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APPENDIX C



Office of the
Assistant Attorney General

Washington, D.C. 20530

APR 9 1987

MEMORANDUM TO ABRAHAM D. SOFAER
Legal Adviser, Department of State

RE: Relevance of Senate Ratification History to Treaty
Interpretation

I. INTRODUCTION AND SUMMARY

This memorandum responds to your request for the views of this Office concerning the relevance of the Senate's deliberations on ratification of a treaty to subsequent interpretations of ambiguous treaty language by the executive branch.¹ We use the term "deliberations" or "ratification record" to encompass sources such as hearings, committee reports, and floor debates, which are generally analogous to the "legislative history" of domestic statutes. Our focus is on the relevance of those sources to interpretation of a treaty as domestic law -- i.e., their relevance to the President's constitutional responsibility to "take Care that the Laws be faithfully executed." United States Constitution, Article II, section 3.² We understand that you are reviewing separately the relevance that would be ascribed under international law to the Senate's ratification record.

¹ The particular context for your question is the ongoing consideration within the Administration of the scope of the Anti-Ballistic Missile ("ABM") Treaty (Treaty on the Limitation of Anti-Ballistic Missile Systems, May 26, 1972, United States-U.S.S.R., 23 U.S.T. 3435, T.I.A.S. No. 7503) to determine whether it prohibits testing and development of so-called "exotic" anti-ballistic systems and components. Our analysis here is limited to the legal question you have raised. We have not analyzed the ABM ratification debates in any detail, and do not take a position here on the specific relevance of those debates to the meaning of any particular provision of the ABM Treaty.

² It is indisputable that treaties are among the "supreme Law[s] of the Land," Article VI, clause 2, and that the President's constitutional duty under Article II extends to treaties as well as to statutes and the Constitution itself. See 1 Op. A.G. 566, 570 (1822); in re Neagle, 135 U.S. 1, 64 (1890).

The question you raise does not lend itself to any clear or easy answer. As discussed below, the dual nature of treaties as international agreements and as domestic law and the concomitant division of the treaty-making power between the President and the Senate create an inevitable tension. Primarily, treaties are international obligations, negotiated by the President in his capacity as the "sole organ of the federal government in the field of international relations," United States v. Curtiss-Wright Export Corp., 299 U.S. 304, 320 (1936). The most relevant evidence of the meaning of a treaty lies in the mutual exchange of views between the negotiating parties -- an exchange in which the Senate does not formally participate unless it explicitly conditions its consent to a treaty and that condition is communicated to and accepted by the other party. Because the advice and consent function of the Senate, however, was designed by the Framers as a constitutional check on the President's otherwise broad authority to make treaties that have the force of law, we believe that the deliberative record that is created when the Senate advises and consents to a treaty cannot be ignored in the interpretative process. Nonetheless, in all but the most unusual case, the ratification record would not be the determinative -- or even the primary -- source of evidence as to the treaty's meaning under domestic law.

In determining the weight to be assigned to that record, it should be observed that, conceptually, the constitutional division of treaty-making responsibility is essentially the reverse of the division of law-making authority. Congress initially agrees upon and enacts the language of domestic legislation, while the President reserves the right to determine whether that legislation will go into effect (subject, of course, to the override of any veto). Treaties, however, are proposed and negotiated by the President, subject to the approval or disapproval of the Senate. Given this conceptual framework, it is clear that the portions of the treaty ratification record that should be accorded more weight as to the treaty's meaning are the representations of the executive -- the draftsman, in effect, of the treaty. Statements by individual senators, or even groups of senators, are certainly entitled to no more consideration -- and perhaps less -- than the limited weight such statements are given in the interpretation of domestic legislation when they are not confirmed by the legislation's sponsor in colloquy or otherwise.

II. Constitutional Division of Treaty Authority

The powers of the national government were deliberately divided by the Framers among the three coordinate branches, because they considered the concentration of governmental power to be the greatest threat to individual liberty. "Basic to the constitutional structure established by the Framers was their recognition that '[t]he accumulation of all powers, legislative, executive, and judiciary, in the same hands . . . may justly be pronounced the very definition of tyranny.'" Northern Pipeline Co. v. Marathon Pipe Line Co., 458 U.S. 50, 57 (1982), quoting

The Federalist No. 47 (J. Madison) at 300 (H. Lodge ed. 1888). Accordingly, "[t]he Constitution sought to divide the delegated powers of the new Federal Government into three defined categories, Legislative, Executive, and Judicial, to assure, as nearly as possible, that each branch of government would confine itself to its assigned responsibility." INS v. Chadha, 462 U.S. 919, 951 (1983); see also Buckley v. Valeo, 424 U.S. 1, 122 (1976). The Supreme Court has long acknowledged that the partitions separating each branch of government from the others must be maintained inviolable if liberty is to be preserved. "The hydraulic pressure inherent within each of the separate Branches to exceed the outer limits of its power, even to accomplish desirable objectives, must be resisted." INS v. Chadha, 462 U.S. at 951.

Under this separation of powers, the President has a dual role with respect to treaties. First, the President is responsible for "making" treaties -- i.e., entering into negotiations with foreign governments and reaching agreement on specific provisions. United States Constitution, Article II, section 2, clause 2. Second, as part of his responsibility to "take Care that the Laws be faithfully executed,"³ and as the "sole organ of the federal government in the field of international relations,"⁴ the President is responsible for enforcing and executing international agreements -- a responsibility that necessarily "involve[s] also the obligation and authority to interpret what the treaty requires." L. Henkin, Foreign Affairs and the Constitution 167 (1972); see also Collins v. Weinberger, 707 F.2d 1518, 1522 (D.C. Cir. 1983); American Law Institute, Restatement of the Law, Foreign Relations Law of the United States (2d), sections 149, 150 (1965) (Restatement (2d)); accord, American Law Institute, Restatement of the Law, Foreign Relations Law of the United States (Revised) (Tentative Final Draft, July 15, 1985), section 326 (Restatement (Revised)).

³ U.S. Constitution, Article II, section 3.

⁴ United States v. Curtiss-Wright Export Corp., 299 U.S. at 320; see also Haiq v. Aqee, 453 U.S. 280, 291-292 (1981); Chicago & Southern Air Lines v. Waterman S.S. Corp., 333 U.S. 103, 190 (1948).

⁵ The President's interpretation of a treaty is, of course, subject to review by the courts in a case or controversy that meets Article III requirements. See United States Constitution, Article III, section 2 ("The judicial Power shall extend to all Cases, . . . arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; . . ."); see also Kolovrat v. Oregon, 366 U.S. 187, 194 (1961); Factor v. Laubenheimer, 290 U.S. 276, 294 (1933); Jones v. Meehan, 175 U.S. 1, 32 (1899).

The President's authority to make treaties is shared with the Senate, which must consent by a two-thirds vote.⁶ This "JOINT AGENCY of the Chief Magistrate of the Union, and of two-thirds of the members of [the Senate]" reflects the Framers' recognition that the negotiation and acceptance of treaties incorporates both legislative and executive responsibilities:

[T]he particular nature of the power of making treaties indicates a peculiar propriety in that union. Though several writers on the subject of government place that power in the class of executive authorities, yet this is evidently an arbitrary disposition; for if we attend carefully to its operation it will be found to partake more of the legislative than of the executive character, though it does not seem strictly to fall within the definition of either of them. The essence of the legislative authority is to enact laws, or, in other words, to prescribe rules for the regulation of the society; while the execution of the laws and the employment of the common strength, either for this purpose or for the common defense, seem to comprise all the functions of the executive magistrate. The power of making treaties is, plainly, neither the one nor the other The qualities elsewhere detailed as indispensable in the management of foreign negotiations point out the executive as the most fit agent in those transactions; while the vast importance of the trust and the operation of treaties as laws plead strongly for the participation of the whole or a portion of the legislative body in the office of making them.

The Federalist No. 75 (A. Hamilton) at 450-451 (Mentor ed. 1961); see also The Federalist No. 64 (J. Jay) at 390-393; The Federalist No. 66 (A. Hamilton) at 402-403; see generally Congressional Research Service, Treaties and Other International Agreements: The Role of the United States Senate, 98th Cong., 2d Sess. 25-28 (Comm. Print prepared for the Senate Committee on Foreign Relations, 1984) (CRS Study). Rather than vest either Congress or the President with the sole power to make treaties, the Framers sought to combine the judgment of both, providing that the President shall make the treaties, but subject to the "advice and consent" of the Senate. Thus, the Framers included the Senate in the treaty-making process because the result of

⁶ "[The President] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; . . ." U.S. Constitution, Article II, section 2, clause 2.

⁷ The Federalist No. 66 (A. Hamilton) at 406.

that process, just as the result of the legislative process, is essentially a law that has "the effect of altering the legal rights, duties and relations of persons . . . outside the Legislative Branch." INS v. Chadha, 462 U.S. at 952. As discussed above, however, conceptually the constitutional division of treaty-making responsibility between the Senate and the President is essentially the reverse of the division of law-making authority, with the President being the draftsman of the treaty and the Senate holding the authority to grant or deny approval.

III. Senate Practice

In practice, the Senate's formal participation in the treaty-making process begins after negotiation of the treaty.⁸ At that time, the President transmits the treaty to the Senate, with a detailed description and analysis of the treaty, and any protocols, annexes, or other documents that the President considers to be integral parts of the proposed treaty. See CRS Study at 105. Under the Senate's rules,⁹ treaties are referred to the Senate Foreign Relations Committee, which may hold hearings to develop a record explaining the purposes, provisions, and significance of the agreement. Typically, the principal witnesses at such hearings are representatives of the executive branch. The Foreign Relations Committee then issues a report to the full Senate, with its recommendation on approval of the treaty.

⁸ President Washington attempted to consult with the Senate, with limited success, in the negotiation of several treaties with the Indians. By 1816 the practice had become firmly established that the Senate would grant its "advice and consent" to treaties already negotiated by the President or his representatives. See Henkin at 131-132; CRS Study at 34-36.

⁹ Although jurisdiction to review treaties is vested solely in the Foreign Relations Committee, see Rule 25, Standing Rules of the Senate, Sen. Doc. No. 99-13, 99th Cong., 1st Sess. (1985), upon occasion other committees have asserted an interest in the subject matter of the treaty, even though they have no jurisdiction to make formal recommendations. For example, the Senate Armed Services Committee has held extensive hearings on the "military implications" of various treaties, including the ABM and SALT II treaties. See Hearings on the Military Implications of the Treaty on the Limitations of Anti-Ballistic Missile Systems and the Interim Agreement on Limitation of Strategic Offensive Arms before the Senate Committee on Armed Services, 92d Cong., 2d Sess. (1972); Hearings on the Military Implications of the Treaty on the Limitation of Strategic Offensive Arms and Protocol Thereto before the Senate Committee on Armed Services, 96th Cong., 1st Sess. (1979); see generally CRS Study at 106-107.

The Senate's practice has been to approve, to disapprove, or to approve with conditions, treaties negotiated by the executive branch. Express conditions imposed by the Senate may include "understandings," which interpret or clarify the obligations undertaken by the parties to the treaty but do not change those obligations,¹⁰ or "reservations" and "amendments," which condition the Senate's consent on amendment or limitation of the substantive obligations of the parties under the agreement.¹¹ On occasion, the Senate has accompanied its consent by "declarations," which state the Senate's position, opinion, or intention on issues raised by the treaty, although not on the provisions of the specific treaty itself.¹² See CRS Study at 110.

IV. Relevance of the Senate Ratification Record

A. Express Conditions

Where the Senate includes express conditions as part of its resolution of consent to ratification, the President may, if he objects, either refuse to ratify the treaty or resubmit it to the Senate with the hope that it will be approved unconditionally the second time. See Whiteman, Digest of International Law, vol. 14, at 138 (1970). If the President proceeds with ratification, however, such understandings or other conditions expressly imposed by the Senate are generally included by the President with the treaty documents deposited for ratification or communicated to the other parties at the same time the treaty is deposited for ratification.¹³ See id. at 188-193. Because such

¹⁰ See generally CRS Study at 11, 109-110; S. Rep. No. 47, 96th Cong., 1st Sess. 13-25 (1979) (Panama Canal Treaty); S. Rep. No. 29, 97th Cong., 1st Sess. 45 (1981) (SALT II Treaty).

¹¹ See generally CRS Study at 109-110; Henkin at 134 & n. 23 (1972); S. Rep. No. 47, 96th Cong., 1st Sess. 24-25 (Panama Canal Treaty); S. Rep. No. 29, 97th Cong., 1st Sess. 44-45 (SALT II Treaty).

¹² Such "declarations," which do not purport to interpret the treaty but only to express a "sense of the Senate" with respect to related issues, may or may not be included by the President in the instrument of ratification submitted to the other parties. See, e.g., CRS Study at 110 & n. 10 (discussing 1976 Treaty of Friendship and Cooperation with Spain).

¹³ Treaties usually require international action such as the exchange or deposit of instruments of ratification in order to establish international obligations. See Whiteman, vol. 14, at 62; Vienna Convention on the Law of Treaties, Art. 2. In general, conditions that alter the obligations of a party under the treaty must be presented with the treaty documents. See Whiteman, vol. 14, at 188-193. "Understandings" or "declarations," which only clarify the meaning of a treaty provision or describe a policy, rather than alter the meaning of the treaty,

conditions are considered to be part of the United States' position in ratifying the treaty, they are generally binding on the President, both internationally and domestically, in his subsequent interpretation of the treaty.¹³ See generally United States v. Schooner Peggy, 5 U.S. (1 Cranch) 103, 107 (1801); Haver v. Yaker, 76 U.S. (9 Wall.) 32, 35 (1869); Hidalgo County Water Control and Improvement District No. 7 v. Hedrick, 226 F.2d 1, 8 (5th Cir. 1955); Restatement (Revised), section 323.

¹³ Cont. are generally communicated to the other parties, but are not necessarily included with the official treaty documents. Id. In 1976, the President communicated five Senate "declarations" relating to the Treaty of Friendship and Cooperation with Spain of 1976, 27 U.S.T. 3005, T.I.A.S. No. 8360, separately from the ratification, explaining that it viewed the declarations as appropriate "statements of hope and expressions of opinion" and as "statements of domestic United States processes." [1976] Digest of U.S. Practice in International Law 214-217, described in Restatement (Revised), section 314, n. 1. The Senate Foreign Relations Committee has criticized this practice in the past, and has recommended a three-tiered categorization of conditions: (1) those that do not directly involve formal notice to or agreement by the other parties; (2) those that would be formally communicated to the other parties as official statements of the position of the United States in ratifying the treaty, but that do not require their agreement; and (3) those that would require the explicit agreement of the other parties for the treaty to come into force. Sen. Exec. Rep. 96-14, 96th Cong., 1st Sess. 18, 28 (1979).

¹⁴ This presumes, of course, that the condition is within the Senate's authority to impose as part of its treaty-making authority. The Senate's authority to impose conditions is not unlimited merely because it may withhold its consent. The general principle that Congress cannot attach unconstitutional conditions to a legislative benefit or program merely because it has authority to withhold the benefit or power entirely applies equally to the Senate's advice and consent authority. See generally Wong Wing v. United States, 163 U.S. 228, 237 (1896); Myers v. United States, 272 U.S. 52, 126 (1926). The Senate may not, for example, use its advice and consent power to impose conditions that affect separate, wholly domestic, statutory schemes. See Power Authority v. Federal Power Commission, 247 F.2d 538 (D.C. Cir.), vacated as moot sub nom. American Pub. Power Association v. Power Authority, 355 U.S. 64 (1957). As we have advised before, we do not believe the Senate may impose conditions that interfere with the President's responsibility to execute the laws. See Memorandum for Mary V. Mochary, Deputy Legal Adviser, United States Department of State, "Constitutionality of Proposed Condition to Senate Consent to the Interim Convention on Conservation of North Pacific Fur Seals" (Feb. 6, 1986).

B. Statements in the Ratification Record

The more difficult question is what relevance, if any, the President must give to less formal, contemporaneous indications of the Senate's understanding of the treaty -- i.e., statements in committee reports, hearings, and debates, which may reflect an understanding of certain treaty provisions by some senators, but which were not embodied in any¹⁵ formal understanding or condition approved by the entire Senate. With the not insubstantial exception of representations made or confirmed by the executive branch (see below), we believe such statements have only limited probative value and therefore are entitled¹⁶ to little weight in subsequent interpretations of the treaty.

First, it must be observed that a treaty is fundamentally a "contract between or among sovereign nations,"¹⁷ and the primary responsibility -- whether of the executive or the courts -- is "to give the specific words of the treaty a meaning consistent with the shared expectations of the contracting parties." Air France v. Saks, 470 U.S. 392, 399 (1985). See generally Foster Elam v. Neilson, 27 U.S. (2 Pet.) 253, 314 (1830) ("A treaty is in its nature a contract between two nations, not a legislative act."). International agreements, like "other contracts, . . .

¹⁵ It is clear that post hoc expressions of legislative intent, after the treaty has been duly ratified, cannot change the legal effect of an international agreement to which the Senate has given its approval. See Fourteen Diamond Rings v. United States, 183 U.S. 176, 179-180 (1901) (resolution adopted by Congress after the Senate had consented to ratification of a treaty is "absolutely without legal significance.") Congress may, of course, in effect validate an executive branch interpretation of a treaty by passing legislation consistent with that view. See generally Foster & Elam v. Neilson, 27 U.S. (2 Pet.) 253, 309 (1830).

¹⁶ We note that while a few courts have alluded to the record the Senate creates in advising and consenting to the ratification of treaties, none has advanced a comprehensive theory of what weight should be given to particular portions of the ratification record and none, to our knowledge, has specifically relied on representations in the Senate record to support a particular construction of a treaty. See Hidalgo County Water Control & Improvement District v. Hedrick, 226 F.2d at 8 (refusing to consider evidence from Senate hearings, committee discussions, and debates because the meaning of the treaty was otherwise clear); Coplin v. United States, 6 Ct. Cl. 115, 144 (1984), rev'd on other grounds, 761 F.2d 688 (Fed. Cir. 1985), aff'd sub nom. O'Connor v. United States, 107 S.Ct. 347 (1986) (reviewing Senate "legislative history" of the Panama Canal Treaty but finding that it was entitled to little weight).

¹⁷ TWA, Inc. v. Franklin Mint Corp., 466 U.S. 243, 262 (1984) (Stevens, J., dissenting); Washington v. Fishing Vessel Ass'n,

are to be read in the light of the conditions and circumstances existing at the time they were entered into, with a view to effecting the objects and purposes of the States thereby contracting." Rocca v. Thompson, 223 U.S. 317, 331-332 (1912). Necessarily, the best evidence of the intent of the parties is the language and structure of the treaty and, secondarily, direct evidence of the understanding reached by the parties, as reflected in the negotiating record and subsequent administrative construction,¹⁸ rather than unilateral, post-negotiation statements made during the Senate ratification debates.

