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WITHDRAWAL SHEET

Ronald Reagan Library

Collection: RISQUE, NANCY: Files
Box/OA: OA 19398 19399 *4*
File Folder: Stratospheric Ozone [6]

Archivist: loj/loj
FOIA ID: F00-013, Metzger
Date: 09/20/2000

DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	Risque to the President, re stratospheric ozone decision memo, 1p <i>R 6/26/06 NLSFOO-013 #96</i>	6/25/87	P1/F1
2. letter	Ronald Reagan to the Vice President et al, re international protocol, 2 p <i>R 6/26/06 " #97</i>	6/25/87	P1/F1
3. memo	Recommended telephone call Senator Baker to John Whitehead, re negotiations, 1p <i>R 6/26/06 " #98</i>	6/26/87	P1/F1 <i>Bb</i>
4. cable	Brussels 09255, 4p <i>R 1/10/03 F00-013 #99</i>	7/1/87	P1/F1
5. memo	Risque to the President, re status of stratospheric ozone negotiations, 1p <i>R 6/26/06 " #100</i>	7/23/87	P1/F1

RESTRICTIONS

P-1 National security classified information [(a)(1) of the PRA].
P-2 Relating to appointment to Federal office [(a)(2) of the PRA].

P-3 Release would violate a Federal statute [(a)(3) of the PRA].
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

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

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

WITHDRAWAL SHEET

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Collection: RISQUE, NANCY: Files
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File Folder: Stratospheric Ozone [7]

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Date: 09/20/2000

gtm 1/27/12

DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	Risque to the President, re stratospheric ozone decision memo, 1p <i>R 6/26/06 NLSFOO-013 # 101</i>	6/25/87	P1/F1
2. memo	Ronald Reagan to the Vice President et al, re international protocol, 2p <i>R " " #102</i>	6/25/87	P1/F1
3. cable	Montreal 02997, 3p <i>R 1/10/03 F00-013 #103</i>	7/11/87	P1/E1

RESTRICTIONS

P-1 National security classified information [(a)(1) of the PRA].
P-2 Relating to appointment to Federal office [(a)(2) of the PRA].

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THE WHITE HOUSE

WASHINGTON

DOMESTIC POLICY COUNCIL

Wednesday, May 20, 1987

2:00 p.m.

Roosevelt Room

AGENDA

1. Stratospheric Ozone -- Ambassador Richard E. Benedick
Deputy Assistant Secretary,
Environment, Health & Natural
Resources
Department of State

Domestic Policy Council Meeting

May 20, 1987

PARTICIPANTS

The Attorney General, Chairman Pro Tempore

Secretary Hodel
Secretary Herrington
Lee Thomas, Administrator, EPA
Deputy Secretary Taft
(Representing Secretary Weinberger)
Under Secretary Newman
(Representing Secretary Bowen)
Deputy Director Wright
(Representing Director Miller)
Ambassador Woods
(Representing Ambassador Yeutter)

T. Kenneth Cribb, Jr., Assistant to the President for Domestic Affairs

Nancy Risque, Assistant to the President and Cabinet Secretary
Gary Bauer, Assistant to the President for Policy Development

For Presentation

F. Henry Habicht, Assistant Attorney General, Land and Natural Resources Division, Department of Justice.
Richard E. Benedick, Deputy Assistant Secretary for Environment, Health and Natural Resources, Department of State
Robert T. Watson, Acting Program Manager for Upper Atmospheric Research, NASA

Additional Attendees

Dan Crippen, Assistant to the President
Rhett Dawson, Assistant to the President for Operations
Gwen King, Deputy Assistant to the President for Intergovernmental Affairs
John Tuck, Executive Assistant to the Chief of Staff
Albert Brashear, Special Assistant to the President and Deputy Press Secretary
Larry Harlow, Special Assistant to the President for Legislative Affairs
Robert Sweet, Deputy Executive Secretary, DPC
Grant Green, Executive Secretary, NSC
Beryl Sprinkel, Chairman, Council of Economic Advisers
William Graham, Science Advisor to the President and Director of the Office of Science and Technology Policy
Jacqueline Schaeffer, Member, Council on Environmental Quality
C. Boyden Gray, Counsellor to the Vice President

James C. Fletcher, Administrator, NASA
Allen Wallis, Under Secretary for Economic Affairs, Department of State
Michael Dorsey, General Counsel, HUD
Anthony Calio, Administrator, National Oceanic and Atmospheric Administration, Department of Commerce
Steve Galebach, Senior Assistant to the Attorney General

STRATOSPHERIC OZONE

AGENDA

1. Ambassador Richard Benedick
Deputy Assistant Secretary,
Environment, Health & Natural Resources
Department of State

Head of the U.S. Negotiating Team

10 minutes -- will provide background on international negotiations and where we stand now.

2. Dr. Robert T. Watson
Acting Program Manager for
Upper Atmospheric Research
NASA

5 - 8 minutes -- outline of stratospheric ozone problem and scientific knowledge available to date.

3. Ambassador Richard Benedick

5 - 10 minutes -- will outline 4 major issues where DPC guidance is requested:

- o chemical coverage
- o stringency & timing
- o control formula & trade provisions
- o participation

4. Attorney General -- Guide discussion through each of these issues. (See attached summary of negotiation issues.)

NOTE: Lee Thomas is prepared to discuss a law suit requiring domestic standards for stratospheric ozone.

SUMMARY OF NEGOTIATION ISSUES

SUBJECT: Stratospheric Ozone Protocol Negotiations

The U.S. negotiating team is seeking DPC guidance on the following issues:

Chemical Coverage

- o Should the team press for a freeze with the broadest attainable chemical coverage?
- o Given their defense uses, should Halon chemicals be excluded from reduction targets?

Stringency and Timing

- o Should the freeze at 1986 levels proposed in the "Chairman's text" be accepted?
- o Should the freeze take effect two years after entry into force (EIF) of the protocol or earlier?
- o Should an automatic 20% reduction take place four years after EIF or should a positive vote be required after science, technology, environmental, and economic (STEE) elements are reviewed?
- o Should an additional 30% reduction be scheduled?
- o Should reductions beyond 20% be subject to positive confirmation following STEE reassessment, or should additional reductions automatically take effect unless reversed?
- o Should confirmation/reversal of additional reductions be based on a majority or a two-thirds vote?
- o Should the team press for further scheduled reductions beyond 50%?

Control Formula and Trade Provisions

- o Should the team pursue a formula regulating trade among parties based on the following objectives: effective control of emissions with accountability; fewest restrictions on the flow of trade and capital among parties; and most favorable treatment for U.S. industry?

- o Should the team pursue regulation of trade with non-parties consistent with GATT to encourage adherence to the protocol and to avoid benefits to non-parties at the expense of parties?

Participation

- o Should concessions being considered in the "Chairman's text" for less developed countries (LDCs) be accepted, or should LDCs be exempted from controls only for a limited period followed by adherence to the protocol?
- o Should participating parties have an equal vote or should the U.S. team press for weighted voting based on historic use and production levels?

Next Step

Once the DPC has addressed the issues listed above, the Working Group could be tasked with developing a U.S. alternative to the "Chairman's text" for review by the DPC. If approved, this alternative text could serve as guidance to the U.S. negotiating team for the next session.

OZONE - CHLOROFLUOROCARBONS (CFCs)

BROAD SCIENCE OVERVIEW

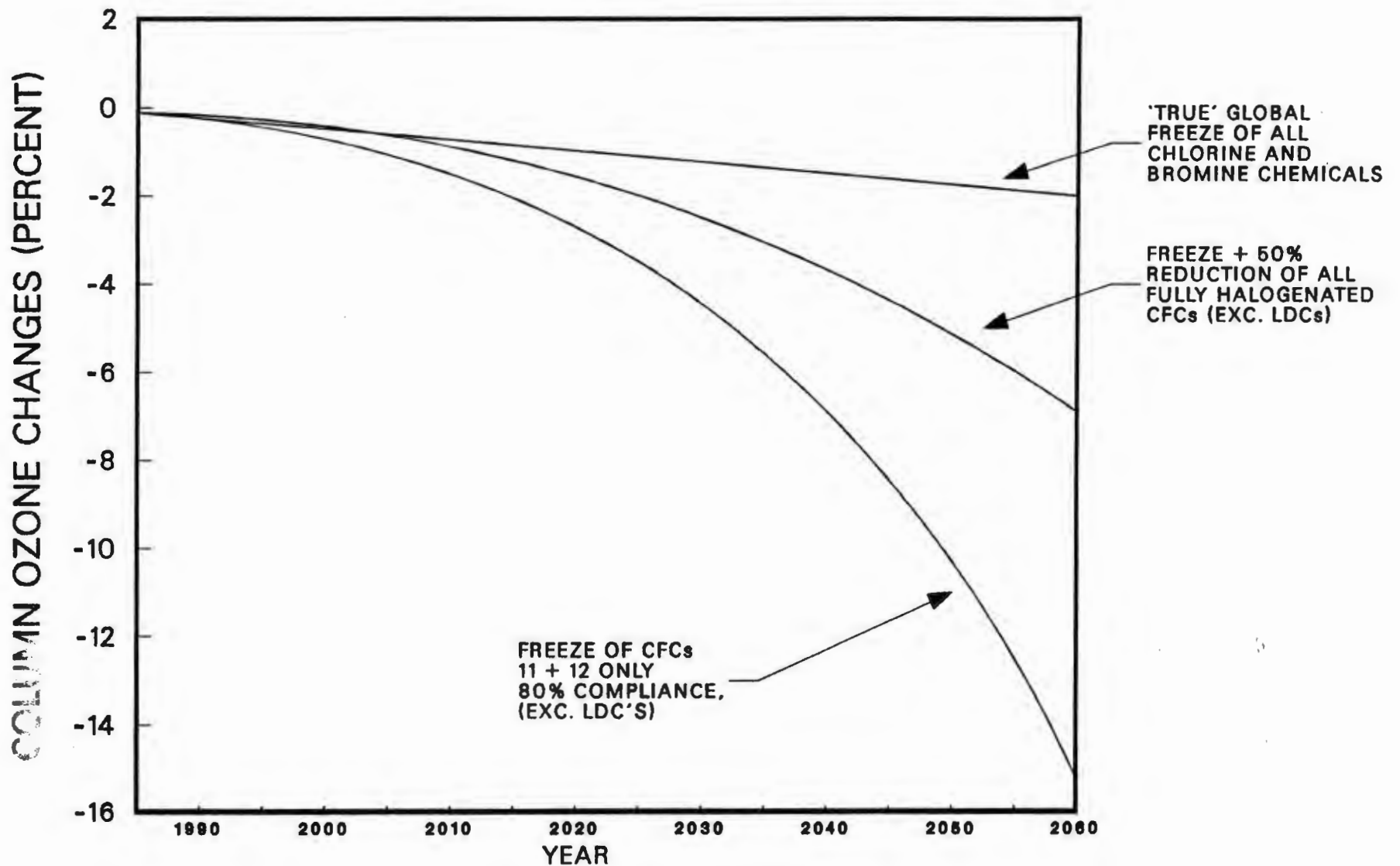
- **TRACE GASES:**
 - THE ATMOSPHERIC CONCENTRATIONS OF CFCs, CO₂, CH₄, AND N₂O ARE ALL INCREASING RAPIDLY ON A GLOBAL SCALE
 - THESE GASES ALL PREDICTED TO CHANGE OZONE
- **OZONE MEASUREMENTS:**
 - 90% OZONE RESIDES BETWEEN 15- AND 50 km ALTITUDE
 - 30 YEAR RECORD FOR COLUMN OZONE
 - 2-3% NATURAL VARIABILITY OVER DECADE
- **OZONE MODELING:**
 - MODELS DESCRIBE TODAY'S ATMOSPHERE QUITE WELL
 - LONG-TERM PREDICTIONS LESS CERTAIN DUE TO UNCERTAINTIES IN FUTURE ATMOSPHERIC CONCENTRATIONS OF CO₂, CH₄, AND N₂O

