it's important to make the point that they will not, and indeed, the law requires that they should not affect U.S. participation in enforcement of the remaining embargo against Serbia, or enforcement of the no-flight zone or participation in close-air support activities. Nor, of course, will these measures affect other activities such as U.S. military participation in humanitarian relief operations or the forces that we maintain in Macedonia.

Second, it's worth making the point that these do not amount to a unilateral end of the Bosnian arms embargo. U.S. persons are still barred from participating in the arms supply -- in any arms supply to Bosnia, and obviously there will be no official U.S. government arms supply to Bosnia.

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This again is consistent with the explicit terms of the law which say that nothing is to be done under this law which would affect compliance required of all member states in the U.N.

It's also worth making the point that the step that is being taken today pursuant to the law tomorrow is consistent with our long-standing objections to the unequal effect of the arms embargo about Bosnia. It is not, however, the sole focus of our policy. First of all, we will continue to seek agreement at the United Nations to lift the embargo on a multilateral basis. We will continue humanitarian relief efforts and measures to prevent the spread of the conflict. We will maintain our participation in the no-flight zone, in preparations in maintaining readiness, to provide close-air support, or to enforce the exclusion zones. And, as you know, we have reached agreement on procedures for more robust application in both those areas.

Further, we will continue to seek a diplomatic solution on the basis of the contact group proposals which have now been accepted by all the parties except the Bosnian Serbs. In that connection, we will continue to press Belgrade to carry through on its undertaking to stop the flow of arms and supplies from Serbia proper into Serbian-controlled areas of Bosnia. And we believe that the steps which are being taken tomorrow night pursuant to the legislation will increase the pressure on the Bosnian Serbs to agree to a diplomatic settlement.

To review briefly what the law requires, it says that no U.S. government funds, including military funds, may be used for the purpose of participating in, supporting or assisting in the Bosnian arms embargo after the date specified. The law has certain exceptions. First, it does not apply to actions required of all members of the United Nations under United Nations Security Council Resolution 713, which is the measure by which the embargo was imposed. Second -- the effect of that it allows the United States to maintain the restrictions on private U.S. persons from participating in violations of the arms embargo.

Second, it -- the law explicitly requires that no action be taken under it that would impede enforcement of sanctions against Serbia. And in signing the legislation, President Clinton declared that he understands this to mean that no restrictions on United States military actions are required where those actions are needed to avoid impeding Serbian enforcement even if the effect is to have some indirect or incidental support or assistance to the enforcement of the Bosnia arms embargo.

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And finally, the president is permitted to waive the application of the law for U.S. personnel in NATO headquarters, and he will do so.

As I said, the senior military officer will outline what the details are.

It's worth making the point at the beginning that because of the nature of what U.S. operational forces do, these changes will apply only to the maritime interdiction operations in the Adriatic and to certain intelligence activities. Air operations will not be affected because under current practice, those air operations do not relate to enforcing the arms embargo. For example, if a cargo plane believed to be carrying arms were detected, it would not be interdicted by the aircraft enforcing the no-flight zone even if it was known to be violating the arms embargo.

We are consulting with our NATO allies about establishing rules for United States ships in the Adriatic that participate in the NATO enforcement effort to ensure that they can operate consistently with United States law. Similar special rules have been established for some of the other participants in the maritime operation, and we expect that through normal NATO procedures, those -- a comparable set of special rules will be adopted for the U.S. forces.

As I said, these changes, although they will end U.S. military participation in the arms embargo against Bosnia, as a practical matter should have only very minimal impact on NATO cooperation in the Adriatic for the simple reason that for the most part, that cooperation is aimed at enforcing the embargo against Serbia and the other former Yugoslav states. For example, I am informed that there's something like 42,000 ships which have been stopped in the course of the maritime interdiction operation. Only three were found to be containing arms for Bosnia. So it will be possible through this to comply fully with the law, to make clear the U.S. disapproval of the arms embargo as applied to Bosnia and yet maintain our NATO cooperation in the -- as a practical matter.