Moreover, the constitutional role of the Senate is limited to approval or disapproval of the treaty, much as the President's constitutional role in enacting domestic legislation is limited to his veto power. The Senate may, if it chooses, amend or interpret the treaty by attaching explicit conditions to its consent, which are then transmitted to, and either accepted or rejected by, the other parties. Absent such conditions, the Senate does not participate in setting the terms of the agreement between the parties, and therefore statements made by senators, whether individually in hearings and debates or collectively in committee reports, should be accorded little weight unless confirmed by the Executive. We note that even in the case of domestic legislation, where Congress -- rather than the President and other foreign governments -- directly shapes the operative language, "[r]eliance on legislative history in divining the intent of Congress is . . . a step to be taken cautiously."¹⁹ Piper v. Chris-Craft Industries, Inc., 430 U.S. 1, 26 (1977).

¹⁷ Cont. 443 U.S. 658, 675 (1979).

¹⁸ See generally O'Connor v. United States, 107 S.Ct. 347, 350-351 (1986); Air France v. Saks, 470 U.S. at 396; Maximov v. United States, 373 U.S. 49, 54 (1963); Kolovrat v. Oregon, 366 U.S. at 194; Factor v. Laubenheimer, 290 U.S. at 294; Jones v. Meehan, 175 U.S. at 4, 23.

¹⁹ For example, "ordinarily even the contemporaneous remarks of a single legislator . . . are not controlling in analyzing legislative history." Consumer Products Safety Commission v. GTE Sylvania, 447 U.S. 102, 118 (1980). As the Court stated in Weinberger v. Rossi, 456 U.S. 25, 35 (1982):

[O]ne isolated remark by a single Senator, ambiguous in meaning when examined in context, is insufficient to establish the kind of affirmative congressional expression to evidence an intent to abrogate provisions in 13 international agreements.

Similarly, statements made during legislative hearings provide only limited guidance as to the intent or understanding of the Senate as a whole. See, e.g., McCaughn v. Hershey Chocolate Co., 283 U.S. 488, 493-494 (1931); Austasia Intermodel Lines, Ltd. v.

Indeed, profound foreign policy implications would be raised if the United States were to supplement or alter treaty obligations to foreign governments based on statements made by members of the Senate during its consideration of the treaty that were not communicated to those governments in the form of express conditions. "[F]oreign governments dealing with us must rely upon the official instruments of ratification as an expression of the full intent of the government of the United States, precisely as we expect from foreign governments." Coplin v. United States, 6 Ct. Cl. at 145. In New York Indians v. United States, 170 U.S. 1, 22-23 (1898), for example, the Supreme Court refused to give effect, vis a vis the Indians, to a proviso adopted by the Senate but not included in the treaty documents subsequently presented to the Indians for their acceptance:

There is something . . . which shocks the conscience in the idea that a treaty can be put forth as embodying the terms of an arrangement with a foreign power or an Indian tribe, a material provision of which is unknown to one of the contracting parties, and is kept in the background to be used by the other only when the exigencies of a particular case may demand it. The proviso never appears to have been called to the attention of the tribes, who would naturally assume that the treaty, embodied in the Presidential proclamation contained all the terms of the arrangement.

We can well imagine that the United States would be deeply disturbed if the Soviet Union resolved ambiguities in a treaty by reference to deliberations in a Soviet legislative body charged with consenting to its ratification.²⁰ If individual senators believe that portions of a treaty are ambiguous, they may resolve that ambiguity in a manner consistent with the mutual process through which treaties are negotiated: either by requesting the executive to state more clearly the meaning of the agreement it

¹⁹ Cont. FMC, 580 F.2d 642, 645 (D.C. Cir. 1978). Committee reports, while providing important evidence of the legislative intent, are at best "only aids" in interpreting ambiguous statutory language. See NLRB v. Res-Care, Inc., 705 F.2d 1461 (7th Cir. 1983); Mills v. United States, 713 F.2d 1249 (7th Cir. 1983), cert. denied 464 U.S. 1069 (1984); Abourezk v. Reagan, 785 F.2d 1043 (D.C. Cir. 1986); General Motors Corp. v. Ruckelshaus, 742 F.2d 1561 (D.C. Cir. 1984), cert. denied 105 S.Ct. 2153 (1985).

²⁰ Consistent with this view, when questions arose concerning the Panamanian interpretation of certain key provisions of the Panama Treaties, the State Department took the position that the United States would rely on the final instruments of ratification as expressing the full intent of the parties. See CRS Study at 128 & n. 62.

has reached with the foreign country, or by making explicit the Senate's understanding of the provision through a formal reservation or understanding attached to its resolution of approval. Thus, while statements made by individual senators or even in committee reports may at times provide a gloss on other, more direct sources of evidence of a treaty's meaning, we believe they are entitled to little weight in and of themselves.²¹

On the other hand, statements made to the Senate by representatives of the Executive Branch as to the meaning of a treaty should have considerably more weight in subsequent interpretations of ambiguous terms of the treaty. Such statements do not present as substantial a threat to the reliance interests of foreign governments, because the executive branch negotiated the treaty and is therefore in a position to represent authoritatively the meaning of the agreement that emerged from the negotiating process. Moreover, given that the Senate's constitutional role is limited to approving a treaty already negotiated by the executive branch and that much of the extra-textual evidence of a treaty's meaning remains in the control of the executive branch, we believe the Senate itself has a substantial reliance interest in statements made by the executive branch officials seeking that approval.

Accordingly, consistent with the President's role as the nation's exclusive negotiator of treaties with foreign governments, we believe that statements made to the Senate by the executive branch during the ratification debates are relevant in much the same way that contemporaneous statements by congressional draftsmen or sponsors of domestic legislation are relevant to any subsequent interpretation of the statute. See, e.g., FEA v. Algonquin SNG, Inc., 426 U.S. 548, 564 (1976) (statement by one of legislation's sponsors "deserves to be accorded substantial weight in interpreting the statute"); National Woodwork Manufacturers Ass'n v. NLRB, 386 U.S. 612, 640 (1967); Schwegmann Bros. v. Calvert Distillers Corp., 341 U.S. 384, 394-395 (1951). We note that because of the primary role played by the executive branch in the negotiation of treaties and the implementation of foreign policy, courts generally accord substantial deference -- albeit not conclusive effect -- to

²¹ The latest tentative draft of the Restatement takes the position that "indication in the record that the Senate ascribed a particular meaning to the treaty is relevant to the interpretation of the treaty by a United States court in much the same way that the legislative history of a statute is relevant to its interpretation." See Restatement, section 314, comment d (Tentative Final Draft). As the discussion in the text of this opinion makes clear, we believe the Restatement position exaggerates somewhat the general evidentiary significance of the Senate ratification record in interpreting ambiguous provisions of an international treaty.

interpretations advanced by the executive branch. "While courts interpret treaties for themselves, the meaning given them by the departments of government particularly charged with their negotiation and enforcement is given great weight." Kolovrat v. Oregon, 366 U.S. at 194; see also Sumitomo Shoji America, Inc. v. Avagliano, 457 U.S. 176, 185 (1982); Collins v. Weinberger, 707 F.2d 1518, 1522 (D.C. Cir. 1983) ("Courts should defer to such executive actions [interpreting a treaty] provided they are not inconsistent with or outside the scope of the treaty."); Restatement (Revised), section 326, comment b. Although the courts often rely on interpretative statements made by the executive branch prepared well after negotiation and ratification of the treaty,²² they find particularly persuasive a consistent pattern of executive branch interpretation, reflected in the application of the treaty by the Executive and the course of conduct of the parties in implementing the agreement. See, e.g., O'Connor v. United States, 107 S.Ct. at 351. Much as contemporaneous administrative construction of domestic statutes by agencies charged with their implementation is generally accorded considerable deference by the courts, particularly when those agencies have made explicit representations to Congress during consideration of the legislation,²³ statements made to the Senate by members of the executive branch about the scope and meaning of a treaty would be relevant evidence of the executive branch's view, and therefore would be accorded deference by a court in assessing the domestic effect of the treaty.

²² Upon occasion, the State Department makes specific suggestions to the court about the interpretation of an agreement. See, e.g., Coplin v. United States, 761 F.2d 688, 691 (Fed. Cir. 1985), aff'd sub nom O'Connor v. United States, 107 S. Ct. 347 (1986). The courts in fact often invite the United States to file amicus briefs giving the views of the executive branch in cases to which the United States is not a party. See, e.g., Kolovrat v. Oregon, 366 U.S. 187 (1961); Zscherniq v. Miller, 389 U.S. 429 (1968); Sumitomo Shoji America Inc. v. Avagliano, 457 U.S. 176 (1982).

²³ See, e.g., United States v. Vogel Fertilizer Co., 455 U.S. 16, 30 (1982) (court necessarily attaches great weight to agency representations to Congress when the administrators participated in drafting the statute and directly made known their views to Congress); Dawson Chemical Co. v. Rohm & Haas Co., 448 U.S. 176, 202-212 (1980) (statements by administration witnesses during hearings on patent infringement legislation strongly reinforce the court's conclusion that Congress intended to immunize respondent's behavior from patent misuse charges). In general, courts give "great weight" in construing domestic statutes to contemporaneous constructions by the executive branch. See generally Udall v. Tallman, 380 U.S. 1, 16 (1965); Red Lion Broadcasting Co. v. FCC, 395 U.S. 367, 381 (1969).

The weight to be given to an interpretive statement made by an executive branch official to the Senate during the ratification process will likely depend upon such factors as the formality of the statement, the identity and position of the executive branch official making the statement, the level of attention and interest focused on the meaning of the relevant treaty provision, and the consistency with which members of the executive branch adhered at the time to the view of the treaty provision reflected in the statement.²⁴ All of these factors affect the degree to which the Senate could reasonably have relied upon the statement and, in turn, the weight that courts will attach to it. At one extreme, a single statement made by a middle-level executive branch official in response to a question at a hearing would not be regarded as definitive. Rather, in interpreting the domestic effect of a treaty, the courts would likely accord such a statement in the ratification record a degree of significance subordinate to more direct evidence of the mutual intent of the parties, such as the language and context of the treaty, diplomatic exchanges between the President and the other treaty parties, the negotiating record, and the practical construction of the provision reflected in the parties' course of dealings under the treaty. Moreover, courts often give substantial weight to the executive branch's current interpretation of the treaty, in recognition of the President's unique role in shaping foreign policy and communicating with foreign governments,²⁵ and, accordingly, would be unlikely to bind future chief executives on the basis of an isolated remark of an executive branch official in a previous administration. In general, therefore, less formal statements made by the executive branch before the Senate (such as the one described in the preceding hypothetical) will be but one source of relevant evidence to be considered in interpreting an ambiguous treaty provision.

²⁴ Similarly, the weight of statements by Senators confirmed by the Executive will depend, inter alia, on the formality of the confirmation and the identity and position of the person confirming the statement.

²⁵ See, e.g., Sumitomo Shoji America, Inc. v. Avagliano, 457 U.S. at 184 n.10.

In contrast, in a case in which the statements by the executive branch amount to a formal representation by the President concerning the meaning of a particular treaty provision, the ratification record may be conclusive. If, for example, the ratification record unequivocally shows that the President presented the treaty to the Senate based on specific, official representations regarding the meaning of an ambiguous provision, that the Senate regarded that understanding as important to its consent, and that the Senate relied on the representations made by the executive branch in approving the treaty (and thus in refraining from attaching a formal reservation setting forth the understanding), we believe the President would, in effect, be estopped from taking a contrary position in his subsequent interpretation of the treaty, just as he would be bound by a formal reservation or understanding passed by the Senate to the same effect. See generally United States v. Vogel Fertilizer Co., 455 U.S. at 31 (refusing to uphold current Treasury Department interpretation in light of evidence that the Treasury Department proposed and presented the legislation to Congress on a different understanding). Obviously, a President could not negotiate a treaty with other nations on the basis of one understanding of its import, submit the treaty to the Senate on a wholly different understanding, and then, in implementing the treaty, rely solely on the understanding he had reached with the other parties. Similarly, he could not reach a secret agreement with the other party that substantially modifies the obligations and authorities created by the text of the treaty submitted to the Senate, and then seek to use the secret agreement as a basis for actions inconsistent with the text of the treaty. Such results would essentially eviscerate the Senate's constitutional advice and consent role, because it would deprive the Senate of a fair opportunity to determine whether, or with what conditions, the treaty should become the "supreme Law of the Land." Accordingly, in such extreme cases, we have little doubt that, as a matter of domestic law, the courts would

construe the treaty as presented to and accepted by the Senate,
even if as a matter of international law the treaty might have a
different meaning.²⁶

Please let us know if we can be of further assistance.



Charles J. Cooper
Assistant Attorney General

²⁶ Although courts generally seek to construe treaties consistent with their international import, on occasion courts have adopted constructions of particular treaties that conflict with the President's view of the international obligations created by the treaty. See, e.g., Maiorano v. Baltimore & Ohio R.R., 213 U.S. 268 (1909) (interpreting an 1871 treaty with Italy giving aliens access to courts of justice). Moreover, Congress can enact domestic legislation that is inconsistent with existing treaty obligations, and thus has the effect of tying the President's hands domestically, while leaving the international obligations intact. See generally Menominee Tribe of Indians v. United States, 391 U.S. 404, 412-413 (1968); Moser v. United States, 341 U.S. 41, 45 (1951); Torres v. INS, 602 F.2d 190, 195 (7th Cir. 1979). It would not be unprecedented, therefore, for a court to construe a treaty more narrowly -- or more broadly -- as a matter of domestic law than the President construes the treaty as a matter of international law. As Professor Henkin has observed, "[i]t could happen . . . that Congress and the courts could in effect apply treaty provisions different from those that bind the United States internationally -- another cost of the separation of powers." Henkin at 167.



THE WHITE HOUSE

Office of the Press Secretary
(Los Angeles, California)

For Immediate Release

April 10, 1987

REMARKS BY THE PRESIDENT
IN Q AND A SESSION WITH
LOS ANGELES WORLD AFFAIRS COUNCIL

Los Angeles Ballroom
Century Plaza Hotel
Los Angeles, California

1:14 P.M. PDT

THE PRESIDENT: That's the end of the monologue. I understand now it's a dialogue and we'll have time for some questions.

MR. HADDAD: Yes, sir. Thank you, thank you very much for your address today and thanks for agreeing to our question and answer period.

Ladies and gentlemen, we've asked also the news media to participate. They have done so by giving us some written questions. But I think most of them will come from the members of the Council. Let's take a first one from the news media because it reflects directly on what you've just told us, sir.

Secretary General Gorbachev today said that the Soviets are willing to negotiate an agreement on the shorter-range nuclear weapons at the same time that the INF talks are underway. Does this remove any obstacle in those talks?

THE PRESIDENT: Well, I think it says something that we, ourselves, believe, and that is when he says "at the same time." We have never believed in the linkage of those two weapon systems together, but we have believed that the negotiations should be simultaneous because they have a preponderant -- I'm pleased to hear him say that -- they have a preponderant advantage in the short-range weapons, much greater than we would have to offer as a deterrent on the other side.

Q In the last six years, we have gone from a major creditor nation to a major debtor nation. What can we do about that?

THE PRESIDENT: Well, we have been doing some things about that. We have been working -- first of all, it took me three years in the economic summit to persuade our trading allies there, those other six nations, to agree to a total review of the GATT system -- that is the general tariff treaty that governs our trade between our countries. And that is going to take place, a meeting on that, very shortly.

We have also -- for the first time, our administration has invoked the 301. Now, the 301 is a thing available to business and industry, that if a company or an industry here believes it is being unfairly treated in competition; the other side dumping their product here at less than the cost of production, or subsidizing them unfairly and so forth, or putting obstacles in the way of our trade, our product being received in their country -- heretofore, and before the last six years, the businesses themselves had to raise that issue and charge a violation of 301. Well, we haven't been waiting for them.

From where our vantage point is as government -- where we've seen what we think are violations of 301, we have been bringing the charge against the other country and the other industries.

MORE

We don't believe that protectionism is the answer to our problem. Incidentally, the change in our -- or the increase in our deficit of trade -- our imbalance of trade and more imports than exports, has been brought about by the value of our dollar, which now has been redressed quite considerably. But it made our product too expensive and made their products too advantageous price-wise for our consumers to ignore, because our money was worth so much more. But, as I say, that has been partly redressed. But we still have a long way to go. We are still continuing.

But I have lived long enough to know that protectionism of the kind that I have already vetoed once and will veto again if the same kind of legislation comes up is not the answer. We tried that back in 1930 with a thing called the Smoot-Hawley Tariff and we thus spread worldwide the Great Depression that had involved our nation at that time. So, we won't go for that kind. We want free trade, but fair trade. And we're going to keep on moving until we get it. (Applause.)

Q Thank you, sir. Yes?

Thank you. The gentleman describes himself as a high school student and he's afraid of a lot of things he's hearing about today -- afraid of bombs and afraid of the possibility of war and so forth and afraid of not being told the truth. What would you say to a young high school student?

THE PRESIDENT: Tell you the truth. We have a system of deterrence right now that is called mutual destruction. And what it is -- it's called -- the nickname for it is the MAD policy -- Mutual Assured Destruction -- that we and the Soviet Union try to keep within range of each other, and this includes our NATO allies who look to us for that nuclear umbrella -- it's part of the NATO Alliance -- and the idea that we both have such horrible weapons of such power that if either one pulls -- pushes the button, then there is a retaliation and the retaliation would be so severe and so great that the other side would have no gain out of their assault. Well, to me I think that's, first of all, immoral. And I think that we're violating what was a moral principle even in war previously. We used to meet in Geneva the countries of the world and have rules of warfare in which we protected the noncombatants from being victims of warfare -- that you did not injure or did not attack and endanger noncombatants -- the innocent. Now, we are assuring our safety with weapons that were designed to wipe out everyone, including the noncombatants. I think it's immoral, and that's why we're promoting SDI.

I came up with that idea, and I submitted it to the Joint Chiefs of Staff one afternoon at my office and said, is it possible that we could research and find a weapon that could destroy those missiles before they reached their target -- as they came out of the silos? They said they thought such a thing could be done and we embarked on that program. We've made great breakthroughs, it shows great promise.

And I have also said, and said to Mr. Gorbachev, that if and when we have established that we have such a defensive weapon, in return for the elimination, ultimately, of all nuclear weapons, we'll share it with them. We'll share it with anyone, so that we all have a defense in case some day there comes a mad man like a Hitler, and we all know how to make those weapons, so we can't be sure that some day someone won't try -- but if we all have a foolproof defense -- but I think it calls for doing what we're doing right now -- negotiating, even piecemeal, in trying to get a reduction in START on the path leading to ultimate elimination of nuclear weapons. (Applause.)

Q Mr. President, King Hussein has been getting a favorable response in Western Europe to his proposal for an

international peace conference on the Middle East. Such a conference would include the Soviet Union and the Palestinians. Does the U.S. now support such a conference, and will the King be coming to Washington?

THE PRESIDENT: We have been working, ourselves -- this idea -- we can't ignore the fact that so far that Israel, and with some justice, opposes the idea of the participation of the two countries you named, because both of them still deny the right of Israel to exist as a nation. They say it has no right to even exist. Until they are willing to abide by -- well, U.N. rules 242 and 338, as Egypt did, and agree that Israel has a right to exist as a nation, then I think that we would join also. We are not opposed to the idea of an international meeting to try and bring together those warring nations -- the Arab bloc and Israel -- and remove that threat once and for all from the Middle East.

