

FOIA MARKER

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Folder Title:

Chronos for December 1998 [1]

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Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Chronos for December 1998 [partial] (1 page)	01/00/1999	P1/b(1)
002. memo	Summary of Conclusions for Kosovo Executive Committee Meeting, December 1, 1998. (2 pages)	12/03/1998	P1/b(1), P3/b(3)
003. memo	Kosovo Executive Committee Meeting [partial] (1 page)	12/07/1998	P3/b(3)
004. memo	Summary of Conclusions for Kosovo Executive Committee Meeting, December 8, 1998. (2 pages)	12/08/1998	P1/b(1), P3/b(3)
005. memo	Cancellation of Friday's Kosovo ExComm Meeting [partial] (1 page)	12/09/1998	P3/b(3)
006. memo	Kosovo Executive Committee Meeting [partial] (1 page)	12/03/1998	P3/b(3)
007. memo	Summary of Conclusions for Kosovo Executive Committee Meeting, December 4, 1998. (2 pages)	12/07/1998	P1/b(1), P3/b(3)
008. memo	Kosovo Executive Committee Meeting [partial] (1 page)	12/14/1998	P3/b(3)
009. memo	Interagency Working Group Meeting [to support]...William Walker. (1 page)	12/16/1998	P1/b(1), P3/b(3)
010a. memo	Cancellation of Kosovo ExComm Meetings. (1 page)	12/21/1998	P3/b(3)
010b. memo	Summary of Conclusions for Kosovo Executive Committee Meeting, December 18, 1998. (2 pages)	12/21/1998	P1/b(1)
011. memo	Kosovo Executive Committee Meeting [partial] (1 page)	12/28/1998	P3/b(3)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1706

FOLDER TITLE:

Chronos for December 1998 [1]

2008-0994-F

vz6258

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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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.

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CHRONS FOR DECEMBER 1998

LOG NUMBER

SUBJECT

NONE	SUMMARY OF CONCLUSIONS FOR EXCOMM MTG. 12/01/98
NONE	KOSOVO EXCOMM MEETING NOTICE FOR 12/4/98
NONE	SUMMARY OF CONCLUSIONS FOR EXCOMM MTG. 12/4/98
NONE	KOSOVO EXCOMM MEETING NOTICE FOR 12/8/98
NONE	SUMMARY OF CONCLUSIONS FOR EXCOMM MTG. 12/8/98
NONE	CANCELLATION OF EXCOM MEETING ON 12/11/98
NONE	KOSOVO EXCOMM MTG. NOTICE FOR 12/15/98
NONE	IWG MEETING NOTICE
NONE	CANCELLATION OF EXCOMM MEETING FOR DEC 22 AND DEC 25
NONE	MEETING NOTICE FOR EXCOMM ON DEC. 29
NONE	LETTER TO DICK SKLAR ON AGREEMENTS ON SPECIAL RELATIONS AND PLOCE-NEUM BETWEEN CROATIA AND BOSNIA/HERZEGOVINA
6956 REDO	POTUS LETTER TO SEN. THURMOND ET AL. ON KOSOVO
6957 REDO	POTUS LETTER TO SEN MCCAIN ON KOSOVO
6959 REDO	SRB LETTER TO CAMPBELL, ET AL. ON KOSOVO
8219	SIX-MONTH REPORT TO CONGRESS RE: IEEPA EO 13088 -- RE SERBIAN POLICIES TOWARD KOSOVO
8374	POTUS CONDOLENCE LETTER TO PRESIDENT CHIRAC ON DEATH OF FRENCH OFFICIALS IN KOSOVO
21053	PC BRIEFING MEMO ON BOSNIA -- DEC 2
21055	NOTIFICATION AND AGENDA FOR DEC 2 PC ON BOSNIA
21062	TRAVEL ORDERS FOR GREG SCHULTE -- MEMOS

21070	SUMMARY OF CONCLUSIONS FOR DC MTG. ON KOSOVO DEC 2
21071	SUMMARY OF CONCLUSIONS FOR PC ON BOSNIA ON DEC 2
21092	BRIEFING PAPER FOR DC ON MONTENEGRO ON DEC 11
21098	SUMMARY OF CONCLUSIONS FOR DC MTG. ON KOSOVO ON DEC 7
21100	SOC FOR DC MEETING ON KOSOVO -- NOV 11
21101	SOC FOR DC MTG. ON MONTENEGRO -- DEC 11
21116	SOC FOR DC MTG. ON KOSOVO -- DEC 22
21117	SOC FOR PC MEETING REGARDING THE FEDERAL REPUBLIC OF YUGOSLAVIA ON DEC 22
21128	SOC FOR DC MTG ON KOSOVO -- DEC 31
30298	RESTRICTED DEC 2 MTG ON KOSOVO (b)(1) (b)(1)
30319	BACKGROUND FOR DEC 22 PC MTG. ON FRY -- (b)(1)
30321	STATE DEPARTMENT DISCUSSION PAPER FOR DEC 22 PC MEETING (b)(1)

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002. memo	Summary of Conclusions for Kosovo Executive Committee Meeting, December 1, 1998. (2 pages)	12/03/1998	P1/b(1), P3/b(3)
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National Security Council
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FOLDER TITLE:

Chrons for December 1998 [1]

2008-0994-F
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NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20504
December 7, 1998

Chen

MEMORANDUM FOR

JAMES PARDEW
Department of State

GEORGE CASEY
Joint Chiefs of Staff

ROBERT BEECROFT
Department of State

WILLIAM WOOD
USUN

MICHAEL SHEEHAN
Department of State

JOHN BURNIM
Office of Management and
Budget

WILLIAM BROWNFIELD
Department of State

(b)(3)
Central Intelligence Agency

LESLIE GERSON
Department of State

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MARGUERITE HOUZE
Department of State

FREDERICK BARTON
Agency for International
Development

BERND MCCONNELL
Office of the Secretary of
Defense

PETER KOVACS
U.S. Information Agency

JAMES SCHEAR
Office of the Secretary of
Defense

LESLIE DAVIDSON
Office of the Vice President

SUBJECT: Kosovo Executive Committee Meeting

There will be a Kosovo Executive Committee meeting on Tuesday, December 8, 1998, from 11:00 a.m. to 12:30 p.m., in room 208 of the Old Executive Office Building. An agenda is attached.

Greg Schulte

Greg Schulte
Special Assistant to the President
for the Implementation of the Dayton Accords

Attachment

AGENDA FOR KOSOVO EXECUTIVE COMMITTEE MEETING
December 8, 1998

- I. Election PreparationsState-DRL
- II. Independent Media and KVM RadioUSAID
- III. DOD Support to U.S. KDOMOSD/State
- IV. Any Other IssuesAll

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004. memo	Summary of Conclusions for Kosovo Executive Committee Meeting, December 8, 1998. (2 pages)	12/08/1998	P1/b(1), P3/b(3)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
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Chrons for December 1998 [1]

2008-0994-F
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COLLECTION:

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National Security Council
Kosovo Office (Schulte, Gregory)
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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

December 9, 1998

July

MEMORANDUM FOR

JAMES PARDEW
Department of State

GEORGE CASEY
Joint Chiefs of Staff

ROBERT BEECROFT
Department of State

WILLIAM WOOD
USUN

MICHAEL SHEEHAN
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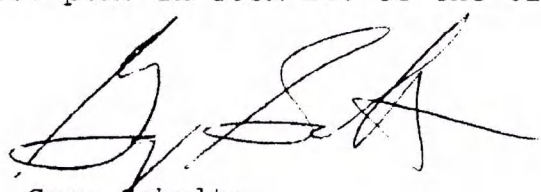
PETER KOVACS
U.S. Information Agency

JAMES SCHEAR
Office of the Secretary of
Defense

LESLIE DAVIDSON
Office of the Vice President

SUBJECT: Cancellation of Friday's Kosovo ExComm Meeting

The Kosovo ExComm meeting scheduled for Friday, December 11, 1998, is hereby cancelled in light of a Deputies Committee meeting on a separate subject being scheduled on that date. The next ExComm meeting is scheduled for Tuesday, December 15 from 11:00 a.m. to 12:30 p.m. in room 208 of the Old Executive Office Building.



Greg Schulte
Special Assistant to the President
for the Implementation of the Dayton Accords

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006. memo	Kosovo Executive Committee Meeting [partial] (1 page)	12/03/1998	P3/b(3)

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WASHINGTON, D.C. 20504

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December 3, 1998

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GEORGE CASEY
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WILLIAM WOOD
USUN

MICHAEL SHEEHAN
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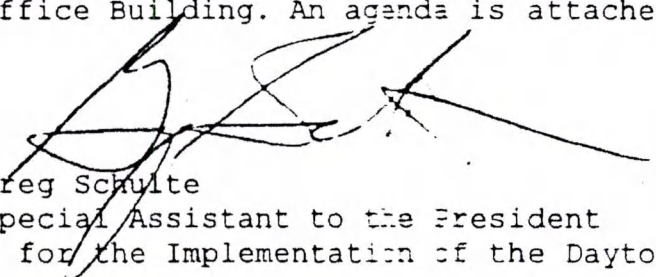
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AGENDA FOR KOSOVO EXECUTIVE COMMITTEE MEETING
December 4, 1998

- I. Negotiations. State
 -- Paper to be provided by State
- II. Sanctions. NSC
 -- Paper by NSC
- III. Extraction Force Planning. JCS
- IV. Any Other Issues. All
- V. Preparations for December 7 DC. NSC

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NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20504
December 14, 1998

Chen

MEMORANDUM FOR

JAMES PARDEW
Department of State

GEORGE CASEY
Joint Chiefs of Staff

ROBERT BEECRIFT
Department of State

WILLIAM WOOD
USUN

MICHAEL SHEEHAN
Department of State

JOHN BURNIM
Office of Management and
Budget

WILLIAM BROWNFIELD
Department of State

(b)(3)
Central Intelligence Agency

LESLIE GERSON
Department of State

(b)(3)
Central Intelligence Agency

MARGUERITE ROUZE
Department of State

FREDERICK BARTON
Agency for International
Development

BERND MCCONNELL
Office of the Secretary of
Defense

PETER KOVACS
U.S. Information Agency

JAMES SCHEAR
Office of the Secretary of
Defense

LESLIE DAVIDSON
Office of the Vice President

SUBJECT: Kosovo Executive Committee Meeting

There will be a Kosovo Executive Committee meeting on Tuesday, December 15, 1998, from 11:00 a.m. to 12:30 p.m., in room 203 of the Old Executive Office Building. An agenda is attached.

Michael Hurley

Michael Hurley
Director for the Implementation of the
Dayton Accords

Attachment

AGENDA FOR KOSOVO EXECUTIVE COMMITTEE MEETING
December 15, 1998

- I. Negotiations/Meetings Update (State)
- II. Election Planning (State)
- III. KDOM/KVM Transition Update (State)
- IV. Funding Update (State)
- V. US - EU Summit (State)

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009. memo	Interagency Working Group Meeting [to support]...William Walker. (1 page)	12/16/1998	P1/b(1), P3/b(3)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1706

FOLDER TITLE:

Chronos for December 1998 [1]

2008-0994-F

vz6258

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010a. memo	Cancellation of Kosovo ExComm Meetings. (1 page)	12/21/1998	P3/b(3)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1706

FOLDER TITLE:

Chronos for December 1998 [1]

2008-0994-F
vz6258

RESTRICTION CODES

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504
December 21, 19988

Chen

MEMORANDUM FOR

JAMES PARDEW
Department of State

GEORGE CASEY
Joint Chiefs of Staff

ROBERT BEECROFT
Department of State

WILLIAM WOOD
USUN

MICHAEL SHEEHAN
Department of State

JOHN BURNIM
Office of Management and
Budget

WILLIAM BROWNFIELD
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Development

BERND MCCONNELL
Office of the Secretary of
Defense

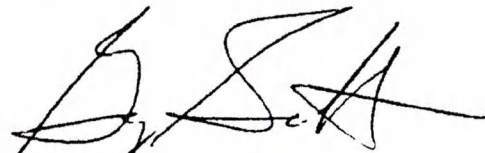
PETER KOVACS
U.S. Information Agency

JAMES SCHEAR
Office of the Secretary of
Defense

LESLIE DAVIDSON
Office of the Vice President

SUBJECT: Cancellation of Kosovo ExComm Meetings

The Kosovo ExComm meeting scheduled for Tuesday, December 22, 1998, is hereby canceled in light of a Deputies Committee meeting scheduled that day, and the meeting on Friday, December 25 is canceled in light of the Federal holiday. The next ExComm meeting is scheduled for Tuesday, December 29 from 11:00 a.m. to 12:30 p.m., in room 208 of the Old Executive Office Building.