OZONE - CHLOROFLUOROCARBONS (CFCs)

CONCERNS

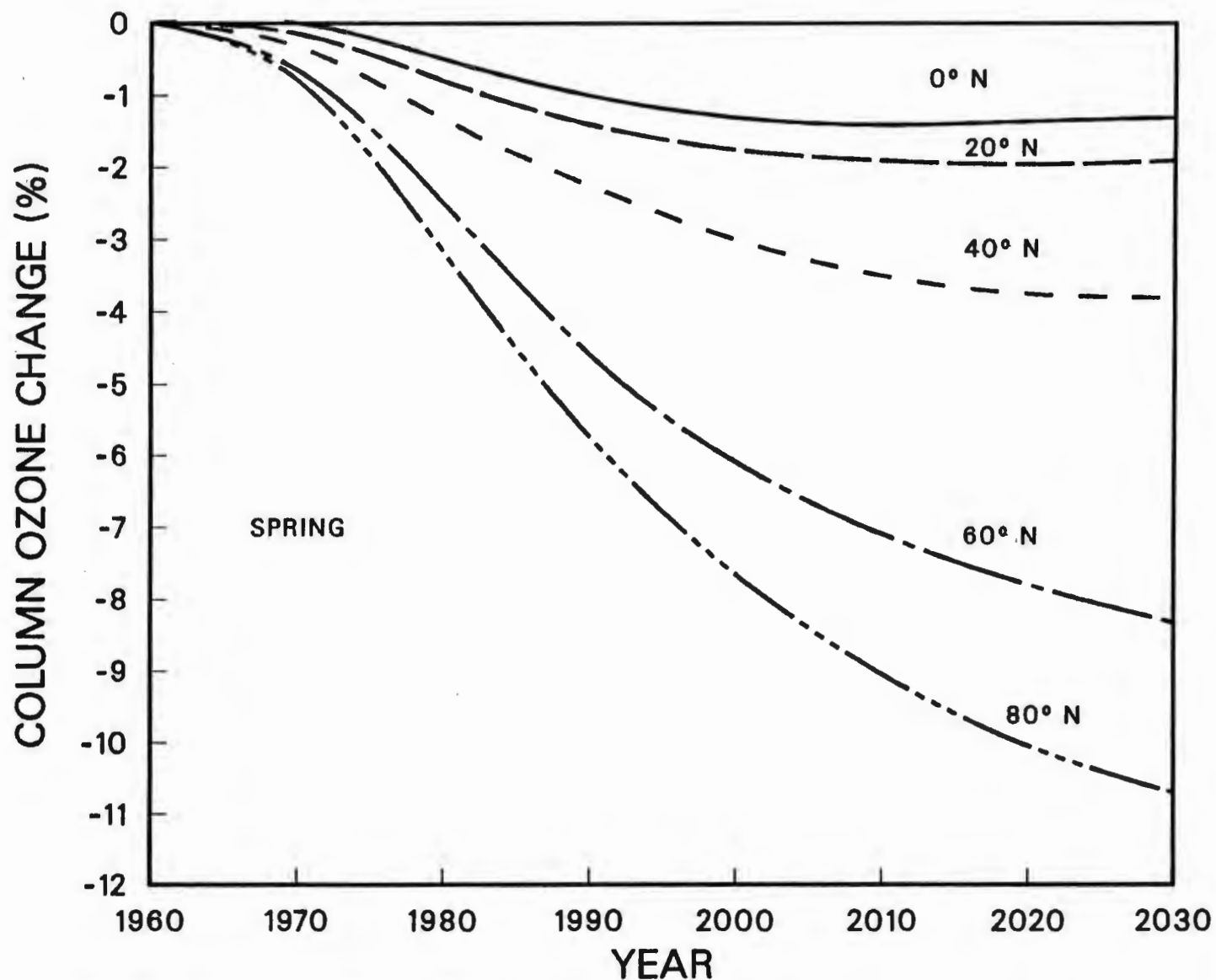
- TOTAL OZONE —UVB-RADIATION: HUMAN HEALTH,
ECOSYSTEM PRODUCTIVITY
- VERTICAL DISTRIBUTION OF OZONE: TEMPERATURE, CIRCULATION,
CLIMATE
- OZONE RESPONDS TO THE TOTAL ATMOSPHERIC BURDEN OF CHLORINE AND BROMINE
- FULLY HALOGENATED CHEMICALS OF CONCERN: CFC-11, CFC-12, CFC-113, CFC-114,
CFC-115, H-1301, H-1211
- ATMOSPHERIC LIFETIMES FULLY HALOGENATED ~ 100 YEARS
- ENVIRONMENTAL RECOVERY WILL TAKE DECADES TO CENTURIES
- PARTIALLY HALOGENATED CFCs, e.g. CFC-22, ARE 20 TIMES LESS EFFICIENT THAN
THAN FULLY HALOGENATED CFCs AT DESTROYING OZONE.

PREDICTED GLOBAL OZONE DEPLETION



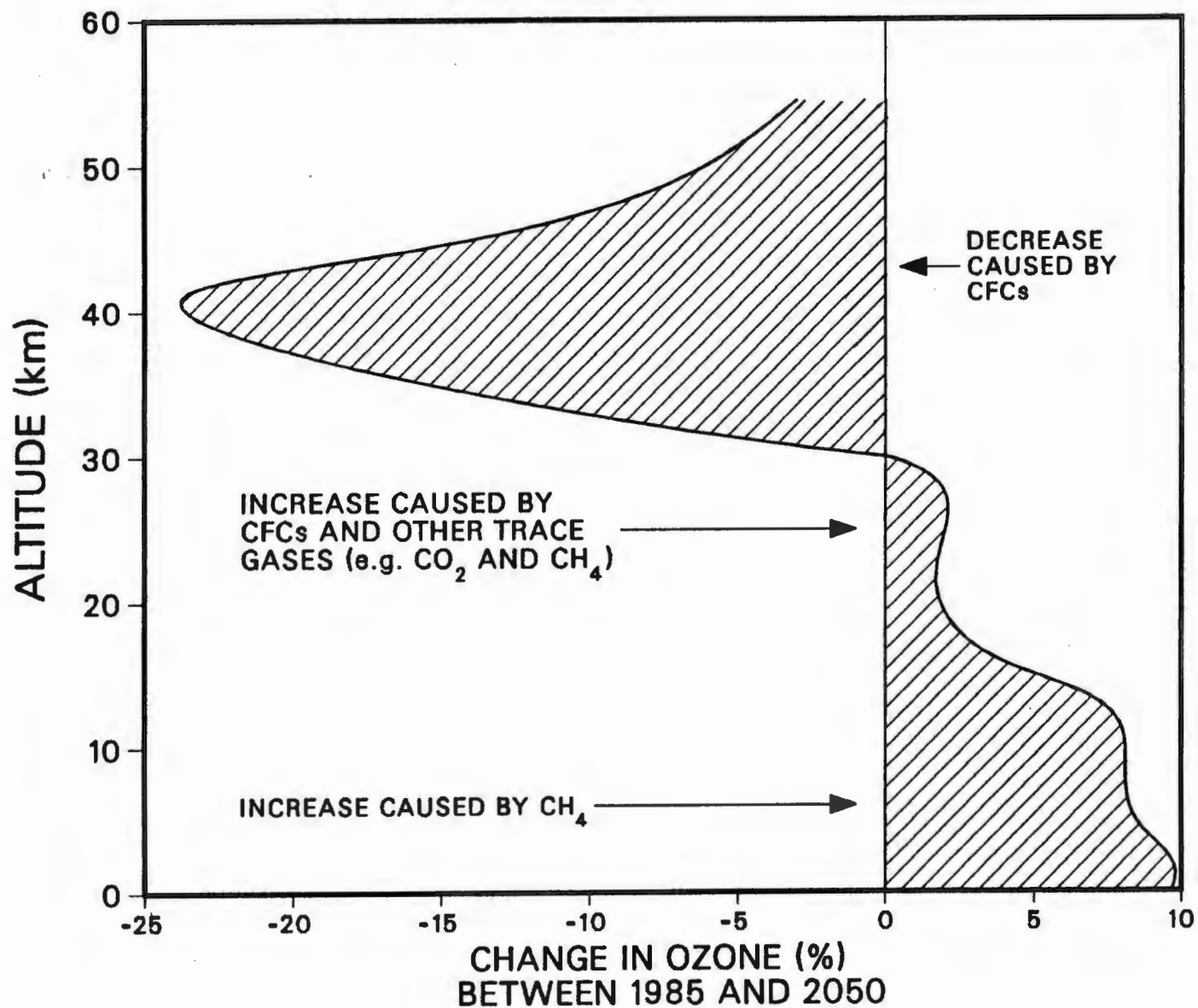
- LONG TERM PREDICTIONS SENSITIVE TO ASSUMPTIONS ABOUT FUTURE GROWTH RATES IN ATMOSPHERIC CFCs, CO₂ AND CH₄

CHANGES IN COLUMN OZONE AT DIFFERENT LATITUDES FOR A TRUE GLOBAL FREEZE



- ALL 2D MODELS PREDICT DEPLETIONS GREATER THAN THE GLOBAL AVERAGE AT HIGH LATITUDES, HENCE BASIS FOR CONCERN FROM SCANDANAVIANS, ETC.

