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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. briefing paper	Master Media Messages on Kosovo, Annex to SG(98)0958. [NATO] (6 pages)	10/10/1998	P1/b(1)

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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]

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

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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Roberts Amendment

Will the President submit a report to Congress under the Roberts Amendment?

- If U.S. ground forces are deployed to Kosovo, the President would submit a report under the Roberts Amendment.

How soon would the report be submitted?

- Per the Amendment, the report would be submitted prior to an actual deployment of ground forces to Kosovo.

If pressed on whether a report is required before certain preparatory action:

- Understandably, the CINC will likely need to ready forces in anticipation of deployment. Site survey team visits would not require a report. Also, moving forces within the theater (but not into the three countries) would not require a report.

Why don't you need to report before a Site Survey Team goes into Macedonia or Kosovo?

- Our legal analysis shows that Roberts is intended to apply to the deployment of ground units. Quite literally, the sorts of activities we are talking about here do not involve units, or deployments, but rather individuals engaged in temporary assignments.
- Is this a legalistic reading? No. I think it is entirely consistent with the purpose of the amendment. The Congress would receive a report prior to the deployment of ground units into Kosovo. If this section were read any other way, it would lead to an absurd result. Surely, Congress did not intend for the Executive to report on "the exit strategy" involving a five man survey team. Or, a report on why the presence of these individuals is in the national security interest and the effect it will have on morale in the armed forces. Similarly, it did not intend that the President would have to consult with congressional leaders each time such a small team temporarily entered Kosovo. Clearly these are not the sort of assignments Roberts was meant to cover.

-- **Fall back position:** I would be happy to have my lawyers come up and discuss this further with you.

BACKGROUND. The Roberts Amendment (Section 8115 of the Defense Appropriations Act for FY 1999) provides that no DoD funds may be obligated or expended for "any additional deployment of forces . . . to Yugoslavia, Albania, or Macedonia unless and until the President, after consultation with [Congress] transmits to Congress a report on the deployment that includes [eight elements]"

The report contents include:

1. Certification that deployment is necessary to the national security interests of the United States.
2. Reasons why deployment is in the national security interests.
3. Number of U.S. military personnel to be deployed.
4. Mission and objectives.
5. Expected schedule for accomplishing objectives.
6. Exit strategy.
7. Costs and funding sources.
8. Anticipated effects on morale, retention, and effectiveness of U.S. forces.

Although the amendment does not specify "ground" forces, the language suggests this intent and is supported by Senator Stevens' floor statement referencing "ground force units." There are exceptions for the FYROM deployment under UNSCR 795 and under emergency circumstances necessitating immediate deployment as determined by the President.

In his signing statement, the President made clear that he would interpret the Roberts Amendment consistent with his constitutional authority. However, if ground forces are deployed to Kosovo, the President's submission of a report as specified in the Act would not intrude upon his constitutional authority.

Lawyers have examined the issue of actions in anticipation of a deployment and concluded that certain actions to ready forces for deployment can be done consistently with the Roberts Amendment, which we interpret to require a report to Congress prior to an actual deployment of additional ground forces to Yugoslavia, Albania, or Macedonia. Thus, the following

preparatory actions would not require a report: (1) movement of forces within theater; (2) sending a small site survey team into these countries. However, a report would be required prior to pre-staging a ground unit in Macedonia. It is possible that other activities in anticipation of deployment would require reporting in a given factual scenario, e.g., battalion advance teams, or unit-sized survey teams.

Finally, while lawyers are hesitant to call Roberts an implied authorization, all counsel agree that where the President files a report, he would be acting with broad authority. That is, in addition to his inherent constitutional authority, he would be acting consistent with a congressional condition precedent for certain deployments. (If Congress thought legislative authorization was required for a ground deployment they could have stated so rather than pass a reporting requirement.)

Kosovo: Act of War

Q: Is Kosovo sovereign territory of Serbia? Is Serbia within its rights to consider the bombing of Serbian territory as an act of war? Doesn't this mean that a declaration of war by Congress is required before the President can order such action?

A: Kosovo is part of the territory of the Federal Republic of Yugoslavia. It is a province of Serbia, which is one of the republics of the FRY.

As for your question about whether airstrikes against Serbia would be an "act of war," I cannot claim to be an international lawyer. My understanding is that this phrase comes from international law developed prior to the UN Charter, under which a state had the right to consider certain actions to be "acts of war," entitling it to consider itself to be at war with the other state. I would not try to interpret these old international law concepts for you.

What is clear to me, however, is that no declaration of war is required under the U.S. Constitution for the air operations we might have to take in Serbia to encourage the FRY to accept the proposals presented by the Contact Group. 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 such situations in the national interest. Our use of force in the current situation would not be offensive in nature, in that we would be acting to end the violence that threatens the fragile stability of the Balkans, to prevent a humanitarian crisis from becoming a catastrophe, and to help the Kosovar people achieve a higher degree of self-government.

[FYI: Last week, Under Secretary Pickering was asked by Congressman Campbell whether airstrikes would be an act of war, and he answered in the affirmative. The NSC has circulated guidance giving the opposite answer. Campbell has attempted to use Under Secretary Pickering's answer as proof that a declaration of war is required. It would be best to avoid a definitive answer to the "act of war" question if possible, stressing instead that the President has ample precedent for such a limited use of force without a declaration of war.]

Q: When I asked these questions to Under Secretary Pickering last week, he cited as precedents for the authority of the President, the military actions taken by the U.S. in Bosnia and Somalia. But I do not think those situations are comparable to the current case of Serbia. In particular, weren't we invited into Bosnia by the Government of Bosnia? Wasn't there no recognized government in Somalia at the time the United States intervened there for humanitarian purposes?

A: I believe the President had the authority under the U.S. Constitution to take these actions, whether or not the United States was acting pursuant to an invitation, or whether there was or was not a recognized government in existence. All these cases involved the limited use of force to deal with serious threats to regional peace and security, to the lives of innocent people, and to U.S. national interests. This Administration takes the same view as previous Administrations -- that the President has the Constitutional authority to take such limited military actions.

This does not mean that we would in any way ignore the important role of the Congress in making such decisions. We have fully consulted with Congress about the situation in Kosovo and will continue to do so. We intend to act in a manner that is fully consistent with the consultation and reporting provisions of the War Powers Resolution.

AIR STRIKES

Do we need Congressional authorization for the Kosovo NATO air actions?

- The air options contemplated would be authorized pursuant to the President's constitutional authority.
- This Administration like previous administrations has, I believe, correctly argued that the President has broad authority as Commander-in-Chief and under his authority to conduct foreign relations to exercise use of force in the national interest.
- There is ample constitutional precedent for what the President contemplates here, including air operations in Bosnia in 1995 that involved over 2300 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. President Bush argued that he could authorize operation Desert Storm on his constitutional authority alone. Desert Shield, Panama and Grenada were all justified as exercises of Presidential constitutional authority [but note: Panama and Grenada involved a self-defense rationale].

Wouldn't air strikes amount to an act of war?

- No. I would not accept that characterization. The actions contemplated do not amount to war.
- However, our legal view is clear. RETURN TO FIRST ANSWER.

I've studied these issues for years and can tell you the President does not have authority to commit U.S. forces, air or ground, in an offensive operation against a sovereign state without Congress's authorization.

- First, the actions contemplated are not "offensive;" our objectives are not "offensive" - our objective is to prevent a humanitarian catastrophe, support a peaceful

settlement between the parties, and prevent a regional conflict.

- Second, while I accept that there are differences of view on the scope of the President's authority, certainly the President can use force where the commitment, duration, and scope of operations are limited. Such actions would not amount to "war" in a constitutional sense.
- This is the view of this President and it has been the view of prior Presidents.

Are you saying the President can do whatever he wants?

- No. I am saying the President has authority to undertake the options contemplated here.

When can't the President use force?

- Any legal judgments, of course, involve analysis of specific contextual facts.

But doesn't use of force in Kosovo require Security Council authorization?

- The President's constitutional authority to act is not contingent on Security Council authorization.
- Whether a particular use of force is consistent with international law will depend on specific contextual analysis at the time of an event.
- The USG takes the view that NATO may respond appropriately to events in Kosovo without an additional UNSCR.
- Any use of force, of course, would need to be necessary and proportionate.

Background Note on the War Power

- The scope of the President's authority under the constitution is unresolved. Some argue that the Congressional role is limited to the specific act of "declaring" war. Others would limit the President's inherent authority to acts in self-defense, or involving national survival.
- This Justice Department takes the view that the President has authority to use of force in the national interest where it would be directed against limited targets; with limited risk of inflicting or receiving casualties; and of limited duration; and where the likelihood of being drawn into a prolonged conflict is limited. (Walter Dellinger was prepared to argue that the U.S. could deploy 60,000 ground forces into Bosnia to extract UNPROFOR on the President's authority, although he said it would be better to obtain Congressional authorization.)
- In Justice's view, use of force consistent with these general, and illustrative, factors would not amount to "war" in a constitutional sense.
- The President's constitutional authority is enhanced where he is taking action to defend U.S. persons as distinct from broader national interests alone. Scholars (and government lawyers) generally agree that the President has broad authority to defend U.S. persons.
- Relevant to past practice, this OLC is constitutionally cautious on use of force questions, although they have not defined an outer perimeter of constitutional authority. State, Defense and NSC, would be prepared to commit to a broader assertion of Presidential authority, and would not embrace an analysis that depends on whether particular actions amount to "war" in some constitutional sense.
- A protracted campaign involving commitment of ground forces into combat or sustained air operations would present the most difficult questions.
- Whatever one's view on the scope of the President's inherent authority, all counsel agree the Congress can curtail a military operation using the funding authority, subject to the President's core responsibility to protect U.S. lives.

Background on War Powers Resolution

- The War Powers Resolution (WPR) provides that the President shall consult with Congress before introducing U.S. Armed Forces into hostilities or where imminent involvement in hostilities is clearly indicated by the circumstances. Whether or not it is determined that consultations are required by these standards, consultations with congressional leadership are our practice and are advisable.
- In addition, the WPR provides that the President shall send a report to the Congress within 48 hours of introduction of U.S. Armed Forces into a foreign country in the above circumstances, as well as when combat-equipped armed forces are introduced into a foreign country even if the "hostilities" or "imminent involvement in hostilities" standards are not applicable. Although successive Presidents have challenged the constitutionality of some aspects of the WPR, Presidents have acted in a manner consistent with the 48-hour reporting provision. Once military operations involving use of U.S. Armed Forces begins, Congress may consider legislation to restrict use of force (including possible use of its power of the purse).
- In addition, the WPR requires the President to terminate such use of U.S. Armed Forces within 60 days absent specific congressional authorization (the President may extend this period for an additional 30 days). This 60 or 90-day clock provision of the WPR may become an issue and raise, once again, questions as to its constitutionality and the President's authority to conduct the deployment.

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September 23, 1998

The President
The White House
Washington, DC 20500-0001

Dear Mr. President:

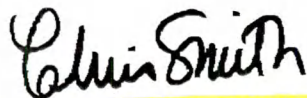
We write once again to urge that you obtain NATO agreement to take action to stop those attacking and killing civilians in Kosovo and destroying their homes and livelihoods.

We commend you and Secretary of State Albright for requesting that Senator Bob Dole join Assistant Secretary of State John Shattuck in a fact-finding mission to Kosovo, both to investigate the reported atrocities and to assess the humanitarian crisis. On September 17, the Senator and Secretary appeared together before a hearing of the Helsinki Commission, and their testimonies about the situation on the ground in Kosovo were alarming. We and seemingly all the Members present concluded that war crimes and crimes against humanity are without question taking place regularly in Kosovo and that Slobodan Milosevic will only stop this carnage when confronted with NATO action, or the fact of concrete preparations for action.

At the hearing, we noted that the use of armed force is not something to be taken lightly, and we are not easily convinced that such action is prudent. You know, Mr. President, of the need to weigh the risks and responsibilities that would arise from any NATO intervention in Kosovo. We believe strongly, however, that horrors like those reported by Secretary Shattuck and Senator Dole must be addressed when deciding whether or not to act. Bosnia taught us that delayed action costs lives. In the case of Kosovo, we are convinced that action must be taken soon in order to avert a more severe humanitarian crisis and catastrophe.

