

FOIA MARKER

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

Folder Title: Chron File - February 1993 #2 [2]				
Staff Office-Individual: Defense Policy-Bell, Robert				
Original OA/ID Number: 43				
Row: 31	Section: 3	Shelf: 1	Position: 2	Stack: v

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	For Anthony Lake from Keith Hahn. Subject: Unified Command Plan Revision. Record ID: 9300564. (1 page)	02/17/1993	P1/b(1)
001b. memo	For the President from Anthony Lake. Subject: Unified Command Plan Revision. Record ID: 9300564. (1 page)	02/17/1993	P1/b(1)
001c. draft	Unified Command Plan. (15 pages)	02/11/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 43

FOLDER TITLE:

Chron File - February 1993 #2 [2]

2016-0152-F

vz4356

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 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. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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 concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	For Anthony Lake from Keith Hahn. Subject: Unified Command Plan Revision. Record ID: 9300564. (1 page)	02/17/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 43

FOLDER TITLE:

Chron File - February 1993 #2 [2]

2016-0152-F
vz4356

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 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, Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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 concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. memo	For the President from Anthony Lake. Subject: Unified Command Plan Revision. Record ID: 9300564. (1 page)	02/17/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 43

FOLDER TITLE:

Chron File - February 1993 #2 [2]

2016-0152-F

vz4356

RESTRICTION CODES

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

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

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 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 concerning wells [(b)(9) of the FOIA]

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

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR THE SECRETARY OF DEFENSE

SUBJECT: Unified Command Plan

Pursuant to my authority as Commander in Chief and under section 161 of title 10 of the United States Code, I hereby approve and direct implementation of the revised Unified Command Plan.

You are directed to make notification on my behalf to the Congress that may be required by section 161(b)(2) of title 10 as a result of implementation of the revised Unified Command Plan.

~~SECRET~~



THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301

February 11, 1993

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Unified Command Plan Revision

Under Section 161 of Title 10, United States Code, the President establishes the unified and specified combatant commands to perform military missions and prescribes the force structure of those commands. The statute also requires the Chairman of the Joint Chiefs of Staff periodically (and not less often than every two years) review the missions, responsibilities (including geographic boundaries), and force structure of each combatant command, and recommend to the President through the Secretary of Defense any necessary changes. The document by which Section 161 is executed is the Unified Command Plan, which was last approved on 7 April, 1992.

Attached for your approval is a revised Unified Command Plan. The attached plan was reviewed by the Chairman of the Joint Chiefs of Staff and contains a change that he and I recommend to the geographic area of responsibility of U.S. European Command (USEUCOM). The change places the Baltic states of Estonia, Latvia and Lithuania in USEUCOM's geographic boundaries. USEUCOM is already responsible for land and sea approaches to the Baltic states and assignment would allow the CINC to perform more detailed crisis response planning within the EUCOM area of responsibility. USEUCOM is prepared to make this change.

I recommend that you approve this change to the Unified Command Plan. Suggested language for your reply is attached.

A handwritten signature in black ink, appearing to read "J. H. Brown", is located below the text of the memorandum.

Attachments

Classified by: OADUSD(R&P)
Declassify on: OADR

Downgraded UNCLASSIFIED when
separated from attachments

~~SECRET~~

X6 07 18
SEC DEF CONTR No.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
--------------------------	---------------	------	-------------

001c. draft	Unified Command Plan. (15 pages)	02/11/1993	P1/b(1)
-------------	----------------------------------	------------	---------

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 43

FOLDER TITLE:

Chron File - February 1993 #2 [2]

2016-0152-F
vz4356

RESTRICTION CODES

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

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

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 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 concerning wells [(b)(9) of the FOIA]

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

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9300502
RECEIVED: 11 FEB 93 13

TO: AGENCIES

FROM: ITOH

DOC DATE: 17 FEB 93
SOURCE REF:

KEYWORDS: CWC

CHEMICAL WARFARE

PERSONS:

SUBJECT: ORGAN & ADMIN PROCEDURES RELATIVE TO CWC PREPARATORY COMMIS

ACTION: ITOH SGD MEMO

DUE DATE: 15 FEB 93 STATUS: C

STAFF OFFICER: FRY

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

BELL

EXECSEC

FRY

COMMENTS:

DISPATCHED BY

DATE

2/17

BY HAND

W/ATTCH

OPENED BY: NSMEM

CLOSED BY: NSMEM

DOC 2 OF 2

UNCLASSIFIED

TIME OF TRANSMISSION

TIME OF RECEIPT

**WHITE HOUSE
SITUATION ROOM**PRECEDENCE: IMMEDIATE
PRIORITY
ROUTINE

RELEASER: _____

DTG: _____

UNCLASSIFIED			
MESSAGE NO. _____	CLASSIFICATION _____	PAGES <u>3</u>	
FROM <u>WILLIAM H. ITOH</u> <i>WIA for</i>	<u>456-6536</u>	_____	
(NAME)	(PHONE NUMBER)	(ROOM NO.)	
MESSAGE DESCRIPTION <u>ORGANIZATIONAL & ADMIN PROCEDURES</u>			
RELATIVE TO CWC PREPARATORY COMMISSION			0502
TO (AGENCY)	DELIVER TO	DEPT/ROOM NO.	PHONE NUMBER
STATE	EXECUTIVE SECRETARY	_____	_____
DOD	EXECUTIVE SECRETARY	_____	_____
ENERGY	MS. ANN LAVIN	_____	_____
CIA	EXECUTIVE SECRETARY	_____	_____
JCS	SECRETARY	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
REMARKS:			

