

Original FOIA Number: 1998-0099-F

2nd FOIA Number:

3rd FOIA Number:

4th FOIA Number:

5th FOIA Number:

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the George Bush Presidential Library Staff.

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Scanned/Unscanned:

WHORM Category Code: TA003
WHORM Category Name: Export Registration

Document Number: 268387SS
Alpha File Name:

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01. Memo	Case Number 268387SS From Brent Scowcroft to POTUS Re: Presidential Reports on Iraq & Proliferation (2 pp.)	9/7/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

Document Declassified
(Document Follows)
 By JK (NLGB) on 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

~~SECRET~~

THE PRESIDENT HAS SEEN

9/9/91

6064

SECRET

THE WHITE HOUSE
WASHINGTON

September 7, 1991

91 SEP 7 P2:00

268387SS

TA003

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: EXECUTIVE CLERK *Wm. W. B. for.*

FROM: BRENT SCOWCROFT *B*

SUBJECT: Presidential Reports on Iraq and Proliferation

Purpose

To forward to the Congress two reports on Iraqi proliferation-related activity and steps taken to control it.

Background

Sections 586J(a) and (c) of the Foreign Operations Appropriations Act of 1991 required you to conduct studies on (1) the export to Iraq of nuclear, biological, chemical, and ballistic missile technology, and (2) efforts of other nations to curtail proliferation-related exports to Iraq. State prepared the reports and cleared them interagency.

The first report touches the issue of U.S. dual-use exports to Iraq, noting that throughout the 1980s approximately 30 percent of all dual-use export licenses to Iraq were not approved as compared to a nonapproval rate of 5 percent for other destinations. This report also details the nonproliferation initiatives you have taken in recent years further to curtail potentially dangerous exports.

The second report discusses multilateral nonproliferation efforts (e.g., the Middle East arms control initiative, Chemical Weapons Convention, Missile Technology Control Regime, Australia Group) as well as actions by other nations to curtail exports that could contribute to Iraq's nuclear, biological, chemical and ballistic missile capabilities.

RECOMMENDATION

That you sign the letters at Tabs A through D transmitting the reports on Iraq and proliferation.

DECLASSIFIED
PER E.O. 12958

17 5/10/00 98-0099F

~~SECRET~~

Declassify on: OADR

~~SECRET~~

cc: Vice President
Chief of Staff

*Noted:
Wm. W. B.*

THE PROJECT

SECRET

THE PROJECT

SECRET

01 SEP 7 9:00

91 SEP 9 9:52

SECRET

26838755

Attachments

- Tab A Letter to Chairman Pell and Enclosure
- Tab B Letter to Chairman Fascell and Enclosure
- Tab C Letter to Chairman Byrd and Enclosure
- Tab D Letter to Chairman Whitten and Enclosure

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01a. Letter	Case Number 268387SS POTUS to Robert Bird Re: Presidential Reports on Iraq & Proliferation (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JL 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.01)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE

WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,

By T. E. ...

The Honorable Robert C. Byrd
Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

*To the Chairmen of the Senate and House Appropriations Committee
and the Chairmen of the House Foreign Affairs Committee and Senate Foreign
Relations Committee: 9-10-91 (4:10p, 4:20p, 4:30p, and 4:40p, respectively)*

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

*Noted:
9/10/91*

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01b. Letter	Case Number 268387SS POTUS to Dante Fascell Re: Presidential Reports on Iraq & Proliferation (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JK 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.02)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Dante B. Fascell
Chairman
Committee on Foreign Affairs
House of Representatives
Washington, D.C. 20515

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01c. Letter	Case Number 268387SS POTUS to Claiborne Pell Re: Presidential Reports on Iraq & Proliferation (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JL 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.03)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Claiborne Pell
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01d. Letter	Case Number 268387SS POTUS to Jamie Whitten Re: Presidential Reports on Iraq & Proliferation (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JR 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.04)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE

WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Jamie L. Whitten
Chairman
Committee on Appropriations
House of Representatives
Washington, D.C. 20515

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01e. Press Release	Case Number 268387SS Re: Text of a Letter from the President to the Chairman of the Senate Committees on Appropriations & Foreign Relations & the House Committees on Appropriations & Foreign Affairs (1 pp.)	9/10/91	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS

R 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.05)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

September 10, 1991

TEXT OF A LETTER FROM
THE PRESIDENT TO THE CHAIRMEN
OF THE SENATE COMMITTEES ON APPROPRIATIONS
AND FOREIGN RELATIONS
AND THE HOUSE COMMITTEES ON APPROPRIATIONS
AND FOREIGN AFFAIRS

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,

GEORGE BUSH

#

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01f. Report	Case Number 268387SS Re: Report to the Congress in Accordance with PL 101-513 on the International Export to Iraq of Nuclear, Biological, Chemical, Ballistic Missile Technology (18 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

Document Partially Declassified
(Copy of Document Follows)
 By JK (NLGB) on 10.2.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.06)	MR Case #:
AR Disposition: Released in Part	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

~~SECRET~~

~~SECRET/NOFORN~~

41F

P

B1(a)

REPORT TO THE CONGRESS IN ACCORDANCE WITH PL 101-513
ON THE INTERNATIONAL EXPORT TO IRAQ OF NUCLEAR,
BIOLOGICAL, CHEMICAL, AND BALLISTIC MISSILE TECHNOLOGY

TABLE OF CONTENTS

Page	
2	Summary
3	International Supply and Support for Iraqi Nonconventional Weapons Programs: Chemical, Biological, Missiles and Nuclear
10	Standards and Procedures for Verifying the Termination of Iraqi Nonconventional Weapons Programs
13	New Mechanisms to Control Proliferation of Nonconventional Weapons
	-- Legal and Regulatory Developments
	-- Developments in Supplier Groups
	-- Recommendations

DECLASSIFIED IN PART
PER E.O. 12958

77 5/19/00
98-0099-F

~~SECRET/NOFORN~~

~~SECRET~~

DP

~~SECRET~~

SECRET/NOFORN

- 2 -

Summary (Unclassified)

(U) During the 1980s the international community became increasingly concerned about Iraq's nonconventional weapons proliferation activities. Restrictions on exports of proliferation-related goods and technology were imposed and strengthened throughout the decade by the United States and other Western countries. Nonetheless, companies and individuals in many countries, especially in Western Europe, were key suppliers of chemical equipment, chemical precursors, and technical expertise for Iraq's chemical weapons program. Iraqi nuclear, missile and biological weapons programs also benefited from foreign sources, mainly in Europe. During this period, U.S. suppliers and the U.S. Government maintained significant strictures on exports to Iraq, including an arms embargo, thus preventing the United States from being a major source of Iraqi military capabilities. Nonetheless, some exports to Iraq of dual-use goods were made from the U.S. It is possible that Iraq diverted some of these from their intended civilian uses to military support purposes.

(U) During the 1980s, although 771 U.S. dual-use export licenses were granted for Iraq, 362 were not approved. That 30 percent non-approval rate compared to a rate of approximately five per cent for dual-use exports to all destinations worldwide. Over the period, then, significantly more rigorous U.S. export controls were in place for Iraq than for most other destinations, despite legal and regulatory restraints on those controls (e.g., foreign availability standards).

(U) International and U.S. efforts to stem proliferation have intensified in recent years. Seeing that U.S. controls were not air-tight, in the spring of 1990 U.S. officials developed proposals -- unanimously approved through interagency review -- to tighten U.S. export controls further. These proposals led to the strengthening of U.S. nonproliferation controls under the Enhanced Proliferation Control Initiative (EPCI), launched in December 1990. In connection with this initiative, the U.S. also increased its efforts to strengthen international nonproliferation controls (e.g., through the Missile Technology Control Regime and the Australia Group). In addition to these multilateral efforts, the U.S. has sought the adoption of national controls comparable to EPCI by its nonproliferation partners, many of whom have tightened their own controls. Finally, increased U.S. concern over exports to Iraq was reflected in enforcement actions, e.g., the interception at Heathrow Airport of capacitors useful for a nuclear weapons program, and the halting of the export of high-temperature furnaces destined for Iraq which could have contributed to nuclear weapons development.

SECRET/NOFORN

~~SECRET~~

~~SECRET~~
~~SECRET/NOFORN~~

- 3 -

(U) United Nations Security Council Resolution 687 provides the basis for a regime to eliminate Iraq's nonconventional weapons capabilities, prevent their rebuilding, and monitor Iraqi compliance over the longer term.

(U) The United States should place the highest emphasis on strengthening and expanding as appropriate existing non-proliferation mechanisms. It should review its legislation and regulations on a continuing basis to make improvements where appropriate. At the same time, it should continue to seek greater harmonization of controls and enforcement among member countries of the various non-proliferation groups. The U.S. should also explore the utility of additional nonproliferation initiatives, including regional arrangements.

End Unclassified Summary. Remainder of Text is SECRET/NOFORN.

~~SECRET/NOFORN~~

~~SECRET~~

~~SECRET~~

~~SECRET/NOFORN~~

- 4 -

International Supply and Support for Iraqi
Nonconventional Weapons Programs

Before the 1980's, international restraints on the proliferation of nuclear weapons were well-established. The Iran-Iraq war increased global awareness of the threat of chemical and missile proliferation. During the 1980s, with the urging of the United States and other Western countries, new mechanisms for combatting the proliferation of chemical weapons and missile technology were established and developed. Iraq was recognized as a source of special proliferation concern by the community of Western states, and given special attention. Strictures on the export of missile technology and chemical weapons precursors were applied to Iraq at an early stage in the history of the various non-proliferation regimes, and strengthened as the seriousness of the problem became apparent.

Nonetheless, foreign suppliers, primarily European, made a large contribution to Iraq's proliferation programs. Some did so unwittingly, others with apparent knowledge of the weapons purpose of their exports. Since the goods involved have civilian as well as military applications, it is difficult to demonstrate whether the exporter knew of their intended purpose. In some cases, exports preceded international guidelines or individual national restrictions on the export of dual-use goods and technology destined for proscribed military applications. In others, existing laws were violated or evaded.

During the years leading up to the Gulf War, the United States maintained a long list of non-proliferation restrictions on Iraq. This was a regime as strict as, and probably stricter than, any other country maintained. The United States had generally banned sales of defense goods and services to Iraq since 1963. The



~~SECRET/NOFORN~~

~~SECRET~~

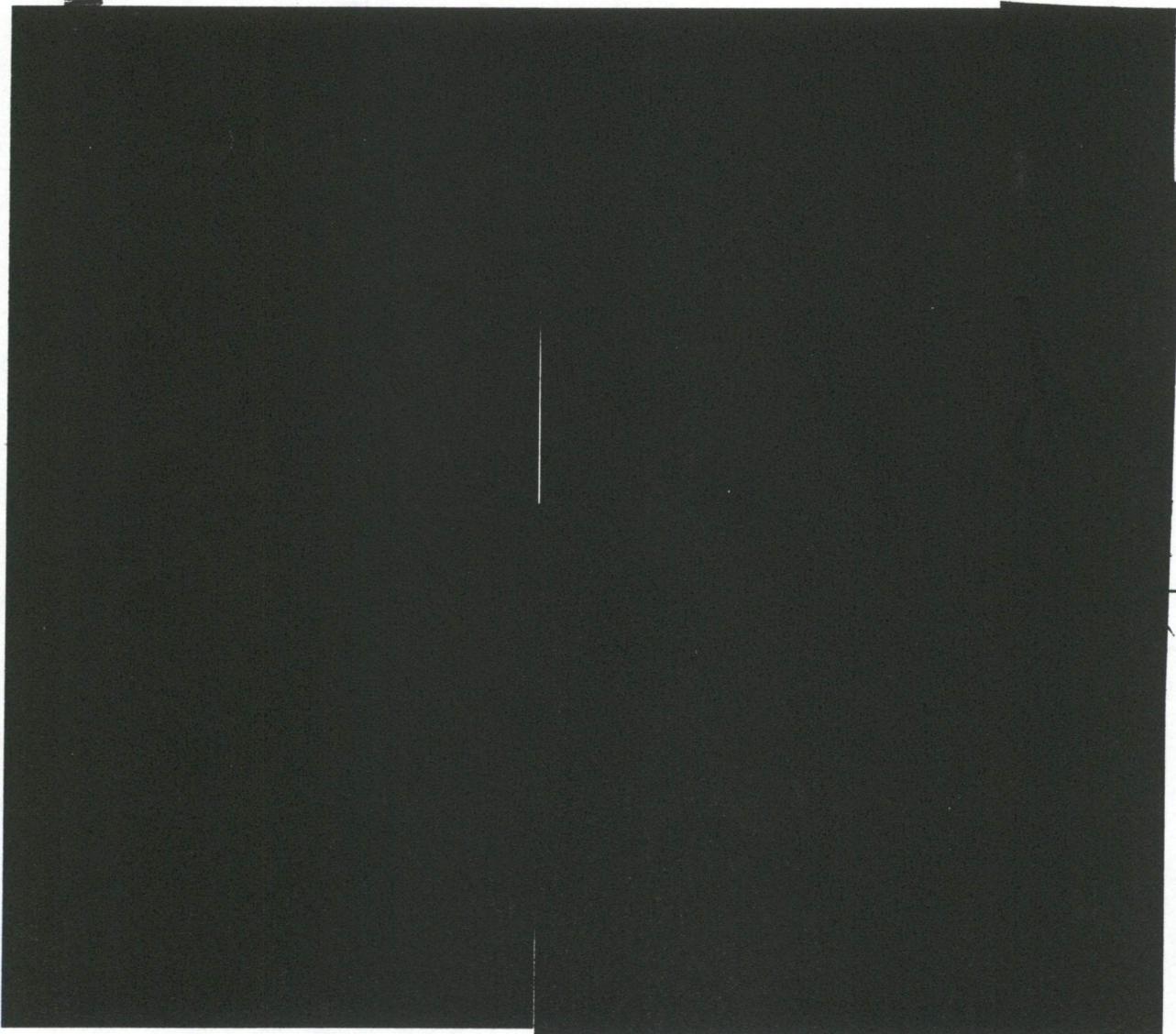
~~SECRET~~

~~SECRET/NOFORN~~

- 5 -

Chemical Weapons

Foreign support was essential for Iraq to build its chemical weapons (CW) infrastructure. Such support extended from providing commodities and raw materials, to furnishing equipment and technology (including whole chemical plants), to making technical experts available and providing technical training for Iraqi personnel. Iraq could not have acquired the CW capability that it did, as quickly as it did, without this foreign involvement. Much -- but not all -- of the foreign support for Iraq's CW program was legal under the laws of the supplier countries at the time it was provided and some was provided with the explicit approval (through export licenses) of governments.