Greg Schulte
Special Assistant to the President
for the Implementation of the Dayton Accords

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010b. memo	Summary of Conclusions for Kosovo Executive Committee Meeting, December 18, 1998. (2 pages)	12/21/1998	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1706

FOLDER TITLE:

Chronos for December 1998 [1]

2008-0994-F
vz6258

RESTRICTION CODES

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

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
011. memo	Kosovo Executive Committee Meeting [partial] (1 page)	12/28/1998	P3/b(3)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1706

FOLDER TITLE:

Chronos for December 1998 [1]

2008-0994-F

vz6258

RESTRICTION CODES

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

December 28, 1998



MEMORANDUM FOR

JAMES PARDUE
Department of State

GEORGE CASEY
Joint Chiefs of Staff

ROBERT BEECROFT
Department of State

WILLIAM WOOD
USIN

MICHAEL SHEEHAN
Department of State

JOHN BURNIM
Office of Management and
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WILLIAM BROWNFIELD
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Office of the Secretary of
Defense

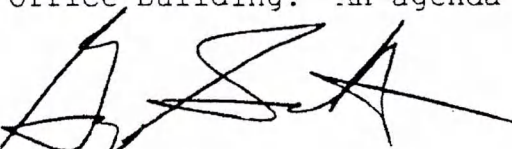
PETER KOVACS
U.S. Information Agency

JAMES SCHEAR
Office of the Secretary of
Defense

LESLIE DAVIDSON
Office of the Vice President

SUBJECT: Kosovo Executive Committee Meeting

There will be a Kosovo Executive Committee meeting on Tuesday, December 29, 1998, from 11:00 a.m. to 12:30 p.m., in room 208 of the Old Executive Office Building. An agenda is attached.



Greg Schulte
Special Assistant to the President for
the Implementation of the Dayton Accords

Attachment

AGENDA FOR KOSOVO EXECUTIVE COMMITTEE MEETING
December 29, 1998

- I. Establishment of EWM. State
 - Paper to be provided by State
- II. USG Strategy. State
 - Paper to be provided by State
- III. Any Other Issues. All

Chen

THE WHITE HOUSE

WASHINGTON

Dear Dick:

Thanks for your "behind-the-scene" account of negotiations on the two recently concluded Croatia-Bosnia agreements. "Ploce-Neum" and "Special Relations" should go far to improving bilateral cooperation.

Getting this done was a tough task. The energy and talents you brought to bear ensured a successful conclusion and confirm once again why we consider you so valuable a member of the team.

Don't worry about Tudjman trusting you, that confidence may be useful in the future.

Great work and all the best!

Sincerely,

Samuel R. Berger
Assistant to the President for
National Security Affairs

Ambassador Richard Sklar
Representative for Management
and Reform
U.S. Mission to the United Nations
799 United Nations Plaza
New York, New York 10017-3505

MEMO

From: Ambassador Richard Sklar
Representative for Management and Reform

US Mission to the United Nations

Tel: 212 415 4032

Fax: 212 415 4183

To: Sandy Berger

2 November 98

Subject: Agreements on "Special Relations" and "Ploce-Neum" between Croatia and Bosnia Herzegovina

Dear Sandy,

Attached are copies of the two subject agreements. As you know the Ploce agreement was negotiated in early September and last week Jacques Klein and I brought the parties together in Zagreb to complete the talks on the "Special Relations". We got initialed agreement to "Special Relations" last Tuesday.

I have been advised that the formal signing of the full documents will take place in a ceremony in Zagreb next week.

The Ploce agreement is accompanied by a letter that I insisted I receive from Croatian FM Granic before we started that "Special Relations" discussions. Tudjman had failed to initial Ploce personally despite his commitment that he would do so after the Bosnian elections. His excuse after the votes were certified was that he could not even initial the agreement as to the principles without his Security Council's approval. (Laugh, laugh, laugh). The real reason was that he had publically announced before we started this process in early September that Ploce was conditional on the Special Relations completion. I made clear that as far as the USG was concerned they were not linked. I therefore insisted on this approval before we undertook to bring "Special Relations" to a conclusion. The letter was that commitment.

The Special Relations talks were moved right along by the Croats. The problems were between the Bosniaks and Bosnian Croats. FM Granic was helpful all along and it was clear that he had Tudjman instructions to get this thing done. Repeatedly, he went along with me and overruled the Bosnian Croats.

Again, Jacques Klein was immensely helpful and a joy to work with. The good news is that this is done, The bad news is that Tudjman is alleged to "trust" me. That makes me persona non grata in the family.

Best,

Dick

cc: Jim Steinberg

file:PISrtrans.wp6

→ Greg G.

① Explain
to me what
these are?
Context.

② Please draft
friendly personal

of Thanks
for me
to Dick S.

Ⓟ
No NEED
FOR
FORMAL
PACKAGE



*Deputy Prime Minister
and Minister of Foreign Affairs of the Republic of Croatia*

**H.E. Ambassador
Richard Sklar
Special Presidential Envoy
for Ploče-Neum Negotiations**

Zagreb, October 27, 1998

Dear Ambassador,

I have the honour to convey to you the official statement issued following the National Security Council session held on October 21, 1998:

The President of the Republic presided over a VONS session at which a need was stressed for a quick completion of negotiations and conclusion of the Agreement on Special Relations between the Republic of Croatia and the Federation of Bosnia and Herzegovina in accordance with the Washington and Dayton Agreements.

It was reiterated at the session that, together with the signing of the Agreement on Special Relations, the initialed Agreement on the Use of Port of Ploče and Free Passage through Neum should be signed as well.

In light of the aforementioned statement, the Government of the Republic of Croatia considers the Agreement on Ploče-Neum as initialed.

Dr. Mate Granić

AGREEMENT ON FREE TRANSIT THROUGH THE TERRITORY OF CROATIA TO
AND FROM THE PORT OF PLOCE AND THROUGH THE TERRITORY OF
BOSNIA AND HERZEGOVINA AT NEUM

The Republic of Croatia (hereinafter Croatia) and Bosnia and Herzegovina (hereinafter "the Parties"),

Proceeding from common interests in the development of overall bilateral cooperation on an equal and mutually beneficial basis, with the intention of contributing to the improvement of neighborly relations between the two States, and to the strengthening of mutual friendship, understanding and confidence, to the reinforcement of peace and stability with full respect for the political independence, sovereignty and territorial integrity of Croatia and Bosnia and Herzegovina;

Recalling the provisions of the United Nations Convention on the Law of the Sea (1982), the Convention and Statute on the International Regime of Maritime Ports (1923), and other relevant international agreements;

Noting that at all times in the spirit of mutual respect and confidence building, the Parties shall endeavor to resolve all disputes between them amicably and by mutual agreement;

HEREBY AGREE AS FOLLOWS:

Article 1
Definitions

"Traffic in transit" means transit of persons, baggage, goods and means of transport:

(a) to and from Bosnia and Herzegovina through the territory of Croatia for the utilization of the Port of Ploce; and

(b) to and from Croatia through the territory of Bosnia and Herzegovina for use of the Neum corridor.

"Means of Transport" includes sea and river vessels, road and rail vehicles, aircraft and other means.

I. TRAFFIC IN TRANSIT

Article 2

Free and Unimpeded Transit

Croatia shall grant to Bosnia and Herzegovina free and unimpeded transit to traffic in transit for utilization of the Port of Ploce.

Bosnia and Herzegovina shall grant to Croatia free and unimpeded transit to traffic in transit through the Neum corridor.

Article 3

Duties, Taxes, and Other Charges

No duties, custom fees, taxes or other related fees shall be levied on traffic in transit except charges levied for specific services rendered in connection with such traffic.

1

Article 4

Charges for use of Port Facilities and Labor

Charges levied by the Port Authority of Ploce, in accordance with Article 3, may include charges for operation and maintenance of port facilities and equipment, charges related to cost of debt service for new construction, renovation, and replacement of facilities and equipment and other related costs. Such charges shall, however, not exceed the recovery of costs incurred for such services and shall be no higher than those charged for similar services at comparable Adriatic ports.

Wages and other labor costs at the Port of Ploce shall be no higher than those at other Croatian ports and shall be subject to Croatian labor law.

Article 5

Documentation

The Parties shall use simple documentation in accordance with international practice and apply expeditious methods with respect to administrative procedures regarding traffic in transit.

Article 6
Inspection

- a) If either Party has doubts about the authenticity of documents or the legality of traffic in transit through their territory they may request that the shipment be inspected. Such inspection shall be conducted by the European Commission Customs and Fiscal Assistance Office (henceforth "EC-CAFAO") accompanied by the customs authorities of the Party on whose territory the goods are awaiting inspection. Normally inspections will be made on the territory of Bosnia and Herzegovina unless Croatia requests inspection within Croatia.
- b) In the event inappropriate documentation or illegal traffic is found, EC-CAFAO will provide a written summary of its findings to the relevant customs authority at the time of inspection for its further action in accordance with applicable domestic law.
- c) If no inappropriate documentation or illegal traffic is found then the costs of the inspection will be borne by the requesting Party.
- d) Inspections shall not be used to halt or delay *bona fide* traffic. The Parties shall ensure that traffic not being inspected proceed without delay.
- e) EC-CAFAO will carry out this function until the expiration of its mandate at which time the Parties will re-negotiate the modalities of inspection.

II. FREE AND FOREIGN TRADE ZONE AT PLOCE

Article 7
Free and Foreign Trade Zone Ploce

1. So as to enable commercial enterprises of the various users of the Port of Ploce to have access to the facilities and accommodations normally available in a free and foreign trade zone, such as the ability to store, restore, classify, package, repack, label, assemble, disassemble, process, manufacture, or reassemble goods, without such activities being subject to any tax regime except as provided for in Article 7(2)(c), Croatia shall establish a Free and Foreign Trade Zone ("Zone").
2. (a) The Zone shall be available for use by commercial enterprises from Croatia, Bosnia and Herzegovina, and other port using countries in an equal and non-discriminatory fashion, except as to those advantages and protections stipulated for Bosnia and Herzegovina in this Agreement.

(b) The Zone shall initially be of such a size as to accommodate commercial demand, and will be expanded based upon such demand, taking into account urban planning and ecological constraints.

- (c) No duties, taxes or other charges shall be charged to users of the Zone, except for the following:
 - (i) commercial fees for use of facilities as described in Article 7(2)(d);
 - (ii) other taxes and payments that each Party chooses to apply to its respective enterprises; and
 - (iii) goods leaving the Zone which shall be subject to the customs regime of the country into which they are imported.
- (d) The users of the Zone shall enter into agreements with the Port Authority which shall give users the right to develop and use appropriate facilities needed for all activities referred to in Article 7(1). Compensation and fees for facilities or services within the Zone will be based upon cost recovery by the Port Authority for operations, maintenance, and debt service on new construction, renovation, or replacement of facilities or equipment within the Zone, and may not be less favorable than existing comparable charges in other such Zones in Croatia. Activities carried out within the Zone shall not receive in any way less favorable treatment than activities outside the Zone.
- (e) Management of the Zone shall be by the Port Authority. Decisions of the Port Authority affecting the Zone are subject to review by the Commission pursuant to Article 9. Accounting and financial records covering Zone operations and construction of facilities shall be kept according to international accounting and financial standards. When those records are used as the basis to determine charges, such records shall be made available to users of the Zone.
- (f) The provisions regarding traffic in transit in Article 2 of this Agreement shall apply to the Zone. In particular, goods and cargo entering or leaving the Zone shall be given free and unimpeded access to the docks and other facilities of the Port and to ships and other modes of transportation using these facilities.

III. PORT AUTHORITY AND COMMISSION

Article 8 Port Authority

The Board of the Port Authority shall consist of thirteen (13) members, five (5) of whom will be appointed by Bosnia and Herzegovina, and will include representatives of the shippers and users.