Q What steps are being taken by the administration to reduce the national debt? What steps specifically are being taken?

THE PRESIDENT: God bless you. (Laughter.) I'm glad to have that question. (Laughter.) The -- to reduce the national debt, of course, requires balancing the budget and stopping the deficit spending that is going on. We have been trying to do that with the budgets that we've submitted over these last few years.

When I hear some of our opponents complaining that I am responsible for the present deficits I get a little annoyed, because if we had been given the budget that I asked for in 1982, the cumulative deficits through 1986 would be \$207 billion less than they turned out to be. What we have to have is a recognition, first of all, of what a great many states have and what California has in its constitution. And that is a clause in the United States Constitution that says there can be -- there must be a balanced budget. There can be no deficit spending.

So far, that came close -- the Congress -- we lost by one vote in the Senate in the last go-around. The House defeated it by a bigger margin, but in the Senate -- to have a Constitutional Amendment that would bring this about.

The second thing is -- and oh, how I want this -- I had it for eight years here in California as Governor. Forty-three Governors today have the right of line-item veto. (Applause.) And I want to give you a little proof of how it works. I line-item vetoed 943 times in the eight years I was in Sacramento. I was never overridden once, because in our budgeting process it takes two-thirds of the legislature to approve the budget to begin with and only takes two-thirds to override a veto. Isn't it strange that the same people by a two-thirds margin would vote for certain items in the budget where they were just buried in there with everything else. But when you took it out by itself and exposed it -- and I have to vote for it all on its own -- they wouldn't do it. So, this we need. It's one of the greatest things we must have.

And there is another thing. There is one thing with regard to the national debt -- but, once again, it isn't effective until we can balance that budget. And that is that there is a fund in the Treasury where citizens can contribute to that fund and the fund is for the purpose of reducing the national debt. So, anyone that feels they want to be charitable -- (laughter) --

Q Thank you. The gentleman right here -- yes?

Thank you. The gentleman asked a question on the recent espionage -- the Pollard case and the most recent news involving the Marines. What does he attribute this breakdown in patriotism, apparently, among some of our citizens?

THE PRESIDENT: Now, what do you say? Could occasion

that kind of breakdown?

Q Yes, sir. What would be the background of that?

THE PRESIDENT: I thought I was going to get a question on that subject some place, and so I just made a little note for myself that if it did come along, what I wanted to answer -- that yesterday I characterized the Soviet invasion of our premises as outrageous -- and that stands -- and I can't seriously believe that this Soviets are charging us with immorality in light of what has happened. For obvious reasons I cannot and will not comment on alleged U.S. intelligence activities, although I do note that the timing of the Soviet so-called revelations is curious coming right after our protest on their activities in Moscow.

U.S. intelligence activities are subjected to rigorous oversight. We have laws and executive orders that regulate them. They are also subject to close scrutiny by the Congress through Select Committees on Intelligence and through the appropriations process.

Now you can't go further in discussing intelligence or counterintelligence than that. But, again, you were pointing directly to the young men there. I tell you, this has been a severe blow to many of us. We have in our military today the highest percentage of high school graduates ever in our history, and it's a volunteer army. We have -- there are three intelligence brackets in the military by which jobs and so forth and assignments are determined. We have the highest percentage -- or the highest number in the top percentage of intelligence that we have ever had.

And yet suddenly we can see this violation of orders against fraternization and then what was outright selling and so forth of -- out our country. And it's hard to explain. I can't believe it's widespread, and yet I'm going to share with you a concern that I have. I've been very concerned and we've been trying to do something about value-free education. And I can't help but wonder, are we now seeing the fruit of education that predominantly throughout our country has stopped making any -- or performing any teaching on the basis of moral principles or what is right or what is wrong.

I just told a little story here to my companions at lunch of an incident of a counselor just recently who gave his students that he was counseling a problem. He said, "You find a billfold with an address in it and a thousand dollars. Now, what do you do with it? Do you give it back? Do you keep it? What do you do?" The consensus from the students was, it would be dumb to give it back. And when the counselor was asked, well, what did he then say to them, he said, "Oh, I wouldn't impose my opinion on them. It's not for me to tell them or make a differentiation of that kind. I wouldn't be a counselor if I did."

Well, I think it's high time we got back to saying there are things that are wrong, there is a right and wrong, and we expect our kids to -- (Applause.)

Q We have time for just two more questions. One from the press here -- could you comment, sir, on the issue of tariffs on microchips from Japan, and what is being done to preserve the excellent relations between the United States and Japan during this time of severe trade friction?

THE PRESIDENT: Well, we are trying to preserve those relations. And very shortly I will have a visitor, Yasu Nakasone, their Prime Minister, who I must tell you has been -- in fact, he has endangered his own political standing in his country because of his willingness to meet with us and try to eliminate some of the barriers to trade that they have erected. This thing was a violation of an agreement signed seven months ago in which we found there was a

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market denied to our chips -- our microchips in their country at the same time that they were dumping, not only here but in other countries, their microchips in an effort to get the market at a subsidized price that was less than the cost of production. We, therefore have -- and, yes, in the nature of protectionism in that particular area -- have issued an ultimatum of certain things -- steps and tariff steps and so forth that we're going to take on just certain specific items having to do with that kind of technology unless they change this order of theirs and then we will remove the embargo that we're going to put on. We feel that we have to do that and I'm looking forward to the meeting with Prime Minister Nakasone. As I say, he has been most helpful.

But their whole tradition has been one of the barring of things in their markets. For example, allowing an American product to be sold, only it couldn't be advertised in their language. So, the Japanese would see the ad but they couldn't read what the print said. And we've gotten corrections on a great many of those things and I am -- they have become a very fine partner of ours in international relations and an ally at the economic summits. And so I have to be optimistic about what we can accomplish there. They are our second largest trading partner, Canada is the first.

Q Thank you, sir. Our last question -- yes, sir?
You sir. You sir. No, this gentleman over here. I'm sorry.

Thank you. Is the United States investigating alleged Soviet sabotage of our recent space disasters and has this slowed down our space program?

THE PRESIDENT: Well, as I said, it's very difficult to speak openly and publicly about things we do. But let me just say, we aren't ignoring anything in our investigation of the space problem and we're determined to go ahead with it and continue with our program in the next decade or two of having a space station out there, because of the great good that can come from it. Incidentally, I call to your attention with regard to that and put in a plug here. You're very shortly, I think, going to be seeing some television spots done by a private foundation -- and maybe some of you are members and supporters of it -- who are going to put spots on the air telling the American people what the space program has meant to all of us in the spin-offs -- the things that we have found even with regard to medicine, to various health devices, to -- even a uniform for firemen that is more protective and so forth -- that have all been spin-offs with billions of dollars to the American people of the shuttle program. So, we're really getting our money's worth there. And this will -- these things will be shown to you very shortly. (Applause.)

Thank you very much. (Applause.) Thank you. (Applause.)

END

1:24 P.M. PDT

THE WHITE HOUSE

Office of the Press Secretary
(Los Angeles, California)

For Immediate Release

April 10, 1987

REMARKS BY THE PRESIDENT
TO THE LOS ANGELES WORLD AFFAIRS COUNCIL

Century Plaza Hotel
Los Angeles, California

12:55 P.M. PDT

THE PRESIDENT: Thank you. (Applause.) Please. (Applause.) Thank you very much. Thank you Bill, and thank all of you. It's wonderful to be back here in home territory. Yesterday on the way here I stopped at Purdue University and addressed the student body there. One -- part of the occasion was the fact it was the 100th anniversary of the Purdue band and I had to explain to the young people there I had not heard the first band when they played. (Laughter.)

But, I'm delighted to be here today to talk with you about the current state of Soviet-American relations. But before I do that, I want to say something about the recent disclosures of Soviet espionage against the U.S. Embassy in Moscow. There's no excuse for what they did or for the way security was handled in Moscow.

And now in response to those who think these recent events throw some new light on Soviet-American relations, I say, "Where have you been?" Anyone familiar with the nature of the Soviet regime, its ideology and intentions, understands that such actions come as no surprise.

From the very first days of this administration, I have insisted that our relations with the Soviets be based on realism rather than illusion. Indeed, the basis for our foreign policy has been, from the very beginning, an insistence upon enunciating the truth about U.S.-Soviet relations -- and upon making it clearly understood what we think the Soviets stand for and what we stand for.

Now this may sound obvious, but when we took office in 1981, it was in bad need of restatement. Today, let me state these views and review relations between our two countries.

We have adopted a framework for dealing with the Soviets; we have insisted that progress must proceed in four critical areas:

First, the pursuit of verifiable and stabilizing arms reduction with an emphasis on verifiable;

Second, negotiated solutions to regional conflicts;

Third, the advance of human rights; and

Fourth, expanded contacts between our peoples.

This agenda represents a consistent long-term policy reflecting our moral values, our strategic interests, and our commitments to our friends and allies. It's not based on false hopes or wishful thinking about the Soviets; it's based on a candid assessment of Soviet actions and long-term understanding of their intentions.

I can report that in some areas of this four-part agenda, we have seen movement and progress. Take arms reduction. At our two

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meetings -- our fireside summit in Geneva and our Hofdi House discussions in Reykjavik -- Mr. Gorbachev and I took some significant steps forward. We cleared away obstacles and came closer to historic agreements on reducing strategic nuclear weapons and intermediate-range nuclear missiles. In the months that followed Reykjavik, progress was slower than I had hoped, but in recent weeks the Soviets have shown new seriousness. A breakthrough in the talks on intermediate-range missiles is now a distinct possibility.

Then there is human rights. Here, too, we see some positive developments. Andrei Sakharov has been released from internal exile and allowed to speak his mind. Some political prisoners have been released. Emigration figures for March and April so far are up. There is talk of changes in Soviet laws. There is talk of a less centralized approach to the Soviet economy, giving more scope to individual initiative. We'll see if these talks amount to anything.

In the area of bilateral exchanges, we have reached agreement on expanded Soviet-American contacts. Cultural, scientific, and civilian exchange programs have shown a dramatic increase since Geneva.

But to cite all this is not to be unrealistic or to lose the wider context. Serious issues remain. For example, in arms negotiations, verification remains a critical problem because of the poor record of their compliance with previous agreements.

Nor have the Soviets abandoned their basic strategy of trying to use these negotiations to divide our allies and friends in Europe and Asia from the United States. Our allies' concerns are central. We cannot permit the benefit of the reduction in longer-range INF missiles, for example to be undermined or circumvented by a continuing imbalance in shorter-range INF missiles, in which the Soviets have a huge advantage. Let me say again: The United States will continue to consult closely with its allies, and we will not sacrifice their vital interests just to sign an agreement.

Unfortunately, too, the Soviets are still trying to stifle the Strategic Defense Initiative. I've made some very forthcoming proposals about not deploying strategic defenses for a period of time -- while we and the Soviets negotiate on a cooperative transition to a new kind of strategic balance, one that deters by protecting human lives instead of threatening them.

Mr. Gorbachev himself recently criticized the balance of terror as a strategy for keeping the peace and urged that nuclear doctrines become truly defensive. Well, I agree with him. Peace based on strategic defenses that can absorb and blunt an attack -- coupled with radical reductions in offensive missiles -- that is the safest course of all.

As I said after our Geneva summit, meetings between our leaders are not a favor that one side does for the other. But they can be helpful. And in this connection, my invitation to Mr. Gorbachev to come to America still stands. The welcome mat is still out.

In the human rights area, too, our concerns are profound. While we welcome the resolution of some celebrated individual cases, we look for signs that the Soviet Union intends to abide by its commitment to all its citizens, under its own laws and the Helsinki Accords. A system that keeps Europe artificially divided, that suppresses religion and religious contacts, that still jams radio broadcasts, and that arrests American journalists on trumped-up charges is a problem for other nations. No nation will be at peace with its neighbors if it is not at peace with its own people.

So human rights is not just an "internal" issue. It's

truly an issue of peace. Andrei Sakharov said it well: "I am convinced," he said, "that international confidence, mutual understanding, disarmament, and international security are inconceivable without an open society with freedom of information, freedom of conscience, the right to publish, and the right to travel and choose the country in which one wishes to live."

Unfortunately, the news on the one missing item on our agenda is not good. I refer to the problem of military conflicts in regions of the developing world -- where the facts of Soviet action are brutal, a danger to peace and our future relations. Despite a claimed desire for peaceful settlement of these conflicts, despite announcements of cease-fires and talk of "national reconciliation," Soviet troops continue to wage a terrible war against the people of Afghanistan.

The military threat to our friend, Pakistan, escalates in a way that carries the risk of larger confrontation. In Ethiopia, Angola, and Cambodia, the Soviet Union continues to support brutal wars of Leninist regimes against their own peoples. In Nicaragua, we see such a campaign on our own shores, threatening destabilization throughout Central America and denying the Nicaraguan people their right to determine their own future.

The world will no longer accept this policy of global expansionism. In the last few years we've seen a new trend -- the spread of democracy from Latin America to the Philippines along with a world-wide revolution in economic thinking -- a trend towards political and economic freedom as a means of nurturing economic growth and human progress in the developing world. The United States remains pledged to sustaining this movement towards greater personal liberty and national self-determination -- and to resisting attempts to reverse it.

Recently, there've been signs that the Soviet Union may be seeking a diplomatic way out of its war in Afghanistan. The Soviet Union should know the United States seeks no strategic advantage in Afghanistan. But it should also know that no political settlement will work unless it removes Soviet troops promptly and completely and allows the Afghan people genuine self-determination. The role of the resistance alliance is growing, and we shall continue to support it. We'll support any just settlement that leads to a truly independent and neutral Afghanistan and that meets the needs of the free Afghan people.

Similarly, Soviet bloc military and economic assistance to the Sandinista regime in Nicaragua reached an unprecedented billion dollars last year; the quantities and sophistication of weapons deliveries have reached dangerous levels. We have the right, indeed, the obligation, to support our friends in this hemisphere against this blatant intervention. Soviet conduct here will be a litmus test of our relationship.

In Angola, too, we see an escalating Soviet and Cuban military commitment in the vain quest for a military victory. We call for a political solution and for the speedy removal of Fidel Castro's 35,000 Cuban mercenaries from Angola.

Cambodia is another tragic example of aggression and occupation, imposed by Vietnam and backed by the U.S.S.R. The Cambodian people have suffered enough; it's time for genuine self-determination and peace in Cambodia.

Now, what is our agenda today? Well, let me be very specific:

First, the bleeding wound of Afghanistan must be healed. I challenge the U.S.S.R. to set a date this calendar year when it will begin the withdrawal of Soviet troops on a speedy schedule.

Second, I challenge the Soviets to join us in moving ahead on an intermediate-range nuclear missile that enhances overall security and military stability. The issues of verification and shorter-range INF systems must be resolved in a way that protects allied security interests.

And third, I challenge them to join us in a mutual 50-percent cut in our strategic nuclear arsenals in a way that strengthens stability. Our SDI program should not stand in the way of such a cut -- any more than the long-standing Soviet strategic defense programs stand in the way.

Fourth, I challenge the Soviets to join us in seeking a safer strategic balance by relying less on mutual offensive threats and more on defensive systems that threaten no one.

And finally, it's time to resolve the issue of emigration -- decisively. It's time for substantially liberalized emigration policies and broader freedoms for those Jews, Christians, and people of other faiths who choose to stay in the Soviet Union. And if this happens, we'll respond.

If I had to characterize U.S.-Soviet relations in one word it would be this -- 'proceeding'. No great cause for excitement, no great cause for alarm. And perhaps this is the way relations with one's adversaries should be characterized. We have hopes and we have determination and we are proceeding. To keep that process moving, I have instructed Secretary of State George Shultz to go to Moscow to discuss a full range of issues between our two countries.

You know, when I look over the past six years of Soviet-American relations, I'm reminded of something Harry Truman said when someone said to him, "Give them hell, Harry," and he said, "I have never deliberately given anybody hell. I just tell the truth and they think it's hell." (Applause.)

When the United States rebuilt its alliances and military strength and stood firm with the Soviets, some found this provocative. When the United States made substantive arms proposals, others said our refusal to instantly forsake them showed intransigence. And when the United States spoke for freedom and the conscience of mankind in the face of totalitarian aggression or human rights abuses, some criticized such affirmations as jeopardizing delicate negotiations. When we made clear our position on SDI and held to it at Reykjavik, there were those who feared the end of arms reduction efforts.

Well, what I think we have been taught by the last six years -- what I think we need to remember now -- is that in establishing an environment where tensions are lessened demands realism and a willingness to stand by our values and commitments in the face of threats, walkouts, and woeful predictions. We need to remember, too, that voices of panic or accommodation disrupt the careful pursuit of peace when, in their rush to sign an agreement or initial a treaty, they lose sight of justice and world freedom as the goals of American foreign policy. (Applause.)

So, I believe our negotiating progress can be traced to being forthright in our public pronouncements. When I first took office and throughout these six years, I have been candid about Soviet ideology and intentions. I did not seek to be unnecessarily antagonistic; only to acknowledge one of history's gravest lessons: that the first object of aggressive powers is to inhibit the will of potential adversaries -- to make free nations think that public utterances of the truth or moral protests about aggression are themselves acts of belligerence.

And history teaches that when -- in the name of peace -- free nations acquiesce to such subtle intimidations, the collapse of their own self-respect and freedom follows closely behind. History

MORE

-- (applause) -- history so often shows that conflict results from miscalculation by aggressive powers who misjudge the will of democratic nations to resist.

Candor and realism about the Soviets have helped the peace process, because it is not only an essential affirmation of our own moral stamina, it's a signal to our Soviet counterparts that any compulsion to exploit Western illusions must be resisted because such illusions no longer exist.

Ladies and gentlemen, I've often spoken of freedom as the fresh and rising tide of the future. To speak so is not to threaten any people or nation, it is only to renew mankind's most sacred hope and oldest dream: a world where material wants are satisfied, where human freedom is enshrined, and peace and fellowship among nations prevail. Those goals should be celebrated and those truths should be pursued with no apologies to anyone.

I have to close with something I told the young people at Purdue yesterday. It came to me in a letter and it was a man making the statement that you could go to Japan and live there; you could not become Japanese. You could go to Turkey and live there and not become a Turk. Or to Greece and not become a Greek; to France and not become a Frenchman. But anyone from any corner of the world can come to America and become an American. And it's time perhaps we all understood it. (Applause.)

END

1:14 P.M. PDT

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 15, 1987

REMARKS BY THE PRESIDENT
DURING QUESTION-AND-ANSWER SESSION
WITH REGIONAL PRESS

Room 450
Old Executive Office Building

11:30 A.M. EDT

THE PRESIDENT: Hi, how are you? Well, please be seated. Thank you all and welcome to the White House. I'm delighted we could have a few moments together today and I'm anxious to get to your questions. But first, I thought I'd begin by giving you a little report on two stories that have been coming over the wires. They're what those of you in the newsroom would call "developing" stories that will be, I hope, a source of increasing focus and interest.

