

**Message to the Senate on Conditions to the Flank Document of the Conventional Armed Forces in Europe Treaty**

*May 14, 1997*

*To the Senate of the United States:*

I am gratified that the Senate has given its advice and consent to the ratification to the CFE Flank Document and I look forward to the entry into force of this important agreement. It will reaffirm the integrity of one of the CFE Treaty's core provisions and will facilitate progress on CFE adaptation and, thus, NATO enlargement, key elements for advancing United States and European security.

I must, however, make clear my view of several of the Conditions attached to the resolution of advice and consent to ratification, including Conditions 2, 3, 4, 6, 7, 9 and 11. These Conditions all purport to direct the exercise of authorities entrusted exclusively to the President under our Constitution, including for the conduct of diplomacy and the implementation of treaties. The explicit limitation on diplomatic activities in Condition 3 is a particularly clear example of this point. As I wrote the Senate following approval of the Chemical Weapons Convention, a condition in a resolution of ratification cannot alter the allocation of authority and responsibility under the Constitution. I will, therefore, interpret the Conditions of concern in the resolution in a manner consistent with the responsibilities entrusted to me as President under the Constitution. Nevertheless, without prejudice to my Constitutional authorities, I will implement the Conditions in the resolution.

Condition (9), which requires my certification that any agreement governing ABM Treaty succession will be submitted to the Senate for advice and consent, is an issue of particular concern not only because it addresses a matter reserved to the President under our Constitution, but also because it is substantively unrelated to the Senate's review of the CFE Flank Document. It is clearly within the President's authorities to determine the successor States to a treaty when the original Party dissolves, to make the adjustments required to accomplish such suc-

cession, and to enter into agreements for this purpose. Indeed, throughout our history the executive branch has made a large number of determinations concerning the succession of new States to the treaty rights and obligations of their predecessors. The ABM Succession MOU negotiated by the United States effectuated no substantive change in the ABM Treaty requiring Senate advice and consent. Nonetheless, in light of the exceptional history of the ABM Treaty and in view of my commitment to agree to seek Senate approval of the Demarcation Agreements associated with the ABM Treaty, I have, without prejudice to the legal principles involved, certified, consistent with Condition (9), that I will submit any agreement concluded on ABM Treaty succession to the Senate for advice and consent.

**William J. Clinton**

The White House,  
May 14, 1997.

NOTE: This message was released by the Office of the Press Secretary on May 15.

**Message to the Congress on Conditions to the Flank Document of the Conventional Armed Forces in Europe Treaty**

*May 14, 1997*

*To the Congress of the United States:*

In accordance with the resolution of advice and consent to ratification on the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe of November 19, 1990 ("the CFE Flank Document"), adopted by the Senate of the United States on May 14, 1997, I hereby certify that:

In connection with Condition (2), Violations of State Sovereignty, the United States and the governments of Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Turkey and the United Kingdom have issued a joint statement affirming that (i) the CFE Flank Document does not give any State Party the right to station (under Article IV, paragraph 5 of the Treaty) or temporarily deploy (under Ar-

ticle V, paragraphs 1 (B) and (C) of the Treaty) conventional arms and equipment limited by the Treaty on the territory of other States Parties to the Treaty without the freely expressed consent of the receiving State Party; (ii) the CFE Flank Document does not alter or abridge the right of any State Party under the Treaty to utilize fully its declared maximum levels for conventional armaments and equipment limited by the Treaty notified pursuant to Article VII of the Treaty; and (iii) the CFE Flank Document does not alter in any way the requirement for the freely expressed consent of all States Parties concerned in the exercise of any reallocations envisioned under Article IV, paragraph 3 of the CFE Flank Document.

In connection with Condition (6), Application and Effectiveness of Senate Advice and Consent, in the course of diplomatic negotiations to secure accession to, or ratification of, the CFE Flank Document by any other State Party, the United States will vigorously reject any effort by a State Party to (i) modify, amend, or alter a United States right or obligation under the Treaty or the CFE Flank Document, unless such modification, amendment, or alteration is solely an extension of the period of provisional application of the CFE Flank Document or a change of a minor administrative or technical nature; (ii) secure the adoption of a new United States obligation under, or in relation to, the CFE Treaty or the CFE Flank Document, unless such obligation is solely of a minor administrative or technical nature; or (iii) secure the provision of assurances, or endorsement of a course of action or a diplomatic position, inconsistent with the principles and policies established under conditions (1), (2), and (3) of the resolution of advice and consent to ratification of the CFE Flank Document.

In connection with Condition (7), Modifications of the CFE Flank Zone, any subsequent agreement to modify, revise, amend or alter the boundaries of the CFE flank zone, as delineated by the map entitled "Revised CFE Flank Zone" submitted to the Senate on April 7, 1997, shall require the submission of such agreement to the Senate for its advice and consent to ratification, if

such changes are not solely of a minor administrative or technical nature.