sd

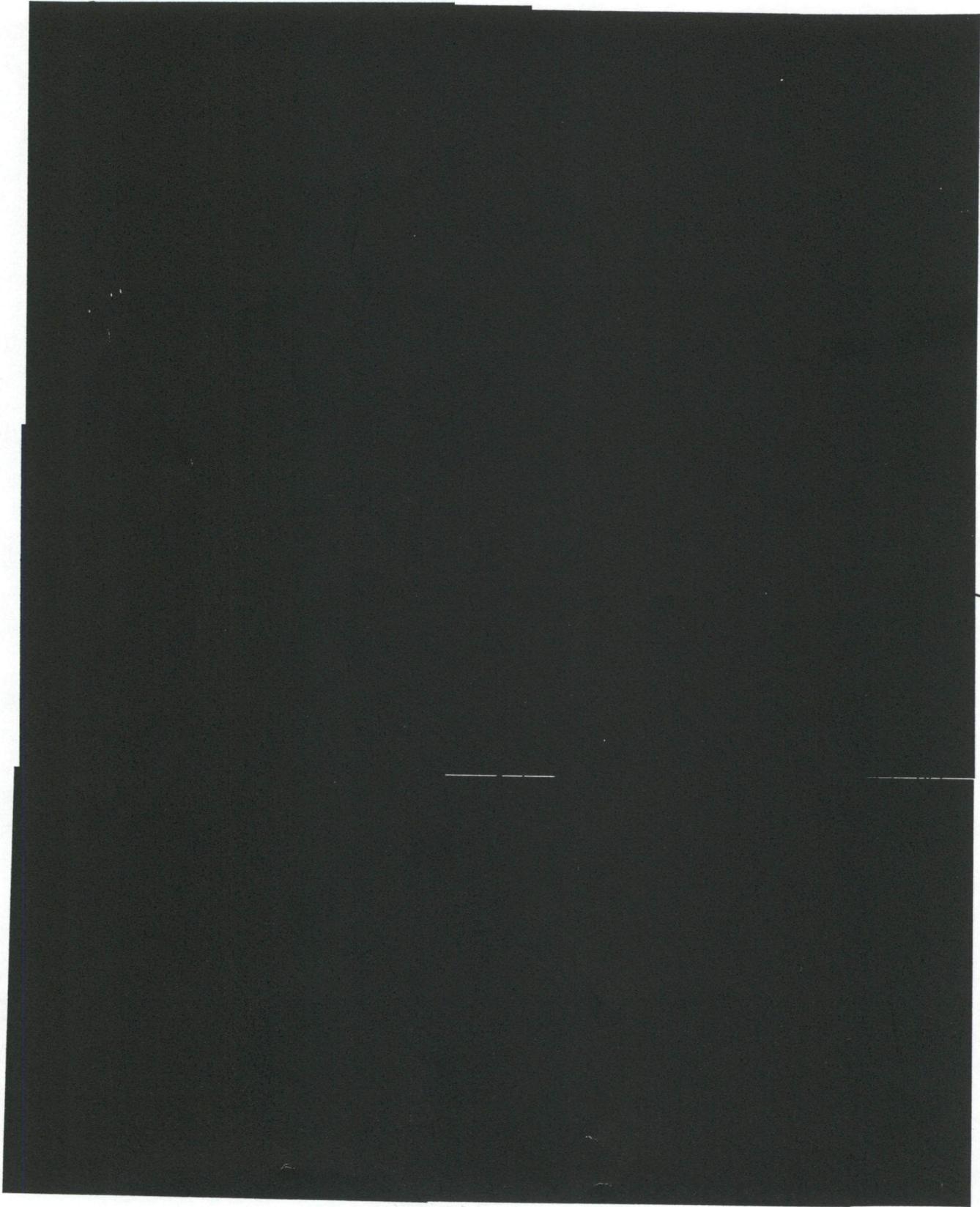
~~SECRET/NOFORN~~

~~SECRET~~

~~SECRET~~

SECRET/NOFORN

- 6 -



81

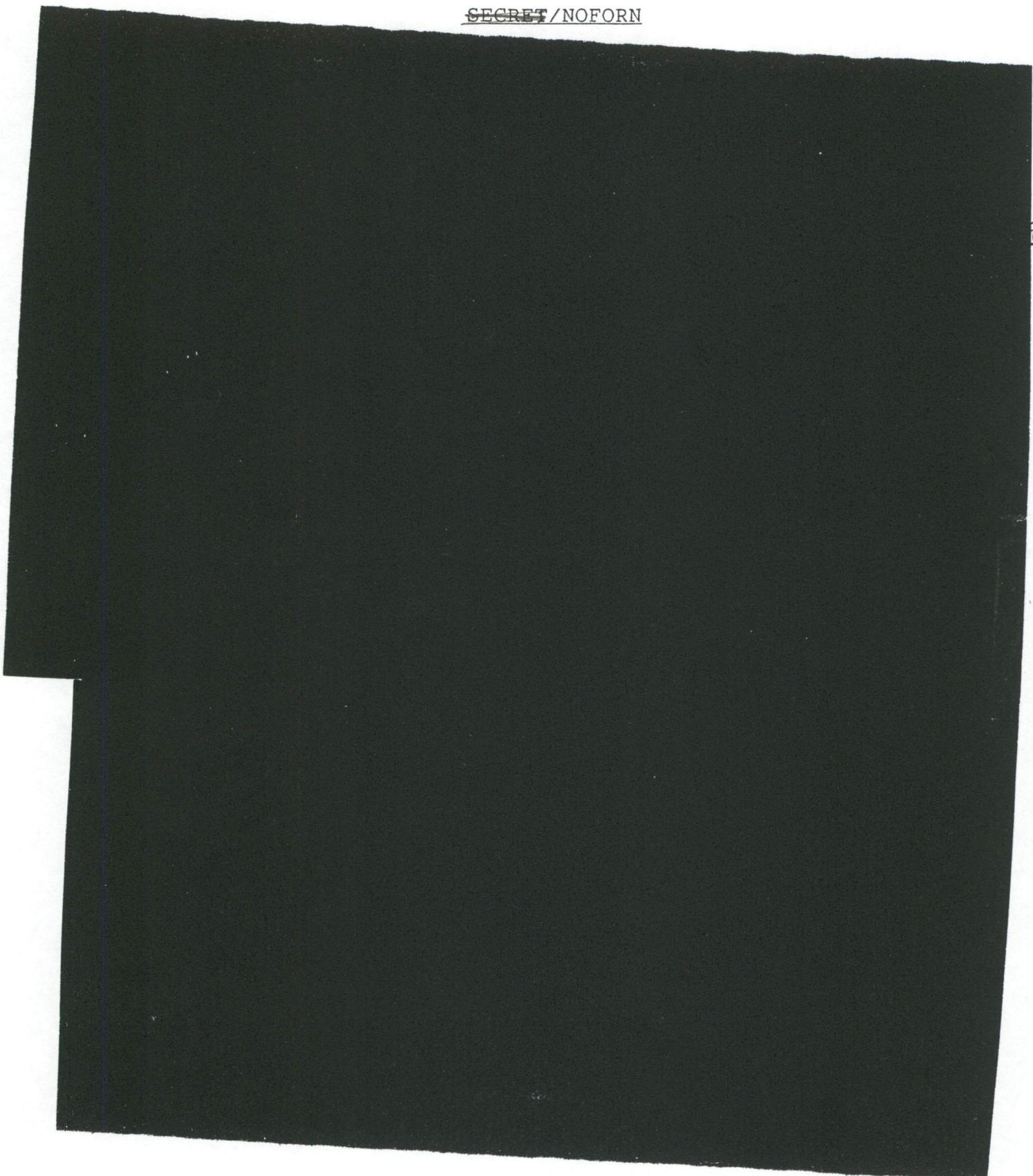
sd

SECRET/NOFORN

~~SECRET~~

~~SECRET~~

SECRET/NOFORN



SECRET/NOFORN

~~SECRET~~

~~SECRET~~

~~SECRET/NOFORN~~

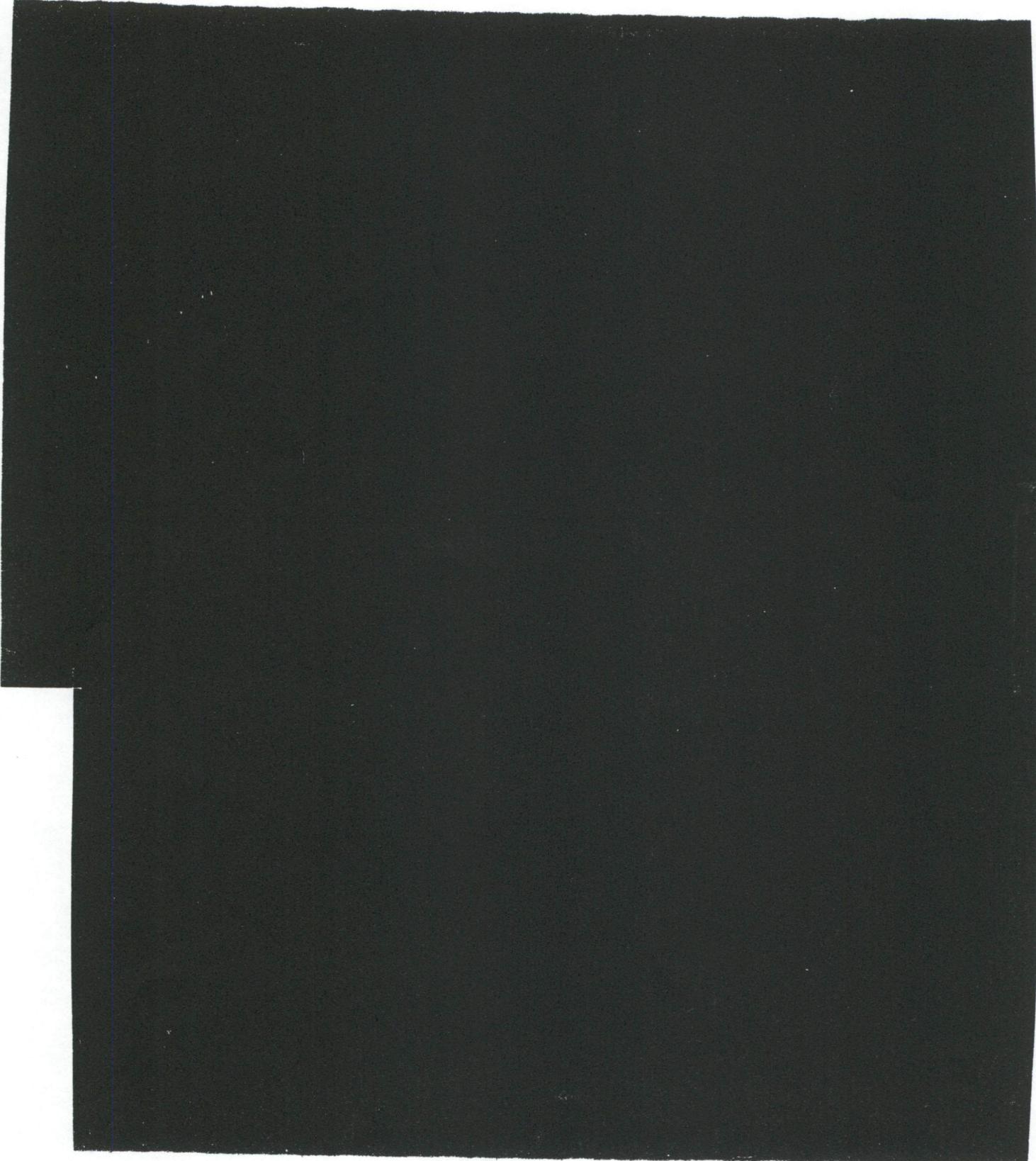
- 8 -



61

sd

~~SECRET/NOFORN~~

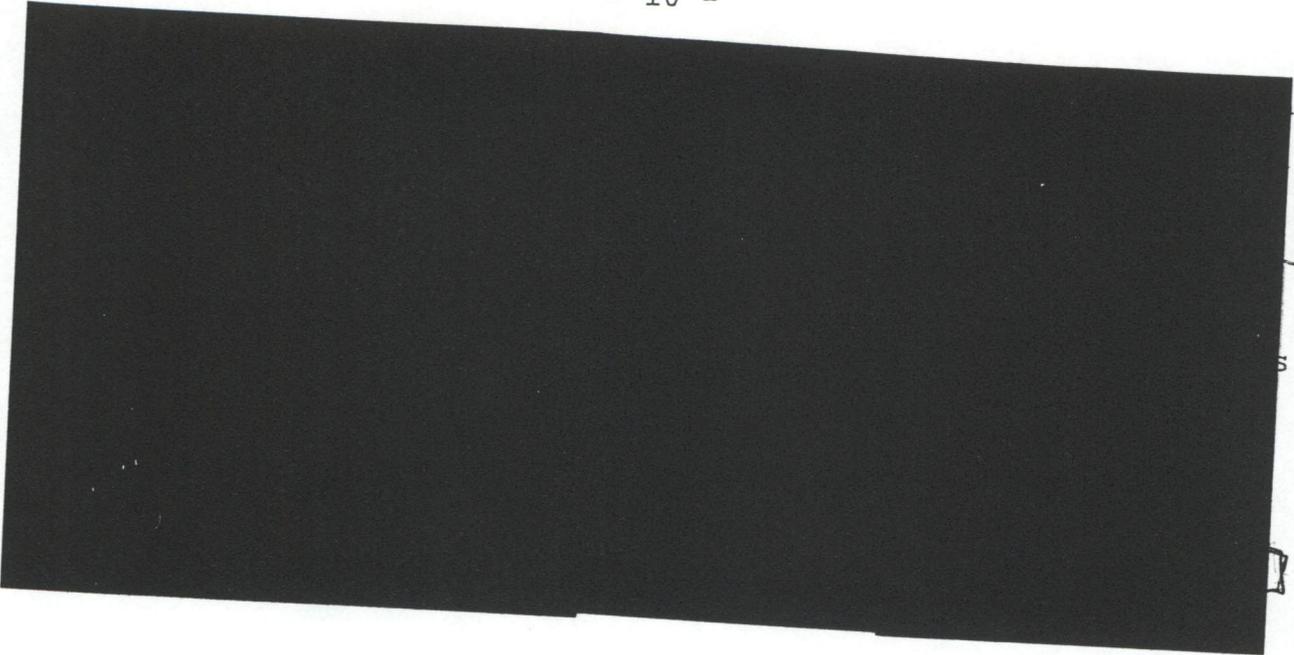


b1

sd

~~SECRET/NOFORN~~

- 10 -



1.5d

~~SECRET/NOFORN~~

~~SECRET/NOFORN~~

Standards and Procedures for Measuring an Iraqi Decision
to Terminate Nonconventional Weapons Programs

Paragraphs 7 through 13 of United Nations Security Council Resolution 687 mandate the destruction, removal or rendering harmless ("elimination") of Iraq's chemical, biological and nuclear weapons, nuclear-weapons usable materials, and related research, development, support and manufacturing facilities, as well as Iraq's ballistic missiles of greater than 150 km range and missile-related major components, repair and production facilities.

The resolution:

- Requires Iraq not to use, develop, construct or acquire the items specified for elimination.
- Calls for a plan for the future ongoing monitoring and verification of Iraq's compliance.
- Gives primary responsibility for achieving this mandate to a U.N. Special Commission, which it created, and to the International Atomic Energy Agency (IAEA). Both are to consult with the World Health Organization. Among their tasks will be to set standards and procedures for verifying Iraqi compliance with the resolution.

The resolution set certain timetables:

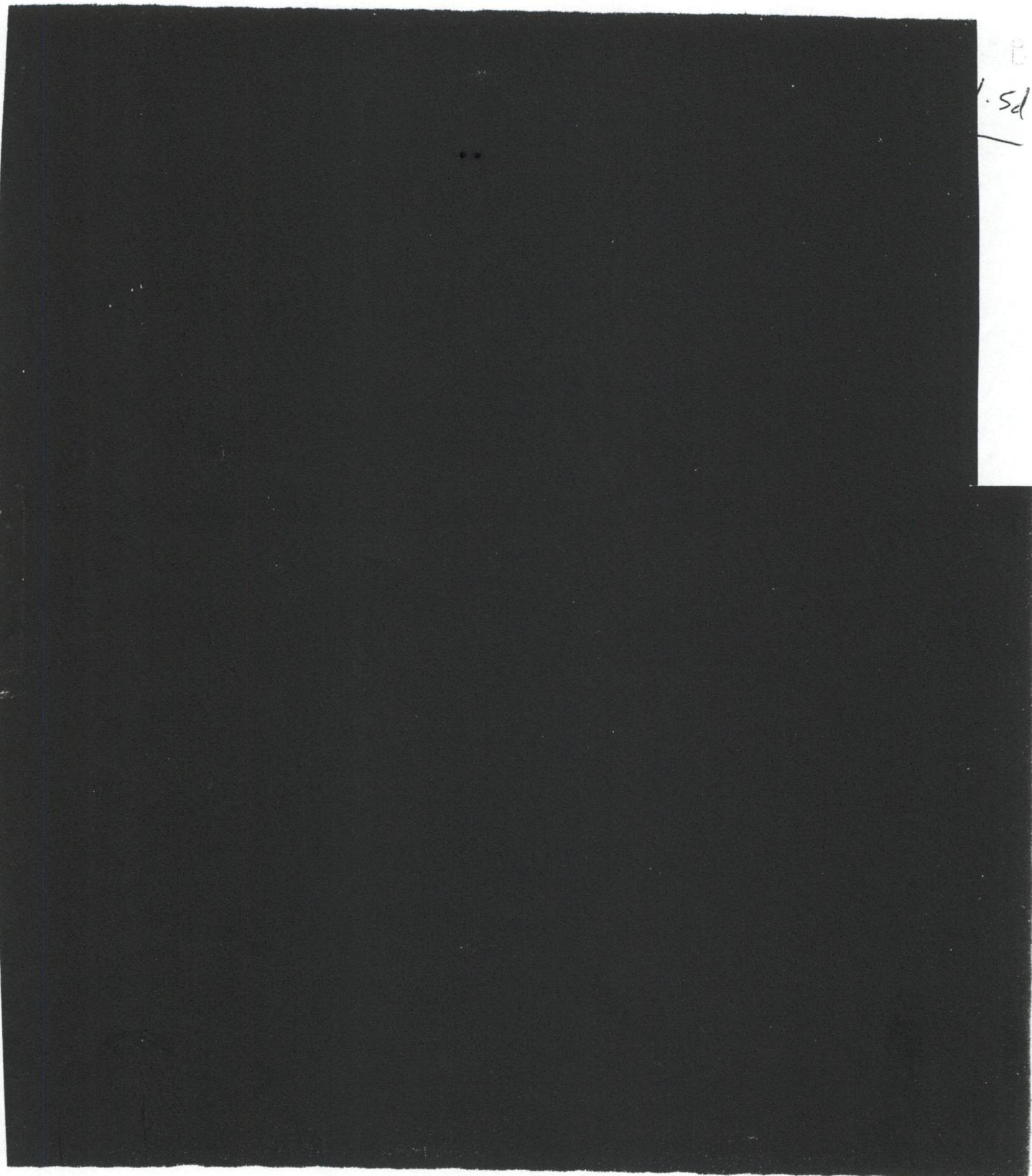
- On May 18 the Secretary General of the United Nations and Director General of the International Atomic Energy Agency (IAEA) submitted an overall implementation plan to the Security Council;
- On August 1, the U.N. Secretary General submitted to the Security Council reports on long-term plans to ensure continued Iraqi compliance in all areas. These reports are a good basis for completing the monitoring regimes for Iraq's nonconventional weapons capabilities.

A long-term monitoring regime for Iraqi compliance in all areas (chemical, biological, nuclear, and missile) will require substantial multinational resources over a prolonged period. The success of such a regime will depend on the political will of those concerned to maintain a sustained monitoring effort and the sanctions threat. Continued pressure on Iraq to cooperate in allowing manned, aerial reconnaissance and short- and no-notice

~~SECRET/NOFORN~~

- 12 -

B
1. sd

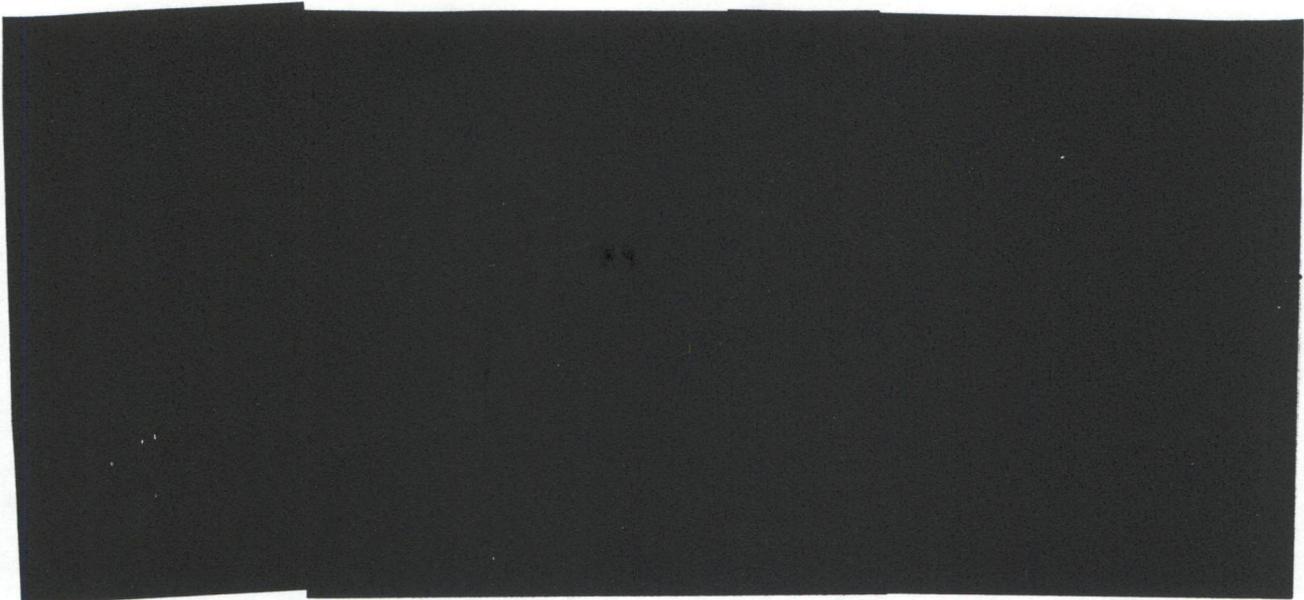


~~SECRET/NOFORN~~

~~SECRET/NOFORN~~

~~SECRET~~
SECRET/NOFORN

- 13 -



01
1.5d

SECRET/NOFORN

~~SECRET~~

New Mechanisms to Control the
Proliferation of Nonconventional Weapons

Legal and Regulatory Developments

The U.S. has broadened and strengthened its controls on the export of commodities and technology that can contribute to nonconventional weapons proliferation.

Executive Order 12735 of November 16, 1990 directs the imposition of controls on exports that are determined would assist a country to acquire the capability to develop, produce, stockpile, deliver or use chemical or biological weapons. This specifically included developing a control list of goods, technology and services that could be used for chemical or biological weapons purposes. It also provided for sanctions against foreign countries that use or make substantial preparation to use chemical or biological weapons, and sanctions against foreign persons which contribute to the efforts of a sanctionable country.

Before issuance of the Executive Order, and before the Iraqi invasion of Kuwait, the U.S. had already been working on a broader set of measures to strengthen controls on CBW and missile goods and technology. These measures comprised the Enhanced Proliferation Control Initiative (EPCI). After extensive discussion within the government and consultations with industry, EPCI was crystallized into a number of amendments to the Export Administration Regulations (administered by the Department of Commerce), which were published March 13, 1991.

EPCI was designed to tighten the U.S. system of proliferation controls and stimulate similar action by other supplier nations. The need for a more comprehensive set of measures became increasingly clear from the sophisticated and persistent efforts by countries of proliferation concern to acquire or improve nonconventional weapons capabilities. EPCI was also intended to strengthen our hand in leading our nonproliferation partners to impose stricter and better coordinated controls of their own.

The major new export control measures provided by EPCI include:

-- [REDACTED]

i.s.d

- Controls on the export of goods or technology if the supplier knows or is informed by the U.S. Government that the export is destined for a CBW or missile project.
- Controls on the export of certain dual-use CBW equipment to countries and areas of special CBW proliferation concern.
- Controls on U.S. citizens' participation in CBW and missile proliferation projects.
- A requirement for an export license to export a whole chemical plant.

In addition, the National Defense Authorization Act for FY 1991 added authority for sanctions against U.S. persons who knowingly export, transfer or facilitate the transfer of MTCR Annex items in violation of the law. Also covered were sanctions against foreign persons who engage in the same activities and thereby contribute to the design, development or production of missiles in a country that has not adhered to the MTCR.