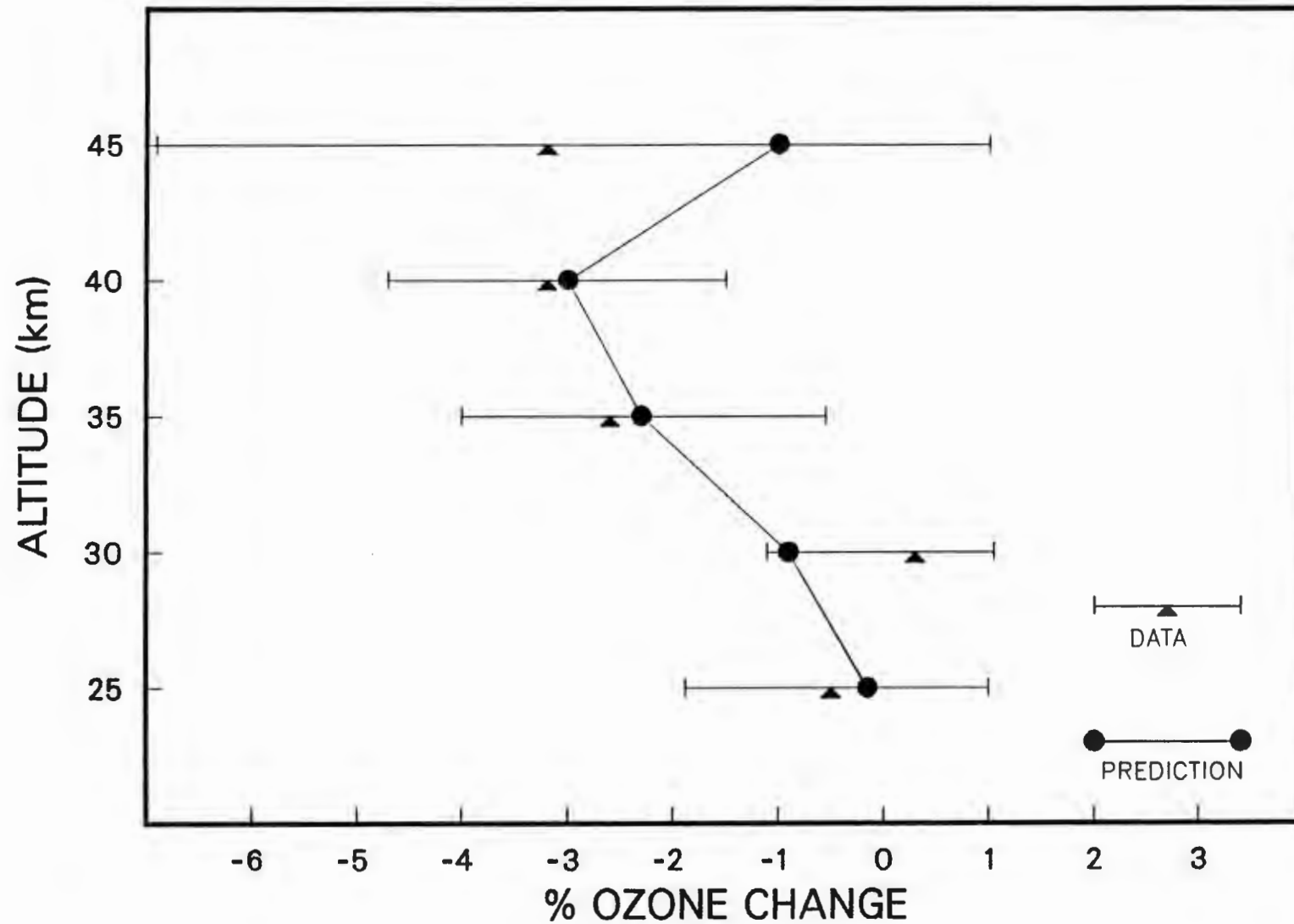
CHANGES IN OZONE DISTRIBUTION FOR A TRUE GLOBAL FREEZE OF ALL CFCs



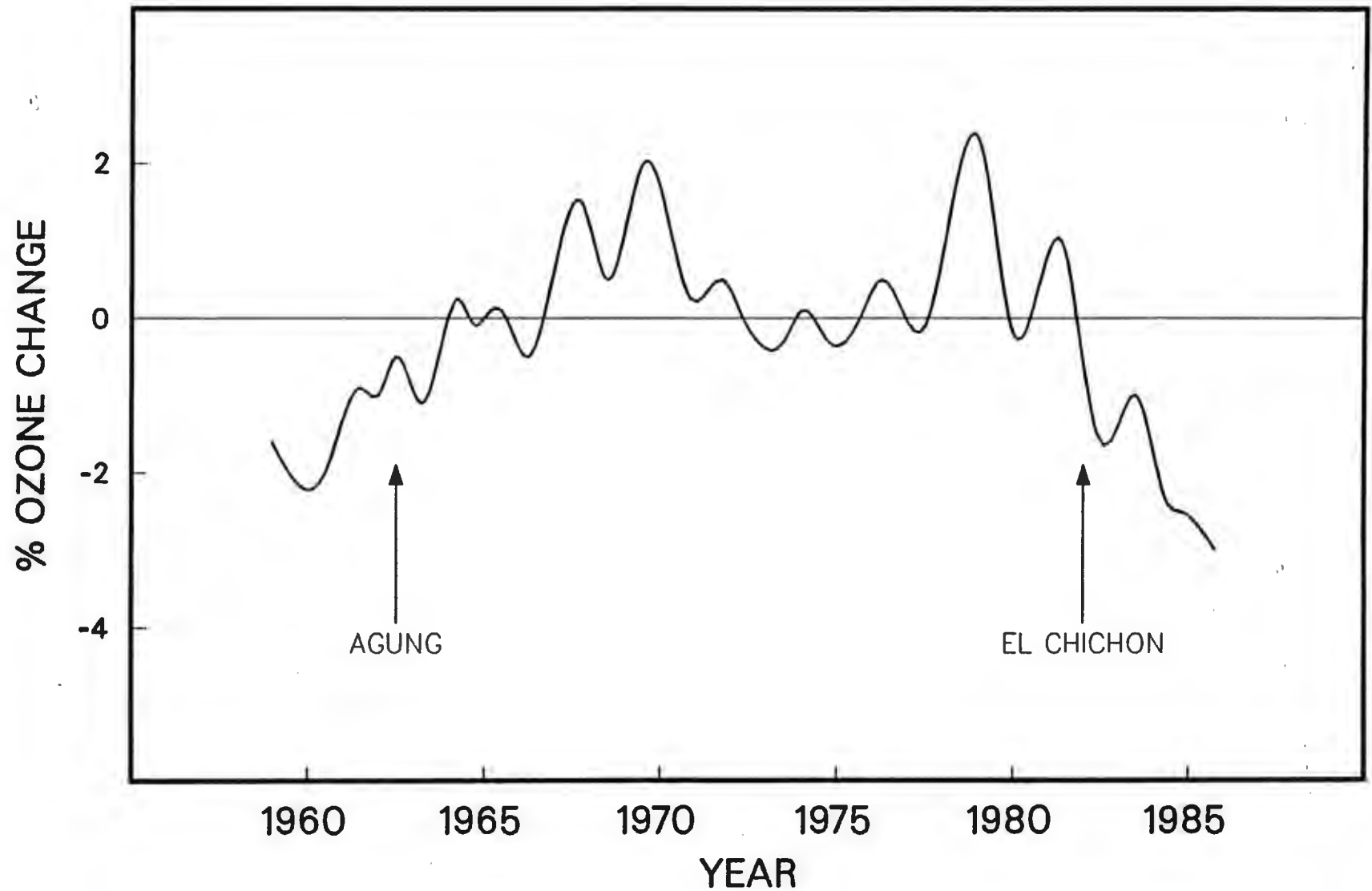
GLOBAL OZONE MEASUREMENTS

VERTICAL OZONE DISTRIBUTION

DECADAL TREND 1970-1980



GLOBAL OZONE MEASUREMENTS COLUMN OZONE



EFFECTS OF OZONE DEPLETION

EFFECT	STATE OF KNOWLEDGE	POTENTIAL GLOBAL IMPACT
SKIN CANCER	MODERATE-TO-HIGH	MODERATE
IMMUNE SYSTEM	LOW	HIGH
CATARACTS	MODERATE	LOW
PLANT LIFE	LOW	HIGH
AQUATIC LIFE	LOW	HIGH
CLIMATE IMPACTS	MODERATE	MODERATE
TROPOSPHERIC O ₃ , H ₂ O ₂	MODERATE	LOW
POLYMERS	MODERATE	LOW