NATIONAL SECURITY COUNCIL

WASHINGTON, D. C. 20506

February 17, 1993

MEMORANDUM FOR

LEON FUERTH
Assistant to the Vice President
for National Security Affairs

MR. JAMES R. OLIVER
Executive Secretary
Central Intelligence Agency

MR. MARC GROSSMAN
Executive Secretary
Department of State

CAPTAIN H.L. SHEFFIELD
Secretary, Joint Staff
Joint Chiefs of Staff

COL MICHAEL B. SHERFIELD
Executive Secretary
Department of Defense

MS. BARBARA STARR
Executive Secretary
Arms Control and Disarmament
Agency

MS. ANN LAVIN
Director, Executive Secretariat
Department of Energy

SUBJECT: Organizational and Administrative Procedures
Relative to the CWC Preparatory Commission

Attached are the approved organizational and administrative procedures for U.S. participation in the Chemical Weapons Convention Preparatory Commission (CWC PrepCom).



William H. Itoh
Executive Secretary

Attachment
Tab A

Paper on Organizational and Administrative
Procedures Relative to the CWC Preparatory
Commission

Organizational and Administrative Procedures Relative to the CWC Preparatory Commission

General

To ensure that the United States is adequately prepared for participation in the Chemical Weapons Convention (CWC) Preparatory Commission (PrepCom) and for implementation of the CWC, this memorandum establishes responsibilities for PrepCom delegation support and backstopping, preparation and interagency review/approval of USG position papers, administrative oversight and support for establishment of delegation working spaces in The Hague, and identifying and budgeting for the U.S. contribution and negotiating support costs to the PrepCom.

A Chemical Weapons Backstopping Committee will oversee the coordination of the CWC PrepCom efforts under the general oversight of the CW Subcommittee of the Arms Control IWG.

Agency Responsibilities

The Arms Control and Disarmament Agency will chair the Backstopping Committee; task forces under the leadership of appropriate agencies will support the Backstopping Committee.

ACDA will:

- Provide the leadership for the U.S. Delegation to the PrepCom in The Hague;
- Assume lead responsibility for establishing and maintaining the U.S. delegation to the PrepCom in The Hague, to include office space and other administrative support, in close coordination with the Department of State and the U.S. Embassy, The Hague; and
- Budget for U.S. participation in the PrepCom, including the U.S. contribution for the PrepCom and the costs for maintaining the U.S. delegation to the PrepCom, working closely with the Office of Management and Budget.

The Office of Management and Budget will coordinate with the appropriate Federal agencies to ensure that financial support for the U.S. delegation to the PrepCom and for the U.S. contribution to the CWC is incorporated into appropriate budget requests, and is submitted to the U.S. Congress.

The Department of State will coordinate closely with ACDA and the U.S. Embassy, The Hague, to prepare for USG presence in The Hague in support of the PrepCom.

ACDA will provide, on a resident basis in The Hague, a principal deputy to the head of the delegation. The Office of the Secretary of Defense will provide, as the third-ranking member of the delegation, a deputy to the head of the delegation.

Agencies will provide delegation representation support and expert assistance for PrepCom expert groups, as appropriate/requested. Further, agencies will provide representation to and support of backstopping activities.

Work Program

To assist in the initial planning, ACDA will expedite development of a notional two-year work program for the PrepCom, with accompanying staffing pattern and budget for interagency review as the basis for U.S. planning and staffing actions. This notional program should also provide the U.S. delegation with a reasoned, well-prepared paper for use in developing the work pattern and budget effort within the PrepCom.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

0502

February 11, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT G. BELL *RG*

FROM: MIKE FRY *MF*

SUBJECT: Organizational and Administrative Procedures
Relative to the CWC Preparatory Commission

Attached is a memorandum from you to your appropriate counterparts which transmits the approved organization and procedures for support of U.S. participation in the Chemical Weapons Convention Preparatory Commission. The paper was interagency cleared and approved by OMB.

RECOMMENDATION

That you sign the memo to Agency counterparts at Tab I.

Attachments

Tab I Memo to Agency Counterparts

Tab A Paper on Organizational and Administrative
Procedures Relative to the CWC Preparatory
Commission

NATIONAL SECURITY COUNCIL
WASHINGTON D.C. 20508

0373

February 17, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL *RBS*
FROM: JONATHAN SPALTER *JS*
SUBJECT: Fulbright Invitation - April 22, 1993

At Tab I is a memorandum for your signature recommending the President decline the invitation to give closing remarks at a conference honoring Senator Fulbright on April 22, 1993. We are drafting a statement from the President that could be read to the conference in his absence.

RECOMMENDATION

That you sign the memorandum at Tab I.

Attachments

Tab I Memorandum for Signature
Tab A Incoming Correspondence

THE WHITE HOUSE

WASHINGTON

0373

MEMORANDUM FOR MARSHA HALE
Assistant to the President and Director
of Scheduling and Advance

FROM: ANTHONY LAKE

SUBJECT: Fulbright Invitation -- April 22, 1993

Attached at Tab A please find a request for the President to give closing remarks at a conference honoring Senator Fulbright. Senator Fulbright will be attending the conference. The meeting originally was scheduled for March 23, 1993, but the date has been changed to April 22.

I recommend the President decline the invitation. We are drafting a statement from the President that could be read to the conference in his absence.

Attachment
Tab A Incoming Correspondence

MEMO TO: BOB BELL

FROM: NANCY SODERBERG *W*

DATE: FEBRUARY 16, 1993

RE: FULBRIGHT INVITATIONS

Attached please find a request for the President to give closing remarks on the US role in building a new international order and on "what a world arms reduction process might be" at a conference honoring Senator Fulbright on March 23. Could you please make a recommendation on the President's attending in light of his relationship with the Fulbrights? Please include whether Fulbright will be attending.