Article 9
Commission

1. The Parties shall establish a seven (7) member Commission to supervise, monitor, interpret, and arbitrate the implementation of this Agreement. The Commission will be the final decision-making authority regarding these matters. The Commission will also be the appellate body and final decision-making authority for decisions of the Port Authority regarding personnel, management, charges, rules and regulations and any other decisions of the Port Authority, except for those matters not affecting Bosnia and Herzegovina and, in particular, commercial enterprises of Bosnia and Herzegovina utilizing the port and the Zone. If three (3) members of the Port Authority Board so request, the Commission will review any decision or ruling of the Port Authority on any matter regarding implementation, including interpretation of the Agreement.

2. Each Party shall nominate three (3) members of the Commission. The Parties shall request that the International Tribunal for the Law of the Sea nominate the seventh member of the Commission to serve as President of the Commission. If the International Tribunal for the Law of the Sea does not nominate a President within sixty (60) days of the signing of this Agreement, the Parties shall request the International Court of Justice (henceforth "ICJ") to nominate an interim president. Should the ICJ fail to nominate an interim president within a further sixty (60) days, the Parties shall request the International Chamber of Commerce to do so. The interim president shall serve until the International Tribunal for the Law of the Sea nominates a seventh member of the Commission to serve as President. Decisions of the Commission shall be reached by a consensus of the members appointed by the Parties. If consensus cannot be reached among the six (6) members appointed by the Parties, the President of the Commission will make the final decision. The decisions of the Commission shall take precedence over any decision of the Port Authority and shall be binding on the Port Authority and on the Parties.

IV. Final Provisions

Article 10

With respect to activities undertaken in accordance with this Agreement, the Parties shall not discriminate on the basis of the origin, legal possession, ownership, entrance, exit, and destination of traffic in transit and activities in the Zone.

Article 11

Relevant domestic and international law shall apply to all the issues which are not regulated in this Agreement. This Agreement shall not compel the Parties to grant transit rights contrary to international agreements to which they are Parties or contrary to applicable environmental, health and safety regulations.

Article 12

Upon signature by the Parties, the present Agreement shall be provisionally applied and the "Agreement between the Republic of Croatia and the Federation of Bosnia and Herzegovina providing passage of Croatia through the territory of the Federation" and the "Agreement on the implementation of the agreement providing access of the Federation of Bosnia and Herzegovina to the Adriatic through the territory of the Republic of Croatia" signed in Zagreb on May 11, 1996 (henceforth "the Agreements") shall provisionally cease to be applied.

Article 13

The present Agreement shall enter into force thirty (30) days after the receipt of the last note via diplomatic channels in which the Parties inform each other that all the requirements of national legislation for the entry into force of the present Agreement are fulfilled. The Parties undertake that, after having signed this Agreement, they shall carry out the procedures for its entry into force as quickly as possible.

This Agreement shall remain in force for thirty (30) years.

Upon entry into force of this Agreement, the Agreements referred to in Article 12 shall cease to be in effect.

Article 14

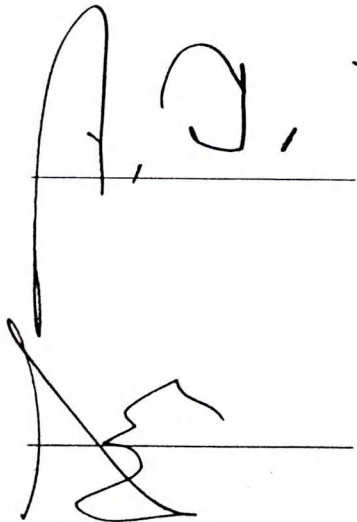
Each Party may propose amendments to this Agreement. Negotiations regarding such a proposal shall commence within sixty (60) days of notification of such a proposal to the other Party through diplomatic channels.

Done this _____ day of _____ 1998, in the Croatian language, in the official languages of Bosnia and Herzegovina and the English language, which shall be equally authentic.

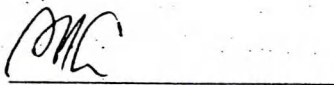
FOR THE REPUBLIC OF CROATIA

FOR BOSNIA AND HERZEGOVINA

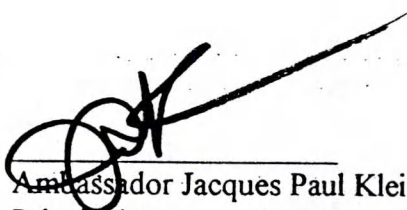
By their signatures, the parties acknowledge that the attached version of the final and approved Draft on Ploce dated September 8, 1998 accurately reflects their understanding of this agreement.



A handwritten signature in black ink, appearing to be 'A.P.K.', written over a horizontal line.

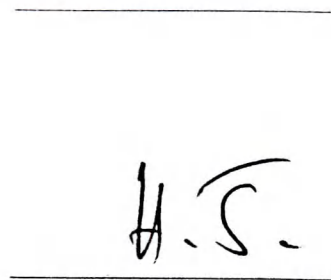


A handwritten signature in black ink, appearing to be 'JPK', written over a horizontal line.



A handwritten signature in black ink, appearing to be 'JPK', written over a horizontal line.

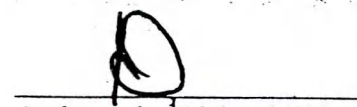
Ambassador Jacques Paul Klein
Principal Deputy High Representative



A handwritten signature in black ink, appearing to be 'H.S.', written over a horizontal line.



A handwritten signature in black ink, appearing to be 'R.S.', written over a horizontal line.



A handwritten signature in black ink, appearing to be 'R.S.', written over a horizontal line.

Ambassador Richard Sklar
Special Presidential Envoy

**The Agreement
on Special Relations Between the Republic of Croatia
and the Federation of Bosnia and Herzegovina**

Convinced that a consistent, full and expedited implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and its annexes (hereinafter: the Peace Agreement) makes the basis for the creation of conditions for the lasting coexistence of the Croatian and Bosniak peoples, as well as other peoples and all citizens of the Federation of Bosnia and Herzegovina (hereinafter the Federation), and also for the establishment of close special relations and development of cooperation between the Republic of Croatia and the Federation, initiated by the Washington Agreements, in the interest of ensuring lasting peace and stability in this part of Europe;

Starting from the sovereignty, territorial integrity and political independence of Bosnia and Herzegovina, and with regard to the Peace Agreement, in particular Article V and Annex 4 thereof;

Affirming the readiness to regulate the relations between the Republic of Croatia and the Federation through special institutionalized and other forms of cooperation, in conformity with the commitments of the signatories of the Peace Agreement;

Convinced that the strengthening of cooperation and links between the Republic of Croatia and the Federation contributes to their lasting overall social, democratic and economic development, as envisaged by the Washington Agreements;

Wishing to establish aforementioned principles and objectives, in accordance with the Washington Agreements of 18 March 1994 and Peace Agreement signed in Paris on 14 December 1995, the Republic of Croatia and the Federation have reached

The Agreement on Establishment of Special Relations

Article 1

The Republic of Croatia and the Federation hereby establish their special relations, the objective of which is to gradually build up an ever developing institutionalized cooperation, as well as other forms of mutual cooperation, depending upon the general political and economic conditions, and upon the respect of special interests of the Republic of Croatia and the Federation.

Article 2

The special relations under the Article 1 of this Agreement refer to the promotion of the fully transparent cooperation of executive, legislative and other institutions of the Republic of Croatia and the Federation, in accordance with the Peace Agreement and the Constitutions of the Federation and Bosnia Herzegovina in the following fields:

1. economic cooperation and trade, promotion of joint investments, particularly into the fields of traffic infrastructure, communications and telecommunications, development and cooperation in the exploitation of industrial, energy, agricultural and other potentials and capacities;
2. promotion and cooperation in the field of planning and economic policy, and cooperation in development and reconstruction;
3. cooperation in the field of legislation;
4. cooperation in the implementation of privatization and denationalization;
5. cooperation in the field of science and technology, education, culture and sport;
6. cooperation in the field of social policy and health;
7. cooperation in the field of tourism, environmental protection and exploitation of natural resources;
8. cooperation in the field of information;
9. cooperation in the development of regional and local administration and self-government;
10. cooperation in resolving of property issues;
11. cooperation in combating crime;
12. cooperation in the field of defence (education, equipping, joint production etc.), to an extent which shall be in accordance with the territorial integrity and sovereignty of Bosnia and Herzegovina and the Peace Agreement;

13. promotion of cooperation between the non-governmental organizations;
14. in accordance with the provisions of Washington and Peace Agreements, the Parties, within the limits of their authorities, shall strive towards the establishment of an European traffic corridor from the Ploče port to the northern border of Bosnia Herzegovina, and they agree upon a need to construct the road Dubrovnik-Ploče-Bihać-Zagreb (through Neum). The Parties shall establish joint associations for the harmonization of infrastructure construction and the flow of land traffic in terms of connecting the Republic of Croatia and the Federation.

Article 3

For the purpose of implementing the special relations between the Republic of Croatia and the Federation, a Joint Council for Cooperation between the Republic of Croatia and the Federation (hereinafter: the Council) shall be established.

The Council prepares and adopts proposals and recommendations for the relevant executive, legislative, scientific, cultural and other institutions of the Republic of Croatia and the Federation.

Article 4

The Council consists of the President of the Republic of Croatia, and the President and Vice-President of the Federation. The Council appoints a Standing Committee composed of six (6) members. The Republic of Croatia shall be represented in the Standing Committee by the Prime Minister, one of the Deputy Prime Ministers and one relevant Minister, while the Federation shall be represented by the Prime Minister, Deputy Prime Minister of the Federation and a relevant Minister.

The Council and the Committee adopts proposals and recommendation by consensus.

The Council shall adopt its Rules of Procedure.

The Parties shall nominate the Standing Committee members within fifteen (15) days following the signing of this Agreement.

Article 5

For the purpose of ensuring the harmonization and efficiency in its work, the Council shall nominate two Secretaries, one from the Republic of Croatia and the

other from the Federation.

The Secretaries are responsible for their work to the Council. They harmonize the preparations for the Council sessions and ensure the efficient implementation of its proposals and recommendations, in cooperation with the relevant bodies of the Republic of Croatia and the Federation.

Pursuant to a Council decision, the Secretaries shall prepare a proposal of the Rules of Procedure.

Article 6

The sessions of the Council shall be held, as a rule, once every three months, alternatively in the Republic of Croatia and in the Federation.

The Standing Committee shall meet as necessary.

Article 7

The Council shall regularly inform the public by means of press statements on its proposals and recommendations.

Article 8

The Parties shall work towards implementing the cooperation foreseen in this Agreement at the level of regions, cantons, cities and municipalities, economic entities and various non-governmental organizations.

Article 9

For the purpose of extending the cooperation in the legislative field, there shall be regular contacts between the relevant bodies of the Croatian State Parliament and the Parliament of the Federation.

Article 10

The Parties shall sign the Annexes to this Agreement, by the 1st of July 1999, for the purpose of working out in detail the implementation and taking the steps necessary for the implementation of the cooperation at the fields envisaged by the

Article 2 of this Agreement.

The Parties will welcome the assistance of the Office of the High Representative in facilitating the timely completion of the Annexes from the Paragraph 1 of this Article.

The Annexes from the Paragraph 1 of this Article shall enter into force at the day of their signing, but not later than 1st of July 1999.

Article 11

The Parties agree to initiate the activities aiming to harmonize the agreements signed so far between the Republic of Croatia and the Republic of Bosnia and Herzegovina, which are being implemented on the territory of the Federation, with the Peace Agreement and this Agreement, or to replace them.

For any existing agreement from the Paragraph 1 of this Article which will be found as not being in accordance with the Peace Agreement or the Constitution of Bosnia Herzegovina (by any of the Parties), a process of drafting the appropriate annexes to this Agreement or of harmonizing the aforementioned agreements will be initiated not later than three months following the signing of this Agreement.

If the process of harmonizing the agreements, or of replacing them, will not be agreed within that time-frame, and if the reason of disagreement will be the differences between the Croatian and Bosniak representatives in the Federation, the Parties agree that the representatives of the Federation will accept the assistance and arbitration of the Office of the High Representative in resolving these differences, in order to harmonize the agreements or agree the annexes by the 1st of July 1999.

If the process of harmonizing the agreements, or agreeing the annexes will not be completed by that date, the Parties agree that the existing agreements may remain in force until the 1st of September 1999.