The first issue has to do with the yearly battle of the budget. Now, I know that's not the sort of story that readers turn to first or that always make the evening news. But I mention it because I believe the budget battle will eventually emerge not as a parochial argument, but as a larger issue, and it will be, "Will we return to the days of unrestricted federal spending? Will the specter of high taxes and inflation and even higher trade deficit haunt us once again?"

As all of you know, the Congress decided a year-and-a-half ago to get uncharacteristically serious about deficit spending and they adopted the Gramm-Rudman-Hollings resolution which would gradually shrink the federal deficit and, by 1991, give us -- and brace yourselves for this -- a balanced budget.

When Gramm-Rudman-Hollings was first enacted, there were all sorts of pious declarations from Congress about living up to its yearly deficit targets. However, I have to tell you that that commitment to Gramm-Rudman-Hollings is rapidly disintegrating. The House continues to pass spending bills like the Highway Authorizations Bill that I had to veto recently. As I said at the time, I hadn't seen so much lard since I handed out blue ribbons at the Iowa State Fair.

Over in the Senate, a legislative procedure was recently adopted that makes it far easier to override the budget deficit and spending limits. Congress is back to doing what comes natural -- playing to the special interests and failing to meet its budget responsibilities. If the budget -- if the Congress continues on this course, we'll go to the American people and make our case. And as this battle heats up, I think it's going to be increasingly understood that the Congressional budget process itself, with its missed deadlines and its gigantic catch-all spending bills, is fatally flawed.

The Executive Branch must be given new powers to reach into those pork barrel spending bills and cut out the waste. And that means giving the President what the governors of 43 states have -- the line-item veto, or better yet, enhanced recision authority.

I've noticed that everywhere I go, to any audience, I've mentioned that line-item veto and it gets a strong reaction. Whoever would have thought a few years ago that line-item veto would be an applause line? I think the public is increasingly aware of the

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problem in the Congress and the need to do something about it.

And that's why I think you're also going to see increasing support for the balanced budget amendment. Unlike Gramm-Rudman-Hollings, it would make a balanced budget in the 1990s a matter of the Constitution and not just a law. We need that amendment.

But there's another twist to the budget problem that you should know about. As I said -- well, it's called, let's cut defense.

As I said in my radio address on Saturday, defense spending is always the first thing to be sacrificed, cancelled or delayed, even while the boondoggles sail through untouched. Despite all the progress that we've made in rebuilding our nation's defenses, the Congress now wants to reverse course. For two years in a row, it has cut defense appropriations below previous levels in real terms. The current Fiscal Year 1987 defense budget is actually six percent less than the one Congress itself approved for 1985. And even now we hear voices saying that the Fiscal Year 1988 defense budget should be taken even lower. Now, this isn't only irresponsible from the standpoint of our national security. It also goes to the heart of our bargaining credibility with the Soviets.

At the very moment when vitally important arms reduction treaties are on the table in Geneva, some in the Congress want to take on responsibilities that are not theirs -- and I refer here to the business of conducting arms negotiations. And this is the second point that I wanted to make.

Several amendments have been offered in the Congress such as those dealing with nuclear testing and SDI that would undermine our negotiating positions in Geneva and tie my hands in the conduct of a vital part of our foreign policy, not to mention the fact it would give the Soviets negotiating victories that they can't win at the bargaining table. These trends are dangerous, and if they continue will become the focus of a major national debate. I bring all this to you for a simple reason: The Congress is a large, amorphous institution. It can't be held as accountable as an individual can. But those in the Congress have a duty to report to the folks back home on where they stand on these issues, and I think you would agree that no one plays a more vital role than you in asking them about these issues and their stand on them.

And with that said, let's make it a dialogue instead of a monologue. All right?

Q Mr. President, Bill Sharp from WCSC in Charleston, South Carolina. Mr. President, to those people who might say your Presidency and you have been mortally wounded by the Iran-Contra affair, how would you answer those people?

THE PRESIDENT: Well sometimes, before, I've used a line from an old Scottish ballad -- to the effect that, yes, I'd been wounded -- I'll lie me down and rest a bit and then I'll fight again.

Q Liz White, WSM Radio in Nashville. My general manager says I can't go home unless you read this aloud. (Laughter.)

THE PRESIDENT: Oh, boy. (Laughter.)

Q Please. (Laughter.)

THE PRESIDENT: (Laughter.) "I'm Ronald Reagan. Whenever I'm in Nashville, I listen to Radio 650, WSM -- (laughter) -- the 50,000 watt blowtorch of the South. (Laughter and applause.)

Q Could you do it one more time --

THE PRESIDENT: All right. What's that?

Q Could you do it one more time and everybody be quiet? (Laughter.)

THE PRESIDENT: Oh, I thought they were all quiet. Well, the last part was the only place where you started to laugh. I listen to Radio 650 WSM, the 50,000 watt blowtorch of the South.

Q Thank you.

THE PRESIDENT: Well, it's just like being back at WHO. (Laughter.)

Incidentally, on that short answer that I gave you on mortally wounded -- I have to say that I get around quite a bit in the country and the audiences range from blue collar workers in a factory, as they did just a few days ago, to students and their families at a graduation ceremony -- and I haven't seen any evidences that I've been mortally wounded, nor do the people seem to be unhappy about what we've been doing here.

Let me kind of -- all right?

Q Mr. President, Meredith Oakley with the Arkansas Democrat. Mr. McFarlane has claimed that he briefed you dozens of times regarding the activities that were going on regarding Contra aid, and yet you have repeatedly said that you were not aware of any of the nuances of the things that were going on. In light of his testimony, what action have you taken to make sure that your directives that the NSC not be involved in implementing such operations -- what actions have you taken to see that those directives are followed out?

THE PRESIDENT: Well, we have taken actions in that and I know that Frank Carlucci has made a number of changes there in the NSC. But I think something that's gone on in all of these investigations that could also lead to your question is this linking of Iran and Contra aid. And it is -- they've seemed to try to portray me as claiming to be uninformed about everything.

No -- in the Iranian situation, in which they -- representatives of their government, not the Khomeini -- we were not doing business with him at all. We were doing business with people that could have gotten shot if exposed as dealing with us, and they were thinking in terms of what might be a future Iranian government in view of the help of Khomeini and so forth. And they wanted to make a contact to see if we couldn't discuss how we could have better relations. I immediately took them up on that.

We've been, for months and months -- years, as a matter of fact -- trying to find ways to bring an end to that brutal war there that's killed a million people so far. And they were the ones that brought up the subject of arms for them to see it -- first of all, to enhance their stature, but also to prove that they were talking to representatives that could reach up to the top of our government -- in return for that -- because we had put Iran on the "no trade" list due to their support of terrorists.

Our answer to that was, well, they could do something -- we told them about -- we couldn't do business for that reason. They replied that they were opposed also to the support of terrorism. Well, we said there's a way to prove it --

maybe you'd like to use your influence with the Hezbollah, which has a kind of philosophical relationship with Iran, to get our people back, our hostages. And so this is what happened in that situation.

When the news leaked -- it was kept covert to protect the lives of those people we were dealing with. When the news leaked and it suddenly burst all over the world, we were very concerned about that. But out of that, for the first time, we learned that we -- I had not been informed, that our representatives somehow -- there was more money than the \$12 million that we received and that some of that money was deposited in an account that it was reported funneled aid to the Contras. Now, this was all new. I am still waiting to find out the final details of where did that extra money come from, who did it belong to and where did it go?

Now, the Iranian situation -- or I mean the Contra situation -- and I'm going to start calling them freedom fighters. Contra was a term of derogation imposed on them by the Sandinistas. These are people who are fighting for democracy and freedom in their country. And here, there's no question about my being informed. I've known what's going on there. As a matter of fact, for quite a long time now, a matter of years, I have been publicly speaking of the necessity of the American people to support our program of aid to those freedom fighters down there in order to prevent there being established a Soviet beachhead here in the Western Hemisphere in addition to the one we already have in Cuba. And to suggest that I am just finding out or that things are being exposed that I didn't know about -- no. Yes, I was kept briefed on that. As a matter of fact, I was very definitely involved in the decisions about support to the freedom fighters. It was my idea to begin with.

But now -- yes?

Q Mr. President, Norm Vincent, WJCT, Jacksonville, Florida. It seems to be a subject and talk of this town recently and I would like your opinion whether you find it sinful or not, whether the colorizing of great black-and-white classics -- (laughter) -- offends you -- "Bedtime for Bonzo," "Knute Rockne," and the like -- how do you feel about that?

THE PRESIDENT: Well, I can understand the artistic argument that people are raised, because of an art form that did deal in black-and-white photography. And I think, now and then, when you see some of those golden oldies, you're amazed again at the great beauty that could be produced in that. So I can understand their artistic resentment of this change, this artificial coloring of the movies. On the other hand, I can understand the business problems of those who invested the money and who own the films and who know now that there isn't a market for black-and-white. So, frankly, I just question whether this is a problem to be settled by government in any way. (Laughter.)

The gentleman here who stood up. No here. Then I'll move back there.

Q Mr. President, Hugh Smith, WTVT Television in Tampa. Back to the hearings for a moment. Mr. McFarlane, as you know, testified yesterday that you personally approved a \$2 million bribe and ransom plan to get the hostages out. He said he discussed it with you, the Vice President, and possibly Don Regan. Could you respond to that?

THE PRESIDENT: I'm having some trouble remembering that, but then I want to tell you that there were so many things going on and so many reports, and some of this was during the time that I was laid up in the hospital and so forth. I don't recall ever anything being suggested in the line of ransom. I do know that we were constantly receiving ideas and exploring ways in which we could try to get our hostages back, and I believe this is a definite responsibility of the government and we should do that.

But it's possible that what we're talking about was use of money to pay people and hire individuals who could affect a rescue of our people there. And I've never thought of that as ransom.

But, again, I'm having some trouble, just as Bud had some trouble himself with some of the questions that were asked him. There was an awful lot going on, and it's awfully easy to be a little short of memory.

Q Well, is it possible that such a conversation then took place, to the best of your recollection?

THE PRESIDENT: Yes, but I would suggest that never would it be termed ransom, because that, from the very first -- we will not pay a ransom to these -- to kidnapers because it's only going to cause more taking of hostages.

Q Mr. President, John Pruitt from WXIA-TV, Atlanta. Congressman Ed Jenkins has raised some questions about contributions Taiwan made to the Contra freedom fighters' fund. He has raised questions because there was a trade bill pending then that would have been damaging to Taiwan. It was a bill that you later vetoed. Are you concerned about questions this may raise about pressure, implied or otherwise, on Taiwan to make a contribution to the Contras?

THE PRESIDENT: Anyone who would tie things like that together -- they're just -- it's totally dishonest. No, there has never been any such thing. I have known -- I have not myself directly ever engaged in soliciting from other countries, but I know that this wasn't even prohibited by the Boland Amendment. As a matter of fact, it specified that under the Secretary of State, we should encourage such support to the freedom fighters in Nicaragua.

The opposition -- it hasn't been just the Soviet Union whose help has been in the billions -- counted in the billions. Other communist countries -- Libya, the PLO -- all of these, we're aware, have been providing help and support to the Sandinistas -- to that communist government there. And so there was nothing wrong, and I don't see anything wrong with other countries that share our feeling about democracy -- even though this is in this hemisphere -- would come to the aid of these freedom fighters, just as we have come to the aid of causes similar to this, not only in the Western Hemisphere, but in other countries in Asia and Europe as well -- Africa.

And so this -- I don't see any tie of that kind at all. And I see nothing wrong also with the joining in by volunteer groups

and individuals -- citizens, here in our own country -- of helping out in that cause. I'd like to call attention to the fact that in speaking to the British Parliament several years ago, I called attention to the fact that only the communist bloc seemed to be busy in trying to further spread their philosophy to other countries. And I suggested that we of the democracies should have some plans of doing that and such a thing was organized in which we have been the democratic nations of the world, together, trying to help democracy.

Q Mr. President, my name is Tim Kent from WRAL-TV in Raleigh, North Carolina. I don't mean to contradict your earlier answer to the gentleman's question regarding your feeling of national polls, but the last six months public opinion surveys have indicated a significant drop in terms of public support of both you and your policies. In all frankness and candor, sir, how would you respond to that and how do you account for that?

THE PRESIDENT: Well, our own pollster, who I think is the best in the business, who's been with us for years, has found that my approval rating stays at 53 -- it is time -- it is true that there have been peaks in which it has shot up higher than that -- but 53 happens to be the same rating in the sixth year of the presidency of a two-term president -- Dwight Eisenhower had that rating -- and it is the only time in the history of ratings that in the sixth year of a two-term presidency has a president had that higher rating. That's the highest.

But also, I think it's the way the questions are asked. For example, I know a question in a poll that revealed a great majority didn't believe that I had told all the truth to the people. But someone was smart enough to ask a poll of that kind another question: How many of them thought it was all right if they weren't hearing the truth? And a huge majority of that majority that thought I wasn't said they believed there were things that a president shouldn't be forced to tell the people while they were going on.

I have been telling the truth. I told the truth when I went before the press and before both the leadership of both houses of the Congress. When the first hint came that there was more money than the \$12 million, as I spoke a moment ago -- telling about that -- I told everything that I knew in both instances. And I am still waiting, as are others, to find out some of those answers to -- because I had not been informed of anything or any extra money and so forth. But I also know, too, that a recent question has just been taken by a pollster, and -- you know, a lot depends on how the questions are worded. And this one -- speaking of the freedom fighters in Nicaragua -- asked, would the people -- do the people believe and will they support opposition to the establishment of a Soviet beachhead here in the Western Hemisphere, and

80 percent said yes, they would advocate support for resistance to such a thing.

I'm going to take the young lady's question there, and then this -- I'm overtime now, I guess.

Q Sarah Fitz, WSVM in Miami. What priority -- with all that's going on, what priority are you going to give your battle with Congress to get more funding for the freedom fighters in Nicaragua?

THE PRESIDENT: Oh, we're going to keep on with that, and I'm going to keep on taking my case to the people. I have a philosophy about legislatures. It came to my mind while I was Governor. And that was that you don't necessarily make them see the light, you make them feel the heat. So, if it's necessary to go to the people and tell the people what our purpose is and win their support, then I -- I still recall the speaker of one house of the state legislature in California coming into my office on the subject of welfare reform one day. It's one of my happiest memories in public life. He walked in with both hands above his head, and he said, "Stop those cards and letters."

Well, anyway, thank you all very much. I'm sorry we can't go on. And I always regret the hands that were up, but that I couldn't get to.

Thank you all. God bless you. (Applause.)

END

11:52 A.M. EDT

DEFENSE NEWS

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Pg. 6

East, West to Confront an Arms Control Rubik's Cube in Vienna This Summer

By PETER ADAMS
Defense News Staff Writer

WASHINGTON — When East meets West in Vienna this June for the opening of the Atlantic to the Urals talks on conventional forces in Europe, the two sides will face the arms control equivalent of the Rubik's Cube. Consider that the 23 nations of the Atlantic to the Urals talks must take into account:

- Simple numerical comparisons of weapons and manpower between the forces of the Warsaw Pact and NATO.

- The relative quality of those weapons and troop training.

- The manner in which those troops and weapons are deployed throughout Europe and about 2,000 miles into Soviet territory.

- Combat-ready forces vs. organized reserve forces that would need a month of training prior to deployment.

- Emerging technologies.

- Deployment of forces that would make a short-warning attack more feasible.

- Relative abilities of the two sides to mobilize forces, hold terrain and advance in the event of war.

Government and private experts in the field of conventional force balances agree that the new NATO approach will not be to gain simple manpower reductions. A key U.S. Arms Control and Disarmament Agency official said the major lesson in the 14 years of failed conventional arms negotiations is that "you can't count troops. It's impossible to verify."

The Atlantic to the Urals talks replace the Mutual and Balanced Force Reductions (MBFR) talks in Vienna that have not produced an agreement since they opened in late 1973. Another key difference between MBFR and Atlantic to the Urals is the geographic scope.

While MBFR was concerned with the heavy concentration of forces from the Benelux countries to Poland, the Atlantic to the Urals talks will include France and the western Soviet Union. A large contingent of air force units and reserve ground forces, that would need only a month training before entering combat, are deployed in the western U.S.S.R.

Phillip Karber, vice president of McLean, Va.-based BDM Corp. for national security programs, said the new talks will focus on equipment with a major NATO approach being to structure forces in a way that would not allow the Warsaw Pact to achieve a short-warning (3-4 days) attack.

According to the Aspen Strategy Group's 1987 report, *Conventional*

Forces and Arms Control in European Security, researched by a panel that included Karber, "The Warsaw Pact has done much in recent years to improve its capabilities for short-warning attack. This is seen in the expansion of its firepower in forward-deployed units, especially the provision of attack helicopters, modern tanks and self-propelled artillery."

In devising a plan to defuse a Warsaw Pact short-warning attack across Europe, NATO negotiators will depend largely on what is known as dynamic modeling — the ability to look at the balance of the two sides as they conduct a war.

"Simple bean counting — balancing the inputs of men and materiel — is not adequate. . . . The assets that each side has are enormously complex and in many respects not comparable," said Stephen Biddle, an analyst for the Institute for Defense Analyses, a non-profit, federally funded research institute in Alexandria, Va. Biddle's work with computers that creates different war-fighting scenarios has attracted the attention of House Armed Services Committee chairman Les Aspin, D-Wis., who referred to the dynamic modeling work in a September 1987 speech in Washington on European conventional forces.

Biddle explained that dynamic modeling demonstrates that force structure, readiness and where those forces are deployed is as important as the simple numbers of tanks or troops. Dynamic modeling also takes into account the quality of weapons and their relative strength against an op-

ponent's countermeasures through a Weapons Effectiveness Index.

David Calleo, director of European studies at the Johns Hopkins School of Advanced International Studies says in his book, *Beyond American Hegemony*, that "raw numbers may easily prove misleading. The organization and general quality of manpower and equipment are critical for determining real combat power."

Making sense of the conventional arms Rubik's Cube will require an analysis of how NATO and Warsaw Pact forces inter-

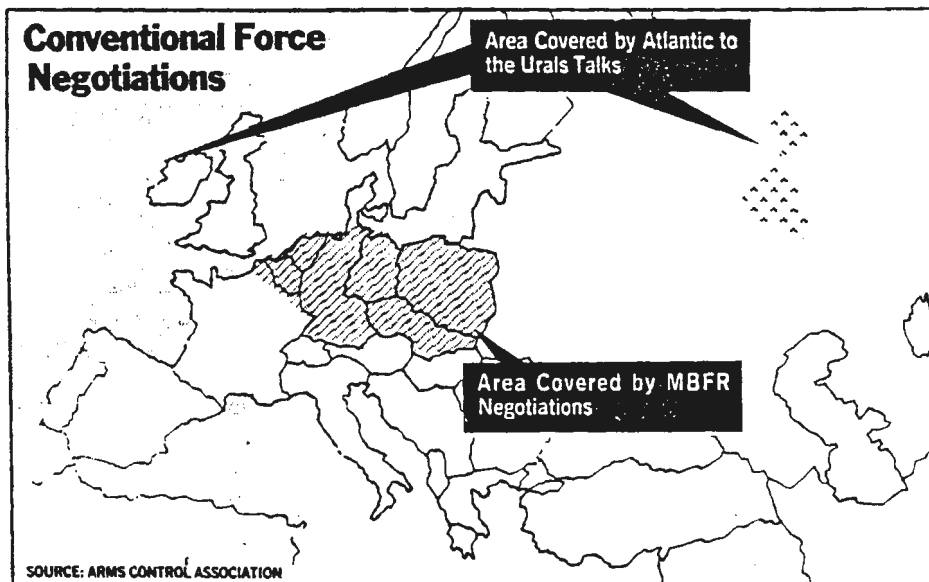
act on the battlefield "with strengths of one side matched against weaknesses of the other and vice versa, according to a 1987 study by the Center for Strategic and International Studies, *NATO: Meeting the Coming Challenge*.