Now, if you can outline the steps which are being taken.

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SR. DEFENSE OFFICIAL: I might just take this one further level and expand slightly on the points that the senior defense official mentioned.

First of all, for a clarification on the time of the start of this particular change, we've talked about midnight Washington time tomorrow night. There's been confusion in some reports as to exactly when it does start. That is the time it starts -- Washington time tomorrow night, which would be for Greenwich Mean Time, 0500 on the 13th. So to keep it standard and everybody make sure we're on the same time so we're expecting -- when do we expect this thing to start, I just want to make sure you have that: 0500 Greenwich Mean Time on the 13th.

You had outlined for you who this change will apply to, and I will talk about the specifics of what the change is in just one second. It does not apply to Deny Flight. I'll use some terms that you're familiar with. It does not apply to the JTF Provide Promise, except as relates to intelligence, and I'll expand on that in just a minute. And it does not apply to the JTF Able Sentry, which are the forces we have on the ground in Macedonia. It does apply to the U.S. forces involved in Sharp Guard, which of course is the maritime intervention in the Adriatic.

Now, specifically, what may U.S. forces no longer do is shown on the large chart to my left. And what the change in the law says now, that we implement tomorrow night at midnight Washington time, is that U.S. forces may no longer divert or delay any of the vessels coming into the Adriatic that can identify that they have arms bound for the Bosnian government. As a practical matter, you say how do you possibly enforce that? Let's say for example a ship says -- its manifest says these arms are bound for the Bosnian government, what do we do when that -- when we see that? As a practical matter, what will happen is we will, by law, now not be able to divert or delay or to pass intelligence, as it says in the second bullet, on that fact that we have discovered that these weapons are bound for the Bosnian government.

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We will release the ship but we are permitted to continue to track the ship to ensure that those weapons do end up at a Croatian port and not quickly -- divert over so to some other port where they may end up in the hands of the Serbs, or in some other --

Q Pass intelligence to whom?

SR. DEFENSE OFFICIAL: Pass intelligence through to normal NATO channels that we upchannel information in when we board a ship, and I'll discuss the specific process in a minute. But what I'm trying to do is describe to you the two things we may no longer do.

One of them is we can't divert or delay ships any more that have arms bound for the Bosnian government, and we can talk more about the practical application of that. The second piece is we can no longer pass intelligence through the normal NATO channels in which intelligence is passed by our forces as part of the Sharpguard operation on weapons shipments bound to the Bosnian government.

Now, let's go to the next slide because it will help expand a little bit on the practicality of this that I was just getting into.

As a matter of course regardless of where we're doing this mission of enforcing an embargo, whether you're doing it in the Adriatic or we're doing it down in the Gulf, as we are as well against Iraq; the same process that you see there remains and that is the that the forces -- not just U.S. forces -- challenge the ship. If they determine some need they board it. The next step would be to inspect the cargo, and then once the inspection is done a report is rendered on the specifics of who the ship is, what its port is, what the cargo is on board. And then, based on whether the cargo is embargoed or not, you either divert if there are some -- reason to do that or you delay it if it's unclear and you need more information. Or if it doesn't have any embargoed goods on board then you release it. And we do in fact track the ships to port to ensure that they're going where they said they were going.

Now, as a practical application, what does this mean to U.S. forces? We will still be able to challenge ships, we will still be able to board them if that's a requirement, and inspect the cargo. Change comes in the report. If we inspect the cargo and find that the ship is carrying exclusively arms bound for the Bosnian government we are not allowed to report on that issues of what the cargo was. We must remain silent -- that's the key word -- we must remain silent on

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And then, if it did contain weapons bound exclusively for the Bosnian government, we would release the ship and track it to port. That's what we would, in fact, do.