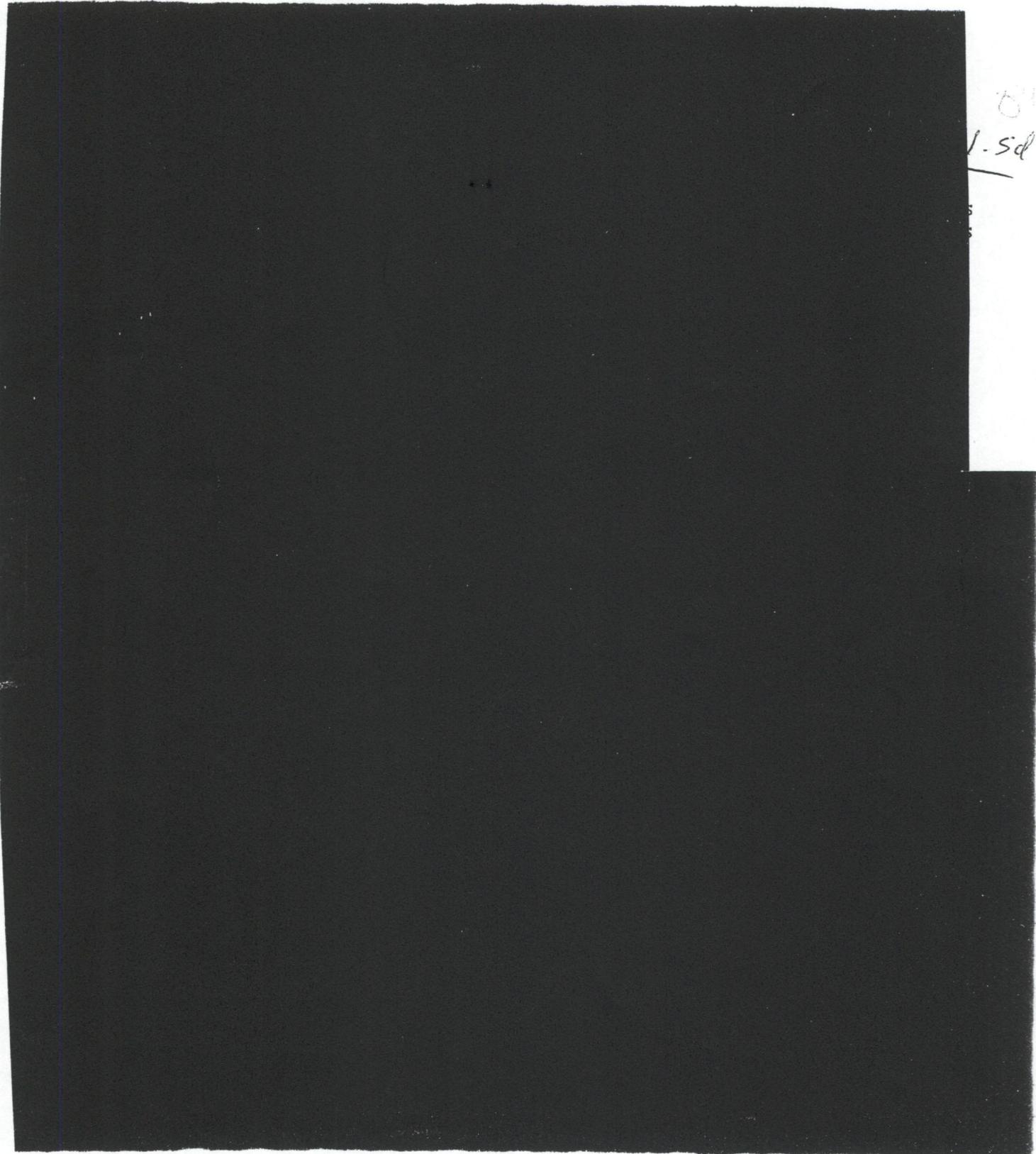
Another large step forward on nonproliferation efforts was taken in May by President Bush with his Middle East Arms Control Initiative, which covers the categories of nonconventional weapons as well as conventional weapons. This proposal will enlist the support and cooperation of regional arms importers and their most important conventional arms suppliers -- the U.S., the UK, France, the Soviet Union and China. The core of the initiative is a commitment by suppliers to observe a code of responsible conventional arms transfers and nonconventional-related exports, avoid destabilizing transfers, and establish effective export controls on the end use of arms and related exports. Suppliers would observe guidelines for arms transfers and related exports to the Middle East, including notifications in advance of certain sales, regular consultations on arms transfers, ad hoc consultations if it appears the guidelines are not being observed, and annual reports on transfers.



B1
1.5cl

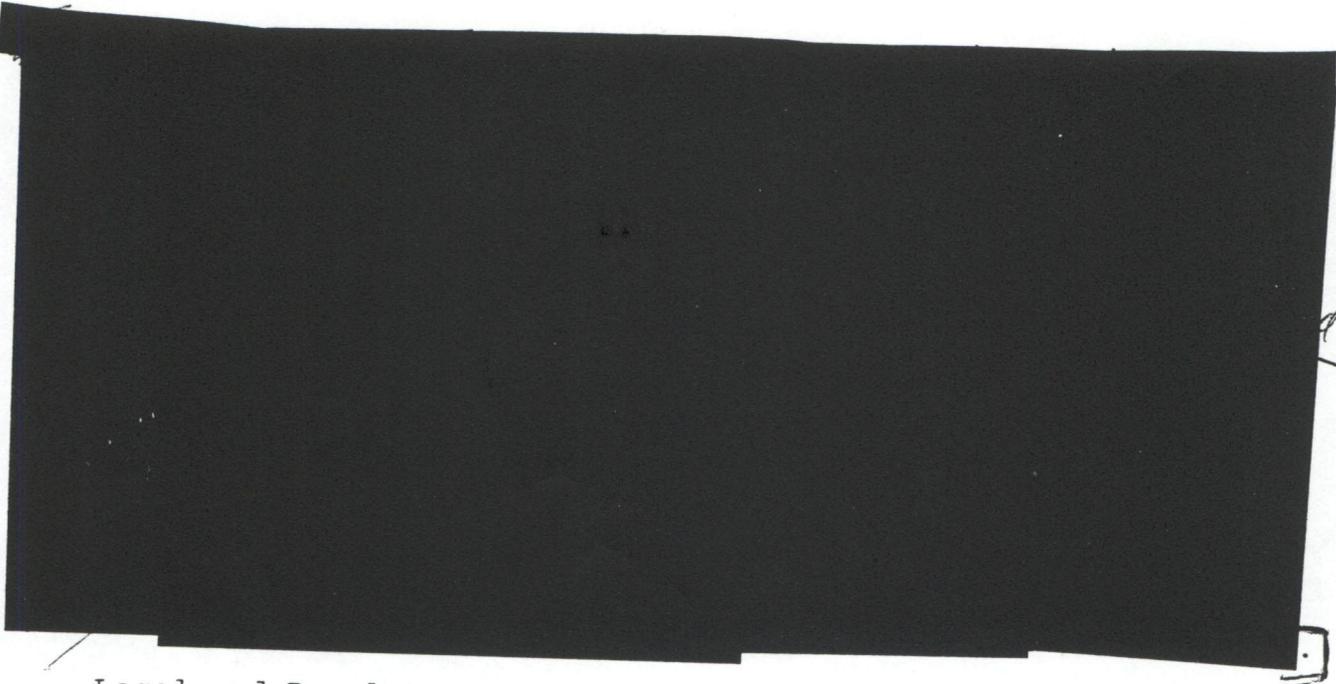
~~SECRET/NOFORN~~

01
1.5d



~~SECRET/NOFORN~~

~~SECRET/NOFORN~~



Legal and Regulatory

Recent extensive changes in U.S. export controls -- including Executive Order 12735, missile sanctions in the FY 1991 National Defense Authorization Act, and extensive amendments to the Export Administration Regulations under EPCI -- have greatly strengthened the U.S. export control regime. U.S. laws and regulations should be monitored on a continuing basis to determine whether further improvements are appropriate.

Supplier Groups

The United States should seek appropriate expansion of and support for the supplier organizations, particularly the AG and MTCR. Securing the cooperation of large, non-Western suppliers -- e.g., China, Brazil, India, Eastern European countries and the Soviet Union should be a priority. The Soviets and East Europeans have adopted the Nuclear Suppliers Guidelines, but key emerging nuclear exporters -- e.g. Argentina and China -- have not. In working to expand these regimes, we must recognize that new members must be able to demonstrate both the policies and means of implementation that will make them reliable nonproliferation partners. In addition, some suppliers of nonconventional weapons, e.g., North Korea for missiles, will remain outside the scope of cooperation for the foreseeable future. In cases where supplier nations either do not meet the criteria for membership or do not seek it, the U.S. should actively seek to expand contacts between the group

or individual member countries and the supplier nation to induce export restraints.

In the same spirit of strengthening supplier groups and expanding the scope of their activities, the U.S. should continue to strongly advocate multilateral controls on dual-use equipment and commodities of particular proliferation danger and harmonization of national control regimes through the supplier groups.

Chemical Weapons Convention

The early completion of a comprehensive, global ban on chemical weapons would provide a major boost to international non-proliferation efforts. The President announced a major new U.S. initiative on chemical weapons on May 13, 1991. This initiative is intended to resolve thorny substantive issues, accelerate the pace of the talks and provide an impetus to conclude the negotiations within twelve months. In addition, the initiative calls for the prevention of exports of key materials for the production of chemical weapons to non-parties. The United States should continue to exercise leadership to resolve remaining issues and conclude the convention at an early date.

Biological Weapons (the Biological Weapons Convention Review Conference)

In order to enhance the effectiveness of the BWC, the U.S. should take an active part in promoting effective means for strengthening the implementation of the Convention at the BWC review conference in September 1991. Appropriate strengthening measures could include confidence-building measures, the creation of an oversight mechanism to coordinate BWC activities in the time between five-year review conferences, and non-proliferation measures.

Regional Approaches

The U.S. should encourage appropriate regional approaches to curb the proliferation of nonconventional weapons where this can make practical contributions to the security of the region or provide impetus to the conclusion of the global chemical weapons convention. President Bush's Arms Control in the Middle East Initiative, with its regionally defined scope and concentration on cooperation among importers as well as suppliers, is a leading example of this approach.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01g. Report	Case Number 268387SS Re: Report to the Congress in Accordance with PL 101-513 on Sanctions Taken by Other Countries Against Iraq (13 pp.)	9/10/91	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**Determined NOT to be
National Security Classified**
 By 71 (NLGB) on 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.07)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

P-1 National Security Classified Information [(a)(1) of the PRA]
 P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

UNCLASSIFIED

REPORT TO THE CONGRESS IN ACCORDANCE WITH PL 101-513 ON
SANCTIONS TAKEN BY OTHER COUNTRIES AGAINST IRAQ

Steps taken by other nations, both before and after the August 2, 1990, invasion of Kuwait, to curtail the export of goods, services, and technologies to Iraq which might contribute to or enhance Iraq's nuclear, biological, chemical, and ballistic missile capabilities.

UNCLASSIFIED

Introduction

International efforts to stem the proliferation of nuclear, chemical and biological weapons and missiles have been underway for some years. Many of these efforts have been multilateral, although individual countries have also taken unilateral steps to impede proliferation.

Nonproliferation efforts have normally targeted any country seeking to develop nuclear, biological, or chemical weapons (NBC) or missile capabilities. However, the international community recognized that Iraq was a particular proliferation problem. Restrictions on the export of goods, services, and technology to Iraq gained momentum during the 1980s. Nuclear non-proliferation regimes had already been in place for some time. Multilateral organizations in the area of chemical and biological weapons and missile proliferation were established and strengthened during the decade.

The 1980s saw the creation of two important new international nonproliferation groups: the Missile Technology Control Regime (MTCR) in 1987 and the Australia Group of countries concerned about chemical and biological weapons proliferation in 1985. These groups have grown both in size and effectiveness.

Nuclear Non-Proliferation

In the nuclear nonproliferation area, the United States has been active diplomatically for more than a decade in efforts to encourage other nuclear supplier countries to exercise caution and restraint in exporting nuclear and potentially nuclear-related commodities to Iraq. In recent years, other supplier countries demonstrated greater caution and restraint, and cooperation with Iraq in the nuclear area markedly diminished. For example, Italy interrupted assistance it had been providing for laboratory-scale nuclear facilities. France decided to forego commercially lucrative opportunities to repair the damaged Osirak reactor. Additionally, the Soviet Union declined to go beyond its initial provision of a small research reactor.

Through multilateral arrangements such as the Zangger Committee and the Nuclear Suppliers Guidelines, supplier countries have controlled the trade in fissile material and specially designed or prepared nuclear equipment to non-nuclear weapons states.

In recent years, the twenty-two members (*) of the Zangger Committee have held regular meetings to upgrade and clarify the

UNCLASSIFIED

- 3 -

lists of specially-designed or prepared nuclear equipment that member countries would place under control for export to countries of concern. Of particular value with respect to Iraq was the Zangger Committee initiative to develop a detailed list of the key components for a gas centrifuge enrichment program. The technical work accomplished by U.S. experts to prepare for this exercise has been of great value to export control and customs officials in supplier countries. For example, this data was used in a training course in Turkey and more recently this background information was provided to the International Atomic Energy Agency (IAEA) for use in carrying out its responsibilities under UN Resolution 687.

On March 5-7, 1991, an informal meeting took place in the Hague of the twenty-six countries (**) that have adhered to the Nuclear Suppliers Guidelines of 1978. This is an agreed set of principles and conditions that apply to transfers of nuclear materials, equipment and technology. This group of countries met to review current supplier arrangements and the conditions of supply and to consider some ways and means to strengthen export controls with a view to reinforcing the nuclear nonproliferation regime. They reconfirmed their strong commitment to preventing nuclear proliferation, which represents one of the greatest threats to worldwide security and stability facing the international community. They also reaffirmed the great importance of IAEA safeguards.

In facilitating international cooperation in the peaceful uses of nuclear energy, the participants at the March meeting recognized the responsibility of all supplier states to ensure that such cooperation does not contribute directly or indirectly to nuclear proliferation as well as the need to assure that safeguards and nonproliferation assurances are not compromised by commercial competition. There was a consensus view that the widest acceptance of the Nuclear Supplier Guidelines by new nuclear supplier countries would

* Australia, Austria, Belgium, Canada, Czechoslovakia, Denmark, Finland, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Poland, Sweden, Switzerland, USSR, United Kingdom, United States.

** Australia, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Switzerland, USSR, United Kingdom, United States.

UNCLASSIFIED

significantly enhance the nonproliferation regime and they invited all such countries that have not yet done so to adhere to the guidelines.

At the meeting, the suppliers recognized the growing problem posed by the potential use of nuclear-related dual-use items in contributing to unsafeguarded nuclear programs or to the development of nuclear explosive devices. They agreed to establish a working group to examine all possible arrangements to control these items.

The supplier countries are in full accord on the need to continue the review and strengthening of supplier arrangements and on the value of regular consultations among suppliers.

Chemical and Biological Weapons Non-Proliferation Efforts

The United States and other Western countries have been active for some years in seeking to curtail the export of chemical and biological weapons-related goods, services, and technology to Iraq and other countries of proliferation concern.

Earlier efforts to curtail chemical and biological weapons-related goods, services, and technology to proliferant countries were largely in the form of treaties to ban such weapons. These include the Biological and Toxin Weapons Convention (BWC) of 1972, which entered into force in 1975, and the negotiations on a comprehensive global ban on chemical weapons, which have not yet been concluded.

The 1972 Biological and Toxin Weapons Convention commits each State Party never to develop, produce, stockpile, or otherwise acquire or retain microbial or other biological agents, or toxins whatever their origin or method of production of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes; as well as weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

In addition, the states parties undertook in the convention not to transfer to any recipient, directly or indirectly, and not in any way to assist, encourage or induce any state, group of states or international organizations to manufacture or otherwise acquire any biological agents, toxins, weapons, equipment or means of delivery. 149 countries are now parties to the convention, including virtually all Western nations.

The convention does not specify whether and what kind of export controls might be appropriate to fulfill the purposes of

the convention, but some countries, including the United States and Germany, have applied export controls consistent with the Convention's purposes. The United States, for example, controls the export of pathogenic organisms suitable for making biological weapons and in March 1991 added new controls on dual-use biological weapons related equipment. The United States for many years has maintained a ban on export of defense goods and services to Iraq, including biological or chemical weapons agents or weapons. The U.S. Biological Weapons Anti-Terrorism Act of 1989 imposes penalties on anyone who knowingly develops, produces, stockpiles, transfers, acquires, retains, or possesses any biological agent, toxin or delivery system for use as a weapon, as well as knowing assistance to any foreign state or any foreign organization to do so.

Chemical Weapons Convention

Since 1980 the Ad Hoc Committee on Chemical Weapons of the Conference on Disarmament in Geneva has focused on the negotiation of a comprehensive, global ban on chemical weapons. In 1984, the United States gave a major boost to the talks when then Vice President Bush presented a draft chemical weapons treaty. Among other provisions, the current draft treaty (the "rolling text") prohibits the direct or indirect transfer of chemical weapons and requires the states parties to undertake not to assist, encourage or induce in any way anyone to engage in activities prohibited to parties under the convention, namely the development, production, stockpiling, acquisition, retention, or use of chemical weapons.

The draft treaty provides for strict controls on the transfer of chemicals that have been developed, produced, stockpiled or used as chemical weapons or otherwise pose a high risk to the objectives of the convention by virtue of their high potential for activities prohibited by the convention. States are also to provide detailed data declarations and notifications of transfer to the technical secretariat of any transfers. For certain other chemicals which are chemical weapons precursors or have potential use as chemical weapons, the convention requires data reporting on aggregate export and import of chemicals, and on-site inspections of facilities producing, processing or consuming the chemicals. Depending on the chemical and the facility, monitoring may be accomplished by systematic routine inspections, ad hoc inspections, or challenge inspections.

Some countries, such as India, have used the schedules of chemicals in the Chemical Weapons convention as a model for establishing national export controls.

UNCLASSIFIED

- 6 -

The January 1989 Conference Against Chemical Weapons Use, held in Paris, was intended to sensitize the international community to the problem of chemical weapons and their use. Promoted by the U.S., it was attended by more than 100 countries. The September 1989 Canberra Government-Industry Conference against Chemical Weapons, encouraged by the United States and attended by representatives from about 70 countries, sensitized industry regarding the risk of exports being diverted to create chemical weapons and built support for the chemical weapons convention.

On May 13, 1991, President Bush announced a new initiative aimed at concluding the Chemical Weapons Convention within twelve months. The initiative contains forward-looking concrete proposals to advance the negotiations and is intended to encourage other countries to work with the U.S. to devise solutions to outstanding convention problems. The U.S. proposal calls for other countries to impose export controls similar to those of the U.S. and specifically for the convention to require parties to refuse to trade in chemical weapons related materials with countries which do not become parties to the convention within a reasonable time after the treaty enters into force.

Australia Group

The Australia Group (AG), an informal consultative group of countries concerned about chemical and biological weapons (CBW) proliferation, was formed in 1985 in the wake of chemical weapons use in the Iran-Iraq war. The Australia Group considers its efforts to be interim measures pending the completion of a convention banning chemical weapons. While the group is concerned about proliferation worldwide, until recently its primary focus was the countries of Iran, Iraq, Syria, and Libya.

Initially, the Australia Group was composed of seventeen members: the United States, Australia, New Zealand, Japan, Canada, and the twelve members of the European Community (Ireland, the United Kingdom, Belgium, the Netherlands, Luxembourg, Spain, Portugal, Germany, France, Greece, Italy, and Denmark). Subsequently, Switzerland, Austria, and Norway joined the Australia Group, and other countries have expressed interest in becoming members.

At its beginning in 1985, Australia Group members established national export controls over four chemical weapons precursors. The number of chemicals controlled by all members has expanded progressively. By the end of 1990, all Australia Group members had established controls on fourteen chemicals,

UNCLASSIFIED

UNCLASSIFIED

- 7 -

called the "core list". In addition to this core list, the AG maintained a warning list of 36 precursors (a total of 50 chemicals) for monitoring purposes. AG members informed their respective industries to be cautious in exporting these chemicals because of the risk of diversion to chemical weapons purposes.

In 1990, the United States undertook a major new initiative against chemical and biological and missile proliferation called the Enhanced Proliferation Controls Initiative (EPCI). This resulted in March 1991 in the imposition of an interlocking network of U.S. proliferation export controls. These include the following measures:

- an individual validated license requirement for export worldwide (except for AG and NATO countries) of all 50 chemical weapons precursors identified by the Australia Group;
- an individual validated license requirement for export to twenty-eight listed destinations of dual-use equipment and technical data potentially useful in chemical and biological weapons development;
- an individual validated license requirement for a U.S. person to assist foreign chemical weapons, biological weapons, or missile projects;
- an individual validated license requirement for a U.S. person to assist in the export or design of whole chemical plants making chemical weapons precursors; and
- an individual validated license requirement where an exporter knows or is informed by the U.S. government that an export is destined for a chemical or biological weapons or ballistic missile project.

Spurred by the Gulf War and the U.S. EPCI initiative, Australia Group members' export controls recently have expanded rapidly. At the most recent AG meeting (May 1991), the AG agreed that by December all members would control the export of all 50 AG-listed CW precursors (up from only 14 chemicals controlled by all members six months ago).

AG members also agreed in principle that they would control the export of dual-use equipment usable to produce or develop CW and developed a common list of such equipment for approval by members. In other steps to expand controls on CBW, AG members agreed to discuss in detail at the next meeting the need for controls on exporting BW organisms and equipment and

UNCLASSIFIED

agreed to consider U.S.-style "safety net" controls on non-listed items destined for CBW use.

The Australia Group also continued its exchanges on proliferation patterns and problems, enforcement activities, and harmonization of licensing and enforcement procedures among members.

Missiles

In 1987, the Missile Technology Control Regime (MTCR) was established to impede the proliferation of missiles through imposition of strict export controls on the specified missile-related goods and technology listed in the MTCR equipment and technology annex. The export of complete missile systems, as well as major subsystems (e.g. rocket stages, engines, guidance sets, reentry vehicles) carries a presumption of denial for all non-MTCR countries. Export of production facilities for these items is currently prohibited. The export of other, less sensitive components can be authorized if their transfer would not contribute to the development of a missile of MTCR range and payload (300 kilometers and 500 kilograms).

