

**STATEMENT, JUSTIFICATION AND PLAN INCLUDED IN PRESIDENTIAL  
CERTIFICATION UNDER SECTION 8144 OF THE  
DEPARTMENT OF DEFENSE APPROPRIATIONS ACT FOR FY 2003  
(P.L. 107-248)**

Section 8144 of Public Law 107-248 provides that the conditions described in section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65) (FY2000 Act) shall not apply to the obligation and expenditure of funds for fiscal years 2000, 2001, 2002 and 2003 for the planning, design, or construction of a chemical weapons (CW) destruction facility in Russia if the President submits to Congress a written certification that includes:

- (1) a statement as to why waiving the conditions is important to the national security interests of the United States;
- (2) a full and complete justification for exercising this waiver; and
- (3) a plan to promote a full and accurate disclosure by Russia regarding the size, content, status and location of its CW stockpile.

**1. Waiving the conditions is important to the national security interests of the United States.**

The Russian Federation inherited from the Soviet Union millions of modern nerve agent munitions that must be destroyed pursuant to the Chemical Weapons Convention (CWC). Many of these munitions are manportable, in excellent, ready-to-use condition, and are stored at five declared storage sites in Russia identified as having potential security vulnerabilities. For the most part, these munitions are small, easily transportable, and stored in wooden structures. They therefore present a significant proliferation risk.

A key United States national security objective is to keep the world's most dangerous technologies out of the hands of the world's most dangerous people. An important element in achieving this goal is to support efforts for prompt and irreversible destruction of Russia's CW in accordance with the verification provisions in the CWC. Because the Secretary of Defense cannot certify the elements specified in Section 1305 of the FY2000 Act, assistance cannot be provided for the construction of a facility at which these weapons would be destroyed unless the President exercises the authority provided