Mr. President, we hope that we and the American people will hear from you soon on this important issue.

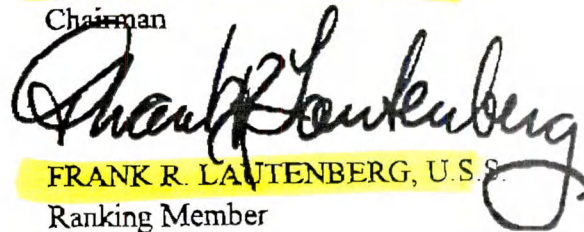
Sincerely,



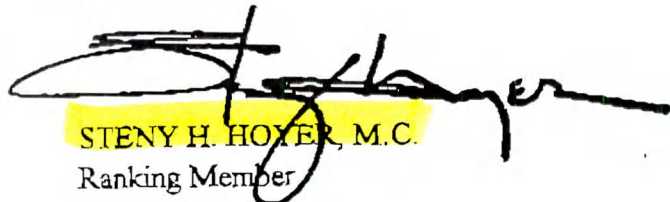
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Co-Chairman



ALFONSE D'AMATO, U.S.S.
Chairman



FRANK R. LAUTENBERG, U.S.S.
Ranking Member



STENY H. HOYER, M.C.
Ranking Member

TO: PRESIDENT

FROM: ENGEL, ELIOT L
KING, PETER T
MORAN, JAMES P

DOC DATE: 06 OCT 98
SOURCE REF:

KEYWORDS: KOSOVO
CO

HUMAN RIGHTS
ALBANIA

PERSONS:

SUBJECT: HUMANITARIAN CRISIS IN KOSOVO

ACTION: PREPARE MEMO FOR BERGER

DUE DATE: 26 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
FLANAGAN
NAPLAN
RUDMAN
SCHULTE

FOR INFO
BAKER
DOWLING
SCHWARTZ
WEISS

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: NSSWD

CLOSED BY:

DOC 1 OF 1

7032

Congress of the United States

Washington, DC 20515

October 6, 1998

ACTION:

~~BO~~ SCHULTE
LEGISLATIVEP.S. DRAFT RESPONSE
FOR POTUS SIGNATURE

The President
The White House
Washington, DC 20500

Dear Mr. President:

We write to express our very serious concern about the growing humanitarian crisis in Kosovo and to urge our country to demonstrate firm resolve in efforts to end Belgrade's campaign of ethnic cleansing.

As you are aware, the people of Kosovo, of whom more than 90% are ethnic Albanian, have faced harsh repression and ethnic discrimination throughout the 1990s. During the decade, many of us consistently warned that sooner or later the situation would boil over. Now, vital United States interests are at stake as the threat of a regional conflagration has grown and, with the approach of winter, a humanitarian catastrophe seems around the corner.

Tragically, hundreds of thousands of ethnic Albanian Kosovars have been forced out of their homes since the beginning of Milosevic's attacks. Many of the least fortunate are barely subsisting in the forests and mountains. And, only recently, credible news agencies reported the possible existence of two mass graves -- one allegedly containing the bodies of hundreds of children.

Earlier this year, you said that the United States would not permit another Bosnia-like situation to recur in Kosovo. We are afraid that with these reports of ethnic cleansing and mass murders, the world is witnessing a series of events in Kosovo alarmingly similar to that which consumed Bosnia.

Mr. President, in the short term, Yugoslav President Slobodan Milosevic only understands force, or at the very least the credible threat force will be used. Our recent military exercises and vague statements have not been adequate to demonstrate to Milosevic that his criminal policies have real consequences and have, in fact, undercut our credibility.

In Bosnia, you drew the line for Milosevic with air strikes and ended the horror. That is what is needed in Kosovo -- the same forceful resolve, not just empty rhetoric. Specifically, our diplomats should tell Milosevic that unless his troops immediately end attacks on civilians and withdraw, NATO will employ its airpower to halt the crisis.

Furthermore, we knew that Milosevic was a war criminal when he perpetrated his genocidal campaign in Bosnia. Now that his

OCT 14 1998

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The President
October 6, 1998
page two

security services are carrying out a similar campaign of ethnic cleansing in Kosova, the United States should strongly urge the International Criminal Tribunal for the former Yugoslavia to move ahead with the indictment of Milosevic for war crimes and crimes against humanity, as recommended by the House and Senate.

After halting the bloodshed and the coming humanitarian catastrophe, the world can then focus on what the ultimate status of Kosova should be and how the long-standing conflict can be resolved. We believe that the legitimate political claims of the people of Kosova must be addressed in whatever settlement is negotiated by the parties. That means that the Kosovars cannot simply be expected to return to the status quo ante of limited autonomy, but must know that their rightful aspiration to control their own destiny will be incorporated into any agreement.

Finally, we would like to impress upon you the urgency with which we view this situation. If nothing is done very soon to halt Belgrade's brutal onslaught and alleviate the humanitarian crisis, we fear that thousands of deaths could occur with the coming of winter.

Thank you for your consideration.

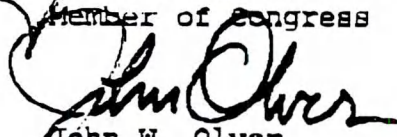
Sincerely,



Eliot L. Engel
Member of Congress



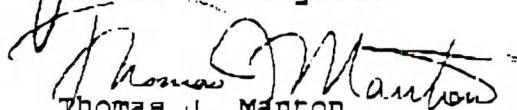
James P. Moran
Member of Congress



John W. Oliver
Member of Congress



James P. McGovern
Member of Congress



Thomas J. Manton
Member of Congress



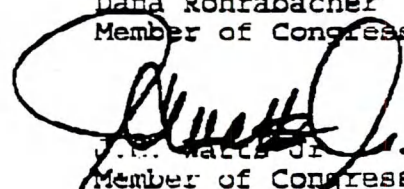
Peter T. King
Member of Congress



Sue W. Kelly
Member of Congress



Dana Rohrabacher
Member of Congress

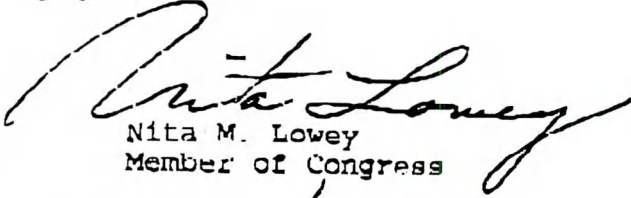


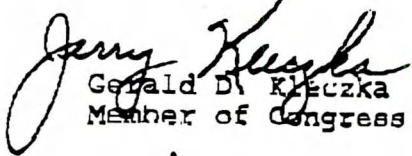
J. M. Watts
Member of Congress

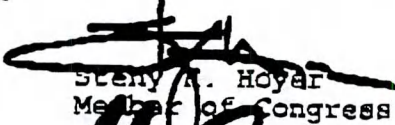


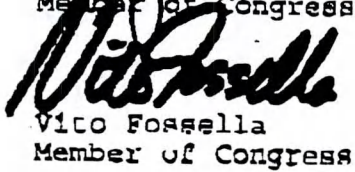
Donald M. Payne
Member of Congress

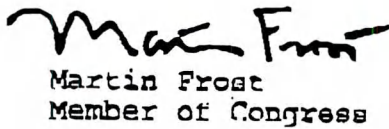
The President
October 6, 1998
page 3


Nita M. Lowey
Member of Congress

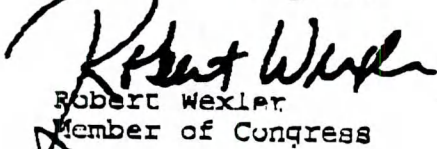

Gerald D. Kleczka
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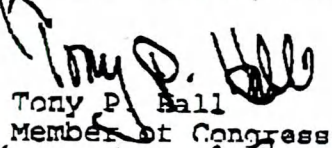

Steny Hoyer
Member of Congress


Vito Fossella
Member of Congress

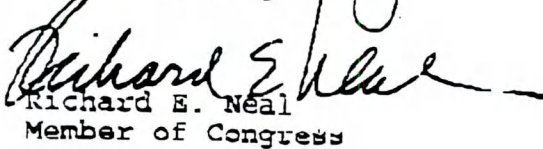

Martin Frost
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Steven R. Rothman
Member of Congress

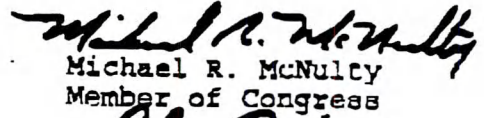

Robert Wexler
Member of Congress

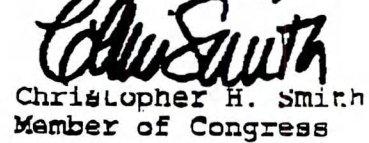

Tony P. Hall
Member of Congress

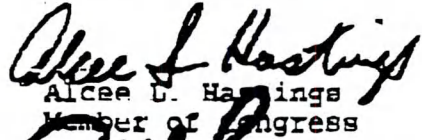

Karen McCarthy
Member of Congress

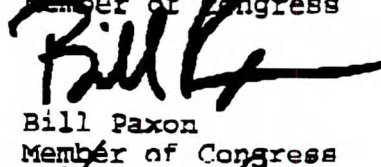

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Member of Congress

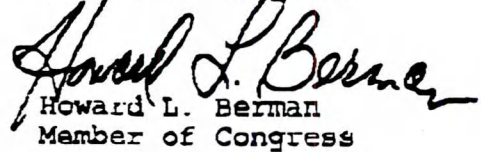

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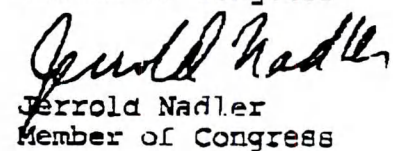

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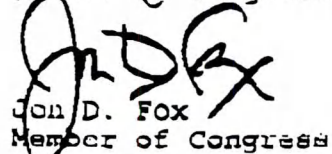

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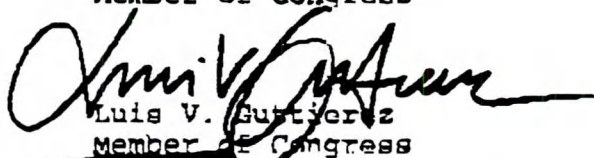

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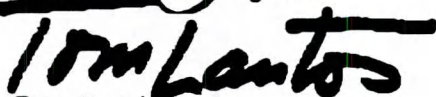
The President
October 6, 1998
page 4