SKIN CANCER EFFECT OF 1% DECREASE IN OZONE

SKIN CANCER	<i>PRESENT</i> ANNUAL CASES	FATALITIES	<i>INCREASE FROM 2% INCREASE IN UV-B</i> INCREASE	CASES	IN UV-B DEATHS
MELANOMA	25,000	25%	1-2 %	250-500	60-125
NON-MELANOMA	500,000	1%	2-6 %	10,000-30,000	100-300

OZONE - CHLOROFLUOROCARBONS (CFCs)

FUTURE

- DATA BASE AND MODELING CAPABILITIES IMPROVING
- ANTARCTIC OZONE HOLE BETTER UNDERSTOOD
- REGULAR MAJOR SCIENTIFIC ASSESSMENTS ESSENTIAL

CONCLUSIONS

- **SCOPE:** ALL FULLY HALOGENATED CHLORINE AND BROMINE CHEMICALS
- **COMPLIANCE:** INTERNATIONAL AGREEMENT ESSENTIAL WITH MAXIMUM PARTICIPATION OF ALL NATIONS. GROWTH IN DEVELOPING COUNTRIES MUST BE CONSIDERED

THE WHITE HOUSE

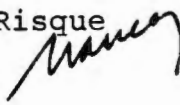
WASHINGTON

June 17, 1987

DOMESTIC POLICY COUNCIL MEETING

DATE: June 18, 1987
LOCATION: Cabinet Room
TIME: 2:00 p.m. (60 Minutes)

FROM: Nancy J. Risque



I. PURPOSE

To discuss the final stages of international negotiations on a protocol for regulating chemicals that are believed to be causing depletion of the stratospheric ozone layer.

II. BACKGROUND

The U.S. delegation will resume negotiations on June 29, and a plenipotentiary conference is scheduled for Montreal in September when the signing will occur.

Attached is a memorandum of the issues for which the Council will seek your guidance. This memorandum is for your use during the DPC discussion; a decision memorandum will follow by the end of the week. Also attached is a summary of the stratospheric ozone depletion issue in the event that the meeting material raises any questions.

III. PARTICIPANTS

Members of the Domestic Policy Council; and Senior White House staff.

IV. PRESS PLAN

White House Photographer

V. SEQUENCE OF EVENTS

- You will open the meeting and call on Don Hodel to begin the discussion (Secretary Hodel will be Acting Chairman Pro Tempore since Attorney General Meese is out of the country). Lee Thomas, Administrator of the EPA, will give a brief presentation followed by discussion of the list of issues.

THE WHITE HOUSE

WASHINGTON

June 17, 1987

MEMORANDUM FOR THE PRESIDENT

FROM: THE DOMESTIC POLICY COUNCIL

SUBJECT: Stratospheric Ozone

Issue: What guidance should the U.S. delegation be given for the next stages of international negotiation of an agreement for regulation of chemicals believed capable of future depletion of stratospheric ozone?

Background: Since 1985, the U.S. has been a leader in international negotiations on the above issue. Representatives of several of the parties to the negotiations will next meet on June 29 to discuss a Chairman's Text, which contains recommended provisions for a protocol. A plenipotentiary conference is scheduled for September in Montreal for signing of a protocol agreement. The Domestic Policy Council met in May and June to discuss the issue, and has determined that your guidance is needed for the U.S. delegation as they enter the final stages of the negotiations.

While some feel that the scientific evidence is not sufficient to warrant a major U.S. commitment at this time, politically and internationally the negotiations have raised expectations to where the Council believes it is wise to continue in the negotiations, but to seek the best possible U.S. position on the major issues.

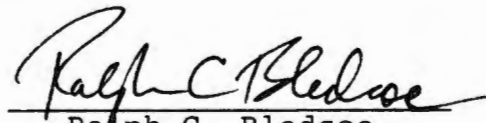
The following issues are those for which the Council will recommend you provide guidance:

1. Participation and Entry Into Force of the Protocol. Ideally, all nations should participate in the protocol. However, since this does not appear practicable, the U.S. delegation should be given guidance on whether to seek that a) a sufficient number, b) essentially all, or c) only the minimum number of countries sign and ratify the protocol before it would enter into force. CEA, State, USTR, EPA, DOD and HHS support a); and Interior, Commerce and OSTP support b).
2. Grace Period for Lesser Developed Countries. The Council recommends that you instruct the U.S. delegation to support a limited grace period, up to the year 2000, for increased domestic consumption in lesser developed countries. This should encourage participation by more countries.

3. Voting. The Council recommends that you direct the delegation to negotiate a system of voting on protocol decisions that gives due weight to significant producing and consuming countries.
4. Monitoring and Enforcement. The Council recommends that you instruct the U.S. delegation to seek strong provisions for monitoring, reporting, and enforcement in the protocol, including verification if possible. This would help secure the best possible compliance.
5. Credits for Previous Action. The Council is split on whether the U.S. delegation should seek a system of credits for the previous emissions reduction, resulting from the 1978 U.S. ban of non-essential aerosols. Interior and OSTP think we should, while State, EPA, Justice, CEA, HHS, Energy, USTR, and CEQ feel we should not raise this issue again. Previously, this proposal resulted in objections by other countries, and almost caused a stalemate.
6. Freeze of Ozone-Depleting Chemicals. The Council recommends that, consistent with the Chairman's Text, you instruct the U.S. delegation to seek a freeze, at 1986 levels, of all ozone-depleting chemicals. This would take effect 1-2 years after entry into force (EIF). EIF is estimated to be 1988 at the earliest.
7. A Scheduled 20% Reduction. The Council supports the U.S. delegation being instructed to seek a 20% reduction of ozone-depleting chemicals emissions, two to four years after the EIF and following the 1990 scientific review. However, there is not agreement on how this should occur. EPA, State, Justice, HHS, Energy, DOD and USTR support an automatic reduction unless reversed by a vote of the parties, while CEQ and Interior support the reduction following a majority vote by the parties. OSTP feels that the current scientific evidence does not warrant scheduling a 20% reduction at this time. Commerce and DOD object to inclusion of three of the specific chemicals, on the basis that they are important for national security products and substitutes are not currently available.
8. Second-Phase Reductions. There is Council disagreement on what instructions you should give the U.S. delegation regarding negotiation of emissions reductions beyond the 20% reduction. There is general consensus that the U.S. should seek second-phase reductions that make the cumulative reductions more or less than 50% of 1986 levels, and that these would begin 8 or more years after EIF (about 1996). EPA and State would like these second-phase reductions to occur automatically at specified points in time, unless reversed by a vote of the parties. Interior, HHS, Energy,

- DOD, CEA, CEQ, and USTR would prefer that such reductions should only occur if a majority of the parties vote in favor, following scheduled scientific review. Commerce and OSTP feel that no second-phase reductions are warranted, and that we should only seek these in light of future scientific evidence and under a new protocol.
9. Long Range Objective. The Council recommends that you instruct the U.S. delegation that, consistent with the Chairman's Text, the ultimate objective is to achieve eventual elimination of realistic threats to the stratospheric ozone layer from man-made chemicals, as determined necessary by regularly scheduled scientific assessments. CEQ believes the real ultimate objective is development of substitute non-ozone-depleting chemicals.
10. Trade Provisions. The final issue is what instruction should be given the U.S. delegation regarding trade provisions. USTR, State, EPA and others recommend that you direct the delegation to ensure that a provision is included in the protocol authorizing trade restrictions against CFC and related imports from countries which do not join or comply with the protocol.

A decision memorandum will be forwarded to you following the Council meeting on June 18.


Ralph C. Bledsoe
Executive Secretary
Domestic Policy Council

May 7, 1987

STRATOSPHERIC OZONE DEPLETION SUMMARY

The Ozone Depletion Problem: Strong international and domestic concern exists over ozone depletion caused by emissions of chlorofluorocarbons (CFCs) reacting chemically in the upper atmosphere (stratosphere). Ozone is an essential buffer of ultraviolet light; significant depletion could cause skin cancer, suppress the human immune system, retard crop production, damage aquatic and terrestrial ecosystems, and contribute to global warming.

Although stratospheric ozone concentrations have decreased over the past seven years, it is unclear whether any significant change in natural ozone levels has occurred. The only area where scientists have observed significant depletion is Antarctica. There, ozone depletion of approximately 50 percent has been found every spring since 1985. Scientists are not sure of the cause of the Antarctic depletion. Potential causes include chemical emissions, the solar cycle and climate change. Significant global depletion is expected to occur absent global emissions reduction efforts. EPA has estimated ozone depletion of 25 percent by 2075 at current rates of CFC emissions growth.

Scientists are unable to predict when depletion will occur or what levels of CFC emissions will trigger significant depletion. Yet the sudden unexplained appearance of the Antarctic ozone hole suggests large global changes could be irreversible before scientists will conclusively find that significant depletion has occurred. Complicating the problem further is the fact that substantial CFC emissions will continue for years after a decision to curb emissions. This is because the industrial transition to CFC substitutes and emissions controls will take time, and products containing CFCs (e.g. refrigerators and air conditioners) may continue to emit the ozone depleting gases for years during use. There is also a question as to how soon ozone would recover after significant depletion; CFCs have an atmospheric lifetime of 75 to 100 years.

International and Domestic Actions

International: The Vienna Convention for the Protection of the Ozone Layer, ratified by the Senate in July 1986, established an international framework for scientific cooperation and initiated negotiations toward a protocol for controls on ozone depleting chemicals. The United States, through the the State Department and EPA, has participated in three negotiating sessions toward a protocol to the Vienna Convention on the Control of Chlorofluorocarbons (Geneva, December 1986; Vienna, April 1987; and April 27-30, 1987, in Vienna). The final negotiating session is tentatively scheduled for the end of June 1987, and the signing ceremony is tentatively set for September 1987 in Canada.

The State Department received authority to negotiate an emissions control protocol pursuant to interagency approval of the November 28, 1986, Circular 175 requesting such authority. The Circular 175 authorized the delegation to negotiate an international agreement requiring a phased-in long-term reduction of emissions by as much as 95 percent depending upon scientific developments. The United States delegation's negotiating strategy in the early stages of the negotiations has been to explore the potential for a 95 percent reduction over an unspecified period of time.