There is also an outstanding request (attached) from Senator Fulbright for the President to address the Fulbright Association sometime in April on US foreign policy. The President will be videotaping a brief testimonial to Senator Fulbright for a PBS documentary on the Senator as well. **My sense is that these events cover him on the Fulbright front and he can decline the March 23rd event.**

✓ Please draft a note to Marsha Hale in scheduling if you want him to decline the March 23 event. If you want him to attend, please draft a note to the President.

Should the President send a statement to be read in his absence at the March 23 conference? If so, please draft.

Thanks.



Institute for Policy Studies
1601 Connecticut Avenue NW
Washington, DC 20009
202 234 9382
FAX 202 387 7915

Transnational Institute
Paulus Potterstraat 20
1071 DA Amsterdam
The Netherlands
011 31 20 662 6608

Staff
0373

February 4, 1992

Tony Lake
The White House
Washington, D.C. 20501

Dear Tony,

First of all, congratulations on undertaking your new responsibilities as national security advisor. It is good to see a person of nobility, experience and wisdom in that post. I remember well my own days on the staff of the NSC and the importance of those qualities in the NSC advisor. Your own personal courage in the past bodes well for the NSC which must surely reshape itself in relation to the new challenges of the post cold war period.

I am writing to you in the hopes that you will encourage President Clinton to address a conference being sponsored by the Institute for Policy Studies and the National Commission for Economic Conversion on March 23, 1993. This conference is a tribute to Senator Fulbright whose ideals in my view represent the best and wisest strand in American foreign policy and national security policy. Senator Fulbright is now 87 years old and while he is in decent health for a man of his age we thought that it is well that he be honored early in the Clinton administration rather than at a later time.

The dinner will be held in the Russell Caucus room at 6:30 with President Clinton giving the closing address around 8:30. My hope is that President Clinton will speak on what the U.S. responsibility is in building a new international world order, and what a world arms reduction process might be.

I am enclosing a copy of the enclosed program and will be in touch with you over the next week about the feasibility of this proposal. Again congratulations.

Best wishes,

Marcus Raskin

A TRIBUTE TO SENATOR J. WILLIAM FULBRIGHT
Tuesday, March 23, 1993

On March 23, 1993, the Institute for Policy Studies (IPS) and the National Commission for Economic Conversion and Disarmament (ECD) will sponsor a tribute to Senator J. William Fulbright. That afternoon, three panels will consider policy items of interest to the Senator that remain urgent priorities today. Members of Congress, policymakers and other experts will be invited to participate in these panels, which will be open to journalists and the public. A dinner will follow for invited guests. What follows is a tentative agenda.

3:00 p.m. to 4:00 p.m.

I. Can We Move Beyond The War System in the 1990s?

The demise of the Soviet Union presents a historic opportunity for the superpowers to pursue substantial demilitarization of international affairs. It is therefore no small irony that today the future of the nation's Arms Control and Disarmament Agency—which was created in part through the legislative actions of Senator Fulbright—is in doubt. The State Department's Inspector General recently released a Congressionally-mandated study affirming that the nation still needs ACDA, but that the agency should be "reorganized refocused and rejuvenated." The first of the day's three panels will outline a comprehensive arms control and disarmament agenda for the revitalized agency. Panel Chair: Marcus Raskin, Distinguished Fellow and Co-Founder of IPS, former staff member of the National Security Council. Invited Panelists: Representative Ron Dellums, Senator Mark Hatfield, Nicole Ball, Overseas Development Council.

4:10 p.m. to 5:10 p.m.

II. Towards An Effective International Security Regime in the 1990s

With the end of the Cold War, the time has come to expand the role of the United Nations and other international institutions to insure peace in the new era. Current U.S. involvement in Somalia along with continued war in Bosnia underscores the need for expanding international peacekeeping institutions and a renewed emphasis on strengthening international law. The need for new approaches to foreign aid will also be discussed. Panel Chair: Olau Otunnu, President, International Peace Academy (invited). Invited Panelists: Senator Paul Simon, Senator Tom Harkin, Professor Richard Falk, Princeton University.

5:20 p.m. to 6:20 p.m.

III. Democratic Voices For A New Foreign Policy

Building support for a new American foreign policy demands the involvement of new constituencies. Emphasizing how foreign and military policy touches the lives of the entire citizenry is a crucial step toward bringing in other voices and would promote a more democratic agenda. Panel Chair: Phil Donahue or Bill Moyers (Invited) Panelists: Greg Bischak, ECD Executive Director, others to be invited.

6:30 p.m. to 9:00 p.m.

Dinner (for invited guests), Toasts to Senator Fulbright, Concluding Remarks.

For More Information, call Julie Buckles at IPS (202) 234-9382 or
James Raffel at ECD (202) 462-0091

J. W. FULBRIGHT
2527 Belmont Road
Washington, DC 20008

January 4, 1993

Via Federal Express

The Honorable Bill Clinton
President-elect
Little Rock Transition Office
105 West Capitol Street, Suite 400
Little Rock, Arkansas 72201

Dear Mr. President-elect:

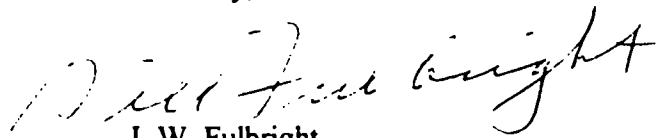
We listened to the economic summit with a growing respect for your command of the issues and for your methods of educating the American public on the complicated problems we face. How good it feels to look forward to the inauguration of a new President.