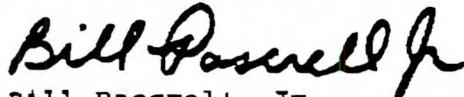
David E. Bonior
Member of Congress



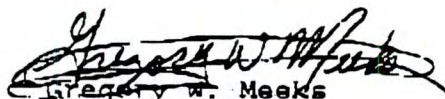
Luis V. Guttierrez
Member of Congress



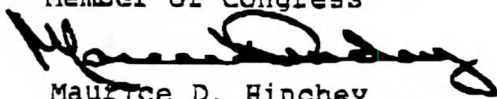
Tom Lantos
Member of Congress



Bill Pascrell, Jr.
Member of Congress



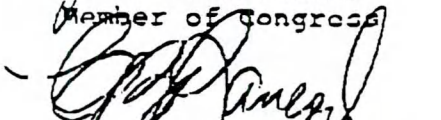
Gregory W. Meeks
Member of Congress



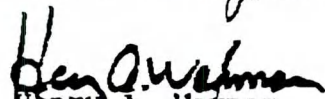
Maurice D. Hinchey
Member of Congress



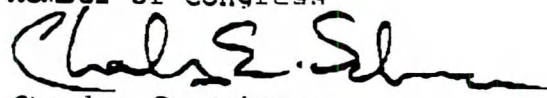
James L. Oberstar
Member of Congress



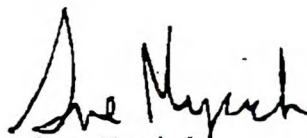
Charles W. Rangel
Member of Congress



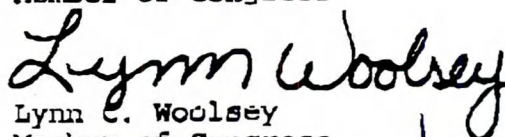
Henry A. Waxman
Member of Congress



Charles E. Schumer
Member of Congress



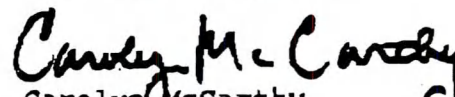
Sue Myrick
Member of Congress



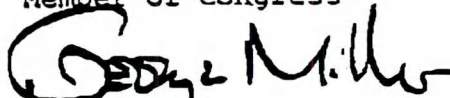
Lynn C. Woolsey
Member of Congress



Bob Branks
Member of Congress



Carolyn McCarthy
Member of Congress



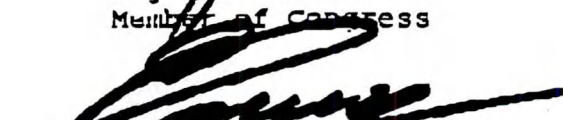
George Miller
Member of Congress



John Edward Porter
Member of Congress



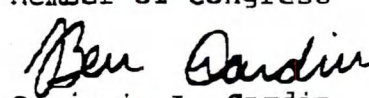
Major R. Owens
Member of Congress



Edaphus Towns
Member of Congress

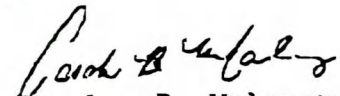


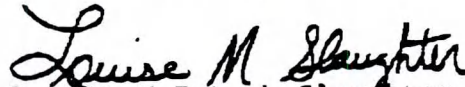
Michael P. Forbes
Member of Congress

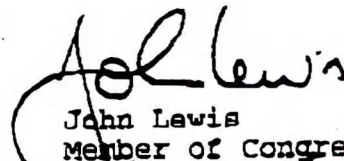


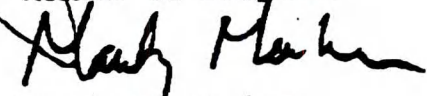
Benjamin L. Cardin
Member of Congress

The President
October 6, 1998
page 5


Carolyn B. Maloney
Member of Congress


Louise McIntosh Slaughter
Member of Congress


John Lewis
Member of Congress


Martin T. Meehan
Member of Congress

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9806957
RECEIVED: 10 OCT 98 14

TO: PRESIDENT

FROM: MCCAIN, JOHN

DOC DATE: 07 OCT 98
SOURCE REF:

KEYWORDS: KOSOVO
NATO
CO

HUMAN RIGHTS
PUBLIC STATEMENTS

PERSONS:

SUBJECT: CLEAR STATEMENTS OF KOSOVO POLICY TO AMER PEOPLE

ACTION: PREPARE MEMO FOR BERGER

DUE DATE: 22 OCT 98 STATUS: S

STAFF OFFICER: HURLEY

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

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HURLEY

FOR CONCURRENCE
MCELDOWNEY
NAPLAN
RUDMAN
WITKOWSKY

FOR INFO
BAKER
BANDLER
BLINKEN
SCHULTE
SCHWARTZ

COMMENTS: IF FINAL REPLY CANNOT BE PREPARED BY DUE DATE, AN INTERIM RESPONSE
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DOC 1 OF 1

UNCLASSIFIED

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) 497-4300

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.

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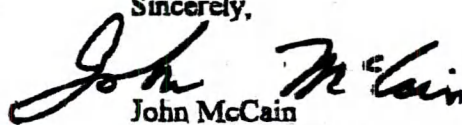
Second, you must convincingly explain to the American people why it is that we should be involved in a conflict that to many people seems to affect our interests indirectly, and that should be resolved exclusively by those countries most directly threatened by it -- our European allies. As I am sure 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

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- 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;

98 OCT 16 12:48

- 8) Rep. Tom Campbell (R-CA) and thirty-three Members of Congress, expressing concern over Kosovo;
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- 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

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DOC 1 OF 1

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

CAK HAGEL

Pete Domenici

Liz Stevens

Don Nickles

Tim 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

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

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- 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;
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- 7) Sen. Paul D. Wellstone (D-MN) and Sen. Spencer Abraham (R-MI), expressing concern over the economic sanctions against Iraq;

98 OCT 19 12:45

- 8) Rep. Tom Campbell (R-CA) and thirty-three Members of Congress, expressing concern over Kosovo;
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- 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: CLELAND, MAX

DOC DATE: 05 OCT 98
SOURCE REF:

KEYWORDS: KOSOVO
HUMAN RIGHTS
NATO

SERBIA
CO

PERSONS:

SUBJECT: MILITARY FORCE IN KOSOVO

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
WIPPMAN
WITKOWSKY

FOR INFO
BAKER
BANDLER
SCHULTE
SCHWARTZ

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

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DOC 1 OF 1

UNCLASSIFIED

United States Senate

WASHINGTON, DC 20510-1005

October 5, 1998

The Honorable William Jefferson Clinton
The White House
President of the United States
1600 Pennsylvania Avenue
Washington, D.C. 20500

PERSONAL AND CONFIDENTIAL

Dear Mr. President:

Over the last few months, I have received a number of formal and informal briefings on the situation in Kosovo. In addition, I have spoken at length to advisors in and out of the government who are familiar with the situation there. I have spoken privately with military and non-military people. I have visited Bosnia (Tuzla) personally as a member of the Senate Armed Services Committee.

These are my conclusions.

Though it is certainly a matter of more fundamental national interest to the leader and his nation, **Kosovo is Milosevic's Vietnam. You should not make it yours.** According to Secretary Albright, Serbia's economy is in dire straits based on the sanctions imposed. The Serbian military, according to several briefings, wants no part of the conflict in Kosovo and is increasingly distancing themselves from Milosevic. The international community is condemning him for his brutality in putting down by inhumane and violent means any vestige of resistance from the KLA and its sympathizers. His war on civilians, including women and children, has made him a pariah in western capitals and throughout the world.

However, the political imperative for Milosevic, *or any other Serbian leader likely to replace him*, is to hang on to Kosovo, the Serbian heartland in history and myth, if not in present fact. If he represses Kosovo to too great an extent, though, his authority will be undermined. He is walking a tightrope from which he can plummet without a net. From all accounts, he is too smart and too cunning to not know that. Therefore, though he is indeed despicable and has undoubtedly countenanced unspeakable acts in Kosovo, based on his own need for a settlement as well as the limited nature of our own vital national interests at stake, **I believe we should proceed as a nation utilizing all the diplomatic, political and humanitarian capital we have at our disposal to stop the killing and relieve the suffering in Kosovo. We should not use military force to do it.**

The very wider war we want to prevent would be encouraged if we intervened because the KLA would view such intervention as NATO intervention on their behalf, thus encouraging their Pan-Albanian movement and their thrust for independence. Such an outcome could seriously de-stabilize the entire region, with the threat of reigniting the fighting in Bosnia and elsewhere in the former territory of Yugoslavia but, for the first time, reaching other nations as well. Furthermore, as far as I can tell, Kosovo is, essentially, universally recognized as part of Serbia, and I can find little basis in international law or in the charters of the United Nations or NATO for *foreign* intervention there. My conclusion is neither America nor NATO can or should manage this civil war. We should certainly not intervene militarily.

A point made by Bobby Kennedy during the Cuban Missile Crisis comes to mind. In his recent book on his dad, Maxwell Taylor Kennedy observed that Bobby, in his own book 13 Days, concluded that the biggest lesson learned in the Cuban Missile Crisis was to give the other fellow a way out. It appears to me that a NATO military attack on Serbian targets inside or outside of Kosovo would push Milosevic to the wall rather than give him a way out. It would give Serbian forces every cause to retaliate against American forces in Bosnia, which, based on my personal observation, are ill-prepared to sustain an artillery barrage or a rocket or mortar attack. American casualties would result, forcing us into the very broader conflict we are trying to quell. Our goal is, and must be, a diplomatic compromise, which is the only solution I see which will not precipitate a wider war.

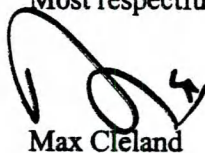
The Russians have joined us in condemning the brutality in Kosovo. However, the Russians would assuredly not back our use of force there. Military force against Serbia puts the Serbs in a position to seek wider support for their right to defend their own borders, activates the Russians, energizes the KLA, scares Macedonia, puts our bases in Bosnia in harm's way and widens the conflagration. Perhaps most importantly, it postpones indefinitely the ability to bring Milosevic to the bargaining table to reestablish a meaningful autonomy for Kosovo and allow the entrance of humanitarian organizations to that war-torn area.

Therefore, I cannot at this time support a military strike against Serbian forces in or near Kosovo. In short, Milosevic now has the low ground and we occupy the high ground. An American-led NATO attack could change the roles significantly -- all for the worst. Milosevic has a tar baby that he cannot turn loose. Under any conceivable circumstances, he will ultimately disengage from Kosovo somewhat, but, to produce the optimal results dictated by our national interests and by humanitarian concerns, he must be given room to maneuver to make that choice consistent with his own political interests. The onslaught of winter makes his situation worse, not ours. While our hearts can and should go out to the innocent civilians there, and we should do all within our power to secure effective humanitarian relief, winter in Kosovo should not drive American foreign policy and should not dictate the commitment of American military might. **The American people will not long support an open-ended conflict in the Balkans with an unspecified timetable, an uncertain result and no exit strategy.**

I cannot support such a policy either.

Thank you for listening to my views, Mr. President.

Most respectfully,



Max Cleland
United States Senator

cc: Secretary of State Madeleine Albright
Secretary of Defense Bill Cohen
Chairman Joint Chiefs of Staff GEN Henry H. Shelton

P.S. - I'm very glad
of La!

THE WHITE HOUSE
WASHINGTON

October 9, 1998

MEMORANDUM FOR GLYN DAVIES
NSC Executive Secretariat

FROM: JANET MURGUIA
Legislative Affairs

SUBJECT: PRESIDENTIAL CORRESPONDENCE

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10 OCT 19 1998

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ENCLOSURES

United States Senate

WASHINGTON, DC 20510-1006

OFFICIAL BUSINESS

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1993 -7 AM 6:11

The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Max C/Plsny
U.S.S.



TO: PRESIDENT

FROM: WILSON, HEATHER

DOC DATE: 07 OCT 98
SOURCE REF:

KEYWORDS: KOSOVO
NATO
SERBIA

HUMAN RIGHTS
CO

PERSONS:

SUBJECT: AIRSTRIKES 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
WIPPMAN
WITKOWSKY

FOR INFO
BAKER
BANDLER
SCHULTE
SCHWARTZ

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

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OPENED BY: NSTSM

CLOSED BY:

DOC 1 OF 1

COMMERCE
SUBCOMMITTEE ON
FINANCE AND HAZARDOUS MATERIALS
SUBCOMMITTEE ON
TELECOMMUNICATIONS, TRADE,
AND CONSUMER PROTECTION

Congress of the United States
House of Representatives
Washington, DC 20515-3101

October 7, 1998

The Honorable William J. Clinton
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500-0005

Dear Mr. President:

I am writing to you to express privately my concern about U.S. policy toward Kosovo and the potential for NATO air strikes against Serbia in the coming weeks.

I have chosen to do this privately because U.S. threats to attack Serbia may, in themselves, avert a humanitarian disaster and I do not wish to reduce the likelihood of that occurring by orchestrating a message to Milosevic that the Congress does not support U.S. military action in Kosovo. I trust that you will appreciate this restraint is motivated by a sincere desire to see our diplomatic efforts succeed.

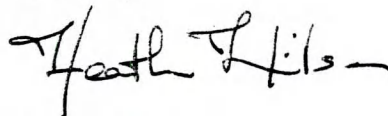
I am concerned by inconsistencies between our public rhetoric and the facts on the ground in Kosovo. In particular, relatively few refugees have crossed international borders. The strife in Kosovo shows no signs of spreading to neighboring countries and destabilizing the Balkans. While there are war crimes and retaliation, there is no evidence of ethnic cleansing or genocide. Offensive military action appears to have been suspended in the middle of last week.

But my concern about the prospect of air strikes goes further than a disagreement about the facts on the ground. Based on the brief discussions we have had with your Cabinet Secretaries thus far, it does not appear to me that there is a compelling U.S. national interest that justifies an attack on the Serbs and there does not appear to be a clear path from the military means to the political objectives we all seek.