Since its inception, the MTCR has grown dramatically. It started with only seven founding members: the United States, the United Kingdom, Japan, Italy, Germany, France and Canada. Subsequently, nine additional countries have joined: Spain, Belgium, the Netherlands, Luxembourg, Australia, New Zealand, Norway, Denmark, and Austria. Several other countries are close to joining. Sweden and Finland are in the process of implementing export controls consistent with the MTCR guidelines, and the MTCR partners are working hard to bring into the MTCR the remaining European Community, NATO, and European Space Agency countries. The Soviet Union has expressed its support for the MTCR's objectives, and the partners are considering how best to bring the Soviets more fully into the Regime.

At the most recent MTCR meeting, in Tokyo in March 1991, the partners made significant progress toward adopting a revised, updated annex of controlled technologies. A number of additional items usable in missile development will be added and technical parameters will be clarified for several other items. It is expected that the revised annex will be put into effect in all member countries by December 1991. The partners also agreed to study the controls the U.S. has adopted under EPCI. These include requiring a license for any item, whether or not on the MTCR annex, when the exporter knows or is informed by the Government that it is destined for a missile

project. The MTCR partners also agreed to consider further harmonization of controls and procedures.

Individual Countries' Actions

The following are highlights of selected countries' export controls relevant to proliferation.

China, while not a member of the MTCR, has stated that it would "take into account" relevant international parameters in missile-related exports and not sell intermediate-range missiles to the Middle East. China has stated that it supports effective international control of weapons exports and is participating in arms control efforts pursuant to the President's May 29 initiative on Middle East Arms Control. China has agreed in principle to sign the NPT and adhere to the MTCR guidelines. The U.S. continues to press China to fully implement its stated intentions.

France is now committed to implementing export controls on all 50 Australia Group precursors and controls five additional precursors as well. France has also developed its own list of dual-use CBW equipment for export control, aside from the draft AG common list. It is also strengthening licensing procedures, including end-user certificates for countries outside the Australia Group. Licenses will be reviewed on a case-by-case basis. Violations are subject to prison terms and fines.

Germany now has an extensive network of laws and regulations intended to control the export of chemical weapons precursors, pathogenic organisms, dual-use CBW related equipment, and other forms of assistance to foreign CBW or missile projects. German cooperation with the United States in preventing export of goods and technology related to proliferation has become closer and more effective in recent years.

German government policy has prohibited the export of war weapons to Iraq since 1961.

German proliferation export control efforts date to at least 1984, when the Federal Republic of Germany applied controls on four chemical weapons precursors. In August 1984, Germany also imposed a new regulation requiring the licensing of whole chemical plants and certain chemical equipment suitable for the production of chemical weapons agents and precursors. This was especially aimed at the exports by Karl Kolb to Iraqi chemical weapons facilities in Samarra. Karl Kolb, however, won a court case in which it contested blocking of its shipments.

UNCLASSIFIED

- 10 -

On February 15, 1989, the German Cabinet introduced a requirement for an export license for plants suitable for the production of biological agents and tightened the definition for the requirement for an export license for chemical plants.

As of February 20, 1990, Germany made all 50 Australia Group chemical weapons precursors subject to licensing worldwide.

On July 20, 1990, the penalty for violations of the Foreign Trade and Payments Act was increased from three to 10 years. A general license requirement for activities of German nationals in connection with the development and production of weapons, ammunition and combat agents was introduced. Fines under the Foreign Trade and Payments Act were increased from 500,000 Deutschmarks to one million Deutschmarks.

On August 11, 1990, Germany imposed an export license requirement for participation of German citizens in foreign missile projects. Unauthorized services carry a fine or a term of imprisonment of 5 years and in very serious cases up to 10 years. Authorizations will normally be denied, and the German government has advised German nationals to terminate such services.

In October 1990, a new law was passed providing up to 15 years imprisonment for the particularly sensitive area of participation in the production of nuclear, biological and chemical weapons. Acts performed by German citizens in foreign countries are covered. The minimum sentence for intentional offenses was fixed at two years.

The German government subsequently introduced legislation to strengthen further its export controls, which as of this writing has failed to pass the German parliament.

The German government has initiated a large number of investigations concerning possible proliferation-related violations. On March 12, 1991, the Federal Prosecutor in Darmstadt issued indictments against twelve individuals and one corporation (Preussag) in connection with the export of chemical weapons technology to Iraq. The indictments are the culmination of a three-year investigation in connection with the construction of the Samarra chemical weapons complex.

India issued an amended order, effective January 31, 1991, establishing export controls over 3 chemical weapons precursors.

UNCLASSIFIED

UNCLASSIFIED

- 11 -

Israel maintains controls over the export of all chemicals. Applications for exports of a list of chemicals relevant to chemical weapons are screened by the Disarmament Bureau of the Foreign Ministry.

Japan maintains export controls on all 50 chemical precursors identified by the Australia Group. It also consults with businesses in the case of exports of specified dual-use CBW related equipment and was instrumental in developing the draft AG common list of dual-use CW-related equipment.

The Soviet Union established controls over the export of some 9 chemical weapons precursors under a 1986 law. The list has been expanded subsequently to cover 22 Australia Group precursors. In the US-Soviet Joint Non-proliferation Statement of June 1, 1990, the Soviet Union pledged cooperation against nuclear, missile, and chemical weapons proliferation. It agreed on the need for stringent controls over exports of nuclear-related material, equipment, and technology, and urged other countries capable of exporting nuclear-related technology to apply similarly strict controls. It stated that it had instituted export controls to stem chemical weapons proliferation and would join with other nations in multilateral efforts to coordinate export controls, exchange information, and broaden international cooperation to stem chemical weapons proliferation. It also stated specifically its support for the objectives of the MTCR and noted that it was taking measures to restrict missile proliferation on a worldwide basis, including export controls and other internal procedures.

Sweden controlled the export of 33 Australia Group chemicals as of early 1991 and was working on a list of dual-use equipment to be controlled. Sweden is strongly considering joining the Australia Group.

The United Kingdom has agreed to impose export controls on all 50 Australia Group precursors and has agreed in principle with the rest of the AG to control the export of dual-use CW equipment.

Eastern European countries, including Czechoslovakia, Poland, Hungary, and Romania, have been briefed on U.S perspectives on non-conventional weapons proliferation and are working to establish effective controls. In January 1991, Romania placed general regulations on the export of equipment which might be used in the production of nuclear, chemical or bacteriological weapons or of missiles to

UNCLASSIFIED

deliver them. In July 1991, Romania placed regulatory controls on the export of items on the MTCR annex, Australia Group chemicals, and nuclear items. Hungary in a decree of October 1, 1990 put into effect a license requirement for CBW-related exports.

The Eastern European countries attended a proliferation export controls seminar in December 1990 in London with members of the Australia Group. Some Eastern European countries have expressed interest in joining the Australia Group.

Post-Invasion of Kuwait

The national and multilateral measures listed above have remained in force subsequent to the August 2, 1991 invasion of Kuwait, when they became a small part of the much more stringent and far-reaching UN embargo on Iraq. The embargo effectively denied Iraq imports to aid its nuclear, biological, chemical, or missile programs, in addition to much else. Subsequently, the United Nations has been developing a plan to eliminate and prevent the resurgence of Iraq's capabilities in this area for the long term.

Resolution 687

Many countries have cooperated closely in the drafting and implementation of UN Security Council Resolution 687 of April 3, 1991. This resolution envisions extraordinary measures to divest Iraq of CBW, nuclear weapons, and missile capabilities. Stringent cease-fire conditions include the supervised destruction of Iraqi nuclear, CBW and missile capabilities and long-term monitoring of compliance.

A UN Special Commission with wide international participation has been established to carry out the resolution's mandate to inspect Iraq's biological, chemical and missile capabilities and supervise the elimination of Iraq's capabilities in these areas, as well as long-term monitoring of Iraqi undertakings not to reacquire such weapons. At the Commission's request, Iraq has submitted initial data declarations concerning its nuclear, chemical, biological, and missile capabilities and these are being analyzed by the Commission.

The International Atomic Energy Agency (IAEA) has been tasked with inspecting Iraq's nuclear capabilities and arranging the removal or destruction of any nuclear weapons or nuclear weapons usable material. Initial data declarations have been submitted by Iraq to the IAEA, and the U.S. and the Special Commission provided additional information to the IAEA. The first actual on-site inspection of an Iraqi facility under UNSCR 687 was organized by the IAEA with the assistance and cooperation the UN Special Commission. The team entered

Iraq on May 14 and began its initial inspection of the Iraqi nuclear facilities at Tuwaitha shortly thereafter. The IAEA will also provide for ongoing monitoring and verification of Iraq's undertaking not to acquire nuclear weapons.

In addition, the resolution provides that UN members shall continue to prevent the sale or supply or the promotion or facilitation of such sale or supply to Iraq of:

- Conventional arms;
- All chemical and biological weapons, all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities;
- All ballistic missiles with a range greater than 150 kilometers and related major parts and repair and production facilities; and
- Nuclear weapons or nuclear-weapons usable material or any subsystems or components or any research, development, support or manufacturing facilities related to nuclear weapons.

This prohibition on exports includes technology under licensing or other arrangements used in the production, utilization or stockpiling of these items and personnel or materials for training or technical support services relating to the design, development, manufacture, use, maintenance or support of such items.

The United Nations Secretariat is now working actively to develop guidelines for the full international implementation of the export prohibitions required by the resolution.

Middle East Arms Control Initiative

Another large step forward on nonproliferation efforts was taken in May by President Bush with his Middle East Arms Control Initiative, which covers the categories of nonconventional weapons as well as conventional weapons. This proposal will enlist the support and cooperation of regional arms importers and their most important suppliers -- the U.S., the UK, France, the Soviet Union and China. The core of the initiative is a commitment by suppliers to observe a code of responsible arms transfers, avoid destabilizing transfers, and establish effective export controls on the end use of arms and related exports. Suppliers would observe guidelines for arms transfers to the Middle East, including notifications in advance of certain sales, regular consultations on arms transfers, ad hoc consultations if it appears the guidelines are not being observed, and annual reports on transfers.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01h. Memo	Case Number 268387SS From Daniel Poneman to Brent Scowcroft Presidential Reports on Iraq and Proliferation (2 pp.)	9/4/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

Document Partially Declassified
 (Copy of Document Follows)
 By jl (NLGB) on 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.08)	MR Case #:
AR Disposition: Released in Part	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

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

P-1 National Security Classified Information [(a)(1) of the PRA]
 P-2 Relating to the 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]

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

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

PRM. Removed as a personal record misfile.

414

P

510

September 4, 1991

ACTION

MEMORANDUM FOR BRENT SCOWCROFT

THROUGH: ARNOLD KANTER/RICHARD HAASS

FROM: DANIEL PONEMAN

SUBJECT: Presidential Reports on Iraq and Proliferation

Sections 586J(a) and (c) of the Foreign Operations Appropriations Act of 1991 required the President to conduct studies on (1) the export to Iraq of nuclear, biological, chemical, and ballistic missile technology, (2) efforts of other nations to curtail proliferation-related exports to Iraq, and (3) Iraq's offensive military capability. State prepared and cleared the first two reports interagency (at Tab II); the IC just submitted a draft of the third report for interagency clearance.

The first of these reports touches sensitive questions of dual-use exports to Iraq which, as you know, generated some controversy on the Hill a few months back. The original State draft

[REDACTED] while asserting that the United States was not a "major source" and "did not contribute directly" to Iraqi capabilities. We were concerned that this approach would appear disingenuous and, perhaps, provocative on the Hill. We therefore reworked the unclassified summary to take a more direct approach, without giving quarter to Administration critics. State concurred in these changes.

Given that context, and the fact that the reports are already more than five months late, we believe that it is preferable to forward the first two reports (attached at Tabs A through D) to the Hill now, even though the third is not far behind.

Concurrences by: Mike Fry, Mike Andricos, Nick Rostow, Rich Barth

DP

RECOMMENDATION

That you sign the attached memorandum to the President.

DECLASSIFIED IN PART
PER E.O. 12958

07 5.9.00
98-0099-F

DP

~~SECRET~~

~~SECRET~~

Attachments

Tab I Memorandum to the President
 Tab A Letter to Chairman Pell with Enclosure
 Tab B Letter to Chairman Fascell with Enclosure
 Tab C Letter to Chairman Byrd with Enclosure
 Tab D Letter to Chairman Whitten with Enclosure
Tab II Incoming from State

~~SECRET~~

~~SECRET~~

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01i. Memo	Case Number 268387SS W. Robert Pearson to Brent Scowcroft Re: Presidential Reports on Iraq and Proliferation (1 pp.)	8/14/91	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

3/ 10-3-07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.09)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the 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]

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

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

PRM. Removed as a personal record misfile.



UNCLASSIFIED
(With SECRET attachment)

August 14, 1991

MEMORANDUM FOR BRENT SCOWCROFT
THE WHITE HOUSE

Subject: Presidential Reports on Iraq and Proliferation

Attached for White House approval are draft Presidential reports on:

- (1) the international export to Iraq of nuclear, biological, chemical, and missile technology. This report is required by Section 586J(a)(1) of the Foreign Operations Appropriations Act.
- (2) the steps taken by other nations to curtail the export of goods, services and technologies to Iraq which might contribute to or enhance Iraq's nuclear, biological, chemical and ballistic missile capability. This report is required by Section 586J(c)(1) of the Foreign Operations Appropriations Act of 1990.

These draft reports have been circulated and cleared inter-agency.



W. Robert Pearson
Executive Secretary

Attachments:

As stated.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01J. Report	Case Number 268387SS Re: Presidential Reports on Iraq & Proliferation (4 pp.)	n.d.	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

Determined NOT to be
 National Security Classified
 By ji (NLGB) on 10-3-07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.10)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

the President determin

1 ~~technology~~ to any country whose government is ~~assisting~~ (the President determin
 2 ~~assisting~~ assisting, or whose government officials are
 3 assisting, Iraq to improve its rocket technology or chemical,
 4 biological, or nuclear weapons capability.

5 (b) NEGOTIATIONS.--The President is directed to begin
 6 immediate negotiations with those governments with which the
 7 United States has bilateral supercomputer agreements,
 8 including the Government of the United Kingdom ~~and~~
 9 ~~Government of France~~ and the Government of Japan, on
 10 conditions restricting the transfer to Iraq of supercomputer
 11 or associated technology.

12 SEC. ~~576~~ 576. REPORTS TO CONGRESS.

13 (a) STUDY AND REPORT ON THE INTERNATIONAL EXPORT TO IRAQ
 14 OF NUCLEAR, BIOLOGICAL, CHEMICAL, AND BALLISTIC MISSILE
 15 TECHNOLOGY.--(1) The President shall conduct a study on the
 16 sale, export, and third party transfer or development of
 17 nuclear, biological, chemical, and ballistic missile
 18 technology to or with Iraq including--

19 (A) an identification of specific countries, as well
 20 as companies and individuals, both foreign and domestic,
 21 engaged in such sale or export of, nuclear, biological,
 22 chemical, and ballistic missile technology;

23 (B) a detailed description and analysis of the
 24 international supply, information, support, and co-
 25 production network, individual, corporate, and state,

1 responsible for Iraq's current capability in the area of
2 nuclear, biological, chemical, and ballistic missile
3 technology; and

4 (C) a recommendation of standards and procedures
5 against which to measure and verify a decision of the
6 Government of Iraq to terminate the development,
7 production, co-production, and deployment of nuclear,
8 biological, chemical, and offensive ballistic missile
9 technology as well as the destruction of all existing
10 facilities associated with such technologies.

11 (2) The President shall include in the study required by
12 paragraph (1) specific recommendations on new mechanisms, to
13 include, but not be limited to, legal, political, economic
14 and regulatory, whereby the United States might contribute,
15 in conjunction with its friends, allies, and the
16 international community, to the management, control, or
17 elimination of the threat of nuclear, biological, chemical,
18 and ballistic missile proliferation.

19 (3) Not later than March 30, 1991, the President shall
20 submit to the Committee on Appropriations and the Committee
21 on Foreign Relations of the Senate and the Committee on
22 Appropriations and the Committee on Foreign Affairs of the
23 House of Representatives, a report, in both classified and
24 unclassified form, setting forth the findings of the study
25 required by paragraph (1) of this subsection.

1 (b) STUDY AND REPORT ON IRAQ'S OFFENSIVE MILITARY

2 CAPABILITY.--(1) The President shall conduct a study on
3 Iraq's offensive military capability and its affect on the
4 Middle East balance of power including an assessment of
5 Iraq's power projection capability, the prospects for another
6 sustained conflict with Iran, joint Iraqi-Jordanian military
7 cooperation, the threat Iraq's arms transfer activities pose
8 to United States allies in the Middle East, and the extension
9 of Iraq's political-military influence into Africa and Latin
10 America.

11 (2) Not later than March 30, 1991, the President shall
12 submit to the Committee on Appropriations and the Committee
13 on Foreign Relations of the Senate and the Committee on
14 Appropriations and the Committee on Foreign Affairs of the
15 House of Representatives, a report, in both classified and
16 unclassified form, setting forth the findings of the study
17 required by paragraph (1).

18 (c) REPORT ON SANCTIONS TAKEN BY OTHER NATIONS AGAINST
19 IRAQ.--(1) The President shall prepare a report on the steps
20 taken by other nations, both before and after the August 2,
21 1990, invasion of Kuwait, to curtail the export of goods,
22 services, and technologies to Iraq which might contribute to,
23 or enhance, Iraq's nuclear, biological, chemical, and
24 ballistic missile capability.

25 (2) The President shall provide a complete accounting of

Roman

1 international compliance with each of the sanctions
2 resolutions adopted by the United Nations Security Council
3 against Iraq since August 2, 1990, and shall list, by name,
4 each country which to his knowledge, has provided any
5 assistance to Iraq and the amount and type of that assistance
6 in violation of each United Nations resolution.

7 (3) The President shall make every effort to encourage
8 other nations, in whatever forum or context, to adopt
9 sanctions toward Iraq similar to those contained in this
10 section.

11 (4) Not later than every six months after the date of
12 enactment of this Act, the President shall submit to the
13 Committee on Appropriations and the Committee on Foreign
14 Relations of the Senate and the Committee on Appropriations
15 and the Committee on Foreign Affairs of the House of
16 Representatives, a report in both classified and unclassified
17 form, setting forth the findings of the study required by
18 paragraph (1) of this subsection.

and the Senate agree to the same.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01k. NSC Distribution Record	Case Number 268387SS Re: Summary on the International Export to Iraq of Nuclear, Biological, Chemical, Ballistic Missile Technology (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

gl 10-3-07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.11)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01L. NSC Log Sheet	Case Number 268387SS Re: Presidential Reports on Iraq & Proliferation (2 pp.)	n.d.	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

Determined NOT to be
 National Security Classified
 By JL (NLGB) on 10-2-07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.12)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

General: —

The unclassified
summary of the
dual-use export report
reflects Bob's
suggestions.