In connection with Condition (9), Senate Prerogatives on Multilateralization of the ABM Treaty, I will submit to the Senate for advice and consent to ratification any international agreement (i) that would add one or more countries as States Parties to the ABM Treaty, or otherwise convert the ABM Treaty from a bilateral treaty to a multilateral treaty; or (ii) that would change the geographic scope or coverage of the ABM Treaty, or otherwise modify the meaning of the term "national territory" as used in Article VI and Article IX of the ABM Treaty.

In connection with Condition (11), Temporary Deployments, the United States has informed all other States Parties to the Treaty that the United States (A) will continue to interpret the term "temporary deployment", as used in the Treaty, to mean a deployment of severely limited duration measured in days or weeks or, at most, several months, but not years; (B) will pursue measures designed to ensure that any State Party seeking to utilize the temporary deployments provision of the Treaty will be required to furnish the Joint Consultative Group established by the Treaty with a statement of the purpose and intended duration of the deployment, together with a description of the object of verification and the location of origin and destination of the relevant conventional armaments and equipment limited by the Treaty; and (C) will vigorously reject any effort by a State Party to use the right of temporary deployment under the Treaty (i) to justify military deployments on a permanent basis; or (ii) to justify military deployments without the full and complete agreement of the State Party upon whose territory the armed forces or military equipment of another State Party are to be deployed.

**William J. Clinton**

The White House,  
May 14, 1997.

NOTE: This letter was released by the Office of the Press Secretary on May 15.

## Remarks at the Peace Officers Memorial Ceremony

May 15, 1997

Thank you. Thank you very much. President Gallegos, Auxiliary President Lippe, to all the distinguished law enforcement representatives who are here; Senator Thurmond, Senator Biden, Senator Leahy, Congressman Stupak; members of our Cabinet administration. I'd like to thank all of those who support this endeavor every year, and especially this year Tommy Motolla and Gloria Estefan and most importantly, to the family members of those who have lost their lives in the service of our country.

In just 2 weeks, on Memorial Day, the American people will pause to pay tribute to the fallen military heroes who died to preserve the liberties upon which our Nation was founded and which have enabled it to endure for more than 200 years. Today, we stand here on Peace Officers Memorial Day, to pay tribute to a sacrifice no less great and no less critical to our liberties.

The police officers whose names are carved on the memorial are also our fallen heroes. And in the hearts of their families and the people whose lives they touched, their heroism will always shine.

Officer Lauretha Vaird was a 9-year veteran on the Philadelphia Police Department, a single, working mother. She often said that her two greatest loves were her boys and her badge, and she dedicated her life to them both. She was a community police officer who walked the streets of her beat with pride. One day she responded to a silent alarm at a local bank. And as she tried to prevent an armed robbery, a gunman's bullet took her life and left her children with only the memory of their heroic mother.

Officer Brian Gibson was a community police officer who grew up on streets he would later patrol. A native of this city, he served our country as a United States Marine in the Persian Gulf before joining the DC police force, a decorated officer who pounded the pavement to fight drugs and the people who sell them. One night he was killed at point-blank range by a raging gang member as he simply sat in the police car just a short ride from that memorial where his name will be

carved. He, too, left behind a grieving family and friends and a legacy of courage.

Today we honor the service and take pride in all the stories of the 116 men and women who gave their lives to protect our safety. Our safety was their purpose and passion. And while we can never repay them for their ultimate sacrifice, we can, and we must, honor their memory not only in words but in actions that do justice to their lives and to the great loss their families and loved ones have suffered.

For too many years in our country, crime seemed destined to keep rising regardless of citizen outrage or law enforcement frustration. Then, slowly, you in law enforcement began to turn the tide, building bridges to concerned citizens and needy children and troubled neighborhoods, but losing brothers and sisters along the way.

Four years ago, we joined you as a nation to reclaim our streets, our schools, and our society with a commitment to a comprehensive approach to crime based on what you told us—what you told us would work. You told us we needed more police on the street, tougher penalties and better prevention. You told us especially we needed more community police officers. Today, we're putting 100,000 more of them on the street to join with you.

You told us illegal handguns and deadly assault weapons were undermining your efforts to fight gangs and drugs, so we banned them with the Brady bill and the assault weapons ban. Just since the Brady bill was enacted in 1993, 186,000 felons, fugitives, and stalkers have been denied the right to buy handguns. Today we take another step—[*applause*]*—thank you.* Today we take another step to protect our communities from gun violence by dangerous drifters who threaten our safety.

Two months ago, after the terrible tragedy at the Empire State Building, I directed the ATF to require people who buy guns from federally-licensed dealers simply to prove they were not just passing through. Today, we're releasing a new application to make sure that certification of residency is an unavoidable step for gun purchases. Those who can't prove it, can't purchase.