The enclosed invitation is for an event in honor of the program which means a great deal to us. Its significance in foreign policy is still not well understood, and we would consider it an honor to hear your thoughts that evening on the issues facing this country in the area of our relations with other nations. Knowing your need to focus first on the national economy, the Fulbright Association thought that April might be an appropriate time for a major foreign policy address, and what better forum than an assembly of current and former Fulbright scholars?

We do hope that both you and Mrs. Clinton can join us for this occasion and look forward to a favorable response at your earliest convenience.

With all best wishes.

Sincerely,



J. W. Fulbright



Harriet M. Fulbright

Fulbright

ASSOCIATION

1307 New Hampshire Avenue, NW, Washington, DC 20036 (202) 331-1590 FAX (202) 331-1979

HONORARY CHAIRMAN
J. William Fulbright

EXECUTIVE DIRECTOR
Jane L. Anderson

DIRECTORS

Michael S. DeLucia
President
Sheehan, Phinney, Bass +
Green, NH

Maurizio A. Gianturco
Vice President for Administration
The Coca-Cola Company, GA

John B. Hurford
Vice President for Development
BEA Associates, Inc., NY

Kathy Waldron
Vice President for Finance
Citibank, FL

Elliott P. Skinner
Vice President for
Government Relations
Columbia University, NY

Loren W. Hershey
Vice President for Legal Affairs
Attorney-at-Law, DC

Stephen Kanter
Vice President for Membership
and Chapter Development
Lewis & Clark Northwestern
School of Law, OR

Dwayne O. Andreas
Archer Daniels Midland
Company, IL

Richard T. Arndt
Washington, DC

Mark E. Cory
University of Arkansas

Crystal S. Ettridge
Temps & Co., DC

Roy N. Freed, Esq.
Brookline, MA

John Chonghoon Lee, Sr.
Overseas Investment
Corporation, DC

Dale A. Masi
University of Maryland-Baltimore

James B. Meriwether
University of South Carolina

Lee Anne Miller
The Cooper Union School
of Art, NY

Steven Muller
The 21st Century Foundation, DC

Naima Prevots
The American University, DC

Brenda S. Robinson
The California State University

Aphrodite Sarelak
Loyola Graduate School
of Social Work, IL

Samuel R. Spencer
Davidson College, NC

Maxine S. Thomas
Kettering Foundation, OH

Robin Winks
Yale University, CT

Robert Wright
Pepperdine University, CA

January 4, 1993

The Honorable Bill Clinton
President-elect of the United States
of America
Little Rock Transition Office
105 West Capitol Street, Suite 400
Little Rock, AR 72201

Dear Mr. President-elect:

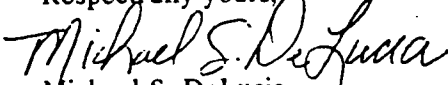
The Fulbright Association plans to honor Senator J. William Fulbright and the Fulbright program at a celebration this Spring of the Senator's 88th birthday in April. The event will be held in Washington, D.C., as a benefit for the Fulbright Association, the national nonprofit, membership organization of former Fulbright scholars and friends of the program. A major project of the Association is the creation of the J. William Fulbright Prize for International Understanding. I have enclosed a description of the prize and a copy of the Association's newsletter.

It would be a great honor to have you address this event. As a former Rhodes scholar, you are a firm believer in the importance of international education and exchange to the foreign policy objectives of this nation. Your personal relationship with Senator Fulbright would make especially meaningful your participation in this tribute to the man whom we both hold in such high esteem.

A preferred date for the celebration is April 21. Other dates under consideration are May 3, 4, or 5. If none of these dates is suitable, we would, of course, be pleased to consider other dates to fit your schedule. I will call your staff to work out the scheduling.

We are delighted to have this opportunity to invite you and Mrs. Clinton to attend this celebration for Senator Fulbright and hope to hear from you at your earliest convenience.

Respectfully yours,


Michael S. DeLucia
President

cc: Samuel Berger
Nancy Soderberg ✓
Susan Thomases
Nancy Hernreich

February 18, 1993

ACTION

MEMORANDUM FOR LEON FUERTH

THROUGH: ROBERT BELL *RB*

FROM: ANNE WITKOWSKY *AW*

SUBJECT: Presidential Citizen's Medal for Adrian St. John

As indicated in the attached memo (Tab I), we have recommended that there be an awards ceremony to present the Presidential Citizens Medal to Major General Adrian St. John, USA (Ret.). Tony Lake has suggested that we ask the Vice President to preside over such a ceremony. At one time the ceremony had been on President Bush's calendar, but due to the press of business, was cancelled.

RECOMMENDATION

That you forward this request to the Vice President. If he agrees to preside, we will draft an appropriate citation and meeting package in advance of the ceremony.

Approve _____

Disapprove _____

Attachments

Tab I Memorandum to Anthony Lake

Tab A Ambassador Hansen's Letter to Admiral Howe

February 9, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: ROBERT BELL *RB*
SUBJECT: Presidential Citizens Medal for Adrian St. John

On November 6, 1992, President Bush approved awarding the Presidential Citizens Medal to Major General Adrian St. John, USA (Ret.). A brief presentation ceremony with President Bush, General Powell, Jim Woolsey, and a small number of other guests was scheduled for December 1. Jim, who was General St. John's boss on the CFE delegation, strongly endorsed the award of this medal. Due to the press of business, however, the ceremony was canceled and not rescheduled before January 20. We now need to arrange an appropriate award ceremony.

Since so much time (seven months) has elapsed since General St. John's retirement, I do not believe it makes sense now to put this on the President's schedule. Instead, I would recommend that you present the medal on behalf of the President.