One example of how dynamic modeling may work involves the possible deployment east of the Ural mountains, about 2,000 miles from the Soviet-Polish border, of forces required for a short-warning attack. "We are living in a blitzkrieg world. Even outnumbered forces win in such a world," Biddle said.

The Arms Control and Disarmament Agency source said such a simple proposal as putting limits on bridging equipment would hurt the Warsaw Pact's ability to advance quickly across crucial rivers.

Jonathan Dean, who served as deputy and U.S. representative to the MBFR talks between 1973 and 1981, said although there is a clear numerical advantage in tanks, helicopters and artillery by the

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ARMS NEGOTIATIONS ENDANGER SDI -- KISSINGER

Ongoing arms control negotiations and the recently signed INF Treaty between the Soviet Union and the United States do not enhance U.S. security and very well may endanger the Strategic Defense Initiative, former Secretary of State Henry Kissinger said Thursday night.

In a candid assault on the Administration's arms control policies, Kissinger told a Heritage Foundation forum, "I find it difficult to understand the advantage to our security of any of the agreements which have been concluded or are in negotiation."

He said the damage caused by the INF Treaty "cannot be undone," but added that "this process must not be repeated with a 50 percent reduction now under negotiation."

Kissinger, also National Security Adviser under President Nixon, said he opposes the distinction being negotiated between research and development of SDI and the deployment of such a ballistic missile defense system.

"We might negotiate the size of SDI or the rate of deployment," he said, "but I am very worried that the deployment ban and the linking of other distinctions to the strict interpretation of the Anti-Ballistic Missile Treaty will lead to the atrophy of SDI."

Kissinger, who said he supports the Strategic Defense Initiative because it can protect against third country attacks and small scale hostilities, added he believes the Administration is "selling SDI" and getting nothing for it.

Despite his reservations on the INF accord, Kissinger said it should be ratified by the Senate. Failure to ratify it would result in a political upheaval in Europe which would cause U.S. missiles to be withdrawn while leaving equivalent Soviet systems in place, he said.

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CUBE...CONTINUED

Warsaw Pact, there are strong qualitative differences between the two that will have to be included in dynamic modeling.

For example, "exercise after exercise has demonstrated that the Warsaw Pact air forces are incapable of gaining control of NATO airspace against qualitatively superior NATO forces. This would be essential for a successful attack."

Gen. Wolfgang Altenburg, chairman of the NATO military committee, said in mid-1987 that the main problem of NATO forces is sustainability — the ability to stay in battle. The solution, he said, is saving emerging technologies from the arms

control knife. These weapons will give conventional arms better aim and destructive power against rear-echelon Soviet forces.

And there will be strictly political decisions that will have to be factored into the Atlantic to the Urals negotiations. Dean predicted that NATO negotiators will argue against inclusion of aircraft in the conventional forces equation. "Some West European air forces are so small that reductions could imperil their institutional existence as a separate branch of national armed services," he said.

THE WHITE HOUSE
Office of the Press Secretary

BACKGROUND BRIEFING
BY
SENIOR ADMINISTRATION OFFICIAL

December 2 ,1987

The Briefing Room

2:04 P.M. EST

MR. HOWARD: For your information, the attribution on this -- should be the senior administration officials, of course, and our senior administration official briefers, for your information, are Ambassadors Edward Rowny, Paul Nitze, and Max Kampelman.

Q What about Bob Linhard? He was supposed to --

MR. HOWARD: I'm sorry. I guess we'll call Bob a senior administration official as well -- Colonel Robert Linhard, National Security Council, Senior Director on Arms Control.

Q Yes, absolutely.

Q And all-around good --

SENIOR ADMINISTRATION OFFICIAL: Thank you.

MR. HOWARD: Gentlemen, I know it's a small area up here, but --

SENIOR ADMINISTRATION OFFICIAL: It occurred to us that it would be useful if we made ourselves available to you for any questions that you might have. We've got an INF agreement that all of us have participated in. We've got a summit coming up, and the -- obviously, a major component of that is going to be the arms control area. And so we're here to answer your questions and elaborate as possible since who knows, it's possible I may want to run for public office some day, I'm going to have somebody else select you. I am not going to point out. We'll have Dan do that.

MR. HOWARD: Peter, we'll start with you.

Q Which office, and what?

Q If you weren't there last night, you can't run for president. (Laughter.)

Q Mr. Ambassador, have you received the data from the Soviet Union that you were waiting for that you told us about on Monday?

SENIOR ADMINISTRATION OFFICIAL: Well, we've got -- I'll give you the same answer that we have given you now for a few days. We expect to get it today. Has not yet been here as far as I know.

So -- wait a minute.

SENIOR ADMINISTRATION OFFICIAL: We did get a data package today.

SENIOR ADMINISTRATION OFFICIAL: We got a data package today. So I was right.

Q Is that everything?

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Q All of the data?

Q How much is missing?

SENIOR ADMINISTRATION OFFICIAL: A bit of data, and we've got to look at it.

SENIOR ADMINISTRATION OFFICIAL: There was only a little bit left, as you understand, and apparently it was turned over in Geneva today. It's now being studied. We hope that takes care of that question once and for all.

Q Any explanation for the delay? It came up at the last minute.

SENIOR ADMINISTRATION OFFICIAL: Well, the explanations have been varied, and I don't know that any of us really understand why, other than what seems clear. And Paul may want to elaborate on this as a result of the discussions he had with Akhromyev, it becomes clear to me that their system of operating is different from our system of operating. (Laughter.) And that the kind of data --

Q -- now?

SENIOR ADMINISTRATION OFFICIAL: -- and the kind of data that we very quickly were able to assemble through computers and God knows what, they simply have had a very difficult time accumulating --

SENIOR ADMINISTRATION OFFICIAL: Is that it, or is this the sixth part?

SENIOR ADMINISTRATION OFFICIAL: That's about it, isn't it? Yes, that's about it.

Q Mr. Ambassador, Mr. Karpov was complaining similarly that you haven't given them all the data that they require. Is that also the case, and is this some sort of end game?

SENIOR ADMINISTRATION OFFICIAL: Look, we are at an end game, that's obvious. We have given them all the data that we require, and I can only tell you that in endless hours of discussions with the Soviets, both when I was with Vorontsov, when we all came last week with the Secretary, I have never heard from the Soviets a statement that we have not given them what we're supposed to give them. So this is new to me.

Q If I could follow, apparently, Mr. Redman, over at the State Department also indicated that you would give them when they give you. What's going on?

SENIOR ADMINISTRATION OFFICIAL: We gave everything. We gave everything some time ago, as a matter of fact. We had an exchange and they gave us a vast amount of data -- I don't want to minimize this -- gave us a vast amount of data. And at that point, we gave over our data; we looked at it. It was missing -- they'd been dribbling it out a little bit. And now, hopefully, we've got that done.

Q Secretary Gorbachev in his interview on Monday indicated that he thought, at least at Reykjavik, we came very, very close to reaching a START agreement, and he indicated also he expects to make major headway on that when he comes here next week. How far do you expect to get? What is the benchmark you think might be achieved on any START negotiations during his visit?

SENIOR ADMINISTRATION OFFICIAL: I wouldn't want to answer it on the basis of "expect to get." I can only say what we would hope to get is very far in resolving some of the important

MORE

fundamental issues.

Do you want to make a comment about that?

SENIOR ADMINISTRATION OFFICIAL: Well, I think the -- one of the benefits of this summit and the INF agreement is that it clears the decks of INF to get on with START, which is certainly of great importance. Having said that, there are a number of very big issues which divide us. In START alone, there are the sublimits and then there are a whole host of very difficult verification problems which I would say is, in order of magnitude, greater than INF. Then there's also the linkage that the Soviets have imposed.

They, by their code words, have said that we must -- quote -- "strictly abide by the ABM treaty." And when we asked them at Geneva what this meant at their level, the level we were talking about, they said you may not test systems and components in space. So their buzz words are still that they want to hamper or hinder an SDI agreement.

Q Might it be possible to achieve at least an agreement in principle on-site, and also as part of that question, would you -- do you have any indication that Mr. Gorbachev will bring new proposals on ABM treaty language?

SENIOR ADMINISTRATION OFFICIAL: Let me comment on that and then I'm going to -- next time I have any of my colleagues speak, I'm going to turn the microphones over to you so they could be heard better.

Let me first say to you about that, obviously, the issues that my colleague has pointed out to you are issues that we hope will be significantly narrowed during the time of the meeting of the two heads. I didn't want to answer the question as what we expect; I can only tell you what we hope and what we will be working to achieve.

Now, with respect to the second part of your question, let me simply point out that we are interested in a treaty. We are not interested in an agreement which will not end in a treaty because an agreement which will not end in a treaty but will, let's say, be a declaration coming out of the summit, period, does not bind them in any way; is not legally binding. We may, therefore, find ourselves in the situation where the Soviets, not being bound by a lawful instrument, would go ahead and do anything they wish to do in their national interests; whereas, realistically, we might find ourselves being unilaterally encumbered -- as a result, reasonable position by some members of Congress saying we're about to have it next year or the year after; why spend money on this, that or the other thing?

That kind of unilateral disadvantage is not in our interests and that's why we're pushing for a treaty. And, as a practical matter, the Soviets have communicated to us a very clear intention to join us in that objective. And as you know, the Soviets have publicly suggested the forum for signing such a treaty might very well be the next time there is a summit, which they've suggested be in Moscow.

Q Is it conceivable that, understanding what you just said in your opposition to a framework agreement or a statement, that there might be some kind of statement or joint declaration at the end of this summit that would be a path to that treaty; that you might make some kind of a joint statement indicating a narrowing of some of the differences on the issues that your colleague has discussed?

SENIOR ADMINISTRATION OFFICIAL: Yes, yes, I think so. I think so, Lou. I think so -- for example, one of the things that we're considering -- I know my colleague has done a lot of work on this -- is the question of instructions to the negotiators. That's a path in that direction. I just wanted you all to be sensitized to what we're concerned with.

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SENIOR ADMINISTRATION OFFICIAL: I think the main point is that what we hope to build upon is the joint draft text of the treaty which has been under negotiation in Geneva and which is -- has substantial amount of agreed material in it, even though there are brackets and numerous brackets. But we hope that the President and the General Secretary can arrive at some answers to some of the questions that have been blocking -- that have been making further progress more difficult. If they can do that, then the task of the negotiators in Geneva will be substantially eased and one could meet these time deadlines.

Q When the General Secretary said the other night that he would -- that he's not going to make -- press SDI as an issue, but merely the -- but merely adherence to the ABM treaty, is that a tactical -- new tactics on the part of Gorbachev, or does that signal something more substantive in the way of a proposal?

SENIOR ADMINISTRATION OFFICIAL: Well, what he said publicly is not the first time we've heard this from Soviet officials. I think I must tell you, as you know -- those of you who have followed it; I think most of you have -- that the movement has been significant in -- from the beginning. That is there positions have moved and what there position is today, other than what they've set on the table in Geneva we'll see next week, you know, where really they are. The formulation of Mr. Gorbachev doesn't really solve a great many of the problems because there are still lots of problems of definition.

Do you want to add to that?

Q Gentlemen, the discussion over transition of defenses has focused recently on the idea of predictability and the Soviets seemed to have embraced that as well. In addition to the open labs' concept and some exchange of data, what other notions are there from the U.S. side on increasing predictability?

SENIOR ADMINISTRATION OFFICIAL: We have tried to get the attention of the Soviets to the following overall approach, and I just want to explain what we're talking about here. We have in effect said to them, look, we're living in a new world, it's a world of rapidly evolving technology. The SDI program is a reflection of that. Obviously, the new technologies affect the force structures, not only our own, but yours. We know you're doing work in this area because of these new technologies now. One of the interesting things is, is an acknowledgement of that by Mr. Gorbachev the other night. We know -- we've known that. We know you're doing work in this field. We're doing a lot of work in this field. From our point of view, we see a possibility -- now we're doing research on it -- which moves our force structure, and maybe all of our force structures from an offense-dominant force structure to a transition to a defense-dominant force structure.

Shouldn't we be talking about this with one another? Shouldn't we be visiting one another's laboratories? Shouldn't we perhaps be present at tests that take place? But overall, shouldn't we be talking to one another and trying to figure out a way to adjust to the new technologies in a stable manner? That's been our approach to this problem.

Now, predictability, in the meantime, makes sense while this is happening, because it's evolving. Who knows what we'll learn next year or what will come up next year? So you want some predictability, and the President has suggested a notion of predictability by saying for a period of time -- and we have said the period of December 31st, 1994 -- we want to have -- for that period of time, we'll agree not to withdraw from the ABM Treaty. That remains static. But that has to be -- and I personally have said to these people, you have other ideas for predictability, you have other ideas for confidence-building measures? Tell us what they are. We

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want to discuss them.

Q Could I just follow on that briefly? You talk about staying within ABM, but that means describing what ABM means. Does the U.S. plan to offer any notion of what would be considered within ABM in terms of testing of SDI and the future?

SENIOR ADMINISTRATION OFFICIAL: Let me say to you very clearly that from March of 1985 -- and the reason I'm asserting this is because I have read things to the contrary -- from March of 1985, the American delegation in Geneva has been explaining its position on the ABM Treaty and asserting its position to the Soviets, and we have had discussions about it. We have pointed out how much of our position is very similar to the positions previously taken by the Soviets in their interpretation. We have a difference of opinion -- I don't want to minimize this, but we are talking about it.

Q Can you clear up all these reports that there have actually been conversations with the Soviets about what kinds of tests might be permissible -- lists of tests -- all of the -- the suggestions that have been made and simplifications?

SENIOR ADMINISTRATION OFFICIAL: Two years ago, some of the Rand Corporation people talked to the Soviet scientists, and there was some discussion amongst them as to how one might compose a list and characteristics of devices on that list, and that below that those thresholds, one would be free to test, and above them, the limitations of the ABM Treaty would apply. And I did talk to Bellikov and to Zagdeyev about those things that had been discussed prior to that time with the Rand Corporation. But there have been no subsequent discussions after those discussions some time ago.

It is certainly true that we have talked to all the U.S. scientists -- we've talked to the laboratories, the government laboratories, to Livermore, to Los Alamos, to other government laboratories, with the people in the Defense Department, trying to learn whatever we can from anybody who knows something about these issues.

Q And do you have a conclusion as to -- when the President says in all of these recent speeches that when we're ready we will deploy, do you have a time frame in mind that makes sense technologically -- what time frame that would be -- are you talking a ten-year --

SENIOR ADMINISTRATION OFFICIAL: The time frame that we've talked to the Soviets about is seven years, and we've said that -- or in 1994, December 31st, 1994. And we've said we would not -- we would not exercise our right of withdrawal from the ABM Treaty.

Q And is that because that would be the earliest that it would be possible to deploy? Is there a connection between what is technically feasible and that seven-year period, or is that --

SENIOR ADMINISTRATION OFFICIAL: I don't believe that anybody believes that one can deploy earlier than that. That's correct.

Q On the question of this difference of interpretation of the ABM Treaty, is the President prepared to move in any way toward the Soviet position, which is that there should be some limits on testing? Or, is the President sticking to his position at Reykjavik that there should be no restrictions on development, the only question of predictability would involve deployment?

SENIOR ADMINISTRATION OFFICIAL: No, I think that the position is that we do -- the President does not propose that there be any amendment to the ABM Treaty from the provisions as they were negotiated in 1972. In other words, the treaty stands on its own bottom. And he doesn't propose that we amend that treaty.

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Q Well, I'm not talking about amendment, I'm talking about an agreement on what is permissible under the treaty, that there are different interpretations, obviously, as Ambassador Kampelman referred to. Is the President willing to alter the interpretation that the U.S. has applied to this treaty concerning placing limits on the testing of SDI?

SENIOR ADMINISTRATION OFFICIAL: I believe not. I think we're clear as to what the meaning of the treaty is in that sense.

Q Could you clarify one thing? You said something about no -- they said something about no testing in space. Does that mean that there will be no testing underground?

Q Space means everything?

SENIOR ADMINISTRATION OFFICIAL: I think not. I think what they were talking about is no testing of specific devices in space, and they offered a list of what those devices might be.

Q I'm sensing some mixed signals here today. Earlier from this podium, the President's spokesman warned us not to expect any breakthroughs on START in the course of the negotiations this week. He said very specifically this is a meeting between old enemies, not between old friends. Your colleague talked about the vast differences that remain on START, and yet, you're talking about significantly narrowing the differences next week. I'd like to know which is the more accurate reading, and on what basis are you offering a rather optimistic reading?

SENIOR ADMINISTRATION OFFICIAL: I think the question is worthwhile, because it's designed to clarify a misunderstanding. I made it very clear that I was not saying "I expect" -- if you -- I picked up on that word "expect." I was only saying, "Well, I hope." That's quite different, and it has to be very clearly -- that distinction has to be made. And I see no contradictions at all. We hope to narrow the differences. We are not predicting they will be narrowed, I don't expect it to happen. I don't want to say I expect it. It may happen, it may not happen. And we see no conflict between that. It would be a serious mistake for us to assume now that we know what this -- it's not pre-cooked -- I want to make that clear to you -- it's not pre-cooked. There's a lot of work to do, the differences are significant. This is the most serious adversary, in my opinion, we've had in our history. It's an intelligent one -- Soviet Union -- it's an intelligent one and a serious one, and we have to understand it and watch our Ps and Qs as we negotiate. And we do that.

In connection with the other questions, I just want to remind some of you who don't know that on this question of interpretation of the ABM Treaty, Ambassador Nitze was personally involved in those negotiations at the time and has his own views, which is clearly understood. But I want to say there's some credibility behind that assertion.

Q Gentlemen, in his new book "Perestroika," Gorbachev talks about SDI research -- not only in the laboratory, but also in what's called "factories, institutes, and test ranges." Is there anything new in that language, is it meaningful, and does it leave any room for negotiation?

SENIOR ADMINISTRATION OFFICIAL: Well, there is something new in that language compared to previous Soviet statements, which have said it's okay to have research in the laboratory -- limiting it to the laboratory -- and the extent to which the book goes beyond that, it's obviously a new formulation.