Dan

—

Document Originally
Attached to
Following Page

Pres Rpt on Iraq & Proliferation

National Security Council
The White House

PROOFED BY: [Signature]

LOG # 6064

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

DOCLOG LEN A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
Ken Hill	<u>1</u>	_____	<u>A</u>
Bill Sittmann	_____	_____	_____
Bob Gates	_____	_____	_____
Brent Scowcroft	<u>2</u>	<u>APNSA Has Seen</u>	_____
Bill Sittmann	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>3</u>	<u>[Signature] 9/7</u>	<u>[Signature]</u>
NSC Secretariat	<u>4</u>	_____	<u>N/R</u>
_____	_____	_____	_____

911 AUG 6 P12: 29

A = Action **I = Information** **D = Dispatch** **R = Retain** **N = No further Action**

cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

DISPATCH INSTRUCTIONS:

15 SEP 16 10:51

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01m. NSC Profile Sheets	Case Number 268387SS Re: Presidential Reports on Iraq & Proliferation (3 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

Document Declassified
(Document Follows)
 By JK (NLGB) on 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(41.13)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

~~SECRET~~
NSC/S PROFILE

RECORD ID: 9106064
RECEIVED: 15 AUG 91 07

TO: WHITTEN, JAMIE L

FROM: PRESIDENT

DOC DATE: 10 SEP 91
SOURCE REF:

KEYWORDS: IRAQ
CBW
CO

PROLIFERATION
ARMS CONTROL

PERSONS:

SUBJECT: PRES RPT TO CONGRESS ON IRAQ & PROLIFERATION

ACTION: TRANSFERRED TO WH FILES DUE DATE: 19 AUG 91 STATUS: C

STAFF OFFICER: PONEMAN LOGREF:

FILES: WH NSCP: CODES:

DOCUMENT DISTRIBUTION

FOR ACTION
WH EXEC CLERK

FOR CONCURRENCE

FOR INFO
NSC CHRON
PONEMAN

DECLASSIFIED
PER E.O. 12958,
AS AMENDED

98-0099-F/1 KO
1/18/2000

COMMENTS:

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSMEM

CLOSED BY: NSWEA 

DOC 7 OF 7

SECRET

TO: WHITTEN, JAMIE L

FROM: PRESIDENT

DOC DATE: 10 SEP 91
SOURCE REF:

KEYWORDS: IRAQ
CBW
CO

PROLIFERATION
ARMS CONTROL

PERSONS:

SUBJECT: PRES RPT TO CONGRESS ON IRAQ & PROLIFERATION

ACTION: FOR DISPATCH DUE DATE: 19 AUG 91 STATUS: C

STAFF OFFICER: PONEMAN LOGREF:

FILES: PA NSCP: CODES:

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

FOR ACTION
WH EXEC CLERK

FOR CONCURRENCE

FOR INFO
NSC CHRON
PONEMAN

COMMENTS:

DECLASSIFIED
PER E.O. 12958,
AS AMENDED
98-0099-F/1 KO
4/18/2000

DISPATCHED BY ✓ DATE _____ BY HAND W/ATTCH

OPENED BY: NSMEM CLOSED BY: NSWEA BN DOC 7 OF 7

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 HAASS	Z	91081507	PREPARE MEMO FOR SCOWCROFT
001	Z	91082213	ACTION TRANSFERRED
001 PONEMAN	Z	91082213	PREPARE MEMO FOR SCOWCROFT
002 SCOWCROFT	Z	91090613	FWD TO PRES FOR SIG
003 PRESIDENT	Z	91090714	FOR SIGNATURE
004	X	91091114	PRES SGD LTR
005	X	91091114	PRES SGD LTR
006	X	91091114	PRES SGD LTR
007	X	91091114	PRES SGD LTR
007 WH EXECUTIVE CLERK	X	91091115	FOR DISPATCH
007	X	91091210	TRANSFERRED TO WH FILES

DECLASSIFIED
PER E.O. 12958,
AS AMENDED
98-0099-F/1 110
1/18/2000

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02. Memo	Duplicate of No. 41 (2 pp.)	9/7/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**Document Declassified
(Document Follows)**
 By JK (NLGB) on 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1(42)	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

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

P-1 National Security Classified Information [(a)(1) of the PRA]
 P-2 Relating to the 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]

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

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

PRM. Removed as a personal record misfile.

SECRET

C.F.

~~SECRET~~

268387SS

6064

TA003

THE WHITE HOUSE
WASHINGTON

91 SEP 7 P2:00

September 7, 1991

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: EXECUTIVE CLERK *Wm. H. G. for.*

FROM: BRENT SCOWCROFT *BS*

SUBJECT: Presidential Reports on Iraq and Proliferation

Purpose

To forward to the Congress two reports on Iraqi proliferation-related activity and steps taken to control it.

Background

Sections 586J(a) and (c) of the Foreign Operations Appropriations Act of 1991 required you to conduct studies on (1) the export to Iraq of nuclear, biological, chemical, and ballistic missile technology, and (2) efforts of other nations to curtail proliferation-related exports to Iraq. State prepared the reports and cleared them interagency.

The first report touches the issue of U.S. dual-use exports to Iraq, noting that throughout the 1980s approximately 30 percent of all dual-use export licenses to Iraq were not approved as compared to a nonapproval rate of 5 percent for other destinations. This report also details the nonproliferation initiatives you have taken in recent years further to curtail potentially dangerous exports.

The second report discusses multilateral nonproliferation efforts (*e.g.*, the Middle East arms control initiative, Chemical Weapons Convention, Missile Technology Control Regime, Australia Group) as well as actions by other nations to curtail exports that could contribute to Iraq's nuclear, biological, chemical and ballistic missile capabilities.

RECOMMENDATION

That you sign the letters at Tabs A through D transmitting the reports on Iraq and proliferation.

DECLASSIFIED

PER E.O. 12958

17 5/10/00 98-0099F

SECRET

Declassify on: OADR

~~SECRET~~

cc: Vice President
Chief of Staff

*Noted
Wm. H. G.*

Attachments

- Tab A Letter to Chairman Pell and Enclosure
- Tab B Letter to Chairman Fascell and Enclosure
- Tab C Letter to Chairman Byrd and Enclosure
- Tab D Letter to Chairman Whitten and Enclosure

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02a. Letter	Duplicate of No. 41.01 (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
 REMOVAL OF CLASSIFIED
 ATTACHMENTS**

zc 10-3-07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Robert C. Byrd
Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

*To the Chairmen of the Senate and House Appropriations Committee
and the Chairmen of the House Foreign Affairs Committee and Senate Foreign
Relations Committee: 9-10-91 (4:10p, 4:20p, 4:30p, and 4:40p, respectively)*

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

*Noted:
H.M.C.*

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02b. Letter	Duplicate of No. 41.02 (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
 REMOVAL OF CLASSIFIED
 ATTACHMENTS**

7/ 10-3-07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Dante B. Fascell
Chairman
Committee on Foreign Affairs
House of Representatives
Washington, D.C. 20515

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02c. Letter	Duplicate of No. 41.03 (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JL 10-3-07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the 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]

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

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

PRM. Removed as a personal record misfile.

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Claiborne Pell
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02d. Letter	Duplicate of No. 41.04 (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JL 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the 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]

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

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

PRM. Removed as a personal record misfile.

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Jamie L. Whitten
Chairman
Committee on Appropriations
House of Representatives
Washington, D.C. 20515

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02e. Letter	Duplicate of No. 41.01 (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JL 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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]

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

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

PRM. Removed as a personal record misfile.

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Robert C. Byrd
Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02f. Letter	Duplicate of No. 41.02 (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

3/ 3.0

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Dante B. Fascell
Chairman
Committee on Foreign Affairs
House of Representatives
Washington, D.C. 20515

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02g. Letter	Duplicate of No. 41.03 (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JL 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Claiborne Pell
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

~~SECRET~~

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02h. Letter	Duplicate of No. 41.04 (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

3/2 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,



The Honorable Jamie L. Whitten
Chairman
Committee on Appropriations
House of Representatives
Washington, D.C. 20515

UNCLASSIFIED WITH
SECRET ATTACHMENT

~~SECRET~~

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02i. Press Release	Duplicate of No. 41.05 (1 pp.)	9/10/91	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JL 10-3-07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #: 98-0099-F/1	MR Case #:
AR Disposition: Released in Full	MR Disposition:
AR Disposition Date: 1/18/2000	MR Disposition Date:

RESTRICTION CODES

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

September 10, 1991

TEXT OF A LETTER FROM
THE PRESIDENT TO THE CHAIRMEN
OF THE SENATE COMMITTEES ON APPROPRIATIONS
AND FOREIGN RELATIONS
AND THE HOUSE COMMITTEES ON APPROPRIATIONS
AND FOREIGN AFFAIRS

September 10, 1991

Dear Mr. Chairman:

Enclosed is a classified report with an unclassified summary on the international export to Iraq of nuclear, biological, chemical, and ballistic missile technology as required by section 586J(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513).

Also enclosed is an unclassified report on sanctions taken by other nations against Iraq as required by section 586J(c) of the Act.

Sincerely,

GEORGE BUSH

#

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02J. Report	Duplicate of No. 41.06 (18 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

Document Partially Declassified
(Copy of Document Follows)
 By ZA (NLGB) on 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

~~SECRET~~

SECRET/NOFORN

42B

P

8100

REPORT TO THE CONGRESS IN ACCORDANCE WITH PL 101-513
ON THE INTERNATIONAL EXPORT TO IRAQ OF NUCLEAR,
BIOLOGICAL, CHEMICAL, AND BALLISTIC MISSILE TECHNOLOGY

TABLE OF CONTENTS

Page	
2	Summary
3	International Supply and Support for Iraqi Nonconventional Weapons Programs: Chemical, Biological, Missiles and Nuclear
10	Standards and Procedures for Verifying the Termination of Iraqi Nonconventional Weapons Programs
13	New Mechanisms to Control Proliferation of Nonconventional Weapons
	-- Legal and Regulatory Developments
	-- Developments in Supplier Groups
	-- Recommendations

DECLASSIFIED IN PART
PER E.O. 12958

77 5/9/00
98-0099-F

~~SECRET/NOFORN~~

DP

~~SECRET~~

SECRET/NOFORN

- 2 -

Summary (Unclassified)

(U) During the 1980s the international community became increasingly concerned about Iraq's nonconventional weapons proliferation activities. Restrictions on exports of proliferation-related goods and technology were imposed and strengthened throughout the decade by the United States and other Western countries. Nonetheless, companies and individuals in many countries, especially in Western Europe, were key suppliers of chemical equipment, chemical precursors, and technical expertise for Iraq's chemical weapons program. Iraqi nuclear, missile and biological weapons programs also benefited from foreign sources, mainly in Europe. During this period, U.S. suppliers and the U.S. Government maintained significant strictures on exports to Iraq, including an arms embargo, thus preventing the United States from being a major source of Iraqi military capabilities. Nonetheless, some exports to Iraq of dual-use goods were made from the U.S. It is possible that Iraq diverted some of these from their intended civilian uses to military support purposes.

(U) During the 1980s, although 771 U.S. dual-use export licenses were granted for Iraq, 362 were not approved. That 30 percent non-approval rate compared to a rate of approximately five per cent for dual-use exports to all destinations worldwide. Over the period, then, significantly more rigorous U.S. export controls were in place for Iraq than for most other destinations, despite legal and regulatory restraints on those controls (e.g., foreign availability standards).

(U) International and U.S. efforts to stem proliferation have intensified in recent years. Seeing that U.S. controls were not air-tight, in the spring of 1990 U.S. officials developed proposals -- unanimously approved through interagency review -- to tighten U.S. export controls further. These proposals led to the strengthening of U.S. nonproliferation controls under the Enhanced Proliferation Control Initiative (EPCI), launched in December 1990. In connection with this initiative, the U.S. also increased its efforts to strengthen international nonproliferation controls (e.g., through the Missile Technology Control Regime and the Australia Group). In addition to these multilateral efforts, the U.S. has sought the adoption of national controls comparable to EPCI by its nonproliferation partners, many of whom have tightened their own controls. Finally, increased U.S. concern over exports to Iraq was reflected in enforcement actions, e.g., the interception at Heathrow Airport of capacitors useful for a nuclear weapons program, and the halting of the export of high-temperature furnaces destined for Iraq which could have contributed to nuclear weapons development.

SECRET/NOFORN

~~SECRET~~
~~SECRET/NOFORN~~

- 3 -

(U) United Nations Security Council Resolution 687 provides the basis for a regime to eliminate Iraq's nonconventional weapons capabilities, prevent their rebuilding, and monitor Iraqi compliance over the longer term.

(U) The United States should place the highest emphasis on strengthening and expanding as appropriate existing non-proliferation mechanisms. It should review its legislation and regulations on a continuing basis to make improvements where appropriate. At the same time, it should continue to seek greater harmonization of controls and enforcement among member countries of the various non-proliferation groups. The U.S. should also explore the utility of additional nonproliferation initiatives, including regional arrangements.

End Unclassified Summary. Remainder of Text is ~~SECRET/NOFORN~~.

~~SECRET/NOFORN~~

~~SECRET~~

~~SECRET~~

~~SECRET/NOFORN~~

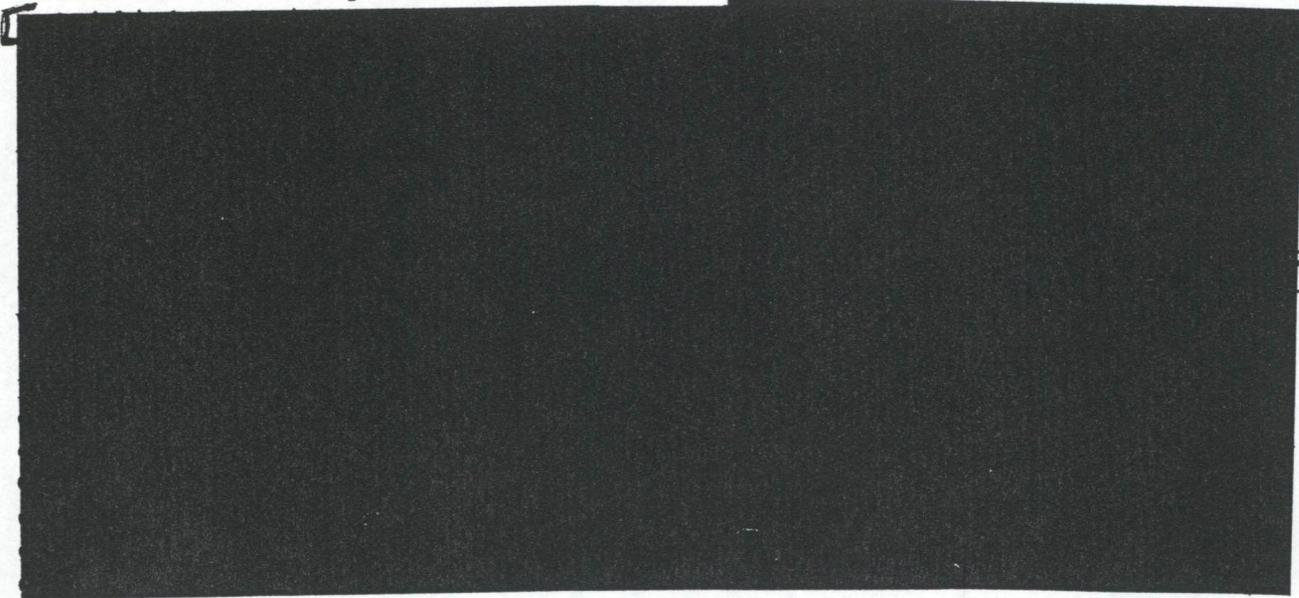
- 4 -

International Supply and Support for Iraqi
Nonconventional Weapons Programs

Before the 1980's, international restraints on the proliferation of nuclear weapons were well-established. The Iran-Iraq war increased global awareness of the threat of chemical and missile proliferation. During the 1980s, with the urging of the United States and other Western countries, new mechanisms for combatting the proliferation of chemical weapons and missile technology were established and developed. Iraq was recognized as a source of special proliferation concern by the community of Western states, and given special attention. Strictures on the export of missile technology and chemical weapons precursors were applied to Iraq at an early stage in the history of the various non-proliferation regimes, and strengthened as the seriousness of the problem became apparent.

Nonetheless, foreign suppliers, primarily European, made a large contribution to Iraq's proliferation programs. Some did so unwittingly, others with apparent knowledge of the weapons purpose of their exports. Since the goods involved have civilian as well as military applications, it is difficult to demonstrate whether the exporter knew of their intended purpose. In some cases, exports preceded international guidelines or individual national restrictions on the export of dual-use goods and technology destined for proscribed military applications. In others, existing laws were violated or evaded.

During the years leading up to the Gulf War, the United States maintained a long list of non-proliferation restrictions on Iraq. This was a regime as strict as, and probably stricter than, any other country maintained. The United States had generally banned sales of defense goods and services to Iraq since 1963. The



~~SECRET/NOFORN~~

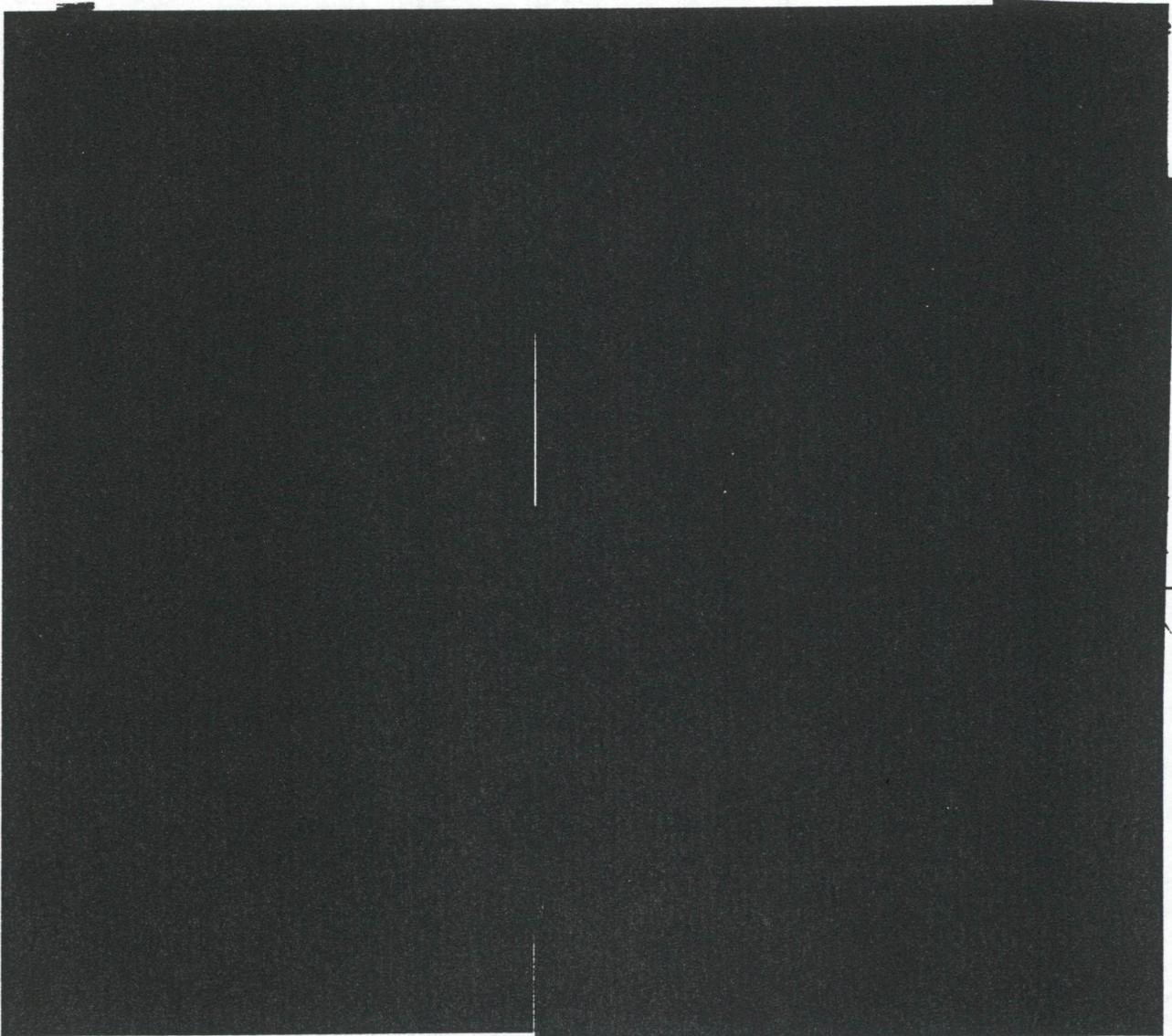
~~SECRET~~

~~SECRET/NOFORN~~

- 5 -

Chemical Weapons

Foreign support was essential for Iraq to build its chemical weapons (CW) infrastructure. Such support extended from providing commodities and raw materials, to furnishing equipment and technology (including whole chemical plants), to making technical experts available and providing technical training for Iraqi personnel. Iraq could not have acquired the CW capability that it did, as quickly as it did, without this foreign involvement. Much -- but not all -- of the foreign support for Iraq's CW program was legal under the laws of the supplier countries at the time it was provided and some was provided with the explicit approval (through export licenses) of governments.