Now, how does that change from what we were doing before the implementation of this new legislation? In the past we would challenge, board, inspect and report, and if we found anything that was embargoed, including weapons bound for Bosnia Hercegovina or the Bosnian government, we would report on that. Now we must remain silent on that issue. So let's say we have a ship that's carrying some embargoed goods and some not -- humanitarian supplies, let's say, and there are also some arms on there. When we get to the report part, we would report that the supplies are aboard the ship and we would remain silent on the issue that there was also arms bound for Bosnia. That's the practical application of this legislation. And then we would release the ship and track it to port.

Just one other quick thing. The intelligence part of this, of course, is another very sensitive area, and I just want to say a couple of words about that. When we have identified intelligence which relates to the arms bound for the Bosnian government, we are now required to identify that information as U.S.-only, and we are obligated by the legislation not to forward that information through the normal channels as part of the NATO structure and the U.N. structure. And so very clear guidance is going out from our Defense Intelligence Agency to ensure that people know how to mark and identify this type of intelligence and ensure that it does not get past.

Okay. Let me just stop there --

SR. DEFENSE OFFICIAL: Let me just add one point about there are certain kinds of weapons which because they pose a threat to NATO and U.S. forces, even if they are being provided to the Bosnians, would -- we would continue to divert ships carrying such weapons.

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Q Such as?

Q What are they?

SR. DEFENSE OFFICIAL: I was coming to that. Air-to-air and ground-to-air missiles. And I'll also give you the rationale in each case for this exclusion. None of the warring factions are permitted to fly in the airspace over Bosnia, so they would have no legitimate use even apart from the arms embargo. And weapons designed to attack aircraft would threaten U.S. and other allied aircraft and, therefore, would be within -- could still be interdicted.

Second, air-to-ground weapons interdicted on essentially the same basis, that is the warring factions are not permitted -- by virtue of the no-flight zone are not permitted to engage in air activities. Anti-naval force weapons, since the warring -- none of the warring parties have any combat naval vessels afloat and able to engage in the operations, they could only be used against other countries' naval vessels, and specifically those enforcing the sanctions against Serbia.

And finally, weapons of mass destruction, for the fairly obvious reason that if we learn of weapons of mass destruction being introduced into the conflict, we would regard that as a problem; it's something that we would prevent even aside from the arms embargo as such. Our authority wouldn't derive from the arms embargo. I think that covers all of it.

Q A two-part question. Well, before we get to the questions, one little loophole here because -- and maybe you can solve some of the questions. One of the questions would obviously be, how are you now reporting cargos? If for instance a ship comes by with full arms on board and you're reporting it up the chain, now suddenly you stop a ship and no report, does that not send a red flag, and what's to prevent another NATO ship from coming in and taking over and stopping the ship and diverting it?

The second part of the question is, if you've got 42,000 ships stopped and only three have cargo for Bosnia, why the purpose of this exercise at all, just pull the U.S. ships back and forget about it. It's a no-no, right?

SR. DEFENSE OFFICIAL: Many of them have cargos other than for Bosnia. The three of the 42,000 stopped, only three have been found

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during the time that the embargo was being enforced to be carrying arms for Bosnia. Many have other prohibited cargo, and several hundred at least have been diverted.

Q Over 700 have been diverted --

SR. DEFENSE OFFICIAL: Carrying embargoed cargos.

Q Out of 42,000, that's not much of a --

(Q \ SR. DEFENSE OFFICIAL?): Forty-two thousand presumably covers a lot of shipping that goes into Italy and other ports --

Q Okay, can we go back to the first part, I think it's really more important. I mean, what's to prevent other NATO ships from taking over and stopping the cargo?