Background

Adrian St. John left government service last July after ten years' service as the Chairman's representative to the MBFR and CFE negotiations. Ambassador Hansen's June 29, 1992 letter to Admiral Howe (Tab I) describes the contributions this remarkable and dedicated man has made to our wartime and peacetime efforts in Europe for more than half a century. It is a record which certainly meets the criteria for the Presidential Citizens Medal established in Executive Order 11494.

RECOMMENDATION

That you preside over a brief ceremony sometime during February. If approved, we will draft an appropriate citation and prepare a meeting package in advance of the ceremony.

Approve _____

Disapprove _____

*✓ - let's ask
VP Gove to
do it. ~~But~~
if he can't,
and me again.*

Attachment

Tab I Ambassador Hansen's letter to Admiral Howe



UNITED STATES DELEGATION

Negotiation on
Conventional Armed Forces
in Europe

OBERSTEINERGASSE 11 1
1190 VIENNA, AUSTRIA

June 29, 1992

Admiral Jonathan Howe
Assistant to the President and
Deputy National Security Advisor
The White House
Washington D.C.

Dear Jon:

An era in the arms control process is about to end. I am not referring only to the CFE and CFE IA process but to the fact that Major General Adrian St. John will be leaving government service having served his country in each of the last seven decades (counting his time at West Point). In reflecting on this remarkable soldier diplomat, Jim Woolsey and I agreed to solicit your support in seeking appropriate White House recognition for Adrian's unique record of service and accomplishment.

I am confident that each of the seven MBFR/CFE ambassadors and at least four JCS Chairmen with whom Adrian served would join Jim and I in bearing testimony to the General's contributions to the achievement of U.S. objectives in the field of conventional arms control. Each would also attest to Adrian's loyalty and dedication to his country, military service and the Joint Chiefs of Staff. Duty, Honor, Country are concepts which resound throughout his career.

In particular, it is Adrian's singular devotion to duty that have made a unique asset to the country. Here is a man who, by any measure, had earned the right to a life of leisure in retirement after he left the Army. Instead, he signed up for another ten years in the trenches of arms control, defending U.S. and Allied interests with tenacity and great creativity -- at times, even grumbling that his ambassadors were insubordinate.

The authority that Adrian commands from all sides of the negotiating table by virtue of his intellect, experience, and uncommon dedication has won many a point for our side. I recall the admiration he garnered from General Officers of the former Soviet Union when we pointed out that Adrian began the destruction of TLE in 1944 at Normandy. Moreover, I know from my personal experience in Vienna that his substantive vision contributed immeasurably to our success in achieving the

meaningful arms control agreements that will be the foundation of European security for decades to come. Jim Woolsey, I am sure, will join me in this judgment.

Indeed, Adrian participated in the Normandy landings and led his troops all the way to Berlin. Although he did not receive a Purple Heart (it did not seem important at the time) he was wounded twice. I have enclosed a record of Adrian's service which covers World War II, the Korean War and Vietnam -- the three conflicts that helped shape the U.S. role in today's world. It is worth noting that he was severely wounded on one of the off-shore islands of China during a special mission and did not receive the Purple Heart for those wounds either.

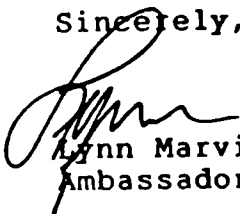
To my mind, then, Adrian St. John belongs to that elite fraternity of soldier/scholar/diplomats that gave us George Marshall and Vernon Walters -- to mention only two. (In mentioning his credentials as a scholar, I note that if we ever made the mistake of challenging his political analysis of an issue, he would remind us that his Master's Thesis in International Relations, 1951, was entitled "French Indochina: American Dilemma.")

As this wonderful and dedicated servant retires for the second time, I believe special recognition of his lifetime's service and devotion is warranted. I am confident that Colin Powell would lend his support to such recognition. For my part, I think a Presidential Medal of Freedom could be appropriate, given Adrian's record, but I leave the decision as to precisely what recognition is afforded to others.

I hope that you will feel able to start the ball rolling on this matter. Please contact me or Jim Woolsey, if either can be of further assistance. This is one case where the citation truly writes itself.

With thanks and best wishes,

Sincerely,



Lynn Marvin Hansen
Ambassador

Attachment: As stated

MAJOR GENERAL ADRIAN ST JOHN

RECORD OF SERVICE

Adrian St. John II entered the United States Military Academy on 1 July 1939 and graduated a second lieutenant of Cavalry in January 1943. During World War II he served in the 15th Cavalry Regiment (Mechanized) as a company-level commander in England and then in the Normandy, Northern France, Rhineland, and Central Germany campaigns. St John was first wounded during the Normandy breakout, when he came under sniper fire while attempting to exit his tank, which had been set ablaze by incoming enemy rounds. Later, while attempting to bypass a road block, St John's armored vehicle struck a road mine. Nearer the end of the war, while operating with his company of about 70 men, St John captured approximately 150 POWs. As he approached Allied forces, his formation was mistaken for an approaching enemy unit and he was again wounded, this time by friendly fire. St John received inter alia the Silver Star, Bronze Star for Valor, and French Croix de Guerre.

Transferred to the Group Control Council (later OMGUS) after VE Day, St John entered Berlin in July 1945 with the advance party of General Clay's headquarters. Here he worked on establishing the U.S. Headquarters in Berlin and in Intelligence.

Following a tour as S3, Combat Command A, 2d Armored Division, Fort Hood, Texas, he graduated from the advanced Armor Course in 1949 as an honor graduate. He next studied at the University of Virginia from which, in January 1951, he received a Master's Degree in International Relations. His thesis was "French Indochina: American Dilemma."