sd

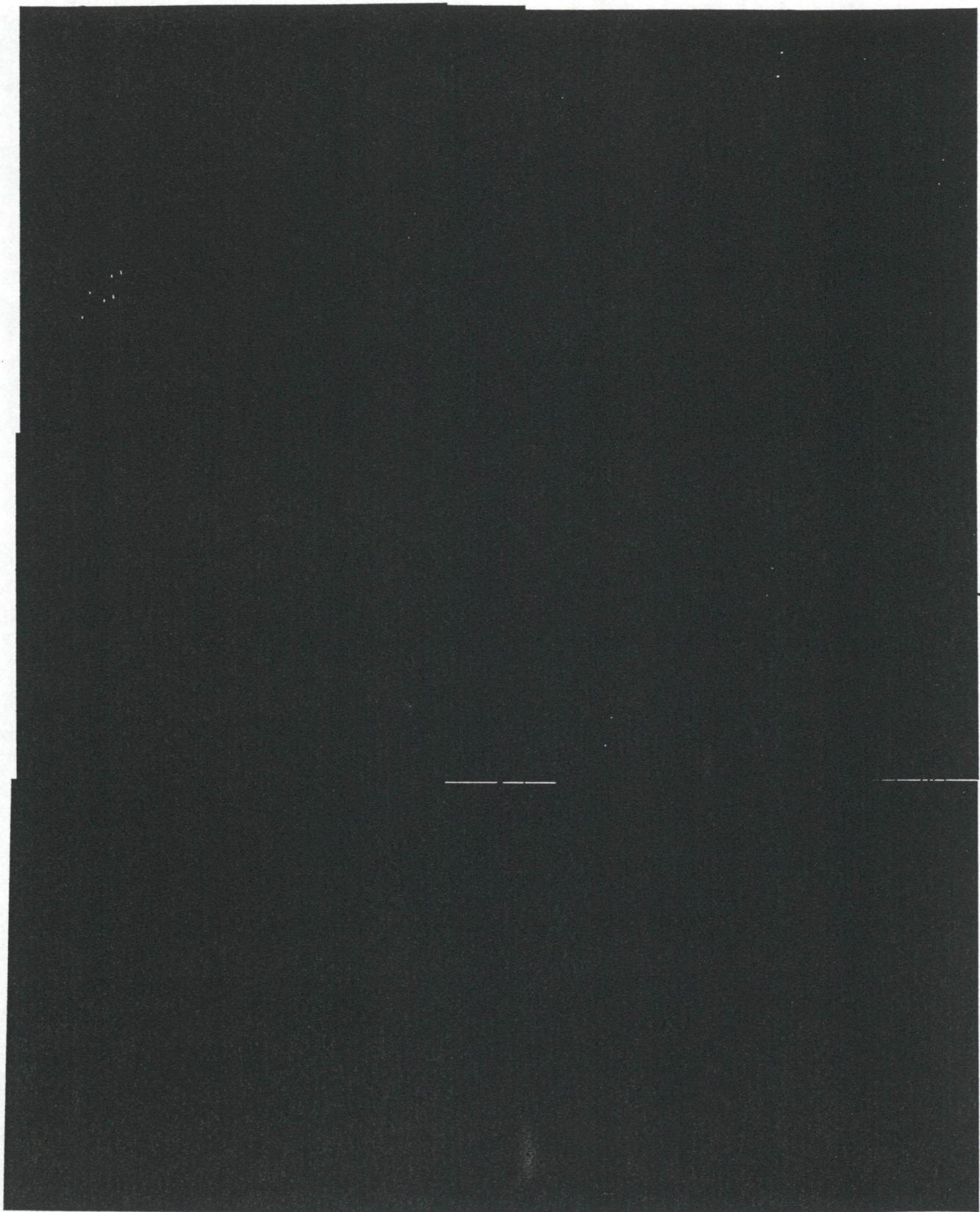
~~SECRET/NOFORN~~

~~SECRET~~

~~SECRET~~

~~SECRET/NOFORN~~

- 6 -



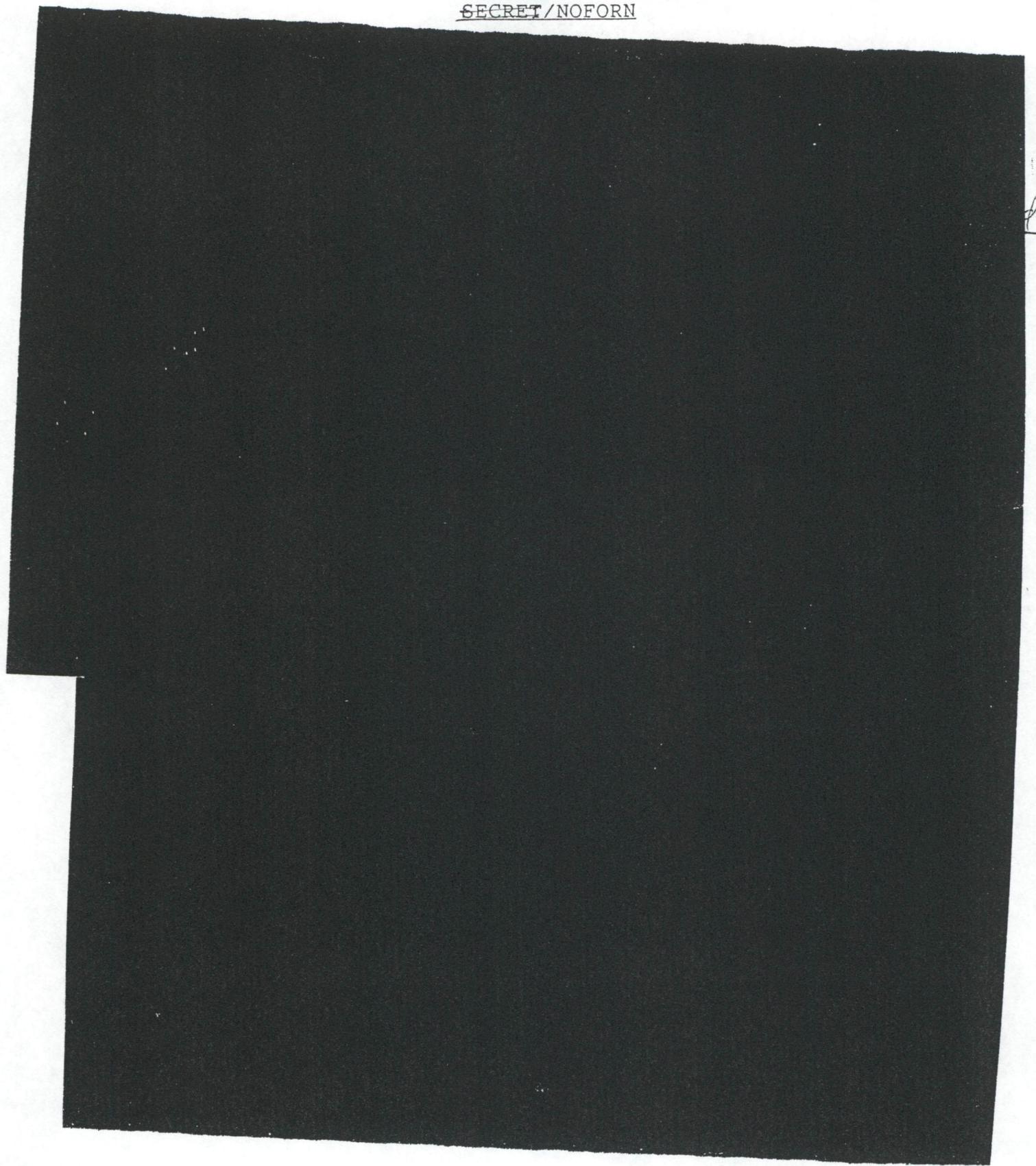
sd

~~SECRET/NOFORN~~

~~SECRET/NOFORN~~

~~SECRET~~

SECRET/NOFORN

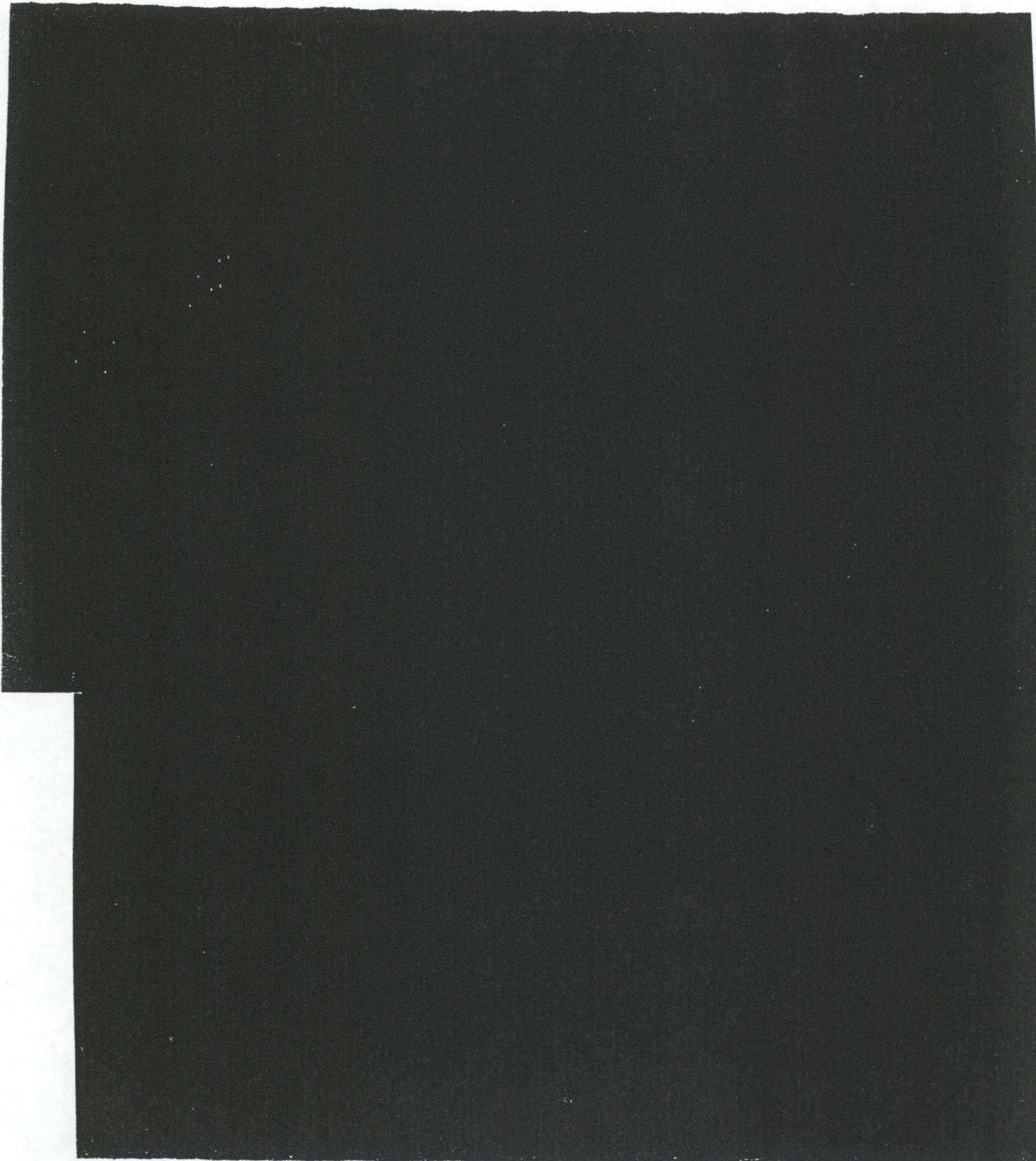


SECRET/NOFORN

~~SECRET~~

~~SECRET/NOFORN~~

- 8 -



(1)

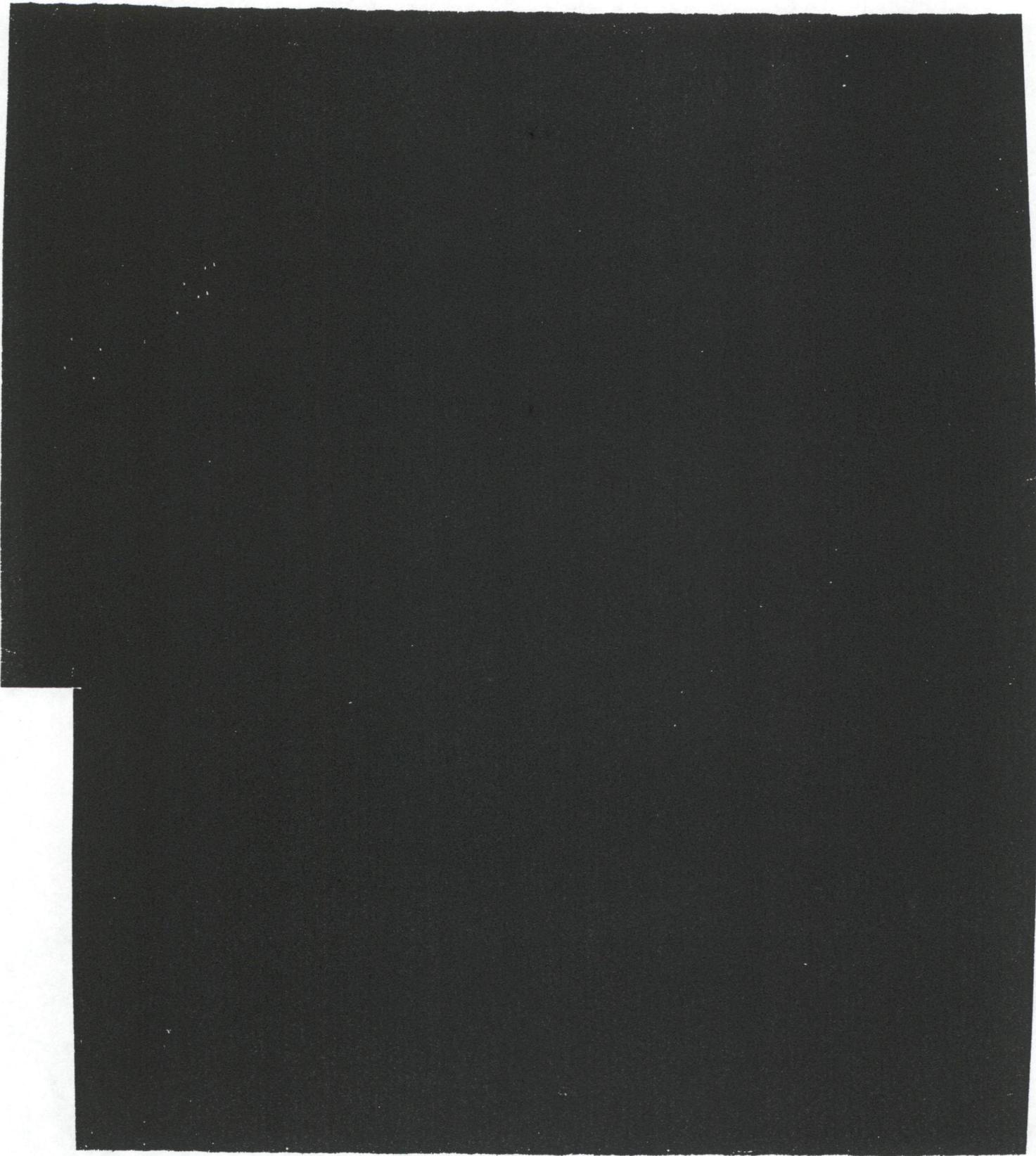
.sd

~~SECRET/NOFORN~~

~~SECRET~~

SECRET/NOFORN

- 9 -

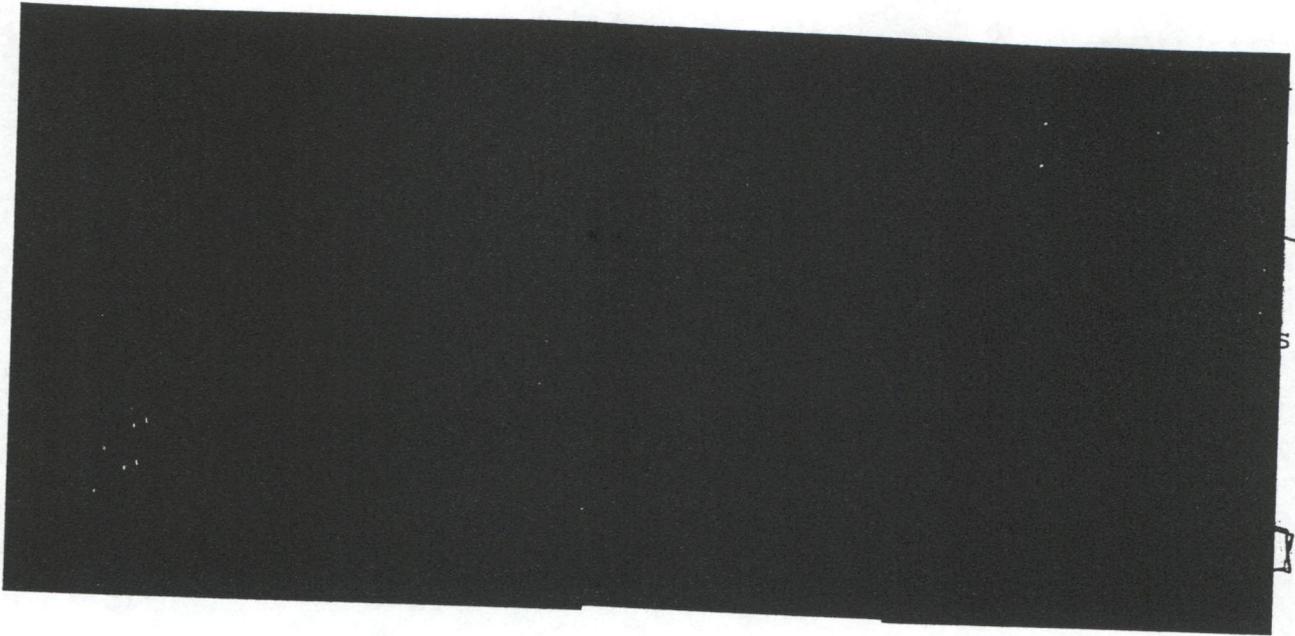


b

sd

~~SECRET/NOFORN~~

- 10 -



1.5d

~~SECRET/NOFORN~~

Standards and Procedures for Measuring an Iraqi Decision
to Terminate Nonconventional Weapons Programs

Paragraphs 7 through 13 of United Nations Security Council Resolution 687 mandate the destruction, removal or rendering harmless ("elimination") of Iraq's chemical, biological and nuclear weapons, nuclear-weapons usable materials, and related research, development, support and manufacturing facilities, as well as Iraq's ballistic missiles of greater than 150 km range and missile-related major components, repair and production facilities.

The resolution:

- Requires Iraq not to use, develop, construct or acquire the items specified for elimination.
- Calls for a plan for the future ongoing monitoring and verification of Iraq's compliance.
- Gives primary responsibility for achieving this mandate to a U.N. Special Commission, which it created, and to the International Atomic Energy Agency (IAEA). Both are to consult with the World Health Organization. Among their tasks will be to set standards and procedures for verifying Iraqi compliance with the resolution.

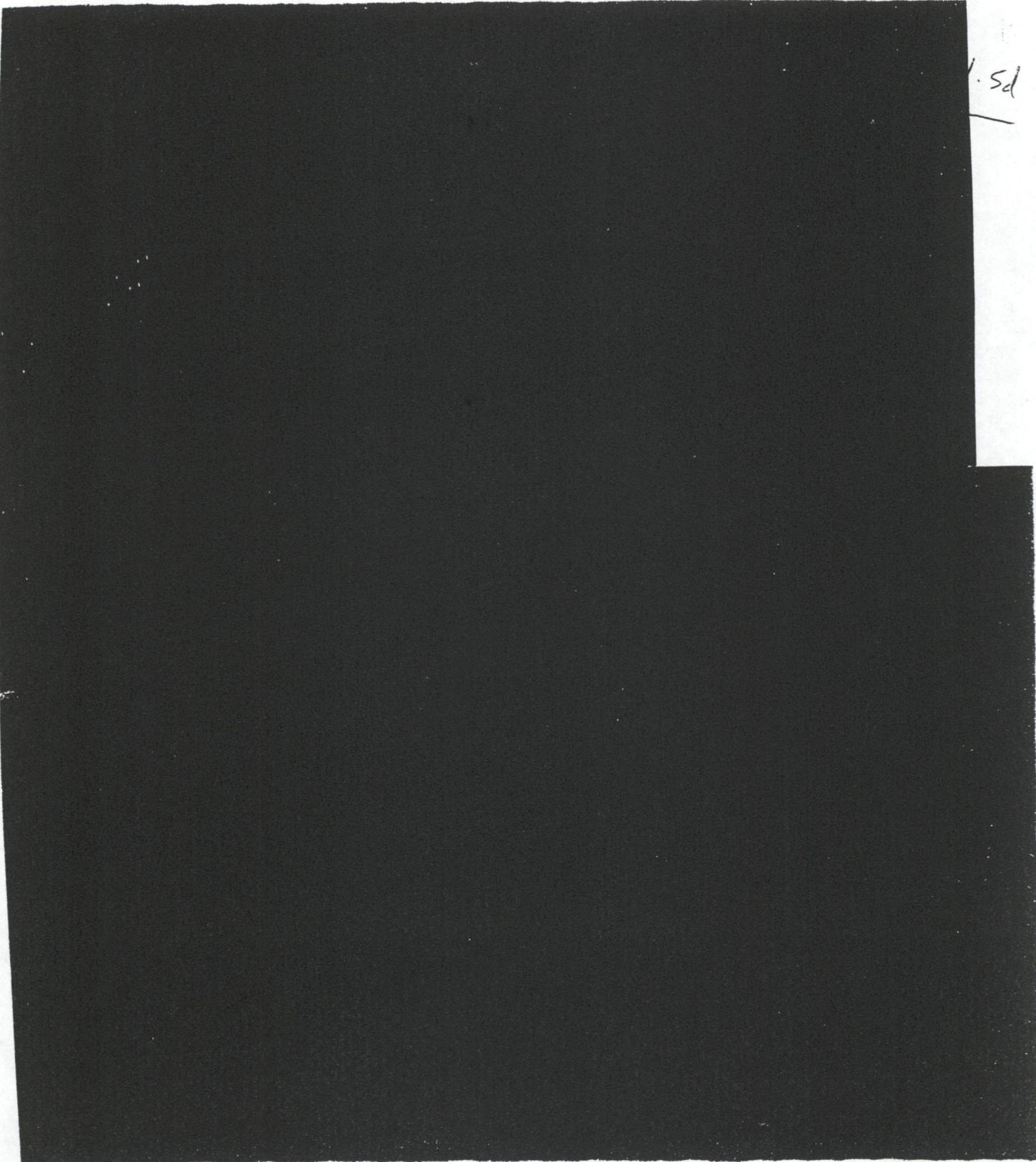
The resolution set certain timetables:

- On May 18 the Secretary General of the United Nations and Director General of the International Atomic Energy Agency (IAEA) submitted an overall implementation plan to the Security Council;
- On August 1, the U.N. Secretary General submitted to the Security Council reports on long-term plans to ensure continued Iraqi compliance in all areas. These reports are a good basis for completing the monitoring regimes for Iraq's nonconventional weapons capabilities.