Air strikes against Serbia would mark the first time in its 50 year history that NATO has launched an attack against a sovereign country. As odious as Milosevic is, the use of force by NATO other than in self-defense will certainly have long term implications for NATO's relationships with its neighbors -- particularly Russia. NATO will shift, and be seen to be shifting, from an alliance for collective self-defense to an agent to intervene militarily in other states.

The implications of this attack and the possible consequences are great -- in both lives and treasure. I hope that your diplomatic efforts are successful. I would encourage you to proceed cautiously and in full consultation with both houses of Congress.

Sincerely,

A handwritten signature in dark ink, appearing to read "Heather Wilson", with a horizontal line extending to the right.

Heather Wilson
Member of Congress

cc: Secretary William Cohen, U.S. Department of Defense
Secretary Madeleine Albright, U.S. Department of State
Samuel Berger, Assistant to the President for National Security Affairs

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;

98 OCT 19 12:08

- 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

Congress of the United States
House of Representatives
Washington, DC 20515-3101

OFFICIAL BUSINESS

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WHITE HOUSE MAIL
RECEPTION & SECURITY
1998 OCT -8 AM 9:53

Franklin D. L. H. H.
M.C.

President William J. Clinton
House Liaison Office

INSIDE MAIL



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
MCELDFOWNEY
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

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:

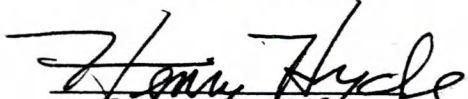
We are appalled by the atrocities against Kosovar civilians by Serbian police and security forces. We understand that NATO, acting with U.S. leadership, may be on the brink of taking military action. However, the decision to use United States military forces to intervene in Yugoslavia is a decision that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

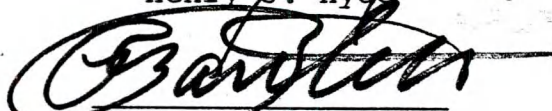
U.S. air strikes within the borders of Yugoslavia in order to stop attacks by Serbian forces against civilians in an area the United States recognizes as sovereign Yugoslav territory simply could not be construed as "defensive" actions within your inherent authority as Commander-in-Chief. Rather, they 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.

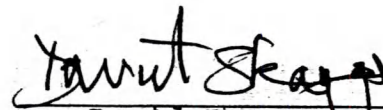
The Constitution requires you to have authority from Congress before taking military action against Yugoslavia. Consulting with a few Members or Senators does not satisfy constitutional requirements.

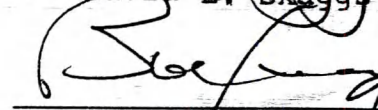
Sincerely yours,

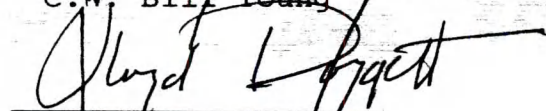

Tom Campbell

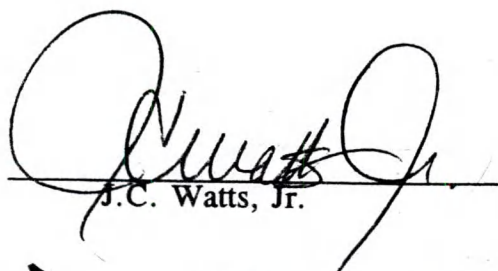

Henry J. Hyde


Roscoe G. Bartlett


David E. Skaggs

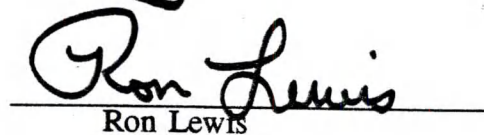

C.W. Bill Young


Lloyd Doggett


J.C. Watts, Jr.

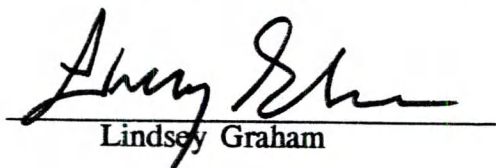

Jack Kingston

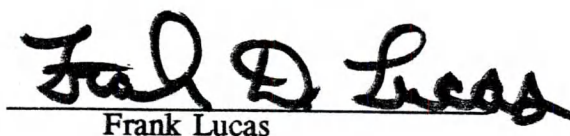

Doug Bereuter

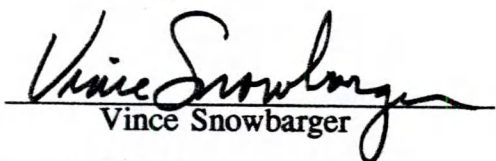

Ron Lewis


Mark Sanford


Frank LoBiondo

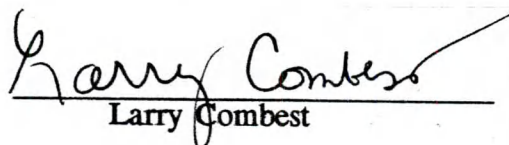

Lindsey Graham

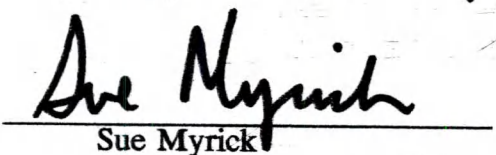

Frank Lucas

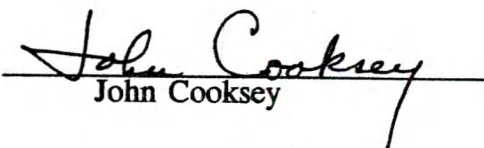

Vince Snowbarger


Jim Bunning


George Nethercutt

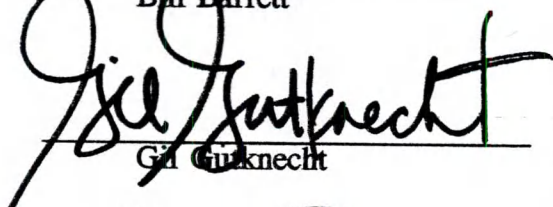

Larry Combest


Sue Myrick


John Cooksey

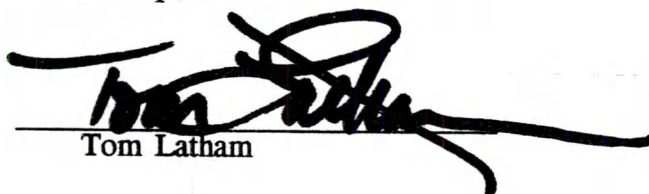

Bill Barrett


Roy Blunt

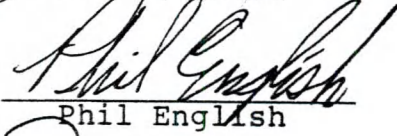

Gil Gulknecht


Philip Crane

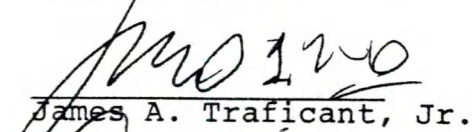

Ron Packard

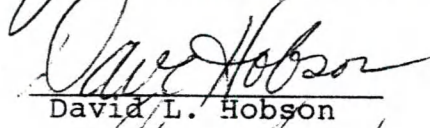

Tom Latham

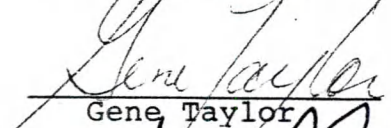

Anna G. Eshoo

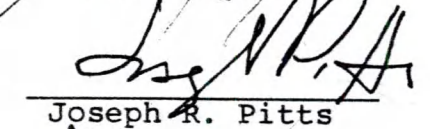

Phil English

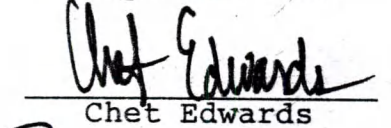

Scott McInnis


James A. Traficant, Jr.


David L. Hobson

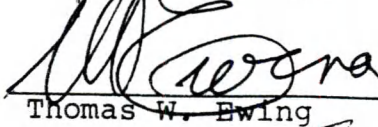

Gene Taylor

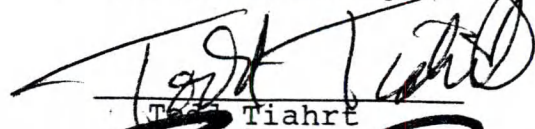

Joseph R. Pitts


Chet Edwards

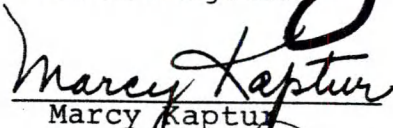

John N. Hostettler

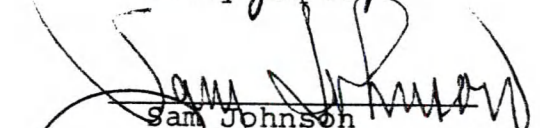

Heather Wilson

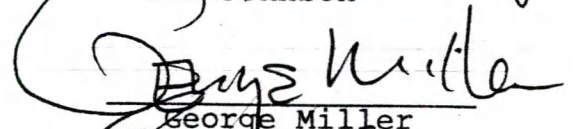

Thomas W. Ewing

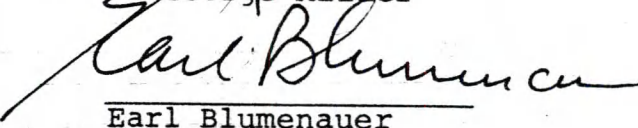

Ted Tiahrt


Bob Livingston


Marcy Kaptur


Sam Johnson


George Miller


Earl Blumenauer

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

OFFICIAL BUSINESS

WHITE HOUSE MAIL
RECEPTION & SECURITY
1998 DEC -8 AM

Dwight E. Saxon

Honorable William Jefferson Clinton
President of the United States
The White House
Washington, DC 20500

THE WHITE HOUSE

WASHINGTON

October 9, 1998

MEMORANDUM FOR GLYN DAVIES

NSC Executive Secretariat

FROM:

JANET MURGUIA

Legislative Affairs

SUBJECT:

PRESIDENTIAL CORRESPONDENCE

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ENCLOSURES

United States Senate
WASHINGTON, DC 20510-2303

6835
COMMITTEES:
LABOR AND HUMAN RESOURCES
SMALL BUSINESS
INDIAN AFFAIRS
VETERANS' AFFAIRS
FOREIGN RELATIONS

September 23, 1998

President Bill Clinton
The White House
Washington, D.C.

Dear Mr. President:

As NATO Defense Ministers, including Secretary Cohen, gather in Portugal this week to consider the situation in Kosovo, I write to express my deep concern over the growing humanitarian crisis there. Unless immediate and determined action by the U.S. and our western allies is taken to address this situation, it is clear we will begin to face a catastrophic loss of civilian lives with the onset of winter in the region as early as mid-October.

Despite tight constraints on their reporting by the government of Serbia, the western media daily offers new reports on the rapidly deteriorating situation there. Candid assessments by Administration officials acknowledge the growing crisis. Systematic and brutal military action by Serbian forces, accelerated during their summer-long offensive against UCK forces, has forced an estimated 300,000 or more ethnic Albanians to flee their homes. While many have fled as refugees to neighboring countries, most of these displaced persons remain inside Kosovo and are now vulnerable to exposure, starvation, disease and further Serb military attack. I understand that Assistant Secretary for Refugees Julia Taft concluded during her recent visit there that over 210 villages in the region have already been looted, and many torched, by Serbian security forces.

Serbia has failed utterly to comply with the persistent demands of the Contact Group to: 1) cease attacks on civilian populations, and withdraw its forces used to repress civilians; 2) permit the establishment of an effective international observer group in Kosovo; 3) allow refugees and displaced persons to return to their homes safely, under international supervision; 4) allow unimpeded access for humanitarian organizations and supplies; and 5) make rapid progress in the dialogue with the Kosovar leadership. .