But I want to make very clear to you unambiguously, there is no provision in the ABM Treaty which in any way cuts back on any

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research anyplace, anytime, and I just want to make that clear. Any effort to cut back on research by limiting it to one or one-two-three is in itself not consistent with the ABM Treaty. That has been our position, it is our position. I think it's an unequivocal position and it's a completely correct position, and to my knowledge, is not an issue of controversy in the United States.

Q In that same passage he refers to sitting down and discussing components that could be tested in space and components that could not be tested in space. Does that represent anything new?

SENIOR ADMINISTRATION OFFICIAL: Do you want to handle that?

SENIOR ADMINISTRATION OFFICIAL: That refers to the same idea that was discussed by Velikhov in Zagdeyev a year and a half ago, as I remember it. So that idea was that one -- that they propose a list devices which -- and a list of characteristics of those devices, and if those devices have capabilities above those thresholds, then they cannot be tested in space. If they have capabilities below those thresholds, then they could, under the Soviet proposal, be tested in space.

The main point about that from our standpoint was that even the Soviet position says that there are certain types of devices that can be tested in space for the purposes of ABM research.

Q Sir, I am just curious whether the American side, and I guess specifically President Reagan, will go into this summit with a specific new set of proposed sublimit ideas that he is willing to lay on the table, or with some kind of draft language containing new instructions to negotiators that the American side is going to put forward at the beginning for discussion at the summit?

SENIOR ADMINISTRATION OFFICIAL: I think I would be misleading you and anybody else would be misleading you if you came with any idea that there is any significant movement or major movement on our part in the areas of sublimits. These are very vital to our national interests. The Soviets know our position. We have seen some movement toward that position. I also want to say to you it's a position that we arrived at after taking due note of statements made to us by the Soviets, and I don't mind telling you that we, when we presented this proposal, fully expected the Soviets would accept it because it seemed to be consistent with other statements they had made to us during the course of these negotiations. And we found ourselves in a position where they couldn't take yes for an answer.

And all I want to say to you is that the position we have is a correct one, it's a reasonable one, and we will stick to that position.

Q Are are you negotiating -- instructions to negotiators?

SENIOR ADMINISTRATION OFFICIAL: We really have not yet faced the issue of instructions to negotiators insofar as the actual instructions to U.S. negotiators are concerned because we'd be doing so in a vacuum without knowing the results of what will come out of the summit meeting. Obviously, following this summit meeting, we would hope that there would be some instructions consistent with what's agreed upon at the summit meeting.

Q Sir, there are reports that there were divisions within the administration about the decision today to announce this new Soviet violation of the ABM Treaty. First of all, were there such divisions and, secondly, given the fact that the Soviets have offered us some inspection of at least one of the radars and that there are questions as to whether the radars are fully operational again, do you really believe that these are violations of the ABM

Treaty?

SENIOR ADMINISTRATION OFFICIAL: Let me say that that question will come up this afternoon when somebody else stands here on the platform and will be dealing with that issue, wherever it is -- and deals with that issue. In connection with your second question, however, let me be very clear to you that I have looked into it -- we've had a number of meetings on the subject -- and I don't have any doubt in my mind -- and I don't know if there's much doubt of at least a technical violation of the ABM Treaty. The facts are the facts and they speak for themselves very clearly. Now -- and I think that has to be stated. Also, as you know, there wasn't much flexibility -- I mean, the Congress established the dates when the reports should try to come in and those dates were established without regard to the date of the summit. But that will be discussed by other people, rather than by me or by us here.

Q Well, you could at least answer the question of whether or not there was real resistance within the State Department arms control team to calling this a violation on the eve of the summit.

SENIOR ADMINISTRATION OFFICIAL: I really don't want to answer that question. And not because I'm trying to hide anything from you; because I don't want to use this opportunity to explain the INF treaty and if I answer that question, the next question will follow and the one after that will follow and we'll be off what -- really what our task here to do is to talk about the summit and talk about the INF treaty.

Insofar as it affects --

Q I'll take a yes or no.

SENIOR ADMINISTRATION OFFICIAL: I know you will. Insofar as it affects the summit and insofar as it affects the treaty that we're hoping to negotiate and hope to sign, I can't see that this decision will have any impact on either.

Q Will arms control be discussed at each of the five meetings that the President has with the General Secretary, or is there one single meeting where you think will be the principal meeting on arms control?

SENIOR ADMINISTRATION OFFICIAL: I expect that arms control will be the major subject in terms of time spent. But as you know, the United States, led by the President, is determined that no meeting with the Soviets at any kind of a high level -- certainly the highest level -- can take place without talking about human rights and emphasizing the importance of human rights -- and in a number of the meetings that I've attended, human rights has, indeed, been the first issue that's come up. I don't know whether it will be the first now. It depends on what they both talk about and decide upon as an agenda -- and without dealing with regional problems. Very serious, because it's the regional problems that give rise to the tensions that give rise to the arms. And to just deal with a symptom without dealing with a problem is not a way to deal and to search for lasting solutions between us.

And bilateral problems. But I would say that most of the time will be spent -- and I don't see it as just taking one session. It will probably take more than one session.

Q So it will probably be through all five then, you're saying -- threaded through all five?

SENIOR ADMINISTRATION OFFICIAL: It depends. I would doubt that it would be all five. I really doubt that, only because of the time that the others will have to take. But I -- this will evolve as the two of them talk. You know, the first time they met in

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Geneva nobody expected -- everybody planned -- suddenly, they find themselves walking together in the lake -- by the lake, not in the lake. (Laughter.)

Q On the lake.

SENIOR ADMINISTRATION OFFICIAL: On the lake. (Laughter.) But you know, there's a chemistry that evolves in these talks and not an arbitrary nature to it. And people make guidance suggestions, but then the two of them go off and do what they want to do.

Q Why should we not assume that there was a political motive behind the release of the report today, despite its legislatively mandated schedule, when it's been delayed in the past and when it obviously has some impact on the preparations for the summit?

SENIOR ADMINISTRATION OFFICIAL: I don't, as I said, believe that it will have any kind of an impact on our summit. And if I answer your question, you understand I've got to go back and answer Chris' question, and that is why I am stopping.

Q No, but this speaks of the INF issue because in one of the --

SENIOR ADMINISTRATION OFFICIAL: And I answered it with respect to that, namely, I don't think it will have an impact.

Q No, no, but it also speaks to conservative ratification of the treaty.

Q Exactly.

Q Isn't that the whole point?

Q Mr. Ambassador --

Q That is a reasonable question.

Q On the INF treaty, what we don't have is a good image of what this treaty is going to look like. We were told today at the State Department that the detailed data will go into a memorandum of understanding. What else will be involved? Can you give us the mechanics and the shape of it?

SENIOR ADMINISTRATION OFFICIAL: Mr. INF.

SENIOR ADMINISTRATION OFFICIAL: Well, there will be -- first of all, the treaty is the main document. But in addition to the treaty, there is the memorandum of understanding, in which are recorded all the data as to the numbers and location of all the launchers, and of the missiles, and of the production facilities, and the test ranges, and other facilities that the memorandum of understanding calls for. This would be both on the U.S. side and the U.S.S.R.'s side. The second document is the protocol having to do with elimination. And what that deals with is the process by which the systems to be eliminated, which in this case are all the INF missiles and launchers and post ranges, other things, how they and the similar facilities and missiles and launchers for the shorter range missiles, how they will be eliminated. What the procedures will be for moving them from where they are now to elimination sites. And providing for on-site inspection at the elimination sites, providing for exactly what has to be done to these instruments, or these objects, in order to be sure that they are really destroyed. So that the missiles' cannisters are opened up so that the curved things are flattened out, so that they are cut in pieces, etcetera, etcetera. And it is all spelled out in the elimination proposal protocol, as to how this is to be done and how you are going to have on-site inspection to see that it actually is done pursuant to the

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protocol.

And then there is also an inspection protocol which governs the way in which the inspection teams will be handled. How you announce that you want to conduct an inspection. How you certify to the other side who the members of the team will be, when they will arrive, how long they are going to be at the point of arrival, when they are going to be taken to the point where they are supposed to do the inspection, how long they are supposed to be at that point, when they are supposed to go away and how often these inspections are to be and under what circumstances and what objects, what places, they are supposed to inspect. So that is the next document.

And the final one is a document on privileges and immunities. In other words, what rights does the host country have with respect to the behavior of the inspectors and what protections do the inspectors themselves have as to their immunity from prosecution, except for, you know, if they --

Q And all told, we are talking about what, 100 pages?

SENIOR ADMINISTRATION OFFICIAL: 200 pages is approximately the length of the treaty and the annexes are the protocols thereto. But those are double spaced. I don't know how many pages (laughter) it will be when they get finally put into final form.

MR. HOWARD: I know you have lots more questions. These gentlemen are understandably busy, so I'd like to wrap up with a couple of more.

Q Mindful of what you've said earlier about not wanting to play the expectations game, I wondered if you could tell us from the U.S. perspective what the administration plans or hopes to put on the table vis-a-vis conventional or chemical warfare.

SENIOR ADMINISTRATION OFFICIAL: Let me first say a word about conventional -- it comes up all the time. We are interested in conventional reductions -- very much interested. But that negotiation has to be an alliance negotiation -- NATO-Warsaw Pact. Our position will be the NATO position. In Vienna now, there is a meeting underway -- has been for more than a year -- under the Helsinki Final Act. On that agenda is the desirability of opening up a negotiation among 23 countries -- the NATO countries, the Warsaw Pact countries. I don't know when that meeting will end. It's for the moment hung up on human rights considerations. We had hoped that meeting would end this year. It's not going to end this year, so it'll go into next year. But at the conclusion of that meeting, I would hope that a negotiation would begin, agreed to out of that meeting of these 23 countries to sit down and meet on conventional reductions.

We are prepared always to talk about this issue, but we are not negotiating this issue with the Soviets in behalf of NATO. All of NATO will be involved in this subject.

Now, insofar as chemical weapons are concerned, I would expect this will be on the agenda. It will be discussed. We are not coming in -- I think it would be a mistake to assume we're coming in with any new subjects, new items to table. This is being discussed now in Geneva. We are concerned about the problem. We're concerned from two points of view: we're concerned on the one hand because of really the awful danger that comes from chemical weapons and chemical warfare. We're also concerned about the problem, if you have an agreement, how do you possibly verify it, since most any chemical factory can turn itself over quickly to turning out these poisons?

So that, too, is a matter of great concern to us. And related to that is the fact that it's not difficult to produce, and an increasing number of countries are producing them. And you don't

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solve the problem just dealing U.S.-U.S.S.R. Indeed, I think U.S.-U.S.S.R. have a common problem with respect to other countries that might be producing them. And so these are not simplistic questions, and they require lots of talk between us, and I'm persuaded this will be on the agenda and will be talked about between the parties.

Q I'd like to address this to your colleague, if only in memory of lots of help at other summits.

SENIOR ADMINISTRATION OFFICIAL: I want to say he's the appropriate man to finish these.

Q Is that right?

SENIOR ADMINISTRATION OFFICIAL: God help me!

Q Is that the shovel brigade?

SENIOR ADMINISTRATION OFFICIAL: Yes. (Laughter.)

Q You don't have to take that.

Q You know, you've talked about significantly narrowing differences on strategic offensive weapons, but it seems to avoid the issue of the fact that the Gordian knot has been for a couple of years strategic defense. But the way you talked of a certain confidence, a kind of cautious confidence, that leads me to believe that you have something up your sleeve that perhaps -- a formulation that can bridge these differences. But I wonder -- on strategic defense. And I wonder if you can give us a glimpse of what you intend to propose, or how you see this thing resolving itself.

SENIOR ADMINISTRATION OFFICIAL: It's easy. It's very easy.

SENIOR ADMINISTRATION OFFICIAL: I accept full responsibility. (Laughter.)

SENIOR ADMINISTRATION OFFICIAL: What's up my sleeve is what has been there for the last seven years, and that is my arm. (Laughter.) To tell you the truth, we have been fairly consistent -- we have been consistent on how we approach the relationship between offense and defense since we began these conversations with at that time Ambassador Rowny working START, and Ambassador Nitze working INF, and transitioning through into the nuclear and space talks. We've made progress, I think, in -- at Reykjavik on key elements in START, we've made less progress on defense in space. And we believe that the START treaty is in the U.S. interest and Soviet interest, and in our alliance interest. So we think that we can make progress on its own without pulling out any rabbits in our hat.

Q You mean, you think there has been linkage of SDI? I mean, this is what seems to me you thought at Reykjavik when this rock rolled down and crashed on the whole thing. There's got to be something different here.

SENIOR ADMINISTRATION OFFICIAL: What we are seeing, of course, is the fact that we are making progress with them in understanding as we've put the INF treaty behind us that there are elements that are in our interest in strategic forces. And we're also, I think, making some progress in explaining and making them understand that we have a coherent picture on where we're trying to go in a transition. Now, does that mean that we have to see -- I find that the catch phrases of delinkage and Gordian knot and trick -- I just -- I can't answer that.

Q I'm not looking for catch phrases -- Gordian knot, or anything -- what I'm trying to say is, how do you resolve what has been a problem -- since this issue was announced by the President in

March of '83, if you feel you can significantly narrow differences in START, it seems to me to follow as night to day that you have something that you think you can do to resolve the difference on space defense.

SENIOR ADMINISTRATION OFFICIAL: I think -- the only thing more I can add to what I've said previously is that if we could go back to 1981 or '82 when we were having this same conversation, the issue was, how do you resolve the involvement of British and French systems to get to an INF agreement? And the way we resolve that is by making our case, making it in a principled fashion, with our allies with us and holding firm. And here, we believe that what's important is we hold to our principle and our national interest. That's what we're going to do. And we believe that there is ground between our interest, our national interest and our security and that of the Soviet Union, and we're going to try to find that ground.

MR. HOWARD: Bob, could I draw this to a close? We have another briefing here in just two minutes' time.

SENIOR ADMINISTRATION OFFICIAL: Thank you very much.

THE PRESS: Thank you.

END

2:43 P.M. EST

THE WHITE HOUSE

Office of the Press Secretary

Embargoed for Release
6:30 P.M. EST

December 3, 1987

INTERVIEW OF THE PRESIDENT

BY

PETER JENNINGS - ABC NEWS;
DAN RATHER - CBS NEWS;
BERNARD SHAW - CNN NEWS; AND
TOM BROKAW - NBC NEWS

The Oval Office

2:35 P.M. EST

Q Mr. President, by the luck of the draw, I have the first question this evening.

Next week Mikhail Gorbachev will be in Washington. The two of you are expected to sign an agreement for the elimination of all medium-range nuclear missiles in the world, even though this week you are accusing the Soviets of violating the Antiballistic Missile Treaty, and even though a lot of people say that that will leave the Soviets in a superior position in Europe because they have more men, more tanks, more helicopters. Now if this were another president making this deal, wouldn't the old Ronald Reagan be the first to speak out against it?

THE PRESIDENT: No, because I think this deal is different than anything that's ever been attempted before in arms negotiations between our two countries.

For one thing, this is the first Russian leader -- or Soviet leader, I should say -- that has ever expressed a willingness to eliminate weapons they already have. But, as to whether this changes the military balance, you're absolutely right that in conventional weapons -- tanks, artillery and so forth -- the Soviet Union does have tremendous advantage over the NATO countries and over the United States as a member of NATO.

But there are still thousands and thousands of nuclear weapons -- tactical weapons, battlefield weapons -- that can be fired from artillery and so forth that still exist. These weapons that are disappearing were weapons that if the Soviet Union used them, they wouldn't be hitting military targets, they would be hitting the capital cities of all of Europe. And when -- and if it comes to the point of us negotiating, as I hope it does one day, on those battlefield tactical weapons, then conventional weapons must be negotiated as well. There would be no point then in removing those weapons which now do give us a balance and counter their conventional superiority and leaving them with that other superiority. Both would have to be -- one eliminated and the other brought down to parity.

And we're not anywhere near facing those yet. We're facing the terror weapons. First, these that we want to eliminate totally and that I asked for in 1981, and the next step -- the so-called START agreement where we are talking of starting with eliminating 50 percent of the intercontinental ballistic missiles. Those are the destabilizing weapons that bring terror to the world. Those are the weapons that threaten us with mutual destruction if they are ever loosed -- someone pushes a button and within 30 minutes there is devastation and horror in our country, or, if we've done it to them, in their country. And that would be the next step.

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Q Mr. President, on this treaty, you've not even signed on the dotted line, and yet five of the Republican presidential candidates have deserted you. The conservatives -- the right wing of your party -- are after your scalp. My question is, if you are not a lame duck president, would this INF treaty sail through the Senate?

THE PRESIDENT: Well, I hope it is going to sail through anyway. I think that the objections that we are hearing -- and, yes, from some of our own, you might say, allies and own forces -- they are based on a lack of knowledge as to what this treaty contains, and particularly are they ignorant of the advances that have been made in verification. No treaty before has ever been based on as much verification and on-site inspection and so forth as this one. This is what has been holding it up for so long until we finally got over that hurdle. And I think that this thing hinges something on the first question also, that they think that somehow this is leaving the Soviet Union with its superiority in conventional weapons, and I've just explained that it isn't.

But also I think we have to look at the very fact that we have obtained apparently their agreement to a treaty in which they're destroying four times as many nuclear missiles or warheads as we are.

Q Mr. President, Winston Churchill once said that trying to maintain a good relationship with the communists was not unlike trying to woo a crocodile -- that when it opened its mouth, you never could be quite certain whether it was trying to smile or eat you up. (Laughter.) Now Americans respect you, love you, and are pulling for, but they are concerned that perhaps you are going to or already have allowed Gorbachev to eat you and us up. We have a new CBS News-New York Times poll out tonight, and it indicates that the majority of those polled -- 45 percent -- the largest number -- are convinced that you'll make too many compromises to Gorbachev. And the question is, what assurances can you give? How can you convince Americans that you have the command of the kind of complex information that's necessary here? Not to have this young, energetic, intelligence, tough Marxist-Leninist eat you and us up?

THE PRESIDENT: Well, I haven't changed from the time when I made a speech about an evil empire. And I think I could sum up my own position on this with the recitation of a very brief Russian proverb, "Doveryai no Proveryai." It means trust, but verify. And there would be no way that I could sign a treaty just to be signing a treaty and with my fingers crossed that everything was all right. This is why it is hinged on arriving at solid verification measures and their agreement to them. And I think that in the past there has been a willingness on some to just look on the bright side and accept a treaty so that they could say, look, we've signed a treaty -- whether it -- the treaty worked or whether it benefited us or not. And there's no way that I could do that. And I assure the people now that that will never happen.

That's why I walked out of Reykjavik. In Reykjavik, we had come to an agreement on literally total nuclear disarmament except that at the very last minute they said it could only take place if we gave up SDI. And that's when I came home.

Q Mr. President, a point of information -- this is not a follow up, but did I understand you correctly to say that you have not changed your mind -- not changed your mind from the time you described the Soviet Union as the "evil empire"?