He was assigned next to the Army General Staff in Washington and spent the following 30 months concerned with Korea War operational matters and, later, politico-military affairs affecting China and Southeast Asia. During this period -- while nominally assigned to a policy staff job in Washington -- St John was severely wounded during an operation on a Chinese coastal island. Because of the nature of his assignment, he never received a Purple Heart for these wounds.

After attending the Command and General Staff College in 1953-54, he was assigned to the 7th Infantry Division in Korea where he served as S3, 31st Infantry Regiment; Commander, 3d Battalion, 31st Infantry Regiment; and Commander, 73d tank Battalion. In 1955 he returned to the staff and faculty of the Command and General Staff College. In 1959 St John served in Iran on a special mission.

Completing the U.S. Army War College in 1960, LTC St John joined Headquarters, United States Army Pacific, at Fort Schafter, Hawaii, where he spent four years in various planning

assignments involving the Far East in general and Southeast Asia in particular. A large percentage of this tour was served physically in Vietnam. St John was reassigned in July 1964 to the Office of the Joint Chiefs of Staff in Washington, D.C., and spent two years working in the Long Range Strategic Plans Branch of the Plans and Policy Directorate (j-5). In August 1966, Colonel St John departed for Headquarters, United States Military Plans and Operations Division (J-3). During this period St John was awarded a Legion of Merit for his OJCS service and for his MACV duty, an Oak Leaf Cluster thereto as well as the Vietnamese Honor Service Medal (1st Class) and the Vietnamese Gallantry Cross.

In October 1967 Colonel St John assumed command of the 14th Armored Cavalry Regiment, V Corps, Seventh Army, where he was responsible for security and surveillance operations between West and East Germany. While there he was awarded for CINCUSAREUR Individual Project Partnership Award for his contributions to the improvement of relations with Allied individuals and units. After 19-plus months in command, Colonel St. John became the Executive Officer to General James H. Polk, Commander in Chief, United States Army, Europe and Seventh Army. Completing that assignment in November 1969, St John was promoted to brigadier general and served as Assistant Division Commander (Maneuver) of the 4th Armored Division until October 1970.

In the fall of 1970, he became chief, strategic plans and Policy Division, j-5, in the Organization of the Joint Chiefs of Staff. Shortly after promotion to Major General in 1971, he was assigned as Director of Plans, ODCSOPS, DA. He received the Distinguished Service Medal for his service on the Joint Staff and as the Army Planner.

Between August 1972 and March 1974, General St John commanded the 1st Armored Division in Europe, for which service he was awarded the third Oak Leaf Cluster to the Legion of Merit. From his return to the United States until his retirement on 1 September 1976 he served as Vice Director, Joint Staff, Organization of the Joint Chiefs of Staff. For this the distinguished Service Medal and the Joint Service Commendation Medal.

In July 1982 Major General St John was called out of retirement to serve as the Joint Chiefs of Staff Representative and Senior Military Advisor in the U.S. Delegation to the Mutual and Balanced force Reduction Talks. His duties were expanded in January 1987 to Serve additionally in the same Mutual and Balanced force Reduction Talks. His duties were expanded in January 1987 to Serve additionally in the same military capacity on the U.S. Delegation readying a new mandate for Conventional Stability Arms Control in the area from the Atlantic to the Urals. Finally, in March 1989, St John was appointed to the same military position on the U.S. Delegation

for the Negotiation on Conventional Armed Forces in Europe (CFE) where he played a central role in the successful completion of the CFE Treaty and the CFE 1A agreement.

Education

U.S. Military Academy, West Point, N.Y.	BS, Jan 1943
Cavalry School, Basic Course	Graduate 1943
Chemical Warfare School	Graduate 1944
Armor School, Advance Course	Graduate 1949
University of Virginia, Graduate School	MA (International
Relations) 1951	
Command & General Staff College	Graduate 1954
Senior Officers Nuclear Weapons Employment,	CGSC Graduate 1959
Army War College	Graduate 1960
The University of Hawaii	Special Course
The American University	MA (Public Admin)
1981 PhD Candidate	1982

DECORATIONS AND BADGES:

Distinguished Service Medal (with Oak Leaf Cluster)
Silver Star
Legion of Merit (with 3 Oak Leaf Clusters)
Bronze Staff (with V device)
Joint Service Commendation Medal
Army Commendation Medal (with Oak Leaf Cluster)
American Defense Service Medal
American Campaign Medal (with 4 Campaign Stars)
World War II Victory Medal
Army Occupation Medal (Germany)
National Defense Service Medal (with Oak Leaf Cluster)
Vietnam Service Medal (with 2 Campaign Stars)
French Croix de Guerre (with Silver Star)
Vietnamese Gallantry Cross with Palm
Vietnamese Honor Service Medal (1st Class)
Vietnamese Campaign Medal
Army General Staff Identification Badge
Joint Chiefs of Staff Identification Badge

Publications:

French Indochina: American Dilemma, 1950, U of Virginia Pamphlet

"Communist China: Political Plum - Economic Lemon," 1960, USACGSC Military Review

"Soviet Russia and Communist China: Mutual Nemeses, " 1961 US Naval Institute Proceedings

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

0033

February 18, 1993

ACTION

MEMORANDUM FOR LEON FUERTH

THROUGH: ROBERT BELL *RB*

FROM: ANNE WITKOWSKY *AW*

SUBJECT: Presidential Citizen's Medal for Adrian St. John

As indicated in the attached memo (Tab I), we have recommended that there be an awards ceremony to present the Presidential Citizens Medal to Major General Adrian St. John, USA (Ret.). Tony Lake has suggested that we ask the Vice President to preside over such a ceremony. At one time the ceremony had been on President Bush's calendar, but due to the press of business, was cancelled.