SR. DEFENSE OFFICIAL: Well, as a practical matter, there is nothing to prevent other NATO ships. I mean, NATO clearly -- the arms embargo against all of the former Yugoslav republics remain in place, including the Bosnian government, as far as NATO is concerned. And so nothing prevents NATO ships from carrying out their charter. What we have to ensure is, is that we are not contributing to that, and as a practical matter, as you pointed out, we have to be careful that we are not highlighting this -- and NATO, I'm not going to describe to you how they're going to do it because that's not my business.

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This is a challenge for them, but I would suspect that they will ensure U.S. ships are enforcing the embargo in places where we won't get into this problem.

Q To follow this, on this question, one, I believe we're still required to inspect and then report cargos that are bound for anyplace else in former Yugoslavia, so we're enforcing on the one hand, looking the other direction on the other hand, not putting out reports, which puts us at cross purposes with our naval -- with our NATO allies and even possibly in conflict with our NATO allies. Why don't we, as Ivan suggested, just pull back?

Q We only have three ships there, right, out of 20? I mean, what's the purpose of keeping three ships?

SR. DEFENSE OFFICIAL: At the moment. Well again, maybe the defense official better speak to the policy part of this, but as a practical matter, our involvement there is lots of goods being embargoed against the former Yugoslav republics, okay? This is one small part in one small area that's being changed. The rest of the embargo remains in place. And so we can actively participate in that and be of big service to NATO in this regard, so I think it's important to keep U.S. ships there.

Q Can you give us your assessment of what effect this will have on the battlefield?

SR. DEFENSE OFFICIAL: As a practical matter again, it appears that since very few of the ships carrying goods through the Adriatic are carrying arms bound for Bosnia -- the Bosnian government, and we've described those numbers to you, that it says that they're getting in other ways, that people are not challenging the Sharp Guard system because it is fairly effective. And so as a practical matter, if they've only diverted three out of 42,000, the impact on the battlefield -- it's hard to say. I can't tell you exactly what it's going to be, but it would appear that if that is the only place we're having an impact, it's not going to impact the battlefield very much.

Q Could you explain what would happen if someone came onto a ship and they boarded and said, "These arms are bound only for Croatia" and they did not mention Bosnia? Would you then report on Croatia only or would you -- you would enforce it if --

SR. DEFENSE OFFICIAL: Absolutely, because there is --

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Q So you're not really stopping it to Croatia, only just because the port would then go to Bosnia.

SR. DEFENSE OFFICIAL: If it says it's going to Bosnia, the Bosnian government, it has to -- it's a land-locked country -- it has to go into a Croatian port.

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Q But if they do say this is going to Croatia, then you would report it?

SR. DEFENSE OFFICIAL: Yes, we would.

Q How do you monitor the --

SR. DEFENSE OFFICIAL: We wouldn't just report it. The ship would be diverted.

Q Pardon me?

SR. DEFENSE OFFICIAL: The ship would be stopped.

Q In other words, it would be -- yeah, in other words, you'd follow the same --

SR. DEFENSE OFFICIAL: The same things we're doing with every other ship going into the former Yugoslav republics.

Q So this is strictly Bosnia, not Croatia?

SR. DEFENSE OFFICIAL: That's true. And only the Bosnian government; obviously not the Serbs, the Bosnian Serbs.

Q Right, right.

SR. DEFENSE OFFICIAL: Yeah.

Q So how do you monitor that it goes to Bosnia and not is diverted to Croatia?

SR. DEFENSE OFFICIAL: The ship has a manifest, and you know, there's only so much you can do. The ship's manifest says these goods are bound for the Bosnian government. They are off-loaded at a port and turned over to the Bosnian government. If the Bosnian government then decides that, as a fee for use of that port, part of those arms go to Croatia, that's their business. We have no control over that.

Q So your authority stops at the port. You won't be tracking it on land --

SR. DEFENSE OFFICIAL: Well, certainly it'll be tracked as best we can once it gets onto land to ensure these arms end up in the

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Bosnian government's hands. But this is a difficult situation. We can clearly track it to the port.