A long-term monitoring regime for Iraqi compliance in all areas (chemical, biological, nuclear, and missile) will require substantial multinational resources over a prolonged period. The success of such a regime will depend on the political will of those concerned to maintain a sustained monitoring effort and the sanctions threat. Continued pressure on Iraq to cooperate in allowing manned, aerial reconnaissance and short- and no-notice

SECRET/NOFORN

- 12 -

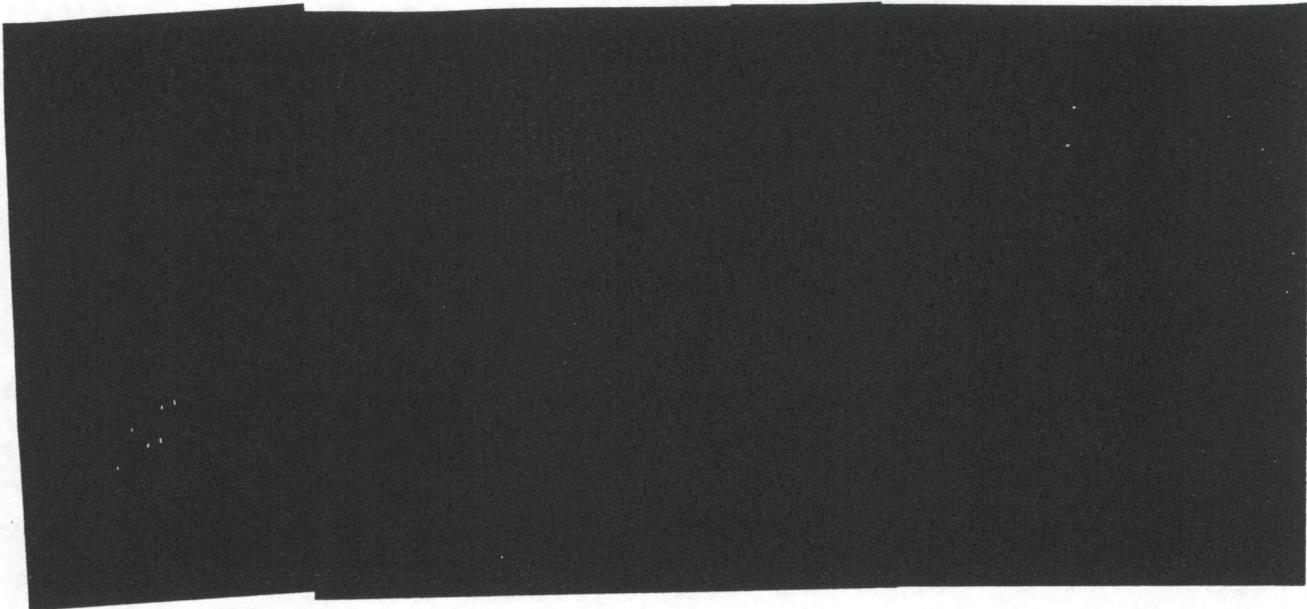


1.5d

SECRET/NOFORN

~~SECRET~~
SECRET/NOFORN

- 13 -



61
1.5d

SECRET/NOFORN

~~SECRET~~

New Mechanisms to Control the
Proliferation of Nonconventional Weapons

Legal and Regulatory Developments

The U.S. has broadened and strengthened its controls on the export of commodities and technology that can contribute to nonconventional weapons proliferation.

Executive Order 12735 of November 16, 1990 directs the imposition of controls on exports that are determined would assist a country to acquire the capability to develop, produce, stockpile, deliver or use chemical or biological weapons. This specifically included developing a control list of goods, technology and services that could be used for chemical or biological weapons purposes. It also provided for sanctions against foreign countries that use or make substantial preparation to use chemical or biological weapons, and sanctions against foreign persons which contribute to the efforts of a sanctionable country.

Before issuance of the Executive Order, and before the Iraqi invasion of Kuwait, the U.S. had already been working on a broader set of measures to strengthen controls on CBW and missile goods and technology. These measures comprised the Enhanced Proliferation Control Initiative (EPCI). After extensive discussion within the government and consultations with industry, EPCI was crystallized into a number of amendments to the Export Administration Regulations (administered by the Department of Commerce), which were published March 13, 1991.

EPCI was designed to tighten the U.S. system of proliferation controls and stimulate similar action by other supplier nations. The need for a more comprehensive set of measures became increasingly clear from the sophisticated and persistent efforts by countries of proliferation concern to acquire or improve nonconventional weapons capabilities. EPCI was also intended to strengthen our hand in leading our nonproliferation partners to impose stricter and better coordinated controls of their own.

The major new export control measures provided by EPCI include:

--- [REDACTED]

i.s.d

- Controls on the export of goods or technology if the supplier knows or is informed by the U.S. Government that the export is destined for a CBW or missile project.
- Controls on the export of certain dual-use CBW equipment to countries and areas of special CBW proliferation concern.
- Controls on U.S. citizens' participation in CBW and missile proliferation projects.
- A requirement for an export license to export a whole chemical plant.

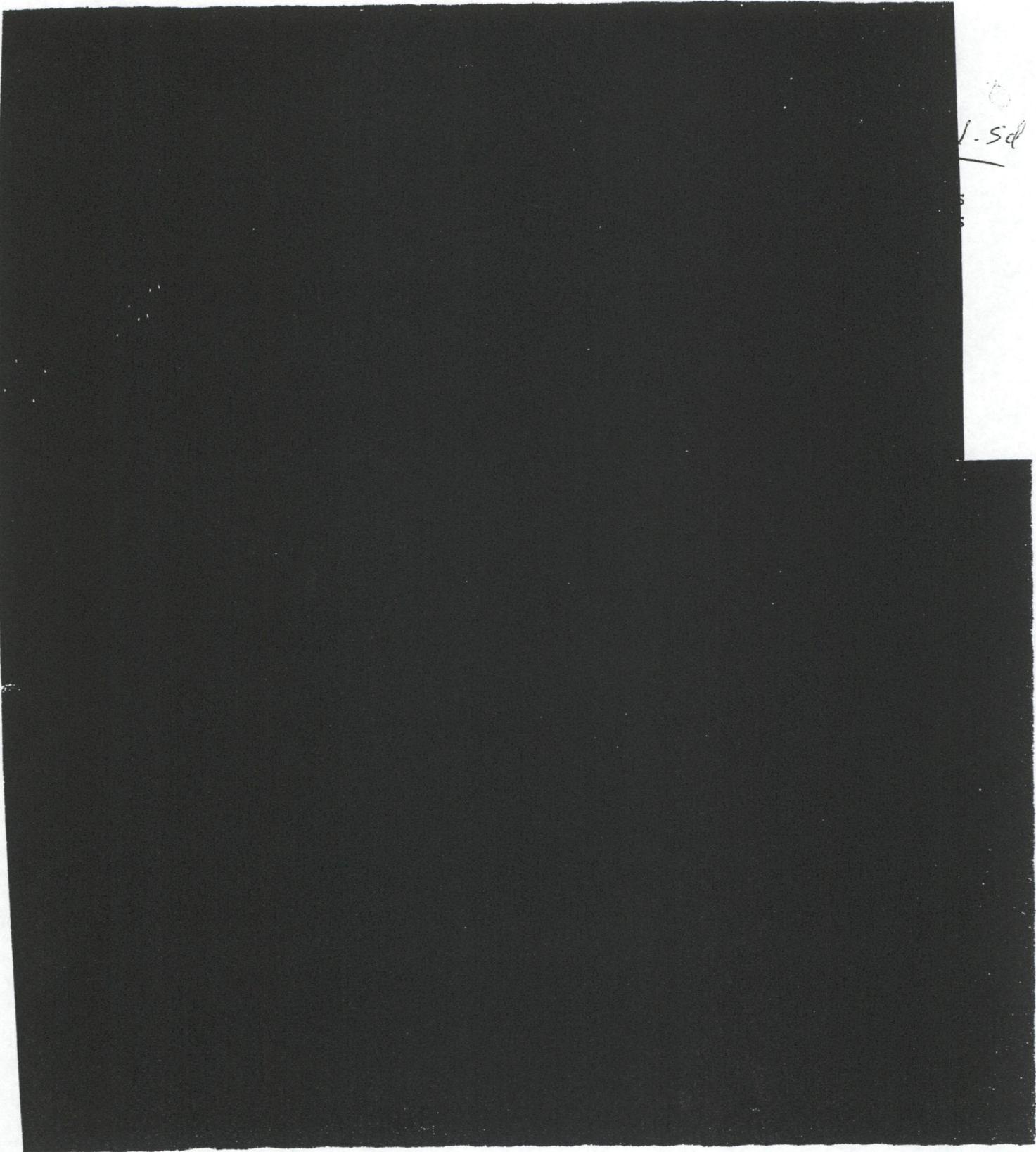
In addition, the National Defense Authorization Act for FY 1991 added authority for sanctions against U.S. persons who knowingly export, transfer or facilitate the transfer of MTCR Annex items in violation of the law. Also covered were sanctions against foreign persons who engage in the same activities and thereby contribute to the design, development or production of missiles in a country that has not adhered to the MTCR.

Another large step forward on nonproliferation efforts was taken in May by President Bush with his Middle East Arms Control Initiative, which covers the categories of nonconventional weapons as well as conventional weapons. This proposal will enlist the support and cooperation of regional arms importers and their most important conventional arms suppliers -- the U.S., the UK, France, the Soviet Union and China. The core of the initiative is a commitment by suppliers to observe a code of responsible conventional arms transfers and nonconventional-related exports, avoid destabilizing transfers, and establish effective export controls on the end use of arms and related exports. Suppliers would observe guidelines for arms transfers and related exports to the Middle East, including notifications in advance of certain sales, regular consultations on arms transfers, ad hoc consultations if it appears the guidelines are not being observed, and annual reports on transfers.



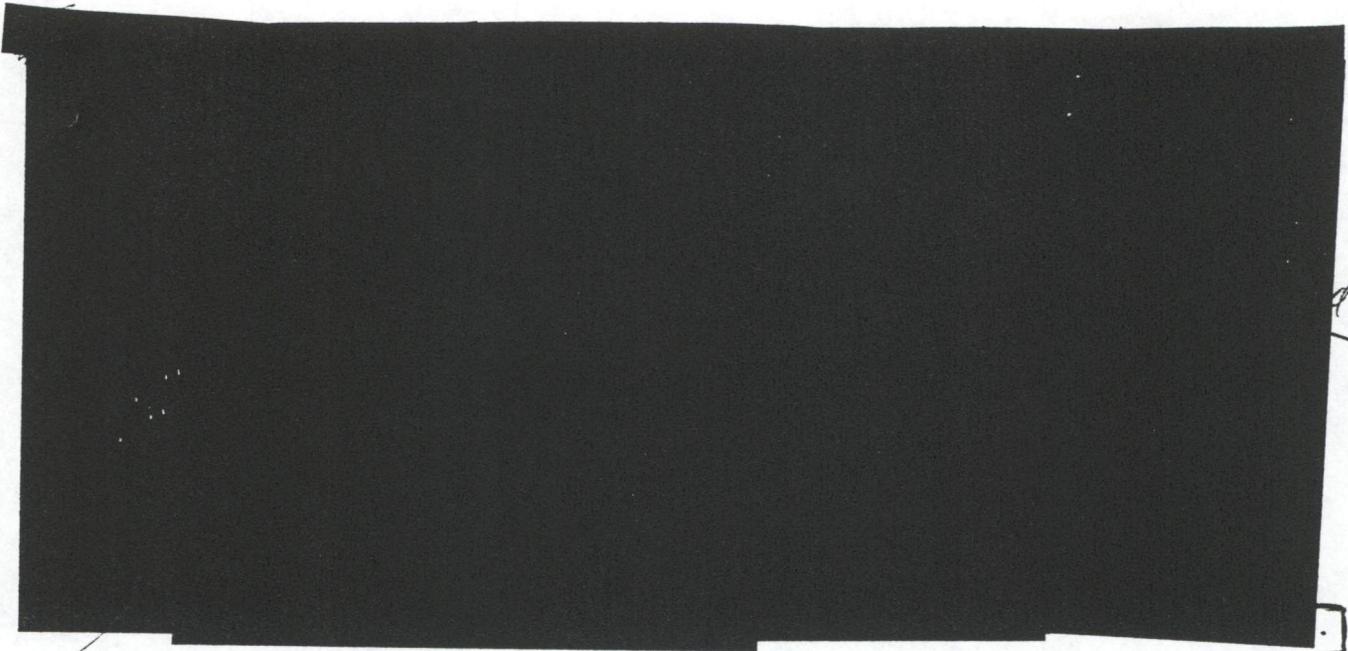
61
1.5d

~~SECRET/NOFORN~~



1.5d

~~SECRET/NOFORN~~



Legal and Regulatory

Recent extensive changes in U.S. export controls -- including Executive Order 12735, missile sanctions in the FY 1991 National Defense Authorization Act, and extensive amendments to the Export Administration Regulations under EPCI -- have greatly strengthened the U.S. export control regime. U.S. laws and regulations should be monitored on a continuing basis to determine whether further improvements are appropriate.

Supplier Groups

The United States should seek appropriate expansion of and support for the supplier organizations, particularly the AG and MTCR. Securing the cooperation of large, non-Western suppliers -- e.g., China, Brazil, India, Eastern European countries and the Soviet Union should be a priority. The Soviets and East Europeans have adopted the Nuclear Suppliers Guidelines, but key emerging nuclear exporters -- e.g. Argentina and China -- have not. In working to expand these regimes, we must recognize that new members must be able to demonstrate both the policies and means of implementation that will make them reliable nonproliferation partners. In addition, some suppliers of nonconventional weapons, e.g., North Korea for missiles, will remain outside the scope of cooperation for the foreseeable future. In cases where supplier nations either do not meet the criteria for membership or do not seek it, the U.S. should actively seek to expand contacts between the group

or individual member countries and the supplier nation to induce export restraints.

In the same spirit of strengthening supplier groups and expanding the scope of their activities, the U.S. should continue to strongly advocate multilateral controls on dual-use equipment and commodities of particular proliferation danger and harmonization of national control regimes through the supplier groups.

Chemical Weapons Convention

The early completion of a comprehensive, global ban on chemical weapons would provide a major boost to international non-proliferation efforts. The President announced a major new U.S. initiative on chemical weapons on May 13, 1991. This initiative is intended to resolve thorny substantive issues, accelerate the pace of the talks and provide an impetus to conclude the negotiations within twelve months. In addition, the initiative calls for the prevention of exports of key materials for the production of chemical weapons to non-parties. The United States should continue to exercise leadership to resolve remaining issues and conclude the convention at an early date.

Biological Weapons (the Biological Weapons Convention Review Conference)

In order to enhance the effectiveness of the BWC, the U.S. should take an active part in promoting effective means for strengthening the implementation of the Convention at the BWC review conference in September 1991. Appropriate strengthening measures could include confidence-building measures, the creation of an oversight mechanism to coordinate BWC activities in the time between five-year review conferences, and non-proliferation measures.

Regional Approaches

The U.S. should encourage appropriate regional approaches to curb the proliferation of nonconventional weapons where this can make practical contributions to the security of the region or provide impetus to the conclusion of the global chemical weapons convention. President Bush's Arms Control in the Middle East Initiative, with its regionally defined scope and concentration on cooperation among importers as well as suppliers, is a leading example of this approach.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02k. Report	Duplicate of No. 41.07 (13 pp.)	9/10/91	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**Determined NOT to be
National Security Classified**
 By JK (NLGB) on 10-3-07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

UNCLASSIFIED

REPORT TO THE CONGRESS IN ACCORDANCE WITH PL 101-513 ON
SANCTIONS TAKEN BY OTHER COUNTRIES AGAINST IRAQ

Steps taken by other nations, both before and after the August 2, 1990, invasion of Kuwait, to curtail the export of goods, services, and technologies to Iraq which might contribute to or enhance Iraq's nuclear, biological, chemical, and ballistic missile capabilities.

UNCLASSIFIED

Introduction

International efforts to stem the proliferation of nuclear, chemical and biological weapons and missiles have been underway for some years. Many of these efforts have been multilateral, although individual countries have also taken unilateral steps to impede proliferation.

Nonproliferation efforts have normally targeted any country seeking to develop nuclear, biological, or chemical weapons (NBC) or missile capabilities. However, the international community recognized that Iraq was a particular proliferation problem. Restrictions on the export of goods, services, and technology to Iraq gained momentum during the 1980s. Nuclear non-proliferation regimes had already been in place for some time. Multilateral organizations in the area of chemical and biological weapons and missile proliferation were established and strengthened during the decade.

The 1980s saw the creation of two important new international nonproliferation groups: the Missile Technology Control Regime (MTCR) in 1987 and the Australia Group of countries concerned about chemical and biological weapons proliferation in 1985. These groups have grown both in size and effectiveness.

Nuclear Non-Proliferation

In the nuclear nonproliferation area, the United States has been active diplomatically for more than a decade in efforts to encourage other nuclear supplier countries to exercise caution and restraint in exporting nuclear and potentially nuclear-related commodities to Iraq. In recent years, other supplier countries demonstrated greater caution and restraint, and cooperation with Iraq in the nuclear area markedly diminished. For example, Italy interrupted assistance it had been providing for laboratory-scale nuclear facilities. France decided to forego commercially lucrative opportunities to repair the damaged Osirak reactor. Additionally, the Soviet Union declined to go beyond its initial provision of a small research reactor.

Through multilateral arrangements such as the Zangger Committee and the Nuclear Suppliers Guidelines, supplier countries have controlled the trade in fissile material and specially designed or prepared nuclear equipment to non-nuclear weapons states.

In recent years, the twenty-two members (*) of the Zangger Committee have held regular meetings to upgrade and clarify the

UNCLASSIFIED

- 3 -

lists of specially-designed or prepared nuclear equipment that member countries would place under control for export to countries of concern. Of particular value with respect to Iraq was the Zangger Committee initiative to develop a detailed list of the key components for a gas centrifuge enrichment program. The technical work accomplished by U.S. experts to prepare for this exercise has been of great value to export control and customs officials in supplier countries. For example, this data was used in a training course in Turkey and more recently this background information was provided to the International Atomic Energy Agency (IAEA) for use in carrying out its responsibilities under UN Resolution 687.

On March 5-7, 1991, an informal meeting took place in the Hague of the twenty-six countries (**) that have adhered to the Nuclear Suppliers Guidelines of 1978. This is an agreed set of principles and conditions that apply to transfers of nuclear materials, equipment and technology. This group of countries met to review current supplier arrangements and the conditions of supply and to consider some ways and means to strengthen export controls with a view to reinforcing the nuclear nonproliferation regime. They reconfirmed their strong commitment to preventing nuclear proliferation, which represents one of the greatest threats to worldwide security and stability facing the international community. They also reaffirmed the great importance of IAEA safeguards.

In facilitating international cooperation in the peaceful uses of nuclear energy, the participants at the March meeting recognized the responsibility of all supplier states to ensure that such cooperation does not contribute directly or indirectly to nuclear proliferation as well as the need to assure that safeguards and nonproliferation assurances are not compromised by commercial competition. There was a consensus view that the widest acceptance of the Nuclear Supplier Guidelines by new nuclear supplier countries would

* Australia, Austria, Belgium, Canada, Czechoslovakia, Denmark, Finland, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Poland, Sweden, Switzerland, USSR, United Kingdom, United States.