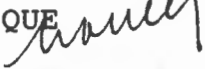
Domestic: EPA banned CFC use in nonessential aerosols in 1978 and is now considering further controls. Pursuant to a judicial consent decree resulting from a lawsuit against EPA by an environmental group, the agency must issue a notice summarizing its findings regarding an ozone protection plan by December 1987.

There is interest on the Hill on this and there are some who would require virtual elimination of emissions of all ozone depleting chemicals within six years. As ever in these discussions, industry interests and needs and environmental considerations are polarized.

THE WHITE HOUSE
WASHINGTON

June 17, 1987

MEMORANDUM FOR THE PRESIDENT

FROM: NANCY J. RISQUE 
SUBJECT: Stratospheric Ozone Issue

In the course of deliberations on this issue, Don Hodel was misrepresented to the press. He has asked that you know of his real efforts. Attached is his note to you.

9
i. Risque

494 145



THE SECRETARY OF THE INTERIOR
WASHINGTON

June 11, 1987

MEMORANDUM TO THE PRESIDENT

From: Donald Paul Hodel

While you were preparing for your Venice Summit, something very insignificant by comparison was taking place. I just do not want you or Mrs. Reagan to be embarrassed for me by comments people might make to you about it.

Contrary to Washington Post reports, I have not suggested that the answer to stratospheric ozone depletion was "sun-glasses and hats" or anything like that. Someone seemingly wanted to trivialize my insistence that you be given an option for a workable and effective protocol.

In any event, I feel better having clarified to you that I have not taken complete leave of my senses as the articles (and cartoons) suggest.

Don

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

DATE RECEIVED: JUNE 11, 1987

NAME OF CORRESPONDENT: THE HONORABLE DONALD P. HODEL

SUBJECT: MEMORANDUM REGARDING MEDIA INACCURACY OF HIS
STATEMENTS ON STRATOSPHERIC OZONE DEPLETION

		ACTION		DISPOSITION	
ROUTE TO:		ACT	DATE	TYPE	C COMPLETED
OFFICE/AGENCY	(STAFF NAME)	CODE	YY/MM/DD	RESP	D YY/MM/DD
NANCY RISQUE		ORG	87/06/12		/ /
REFERRAL NOTE:			/ /		/ /
REFERRAL NOTE:			/ /		/ /
REFERRAL NOTE:			/ /		/ /
REFERRAL NOTE:			/ /		/ /
REFERRAL NOTE:			/ /		/ /

COMMENTS:

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: _____

MI MAIL USER CODES: (A) _____ (B) _____ (C) _____

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*ACTION CODES:          *DISPOSITION          *OUTGOING          *
*                        *                      *CORRESPONDENCE:   *
*A-APPROPRIATE ACTION  *A-ANSWERED          *TYPE RESP=INITIALS *
*C-COMMENT/RECOM       *B-NON-SPEC-REFERRAL *      OF SIGNER    *
*D-DRAFT RESPONSE      *C-COMPLETED        *      CODE = A     *
*F-FURNISH FACT SHEET  *S-SUSPENDED          *COMPLETED = DATE OF *
*I-INFO COPY/NO ACT NEC*                      *      OUTGOING     *
*R-DIRECT REPLY W/COPY *                      *                      *
*S-FOR-SIGNATURE        *                      *                      *
*X-INTERIM REPLY        *                      *                      *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

THE WHITE HOUSE
WASHINGTON

June 18, 1987

MEMORANDUM FOR SENATOR BAKER

FROM: NANCY RISQUE 

SUBJECT: Ozones

Decision memorandum will be submitted to the President after today's presentation. It contains the full range of options.

THE WHITE HOUSE

WASHINGTON

UNCLASSIFIED WITH A CLASSIFIED ATTACHMENT

June 26, 1987

MEMORANDUM FOR KEN DUBERSTEIN
WILL BALL
GARY BAUER
FRANK CARLUCCI
KEN CRIBB

DAN CRIPPEN
A.B. CULVAHOUSE
RHETT DAWSON
MARLIN FITZWATER
TOM GRISCOM

FROM: NANCY RISQUE *Nancy*
SUBJECT: Stratospheric Ozone

The attached decision memorandum is for your information. The President has approved the issuance of the memorandum containing his decisions for the U.S. delegation.

UNCLASSIFIED WITH A CLASSIFIED ATTACHMENT

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ENCLOSURES
10/15/00

DECLASSIFIED

NLS FOUO 13 #96

CONFIDENTIAL

CW NARA, DATE 6/26/04

THE WHITE HOUSE

WASHINGTON

June 25, 1987

MEMORANDUM FOR THE PRESIDENT

FROM: NANCY J. RISQUE *Nancy J. Risque*

SUBJECT: Stratospheric Ozone Decision Memorandum

ISSUE: Communication of your decisions to the U.S. delegation.

BACKGROUND: On June 18, the Domestic Policy Council discussed with you their recommendations on the positions the U.S. delegation should take at the June 29 international negotiations on this issue. These negotiations will produce a draft agreement that the delegation will bring back for final approval prior to the plenipotentiary and signing meetings in Montreal in September 1987. Congress, numerous environmental groups, and other countries will be following closely the U.S. positions and results of these meetings.

DISCUSSION: The decisions you have made should permit the U.S. delegation to reaffirm strong measures for protecting the ozone layer, and should not result in major challenges to our past or current positions. However, Council members feel confidentiality is of vital importance in the final stages of the negotiating process. In this regard, the attached classified memorandum has been prepared for communication of your decisions to the State Department for the U.S. delegation, and the Cabinet principals.

One statement has been added for emphasis -- that you expect the U.S. delegation to seek participation in the protocol of "well above a majority of major producing/consuming countries." This was stimulated by the strong argument that a few countries not joining the protocol can easily spoil the efforts of those that do. Thus, this will stress the importance of the negotiators pursuing maximum participation by other countries. This more clearly defines your decision.

RECOMMENDATION: I recommend that you approve the issuance of the attached memorandum containing your decisions for the U.S. delegation, including the statement emphasizing maximum participation.

____ APPROVE

____ DISAPPROVE

____ MODIFY

Attachment

CONFIDENTIAL

~~CONFIDENTIAL~~

THE WHITE HOUSE

WASHINGTON

June 25, 1987

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY OF ENERGY
THE SECRETARY OF EDUCATION
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
U.S. TRADE REPRESENTATIVE
ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY

The negotiation of an international protocol for regulation of chemicals believed capable of future depletion of stratospheric ozone is of great importance in our efforts to adopt sound environmental policies. Pursuant to this, and after considering the extensive work and recommendations of the Domestic Policy Council over the past several months, the following will guide the U.S. delegation in its negotiating activities leading to an international protocol on protection of the ozone layer, which we hope to be able to conclude later this year.

It is important that all nations that produce or use ozone-depleting chemicals participate in efforts to address this problem. The U.S. delegation will attempt, therefore, to ensure that the protocol enters into force only when a substantial proportion of the producing/consuming countries have signed and ratified it. I expect this to be well above a majority of the major producing/consuming countries.

In order to encourage participation by all countries, it is recognized that lesser developed nations should be given a limited grace period, up to the year 2000, to allow some increases in their domestic consumption. And, the U.S. delegation will seek to negotiate a system of voting for protocol decisions that gives due weight to the significant producing and consuming countries.

DECLASSIFIED

NLS FOO-013 #97

CW

NARA, DATE 6/26/82

~~CONFIDENTIAL~~

To achieve a majority of the health and environmental benefits derived from retention of the ozone layer, and to spur industry to develop substitutes for chemicals in question, the U.S. delegation will seek a freeze at 1986 levels on production/-consumption of all seriously ozone-depleting chemicals, including chlorofluorocarbons (CFCs) 11, 12, 113, 114, 115; and Halons 1201 and 1311, to take effect one or two years after the protocol entry into force. The earliest expected date for entry into force is 1988.

The U.S. delegation will also seek strong provisions for monitoring, reporting, and enforcement to secure the best possible compliance with the protocol, but they need not seek a system of credits for emissions reduction resulting from the 1978 U.S. ban of non-essential aerosols.

In addition to a freeze, the U.S. delegation will seek a 20% reduction from 1986 levels of CFCs 11, 12, 113, 114 and 115 four years after entry into force of the protocol, and following a 1990 international review of updated scientific evidence. The 20% reduction should take place automatically, unless reversed by a 2/3 vote of the parties. The U.S. delegation will seek a second-phase CFC reduction of an additional 30% from 1986 levels, which would occur about eight years after entry into force of the protocol, and following scientific review. This would occur automatically, unless reversed by a 2/3 vote of parties.

The U.S. delegation will seek a trade provision in the protocol that will best protect U.S. industry in world markets, by authorizing trade restrictions against CFC-related imports from countries that do not join or comply with the protocol provisions. It is our policy to insure that countries not be able to profit from not participating in the international agreement, and to insure that U.S. industry is not disadvantaged in any way through participation.

It is the U.S. position that the ultimate objective is protecting the ozone layer by eventual elimination of realistic threats from man-made chemicals, and that we support actions determined to be necessary based on regularly scheduled scientific assessments.

~~CONFIDENTIAL~~

THE WHITE HOUSE

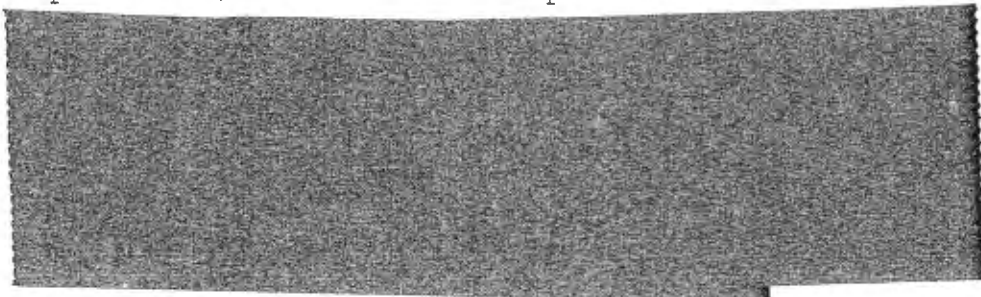
WASHINGTON
SENATOR BAKER - RECOMMENDED TELEPHONE CALL
(SECURE)

TO: John Whitehead

DATE: June 26, 1987

PURPOSE: To stress confidentiality of the U.S. negotiating position and to stress importance of maximum participation of CFC producers/consumers in the protocol. 36

BACKGROUND:



TOPICS OF DISCUSSION:

The President's decisions and instructions for the delegation are being communicated through classified channels to the State Department and other principals involved in the Council meeting.