Q The other way --

SR. DEFENSE OFFICIAL: Tracking it once it filters out into the network is a more difficult proposition, but you -- I mean, again, we are going by the manifest that's on that ship. And that's what we're doing as a practical matter with all the ships --

SR. DEFENSE OFFICIAL: And we would certainly monitor the ship to be certain that, if it was claiming to be entering a Croatian port, it didn't divert and enter a Montenegrin port.

Q I know this is kind of a difficult question for you because it's a law, but it does seem to at least me it's a Rube Goldberg, ridiculous kind of an amendment. But what is the Pentagon's policy, announced policy, on the difficulty or the --

SR. DEFENSE OFFICIAL: First of all, we have an -- I'm sorry. Go ahead. What's the question? Other than your opinion of the law, what's the question? (Laughter.)

SR. DEFENSE OFFICIAL: What's the question?

Q How does the Pentagon feel about this? I mean, is it enforceable, and are you happy about it, unhappy about it?

SR. DEFENSE OFFICIAL: First of all --

Q Is difficult an understatement?

SR. DEFENSE OFFICIAL: First of all, we have an obligation to comply with the law whether we think it's a brilliant law or a stupid law, and we do our best to comply with the law. I think the -- in fact, I think the law makes a great deal of sense. It is a way of saying that the -- and making clear that the United States regards the arms embargo against Bosnia as inappropriate and unequal in its effect and that we will make that position clear by ceasing to continue to participate actively in the enforcement of that embargo, but at the same time we will continue to do the things which contribute to the enforcement of the embargo against other states in former Yugoslavia and the fighting against -- primarily against the Serbs.

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DEFENSE BACKGROUND BRIEFING

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The Serbs are the aggressors in this war. Nobody is perfect in this war, but there's no question who has been responsible for initiating the war and for overwhelmingly the worst of the atrocities. And perhaps most significant, it is the Bosnian Serbs who are the only parties, even including Belgrade, who have not signed up for the contact group proposals which would end the fighting.

I think as a practical matter it will not be that difficult to apply these rules. Judgments have to be made already on whether the manifest is accurate, on where cargo is going. Those judgments will continue to be made. And as the statistic about the three out of -- perhaps the best way to put it is three out of 700 or more ships that had been diverted had been diverted because they had arms for Bosnia rather than the 42,000. Just as a prediction, I would expect that it will be a relatively rare case in which we find -- it has in the past been a rare case in which we find a ship that is carrying Bosnian arms.

STAFF: We have time for two more questions. Michael?

Q Can I ask you how you might deal with two -- there have only been two cases, conceivably, that could be more for sending a signal we're not going to enforce the embargo, but could you tell me how you would deal with two cases under this procedure? One, Admiral Smith, the senior NATO commander, is also the senior American commander. Now, presumably he will have access to American intelligence about shipments in his capacity as an American commander, but as NATO commander, he has responsibilities apart from this to enforce the embargo.

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DEFENSE BACKGROUND BRIEFING

PAGE 17

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Will this mean that in essence he has to sort of compartmentalize his brain and know things in his role as an American commander and yet not act on them as a NATO commander?

SR. DEFENSE OFFICIAL: that one's easy. All American officers frequently have access to know information which they're not permitted to share, and I wouldn't be surprised if that were also the case with other countries.

Q So, if he knows something through one channel he just doesn't act on that. It's almost as if he doesn't know that when he puts on his NATO hat. He pretends he does not know this information?

SR. DEFENSE OFFICIAL: Yes.

SR. DEFENSE OFFICIAL: The second question is apparently some of these, the way they do these challengings -- I'm not an expert on this -- but apparently they bring these ships into port sometimes to do the challenges because they can't do them at sea when the weather's bad. So, this would mean, in effect, that a U.S. ship if they challenged it can bring it into an Italian port, and yet if it was discovered to have arms the Italians would want to impound it, we wouldn't want to contribute to that under this law.