RECOMMENDATION

That you forward this request to the Vice President. If he agrees to preside, we will draft an appropriate citation and meeting package in advance of the ceremony.

Approve _____

Disapprove _____

Attachments

Tab I Memorandum to Anthony Lake

Tab A Ambassador Hansen's Letter to Admiral Howe

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

0033

February 9, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: ROBERT BELL *RAB*
SUBJECT: Presidential Citizens Medal for Adrian St. John

On November 6, 1992, President Bush approved awarding the Presidential Citizens Medal to Major General Adrian St. John, USA (Ret.). A brief presentation ceremony with President Bush, General Powell, Jim Woolsey, and a small number of other guests was scheduled for December 1. Jim, who was General St. John's boss on the CFE delegation, strongly endorsed the award of this medal. Due to the press of business, however, the ceremony was canceled and not rescheduled before January 20. We now need to arrange an appropriate award ceremony.

Since so much time (seven months) has elapsed since General St. John's retirement, I do not believe it makes sense now to put this on the President's schedule. Instead, I would recommend that you present the medal on behalf of the President.

Background

Adrian St. John left government service last July after ten years' service as the Chairman's representative to the MBFR and CFE negotiations. Ambassador Hansen's June 29, 1992 letter to Admiral Howe (Tab I) describes the contributions this remarkable and dedicated man has made to our wartime and peacetime efforts in Europe for more than half a century. It is a record which certainly meets the criteria for the Presidential Citizens Medal established in Executive Order 11494.

RECOMMENDATION

That you preside over a brief ceremony sometime during February. If approved, we will draft an appropriate citation and prepare a meeting package in advance of the ceremony.

Approve _____

Disapprove _____

*✓ - let's ask
VP Gove to
do it. ~~But~~
if he can't,
ask me again.*

Attachment

Tab I Ambassador Hansen's letter to Admiral Howe



UNITED STATES DELEGATION

Negotiation on
Conventional Armed Forces
in Europe
OBERSTEINERGASSE 11 1
1190 VIENNA, AUSTRIA

June 29, 1992

Admiral Jonathan Howe
Assistant to the President and
Deputy National Security Advisor
The White House
Washington D.C.

Dear Jon:

An era in the arms control process is about to end. I am not referring only to the CFE and CFE IA process but to the fact that Major General Adrian St. John will be leaving government service having served his country in each of the last seven decades (counting his time at West Point). In reflecting on this remarkable soldier diplomat, Jim Woolsey and I agreed to solicit your support in seeking appropriate White House recognition for Adrian's unique record of service and accomplishment.

I am confident that each of the seven MBFR/CFE ambassadors and at least four JCS Chairmen with whom Adrian served would join Jim and I in bearing testimony to the General's contributions to the achievement of U.S. objectives in the field of conventional arms control. Each would also attest to Adrian's loyalty and dedication to his country, military service and the Joint Chiefs of Staff. Duty, Honor, Country are concepts which resound throughout his career.

In particular, it is Adrian's singular devotion to duty that have made a unique asset to the country. Here is a man who, by any measure, had earned the right to a life of leisure in retirement after he left the Army. Instead, he signed up for another ten years in the trenches of arms control, defending U.S. and Allied interests with tenacity and great creativity -- at times, even grumbling that his ambassadors were insubordinate.

The authority that Adrian commands from all sides of the negotiating table by virtue of his intellect, experience, and uncommon dedication has won many a point for our side. I recall the admiration he garnered from General Officers of the former Soviet Union when we pointed out that Adrian began the destruction of TLE in 1944 at Normandy. Moreover, I know from my personal experience in Vienna that his substantive vision contributed immeasurably to our success in achieving the

meaningful arms control agreements that will be the foundation of European security for decades to come. Jim Woolsey, I am sure, will join me in this judgment.

Indeed, Adrian participated in the Normandy landings and led his troops all the way to Berlin. Although he did not receive a Purple Heart (it did not seem important at the time) he was wounded twice. I have enclosed a record of Adrian's service which covers World War II, the Korean War and Vietnam -- the three conflicts that helped shape the U.S. role in today's world. It is worth noting that he was severely wounded on one of the off-shore islands of China during a special mission and did not receive the Purple Heart for those wounds either.

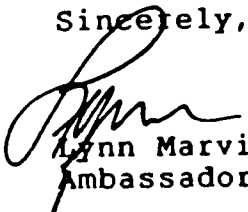
To my mind, then, Adrian St. John belongs to that elite fraternity of soldier/scholar/diplomats that gave us George Marshall and Vernon Walters -- to mention only two. (In mentioning his credentials as a scholar, I note that if we ever made the mistake of challenging his political analysis of an issue, he would remind us that his Master's Thesis in International Relations, 1951, was entitled "French Indochina: American Dilemma.")

As this wonderful and dedicated servant retires for the second time, I believe special recognition of his lifetime's service and devotion is warranted. I am confident that Colin Powell would lend his support to such recognition. For my part, I think a Presidential Medal of Freedom could be appropriate, given Adrian's record, but I leave the decision as to precisely what recognition is afforded to others.

I hope that you will feel able to start the ball rolling on this matter. Please contact me or Jim Woolsey, if either can be of further assistance. This is one case where the citation truly writes itself.