The negotiating team should be directed to communicate back through classified channels the results of the June 29 negotiations as well.

Since the final agreements are to be signed in the meetings scheduled for Montreal in September, we'd like to have the opportunity to review the results of the June 29 negotiations.

On another issue, the President has instructed the delegation to ensure that the protocol will not go into effect unless a substantial portion of other producing and consuming countries join in. This should be well above the 50% I understand your negotiators have in their heads now. The argument is a strong one that a few countries that do not join in can spoil all the efforts of those that do. So, our negotiators should do their damndest to get maximum participation by the other large producer and consumer countries.

DATE OF SUBMISSION: June 26, 1987

ACTION:

DECLASSIFIED/RELEASED IN part

NLS 600-013-98

CN NARA, DATE 6/7/96

mb.

DIST>
IT: EOB VAX
PREC> IMMEDIATE <CLAS> ~~CONFIDENTIAL~~ <OSRI> RUEHBS <DTG> 011644Z JUL 87

ORIG>FM AMEMBASSY BRUSSELS

TO>TO RUEHC/SECSTATE WASHDC IMMEDIATE 2893
NFO RUEHKK/EC COLLECTIVE PRIORITY
UEHKO/AMEMBASSY TOKYO PRIORITY 7195
UEHOT/AMEMBASSY OTTAWA PRIORITY 6732
UFHOS/AMEMBASSY OSLO PRIORITY 6318
UEHWL/AMEMBASSY WELLINGTON PRIORITY 1312

SUBJ>SUBJECT: OZONE NEGOTIATIONS

DECLASSIFIED / RELEASED

TEXT>BT
~~CONFIDENTIAL~~ SECTION 01 OF 03 BRUSSELS 09255
FROM USEC
NO. 12356: DECL: OADR
TAGS: SENV, ETRD, UNEP, EEC
SUBJECT: OZONE NEGOTIATIONS
REF: STATE 199107
.. (ENTIRE TEXT).

NLS F00-013 #99
BY Amf, NARA, DATE 1/10/03

BEGIN SUMMARY~

. SUMMARY: MEETINGS ON UNEP-SPONSORED OZONE PROTECTION PROTOCOL WERE HELD JUNE 29-30 IN BRUSSELS TO DISCUSS AND FURTHER REFINE TEXTS ON CONTROL MEASURES (CHAIRMAN'S GROUP) AND ON EMISSIONS FORMULA, TRADE WITH NON-PARTIES AND TREATMENT OF DEVELOPING COUNTRIES (TRADE GROUP). A HIGH WORKING GROUP ON CONTROL MEASURES WAS CHAIRED BY UNEP EXECUTIVE DIRECTOR MOSTAFA TOLBA, AND COMPRISED HEADS OF DELEGATIONS OF UNITED STATES, JAPAN, CANADA, NORWAY (REPRESENTING NORDICS), NEW ZEALAND (REPRESENTING ALSO AUSTRALIA), USSR, AND EUROPEAN COMMISSION (PLUS GAST, PRESENT AND FUTURE EC PRESIDENCY COUNTRIES, GERMANY, BELGIUM AND DENMARK). PARAGRAPHS 3-5 SUMMARIZE ESSENTIAL ELEMENTS OF NEW EXECUTIVE DIRECTOR'S TEXT, TO BE CONSIDERED BY ALL GOVERNMENTS IN PREPARATION FOR SEPTEMBER 8-16 NEGOTIATION AND PLENIPOTENTIARIES' CONFERENCE IN MONTREAL. WORKING GROUP ON TRADE WAS AGAIN CHAIRED BY ESSAM HAWAS (EGYPT) AND INCLUDED U.S., EC, GERMANY, DENMARK, CANADA, SWEDEN, JAPAN, GHANA, ARGENTINA AND BRAZIL. PARAGRAPHS 9-12 DISCUSS MAIN POINTS COVERED IN TRADE MEETINGS. END SUMMARY.
END SUMMARY~

. ENTRY INTO FORCE (EIF) WILL OCCUR ON RATIFICATION BY AT LEAST NINE COUNTRIES WHICH COMPRISE AT LEAST 60 PCT OF GLOBAL 1986 PRODUCTION/CONSUMPTION OF CFC'S 11, 12, 113, 114 AND 115. DECISIONS TO MODIFY REDUCTIONS AND ADD OR SUBTRACT CHEMICALS REQUIRE TWO-THIRDS OF PARTIES WHICH COMPRISE AT LEAST 50 PCT OF GLOBAL 1986 PRODUCTION/CONSUMPTION OF THE FIVE CFC'S.

. TIME CHART:

EAR	ACTION
----	-----
.. EIF PLUS ONE	A) FREEZE AT 1986 LEVELS OF THE WEIGHTED BASKET OF 5 CFC'S.

B) MEETING OF CONTRACTING
PARTIES.
SCIENTIFIC/ECONOMIC ASSESSMENT.

D. EIF PLUS TWO (1990)
E. EIF PLUS
THREE (1991)

A) FREEZE OF HALONS 1211 AND
1301 AT 1986 LEVELS.

B) MEETING OF CONTRACTING
PARTIES.

D. EIF PLUS FOUR

A) 20 PCT REDUCTION OF THE
5 CFC'S.

B) MEETING OF CONTRACTING
PARTIES: CAN REVERSE STEP F
BY TWO-THIRDS OF PARTIES
COMPRISING 50 PCT OF GLOBAL 1986
PRODUCTION/CONSUMPTION.

E. EIF PLUS SIX

A) SCIENTIFIC/ECONOMIC ASSESSMENT.

B) MEETING OF CONTRACTING
PARTIES.

F. EIF PLUS EIGHT OR
TEN

A) 30 PCT REDUCTION OF THE 5
CFC'S.

B) SCIENTIFIC/ECONOMIC
ASSESSMENT.

5. PARAGRAPH ON ULTIMATE OBJECTIVE: PARTIES WILL
DECIDE, BY TWO-THIRDS MAJORITY COMPRISING AT LEAST 50
PCT OF GLOBAL 1986 PRODUCTION/CONSUMPTION, "WHETHER FURTHER
REDUCTION FROM 1986 LEVELS SHOULD BE UNDERTAKEN, WITH
THE OBJECTIVE OF EVENTUAL ELIMINATION OF THESE SUB-

BT

09255

BT

~~CONFIDENTIAL~~ SECTION 02 OF 03 BRUSSELS 09255
FROM USEC

L.O. 12356: DECL: OADR

TAGS: SENV, ETRD, UNEP, EEC

SUBJECT: OZONE NEGOTIATIONS

STANCES, EXCEPT FOR USES FOR WHICH NO SUBSTITUTES ARE
COMMERCIALY AVAILABLE AT THE TIME".

6. ARTICLE ON MONITORING/REPORTING/ENFORCEMENT WILL BE
DRAFTED AT JULY 6-10 MEETING IN THE HAGUE.

7. ATMOSPHERICS: IT WAS CLEAR THAT WHILE INDIVIDUAL
EC MEMBER COUNTRIES (WITH EXCEPTION OF UK) BASICALLY
SUPPORTED U.S. POSITION, NEGOTIATION WAS SLOWED BY
EC COMMISSION (DIRECTOR-GENERAL BRINKHORST) HARD LINE.
CANADA, NORWAY AND NEW ZEALAND JOINED U.S. ON NEARLY
ALL ELEMENTS, WITH EXCEPTION OF DOUBTS BY NORWAY AND
NEW ZEALAND OVER WEIGHTED VOTING; THEY BETTER UNDERSTAND
OUR NEEDS ON THIS POINT, HOWEVER, AND WILL MOST LIKELY
BE SYMPATHETIC. EC, USSR AND JAPAN WERE STILL TENTATIVE
OVER SCHEDULING A FREEZE ON HALONS AND OVER SEMI-AUTOMATIC
REDUCTION BEYOND 20 PCT, BUT DID NOT OBJECT TO EXECUTIVE
DIRECTOR'S TEXT. EC SIMILARLY RESERVED ON "ULTIMATE
OBJECTIVE" CLAUSE BUT DID NOT DEMAND ITS REMOVAL.
INDIVIDUAL EC DELEGATES AND REPRESENTATIVES OF INDIVIDUAL
MEMBER COUNTRIES WERE SANGUINE THAT THE EC WOULD, BY
SEPTEMBER, SUPPORT CHAIRMAN'S TEXT, BUT BRINKHORST'S
CONSISTENT HARD LINE DID NOT EVIDENCE THIS.

. MOST PARTIES EXPRESSED NEED FOR TRENDS DATA ON HALONS PRODUCTION AND TRADE, IN ORDER TO ENSURE FEASIBILITY OF FUTURE FREEZE, AND ALSO NEED FOR TECHNICAL INFORMATION ON POSSIBILITIES FOR SUBSTITUTION FOR ESSENTIAL FIRE-FIGHTING USES OF HALONS 1211 AND 1301.

. IN GENERAL, MOST U.S. OBJECTIVES WERE MET WITH REGARD TO LANGUAGE ON EMISSIONS FORMULA, DEVELOPING (LOW-CONSUMING) COUNTRIES AND TRADE WITH NON-PARTIES, BUT SOME OF THE MORE CONTENTIOUS ISSUES REMAIN.