How would that be worked out, under the procedures? Since bringing them into port could in effect lead to the seizure of arms if there were any?

It's not all done on the high seas --

SR. DEFENSE OFFICIAL: I understand that. What I'm not sure of is what the process is by which the inspection is done once it gets into an Italian port and rather than speculate about the details I will try to find out.

Q Can I get a clarification on U.S. ships that are there?

The general said that you had expected because of this situation that the NATO commanders -- they'd be -- they'd find some other place for them to do work. I assume this shows NATO solidarity. Are you actually saying that they would be perhaps dispatched to deal with the Serbian embargo specifically. Have there been any orders given or -- what will they do as of midnight?

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SR. DEFENSE OFFICIAL: There have not been any orders given -- That's for the NATO to decide but you postulate an example of exactly what might happen.

Q And how many ships did you say exactly -- you said, "At the moment, three." Are you going to be adding to that?

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DEFENSE BACKGROUND BRIEFING

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SR. DEFENSE OFFICIAL: No, there's no plan to increase the U.S. participation.

SR. DEFENSE OFFICIAL: We have a lovely handout with the names of all the ships.

SR. DEFENSE OFFICIAL: Ed?

Q Won't this have more political than practical effect? And, number two, won't it encourage shipment of arms to Bosnian Muslims?

SR. DEFENSE OFFICIAL: Let me take the second part first, since, as you will see when you get the handout, the United States, even if it was simply a random question whether a ship trying to run the arms in to Bosnia would run into an American or another ship, since most of -- the overwhelming majority of the ships are not American, I would be surprised if it had a big impact of encouraging the Bosnians to try to get their arms by maritime channels rather than the other channels which they use now. So the first question was its political effect. We believe that this should have a political effect of making clear to the Bosnian Serbs that the pressure on them will increase and that they would be well advised to agree to the contact group proposal.

Q How does the pressure increase if there's no practical impact here? I mean, you've been saying over and over again that there's not going to be any significant increase of arms.

SR. DEFENSE OFFICIAL: Because I think it will send a signal. It sends a signal that the U.S. is not prepared -- does not support the arms embargo. The fact is that there is significant sentiment in the Congress, which I doubt has been diminished by the recent election, to end it unilaterally, and that the time is running out -- the Bosnian government agreed to postpone the issue for six months -- not six months from now, but six months from mid September -- that the time is running out and that the pressures to change the current pattern, which is essentially an UNPROFOR humanitarian arms embargo pattern, to some different pattern which would be worse for the Bosnian Serbs, will increase.

Q Well, how about time running out? Is there any clock ticking here or is anything supposed to happen if they -- there's also, for instance, language in this bill about actually getting out

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Q Well, how about training the Bosnian Army?

Q Could I finish talking for a second? That you're supposed to submit a report to Congress on training the Bosnian Muslims. I mean, is that -- I mean, then you could see the practical effect of doing something. But when is all this supposed to happen?

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DEFENSE BACKGROUND BRIEFING

PAGE 21

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SR. DEFENSE OFFICIAL: I would have thought that the Bosnian government will revive the issue of lift of the arms embargo at the end of the six-month period that they specify, which, if I remember correctly, would run out at the end of March or the beginning of April.

Q Is there a plan for training that is being submitted?

SR. DEFENSE OFFICIAL: We will comply with the requirement of the law that we submit a plan and consult with Congress about training outside of Bosnia-Herzegovina.

Q Doesn't that have to be done --

SR. DEFENSE OFFICIAL: It will be done in the next -- in the near future.

STAFF: We've got to knock it off.

Q Can I ask --

SR. DEFENSE OFFICIAL: I'll take your question, and that's the last question.

Q Okay. Will this in fact make very little change? You'll do everything the same way unless you get on the ship and find a manifest that says these arms are for Bosnia. That's the only time this would take effect, and that would be a very rare time.