Article 12

The Parties confirm their readiness to resolve all questions of vital interest for by consensus of the Croatian and Bosniak peoples, through the relevant institutions in accordance with the provisions of the Constitution of the Federation, for the purpose of ensuring an effective functioning of the Federation and effective implementation of the Agreement on special relations between the Republic of Croatia and the Federation of Bosnia and Herzegovina.

Article 13

The Agreement shall be applied from the day of its signing, and shall enter into force after the mutual notification of the Parties that all preconditions foreseen in the internal legal systems of each of the Parties for the entering into force of this Agreement have been met.

The Parties take the obligation to finalize the process of ratifying this Agreement within three (3) months from the day of its signing.

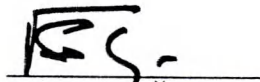
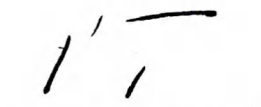
Done in... on ... 1998, in two (2) original copies, each in Croatian and official languages of the Federation of Bosnia and Herzegovina, where all texts are equally authentic.

For the Republic of Croatia

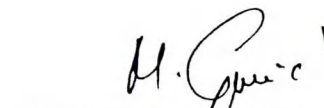
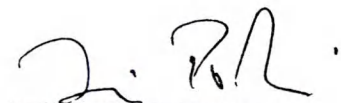
**For the Federation of
Bosnia and Herzegovina**

By their initials, the Parties acknowledge that the attached version of the final and approved Draft on Special Relations between the Republic of Croatia and the Federation of Bosnia and Herzegovina dated October 27, 1998, accurately reflects their understanding of this Agreement.

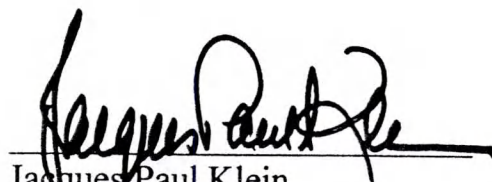
**For the Federation
of Bosnia and Herzegovina**


Dr. Ejup Ganić
Vladimir Šoljić
Dr. Kasim Trnka

**For the Republic of
Croatia**


Dr. Mate Granić
Dr. Ivić Pašalić

Witnesses


Jacques Paul Klein
for the Office of the High Representative
Richard Sklar
for the United States Government

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

6956
REDO

December 1, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: GREG SCHULTE
FROM: MICHAEL HURLEY
SUBJECT: Presidential Letter to Senator Thurmond, et al.
Regarding the Crisis in Kosovo

Senator Thurmond and others wrote the President to express concern about the effect military operations in Kosovo would have on the military readiness issue and to recommend that NATO allies share in the burden of any military action.

Concurrences by: Jay Farrar, Joseph Bouchard

RECOMMENDATION

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

Attachments

Tab I Memo to the President
Tab A Letter to Senator Thurmond
Tab B Incoming Correspondence

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Presidential Letter to Senator Thurmond, et al.
on the Crisis in Kosovo

Purpose

Respond to a letter from Senator Thurmond and others urging use of NATO military power to resolve Kosovo situation.

Background

Senator Thurmond writes to express concern about the effect that military operations in Kosovo would have on the military readiness issue and to recommend that NATO allies should share the burden of any military action.

Your reply describes the policy that has led to Milosevic's acceptance of intrusive verification regimes and details the improving situation on the ground. It also summarizes the steps the Administration has taken to address the military readiness issue.

RECOMMENDATION

That you sign the letter to Senator Thurmond at Tab A.

Attachments

Tab A Letter to Senator Thurmond, et al.
Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

THE WHITE HOUSE

WASHINGTON

Dear Mr. Chairman:

Thank you for your letter about the crisis in Kosovo. I share your concern and appreciate your views on key areas that must be considered as we address this difficult situation.

From the beginning, we have had three overriding objectives in Kosovo. First, to end the violence that threatens the fragile stability of the Balkans. Second, to prevent a humanitarian crisis from becoming a catastrophe, and third, to help the Kosovar people achieve a high degree of self-government.

We have made substantial progress toward each of these objectives. NATO determination backed by a credible threat of force has led to a cease-fire, followed by a substantial reduction of Serb security forces in Kosovo. Now that aggressive operations have stopped, tens of thousands of displaced people are returning to their homes.

We have also taken a close look at the root causes of the crisis. The current draft agreement offers the Kosovars a high-degree of autonomy, an indigenous police force and complete control over education, health and other institutions that most affect their daily lives.

In order to verify Belgrade's compliance, NATO has implemented an intrusive air surveillance regime. Under the leadership of Bill Walker, an experienced American diplomat, a 2,000-person verification mission is being constituted, with personnel and funds contributed by OSCE nations. In support of this mission, NATO is establishing a force in Macedonia that will be close at hand to extract verifiers should that become necessary.

On the question of military readiness and over-extension that you raise, my Administration is committed to working with Congress to provide adequate resources for readiness and other defense programs in FY 1999 and beyond. Over the longer-term, I have directed the Office of Management and Budget and the National Security Council to work with Secretary Cohen and the

Joint Chiefs to develop a multi-year plan that provides the resources necessary to preserve military readiness, support our troops and modernize aging weapons systems. This plan will be incorporated in my FY 2000 budget request to Congress. The men and women of our armed forces will have the resources they need to do their job.

Your counsel that the United States should not act alone and that any ground forces deployed to the area be supplied by our European allies is precisely the policy we are following. Ground forces attached to the NATO force positioned in Macedonia will be provided exclusively by our European allies.

I do not underestimate the difficulties that lie ahead, but I believe we are headed in the right direction. Again, thank you for writing and sharing your concerns with me.

Sincerely,

The Honorable Strom Thurmond
Committee on Armed Services
United States Senate
Washington, D.C. 20510

6956
OCT 6 1998

United States Senate

OFFICE OF THE MAJORITY LEADER
WASHINGTON, DC 20510-7010

October 2, 1998

Honorable William Jefferson Clinton
The White House
Washington, D.C.

Dear Mr. President:

We are writing to express our concerns about your Administration's policy toward Kosovo. Since the Serbian military offensive began in Kosovo more than seven months ago, senior Administration officials have repeatedly stated that Serbian actions would not be tolerated. For example, in March 1998, Secretary of State Albright stated, "We are not going to stand by and watch the Serbian authorities do in Kosovo what they can no longer get away with in Bosnia." The same month, your Special Representative threatened "the most dire consequences imaginable" in response to Serbian offensives. Since these statements, many of us indicated we would support military action to halt Serbian ethnic cleansing. However, it is now more difficult for us to have confidence that military action will accomplish the stated goals. U.S. credibility has suffered great damage because U.S. threats have not been carried out. Milosevic has had the luxury of time to accomplish his goals in Kosovo.

We listened carefully as your senior national security officials briefed Senators yesterday. Clearly, we recognize the stakes involved in Kosovo, including the danger the conflict will spread to neighboring countries, the importance for our credibility and for that of the NATO alliance, and the ongoing human tragedy created by months of ruthless attacks by Serbian forces. We also recognize the seriousness of the action you are contemplating. It means, as Senator Lugar stated yesterday, going to war with an attack on a sovereign country. We do not believe you have taken the necessary steps to prepare the Congress and the American people for such a weighty decision. In fact you have not even asked the Congress to authorize the use of military force.

We are troubled by a number of aspects of the plans and policies contemplated by your Administration.

First, we cannot support military operations by U.S. Armed Forces in Kosovo unless and until you commit to request a significant increase in the defense budget to address the shortfalls in military readiness, personnel and modernization recently acknowledged by the Joint Chiefs of Staff. The crisis in military readiness that has only belatedly been acknowledged by your Administration is grave. To support ongoing operations around the world, our men and women in uniform are deployed away from their homes and families for unprecedented lengths of time

during peacetime. Morale among the troops is suffering, and recruiting and retention statistics are dangerously low. Modernization of the force is seriously underfunded across the services. Training in many of the combatant commands must halt well before the end of the fiscal year due to funding and supply shortages. Nearly 12,000 military families rely on food stamps. Failing to provide additional funding for a potentially costly military operation in Kosovo, while U.S. forces are about to complete three years in Bosnia at a cost of nearly \$10 billion, will severely and perhaps irreparably exacerbate this critical readiness crisis.

Second, the issue of potential deployment of U.S. ground forces was not adequately addressed in yesterday's briefing. Press accounts report that detailed plans for nearly 50,000 ground troops in Kosovo have been developed. Yet Secretary of Defense Cohen stated that there has been no discussion of deploying U.S. ground forces in Kosovo. We believe that a ground force in Kosovo, which could be a likely follow-on to airstrikes, should be European, not American.

Third, we are concerned about the proposed use of NATO airpower. Press reports contain information about U.S. targeting plans that was not discussed in the briefing. To the extent we understand the proposed strikes, they appear to envision gradual and incremental measures. General Ralston discussed a "limited option" that may or may not achieve its stated objectives. A more "robust" option is under consideration but apparently has not yet been finalized. We believe any air attack should be sustained and overwhelming. Air attacks should be designed to decimate Milosevic's forces in Kosovo and in Serbia -- in order to permanently end his ability to perpetuate the conflict in Kosovo.

Finally and most importantly, we are concerned that U.S. policy is not based on a coherent and convincing plan and neither protects our interests nor recognizes the danger of becoming involved in another open-ended military commitment in the Balkans. Your policy seems to recognize that Milosevic is the problem but also proposes to make him part of the solution. By so doing, your policy helps to perpetuate his hold on power; your Administration has yet to formulate a policy for replacing Milosevic with a democratic government.

Yesterday, your officials stated that the credible threat of force was necessary to induce Milosevic to negotiate seriously. Yet in June, Secretary of State Albright stated, "The issue here is that we want a diplomatic solution. And I don't want to threaten strikes when what I'm trying to do is get a diplomatic solution." This is a disturbing and confusing inconsistency. A central question involves subsequent actions if any use of military force is not immediately successful in accomplishing its stated objectives. If Milosevic does not accept U.S. or NATO demands either before or after the employment of military force, what is our next step? It is not sufficient to state, as Secretary of Defense Cohen did yesterday, that you have not reached that decision point.

Your policy apparently envisions a status of limited autonomy for Kosovo, a status that both parties have shed blood to reject. Independence has been the choice of the majority of inhabitants in Kosovo. Serb assaults since February have served to increase this sentiment. Your policy currently opposes independence for Kosovo but we are concerned that you do not have an achievable program to implement your policy.

Mr. President, we believe in bipartisanship in foreign policy. We will not support any plan that requires American military personnel alone to bear the burden of the sacrifice and risk involved. To the contrary, we expect other member of NATO and their military personnel to share the sacrifice and risk. We stand ready to work with you and your officials to protect American interests in southeastern Europe.

Sincerely,

Strom Thurmond

Clark Hagel

Pete Domenici

Zed Stevens

Don Nickles

Mont Lott

John Warner

Richard B. Lugar

Jesse Helms

THE WHITE HOUSE

WASHINGTON

October 9, 1998

MEMORANDUM FOR GLYN DAVIES

NSC Executive Secretariat

FROM: JANET MURGUIA
Legislative Affairs

SUBJECT: PRESIDENTIAL CORRESPONDENCE

Attached are copies of letters sent to the President by various Members of Congress. Since these letters address national security issues, we would appreciate your assistance in drafting the responses.

Thank you very much for your assistance. If you have any questions, please call Eli Joseph at x67500.

The following is a brief description of the letters:

- 1) Sen. Max Cleland (D-GA), expressing concern over Kosovo;
- 2) Sen. Orrin Hatch (R-UT), regarding Mr. John Kamm and the Prisoner Information Project with China;
- 3) Sen. Jesse Helms (R-NC), concerning the U.S. forest products industry;
- 4) Sen. Trent Lott (R-MS) and several other Senators, expressing concern over Kosovo;
- 5) Sen. Trent Lott (R-MS) and several other Senators, concerning a Presidential letter regarding the status of the 1972 Anti-Ballistic Missile Treaty;
- 6) Sen. John McCain (R-AZ), expressing concern over Kosovo;
- 7) Sen. Paul D. Wellstone (D-MN) and Sen. Spencer Abraham (R-MI), expressing concern over the economic sanctions against Iraq;

19 OCT 19 1998

- 8) Rep. Tom Campbell (R-CA) and thirty-three Members of Congress, expressing concern over Kosovo;
- 9) Rep. John D. Dingell (D-MI), concerning the U.S.-Japan trading agreement on flat glass;
- 10) Rep. George Radanovich (R-CA), expressing concern over the treatment of ethnic Chinese in Indonesia;
- 11) Rep. Curt Weldon (R-PA) and twenty-six other Members of Congress concerning U.S. and Iraqi relations; and,
- 12) Rep. Heather Wilson (R-NM), expressing concern over Kosovo.