0. FORMULA: U.S. MADE A STRONG INTERVENTION ON THE MERITS OF A STRAIGHT APPARENT CONSUMPTION (ADJUSTED PRODUCTION) APPROACH, BUT MET WITH STRONG EC INSISTENCE THAT PRODUCTION LIMITS ALONE WERE ALL THAT WAS REQUIRED FOR CONTROLLING EMISSIONS. HAVING RECONFIRMED THAT NEITHER SIDE HAD FUNDAMENTALLY CHANGED ITS POSITION, DISCUSSION THEN TURNED TO THE COMPROMISE FORMULA WORKED OUT AT THE APRIL NEGOTIATING SESSION, WHICH COMBINED BOTH PRODUCTION AND CONSUMPTION. EC RESISTED COUNTING ONLY EXPORTS TO PARTIES IN THE CONSUMPTION DEFINITION, AND REFUSED TO CONCEDE THE MERITS OF CHOOSING A HISTORIC BASE-YEAR (SO BOTH 1986 AND 1990 REMAIN THE BRACKETED OPTIONS). EC ALSO REFUSED TO AMEND FORMULA SO THAT PRODUCTION AND CONSUMPTION WOULD BE CONTROLLED FOR ALL PHASES, RATHER THAN PRODUCTION AND IMPORTS FOR FIRST PHASE. U.S. WAS SUCCESSFUL IN GETTING REFERENCE TO CFC CONTENT OF PRODUCTS ELIMINATED FROM CONSUMPTION DEFINITION, THUS FOCUSING FORMULA DISCUSSION ON BULK CHEMICALS ONLY ON WHICH U.S. OFFERED DEFINITION TO INCLUDE PRODUCTS CONTAINING 20 PCT BY EITHER WEIGHT OR VOLUME).

1. DEVELOPING COUNTRY ISSUE: QUESTIONS OF PER CAPITA CONSUMPTION LIMIT AND LENGTH OF GRACE PERIOD WERE LEFT OPEN UNTIL DATA/ESTIMATES COULD BE OBTAINED TO PROVIDE SOME GUIDANCE ON THE LIKELY EFFECTS OF THE PROPOSED GRACE PERIOD. U.S. AND EC JOINTLY OFFERED LANGUAGE TO CLARIFY "PARALLEL MANNER" IN WHICH DEVELOPING COUNTRIES WOULD BE SUBJECT TO CONTROL PROVISIONS FOLLOWING THIS PERIOD. U.S. RAISED QUESTION OF WHERE SUPPLY WOULD BE PRODUCED TO MEET THE INCREASED DEMAND BY LOW-CONSUMING COUNTRIES (LCC) DURING THE GRACE PERIOD AND SUGGESTED OPTION OF USING UNDERUTILIZED CAPACITY IN DEVELOPED COUNTRIES, WITH LIMITS ON BULK RE-EXPORT FROM THE LCC. ALL COUNTRIES CAME TO APPRECIATION OF PROBLEM WITHOUT REACHING AGREEMENT ON SOLUTION. SPECIFIC CONCERNS ENTERED ON CERTIFICATION OF DESTINATION BY EXPORTING DEVELOPED COUNTRIES (ESPECIALLY WHERE EXPORTER MIGHT NOT BE PRODUCER) AND CREATION OF "CFC HAVENS" IN DEVELOPING COUNTRIES FOR RE-EXPORT OF BULK OR PRODUCTS CONTAINING CFC'S TO DEVELOPED COUNTRY MARKETS.

2. TRADE ARTICLE: U.S. WAS SUCCESSFUL IN GETTING ARTICLE SPECIFICALLY LIMITED TO TRADE WITH NON-PARTIES AND IN TIGHTENING LANGUAGE TO MAXIMIZE INCENTIVES FOR

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~~CONFIDENTIAL~~ SECTION 03 OF 03 BRUSSELS 09255

FROM USEC

.O. 12356: DECL: OADR

AGS: SENV, ETRD, UNEP, EEC

! : OZONE NEGOTIATIONS
 ES TO JOIN THE PROTOCOL. DISCUSSION OF RESTRICTIONS
 ORTS OF PRODUCTS CONTAINING CFC'S (PARA 2 IN ARTICLE)
 ED CONTINUING WIDE DIFFERENCES WITH EC ON THIS IS-
 RETURN TO PARA 2 LANGUAGE PROPOSED BY U.S.
 RUARY WAS SUGGESTED AS ONE POSSIBLE MEANS
 OLVING DIFFERENCES (EC INDICATED THAT THEY
 NOT PROPOSE, BUT MIGHT BE ABLE TO ACCEPT, THIS
 GE). EC OFFERED LANGUAGE TO GRANDFATHER EXISTING
 ACKAGES REGARDING BAN ON ANY AID INVOLVING CFC'S
) LIMIT THE BAN TO AID FOR PRODUCTION (BUT NOT USE)
 C'S, AND THIS SATISFIED DEVELOPING COUNTRIES WHICH
 RACKETED THIS PARAGRAPH IN GENEVA. U.S.
 ED LANGUAGE TO CLARIFY AND LIMIT EXCEPTION FOR NON-
 ES IN COMPLIANCE WITH THE CONTROL PROVISIONS OF
 ROTOCOL.
 PRINCIPAL ISSUES FOR RESOLUTION BEFORE OR IN
 DEAL ON TRADE ASPECTS OF THE PROTOCOL ARE NOW
 FOLLOWING:
 BASE YEAR: WE NEED TO DEVELOP THE DATA AND
 MATES TO RESPOND TO EC CLAIM THAT 1986 CANNOT BE
 AS BASE YEAR FOR CONSUMPTION. THIS MEANS GETTING
 INDUSTRY COOPERATION IN DISAGGREGATING TRADE DATA
 DWIDE FOR 1986 AND INDICATING PRODUCT FLOWS NECESSARY
 CALCULATING APPARENT CONSUMPTION.
 EXPORTS TO NON-PARTIES: EC WILL NOT AGREE TO EITHER
 OR COUNT AGAINST DOMESTIC CONSUMPTION UNLESS/UNTIL
 ARE ASSURED THEIR MAJOR EXPORT MARKETS ARE
 LUDED IN THE PROTOCOL. BECAUSE THIS IS A VITAL
 NOMIC INTEREST IN THE EC, WE MAY HAVE TO ACCEPT
 ERRAL OF RESOLUTION OF THIS QUESTION UNTIL THE
 BERSHIP IN THE PROTOCOL BECOMES CLEARER.
 DEVELOPING COUNTRY ISSUE: HERE THERE ARE A SERIES
 INTERRELATED QUESTIONS CENTERING AROUND HOW TO SUPPLY
 REASED CONSUMPTION BY THESE COUNTRIES DURING THE
 ACE PERIOD. ONE SOLUTION (SUGGESTED BY GHANA) MAY
 TO SCALE THIS TREATMENT BACK TO LEAST DEVELOPED
 UNTRIES (BY LOWERING THE PER CAPITA LIMIT) TO MINIMIZE
 E "CFC HAVEN" PROBLEM.
 NON-PARTIES/PRODUCTS CONTAINING CFC'S: WE NEED TO
 EXAMINE THE FEBRUARY LANGUAGE TO SEE IF IT RESPONDS TO
 R NEEDS FOR A STRONG SIGNAL THAT STILL CONTAINS SUFFI-
 ENT FLEXIBILITY.
 NON-PARTIES/COMPLIANCE: SINCE THERE APPEARS TO BE
 RONG SUPPORT BY OTHER COUNTRIES FOR AN EXCEPTION FOR
 N-PARTIES IN COMPLIANCE WITH THE PROTOCOL, WE NEED
 DEVELOP OUR CASE FOR TIGHTENING THIS PROVISION TO
 OID THE OBVIOUS LOOPHOLE IT COULD CREATE IF NOT
 OPERLY LIMITED AND ADMINISTERED.
 NGON

255

ECT>SECTION: 01 OF 03 <SSN> 9255 <TOR> 870701130450 MSG000173451890
 ECT>SECTION: 02 OF 03 <SSN> 9255 <TOR> 870701130654 MSG000173452014
 ECT>SECTION: 03 OF 03 <SSN> 9255 <TOR> 870701130817 MSG000173452096

DRAFT

STATEMENT ON STATUS OF OZONE NEGOTIATIONS

Efforts are proceeding at a satisfactory pace to conclude by September an international agreement to protect the atmosphere from ozone-depleting chemicals by regulating the production and use of certain chlorofluorocarbons (CFCs) and halons. The United Nations Environment Programme (UNEP), under the able leadership of Dr. Mostafa Tolba, continues to play an important role in bringing together governments from around the world to address these global concerns, including all nations which are major producers and consumers of CFCs and halons.

These negotiations were resumed last year following a stalemate in 1985 between those governments, including the United States, which believed that further significant actions were needed to protect the ozone layer, and others, notably the European Community, Japan and the Soviet Union, which were hesitant to undertake additional measures at that time because of economic considerations and scientific uncertainties.

Since 1985, the public both here and abroad ^{has} gained increased understanding of the threat to the ozone layer, and therefore to the health and well-being of future generations, posed by these chemicals. International reviews of the state of scientific knowledge, of technical alternatives for addressing the problem, and of the economic impacts of various regulatory options, have been careful and comprehensive.

Although it would not be appropriate to discuss details of the negotiations at this stage, the U.S. Government believes that the draft protocol text produced by Dr. Tolba, following international negotiations in Brussels last month, represents a balanced and reasonable approach to these complex issues. We believe Dr. Tolba's approach is fully supported both by the scientific evidence and by any reasonable analysis of the economic benefits and costs involved.

Dr. Tolba's text reflects elements of an international accord which the United States considers absolutely essential. These include: a near-term freeze at 1986 levels of production and consumption of the principal ozone depleting CFCs and halons; scheduled substantial reductions of the CFCs in subsequent years, both to protect the atmosphere and to encourage development of alternative chemicals; periodic assessments of scientific, technical and economic considerations to ensure that the control measures are soundly grounded or are revised to take account of evolving understanding; and a stated ultimate objective of eventually eliminating realistic threats to the ozone layer from man-made chemicals, as determined by the regularly scheduled scientific assessments.