While Ambassador Hill is to be commended for his persistent diplomatic efforts, it is clear that the time has come for a more vigorous and sustained high-level multilateral effort to pressure President Milosevic to comply fully with Contact Group demands. I urge you therefore to proceed immediately with a series of steps designed to prevent the looming humanitarian crisis and to prepare for possible implementation of more forceful options developed by NATO planners. These actions include:

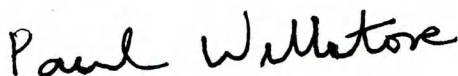
- ◆ Moving forward now, under NATO auspices, with the pre-deployment phase of NATO military plans on Kosovo, including securing base rights agreements in the region, immediately assessing the contributions of each NATO member in the event military action is necessary, and then forward-deploying appropriate levels of NATO military forces and equipment, thus preparing us to take any appropriate military action that may be necessary to secure Serb compliance with Contact Group demands, and with international law regarding the treatment of Kosovar civilians;

- ◆ Bolstering border security efforts through preventive NATO force deployments which can increase regional stability and assist in international monitoring and anti-arms smuggling efforts;
- ◆ Leading an immediate multilateral effort, at the United Nations and through regional bodies like the European Union, to tighten the existing sanctions regime on Serbia, and to re-impose the trade embargo, total airflight and investment bans, and other sanctions lifted after signing of the Dayton Peace Accords, coupled with renewed enforcement initiatives to prevent the flourishing of black markets under a full embargo;
- ◆ Accelerating U.S. and NATO logistical support for the ongoing international humanitarian aid effort in Kosovo, including pre-deployment of humanitarian supplies in Kosovo in anticipation of winter distribution by NGOs -- but only in a way which avoids absolutely the prospect of a repeat of the disgraceful "safe haven" disaster of Srebrenica;
- ◆ Pressing for more extensive access for human rights monitoring in Kosovo by internationally-recognized organizations, including the Organization for Security and Cooperation in Europe, and non-governmental monitors, and providing appropriate support and assistance for their efforts;
- ◆ Encouraging the International Criminal Tribunal for the Former Yugoslavia immediately to send its Chief Prosecutor to Belgrade and Kosovo; increasing aid and intelligence support to the Tribunal; and assisting them in placing forensics teams on the ground there, thus signaling to all parties that the Tribunal is committed to prosecuting war crimes committed in Kosovo, including attacks on innocent civilians, and has begun to actually gather evidence to support potential indictments against perpetrators -- and their commanders and political leadership to whom they answer;

I believe it is essential that these actions be taken as quickly as possible. We must act now, before the onset of winter in Kosovo, to prevent a potential humanitarian tragedy of historic proportions. I also recognize that these steps in themselves may not be sufficient to force Serbia to comply with the Contact Group's demands in a timely manner, and that further NATO military actions may need to be considered if the situation in Kosovo has not substantially improved, the massacres of civilians continues, and unimpeded access for humanitarian relief workers has not been granted.

Thank you for your consideration.

Sincerely,



Paul D. Wellstone
United States Senator

IPI Kosovo Themes

Themes	Serbs	European Allies	Islamic World	Kosovo
	• International community is united in opposing what Milosevic is doing in Kosovo. Not just US and NATO, but also Russia, Kofi Annan, Madam Ogata, etc. • UNSCR 1199 has outlined the international community's position, which Milosevic has continued to disregard. • NATO has been pressing for a peaceful solution which preserves the territorial integrity of Kosovo and protects the rights of all inhabitants of Kosovo. • Milosevic is problem: He is shelling the FRY's own citizens, creating refugees in his own country, destroying the economy (while living well himself), isolating FRY from the international community and making air strikes increasingly inevitable. • He is putting lives of young policemen and soldiers at risk and may by his very actions cause the final breakup of Yugoslavia. He is not destroying the UCK, but recruiting new members and making them more radical. Without a political settlement, FRY will face a mounting insurgency in its own heartland. • NATO supports a political settlement, and has no desire to use force, but increasingly has little other option. • We don't support terrorism, but we also don't support wholesale dislocation of population. • Our continued aim is to reach a political settlement that keeps FRY whole and protects rights of all in Kosovo. • The rest of Europe is enjoying peace and prosperity. We want to bring Yugoslavia into this Europe, but that requires democracy and respect for ones own citizens.	• Continued unrest in Kosovo threatens the stability of the entire region. The international community has a stake in restoring calm and stability in Kosovo. • The humanitarian situation in Kosovo is desperate and getting worse. The coming winter will likely bring a humanitarian crisis. Time is running short. • Diplomacy is the preferred route of the international community for solving this problem. • NATO military action may be necessary in the face of continued diplomatic failure. • Violence is a last resort, but we are also mindful that military action can spur a diplomatic solution, as evidenced in the Dayton agreement. • Belgrade's offensive military actions and undemocratic policies are largely responsible for the desperate humanitarian situation in Kosovo.	• The humanitarian situation in Kosovo is desperate and getting worse. The coming winter will likely bring a humanitarian crisis. Decisive action is necessary to prevent this. • Diplomacy is the preferred route of the international community for solving this problem. • NATO military action may be necessary in the face of continued diplomatic failure. • Violence is a last resort, but we are also mindful that military action can spur a diplomatic solution, as evidenced in the Dayton agreement. • As in Bosnia, the international community cannot stand by as groups are targeted for abuse on the basis of ethnic, racial, or religious identities. • Respect for basic human rights and racial, ethnic, and other differences are an important focus of the international community's efforts regarding Kosovo.	• NATO is committed to bringing peace to Kosovo. We have demanded a complete halt to all offensive military operations and the prompt withdrawal of all Kosovo military and Special Police forces either to their garrisons or out of Kosovo. • We are prepared to act decisively to bring about this outcome, but require the cooperation of the Kosevar community. • If military force is applied in the FRY, a military vacuum might be created, and armed civilian groups might be tempted to engage in military action. • This type of activity would completely undermine the NATO effort, and make it much more difficult for NATO to achieve the goals of peace and stability which the people of Kosovo share. • NATO expects that the leaders of the Albanian community in Kosovo, and all other persons able to influence the situation, will publicly and privately support the full implementation of these requirements, and in particular will take all appropriate steps to insure that all persons of the Albanian community refrain from violence or threats against officials. In the absence of active support by the Albanian community, NATO will conclude that there are not proper conditions for direct NATO involvement in resolving the crisis. • NATO is committed to achieving an early agreement on self-government, and demands that all parties commit themselves to good faith negotiations.

Media	• NATO Statements • UN SYG and Other Statements • Internet Site • VOA TV • USIA Assets • Independent Media	• NATO • State-PRM • USIA News placements • Allied Statements • Road Shows-Vershbow • Worldnet/Global Exchange	• VOA • USIA Worldent – Pickering interview • Internet site • Media placements	• RTV Tirana • VOA • USIA Assets
PSYOP Activities (proposed)	• Explain targeting decisions to Serb population • Prevent Milosevic from using strikes to his advantage • Forestall Serb atrocities against Kosovar Albanians • Describe Serb actions necessary to prevent additional strikes • Warn of future strikes if proscribed actions not taken	• Explain targeting decisions	• N/A	• Explain targeting decisions • Prevent UCK and others from taking advantage • Prevent inter-ethnic atrocities

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. briefing paper	Master Media Messages on Kosovo, Annex to SG(98)0958. [NATO] (6 pages)	10/10/1998	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1708

FOLDER TITLE:

Congress / Public [2]

2008-0994-F
vz6315

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

CHAIRMAN'S CONCLUSIONS

(also for use with the press)

BOSNIA CONTACT GROUP, THURSDAY 1 OCTOBER 1998

The Contact Group reviewed the situation in Bosnia and Herzegovina after the elections.

The Contact Group considered that the elections represented modest but useful gains, notably in development of political pluralism. Moderates were strengthened across the board.

As new governments were being formed the Contact Group intended to send clear messages about what was expected of them:

All office holders will be expected to act in accordance with constitutional principles and the peace agreement and to work for a strengthened and united Bosnia. Action that undermined, or threatened to undermine, the considerable progress already made would not be tolerated. The Contact Group looked to the High Representative and to Ambassador Robert Gelbard, who would be returning shortly to Bosnia, to deliver this message directly to the key players in the first instance.

The Contact Group reviewed the principle of conditionality. Those who complied with Dayton would be rewarded. The Contact Group was clear however that we would not hesitate to withdraw support from those who obstructed implementation. The Contact Group considered the merits of working direct with municipalities.

The Contact Group reaffirmed that the High Representative would have the support of the Group in using his powers to take action against those leaders who violated Dayton.

The Contact Group agreed its strategy would be based on the following priorities:

To: M. M. L. L. L.	
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From: C. P. L.	
Date: 1/10	Pages: 2

- accelerating and reinforcing the central institutions;
- pressing forward with minority returns and resolving questions of property law;
- tackling the media so that broadcasting networks were rationalised and outside control terminated;

The Contact Group also looked forward to receiving proposals from the High Representative on judicial reform, which included enhanced support for the police, and in November on new electoral arrangements for a simpler and more pluralistic system of government.

Contact Group representatives in Sarajevo will be working with the High Representative to reinforce his efforts in taking forward these common aims.

The Contact Group expected that all signatories to Dayton would play their part in complying with their obligations in supporting the sovereignty and territorial integrity of Bosnia and Herzegovina.

**Office of the
Secretary of State**2201 C Street, NW
Washington, DC 20520

Date:

9/30/98

Total Pages

7 (Including Cover)

To:

GREG SHULTZ

FAX Number:

202-456-9150

Organization:

NSC

From:

DAVID HALE

Telephone:

647-9572

REMARKS:

Secretary Albright's remarks for
KOSOVO Senate consultations.

TALKING POINTS
SENATE BRIEFING ON KOSOVO

I appreciate the opportunity to share views and consult.

I will describe our policy and why U.S. leadership is needed now.

Secretary Cohen then will discuss NATO's activities. General Ralston is available for operational matters, as appropriate. And Sandy Berger will conclude our presentations.

I will outline the situation in Kosovo; what we are doing; and why we are considering action now.

THE SITUATION

The situation is dire, heading toward catastrophe in the winter.

Milosevic is punishing his own citizens. At the end of July, he launched an offensive to cripple the so-called Kosovo Liberation Army (or "UCK"), which had been ambushing Serb police and kidnapping Serb civilians. At the time, the UCK claimed control of up to one-third of Kosovo.

Quickly, he smashed the UCK as a force that could threaten Serb rule. But he continued, trying to eliminate every vestige of the UCK and punishing civilians simply for being in areas where the UCK operated.

Today, more than 250,000 persons have fled their homes in the face of the Serb forces. Approximately 1,000 have died.

The Serbs have destroyed up to 25% of Kosovo's housing, as well as crops and fuel for heating. We estimate that approximately 50,000 - 70,000 have no place to return to.

With the onset of winter, many more will die. Relief agencies now reach about 30% of those in need.

Our humanitarian experts believe that, even under the best of conditions, perhaps 80,000 people will have to make it through the winter without fixed shelter or international assistance.

WHAT THE UNITED STATES IS DOING

We are working on three tracks to solve this problem: humanitarian, diplomatic, and military.

Military

Secretary Cohen will talk about our military activities. I will note only that a durable settlement is impossible as long as Milosevic believes that he can act with impunity.

Humanitarian

On the humanitarian front, we have already committed about \$47 million to the efforts being led by UNHCR.

We are making sure that the Europeans and others pay their share and that the Serbs contribute as well.

Diplomatic

Last week the U.N. Security Council adopted Resolution 1199, which called for an end to military activity; the withdrawal of forces to garrisons; unhindered access for relief organizations; and good faith negotiations.

Milosevic is not complying. He has continued his offensive; his forces committed atrocities; and he continues to obstruct relief operations by not granting visas, access in the fields, and other bureaucratic obstacles.

Over the last several months, we have reinforced our long-standing policy of isolating Slobodan Milosevic through **sanctions** and **aid to the democratic opposition** in Serbia and in Montenegro.

Since the Dayton Agreement, we have made sure that the FRY receives no international money and cannot join the international community until, among other things, it provides self-government for Kosovo and cooperates with the International Tribunal.

When the fighting intensified this year we tightened sanctions. EU countries have joined us in banning new investment in the FRY and flights by Yugoslav Airlines.

The International Tribunal is investigating atrocities in Kosovo. We will help it follow the trail of evidence wherever it leads.

In addition, Ambassador Chris Hill is mediating a political settlement.

The draft settlement under discussion will give Kosovo democracy and self-government for an interim period. It will defer the toughest questions of Kosovo's independence.

Both sides are now engaged constructively in discussions. We will intensify our shuttle activity in the next week or two on the Agreement.