ENCLOSURES

TO: PRESIDENT

FROM: THURMOND, STROM
LOTT, TRENT
HAGEL, CHUCK

DOC DATE: 02 OCT 98
SOURCE REF:

KEYWORDS: KOSOVO
HUMAN RIGHTS
CO

NATO
MILITARY POSTURE

PERSONS:

SUBJECT: US POLICY & MILITARY STRIKES AGAINST SERBIA

ACTION: PREPARE MEMO FOR BERGER

DUE DATE: 22 OCT 98 STATUS: S

STAFF OFFICER: HURLEY

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

HURLEY

FOR CONCURRENCE

MCELDFOWNEY

NAPLAN

RUDMAN

VON LIPSEY

WITKOWSKY

FOR INFO

BAKER

BANDLER

BELL

SCHULTE

SCHWARTZ

COMMENTS: IF FINAL REPLY CANNOT BE PREPARED BY DUE DATE, AN INTERIM RESPONSE
MUST BE PREPARED FOR MARA RUDMAN'S SIGNATURE.

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSTSM

CLOSED BY:

DOC 1 OF 1

TO: MCCAIN, JOHN

FROM: PRESIDENT

DOC DATE: 16 DEC 98
SOURCE REF:

KEYWORDS: KOSOVO
NATO
CO

HUMAN RIGHTS
PUBLIC STATEMENTS

PERSONS:

SUBJECT: POTUS LTR TO SEN MCCAIN RE KOSOVO

ACTION: PRESIDENT SGD LTR

DUE DATE: 22 OCT 98 STATUS: C

STAFF OFFICER: HURLEY

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO
BOUCHARD
FARRAR
HURLEY
NSC CHRON
SCHULTE

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSTSM

CLOSED BY: NSDMK

DOC 5 OF 5

UNCLASSIFIED

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9806957

DOC ACTION OFFICER

001 HURLEY
002 BERGER
002 HURLEY
003 BERGER
003 STEIN, L
004 PRESIDENT
005

CAO ASSIGNED ACTION REQUIRED

Z 98101014 PREPARE MEMO FOR BERGER
Z 98111915 FWD TO PRESIDENT FOR SIGNATURE
Z 98112017 FOR REDO
Z 98121016 FWD TO PRESIDENT FOR SIGNATURE
Z 98121414 FOR SIGNATURE
Z 98121420 FOR SIGNATURE
X 98121520 PRESIDENT SGD LTR

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

004 981214
004 981214
005 981216 WH STRIPPING DESK
005 981216 MCCAIN, JOHN
005 981216

DISPATCH FOR INFO

VICE PRESIDENT
WH CHIEF OF STAFF
CIA
DEFENSE
STATE

UNCLASSIFIED

**National Security Council
The White House**

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Davies	_____	_____	_____
Kerrick	_____	_____	_____
Steinberg	_____	_____	_____
Berger	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>2</u>	<u>B 12/15</u>	<u>D</u>
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A = Action	I = Information	D = Dispatch	R = Retain	N = No Further Action
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CC:

COMMENTS: DATE December 16, 1998

Exec Sec Office has diskette _____

National Security Council
The White House

11/20
1444

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Kerrick	2	11/19	
Steinberg	3		
Berger			
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West Wing Desk	4	11/20 DMK	STAFF
Records Mgt.			
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THIS MAKES NO SENSE
letter written before we
got deal - REVISE

o Further Action

cc:

COMMENTS:

This makes no sense - letter written before we got to deal - revise

Exec Sec Office h

National Security Council
The White House

140730
1035

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Berger			
Situation Room			
West Wing Desk			
Records Mgt.			

A = Action I = Information D = Dispatch R = Retain N = No Further Action

CC:

COMMENTS: POTUS letter to Sen. McCain
re Crisis in Kosovo

Exec Sec Office has diskette yes

THE WHITE HOUSE

WASHINGTON

December 16, 1998

Dear Mr. Chairman:

Thank you for your letter about the crisis in Kosovo. The issues and concerns that you raised have helped guide our decisions over the last two months. I know members of my Administration provided you and other Members of Congress with a briefing on our Kosovo policy, but I wanted to personally let you know where we stand.

From the outset, we have had three overriding objectives in Kosovo. First, to end the violence that threatens the fragile stability of the Balkans. Second, to prevent a humanitarian crisis from becoming a catastrophe and third, to help the Kosovar people achieve a high-degree of self-government.

We have made substantial progress on each of these objectives. NATO determination backed by a credible threat of force has led to a cease-fire, followed by a substantial reduction of Serb security forces in Kosovo. Now that aggressive operations have stopped, tens of thousands of displaced people have returned to their villages. We have also made progress toward a political settlement that will address the root causes of the conflict. The current draft agreement offers the Kosovars a high-degree of autonomy, an indigenous police force and complete control over education, health and other institutions that most affect their daily lives.

In order to verify Belgrade's compliance, a number of actions have been taken. NATO has implemented an intrusive air surveillance regime that allows it to monitor the situation. Under the leadership of Bill Walker, an experienced American diplomat, a 2,000-person verification mission is being constituted, with personnel and funds contributed by OSCE nations. In support of this mission, NATO is establishing a force in Macedonia that will be close at hand to extract verifiers should that become necessary. In line with your counsel, the combat forces deployed in Macedonia will be provided exclusively by our allies.

With respect to your concern about the over-extension of U.S. military forces, my Administration is committed to work with Congress to provide adequate resources for readiness and other defense programs in FY 1999 and beyond. Over the longer-term, I have directed the Office of Management and Budget and the National Security Council to work with Secretary Cohen and the Joint Chiefs to develop a multi-year plan that provides the resources necessary to preserve military readiness, support our troops and modernize aging weapons systems. This plan will be incorporated in my FY 2000 budget request to Congress.

I do not underestimate the difficulties that lie ahead, but I believe we are headed in the right direction. Again, thank you for writing and sharing your concerns with me.

Sincerely,

A handwritten signature in black ink, reading "Bill Clinton". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

The Honorable John McCain
Chairman
Committee on Commerce, Science and
Transportation
United States Senate
Washington, D.C. 20510

NATIONAL SECURITY COUNCIL
DISTRIBUTION RECEIPT

LOG 9806957
DATE 16 DEC 98

SUBJECT: POTUS LTR TO SEN MCCAIN RE KOSOVO
DOCUMENT CLASSIFICATION: UNCLASSIFIED

EXTERNAL DISTRIBUTION:

DATE

TIME

SIGNATURE

WH STRIPPING DESK

PRINT LAST NAME: _____

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DATE, TIME, SIGN THE RECEIPT AND RETURN TO: NSC RECORDS MGNT, ROOM 379 OEOB

PAGE 01 OF 01 PAGES

NATIONAL SECURITY COUNCIL

ID 9806957

REFERRAL

DATE: 15 DEC 98

MEMORANDUM FOR: WH STRIPPING DESK

DOCUMENT DESCRIPTION:

TO: MCCAIN, JOHN

SOURCE: PRESIDENT

DATE: 16 DEC 98

SUBJ: POTUS LTR TO SEN MCCAIN RE KOSOVO

REQUIRED ACTION: FOR DISPATCH

DUE DATE: 16 DEC 98

COMMENT:

DMK

FOR

JOHN W. FICKLIN

NSC RECORDS MANAGEMENT OFFICE

THE WHITE HOUSE *signed 12-15-98*
WASHINGTON

December 14, 199

EO 14-7:30

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER *MB*
LARRY STEIN *LJS*

SUBJECT: Presidential Letter to Senator McCain on the
Crisis in Kosovo

Purpose

Respond to a letter from Senator McCain on the situation in Kosovo.

Background

We provided Senator McCain an interim reply in October via a briefing on our Kosovo policy. However, as we prepare to send your budget to the Hill, we wanted to address his criticism of national defense spending.

Your reply summarizes NATO pressure that has led to Milosevic's acceptance of intrusive verification regimes and describes the improving situation on the ground as refugees gradually return to their homes. It also addresses Senator McCain's concern about the military readiness issue and his recommendation that any ground forces deployed be European only.

RECOMMENDATION

That you sign the letter to Senator McCain at Tab A.

Attachments

Tab A Letter to Senator McCain
Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

6957
REDO

December 7, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: GREG SCHULTE *IX*
FROM: MICHAEL HURLEY *cm*
SUBJECT: Presidential Letter to Senator McCain Regarding
the Crisis in Kosovo

Senator McCain wrote the President to express his concern about the situation in Kosovo. He outlined a series of steps for the Administration to follow before taking military action against Serbia. He recommended that any forces deployed to the region be European only; and he referred to Congressional anxiety regarding the over-extension of U.S. military commitment and insufficient funding for the military.

We initially held off replying to this letter because much of its focus -- prescriptions on how/if military force should be used -- was moot when the letter arrived, as the Holbrooke-Milosevic Agreement was concluded without resort to military action. Additionally, Senator McCain attended an Administration briefing in early October and was kept current with Kosovo policy.

Concurrences by: Jay Farrar *W*, Joseph Bouchard *cm*

RECOMMENDATION

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

Attachments

Tab I Memorandum for the President
Tab A Letter to Senator McCain
Tab B Incoming Correspondence

JOHN MCCAIN
ARIZONA

CHAIRMAN, COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
COMMITTEE ON ARMED SERVICES
COMMITTEE ON INDIAN AFFAIRS

United States Senate

241 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-0303
(202) 224-2235

1839 SOUTH ALMA SCHOOL ROAD
SUITE 375
MESA, AZ 85210
(602) 491-4300

2400 EAST ARIZONA
BILTMORE CIRCLE
SUITE 1150
PHOENIX, AZ 85016
(602) 952-2410

450 WEST PASEO REDONDO
SUITE 200
TUCSON, AZ 85701
(520) 670-6334

TELEPHONE FOR HEARING IMPAIRED
(202) 224-7132
(602) 952-0170

October 7, 1998

President Bill Clinton
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

I am writing because of my serious concern about developments in Kosovo. With a brutality that would be almost unimaginable were anyone else responsible for it, Slobodan Milosevic has subjected yet another innocent population to the bloody carnage of ethnic cleansing. The stark depravity of his actions gravely offends the basic moral values of Western civilization. Moreover, the conflict in Kosovo threatens the stability of Europe, as the prospects are quite real that it may eventually embroil other countries in the region in a larger war. More than once, the United States has warned Serbia that NATO will not tolerate its continued aggression against Kosovo. Serbia has ignored our warnings, thereby challenging the credibility of the United States, obliging us and our NATO allies to consider using military force to prevent further aggression against our values and interests in Kosovo.

Congress has reservations about such a course of action, however. While I am inclined to support military action, I understand the basis for my colleagues' reservations, and I believe it is imperative that prior to ordering any military strike on Serbia you take all necessary steps to ensure both Congress and the American people that the action is necessary, affordable, and designed to achieve clearly defined goals.

First, you must state clearly the American interest in resolving this terrible conflict; describe in detail the facts on the ground; identify all parties responsible for perpetrating the terrible atrocities committed in Kosovo while making clear that Serbia is indisputably the primary culprit; explain how our own security is threatened by Serbian aggression and justifies risking the lives of American pilots, and how the use of air power can prevent further aggression. You must also define for the public what will constitute the operation's success so that Americans know that air strikes were launched with a realistic end game in mind.

PRINTED ON RECYCLED PAPER

Second, you must convincingly explain to the American people why it is that we should be involved in a conflict that to many people seems to affect our interests indirectly, and that should be resolved exclusively by those countries most directly threatened by it -- our European allies. As I am sure you appreciate, Congress and the public's frustration over Europe's lack of willingness to bear a greater share of the burden for maintaining peace in their own backyard is at an all time high, threatening the nation's consensus that our leadership in NATO should remain a priority interest for the United States. You could go a long way toward alleviating that frustration by ensuring that any ground forces that might ultimately be needed to keep the peace in Kosovo will be provided by European countries alone.