The U.S. further believes that the protocol must contain trade restrictions against CFC-related imports from countries which do not join or comply with the protocol provisions, in order to ensure that nations which do not accept their share of this global responsibility do not profit by such a decision. In order to encourage participation by all countries, the U.S. also favors some limited grace period for developing countries.

Finally, the U.S. believes that the protocol should contain strong provisions for reporting, monitoring and enforcement, and that future decisions under the protocol should be made under a system of voting that gives appropriate weight to the significant producing and consuming countries.

The negotiations continue to be difficult, and much work remains to be done. Nevertheless, the United States hopes that the other principal producer and consuming countries, notably the European Community, Japan, and the Soviet Union, will join with us and others in Montreal in September to sign an effective and meaningful international accord.

June 29, 1987 ✓

OZONE NEGOTIATIONS

Q: What has the President decided on our position in the international negotiations on control of chemicals that deplete the ozone layer?

A. THE REVIEW OF THE U.S. POSITION HAS ~~W~~AFFIRMED OUR SUPPORT FOR AN EFFECTIVE INTERNATIONAL PROTOCOL TO CONTROL OZONE-DEPLETING CHEMICALS. THIS OBJECTIVE WILL BE PURSUED IN MEETINGS WHICH WILL TAKE PLACE IN BRUSSELS MONDAY AND TUESDAY, JUNE 29-30, WITH U.N. ENVIRONMENT PROGRAM EXECUTIVE DIRECTOR MOSTAFA TOLBA AND OTHER KEY PARTICIPANTS IN THIS INTERNATIONAL NEGOTIATION.

LB
Drafted: OES/ENH: SButcher/OES: JDNegroponete
6/26/87: x79312

Clearances: PA: CRedman
OES: AParker
White House: LArsh
D: JTimbie

PRESS STATEMENT

The President today instructed the U.S. delegation to the United Nations talks on protection of the ozone layer to seek a strong and effective international agreement. The President directed the negotiators to seek an agreement that involves many countries, that covers many ozone-depleting chemicals, and that commits participating countries to a near-term freeze on emissions of ozone-depleting chemicals and a long-term scheduled reduction of these chemicals. The President stressed the importance of future reviews of scientific, technological, economic and environmental information in the implementation of long-term reductions.

By instructing the delegation to seek a strong international agreement, the President re-affirmed the U.S. commitment to protecting the ozone layer. The U.S. objective in an international agreement is to eliminate threats to the ozone layer from man-made chemicals.

The President also praised the United Nations Environment Program's approach to the ozone issue noting that it is important for all nations that produce or use ozone-depleting chemicals to participate in efforts to address this problem.

~~CONFIDENTIAL~~

THE WHITE HOUSE

WASHINGTON

July 23, 1987

MEMORANDUM FOR THE PRESIDENT

FROM: NANCY J. RISQUE *NJR*
SUBJECT: Status of Stratospheric Ozone Negotiations

Background: On June 25, 1987, you provided instructions to the U.S. delegation negotiating an international protocol for the control of ozone-depleting chemicals, mainly chlorofluorocarbons (CFCs). The head of the U.S. delegation has since met with heads of delegations from some of the other countries, and is now preparing for the final negotiations in Montreal in September.

From the latest meetings, the Chairman of the United Nations Environment Program has drafted a proposed international protocol. This draft protocol includes many, but not all, of the provisions you directed the delegation to seek.

Status: The Chairman's draft protocol text includes these provisions consistent with your instructions: a grace period for developing countries; a voting mechanism for protocol decisions favoring the major consuming countries; a freeze of CFCs at 1986 levels, within one to two years after entry into force; required reporting procedures; regular scientific assessments; CFCs reduction of 20 percent within four years after entry into force and an additional 30 percent within eight or ten years after entry into force; a trade provision; and a provision for future reduction decisions.

The most important provision requiring additional negotiation is the requisite level of international participation for the protocol to enter into force. You instructed the delegation to seek participation by countries responsible for a "substantial majority" of the production/consumption of ozone-depleting chemicals. Specifically, you noted this proportion should be well above a majority of the major producing/consuming countries. The Chairman's text introduces this concept, but with a tentative requirement of ratification by sixty percent of the producing countries. The U.S. delegation will seek to include a provision requiring more than eighty percent of the producing and consuming countries for entry into force. Also, the Chairman's text does not include Halons 1201 and 1311 in the freeze at 1986 levels.

The U.S. delegation is negotiating with individual countries to ensure that the desired participation provisions and a freeze of Halons are included in the final protocol.

DECLASSIFIED

NLS FDD 013 #100

CN NARA, DATE 6/26/96

6565

THE WHITE HOUSE
WASHINGTON

7/20/87

Nancy -

Here are memos
on Ozone - Call
if you have changes.
Vicki will be here.

Thank
Ralph

THE WHITE HOUSE

WASHINGTON

July 20, 1987

MEMORANDUM FOR NANCY J. RISQUE

FROM:

RALPH C. BLEDSOE



SUBJECT:

Status Memo on Stratospheric Ozone

Attached is a proposed memorandum from you to the President on the status of the stratospheric ozone negotiations. Also attached are an advance copy of the Chairman's text and a memorandum from you (or me) to the DPC, circulating the draft protocol.

Attachments

~~CONFIDENTIAL~~

The President has seen 6/24

THE WHITE HOUSE

WASHINGTON

June 25, 1987

MEMORANDUM FOR THE PRESIDENT

FROM: NANCY J. RISQUE *Nancy J. Risque*
SUBJECT: Stratospheric Ozone Decision Memorandum

ISSUE: Communication of your decisions to the U.S. delegation.

BACKGROUND: On June 18, the Domestic Policy Council discussed with you their recommendations on the positions the U.S. delegation should take at the June 29 international negotiations on this issue. These negotiations will produce a draft agreement that the delegation will bring back for final approval prior to the plenipotentiary and signing meetings in Montreal in September 1987. Congress, numerous environmental groups, and other countries will be following closely the U.S. positions and results of these meetings.

DISCUSSION: The decisions you have made should permit the U.S. delegation to reaffirm strong measures for protecting the ozone layer, and should not result in major challenges to our past or current positions. However, Council members feel confidentiality is of vital importance in the final stages of the negotiating process. In this regard, the attached classified memorandum has been prepared for communication of your decisions to the State Department for the U.S. delegation, and the Cabinet principals.

One statement has been added for emphasis -- that you expect the U.S. delegation to seek participation in the protocol of "well above a majority of major producing/consuming countries." This was stimulated by the strong argument that a few countries not joining the protocol can easily spoil the efforts of those that do. Thus, this will stress the importance of the negotiators pursuing maximum participation by other countries. This more clearly defines your decision.

RECOMMENDATION: I recommend that you approve the issuance of the attached memorandum containing your decisions for the U.S. delegation, including the statement emphasizing maximum participation.

JFR

____ APPROVE

____ DISAPPROVE

____ MODIFY

Attachment

DECLASSIFIED

NLS FOOD13 #101

~~CONFIDENTIAL~~

CU NARA DATE 6/26/00

~~CONFIDENTIAL~~

THE WHITE HOUSE

WASHINGTON

June 25, 1987

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY OF ENERGY
THE SECRETARY OF EDUCATION
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
U.S. TRADE REPRESENTATIVE
ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY

The negotiation of an international protocol for regulation of chemicals believed capable of future depletion of stratospheric ozone is of great importance in our efforts to adopt sound environmental policies. Pursuant to this, and after considering the extensive work and recommendations of the Domestic Policy Council over the past several months, the following will guide the U.S. delegation in its negotiating activities leading to an international protocol on protection of the ozone layer, which we hope to be able to conclude later this year.

It is important that all nations that produce or use ozone-depleting chemicals participate in efforts to address this problem. The U.S. delegation will attempt, therefore, to ensure that the protocol enters into force only when a substantial proportion of the producing/consuming countries have signed and ratified it. I expect this to be well above a majority of the major producing/consuming countries.

In order to encourage participation by all countries, it is recognized that lesser developed nations should be given a limited grace period, up to the year 2000, to allow some increases in their domestic consumption. And, the U.S. delegation will seek to negotiate a system of voting for protocol decisions that gives due weight to the significant producing and consuming countries.

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To achieve a majority of the health and environmental benefits derived from retention of the ozone layer, and to spur industry to develop substitutes for chemicals in question, the U.S. delegation will seek a freeze at 1986 levels on production/-consumption of all seriously ozone-depleting chemicals, including chlorofluorocarbons (CFCs) 11, 12, 113, 114, 115; and Halons 1201 and 1311, to take effect one or two years after the protocol entry into force. The earliest expected date for entry into force is 1988.

The U.S. delegation will also seek strong provisions for monitoring, reporting, and enforcement to secure the best possible compliance with the protocol, but they need not seek a system of credits for emissions reduction resulting from the 1978 U.S. ban of non-essential aerosols.

In addition to a freeze, the U.S. delegation will seek a 20% reduction from 1986 levels of CFCs 11, 12, 113, 114 and 115 four years after entry into force of the protocol, and following a 1990 international review of updated scientific evidence. The 20% reduction should take place automatically, unless reversed by a 2/3 vote of the parties. The U.S. delegation will seek a second-phase CFC reduction of an additional 30% from 1986 levels, which would occur about eight years after entry into force of the protocol, and following scientific review. This would occur automatically, unless reversed by a 2/3 vote of parties.

The U.S. delegation will seek a trade provision in the protocol that will best protect U.S. industry in world markets, by authorizing trade restrictions against CFC-related imports from countries that do not join or comply with the protocol provisions. It is our policy to insure that countries not be able to profit from not participating in the international agreement, and to insure that U.S. industry is not disadvantaged in any way through participation.

It is the U.S. position that the ultimate objective is protecting the ozone layer by eventual elimination of realistic threats from man-made chemicals, and that we support actions determined to be necessary based on regularly scheduled scientific assessments.

Ronald Reagan