[IF NECESSARY] The sides have agreed that Kosovo will have its own legislative, judicial, and executive bodies; that Kosovo can finance its government; and that there will be continued role for Yugoslav institutions. They disagree on whether Serbia can have any role to play.

Finally, **we believe that our efforts can succeed, even though the course is difficult.** Winter provides urgency on all sides. The UCK is no longer a credible pretext for Milosevic's operations or a reason for the Albanians to reject negotiations.

And the international community has united in a clear set of requirements to Milosevic. He knows what he has to do and is taking some steps that show he is getting the message. The steps are cosmetic only so far, but he is hearing.

[IF NECESSARY] We have not decided on what, if any, international civilian or security presence will be needed to implement a settlement.

[IF NECESSARY] I must be honest, however: the Albanians will ask for an international presence. Civilian involvement may be primarily through the UN and OSCE. We will be sure that the Europeans shoulder the burden of any effort, and we will consult closely with you as our ideas develop.

WHY U.S. LEADERSHIP IS NEEDED NOW

The President and I have said that we will not let Kosovo become another Bosnia.

We were criticized for this, but I believe that our early and strong stand held down the level of violence for months.

The Serb offensive, however, and especially the horrifying atrocities of the last few days, tell us that we could have done better and that now we have to do more.

In particular, **we need the credible threat of force.** That is the only language Milosevic understands. This summer, he believed that he had a free hand. We have now gotten our European allies to restore our threat of force.

I said that he had a free hand. In fact, he thought that he had two free hands - one to pummel his people, and the other to thumb his nose at us.

This threat of force matches our high stakes in the area. This is not just about the humanitarian case, even though that is compelling.

The conflict in Kosovo could undermine the region. Albania is already in trouble, partly because Kosovar rebels are intervening in Albanian domestic politics. Macedonia, Montenegro, and Bosnia could also be at risk.

This would threaten our substantial investments in Macedonia and especially Bosnia, where U.S. troops are helping to make multi-ethnic states a reality.

NATO's credibility - its role for the 21st Century - is at stake. We talk about NATO as the key security institution in Europe, but it will look hollow if it cannot address challenges like Kosovo.

We are confronting the challenge of Europe in the 21st Century - bringing states from what have been the margins of Europe in the western community. We cannot do that if Serbia continues to be a source of instability.

And we cannot do that from the sidelines. The great post-World War II period of U.S. involvement in Europe grew, in part, from the challenge posed by the Soviet Union in the Balkans.

We cannot start the new era out by forgoing the next challenge in that region. In Kosovo, we are seeing a brutal offensive by the man responsible for the Balkan Wars of the 1990s. We cannot shed our leadership role by failing to pursue a solution.

**Talking Points for the Secretary on
ICTY Investigation of Kosovo and of Milosevic**

ICTY - Kosovo

- ICTY is investigating the Kosovo massacres. Arbour concluded in March that ICTY had jurisdiction and she announced in June that Kosovo was an armed conflict. At least two teams of ICTY investigators have visited both Belgrade and Kosovo since last July. Visas, however, are being held up for a new team seeking entry. ICTY has not sent in any forensic experts yet. Arbour is taking a conservative approach to investigating only those incidents that clearly fall within ICTY mandate.
- USG has strongly pressed for and supported ICTY investigations of Kosovo. This includes public diplomacy, a \$400,000 voluntary contribution, and intelligence briefings to Arbour and key ICTY personnel on a regular basis. E.g., we recently sent an intelligence team to The Hague for detailed briefings for ICTY investigators. (This is provided under agreed rules that protect sources and methods.) USG officials (Shattuck, Taft) have visited Kosovo to get first hand observations. Scheffer's effort to visit Kosovo was denied by Milosevic, but he has applied again for a visa.
- ICTY recently sought additional USG assistance, involving KDOM team transport and daily KDOM reports, which we are undertaking to provide. USG support for ICTY investigations of Kosovo will remain strong.

ICTY - Milosevic

- Given the ICTY's independence, it does not publicly reveal who is under investigation for possible indictment. We know that many investigations are actively underway, but the ICTY is under much pressure to investigate Serb, Bosnian, and Croat leaders. Its resources to accomplish these investigations and handle a growing trial docket (26 indictees in custody are in trial or awaiting trial) are limited.
- USG has publicly and privately urged the ICTY to go wherever the evidence takes it, including up the command chain to top leaders. It would not be appropriate for us to pinpoint a particular leader for indictment, as that would be perceived as politicizing what the ICTY should investigate and arrive at a decision for purposes of indictment. But we have made it clear that Milosovic clearly bears command responsibility for criminal activity in Kosovo by forces under his authority.
- We need to sustain maximum financial support for the growing budget of the ICTY if we are serious about the ICTY pursuing any investigation of Milosevic. The key is money and our continued provision of intelligence under procedures that protect sources and methods.

Schulte, Gregory L.

From: WHSR
Sent: Saturday, October 03, 1998 9:43 AM
To: Babbitt, James F.; Bouchard, Joseph F.; Braden, Susan R.; Busby, Scott W.; Butler, Lawrence E.; Clarke, Richard A.; Davidson, Leslie K.; Dowling, John N. (Nick); Flanagan, Stephen J.; Guarnieri, Valerie N.; Hawley, Leonard R.; Hurley, C. Michael; McEldowney, Nancy E.; Naplan, Steven J.; Schulte, Gregory L.; Schwartz, Eric P.; Wippman, David
Subject: KOSOVO: UNSYG'S SEPTEMBER 30 PRESS STATEMENT

CLASS: UNCLASSIFIED
DTG: 030131Z OCT 98
MSGTO: RUEHC/SECSTATE WASHDC IMMEDIATE 9573
RUEHBW/AMEMBASSY BELGRADE 5027
RUEHTI/AMEMBASSY TIRANA 0029
RUEHSQ/AMEMBASSY SKOPJE 0754
RUEHVJ/AMEMBASSY SARAJEVO 2373
RUEHVB/AMEMBASSY ZAGREB 3661
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
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RUEHRO/AMEMBASSY ROME 0653
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RUEHTC/AMEMBASSY THE HAGUE 4783
RUEHWR/AMEMBASSY WARSAW 1442
RUEHNY/AMEMBASSY OSLO 1666
RUEHCP/AMEMBASSY COPENHAGEN 0964
RUEHHE/AMEMBASSY HELSINKI 1241
RUEHVEN/USMISSION USOSCE VIENNA 0151
RUEHNO/USMISSION USNATO 5152
ORIG: USMISSION USUN NEW YORK
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P, EUR/SCE, IO/UNP, PRM, DRL
USOSCE FOR POLITICAL SECTION

E.O.12958: DECL: N/A

TAGS: PREL, UNSC, ICTY, PREF, PHUM, NATO, SR, AL, MK
SUBJECT: KOSOVO: UNSYG'S SEPTEMBER 30 PRESS STATEMENT

1. ON SEPTEMBER 30, THE FOLLOWING STATEMENT WAS ISSUED
ATTRIBUTABLE TO THE SPOKESMAN FOR THE SECRETARY-GENERAL:

BEGIN TEXT:

THE SECRETARY-GENERAL IS OUTRAGED BY EYEWITNESS REPORTS
OF ATROCITIES PERPETRATED BY SECURITY FORCES IN KOSOVO
UNDER THE AUTHORITY OF THE FEDERAL REPUBLIC OF
YUGOSLAVIA. THESE REPORTS ARE PARTICULARLY SHOCKING TO
THE SECRETARY-GENERAL IN LIGHT OF DENIALS RECEIVED FROM
THE FOREIGN MINISTER OF THE F.R.Y., WHOM HE MET
YESTERDAY, THAT SUCH ACTIONS WERE TAKING PLACE.

THE SECURITY COUNCIL HAS RECENTLY REAFFIRMED THE
COMMITMENT OF ALL MEMBER STATES TO THE SOVEREIGNTY AND
TERRITORIAL INTEGRITY OF THE F.R.Y., FROM WHICH IT
FOLLOWS THAT THE AUTHORITIES OF THE F.R.Y. HAVE THE
RIGHT, AND INDEED THE DUTY TO MAINTAIN PUBLIC ORDER AND
TO DEFEND IT FROM PROACTIVE ACTIONS SUCH AS THOSE THAT
HAVE BEEN COMMITTED BY KOSOVAR ALBANIAN SEPARATIST

EXTREMISTS. BUT THOSE ACTIONS CAN NEVER JUSTIFY THE PATTERN OF TERROR, INCLUDING THE BURNING OF HOUSES, LOOTING, KILLING OF LIVESTOCK AND WANTON KILLING THAT HAVE BEEN REPORTED THESE PAST FEW DAYS. SUCH ACTIONS ARE TOTALLY UNACCEPTABLE TO THE INTERNATIONAL COMMUNITY. IT IS THE DUTY OF SECURITY FORCES TO PROTECT CITIZENS, NOT TO INTIMIDATE THEM. THE SECRETARY-GENERAL UTTERLY CONDEMNS THESE ACTIONS, AND RENEWS HIS STRONG REPRESENTATIONS TO THE GOVERNMENT OF THE FEDERAL REPUBLIC OF YUGOSLAVIA, MADE DIRECTLY TO THE FOREIGN MINISTER, TO DESIST FROM REPEATING THEM. HE ONCE AGAIN CALLS UPON ALL PARTIES TO CEASE VIOLENCE AND TO CONCENTRATE ON THE SEARCH FOR A NEGOTIATED SOLUTION TO THE CRISIS IN KOSOVO ACCORDING TO LAW.

NEW YORK, 30 SEPTEMBER 1998

END TEXT.

2. (U) TIRANA MINIMIZE CONSIDERED.

BURLEIGH

Congressional Talking Points

- Seriously concerned about continuing violence and human suffering in Kosovo. Milosevic continues to use security forces to terrorize the civilian population. He has driven a quarter million Kosovars from their homes.
- UNHCR, international monitors and others who have visited the region, including Bob Dole, report that many are living in the mountains without shelter and with inadequate food, water and sanitation. As winter approaches, there could be a massive civilian loss of life with huge flows of refugees to neighboring states.
- Cannot allow another humanitarian disaster in the Balkans. Not only for humanitarian reasons, but because of the risks that it could undermine our accomplishments in Bosnia, further destabilize Albania and ignite a broader conflict in the Balkans. These risks are a threat to US interests in the security of Europe and in the credibility of NATO as a regional security organization.
- We and our allies are taking steps to help the humanitarian situation, including the President's recent commitment of \$20 million in additional emergency assistance. At the same time, our negotiator, Ambassador Hill, has made some progress in moving towards a political settlement.
- But there are limits to what can be achieved with a purely humanitarian and diplomatic approach. The prolonged and brutal operations by FRY security forces have undercut relief efforts and deterred many Kosovar Albanians from returning to their homes. A durable political settlement is difficult to negotiate as long as Milosevic thinks that a military solution is possible.
- Since the spring, Milosevic has repeatedly ignored stern warnings from the international community, whether the UN, the Contact Group or NATO. As we learned in Bosnia, only a credible threat of force, if not the actual use of force, is likely to get Milosevic's attention and force him to change his behavior.
- Last week the UN and NATO each took steps that help to lay the political and military groundwork for the use of force. The UNSC adopted Resolution 1199 which affirms the growing threat

to peace and security in the region and spells out specific steps that we expect of Milosevic. NATO endorsed these demands and began the process of formally generating aircraft necessary to conduct a full range of air operations should Milosevic fail to comply.

- We and our allies do not want to use force. But, if Milosevic gives us no other choice, the objective in doing so would be straightforward: to compel him to take concrete steps to avert a humanitarian catastrophe and to initiate serious negotiations toward a political settlement.
- Next two weeks are crucial. We will be watching Milosevic's reaction to the UN and NATO decisions, and we will be consulting with our allies about next steps. Absent concrete signs of compliance from Milosevic, NATO will need to finalize its military preparations and request allies to commit the necessary air forces.
- Any operation would be undertaken by NATO, with broad participation by allies. The operation would have robust ROE, adequate measures to protect our own forces and be conducted under the command of SACEUR, Gen Wes Clark, US Army.
- Of course Milosevic might try to ignore an initial use of force by NATO. That is why NATO planning provides for a phased escalation to wider air strikes. There will be no "pin pricks".
- Meanwhile, we are increasing international pressure on Milosevic to comply. Contact Group ambassadors have seen him to reinforce the UNSC demands, and Ambassador Hill is pressing forward with his efforts toward a political settlement.
- We have provided update briefings to Congress, and we will keep Members apprised of developments as this process moves forward.