THE PRESIDENT: The Soviet Union has, back through the years, made it plain and certainly declared -- leader after leader has declared his pledge that they would observe the Marxian concept of expansionism -- that the future in a one world, communist state. All right, we now have a leader who is apparently willing to say or

has never made that claim, but is willing to say that he's prepared to live with other philosophies in other countries. But, again, as I say, that doesn't mean that we take his word for that and sign a treaty he alone may not be able to deliver on something of that kind.

We'll sign a treaty -- as I've repeatedly said here -- when we're sure that that treaty is as beneficial to us as it is to them. And I would like to call your attention to the fact that in 1981, when I proposed the zero option of these intermediate weapons, they indignantly walked out of the negotiations and said they wouldn't be back. Well, they came back. And, as a matter of fact, they came back and announced a zero-zero as their own idea. Now, I think that some of the people who are objecting the most and just refusing even to concede to the idea of ever getting any understanding, whether they realize it or not, those people -- basically down in their deepest thoughts have accepted that war is inevitable and that there must come to be a war between the two superpowers.

Well, I think as long as you've got a chance to strive for peace, you strive for peace. But you don't have peace and surrender. And there's no way that we're going to surrender -- no way that we're going to sign a treaty that is not, as I say, to the benefit of all us.

Q Mr. President, in something of the same vein of Mr. Gorbachev, I think all our polls this week may show the same thing. The ABC News-Washington Post polls shows surprising that Mr. Gorbachev's favorable rating in this country is only four percent lower than your own. He's made a strong impression. The other day when you were asked about difficulties with him, you turned it aside with something of a joke. You said you'd played with Errol Flynn. Can you give us more serious assessment now of Mr. Gorbachev and how tough he is to do business with?

THE PRESIDENT: Well, you -- all of you in reporting my line about Errol Flynn sort of skipped over what the young man had asked me. He had made it out that you'd all

built up Mr. Gorbachev to the place that -- didn't I have some concern about sort of standing up there along side him and being -- well, he'd be the scene-stealer, and so forth, and that's when I couldn't help but say I co-starred with Errol Flynn, so that's all that that was about.

But with regard to those poll figures -- and polls -- I have to say, you have to know what questions are asked, and how they're being asked. Because our Dr. Wirthlin, that I think is the finest and -- on-the-record pollster in the nation has just -- more recently taken a poll, and he found that 56 percent of the people in America support the treaty, and SDI. And then when they heard his interview and him admitting that they, too, were working on an SDI, that figure went up to 71 percent of the American people want Strategic Initiative -- Defense Initiative.

Q Mr. President, we learned again this week that Mikhail Gorbachev has a very hard-line view about human rights in his country, and a very distorted view about the human rights equation in this country. He seems not to understand, firsthand, the depth of feeling in America, and even in his own country, about the need for people to have freedom to come and go as they please -- to live in dignity. Could you not bring that feeling to him by inviting some refuseniks to the State Dinner next week, so that when he is your guest he can meet them firsthand?

THE PRESIDENT: Well, I'm sure that there are going to be a number of people at that dinner who have different views from him. Whether that's the place, though, for what you're suggesting, I don't know. But I do know this -- that we've talked all this time here on disarmament and virtually this single treaty, but that is only one of

the four major courses that we're going to be discussing with him, as we have on all the other occasions -- and that is, human rights -- one of them -- and we have made some headway. There has been an increase. A number of the so-called refuseniks who have been allowed to come to this country have been requests by us by name in which we have named individuals that have come to our attention. And we've got to go further.

What you first suggested there -- we've got to make them see that the full human rights -- the rights that they agreed to in the Helsinki Pact have got to be observed; the right of people to live where they want to live. And perhaps we can point out in our discussions that we're not trying to interfere with their internal workings, as they have -- that's the answer that they've given so many times to us on this particular subject. But maybe we could make them see that if their people had more of that glasnost that he's been talking about, they wouldn't want to emigrate.

I'm quite sure that there are people there who love their country, but it's the manner in which it is being run that makes them think they have to go someplace else. But what, for example -- how much emigration on the basis of religious beliefs would there be if they would simply repeal the restrictions that they've imposed on various religions, and admit that people can believe in God and worship God in their own way, whatever their denomination might be. As a matter of fact, people who have been there and people who have a reason to know, not just tourists, have said that there is a growing desire on the part of the Soviet people for the right to worship. And maybe in all of our meetings -- maybe we could help him understand that and help him get his glasnost.

Q But part of the problem on human rights, it seems to a lot of people, is that we have no effective pressure on them -- no linkage. And you have been talking here again today about the need to reduce long-range missiles by 50 percent. Plainly, Gorbachev is interested in that. If you can work out an accommodation on SDI, the Strategic Defense Initiative, and work your way toward a 50 percent reduction in long-range missiles, would you sign that if there were no measurable significant progress as well in human rights by a set standard?

THE PRESIDENT: Well, as I have to say, I think these things -- you shouldn't link these various programs, but we will be working just as hard with regard to human rights, just as hard with regard to the regional things such as getting out of Afghanistan, and pointing out that if he means his desire for a better, more open relationship between the two countries, then these are things that are essential to that and that he can come closer to what he expresses as his desire if he meets us halfway on these other issues.

Q Mr. President, do you suspect, do you suspect that Gorbachev thinks he can do a snow job on the American people?

THE PRESIDENT: I would have no way of knowing that. I have to say this in his -- in favor of him on this thing; that I have felt, having been born and raised within the Soviet framework, I have felt that he sincerely believes in that philosophy and also believes a lot of the propaganda about the Western world and about our country -- that it isn't just spouting off about shortcomings here in this country; he really believes them.

That's why I am desirous of having him be able to come to our country -- he has never been here before -- to come to our country when it is not a summit, but when he would be free to see what there is to see in this country. I'm a little frustrated when I think you couldn't take him to see it because then he'd think it was all staged because he sincerely believes the shortcomings that he discusses of ours. And I'm still going to hope that the other can take place.

Q Because arms control is such a crucial part of your legacy -- INF here in Washington, possibly, possibly, a START agreement in Moscow -- if you do not go to Moscow next summer, given your legacy, will it break your heart?

THE PRESIDENT: Well, I think I'd stop short of that, but I'd be very disappointed. And I just don't think it's going to happen. I think that we're going to have a meeting in Moscow and I think there is a reasonably good chance that we will make another gigantic step forward in the elimination of nuclear weapons.

Q Mr. President, you said that you watched Tom's fascinating interview with Mr. Gorbachev the other evening.

THE PRESIDENT: Yes.

Q Would you assess for me your personal opinion of his truthfulness when he talked about Afghanistan and the extent and causes of anti-Semitism in the Soviet Union?

THE PRESIDENT: Well, as I say, I have to believe that he believes their own propaganda. He grew up with this and hearing this.

Q You believe that he believes that he has 115,000 troops in Afghanistan, committing genocide almost daily, simply because they were invited in there?

THE PRESIDENT: Well, you must remember that there were other leaders under which this happened. He inherited that. And those leaders are the ones who had created the puppet government. Now, whether he knows that -- to what extent they did that, I don't know. But I'm quite sure, on the other hand, that he feels comfortable with the idea that if they left Afghanistan that there would be a government similar to the Eastern bloc nations in Afghanistan, not necessarily a government that was chosen by the people of Afghanistan.

Well, on our side, our job is to make him see that not only must their troops leave Afghanistan, but that the people of Afghanistan, just as the people of Nicaragua, must have the right to determine the government that they're going to have in those countries and not simply accept the present stooges for the communist world.

Q There's a lot of talk, Mr. President, about you facilitating a Soviet withdrawal from Afghanistan. Would you, for example, make a commitment not to supply the antigovernment forces for a year if the Soviets committed to get out of Afghanistan within that period of time?

THE PRESIDENT: I don't think we could do anything of that kind because the puppet government that has been left there has a military and it would be the same as what I'm arguing about with regard to the freedom fighters in Nicaragua. You can't suddenly disarm them and leave them prey to the other government -- and this is p-r-e-y, not p-r-a-y -- that they -- that, no -- the people of Afghanistan must be assured of the right of all of them to participate in establishing the government they want, and that requires more than just getting his forces out of there. But I think that -- I think we have to look at one other thing here. You spoke of the need for pressure sometimes to get some of the things we want. The pressure on him is -- and on the Soviet Union, is that that great military power, in some almost eight years, has been unable to overpower the freedom fighters there. They're fighting on literally even terms. And it must be quite an embarrassment.

Q Another question, sir, about withdrawal. You're very up about the INF agreement. You're optimistic about the possibility of getting your reduction in strategic nuclear weapons.

MORE

The Soviets have talked a lot about reducing their conventional forces in Europe. Is it time to consider bringing some American troops home from Europe?

THE PRESIDENT: Well, not at a time when we already are outweighed by the opposition. That would come as part of an agreement if you were coming down to parity so that there would not be anyone with a great superiority. So, no, we -- they would have to come down quite a ways by themselves before they would reach our level. I think if you look at the figures on tanks, mechanized warfare, artillery pieces -- they outnumber the NATO forces by as much as three times as many weapons in those fields, as NATO has.

Q Mr. President, there is some feeling, as I'm sure you're aware, that you're eager to make this arms control deal in part because you need a political victory, especially after the Iran-Contra affair. There is some unfinished business. There are some open questions around Washington and the country. One of the principal ones is that if Colonel North and Admiral Poindexter are indicted, would you pardon them?

THE PRESIDENT: That's a question that I don't think anyone should try to answer at a time like this. You tempt me into remarking something about the Iran-Contra affair. I refuse to believe that accepting a request from individuals, not in the government -- or not government forces of Iran -- to discuss the possibilities of a future government of Iran having a better relationship with the United States -- that it was a scandal for me to accept that invitation and have some people make contact with them. And, so -- but that --

Q But it went a lot deeper than that, Mr. President. It was not just the initial contacts about future relations. There was money diverted, and there was, as you know --

THE PRESIDENT: Yes. I'm the one that told all of you that there was money diverted. And I didn't know it until after that leak in a paper in Beirut exposed the meeting we were having -- we were having a covert operation there because we didn't want to cause the death of the people who had wanted to talk to us.

Q Mr. President, in 1980, George Bush was put on your ticket. It was a shotgun marriage. Is that one of the reasons why now you can't find your -- the will to embrace him, to endorse his candidacy? Some people say if you don't speak out, in effect it will be the kiss of death.

THE PRESIDENT: No. I think most people would overlook then that the President is really the titular head of the party -- of his party, whichever party he belongs to. And therefore, while it is a party choice that must be made as to who a nominee is, I was -- had to be this way when I was a governor, I have to be this way when -- as President. But I can only tell you that whichever individual the party chooses, I will wholeheartedly support them as obviously the best choice for this office, having viewed the candidates of the other party. But I can say this -- the Vice President, I think, has been the finest Vice President in my memory in this country. He has participated in all the major operations that -- I had that belief when I came here, and I'd had it when I was a governor with a lieutenant governor -- that -- it isn't someone just sitting there waiting to see if you get up in the morning -- whether they've got another job. He's an executive Vice President. He's a major part. He's one of only two of us that are chosen by all the people in this country for the jobs that we hold. And so, he understands that and -- but I have to remain neutral until the decision is made by the party as to who their nominee will be.

Q Mr. President, Bernie's question raises an interesting point. Vice President Bush has said a number of times that he gave you some counsel about the secret shipment of some of

our best missiles to the Ayatollah and sending the Ayatollah a birthday cake and that whole thing. But he hasn't said what it was. Don't you feel -- or do you feel that the American people are entitled to know, given the fact that Vice President Bush wants to be President, what that advice was and will you tell us?

THE PRESIDENT: Well, Dan, George and I -- not every Thursday now, but for several years every Thursday until this campaign go underway -- we have lunch together -- just the two of us. And we discuss, as you can imagine, all the things that are going on and so forth. And he does not hesitate, when I ask, to give me his opinion on something. But here again, you've tempted me into another direction. Because again, that misunderstanding out of the Iran-Contra so-called affair -- that missiles to the Ayatollah -- the people that contacted us from Iran -- the people we were dealing with -- if the Ayatollah found out, they'd be dead before nightfall. We weren't dealing at all with the Ayatollah. Now, I think he's as big a satan as he thinks I am.

And so -- and the weapons -- this came as a request from those individuals. That they -- that if we could do that -- first of all, it would assure them that the people they were dealing with sereptitiously were speaking for the government -- had some standing here in our country. And also, they -- if they could provide those to the military -- not to the revolutionary guard -- to the military, it would give them the prestige.

The thing that's been overlooked in all of the examinations was, that when all of that was happening, virtually every day you and others in the press were commenting on how long the Ayatollah was going to live. It sounded as if he wouldn't be around by the next week. And there was factionalism rising in Iran as to who then was going to take over. Well, this is what this operation was about. These people were an element that wanted to have the kind of government that we once were closely allied to in Iran. And this was why we started doing business with them.

Now, when they asked for that token shipment of arms to verify and so forth our credentials, we turned around and cited that we didn't go along with governments that supported terrorism. They made it pretty plain they didn't support terrorism either. And we then -- or I said, well, all right, let them prove their good faith. If we do this, in using whatever influence they have to see if they could get those terrorists to release our hostages.

Never at any time did we view this as trading weapons for hostages. Because we weren't doing anything for the kidnappers. And we -- but we knew someone that evidently might have an open -- an ability to open a door and they did get two of them out. And when the news broke that blew the whole thing over, we were expecting two more in the next 48 hours that are still hostages.

Q Mr. President, respectfully --

Q I'm sorry, we don't have much time --

THE PRESIDENT: But now, your question --

Q I want to give way to Peter because -- want to get his question --

THE PRESIDENT: Well, wait a minute. Let me just finish and then I will -- but what you said about George. I don't think it'd be right for me to discuss what his position was on things. But there was a disagreement among our people that they -- and that -- not that I was trading arms for hostages, but that that, if it became known -- what we doing -- it would be viewed as that. And those individuals were absolutely right because everybody has viewed it since and misconstrued it as -- that we were trading, as a ransom, hostages for arms.

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Q Let's talk -- because we're short of time.

THE PRESIDENT: All right.

Q Give way to Pete.

Q My last question, as I think a lot of people's, of mine, sir, is about the dollar. You said not very long ago that the dollar had fallen as far as you thought it should go and it continued to fall. What would you like to say or do now to stop it from falling further?

THE PRESIDENT: Well, we've -- I don't think we've done anything to contribute to its falling further. It isn't a case at where sometimes in the past when it was certainly overpriced, that we have made efforts to balance it up. I've often wondered sometimes -- they keep talking about the government, or the dollar falling, or is it maybe that some of those foreign currencies that were way below value have come up to where they properly should be.

But it is fluctuating, and we're interested in stabilization, and I think that some of the things we've done have -- are leading and have led to that, a sudden surge of cutting interest rates in some of our trading allies abroad, did have the effect again of making the dollar fall. But that was their doing, not ours.

Q Mr. President, covered some ground -- more to cover. We'd like to thank you very much for joining us.

THE PRESIDENT: Well, thank you.

END

3:05 P.M. EST

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

December 10, 1987

DEPARTURE STATEMENTS BY THE PRESIDENT
AND GENERAL SECRETARY GORBACHEV

The Diplomatic Entrance

2:25 P.M. EST

THE PRESIDENT: Mr. General Secretary. These last few days have been exciting, indeed, for both of us and for our fellow countrymen who followed the course of our discussions. I am pleased to report that upon the completion of our business that this summit has been a clear success. (Applause.) Like the star on the top of the National Christmas Tree, which was lit the evening you arrived, Mr. General Secretary, this summit has lit the sky with hope for all people of goodwill. And as we leave, it is up to both sides to ensure that the luster does not wear off and to follow through on our commitments as we move forward to the next steps in improving the relations between our countries and peoples.

I believe both the General Secretary and I can walk away from our meetings with a sense of accomplishment. We have proven that adversaries, even with the most basic philosophical differences, can talk candidly and respectfully with one another and, with perseverance, find common ground. We did not hide from the weighty differences that separate us; many of them, of course, remain. One of my predecessors, President Franklin Roosevelt, once said, "History cannot be rewritten by wishful thinking." Our discussions, in that spirit, were straightforward and designed to open a thoughtful communication between our governments on the critical issues that confront us.

Our exchange on the subject of human rights underscored the priority we in the Western democracies place on respect for fundamental freedoms. I am pleased that during this summit we addressed this area of heartfelt importance and have ensured a continuing dialogue on human rights at the highest levels of our governments.

Our discussions on regional conflicts were no less to the point. These conflicts continue to take a heavy toll in lives and impose a heavy burden on East-West relations. The General Secretary and I expressed different points of view -- we did so bluntly -- and for that reason alone, our talks have been useful in this area. Moreover, we agree that it is necessary to search for real political solutions to these conflicts. But so far we cannot be satisfied with what has been achieved. We must now press ahead in the search for political solutions that advance the cause of peace and freedom for the people suffering in these wars. The door has been opened and it will stay open to serious discussion of ending these regional conflicts.

And as far as open doors, Mr. Gorbachev and I both agree on the desirability of freer and more extensive personal contact and the breaking down of artificial barriers between the peoples of the Soviet Union and the United States. As I said in my welcoming remarks, the fact that our governments have disagreements should not prevent our peoples from being friends.

Of course, the greatest accomplishment of these three days was the signing of a treaty to eliminate a whole class of U.S.

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and Soviet nuclear weapons. Another one of my predecessors, a President I have admired since my youth, Calvin Coolidge, once said, "History is made only by action." Well, it took enormous effort and almost superhuman tenacity on the part of negotiators on both sides, but the end-product is a treaty that does indeed make history. It is in the interest of both our peoples, yet I cannot help but believe that mankind is the biggest winner. At long last, we have begun the task of actually reducing these deadly weapons, rather than simply putting limits on their growth.

The INF Treaty, as proud of it as we are, should be viewed as a beginning, not an end. Further arms reduction is now possible. I am pleased some progress has been made toward a strategic arms reduction treaty over the last three days.

Individual agreements will not, in and of themselves, result in sustained progress. We need a realistic understanding of each other's intentions and objectives, a process for dealing with differences in a practical and straightforward manner, and we need patience, creativity, and persistence in achieving what we set out to do. As a result of this summit, the framework for building such a relationship has been strengthened.

I am determined to use this framework. My goal -- which I believe you share, Mr. General Secretary -- is a more constructive relationship between our governments -- long-lasting rather than transitory improvements. Together, we can bring about a more secure and prosperous future for our peoples and a more peaceful world. Both of us are aware of the difficult challenges and special responsibilities inherent in this task.

During World War II, when so many young Russians served at the front, the poem "Wait For Me" became a prayer spoken on the lips of Russian families who dreamed one day of the happiness that their reunion would bring. The cause of world peace and world freedom is still waiting, Mr. General Secretary. It has waited long enough.

General Secretary Gorbachev, Mrs. Gorbachev, it is good that you came to America, and Nancy and I are pleased to have welcomed you here. Your visit was short, yet I hope you will take with you a better sense of the spirit and soul of the United States of America, and when you get back to Moscow, please pass on to the Soviet people the best wishes of the American people for a peaceful and prosperous new year.

Thank you, and Godspeed on your journey. (Applause.)