Third, should you order air strikes you must ensure the nation that they will be of sufficient magnitude to achieve their objectives. I hope you will view the following criticism in the constructive spirit in which it is offered. In the past, your administration has too often threatened and then backed down from the use of force, or authorized cruise missile strikes that amounted to little more than ineffective gestures intended, I suspect, to send a message to our adversaries, but because of their small scale interpreted by our adversaries as a lack of resolve on the part of the United States to defend our interests vigorously. Your administration's failure to support UNSCOM inspectors in Iraq has also greatly exacerbated our adversaries' lack of respect for America's resolve.

Finally, you should explain how you intend to find additional resources to fund the operation in order to alleviate well-founded Congressional anxiety regarding the over-extension of U.S military commitments at a time when spending on national defense is woefully inadequate.

Mr. President, should you convincingly address the issues I have raised, which I believe you can do, I am confident you will have the support of Congress and our constituents for operations against Serbia. You will certainly have mine. I believe there exists a clear and compelling case for such an action that Americans will accept if you avoid the mistakes made in the past when your administration has attempted to build public support for the use of force. I urge to give these concerns your most serious consideration.

Sincerely,


John McCain
United States Senator

JM/ms

THE WHITE HOUSE

WASHINGTON

October 9, 1998

MEMORANDUM FOR GLYN DAVIES
NSC Executive Secretariat

FROM: JANET MURGUIA
Legislative Affairs

SUBJECT: PRESIDENTIAL CORRESPONDENCE

Attached are copies of letters sent to the President by various Members of Congress. Since these letters address national security issues, we would appreciate your assistance in drafting the responses.

Thank you very much for your assistance. If you have any questions, please call Eli Joseph at x67500.

The following is a brief description of the letters:

- 1) Sen. Max Cleland (D-GA), expressing concern over Kosovo;
- 2) Sen. Orrin Hatch (R-UT), regarding Mr. John Kamm and the Prisoner Information Project with China;
- 3) Sen. Jesse Helms (R-NC), concerning the U.S. forest products industry;
- 4) Sen. Trent Lott (R-MS) and several other Senators, expressing concern over Kosovo;
- 5) Sen. Trent Lott (R-MS) and several other Senators, concerning a Presidential letter regarding the status of the 1972 Anti-Ballistic Missile Treaty;
- 6) Sen. John McCain (R-AZ), expressing concern over Kosovo;
- 7) Sen. Paul D. Wellstone (D-MN) and Sen. Spencer Abraham (R-MI), expressing concern over the economic sanctions against Iraq;

99 OCT 19 12:00

- 8) Rep. Tom Campbell (R-CA) and thirty-three Members of Congress, expressing concern over Kosovo;
- 9) Rep. John D. Dingell (D-MI), concerning the U.S.-Japan trading agreement on flat glass;
- 10) Rep. George Radanovich (R-CA), expressing concern over the treatment of ethnic Chinese in Indonesia;
- 11) Rep. Curt Weldon (R-PA) and twenty-six other Members of Congress concerning U.S. and Iraqi relations; and,
- 12) Rep. Heather Wilson (R-NM), expressing concern over Kosovo.

ENCLOSURES

THE WHITE HOUSE
WASHINGTON

Dear Mr. Chairman:

Thank you for your letter about the crisis in Kosovo. I wish to ~~assure you that the issues and concerns that you raised in your letter have helped to guide our decisions over the last two months.~~

From the outset, we have had three overriding objectives in Kosovo. First, to end the violence that threatens the fragile stability of the Balkans. Second, to prevent a humanitarian crisis from becoming a catastrophe. And third, to help the Kosovar people achieve a high-degree of self-government.

We have made substantial progress toward each of these objectives. NATO determination backed by a credible threat of force has led to a cease-fire, followed by a substantial reduction of Serb security forces in Kosovo. Now that aggressive operations have stopped, tens of thousands of displaced people have returned to their villages. ~~Finally, we have been successful in giving renewed insights toward a political settlement meant to help address the root causes of the conflict.~~ *also made good progress* *that will*

The current draft agreement offers the Kosovars a high-degree of autonomy, an indigenous police force and complete control over education, health and other institutions that most affect their daily lives.

In order to verify Belgrade's compliance, a number of actions have been taken. NATO has implemented an intrusive air surveillance regime that allows it to monitor the situation. Under the leadership of Bill Walker, an experienced American diplomat, a 2,000-person verification mission is being constituted, with personnel and funds contributed by OSCE nations. In support of this mission, NATO is establishing a force in Macedonia that will be close at hand to extract verifiers should that become necessary. In line with your counsel, the combat forces deployed in Macedonia will be provided exclusively by our allies. ✓

I know you and your staff
stop have received briefing on
our Kosovo policy, but I use
to personally let you know
where we stand.

With respect to your concern about the over-extension of U.S. military forces, my Administration is committed to work with Congress to provide adequate resources for readiness and other defense programs in FY 1999 and beyond. Over the longer-term, I have directed the Office of Management and Budget and the National Security Council to work with Secretary Cohen and the Joint Chiefs to develop a multi-year plan that provides the resources necessary to preserve military readiness, support our troops and modernize aging weapons systems. This plan will be incorporated in my FY 2000 budget request to Congress.

IP I do not underestimate the difficulties that lie ahead, but I believe we are headed in the right direction. Again, thank you for writing and sharing your concerns with me.

Sincerely,

The Honorable John McCain
Committee on Commerce, Science and
Transportation
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Presidential Letter to Senator McCain on the
Crisis in Kosovo

Purpose

Respond to a letter from Senator McCain on the situation in Kosovo.

Background

we provided Senator McCain an interim reply in October via a briefing on our Kosovo policy. However, as we prepare to send your budget to the Hill we wanted to address Senator McCain's criticism of national defense spending.

R Your reply summarizes NATO pressure that has led to Milosevic's acceptance of intrusive verification regimes and describes the improving situation on the ground as refugees gradually return to their homes. It also addresses Senator McCain's concern about the military readiness issue and his recommendation that any ground forces deployed be European only.

RECOMMENDATION

That you sign the letter to Senator McCain at Tab A.

Attachments

Tab A Letter to Senator McCain
Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

THE WHITE HOUSE
WASHINGTON

Dear Mr. Chairman:

Thank you for your letter about the crisis in Kosovo. The issues and concerns that you raised have helped guide our decisions over the last two months. I know ~~you and your staff~~ *members of my Administration provided you* and other members of Congress with briefings on our Kosovo policy, but I wanted to personally let you know where we stand.

From the outset, we have had three overriding objectives in Kosovo. First, to end the violence that threatens the fragile stability of the Balkans. Second, to prevent a humanitarian crisis from becoming a catastrophe and third, to help the Kosovar people achieve a high-degree of self-government.

We have made substantial progress on each of these objectives. NATO determination backed by a credible threat of force has led to a cease-fire, followed by a substantial reduction of Serb security forces in Kosovo. Now that aggressive operations have stopped, tens of thousands of displaced people have returned to their villages. We have also made good progress toward a political settlement that will address the root causes of the conflict. The current draft agreement offers the Kosovars a high-degree of autonomy, an indigenous police force and complete control over education, health and other institutions that most affect their daily lives.

In order to verify Belgrade's compliance, a number of actions have been taken. NATO has implemented an intrusive air surveillance regime that allows it to monitor the situation. Under the leadership of Bill Walker, an experienced American diplomat, a 2,000-person verification mission is being constituted, with personnel and funds contributed by OSCE nations. In support of this mission, NATO is establishing a force in Macedonia that will be close at hand to extract verifiers should that become necessary. In line with your counsel, the combat forces deployed in Macedonia will be provided exclusively by our allies.

With respect to your concern about the over-extension of U.S. military forces, my Administration is committed to work with Congress to provide adequate resources for readiness and other defense programs in FY 1999 and beyond. Over the longer-term, I have directed the Office of Management and Budget and the National Security Council to work with Secretary Cohen and the Joint Chiefs to develop a multi-year plan that provides the resources necessary to preserve military readiness, support our troops and modernize aging weapons systems. This plan will be incorporated in my FY 2000 budget request to Congress.

I do not underestimate the difficulties that lie ahead, but I believe we are headed in the right direction. Again, thank you for writing and sharing your concerns with me.

Sincerely,

The Honorable John McCain
Chairman
Committee on Commerce, Science and
Transportation
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE

WASHINGTON

Dear Mr. Chairman:

Thank you for your letter about the crisis in Kosovo. I share your concern and appreciate your views on the actions that should be taken prior to the use of force.

I agree with you on the importance of consulting with Congress and conveying to the American people our interest in ending the violence and the rationale for our policy. Throughout the conflict, and with ever greater frequency over the last several months, both I and senior members of my Administration have consulted with Congress and informed the public about the crisis, articulating for the American people why the measures we are taking are necessary.

On the question of military readiness and over-extension that you raise, my Administration is committed to working with Congress to provide adequate resources for readiness and other defense programs in FY 1999 and beyond. Over the longer-term, I have directed the Office of Management and Budget and the National Security Council to work with Secretary Cohen and the Joint Chiefs to develop a multi-year plan that provides the resources necessary to preserve military readiness, support our troops and modernize aging weapons systems. This plan will be incorporated in my FY 2000 budget request to Congress. The men and women of our armed forces will have the resources they need to do their job.

Your counsel, that the United States should not act alone and that any ground forces deployed to the area be supplied by our European allies, is precisely the policy we are following. Ground forces attached to the NATO force positioned in Macedonia to provide emergency support to OSCE verifiers will be provided ~~exclusively~~ by our European allies.

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: ~~Presidential Letter to Senator McCain on the
Crisis in Kosovo~~

Purpose

Respond to a letter from Senator McCain ^{on Kosovo.} ~~urging use of NATO
military force to resolve the Kosovo situation.~~

Background

^{you advise approach to}
~~Senator McCain calls for the use of force to stop the killing in
Kosovo. action in Kosovo is necessary, affordable and designed to achieve clearly defined goals.~~
^{wrote to urge that the Congress and the American people see that any military}

~~Your reply summarizes NATO pressure that has led to Milosevic's
acceptance of intrusive verification regimes and describes the
improving situation on the ground as refugees gradually return
and relief agencies increase deliveries of needed supplies. It
also addresses Senator McCain's concern about military over-
extension; and his recommendations that the Administration
explain the reasons for U.S. involvement in Kosovo to the
Congress and the American people, and that any ground forces
deployed be European only.~~

RECOMMENDATION

That you sign the letter to Senator McCain at Tab A.

Attachments

Tab A Letter to Senator McCain
Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

Congress to provide adequate resources for readiness and other defense programs in FY 1999 and beyond. Over the longer-term, I have directed the Office of Management and Budget and the National Security Council to work with Secretary Cohen and the Joint Chiefs to develop a multi-year plan that provides the resources necessary to preserve military readiness, support our troops and modernize aging weapons systems. This plan will be incorporated in my FY 2000 budget request to Congress. The men and women of our armed forces will have the resources they need to do their job.

agree with you

① I fully agree on the importance of consulting with Congress and conveying to the American people our interest in ending the violence and the rationale for our policy. Throughout the conflict, and with ever greater frequency over the last several months, both I and senior members of my Administration have consulted with Congress and informed the public about the crisis, articulating for the American people why the measures ~~we~~ *are* were taking were necessary.

There are compelling reasons for the actions NATO has taken in Kosovo. I share your view that Serbia's policy of ethnic cleansing threatened the stability of the region and could have embroiled neighboring countries in a larger conflict. We have a strong national interest in preventing the conflict in Kosovo from spiraling out of control.

Your counsel, that the United States should not act alone and that any ground forces deployed to the area be supplied by our European allies, is precisely the policy we are following. Ground forces attached to the NATO force positioned in Macedonia to provide emergency support to OSCE verifiers will be provided exclusively by our European allies.

I do not underestimate the difficulties that lie ahead, but I believe we are headed in the right direction. Again, thank you for writing and sharing your concerns with me.

Sincerely,

The Honorable John McCain
Committee on Commerce, Science and
Transportation
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE
WASHINGTON

Dear Mr. Chairman:

Thank you for your thoughtful letter ^{show} expressing concern about the crisis in Kosovo. I appreciate hearing your advice and your support for strong NATO action, and am heartened that working with our NATO partners, in line with your recommendation, we have dramatically improved the situation for the better.

① → ^{beginning} From the outset, we have had three overriding objectives in Kosovo. First, to end the violence that threatens the fragile stability of the Balkans. Second, to prevent a humanitarian crisis from becoming a catastrophe, ^{or} and third, to help the Kosovar people achieve a high-degree of self-government.