Hard Q&A

Has the President committed the US to participate in NATO mission? Have Allies agreed to this action?

- No final decisions have been made by NATO or the US.
- However, as the NATO Secretary General said, the Alliance's recent decision to initiate force generation clearly demonstrates its readiness to use force.

What US forces would participate?

- SACEUR is seeking contributions of air forces from a wide range of NATO nations. The Pentagon will be preparing the US response in the coming days. The President would then have to approve the US role in any NATO operation.

What will be the European contribution to a NATO mission? Why aren't Europeans taking the lead here?

- This is a NATO operation and all key allies would be expected to participate. The US would play an important role as we have unique capabilities not possessed by our allies.

Will the US contribute ground forces to implement a settlement?

- Our focus is on ending the violence and creating the conditions for the safe return of refugees and serious negotiations toward a political settlement. The forces being generated are air forces, not ground forces.
- If we get close to a peace settlement, we will consider what role, if any, the US would play its implementation.

How will air strikes help solve the problem? Won't they make the humanitarian situation worse?

- Milosevic has already driven 250,000 Kosovars from their homes and forced us to engage in worst-case planning for humanitarian relief during the upcoming winter. Our objective in threatening air strikes is to avert a humanitarian catastrophe.

What would you do if Milosevic still does not comply, even after NATO air strikes? Will NATO send in ground troops?

- NATO planning provides for the graduated use of air power, using the threat of continued escalation to compel compliance.
- If Milosevic fails to comply, he will find the FRY progressively stripped of military capability and denied its ability to conduct repressive operations in Kosovo. Milosevic will further damage his country's economy and isolate it from the West, undermining his own political future.

How much will this cost? Won't this further cut into funds badly needed for readiness?

- Specific cost figures are not now available. Obviously, we are concerned about the costs and readiness implications of any military operation we might undertake.

You got us into Bosnia and there is no end in sight. What is our desired end state.

- We do not believe we can stand by and watch as thousands of innocent civilians are brutalized by Serb military and paramilitary forces. It is not only a humanitarian crisis. The continuing violence threatens regional stability and our success in Bosnia and could result in broader conflict.
- Our desired "end state" entails an end to repressive operations, a withdrawal of FRY security forces, unimpeded access by international observers and humanitarian agencies and a settlement that grants substantial self-government to the Kosovar Albanians.
- Over the longer term, we seek a FRY that is increasingly democratic and on a path re-integration into European institutions and that no longer is a source of instability in the Balkans.

Why not get rid of Milosevic?

- Milosevic bears personal responsibility for the current crisis. He also bears personal responsibility for his country's political isolation and economic stagnation.
- It is in our interest and that of the Serbian people to promote democracy in the FRY and to support leaders who can bring that country into Europe.

THE WHITE HOUSE

Office of the Press Secretary
(New York, New York)

For Immediate Release

October 12, 1998

STATEMENT BY THE PRESIDENT

The New York Hilton and Towers
New York, New York

8:50 P.M. EDT

THE PRESIDENT: Good evening. In recent weeks, faced with a deepening and dangerous crisis in Kosovo, the United States has worked to stop the violence and repression and put the people of Kosovo on the path to peace.

Last month, the United Nations Security Council, through Resolution 1199, demanded that President Milosevic implement a cease-fire, withdraw the forces he has recently sent to Kosovo and garrison the rest, allow refugees to return to their villages, give immediate access to humanitarian relief agencies, and agree to a timetable for autonomy negotiations with the Kosovar Albanians.

President Milosevic has not yet complied with the international community's demands. Given his intransigence, the 16 members of NATO have just voted to give our military commanders the authority to carry out air strikes against Serbia. This is only the second time in NATO's history that it has authorized the use of force -- and the first time in the case of a country brutally repressing its own people.

The international community is now prepared to act. But as I have said from the beginning, we would prefer to resolve this crisis peacefully, rather than through military action. That is why I sent Ambassador Richard Holbrooke on a mission to make it clear to President Milosevic what the world expects him to do to avert the NATO air strikes.

Ambassador Holbrooke has reported to me, and in the past few hours to NATO, that, faced with a solid international front,

President Milosevic has made a series of commitments. If fully implemented -- and that is a critical and very big "if" -- these commitments could achieve the international community's objectives as stated in the United Nations resolution.

In light of President Milosevic's pledges, and the independent verification system that will be established, NATO has agreed to delay action for 96 hours.

President Milosevic has agreed first the fully comply with U.N. Security Council Resolution 1199. Second, he has accepted an intrusive international inspection to verify compliance. Third, he has agreed to a timetable for completing interim autonomy arrangements with the Kosovar Albanians.

If these commitments are met, and the international community will be able to see for itself whether they are met, they could provide the basis for peace and progress.

All along our objectives have been clear -- to end the violence in Kosovo which threatens to spill over into neighboring countries and to spark instability in the heart of Europe; to reverse a humanitarian catastrophe in the making as tens of thousands of homeless refugees risk freezing or starving to death in the winter; and to seek a negotiated peace.

But let me be very clear: Commitments are not compliance. Balkan graveyards are filled with President Milosevic's broken promises. In the days ahead we will focus not only on what President Milosevic says, but on what we see that he does through a robust, on the ground and in the air verification system.

I hope that the commitments President Milosevic has made can create a peaceful way forward. That has been our preference all along. But together with our NATO partners, we will determine whether President Milosevic follows words with deeds. And we will remain ready to take military action if Mr. Milosevic fails to make good on his commitments this time.

As we approach the next century we must never forget one of the most indelible lessons of this one we're about to leave -- that America has a direct stake in keeping the peace in Europe before isolated acts of violence turn into large-scale wars. Today, determined diplomacy backed by force is creating the path to peace.

I want to thank Mr. Holbrooke, I want to thank Secretary General Solana and our NATO allies for all the contributions they have made. Now we must and we will do what is necessary to see that that path to peace is followed.

Thank you very much.

END

8:56 P.M. EDT

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

October 8, 1998

REMARKS BY THE PRESIDENT
AT HMO ANNOUNCEMENT

The Roosevelt Room

11:49 A.M. EDT

THE PRESIDENT: I would like to begin by thanking Senator Rockefeller and Congressman Dingell for their steadfast support of Medicare and their participation in our Medicare Commission. Let me say just in advance, I would think that the very issue we discuss today offers further evidence that it is time to take a look at the challenges and the responsibilities of the Medicare program, long-term, and I'm glad we have Jay Rockefeller and John Dingell on that commission.

I'd like to thank Senator Kennedy and Senator Lieberman and Congressman Stark and Congressman Cardin also for being here today. I'd like to thank Secretary Shalala for her marvelous service, and Nancy Ann Min DeParle who is here with her. I'd like to thank all the members of the seniors groups who are representing their constituents -- standing to my right here -- I thank them for joining us today.

Since this is the only time I'll have to talk to the press for the next several hours, I hope you will indulge me for a moment while I make a few comments about the present situation in Kosovo.

As a result of the unconscionable actions of President Milosevic, we face the danger of violence spreading to neighboring countries, threatening a wider war in Europe. We face a humanitarian crisis that could be a catastrophe in the making, as tens of thousands of homeless refugees risk freezing or starving to death as winter comes on.

Our goal is simple: It is full compliance with United Nations Security Council resolutions by President Milosevic. My Special Envoy, Richard Holbrooke, has just completed three days of talks with Mr. Milosevic, making absolutely clear that he must meet the demands of this Security Council resolution -- end the violence, withdraw his forces, let the refugees return to their homes, give the humanitarian relief workers full and free access to the people who need them, and begin negotiations with the Kosovar Albanians on autonomy for their region, which is provided for under the law of their nation.

Yesterday I decided that the United States would vote to give NATO the authority to carry out military strikes against Serbia if President Milosevic continues to defy the international community. In the days ahead, my counterparts in Europe will be making similar decisions. We would prefer -- we would far prefer -- to secure President Milosevic's compliance with the will of the international community in a peaceful manner. But NATO must be prepared to act militarily to protect our interests, to prevent another humanitarian catastrophe in the Balkans.

Now, let me echo, first of all, the sentiments which have already been expressed here. Since John Dingell was in the chair when Medicare was passed, it has been more than a program; it has been a symbol of our intergenerational unity as a country, fulfilling our responsibilities to our grandparents and parents, protecting our families.

Strengthening Medicare has been one of this administration's top priorities. Last year we took historic bipartisan action to improve benefits and extend the life of the trust fund for a decade. We expanded the number and types of health plans available to Medicare beneficiaries so that older Americans, like other Americans, would have more choices in their Medicare.

I think it ought to be said in defense of this decision and the enrollment of many seniors in managed care plans, that one of the principal reasons that so many seniors wanted it is that there were managed care plans who thought for the reimbursement then available they could provide not only the required services under Medicare, but also a prescription drug benefit -- something that these members and I tried to get done for all the seniors of the country at an earlier point in time.

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

October 13, 1998

PRESS BRIEFING
BY NATIONAL SECURITY ADVISOR SAMUEL BERGER

The Briefing Room

11:30 P.M. EDT

MR. LEAVY: Good morning. As you know, there's been important progress -- diplomatically, militarily -- on the crisis in Kosovo. The National Security Advisor, Samuel Berger, will bring you up to the latest and answer your questions.

MR. BERGER: Thank you, David. Let me try to fill in some of the details involving the events of the past few days and few hours.

As we indicated yesterday, President Milosevic has made several commitments in his talks with Ambassador Holbrooke, following the discussions that took place in Belgrade over the past week. He has pledged, first, to full compliance with U.N. Security Council resolution 1199, implementing a cease-fire, withdrawing forces deployed in Kosovo, and returning the rest to garrison, complete access for humanitarian workers to deal with the displaced persons and others suffering in Kosovo, and cooperation with the U.N. Tribunal to investigate war crimes in Kosovo. Those are all the elements of 1199.

Most important, because as the President indicated, we certainly don't accept this simply based upon promises, is the quite intrusive verification system that President Milosevic has agreed to. This would enable OSCE monitors on the ground and NATO monitoring air craft system in the air with unrestricted access over Kosovo to ensure compliance. And, finally, he has agreed to a timetable for negotiations with the Kosovar-Albanians, that would Kosovo self-government and its own local police.

Now, commitments are not compliance. The NATO ACTORD, which NATO voted yesterday, remains in effect. As we continue through this period, we will want to watch events in Kosovo very closely to determine whether President Milosevic makes progress toward achieving the commitments he has made.

Let me speak a minute about the verification system, specifically, because obviously verification here is extraordinarily important. First, the ground presence to be organized and led by the OSCE would consist of roughly 2,000 personnel on the ground with the authority and expertise to report on and verify compliance in all key areas identified by U.N. Security Council Resolution 1199.

The OSCE mission will have authority to establish permanent presences at any location in Kosovo, to accompany movements by Serbian police and military border units; to help coordinate relief efforts and return people to their homes; upon a political settlement, to supervise elections, help establish institutions and local police; and demand removal or punishment of individuals or units who violate compliance.

The ground element not only will provide an international watchdog over all elements of Serbian forces to ensure continued compliance, but it's presence hopefully will provide and build confidence among the Kosovar people that is necessary for them to feel comfortable in returning to their homes and engaging in a political process.

The air verification system will be operated by NATO through reconnaissance air craft and other systems. It will have unrestricted aerial access over Kosovo. Air defenses will be removed from Kosovo or stored in contonement areas. Essentially, there will be a stand-down of air defenses while we are flying to create a non-threatening environment. And I expect the United States will participate in that NATO verification regime.

Finally, President Milosevic has undertaken to make some unilateral commitments regarding an interim settlement with the Kosovar Albanians on the status of Kosovo. These include a timetable for reaching some form of interim arrangements, a commitment that the Kosovar Albanians will have self-government and Kosovar institutions of government, and the establishment of Kosovar local police.

We will be, obviously, working very closely with our NATO allies, with OSCE over the days ahead to put in place those elements of this verification regime that depend upon outside presence, either from OSCE or from NATO. The ACTORD remains in effect, but as Secretary General Solana indicated, we will put it on hold for the next four days as we watch whether President Milosevic is making progress towards these objectives. And, obviously, the NAC will be meeting later in the week to decide what further steps are required.