GENERAL SECRETARY GORBACHEV: Esteemed Mr. President, esteemed Mrs. Reagan, ladies and gentlemen. In these last hours before our departure for home, we note with satisfaction that the visit to Washington has, on the whole, justified our hopes. We have had three days of hard work, of business-like and frank discussions on the pivotal problems of Soviet-American relations and on important aspects of the current world situation.

A good deal has been accomplished. I would like to emphasize in particular an unprecedented step in the history of the nuclear age: the signing of the treaty under which the two militarily and strategically greatest powers have assumed an obligation to actually destroy a portion of their nuclear weapons. Thus, we hope, setting in motion the process of nuclear disarmament.

In our talks with President Ronald Reagan, some headway has been made on the central issue of that process, achieving substantial reductions of strategic offensive arms which are the most potent weapons in the world, although we still have a lot of work to do. We have had a useful exchange of views which has clarified each other's positions concerning regional conflicts, the development of our bilateral ties, and human rights. On some of these aspects, it

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seems likely that we can soon identify specific solutions satisfactory both to us and to other countries. A useful result of the Washington talks is that we have been able to formulate a kind of agenda for joint efforts in the future. This puts the dialogue between our two countries on a more predictable footing and is undoubtedly constructive.

While this visit has centered on our talks with the President of the United States, I have no intention of minimizing the importance of meetings with members of Congress, with other political leaders, public figures, members of the business and academic communities, cultural figures, and media executives. Such contacts enable us to gain a better and more profound knowledge of each other, provide a wealth of opportunities for checking one's views, assessments and even established stereotypes.

All this is important, both for policy-making and for bringing peoples and countries closer together. These meetings have confirmed the impression that there is a growing desire in American society for improved Soviet-American relations. In short, what we have seen here is a movement matching the mood that has long been prevalent among Soviet people.

In bidding farewell to America, I am looking forward to a new encounter with it in the hope that I will then be able to see not only its Capital, but also to meet face-to-face with its great people, to chat and to have some lively exchanges with ordinary Americans. (Applause.)

I believe that what we have accomplished during the meeting and the discussions will, with time, help considerably to improve the atmosphere in the world at large and in America itself in terms of its more correct and tolerant perception of my country, the Soviet Union.

Today the Soviet Union and the United States are closer to the common goal of strengthening international security. But this goal is yet to be reached. There is still much work to be done and we must get down to it without delay.

Mr. President, esteemed citizens of the United States, we are grateful for your hospitality and we wish success, well-being and peace to all Americans. Thank you and good-bye.

END

2:45 P.M. EST



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Washington, D.C. 20503

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

December 10, 1987

ADDRESS BY THE PRESIDENT
TO THE NATION

The Oval Office

9:01 P.M. EST

THE PRESIDENT: Good evening. As I am speaking to you now, General Secretary Gorbachev is leaving on his return trip to the Soviet Union. His departure marks the end of three historic days here in Washington in which Mr. Gorbachev and I continued to build a foundation for better relations between our governments and our peoples.

During these three days we took a step -- only a first step, but still a critical one -- toward building a more durable peace; indeed, a step that may be the most important taken since World War II to slow down the arms buildup.

I'm referring to the treaty that we signed Tuesday afternoon in the East Room of the White House. I believe this treaty represents a landmark in post-war history because it is not just an arms control, but an arms reduction agreement. Unlike treaties of the past, this agreement does not simply establish ceilings for new weapons; it actually reduces the number of such weapons. In fact, it altogether abolishes an entire class of U.S. and Soviet nuclear missiles.

The verification measures in this treaty are also something new, with far-reaching implications. On-site inspections and short-notice inspections will be permitted within the Soviet Union. Again, this is a first-time event, a breakthrough.

And that's why I believe this treaty will not only lessen the threat of war, it can also speed along a process that may someday remove that threat entirely. Indeed, this treaty -- and all that we've achieved during this summit -- signals a broader understanding between the United States and the Soviet Union. It is an understanding that will help keep the peace as we work toward the ultimate goal of our foreign policy: A world where the people of every land can decide for themselves their form of government and way of life.

Yet as important as the INF treaty is, there is a further and even more crucial point about the last three days and the entire summit process: Soviet-American relations are no longer focused only on arms control issues; they now cover a far broader agenda, one that has -- at its root -- realism and candor.

Let me explain this with a saying I've often repeated: Nations do not distrust each other because they're armed, they are armed because they distrust each other. And just as real peace means the presence of freedom and justice, as well as the absence of war, so too, summits must be discussions not just about arms but about the fundamental differences that cause nations to be armed.

Dealing then with the deeper sources of conflict between nations and systems of government is a practical and moral imperative. And that's why it was vital to establish a broader summit agenda, one that dealt not only with arms reductions but also

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people-to-people contacts between our nations and -- most important -- the issues of human rights and regional conflicts.

This is the summit agenda we have adopted. By doing so, we've dealt not just with arms control issues, but also with fundamental problems such as Soviet expansionism, human rights violations, as well as our own moral opposition to the ideology that justifies such practices. In this way, we have put Soviet-American relations on a far more candid and far more realistic footing.

It also means that while there is movement -- indeed, dramatic movement -- in the arms reduction area, much remains to be done in that area as well as in these other critical areas that I have mentioned, especially -- and this goes without saying -- in advancing our goal of a world open to the expansion of human freedom and the growth of democratic government.

So, much work lies ahead. Let me explain: On the matter of regional conflicts, I spoke candidly with Mr. Gorbachev on the issues of Afghanistan, Iran-Iraq, Cambodia, Angola and Nicaragua. I continue to have high hopes -- and he assured me that he did too -- that we can have real cooperation in resolving regional conflicts on terms that promote peace and freedom. This is essential to a lasting improvement in our relations.

So too, on human rights, there was some very limited movement -- resolution of a number of individual cases, in which prisoners will be released or exit visas granted. There were assurances of future, more substantial movement, which we hope to see become a reality.

And finally, with regard to the last item on our agenda -- scientific, educational, cultural, and economic exchanges -- we agreed to expand cooperation in ways that will break down some of the artificial barriers between our nations. For example, agreement was reached to expand and improve civil air service between our two countries.

But let me point out here that while much work is ahead of us, the progress we have made especially in arms reduction does reflect a better understanding between ourselves and the Soviets.

It also reflects something deeper. You see, since my first meeting with General Secretary Gorbachev in 1985, I have always regarded you, the American people, as full participants in our discussions. Though it may surprise Mr. Gorbachev to discover that all this time there has been a third party in the room with us, I do firmly believe the principal credit for the patience and persistence that brought success this year belongs to you, the American people.

Your support over these last seven years has laid the basis for these negotiations; your support made it possible for us to rebuild our military strength, to liberate Grenada, to strike hard against terrorism in Libya, and more recently, to protect our strategic interests and bolster our friends in the Persian Gulf. Your support made possible our policy of helping freedom fighters like those in Afghanistan, Nicaragua, Angola, Cambodia and other places around the globe. And when last year at Reykjavik, I refused Soviet demands that we trade away SDI -- our Strategic Defense Initiative that could erect a space shield against ballistic missiles -- your overwhelming support made it clear to the Soviet leaders that the American people prefer no deal to a bad deal, and will back their President on matters of national security. In short, your support for our foreign policy goals -- building a safer peace as we advance the cause of world freedom -- has helped bring the Soviets to the bargaining table. It makes it possible now to hope for a real, fundamental improvement in our relations.

You know, the question has often been asked whether democratic leaders who are accountable to their people aren't at a grave disadvantage in negotiating with leaders of totalitarian states who bear no such burden. Well, believe me, I think I can answer that question, I can speak from personal experience. Over the long run, no leader at the bargaining table can enjoy any greater advantage than the knowledge that he has behind him a people who are strong and free -- and alert; and resolved to remain that way. People like you.

And it's this kind of informed and enlightened support, this hidden strength of democratic government, that enabled us to do what we did this week at the Washington summit.

Now that the treaty's been signed, it will be submitted to the Senate for the next step, the ratification process. I will meet with the leadership of Congress here tomorrow morning, and I'm confident that the Senate will now act in an expeditious way to fulfill its duty under our Constitution.

To this end, let me explain the background. In the mid- and late-1970s, the Soviets began to deploy hundreds of new, mobile intermediate-range missiles, capable of destroying major cities and military installations in Europe and Asia. This action was an unprovoked, new dimension of the threat against our friends and allies on both continents, a new threat to which the democratic nations had no comparable counter.

Despite intense pressure from the Soviets, NATO proceeded with what we called a "two-track policy." First, we would deploy a limited number of our own INF missiles as a deterrent but, at the same time, push hard in negotiations to do away with this entirely new nuclear threat. And we set out to do this with a formula I first put forward in 1981 -- it was called the zero-option; it meant the complete elimination of these missiles on both sides.

Well, at first, many called this a mere propaganda ploy, some even here in this country. But we were persistent, our allies steadfast, and eventually the Soviets returned to the bargaining table. The result is our INF treaty.

As you see from the map on the screen now, the Soviet missiles, which will be removed and eliminated under the treaty, have been a major threat to the security of our friends and allies on two continents, Europe and Asia. Under the terms of this treaty, we will be eliminating 400 deployed warheads, while the Soviet Union eliminates 1,600, or four times as many.

Now, let me also point out that this does not, however, leave NATO unprotected. In fact, we will maintain a substantial deterrent force on the ground, in the air, and at sea. Our commitment to NATO's strategy of being able to respond as necessary to any form of aggression remains steadfast.

And with regard to verification, as I've mentioned, we have the breakthroughs of on-site inspections and short-notice inspections not only at potential missile deployment sites, but at the facility where the Soviet SS-20 missiles and their components have been assembled. We have a verification procedure that assures each side that the missiles of the other side have been destroyed and that new ones aren't built.

Here, then, is a treaty that shows how persistence and consistency eventually can pay off in arms negotiations. And let me assure you, too, that this treaty has been accomplished with unprecedented consultation with our allies and friends. I have spoken personally with the leaders of the major democracies, as has Secretary Shultz and our diplomats. This treaty has full allied support.

But if persistence is paying off in our arms reduction efforts, the question of human rights and regional conflicts are still problems in our relations. But I am pleased that some progress has been made in these areas also.

Now in addition to these candid exchanges on our four-part agenda, Mr. Gorbachev and I did do some important planning for a Moscow summit next year. We agreed that we must redouble our efforts to reach agreements on reducing the levels of U.S. and Soviet long-range or strategic nuclear arms as I have proposed in the START negotiations. He and I made real progress toward our goal first agreed to at Geneva -- to achieve deep, 50-percent cuts in our arsenals of those powerful weapons. We agreed that we should build on our efforts to achieve agreement on a START treaty at the earliest possible date; and we have instructed our delegations in Geneva accordingly.

Now, I believe deep reductions in these offensive weapons -- along with the development of SDI -- would do much to make the world safer. For that reason, I made it clear that our SDI program will continue, and that when we have a defense ready to deploy -- we will do so.

About the future, Mr. Gorbachev and I also agreed that, as nuclear weapons are reduced, it becomes all the more important to redress the disparities in conventional and chemical weapons, where the Soviets now enjoy significant advantages over the United States and our allies.

I think then from all of this you can see not only the direction of Soviet-American relations but the larger framework of American foreign policy. As I told the British Parliament in 1982, we seek to rid the world of the two great nightmares of the post-war era -- the threat of nuclear war and the threat of totalitarianism. And that's why, by pursuing SDI, which is a defense against offensive missiles, and by going for arms reduction rather than just arms control, we are moving away from the so-called policy of mutual assured destruction by which nations hold each other hostage to nuclear terror and destruction. So too, we are saying that the post-war policy of containment is no longer enough, that the goal of American foreign policy is both world peace and world freedom -- that as a people we hope and will work for a day when all of God's children will enjoy the human dignity that their creator intended. I believe we gained some ground with regard to that cause in these last few days.

Since my first days in office, I have argued that the future belongs not to repressive or totalitarian ways of life, but to the cause of freedom -- freedom of the marketplace, freedom to speak, assemble, and vote. And when we see the progress of democracy in these last years -- from Latin America to Asia -- we must be optimistic about the future of our children.

When we were together in Iceland, Mr. Gorbachev told me that this sort of talk is sometimes viewed in the Soviet Union as a threat, but I told him then and I have said since then that this is no threat at all, but only a dream -- the American dream.

And it's a dream that has meant so much to so many -- a dream that still shines out to the world. You know a couple of years ago, Nancy and I were deeply moved by a story told by former New York Times reporter and Greek immigrant, Nicholas Gage. It's the story of Eleni, his mother, a woman caught in one of the terrible struggles of the post-war era -- the Greek civil war at the end of World War II, a mother who was tried and executed because she smuggled her children out to safety in America.

It is also the story of how her son secretly vowed to return to Greece someday to take vengeance on the man who had sent his mother to her death. But at the end of the story Nicholas Gage

finds he cannot extract the vengeance he promised himself. Mr. Gage writes it would have relieved the pain that had filled him for so many years, but it would also have broken the one bridge still connecting him to his mother, that part of him most like her. As he tells it: "and her final cry was not a curse on her killers, but an invocation of what she'd died for -- a declaration of love." These simple last words of Mr. Gage's mother -- of Elini, were: "My children."

How that cry echoes down through the centuries, a cry for all children of the world, a cry for peace, for a world of love and understanding.

And it is the hope of heeding such words -- the call for freedom and peace spoken by a chosen people in a promised land, the call spoken by the Nazar carpenter -- Nazarene carpenter I should say -- standing at the Sea of Galilee, the carpenter whose birth into the poverty of a stable we celebrate. It is these words that we remember as the holiday season approaches and we reflect on the events of this week here in Washington.

So, let us remember the children, and the future we want for them. And let us never forget that this promise of peace and freedom -- the gift that is ours as Americans -- the gift that we seek to share with all the world -- depends for its strength on the spiritual source from which it comes.

So during this holy season, let us also reflect that in the prayers of simple people there is more power and might than that possessed by all the great statesmen or armies of the Earth. Let us then thank God for all His blessings to this nation and ask Him for His help and guidance; so that we might continue the work of peace and foster the hope of a world where human freedom is enshrined.

To sum up then: This summit was a clear success; we made progress on each item in our four-part agenda. Mr. Gorbachev and I have agreed to meet in several months in Moscow to continue what we've achieved during these past three days. I believe there is reason for both hope and optimism.

END

9:18 P.M. EST

THE WHITE HOUSE
Office of the Press Secretary

*M.A. - What do
L + have that
we can
mail?*

For Immediate Release

January 25, 1988

TO THE SENATE OF THE UNITED STATES:

I am transmitting herewith, for the advice and consent of the Senate to ratification, the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (the Treaty). The Treaty includes the following documents, which are integral parts thereof: the Memorandum of Understanding (the MOU) regarding the establishment of a data base, the Protocol on Elimination governing the elimination of missile systems, and the Protocol on Inspection regarding the conduct of inspections, with an Annex to that Protocol on the privileges and immunities to be accorded inspectors and aircrew members. The Treaty, together with the MOU and the two Protocols, was signed at Washington on December 8, 1987. The Report of the Department of State on the Treaty is provided for the information of the Senate.

In addition, I am transmitting herewith, for the information of the Senate, the Agreement Among the United States of America and the Kingdom of Belgium, the Federal Republic of Germany, the Republic of Italy, the Kingdom of the Netherlands, and the United Kingdom of Great Britain and Northern Ireland Regarding Inspections Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (the Basing Country Agreement), which was signed at Brussels on December 11, 1987. The Basing Country Agreement confirms that the inspections called for in the Treaty will be permitted by the five Allied Basing Countries. The Report of the Department of State discusses in detail the terms of the Basing Country Agreement. Also attached for the information of the Senate are the notes exchanged between both the German Democratic Republic and Czechoslovakia and the United States. The notes acknowledge that these countries agree to the United States' conducting inspections, under the Treaty, on their territory. Identical notes also are being exchanged between the Soviet Union and the five Allied Basing Countries.

The Treaty is an unprecedented arms control agreement in several respects. It marks the first time that the United States and the Soviet Union have agreed to eliminate, throughout the world, an entire class of their missile systems. Significantly, the eliminations will be achieved from markedly asymmetrical starting points that favored the Soviet Union. The Treaty includes provisions for comprehensive on-site inspections, including the continuous monitoring of certain facilities, to aid in verifying compliance. To a much greater extent than in earlier arms control agreements between the United States and the Soviet Union, detailed information has been, and will continue to be, exchanged by the Parties in order to facilitate verification of compliance. Finally, the United States and the Soviet Union have agreed on cooperative measures to enhance verification by national technical means.

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The missile systems to be eliminated consist of all U.S. and Soviet ground-launched ballistic missiles and ground-launched cruise missiles having a range capability between 500 and 5500 kilometers. The launchers for such missiles and unique elements of their related support structures and support equipment also will be eliminated. The shorter-range missiles to be eliminated under this Treaty are those with a range capability between 500 and 1000 kilometers. They must be eliminated within 18 months after the entry into force of the Treaty. Intermediate-range missiles, having a range capability between 1000 and 5500 kilometers, are to be eliminated in two phases within three years after entry into force of the Treaty. Elimination will take place at designated locations and will be subject to on-site inspection as an aid to verifying compliance.

In the MOU, the United States and the Soviet Union have provided detailed information on the location of all missiles, launchers, and related support structures and support equipment subject to the Treaty. Each Party is required to provide updated data on a routine basis after the Treaty enters into force.

The Treaty provides that on-site inspections are permitted at specified locations in the United States and the Soviet Union as well as in the Basing Countries in Western and Eastern Europe where U.S. or Soviet missiles, launchers, and related support structures and support equipment subject to the Treaty are or have been located. The different types of "short-notice" on-site inspections for which the Treaty provides are designed to contribute to our ability to verify Soviet compliance, while protecting all U.S. and Allied nuclear and conventional forces not subject to the Treaty as well as other sensitive intelligence and defense facilities.

In addition to "short-notice" on-site inspections, the Treaty provides for other types of on-site inspections, including the continuous presence of U.S. inspectors at the Soviet facility at Votkinsk, at which SS-25 and SS-20 missiles have been assembled, and a continuous Soviet presence at the identified facility at Hercules Plant #1, located at Magna, Utah, at which stages of Pershing II missiles formerly were produced.

The Treaty is the culmination of six years of negotiations with the Soviet Union. To a large extent, the Treaty is the result of Allied solidarity in support of the fundamental objectives established by NATO's "dual-track" decision in 1979. Our Atlantic and our Asian and Pacific Allies have been closely involved throughout the period of negotiation, and they fully support the Treaty. The Treaty enhances our collective security by eliminating an entire class of Soviet missile systems that has been a major concern for over a decade. Our European Allies will continue to be well protected by the significant U.S. nuclear forces remaining in Europe, by the independent British and French nuclear deterrents, and by conventional forces, which include over 300,000 U.S. troops.

I believe that the Treaty is in the best interests of the United States and represents an important step in achieving arms reductions that strengthen U.S. and Allied security. Therefore, I urge the Senate's advice and consent to its ratification.

RONALD REAGAN