** Australia, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Switzerland, USSR, United Kingdom, United States.

UNCLASSIFIED

significantly enhance the nonproliferation regime and they invited all such countries that have not yet done so to adhere to the guidelines.

At the meeting, the suppliers recognized the growing problem posed by the potential use of nuclear-related dual-use items in contributing to unsafeguarded nuclear programs or to the development of nuclear explosive devices. They agreed to establish a working group to examine all possible arrangements to control these items.

The supplier countries are in full accord on the need to continue the review and strengthening of supplier arrangements and on the value of regular consultations among suppliers.

Chemical and Biological Weapons Non-Proliferation Efforts

The United States and other Western countries have been active for some years in seeking to curtail the export of chemical and biological weapons-related goods, services, and technology to Iraq and other countries of proliferation concern.

Earlier efforts to curtail chemical and biological weapons-related goods, services, and technology to proliferant countries were largely in the form of treaties to ban such weapons. These include the Biological and Toxin Weapons Convention (BWC) of 1972, which entered into force in 1975, and the negotiations on a comprehensive global ban on chemical weapons, which have not yet been concluded.

The 1972 Biological and Toxin Weapons Convention commits each State Party never to develop, produce, stockpile, or otherwise acquire or retain microbial or other biological agents, or toxins whatever their origin or method of production of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes; as well as weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

In addition, the states parties undertook in the convention not to transfer to any recipient, directly or indirectly, and not in any way to assist, encourage or induce any state, group of states or international organizations to manufacture or otherwise acquire any biological agents, toxins, weapons, equipment or means of delivery. 149 countries are now parties to the convention, including virtually all Western nations.

The convention does not specify whether and what kind of export controls might be appropriate to fulfill the purposes of

the convention, but some countries, including the United States and Germany, have applied export controls consistent with the Convention's purposes. The United States, for example, controls the export of pathogenic organisms suitable for making biological weapons and in March 1991 added new controls on dual-use biological weapons related equipment. The United States for many years has maintained a ban on export of defense goods and services to Iraq, including biological or chemical weapons agents or weapons. The U.S. Biological Weapons Anti-Terrorism Act of 1989 imposes penalties on anyone who knowingly develops, produces, stockpiles, transfers, acquires, retains, or possesses any biological agent, toxin or delivery system for use as a weapon, as well as knowing assistance to any foreign state or any foreign organization to do so.

Chemical Weapons Convention

Since 1980 the Ad Hoc Committee on Chemical Weapons of the Conference on Disarmament in Geneva has focused on the negotiation of a comprehensive, global ban on chemical weapons. In 1984, the United States gave a major boost to the talks when then Vice President Bush presented a draft chemical weapons treaty. Among other provisions, the current draft treaty (the "rolling text") prohibits the direct or indirect transfer of chemical weapons and requires the states parties to undertake not to assist, encourage or induce in any way anyone to engage in activities prohibited to parties under the convention, namely the development, production, stockpiling, acquisition, retention, or use of chemical weapons.

The draft treaty provides for strict controls on the transfer of chemicals that have been developed, produced, stockpiled or used as chemical weapons or otherwise pose a high risk to the objectives of the convention by virtue of their high potential for activities prohibited by the convention. States are also to provide detailed data declarations and notifications of transfer to the technical secretariat of any transfers. For certain other chemicals which are chemical weapons precursors or have potential use as chemical weapons, the convention requires data reporting on aggregate export and import of chemicals, and on-site inspections of facilities producing, processing or consuming the chemicals. Depending on the chemical and the facility, monitoring may be accomplished by systematic routine inspections, ad hoc inspections, or challenge inspections.

Some countries, such as India, have used the schedules of chemicals in the Chemical Weapons convention as a model for establishing national export controls.

UNCLASSIFIED

- 6 -

The January 1989 Conference Against Chemical Weapons Use, held in Paris, was intended to sensitize the international community to the problem of chemical weapons and their use. Promoted by the U.S., it was attended by more than 100 countries. The September 1989 Canberra Government-Industry Conference against Chemical Weapons, encouraged by the United States and attended by representatives from about 70 countries, sensitized industry regarding the risk of exports being diverted to create chemical weapons and built support for the chemical weapons convention.

On May 13, 1991, President Bush announced a new initiative aimed at concluding the Chemical Weapons Convention within twelve months. The initiative contains forward-looking concrete proposals to advance the negotiations and is intended to encourage other countries to work with the U.S. to devise solutions to outstanding convention problems. The U.S. proposal calls for other countries to impose export controls similar to those of the U.S. and specifically for the convention to require parties to refuse to trade in chemical weapons related materials with countries which do not become parties to the convention within a reasonable time after the treaty enters into force.

Australia Group

The Australia Group (AG), an informal consultative group of countries concerned about chemical and biological weapons (CBW) proliferation, was formed in 1985 in the wake of chemical weapons use in the Iran-Iraq war. The Australia Group considers its efforts to be interim measures pending the completion of a convention banning chemical weapons. While the group is concerned about proliferation worldwide, until recently its primary focus was the countries of Iran, Iraq, Syria, and Libya.

Initially, the Australia Group was composed of seventeen members: the United States, Australia, New Zealand, Japan, Canada, and the twelve members of the European Community (Ireland, the United Kingdom, Belgium, the Netherlands, Luxembourg, Spain, Portugal, Germany, France, Greece, Italy, and Denmark). Subsequently, Switzerland, Austria, and Norway joined the Australia Group, and other countries have expressed interest in becoming members.

At its beginning in 1985, Australia Group members established national export controls over four chemical weapons precursors. The number of chemicals controlled by all members has expanded progressively. By the end of 1990, all Australia Group members had established controls on fourteen chemicals,

UNCLASSIFIED

UNCLASSIFIED

- 7 -

called the "core list". In addition to this core list, the AG maintained a warning list of 36 precursors (a total of 50 chemicals) for monitoring purposes. AG members informed their respective industries to be cautious in exporting these chemicals because of the risk of diversion to chemical weapons purposes.

In 1990, the United States undertook a major new initiative against chemical and biological and missile proliferation called the Enhanced Proliferation Controls Initiative (EPCI). This resulted in March 1991 in the imposition of an interlocking network of U.S. proliferation export controls. These include the following measures:

- an individual validated license requirement for export worldwide (except for AG and NATO countries) of all 50 chemical weapons precursors identified by the Australia Group;
- an individual validated license requirement for export to twenty-eight listed destinations of dual-use equipment and technical data potentially useful in chemical and biological weapons development;
- an individual validated license requirement for a U.S. person to assist foreign chemical weapons, biological weapons, or missile projects;
- an individual validated license requirement for a U.S. person to assist in the export or design of whole chemical plants making chemical weapons precursors; and
- an individual validated license requirement where an exporter knows or is informed by the U.S. government that an export is destined for a chemical or biological weapons or ballistic missile project.

Spurred by the Gulf War and the U.S. EPCI initiative, Australia Group members' export controls recently have expanded rapidly. At the most recent AG meeting (May 1991), the AG agreed that by December all members would control the export of all 50 AG-listed CW precursors (up from only 14 chemicals controlled by all members six months ago).

AG members also agreed in principle that they would control the export of dual-use equipment usable to produce or develop CW and developed a common list of such equipment for approval by members. In other steps to expand controls on CBW, AG members agreed to discuss in detail at the next meeting the need for controls on exporting BW organisms and equipment and

UNCLASSIFIED

agreed to consider U.S.-style "safety net" controls on non-listed items destined for CBW use.

The Australia Group also continued its exchanges on proliferation patterns and problems, enforcement activities, and harmonization of licensing and enforcement procedures among members.

Missiles

In 1987, the Missile Technology Control Regime (MTCR) was established to impede the proliferation of missiles through imposition of strict export controls on the specified missile-related goods and technology listed in the MTCR equipment and technology annex. The export of complete missile systems, as well as major subsystems (e.g. rocket stages, engines, guidance sets, reentry vehicles) carries a presumption of denial for all non-MTCR countries. Export of production facilities for these items is currently prohibited. The export of other, less sensitive components can be authorized if their transfer would not contribute to the development of a missile of MTCR range and payload (300 kilometers and 500 kilograms).

Since its inception, the MTCR has grown dramatically. It started with only seven founding members: the United States, the United Kingdom, Japan, Italy, Germany, France and Canada. Subsequently, nine additional countries have joined: Spain, Belgium, the Netherlands, Luxembourg, Australia, New Zealand, Norway, Denmark, and Austria. Several other countries are close to joining. Sweden and Finland are in the process of implementing export controls consistent with the MTCR guidelines, and the MTCR partners are working hard to bring into the MTCR the remaining European Community, NATO, and European Space Agency countries. The Soviet Union has expressed its support for the MTCR's objectives, and the partners are considering how best to bring the Soviets more fully into the Regime.

At the most recent MTCR meeting, in Tokyo in March 1991, the partners made significant progress toward adopting a revised, updated annex of controlled technologies. A number of additional items usable in missile development will be added and technical parameters will be clarified for several other items. It is expected that the revised annex will be put into effect in all member countries by December 1991. The partners also agreed to study the controls the U.S. has adopted under EPCI. These include requiring a license for any item, whether or not on the MTCR annex, when the exporter knows or is informed by the Government that it is destined for a missile

project. The MTCR partners also agreed to consider further harmonization of controls and procedures.

Individual Countries' Actions

The following are highlights of selected countries' export controls relevant to proliferation.

China, while not a member of the MTCR, has stated that it would "take into account" relevant international parameters in missile-related exports and not sell intermediate-range missiles to the Middle East. China has stated that it supports effective international control of weapons exports and is participating in arms control efforts pursuant to the President's May 29 initiative on Middle East Arms Control. China has agreed in principle to sign the NPT and adhere to the MTCR guidelines. The U.S. continues to press China to fully implement its stated intentions.

France is now committed to implementing export controls on all 50 Australia Group precursors and controls five additional precursors as well. France has also developed its own list of dual-use CBW equipment for export control, aside from the draft AG common list. It is also strengthening licensing procedures, including end-user certificates for countries outside the Australia Group. Licenses will be reviewed on a case-by-case basis. Violations are subject to prison terms and fines.

Germany now has an extensive network of laws and regulations intended to control the export of chemical weapons precursors, pathogenic organisms, dual-use CBW related equipment, and other forms of assistance to foreign CBW or missile projects. German cooperation with the United States in preventing export of goods and technology related to proliferation has become closer and more effective in recent years.

German government policy has prohibited the export of war weapons to Iraq since 1961.

German proliferation export control efforts date to at least 1984, when the Federal Republic of Germany applied controls on four chemical weapons precursors. In August 1984, Germany also imposed a new regulation requiring the licensing of whole chemical plants and certain chemical equipment suitable for the production of chemical weapons agents and precursors. This was especially aimed at the exports by Karl Kolb to Iraqi chemical weapons facilities in Samarra. Karl Kolb, however, won a court case in which it contested blocking of its shipments.

UNCLASSIFIED

- 10 -

On February 15, 1989, the German Cabinet introduced a requirement for an export license for plants suitable for the production of biological agents and tightened the definition for the requirement for an export license for chemical plants.

As of February 20, 1990, Germany made all 50 Australia Group chemical weapons precursors subject to licensing worldwide.

On July 20, 1990, the penalty for violations of the Foreign Trade and Payments Act was increased from three to 10 years. A general license requirement for activities of German nationals in connection with the development and production of weapons, ammunition and combat agents was introduced. Fines under the Foreign Trade and Payments Act were increased from 500,000 Deutschmarks to one million Deutschmarks.

On August 11, 1990, Germany imposed an export license requirement for participation of German citizens in foreign missile projects. Unauthorized services carry a fine or a term of imprisonment of 5 years and in very serious cases up to 10 years. Authorizations will normally be denied, and the German government has advised German nationals to terminate such services.

In October 1990, a new law was passed providing up to 15 years imprisonment for the particularly sensitive area of participation in the production of nuclear, biological and chemical weapons. Acts performed by German citizens in foreign countries are covered. The minimum sentence for intentional offenses was fixed at two years.

The German government subsequently introduced legislation to strengthen further its export controls, which as of this writing has failed to pass the German parliament.

The German government has initiated a large number of investigations concerning possible proliferation-related violations. On March 12, 1991, the Federal Prosecutor in Darmstadt issued indictments against twelve individuals and one corporation (Preussag) in connection with the export of chemical weapons technology to Iraq. The indictments are the culmination of a three-year investigation in connection with the construction of the Samarra chemical weapons complex.

India issued an amended order, effective January 31, 1991, establishing export controls over 3 chemical weapons precursors.

UNCLASSIFIED

UNCLASSIFIED

- 11 -

Israel maintains controls over the export of all chemicals. Applications for exports of a list of chemicals relevant to chemical weapons are screened by the Disarmament Bureau of the Foreign Ministry.

Japan maintains export controls on all 50 chemical precursors identified by the Australia Group. It also consults with businesses in the case of exports of specified dual-use CBW related equipment and was instrumental in developing the draft AG common list of dual-use CW-related equipment.

The Soviet Union established controls over the export of some 9 chemical weapons precursors under a 1986 law. The list has been expanded subsequently to cover 22 Australia Group precursors. In the US-Soviet Joint Non-proliferation Statement of June 1, 1990, the Soviet Union pledged cooperation against nuclear, missile, and chemical weapons proliferation. It agreed on the need for stringent controls over exports of nuclear-related material, equipment, and technology, and urged other countries capable of exporting nuclear-related technology to apply similarly strict controls. It stated that it had instituted export controls to stem chemical weapons proliferation and would join with other nations in multilateral efforts to coordinate export controls, exchange information, and broaden international cooperation to stem chemical weapons proliferation. It also stated specifically its support for the objectives of the MTCR and noted that it was taking measures to restrict missile proliferation on a worldwide basis, including export controls and other internal procedures.

Sweden controlled the export of 33 Australia Group chemicals as of early 1991 and was working on a list of dual-use equipment to be controlled. Sweden is strongly considering joining the Australia Group.

The United Kingdom has agreed to impose export controls on all 50 Australia Group precursors and has agreed in principle with the rest of the AG to control the export of dual-use CW equipment.

Eastern European countries, including Czechoslovakia, Poland, Hungary, and Romania, have been briefed on U.S perspectives on non-conventional weapons proliferation and are working to establish effective controls. In January 1991, Romania placed general regulations on the export of equipment which might be used in the production of nuclear, chemical or bacteriological weapons or of missiles to

UNCLASSIFIED

deliver them. In July 1991, Romania placed regulatory controls on the export of items on the MTCR annex, Australia Group chemicals, and nuclear items. Hungary in a decree of October 1, 1990 put into effect a license requirement for CBW-related exports.

The Eastern European countries attended a proliferation export controls seminar in December 1990 in London with members of the Australia Group. Some Eastern European countries have expressed interest in joining the Australia Group.

Post-Invasion of Kuwait

The national and multilateral measures listed above have remained in force subsequent to the August 2, 1991 invasion of Kuwait, when they became a small part of the much more stringent and far-reaching UN embargo on Iraq. The embargo effectively denied Iraq imports to aid its nuclear, biological, chemical, or missile programs, in addition to much else. Subsequently, the United Nations has been developing a plan to eliminate and prevent the resurgence of Iraq's capabilities in this area for the long term.

Resolution 687

Many countries have cooperated closely in the drafting and implementation of UN Security Council Resolution 687 of April 3, 1991. This resolution envisions extraordinary measures to divest Iraq of CBW, nuclear weapons, and missile capabilities. Stringent cease-fire conditions include the supervised destruction of Iraqi nuclear, CBW and missile capabilities and long-term monitoring of compliance.

A UN Special Commission with wide international participation has been established to carry out the resolution's mandate to inspect Iraq's biological, chemical and missile capabilities and supervise the elimination of Iraq's capabilities in these areas, as well as long-term monitoring of Iraqi undertakings not to reacquire such weapons. At the Commission's request, Iraq has submitted initial data declarations concerning its nuclear, chemical, biological, and missile capabilities and these are being analyzed by the Commission.

The International Atomic Energy Agency (IAEA) has been tasked with inspecting Iraq's nuclear capabilities and arranging the removal or destruction of any nuclear weapons or nuclear weapons usable material. Initial data declarations have been submitted by Iraq to the IAEA, and the U.S. and the Special Commission provided additional information to the IAEA. The first actual on-site inspection of an Iraqi facility under UNSCR 687 was organized by the IAEA with the assistance and cooperation the UN Special Commission. The team entered

Iraq on May 14 and began its initial inspection of the Iraqi nuclear facilities at Tuwaitha shortly thereafter. The IAEA will also provide for ongoing monitoring and verification of Iraq's undertaking not to acquire nuclear weapons.

In addition, the resolution provides that UN members shall continue to prevent the sale or supply or the promotion or facilitation of such sale or supply to Iraq of:

- Conventional arms;
- All chemical and biological weapons, all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities;
- All ballistic missiles with a range greater than 150 kilometers and related major parts and repair and production facilities; and
- Nuclear weapons or nuclear-weapons usable material or any subsystems or components or any research, development, support or manufacturing facilities related to nuclear weapons.

This prohibition on exports includes technology under licensing or other arrangements used in the production, utilization or stockpiling of these items and personnel or materials for training or technical support services relating to the design, development, manufacture, use, maintenance or support of such items.

The United Nations Secretariat is now working actively to develop guidelines for the full international implementation of the export prohibitions required by the resolution.

Middle East Arms Control Initiative

Another large step forward on nonproliferation efforts was taken in May by President Bush with his Middle East Arms Control Initiative, which covers the categories of nonconventional weapons as well as conventional weapons. This proposal will enlist the support and cooperation of regional arms importers and their most important suppliers -- the U.S., the UK, France, the Soviet Union and China. The core of the initiative is a commitment by suppliers to observe a code of responsible arms transfers, avoid destabilizing transfers, and establish effective export controls on the end use of arms and related exports. Suppliers would observe guidelines for arms transfers to the Middle East, including notifications in advance of certain sales, regular consultations on arms transfers, ad hoc consultations if it appears the guidelines are not being observed, and annual reports on transfers.

Withdrawal/Redaction Sheet (George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02L. NSC Distribution Record	Duplicate of No. 41.11 (1 pp.)	9/10/91	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JL 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

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

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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]

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

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

PRM. Removed as a personal record misfile.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02m. Executive Clerk Tracking Sheet	Case Number 268387SS Re: Report on Certain Technologies and Sanctions by Other Nations Against Iraq (1 pp.)	n.d.	(b)(1)	

Collection:

Record Group: Bush Presidential Records
Office: Records Management, White House Office of (WHORM)
Series: Subject File - C.F.
Subseries:
WHORM Cat.: TA003
File Location: Case Number 268387SS

**UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS**

JK 10.3.07

Date Closed: 10/3/2007	OA/ID Number: 00002-001
FOIA/SYS Case #: 1998-0099-F	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

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

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the 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.

PRM. Removed as a personal record misfile.

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

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

OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE: CLASSIFIED REPORT w/AN UNCLASSIFIED SUMMARY ON CERTAIN TECHNOLOGIES AND AN UNCLASSIFIED REPORT ON SANCTIONS BY OTHER NATIONS AGAINST IRAQ

Classified portion removed to safe. W.H.B. 9-7-91.

TYPE DOCUMENT:

PROCLAMATION

4 LETTER(S)

EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER: _____

RECEIVED: (Advance: 9/6/91 Time: 10:15 a.m./p.m.)
In final: / /91 Time: _____ a.m./p.m.

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: / /91 Time: _____ a.m./p.m.)
In final: 9/6/91 Time: 10:30 a.m./p.m. *

TO ~~PHILLIP D. BRADY'S OFFICE:~~ N/A

(For staffing: / /91 Time: _____ a.m./p.m.)
In final: 9/7/91 Time: 2:25 a.m./p.m.

*UNDATED LTR'S
INSERTED AT
NSC*

INFO, INCLUDING STENCIL, TO PRESS OFFICE:

Date: 9/10/91 Time: 9:20 a.m./p.m.
POSTED: 9 / /91 Time: 3:20 a.m./p.m.

NOTIFICATIONS:

(Person/time) Each time a message, report, etc., is xmitted to the Congress, call OLA -- x2230.

Gary M. / 3:49p.
(Person/time) NSC, when appropriate -- Lonnie Ford;
W.H. Situation Room -- x2585.

Will Tobey / 3:46p DAN PONEMAN, NSC, x5697
(Person/time) (Other)

(Person/time) (Other)

OTHER INFORMATION: * 4 LETTERS IN FINAL GIVEN TO DAN PONEMAN FOR INCLUSION IN PKG. THAT WILL GO TO THE PRESIDENT (11:20AM, 9/6/91). The above letters retrieved & undated version placed in package (2:25a., 9-7-91).