Q Sandy, how long does the monitoring force exist? Is it in perpetuity or is it for a specific amount of time? And what will the American presence in this force be?

MR. BERGER: Well, there's not a time limit on the verification mission, presumably it will be there so long as it's necessary. That's why it's so important to get negotiations going between Belgrade and the Kosovar-Albanians to reach some sort of initially interim arrangements and create a greater degree of stability and equilibrium there. But there's no prescription or proscription on the time limit that the verification monitors -- the verification mission would be there. I think that's a judgment that would be made by the international community.

Q Are you thinking years?

MR. BERGER: Certainly months. I couldn't estimate. I think as long as they're fulfilling a necessary function, they will stay there. We've had a very small, as you know, observer mission called KDOM, roughly 50 people in Kosovo, but that's been an inadequate -- they've done yeoman's work, but it's really been inadequate in terms of numbers to cover the area. There's about 2 million people in Kosovo -- I think 2,000 inspectors here, or verifiers that we think is about the appropriate number.

Now, with respect to American participation, this will be an international group of people who are experienced, hopefully, in this kind of work. We would expect there to be Americans who participate in that, just as there have been Americans in the KDOM mission.

Q Fifty percent?

MR. BERGER: No, I doubt that seriously, but there will be some Americans in it.

Q Well, I understand that, but out of 2,000 can you give us --

MR. BERGER: I don't know what the percentage is. There are 38 members of OSCE, or 35 members. We'll draw this from around the world. It would not, I think, be an inordinate number of Americans, but certainly there are Americans who have done this kind of work in the past and we would hope to be able to enlist some Americans to do it again.

Q Is this an armed force, Sandy?

Q Can you give us the distinction between the observers and verifiers? What will verifiers be able to do that observers can't? And will they be able to investigate possible war crimes? I notice you said that they would be able to demand the removal of anyone who has done so, does that mean actually going in and arresting, collecting evidence?

MR. BERGER: I think that's a different function. First of all, I don't mean to draw any kind of sharp distinction between observers and verifiers. I think verifiers is a slightly more descriptive term. They have a job to do, which is to see whether or not the various elements of 1199 are being complied with and to report to OSCE and report to other organizations -- presumably NATO -- on whether or not those various obligations are being complied with. So they're both observing, as well as reporting. And I think verification is probably the best word to describe that.

Q What were the NATO --

Q Would they be able to collect --

MR. BERGER: These people are not there as War Crimes Tribunal investigators. There are those people that exist as part of the Hate Tribunal. And in agreeing to comply with 1199, one of the provisions of 1199 is to cooperate with the Tribunal and we would hope that that would take place.

Q Mr. Berger, over the next four days, what specific progress does Milosevic have to show? That's a long list of conditions that you cited, it seems almost impossible to meet them all in four days. What benchmarks does he have to meet to avoid NATO attacks?

MR. BERGER: Well, the obligations are clear and I think we have to see serious progress in the direction of meeting those obligations. Maintenance of a cessation of hostilities -- that has actually been in place now for about 11 days, or has not been fighting, and a cease-fire declared on the Albanian side. So obviously want to see that.

The other obligations are movement of forces, garrison of forces, allowing our verification people in the country, cooperating with that; helping to set up the NATO air surveillance system and cooperating with their obligations under that. All of these things -- helping the humanitarian workers in relocating the displaced persons. Obviously, not all of these things are going to be accomplished in 96 hours. We want to see serious progress towards compliance.

Q Do you realistically believe that 2,000 unarmed civilians can go in there and go along with the Serb troops on their missions and say, this Serb commander has got to go, and this one has got to stay?

MR. BERGER: I think 2,000 people there can determine what's going on. And if there is systematic non-compliance, I think they can report that to NATO. The ultimate enforcement here is NATO air power, is the ACTORD that was voted on yesterday. It is not for the verifiers to be enforcers; it is for the verifiers to be on the ground in a kind of pervasive way to determine what is going on. If there's systematic non-compliance, that would be reported back to NATO, and the NAC would have to decide whether to go forward with military action.

Q Sandy, what numbers have to go back to garrisons or have to leave Kosovo? And, secondly, are you advising NGOs and others to go back into Kosovo now and to try to do their work? Isn't there a vulnerability if they're there, and NATO has to at the end --

MR. BERGER: Well, we were hoping that the humanitarian -- the KDOM people -- will go back in. I believe even today or tomorrow, we'll get the KDOM people back in, some of whom left over the past few days. It's obviously very important here that we get the humanitarian people back in and we get this effort underway.

In terms of movement of forces, we want to see, particularly movement of forces that have been introduced recently and have been doing most of the repressive attacks

against the Kosovar people, we need to see them moving out. And we need to see, basically, a less intimidating presence of the MUP forces that are on the ground so that people feel free in coming back to their homes.

Q Sandy, you didn't give any numbers, any real benchmarks in terms of numbers.

MR. BERGER: I'm not going to get into numbers game. We need to get forces that have been introduced into the area leaving; other forces, basically, that are in garrison or in other non-threatening situations; less roadblocks; less of a police presence. This is an overall picture that we want to see on which the situation is less intimidating, less repressive, less violent, so that people can get back to their homes and a negotiating process can begin.

Q There was, on another issue, a former Army intelligence analyst arrested today on spying charges. Can you comment on that at all?

MR. BERGER: There was a former Army soldier who was arrested, as you said, on espionage charges today. I think I'll refer you to the Justice Department for further details. But I can confirm the accuracy of your question.

Q -- for us the significance of the agreement on Kosovo. Is this a small interim step or a watershed? How significant do you think it is?

MR. BERGER: Well, I think it could be significant, it depends on what it leads to. I think it's significant in several respects. I think it's significant that 16 nations in NATO, for the second time only in NATO's history, came together and voted to use military force if necessary to deal with this violent, dangerous situation in the middle of Europe. A very difficult -- 16 sovereign nations to agree to do that. The first time they've ever agreed to do that in a dispute that basically is an internal dispute within a particular country. So I think that's important. That NATO has shown its resolve to act I think is important.

Second of all, that Milosevic has agreed to a highly robust and intrusive inspection system so that we can determine for ourselves whether he is complying I think is extremely helpful. Third, that he has agreed to a negotiation with the Kosovar

Albanians based on self-government for Kosovo I think is also important.

But ultimately it depends on implementation, it depends upon compliance. I think that we have the possibility here -- we have a path, as the President said yesterday -- a path to peace and a more stable situation in Kosovo, but it depends upon what the parties do with it.

Q When will the verification force be in place, and what's the timetable for the autonomy negotiations?

MR. BERGER: The verification mission will be in place as soon as we can get it in place. I would hope that we would begin to see people flowing in their soon. Obviously, this is not a standing verification mission sitting in an armory some place in Germany. It has to be assembled; we have to have a head of it, which we hope we'll get done in the next few days, put together. And it will come in -- obviously, it's not going to come in all 2,000 at once. We will flow it in as we assemble it. But we will do that as expeditiously as we can. This is an obligation, in a sense, that the international community has taken on by itself.

Q Is the U.S. government concerned about the state of Boris Yeltsin's health and what appears to be his inability to govern Russia?

MR. BERGER: Well, President Yeltsin obviously has a number of physical problems resulting from a heart condition and otherwise. But as far as we can determine, he is in control in the Soviet Union -- in Russia, excuse me -- and continues to be in charge.

Q Sandy, winter is upon the refugees. Without an armed protection force in Kosovo, why should any refugee family feel safe returning to its home?

MR. BERGER: Well, there will be a large presence on the ground and in the air determining whether or not, in fact, there is repressive action being taken. If, in fact, that is the case, we expect these verifiers to report to the OSCE, to report to NATO that President Milosevic is not complying with the agreement. And we're back to NATO, and the issue is use of force. So I think we have to create an environment in which they feel comfortable coming back in because the threat of force exists, and there are independent, international observers on

the ground to determine whether or not that compliance is taking place.

Q You're saying it's safe to return? It's safe to return, that's what you're saying?

MR. BERGER: I'm saying we hope to create the conditions in which it will be safe to return.

Q Kudos to Holbrooke? Does Holbrooke get a pat on the back?

MR. BERGER: I think Ambassador Holbrooke has done a very good job on this. I think Secretary General Solana and the NATO people have done a very good job on this. And, ultimately, I think the President has set the direction and determined that we are, in fact, here going to lead both in terms of willingness to use force and in terms of diplomacy. And again, I think that's proven to be the right decision.

END

11:48 A.M. EDT

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

October 13, 1998

REMARKS BY THE PRESIDENT
UPON DEPARTURE FOR FOREST KNOLLS ELEMENTARY SCHOOL

The South Lawn

11:22 A.M. EDT

THE PRESIDENT: Before I leave to visit a school in Maryland and talk more about our ongoing budget struggle to secure funding for education, I would like to say a few words about Kosovo.

Over the past few days, Nato has resolved to move President Milosevic from the battlefield to the bargaining table. The commitments he has made could lead -- and I emphasize the word "could" -- to the peaceful resolution of a crisis that threatens stability in the Balkans and the lives of tens of thousands of refugees, many of them homeless. But for that to happen we must now see progress as President Milosevic turns his commitments into concrete realities.

First, the cessation of hostilities must continue. Second, the troops President Milosevic recently sent to Kosovo must begin to move out, and those already there must begin to come to garrison. Third, the international monitors must be allowed to enter and be given full freedom of movement. Fourth, humanitarian relief agencies must be able to bring help to the hundreds of thousands of displaced persons. And fifth, serious autonomy negotiations with the Kosovars must begin to go forward.

As I said last night, we will not rely on what President Milosevic says, but on what he does for the whole world to see. To that end, a key component of the commitments he has made is an intrusive, on the ground and in the air verification system. It will include about 2,000 international inspectors in Kosovo

who will serve as watchdog to ensure that the cease-fire holds and the Serb forces withdraw, while building confidence among Kosovars to return to their homes. And it will involve unrestricted NATO aerial surveillance to monitor compliance and quickly detect violations.

The international community prefers compliance to conflict. But in voting to give our military commanders the authority to carry out air strikes against Serbia, NATO sent a clear message to President Milosevic: NATO is ready to act. It is up now to the President of Serbia to follow through on his commitments.

Thank you.

Q Mr. President, given your expressed distrust of Milosevic, how optimistic are you that he's going to be able to fulfill this long list of conditions by the deadline?

THE PRESIDENT: Well, I'm neither optimistic, nor pessimistic because I have something better now. We have now a verification system, so we're not dependent upon our hopes. We have a verification system. There will be facts -- facts on the ground which will tell us whether or not the compliance is there. And I certainly would hope that this NATO position would, in effect, be maintained until all the conditions are fully met. And I expect that it will be.

So I cannot -- I would like to say again what I said last night -- I'm very appreciative to Mr. Holbrooke, but also to Secretary General Solana and General Clark and all of our NATO allies, as well as to the Secretary of State and Mr. Berger and our people who have worked for the better part of three months to bring about these developments. So I'm very pleased about where we are today because we're not dependent on hope. We can just look at the facts and see what he does. It is a very good agreement. It is completely in accord with the United Nations resolution, and it gives us the chance to save an awful lot of innocent people from starvation or freezing this winter, and to remove yet another very dangerous source of instability in Europe.

Q Sir, if he doesn't comply, will he escape paying any price for what has happened so far?

THE PRESIDENT: Well, I think he is going to pay the price of a defeat here for continued aggression by his government and he's not going to succeed in his designs. I think the most

important thing now is for us to save lives, return people to their homes, get them the humanitarian aid they need, and to remove completely and irrevocably the threat of aggression by the Serb military and other forces in Kosovo.

We've got to put first things first here. The most important thing is to right this situation, as we were able to do in Bosnia. And I think that today I'd say we have a pretty good chance of doing that. Again, we prefer compliance over conflict and we hope that will be the case. But whether it is or not is entirely up to him now, and we have the verification system in place and so we'll know. And I'm very, very pleased with the work that all the people involved have done in these last several days. This is where the international community ought to be, what we ought to be doing, the position we ought to be taking. And I'm looking forward to events as they unfold.

Thank you.

END

11:29 A.M. EDT