We have made substantial progress ⁱⁿ toward each of these objectives. NATO put forth a credible threat of force which led to a cease-fire that has held since early October. This was followed by a substantial reduction of Serb security forces in Kosovo. Now that aggressive operations have stopped, tens of thousands of displaced people are returning to their homes.

We have also taken a close look at the root causes of the crisis. The current draft agreement offers the Kosovars a high-degree of autonomy, an indigenous police force and complete control over education, health and other institutions that most affect their daily lives. We are working hard to convince armed insurgent groups in Kosovo that they, too, must cooperate to bring about a peaceful settlement.

~~There is much work ahead to make this cease-fire and a settlement last. In order to verify Belgrade's compliance, NATO has implemented an intrusive air surveillance regime. And under the leadership of Bill Walker, an experienced American diplomat, a 2,000-person verification mission is being constituted, with personnel and funds contributed by OSCE nations. In support of this mission, NATO is establishing a force in Macedonia that will be close at hand to extract verifiers in an emergency. Further, I am hopeful that we will be able to advance the cause of a just solution for Kosovo without resorting to force.~~

On the ~~overall~~ question of military readiness and over-extension that you raise, my Administration is committed to work with

Your concern and appreciation of our views on the actions that should be taken prior to the use of force.

✓

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

6957

November 17, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: GREG SCHULTE *h*

FROM: MICHAEL HURLEY *h*

SUBJECT: Presidential Letter to Senator McCain Regarding
the Crisis in Kosovo

Senator McCain has written the President to urge that the United States join its allies to end atrocities in Kosovo and alleviate the human suffering there.

Concurrences by: Jay Farrar *h*, Joseph Bouchard *h*

RECOMMENDATION

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

Attachments

Tab I Memorandum for the President
Tab A Letter to Senator McCain
Tab B Incoming Correspondence

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
LARRY STEIN

SUBJECT: Letter to Senator McCain

Purpose

Respond to a letter from Senator McCain on Kosovo.

Background

Senator McCain wrote to urge that you ensure Congress and the American people that any military action Kosovo is necessary, affordable and designed to achieve clearly defined goals.

Your reply addresses Senator McCain's concern about military over-extension; and his recommendations that the Administration explain the reasons for U.S. involvement in Kosovo to the Congress and the American people, and that any ground forces deployed be European only.

RECOMMENDATION

That you sign the letter to Senator McCain at Tab A.

Attachments

Tab A Letter to Senator McCain
Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

THE WHITE HOUSE
WASHINGTON

Dear Mr. Chairman:

Thank you for your letter about the crisis in Kosovo. I share your concern and appreciate your views on the actions that should be taken prior to the use of force.

I agree with you on the importance of consulting with Congress and conveying to the American people our interest in ending the violence and the rationale for our policy. Throughout the conflict, and with ever greater frequency over the last several months, both I and senior members of my Administration have consulted with Congress and informed the public about the crisis, articulating for the American people why the measures we are taking are necessary.

On the question of military readiness and over-extension that you raise, my Administration is committed to working with Congress to provide adequate resources for readiness and other defense programs in FY 1999 and beyond. Over the longer-term, I have directed the Office of Management and Budget and the National Security Council to work with Secretary Cohen and the Joint Chiefs to develop a multi-year plan that provides the resources necessary to preserve military readiness, support our troops and modernize aging weapons systems. This plan will be incorporated in my FY 2000 budget request to Congress. The men and women of our armed forces will have the resources they need to do their job.

Your counsel, that the United States should not act alone and that any ground forces deployed to the area be supplied by our European allies, is precisely the policy we are following. Ground forces attached to the NATO force positioned in Macedonia to provide emergency support to OSCE verifiers will be provided by our European allies.

I do not underestimate the difficulties that lie ahead, but I believe we are headed in the right direction. Again, thank you for writing and sharing your concerns with me.

Sincerely,

The Honorable John McCain
Chairman
Committee on Commerce, Science and
Transportation
United States Senate
Washington, D.C. 20510-0303

6-157

THE WHITE HOUSE
WASHINGTON

Dear Mr. Chairman:

Thank you for your letter about the crisis in Kosovo. The issues and concerns that you raised have helped guide our decisions over the last two months. I know members of my Administration provided you and other Members of Congress with a briefing on our Kosovo policy, but I wanted to personally let you know where we stand.

From the outset, we have had three overriding objectives in Kosovo. First, to end the violence that threatens the fragile stability of the Balkans. Second, to prevent a humanitarian crisis from becoming a catastrophe and third, to help the Kosovar people achieve a high-degree of self-government.

We have made substantial progress on each of these objectives. NATO determination backed by a credible threat of force has led to a cease-fire, followed by a substantial reduction of Serb security forces in Kosovo. Now that aggressive operations have stopped, tens of thousands of displaced people have returned to their villages. We have also made ~~good~~ progress toward a political settlement that will address the root causes of the conflict. The current draft agreement offers the Kosovars a high-degree of autonomy, an indigenous police force and complete control over education, health and other institutions that most affect their daily lives.

In order to verify Belgrade's compliance, a number of actions have been taken. NATO has implemented an intrusive air surveillance regime that allows it to monitor the situation. Under the leadership of Bill Walker, an experienced American diplomat, a 2,000-person verification mission is being constituted, with personnel and funds contributed by OSCE nations. In support of this mission, NATO is establishing a force in Macedonia that will be close at hand to extract verifiers should that become necessary. In line with your counsel, the combat forces deployed in Macedonia will be provided exclusively by our allies.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

Chen

6959
REDO

December 7, 1998

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH:

GREG SCHULTE *W*

FROM:

MICHAEL HURLEY *mk*

SUBJECT:

Response to Letter on Kosovo from Representatives
Campbell, Livingston, Skaggs, et al.

A letter to the President from Representative Tom Campbell and 42 other House colleagues, including Speaker-designate Bob Livingston, argues that a decision to use U.S. military forces in Yugoslavia must be made by Congress.

We initially held off replying to the letter because the principal issue it raised -- that the President did not have the authority to commit forces to an intervention in Kosovo -- was moot when the letter arrived, as the Holbrooke-Milosevic agreement was reached without requiring use of force. Also, Representatives Campbell, Skaggs and other signers of the letter attended Administration briefings in mid-October and House staffs attended additional briefings on three occasions from mid-October through early November and were kept current on our Kosovo policy.

At the Members briefings, Administration officials committed to supplying a written response on the legal authority issue for those Members who had raised it. For that reason, Legislative Affairs strongly feels that the reply should be sent to respond to the specific legal issue the Representatives raised. The draft reply points out that the President has broad authority as Commander-in-Chief to authorize military action in the national interest. It also summarizes recent developments in our Kosovo strategy.

The draft has been reviewed by Legal Affairs and White House Legal. Legal Affairs recommends that you, and not the President, sign the letter, to avoid putting the President in the position of defining the scope of his authority to act,

especially as any future context may be different from the one at issue.

Concurrences by: Mara Rudman,^{cm+1} Jamie Baker^{cm+1}

RECOMMENDATION

That you sign the letter to Representative Campbell at Tab I.

Attachments

Tab I Letter to Representative Campbell, et al.
Tab II Incoming Correspondence

THE WHITE HOUSE

WASHINGTON

Dear Representative Campbell:

Thank you for your letter to the President on the crisis in Kosovo. He has asked me to answer on his behalf. Although the policy we have implemented in Kosovo has not required use of force, we believe it important to address the concerns in your letter, as we differ with you on the scope of the President's constitutional authority to authorize use of force.

This Administration, like previous administrations, takes the view that the President has broad authority, as Commander-in-Chief and under his authority to conduct foreign relations, to authorize the use of force in the national interest. There is ample constitutional precedent for the type of action contemplated in October, including air operations in Bosnia in 1995 that involved over 2,300 U.S. sorties, and the deployment of ground forces to Somalia to prevent a humanitarian catastrophe. Previous administrations have taken the position that military actions of greater scope could be conducted without congressional authorization.

Nor were the actions contemplated "offensive" in nature. From the outset, we have had three overriding objectives in Kosovo. First, to end the violence that threatens the fragile stability of the Balkans. Second, to prevent a humanitarian crisis from becoming a catastrophe. And third, to help the Kosovar people achieve a high degree of self-government.

We have made substantial progress toward each of these objectives. NATO determination backed up by the credible threat of force has led to a cease-fire that has held since early October followed by a substantial reduction of Serb security forces. Now that aggressive operations have stopped, tens of thousands of people have returned to their villages.

Finally, we have been successful in giving renewed impetus toward a political settlement meant to help address the root causes of the conflict. The current draft agreement offers the

Kosovars a high-degree of autonomy, an indigenous police force, and complete control over education, health and other institutions that most affect their daily lives.

In order to verify Belgrade's compliance, NATO has implemented an intrusive air surveillance regime. Under the leadership of Bill Walker, an experienced American diplomat, a 2,000-person verification mission is being constituted, with personnel and funds contributed by OSCE nations. In support of this mission, NATO is establishing a force in Macedonia that will be close at hand to extract verifiers should that become necessary.

We do not underestimate the difficulties that lie ahead, but we believe we are headed in the right direction. Again, thank you for writing and sharing your concerns. We will continue to consult with Congress on this important issue.

Sincerely,

Samuel R. Berger
Assistant to the President for
National Security Affairs

The Honorable Tom Campbell
House of Representatives
Washington, D.C. 20515

TO: PRESIDENT

FROM: CAMPBELL, TOM
SKAGGS, DAVID E
HYDE, HENRY J

DOC DATE: 02 OCT 98
SOURCE REF:

KEYWORDS: KOSOVO
NATO
CO

MILITARY POSTURE
HUMAN RIGHTS

PERSONS:

SUBJECT: LTR FM REP CAMPBELL & 42 OTHERS RE MILITARY STRIKES & CONGRESSIONAL
ASSENT

ACTION: PREPARE MEMO FOR BERGER

DUE DATE: 22 OCT 98 STATUS: S

STAFF OFFICER: HURLEY

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION
HURLEY

FOR CONCURRENCE
MCELDOWNEY
NAPLAN
RUDMAN
VON LIPSEY
WITKOWSKY

FOR INFO
BAKER
BANDLER
BELL
BROWN, K
SCHULTE
SCHWARTZ

COMMENTS: IF FINAL REPLY CANNOT BE PREPARED BY DUE DATE, AN INTERIM RESPONSE
MUST BE PREPARED FOR MARA RUDMAN'S SIGNATURE.

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSTSM

CLOSED BY:

DOC 1 OF 1

THE WHITE HOUSE

WASHINGTON

January 15, 1999

Dear Representative Campbell:

During recent briefings to Members of Congress and their staffs on the Administration's Kosovo policy, we committed to provide additional information on the President's authority to use force. Although the policy we have implemented in Kosovo has not required the use of force, I want to address your concerns regarding the scope of the President's constitutional authority to authorize such action, if necessary.

This Administration, like previous administrations, takes the view that the President has broad authority, as Commander-in-Chief and under his authority to conduct foreign relations, to authorize the use of force in the national interest. There is ample constitutional precedent for the type of action contemplated in October, including air operations in Bosnia in 1995 that involved over 2,300 U.S. sorties, and the deployment of ground forces to Somalia to prevent a humanitarian catastrophe. Previous administrations have taken the position that military actions of greater scope could be conducted without congressional authorization.

Nor were the actions contemplated on October 13, "offensive" in nature. From the outset, we have had three overriding objectives in Kosovo. First, to end the violence that threatens the fragile stability of the Balkans. Second, to prevent a humanitarian crisis from becoming a catastrophe and third, to help the Kosovar people achieve a high degree of self-government.

We have made progress on each of these objectives. NATO determination backed up by the credible threat of force reiterated in the NATO Activation Order of October 13 has led to a cease-fire, followed by a substantial reduction of Serb security forces. Now that aggressive operations have stopped, tens of thousands of people have returned to their villages.

We have also been successful in giving renewed impetus to a political settlement that will help address the root causes of the conflict. The current draft agreement offers the Kosovars a high-degree of autonomy, an indigenous police force, and complete control over education, health and other institutions that most affect their daily lives.