SR. DEFENSE OFFICIAL: But that's because it's about arms for Bosnia. I mean, if it says they're arms for Croatia, Congress doesn't want us to do anything different about arms for Croatia.

Q (Off mike) -- that this in fact will only apply to a very few cases because you'll hardly ever get on a ship and find a manifest that says these arms are for Bosnia.

SR. DEFENSE OFFICIAL: The historical fact is that we have found relatively few ships carrying arms to Bosnia.

Q Thanks a lot.

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DEFENSE BACKGROUND BRIEFING

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. letter	To William Danvers [duplicate of ke5524_003] (2 pages)	04/11/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F

ke5610

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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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]
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. memo	Memorandum for the Record, Re: Senator Levin Briefed on Bosnia [duplicate of ke5524_004] (3 pages)	02/28/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
ke5610

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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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)]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001c. memo	Memorandum for the Record - Member Briefing for Representative Kopetski re: Bosnia [duplicate of ke5524_005] (1 page)	12/12/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
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FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
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Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001d. memo	Memorandum for the Record - Member Briefing for Senator Mack re: Bosnia [duplicate of ke5524_006] (1 page)	01/30/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
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RESTRICTION CODES

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001e. memo	Memorandum for the Record - SSCI Committee Hearing re: Bosnia [duplicate of ke5523_026z] (8 pages)	03/29/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
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Presidential Records Act - [44 U.S.C. 2204(a)]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001f. memo	Memorandum for the Record, re: Briefing for Senate Staffers on Bosnia [duplicate of ke5523_026za] (1 page)	05/24/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
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Presidential Records Act - [44 U.S.C. 2204(a)]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001g. memo	Memorandum for the Record - Staff Briefing to the House Speaker and National Security Advisor (3 pages)	07/18/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001h. memo	Memorandum for the Record - Staff Briefing for HPSCI (3 pages)	08/01/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
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RESTRICTION CODES

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001i. memo	Memorandum for the Record - Staff Briefing for SSCI, re: Bosnia Update [duplicate of ke5524_011] (2 pages)	09/08/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

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

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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]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001j. memo	Memorandum for the Record - Staff Briefing for HIRC, re: Bosnia [duplicate of ke5524_012] (3 pages)	10/13/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
ke5610

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001k. memo	Memorandum for the Record - Staff Briefing for Charles Boyd, Special Assistant to House Speaker, re: Bosnia [duplicate of ke5524_013] (2 pages)	11/29/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
ke5610

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

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

RR. Document will be reviewed upon request.

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]
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
0011. memo	Memorandum for the Record - Member Briefing for Representative Obey, re: Bosnia [duplicate of ke5524_014] (2 pages)	12/04/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
ke5610

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001m. memo	Memorandum for the Record - Staff Briefing for SAC/DEF, re: Bosnia Update [duplicate of ke5524_015] (2 pages)	12/08/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
ke5610

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]
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RR. Document will be reviewed upon request.

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001n. memo	Memorandum for the Record - Staff Briefing for HPSCI, re: [Bosnia] [duplicate of ke5524_016] (3 pages)	12/15/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
ke5610

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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RR. Document will be reviewed upon request.

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001o. memo	Memorandum for the Record - Member Briefing for Representative Callahan, re: [Bosnia] [duplicate of ke5524_017] (3 pages)	12/20/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
ke5610

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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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)]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001p. memo	Memorandum for the Record - Member Briefing for Senators, re: Bosnia Update [duplicate of ke5524_018] (2 pages)	12/01/1996	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F
ke5610

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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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)]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001q. memo	Memorandum for the Record - Staff Briefing for HPSCI, re: Bosnia [duplicate of ke5524_019] (2 pages)	02/27/1996	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Staff Director (Soderberg, Nancy)
OA/Box Number: 1402

FOLDER TITLE:

Bosnia/Iran Arms - Background, April 1996 [2]

2008-0994-F

ke5610

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

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