In order to verify Belgrade's compliance, NATO has implemented an intrusive air surveillance regime. Under the leadership of Bill Walker, an experienced American diplomat, a 2,000-person verification mission is being constituted, with personnel and funds contributed by OSCE nations. In support of this mission, NATO is establishing a force in Macedonia that will be close at hand to extract verifiers should that become necessary.

We do not underestimate the difficulties that lie ahead, but we believe we are headed in the right direction. Again, thank you for writing and sharing your concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Samuel R. Berger". The signature is stylized with a large, sweeping initial 'S' and a prominent 'B'.

Samuel R. Berger
Assistant to the President for
National Security Affairs

The Honorable Tom Campbell
House of Representatives
Washington, D.C. 20515

Congress of the United States
Washington, DC 20515

October 2, 1998

Honorable William Jefferson Clinton
President of the United States
The White House
Washington, D.C.

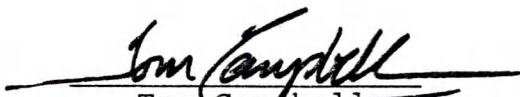
Dear Mr. President:

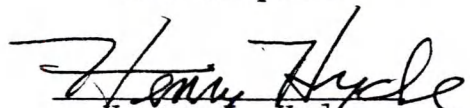
We are appalled by the atrocities against Kosovar civilians by Serbian police and security forces. We understand that NATO, acting with U.S. leadership, may be on the brink of taking military action. However, the decision to use United States military forces to intervene in Yugoslavia is a decision that must be taken by Congress, not by you alone.

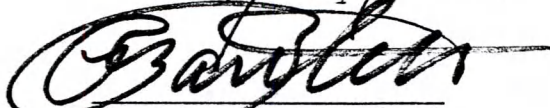
U.S. air strikes within the borders of Yugoslavia in order to stop attacks by Serbian forces against civilians in an area the United States recognizes as sovereign Yugoslav territory simply could not be construed as "defensive" actions within your inherent authority as Commander-in-Chief. Rather, they would be offensive in nature, involving the invasion of the air space of a nation which has not attacked the United States. This is the sort of action which falls within the exclusive powers and responsibilities of Congress under Article I, Section 8, of the Constitution -- the so-called war powers clause. No provision of the United Nations Charter or the North Atlantic Treaty can override the requirement of United States domestic law as set forth in the Constitution. In fact, Congress conditioned U.S. participation in both the U.N. and NATO on the requirement that Congress retain its constitutional prerogatives.

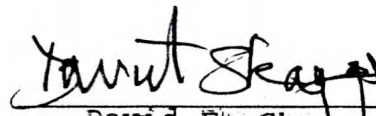
The Constitution requires you to have authority from Congress before taking military action against Yugoslavia. Consulting with a few Members or Senators does not satisfy constitutional requirements.

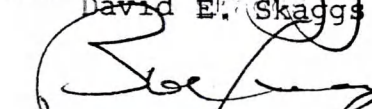
Sincerely yours,

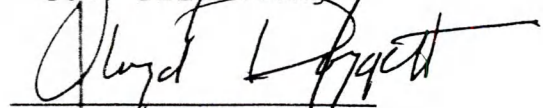

Tom Campbell

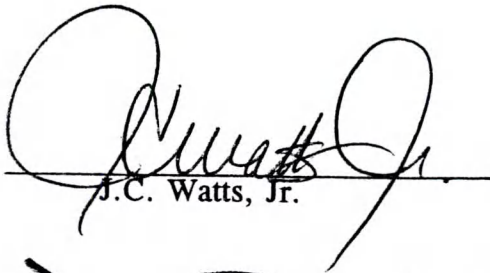

Henry J. Hyde

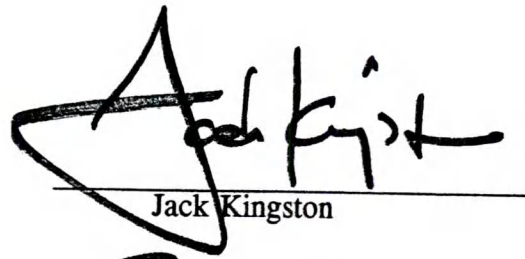

Roscoe G. Bartlett


David E. Skaggs

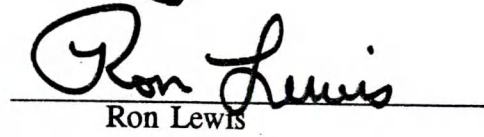

C.W. Bill Young


Lloyd Doggett


J.C. Watts, Jr.

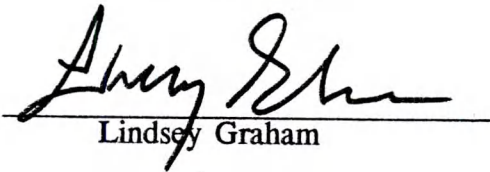

Jack Kingston

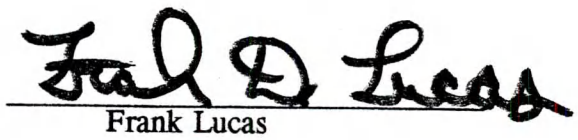

Doug Bereuter


Ron Lewis


Mark Sanford


Frank LoBiondo

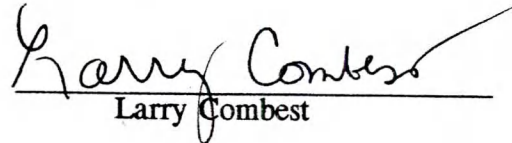

Lindsey Graham


Frank Lucas


Vince Snowbarger


Jim Bunning


George Nethercutt

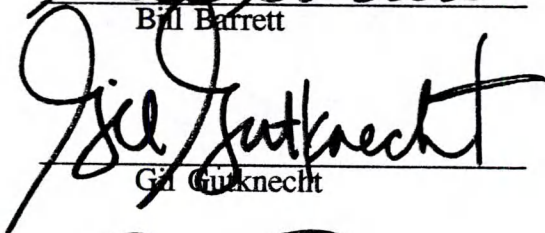

Larry Combest

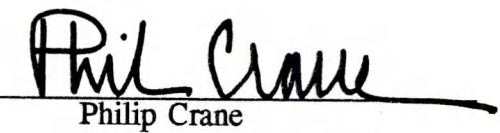

Sue Myrick


John Cooksey

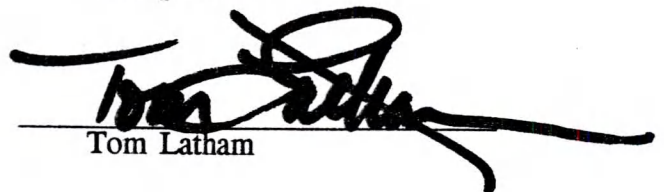

Bill Barrett


Roy Blunt


Gil Gutknecht

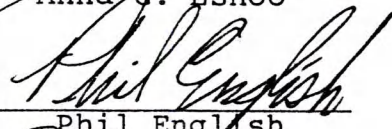

Philip Crane


Ron Packard

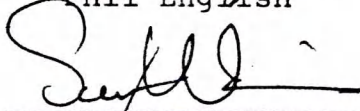

Tom Latham



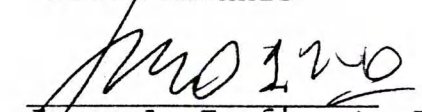
Anna G. Eshoo



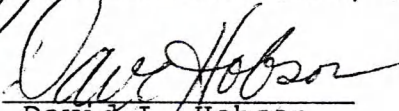
Phil English



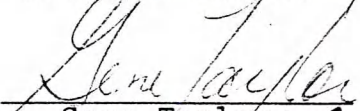
Scott McInnis



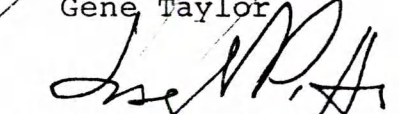
James A. Traficant, Jr.



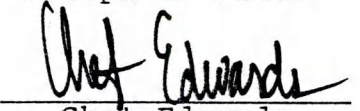
David L. Hobson



Gene Taylor



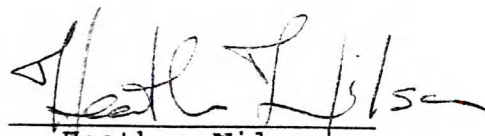
Joseph R. Pitts



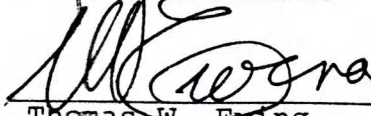
Chet Edwards



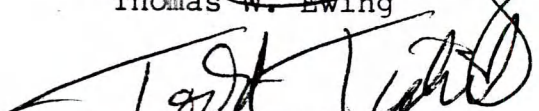
John N. Hostettler



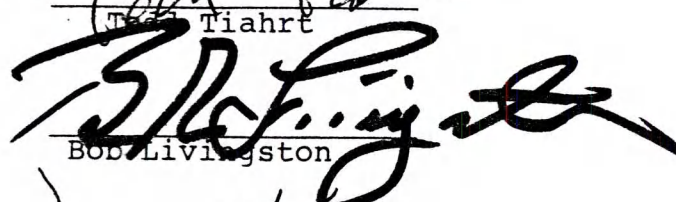
Heather Wilson



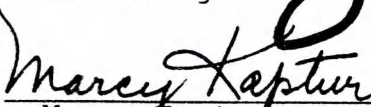
Thomas W. Ewing



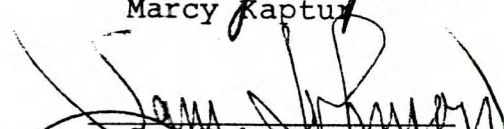
Ted Tiahrt



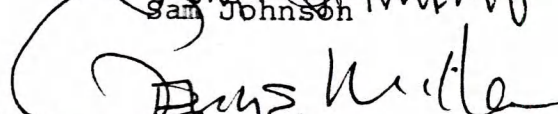
Bob Livingston



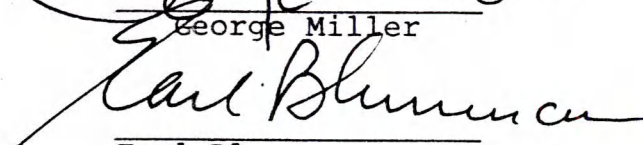
Marcy Kaptur



Sam Johnson



George Miller



Earl Blumenauer

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

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RECEPTION & SECURITY

1998 OCT -8 AM 9 53

David E. Skaggs

M.C.

Honorable William Jefferson Clinton
President of the United States
The White House
Washington, D.C. 20500

THE WHITE HOUSE

WASHINGTON

October 9, 1998

MEMORANDUM FOR GLYN DAVIES

NSC Executive Secretariat

FROM: JANET MURGUIA
Legislative Affairs

SUBJECT: PRESIDENTIAL CORRESPONDENCE

Attached are copies of letters sent to the President by various Members of Congress. Since these letters address national security issues, we would appreciate your assistance in drafting the responses.

Thank you very much for your assistance. If you have any questions, please call Eli Joseph at x67500.

The following is a brief description of the letters:

- 1) Sen. Max Cleland (D-GA), expressing concern over Kosovo;
- 2) Sen. Orrin Hatch (R-UT), regarding Mr. John Kamm and the Prisoner Information Project with China;
- 3) Sen. Jesse Helms (R-NC), concerning the U.S. forest products industry;
- 4) Sen. Trent Lott (R-MS) and several other Senators, expressing concern over Kosovo;
- 5) Sen. Trent Lott (R-MS) and several other Senators, concerning a Presidential letter regarding the status of the 1972 Anti-Ballistic Missile Treaty;
- 6) Sen. John McCain (R-AZ), expressing concern over Kosovo;
- 7) Sen. Paul D. Wellstone (D-MN) and Sen. Spencer Abraham (R-MI), expressing concern over the economic sanctions against Iraq;

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- 8) Rep. Tom Campbell (R-CA) and thirty-three Members of Congress, expressing concern over Kosovo;
- 9) Rep. John D. Dingell (D-MI), concerning the U.S.-Japan trading agreement on flat glass;
- 10) Rep. George Radanovich (R-CA), expressing concern over the treatment of ethnic Chinese in Indonesia;
- 11) Rep. Curt Weldon (R-PA) and twenty-six other Members of Congress concerning U.S. and Iraqi relations; and,
- 12) Rep. Heather Wilson (R-NM), expressing concern over Kosovo.

ENCLOSURES