With thanks and best wishes,

Sincerely,



Lynn Marvin Hansen
Ambassador

Attachment: As stated

MAJOR GENERAL ADRIAN ST JOHN

RECORD OF SERVICE

Adrian St. John II entered the United States Military Academy on 1 July 1939 and graduated a second lieutenant of Cavalry in January 1943. During World War II he served in the 15th Cavalry Regiment (Mechanized) as a company-level commander in England and then in the Normandy, Northern France, Rhineland, and Central Germany campaigns. St John was first wounded during the Normandy breakout, when he came under sniper fire while attempting to exit his tank, which had been set ablaze by incoming enemy rounds. Later, while attempting to bypass a road block, St John's armored vehicle struck a road mine. Nearer the end of the war, while operating with his company of about 70 men, St John captured approximately 150 POWs. As he approached Allied forces, his formation was mistaken for an approaching enemy unit and he was again wounded, this time by friendly fire. St John received inter alia the Silver Star, Bronze Star for Valor, and French Croix de Guerre.

Transferred to the Group Control Council (later OMGUS) after VE Day, St John entered Berlin in July 1945 with the advance party of General Clay's headquarters. Here he worked on establishing the U.S. Headquarters in Berlin and in Intelligence.

Following a tour as S3, Combat Command A, 2d Armored Division, Fort Hood, Texas, he graduated from the advanced Armor Course in 1949 as an honor graduate. He next studied at the University of Virginia from which, in January 1951, he received a Master's Degree in International Relations. His thesis was "French Indochina: American Dilemma."

He was assigned next to the Army General Staff in Washington and spent the following 30 months concerned with Korea War operational matters and, later, politico-military affairs affecting China and Southeast Asia. During this period -- while nominally assigned to a policy staff job in Washington -- St John was severely wounded during an operation on a Chinese coastal island. Because of the nature of his assignment, he never received a Purple Heart for these wounds.

After attending the Command and General Staff College in 1953-54, he was assigned to the 7th Infantry Division in Korea where he served as S3, 31st Infantry Regiment; Commander, 3d Battalion, 31st Infantry Regiment; and Commander, 73d tank Battalion. In 1955 he returned to the staff and faculty of the Command and General Staff College. In 1959 St John served in Iran on a special mission.

Completing the U.S. Army War College in 1960, LTC St John joined Headquarters, United States Army Pacific, at Fort Schafter, Hawaii, where he spent four years in various planning

assignments involving the Far East in general and Southeast Asia in particular. A large percentage of this tour was served physically in Vietnam. St John was reassigned in July 1964 to the Office of the Joint Chiefs of Staff in Washington, D.C., and spent two years working in the Long Range Strategic Plans Branch of the Plans and Policy Directorate (j-5). In August 1966, Colonel St John departed for Headquarters, United States Military Plans and Operations Division (J-3). During this period St John was awarded a Legion of Merit for his OJCS service and for his MACV duty, an Oak Leaf Cluster thereto as well as the Vietnamese Honor Service Medal (1st Class) and the Vietnamese Gallantry Cross.

In October 1967 Colonel St John assumed command of the 14th Armored Cavalry Regiment, V Corps, Seventh Army, where he was responsible for security and surveillance operations between West and East Germany. While there he was awarded for CINCUSAREUR Individual Project Partnership Award for his contributions to the improvement of relations with Allied individuals and units. After 19-plus months in command, Colonel St. John became the Executive Officer to General James H. Polk, Commander in Chief, United States Army, Europe and Seventh Army. Completing that assignment in November 1969, St John was promoted to brigadier general and served as Assistant Division Commander (Maneuver) of the 4th Armored Division until October 1970.

In the fall of 1970, he became chief, strategic plans and Policy Division, j-5, in the Organization of the Joint Chiefs of Staff. Shortly after promotion to Major General in 1971, he was assigned as Director of Plans, ODCSOPS, DA. He received the Distinguished Service Medal for his service on the Joint Staff and as the Army Planner.

Between August 1972 and March 1974, General St John commanded the 1st Armored Division in Europe, for which service he was awarded the third Oak Leaf Cluster to the Legion of Merit. From his return to the United States until his retirement on 1 September 1976 he served as Vice Director, Joint Staff, Organization of the Joint Chiefs of Staff. For this the distinguished Service Medal and the Joint Service Commendation Medal.

In July 1982 Major General St John was called out of retirement to serve as the Joint Chiefs of Staff Representative and Senior Military Advisor in the U.S. Delegation to the Mutual and Balanced force Reduction Talks. His duties were expanded in January 1987 to Serve additionally in the same Mutual and Balanced force Reduction Talks. His duties were expanded in January 1987 to Serve additionally in the same military capacity on the U.S. Delegation readying a new mandate for Conventional Stability Arms Control in the area from the Atlantic to the Urals. Finally, in March 1989, St John was appointed to the same military position on the U.S. Delegation

for the Negotiation on Conventional Armed Forces in Europe (CFE) where he played a central role in the successful completion of the CFE Treaty and the CFE 1A agreement.

Education

U.S. Military Academy, West Point, N.Y.	BS, Jan 1943
Cavalry School, Basic Course	Graduate 1943
Chemical Warfare School	Graduate 1944
Armor School, Advance Course	Graduate 1949
University of Virginia, Graduate School	MA (International
Relations) 1951	
Command & General Staff College	Graduate 1954
Senior Officers Nuclear Weapons Employment,	CGSC Graduate 1959
Army War College	Graduate 1960
The University of Hawaii	Special Course
The American University	MA (Public Admin)
1981 PhD Candidate	1982

DECORATIONS AND BADGES:

Distinguished Service Medal (with Oak Leaf Cluster)
Silver Star
Legion of Merit (with 3 Oak Leaf Clusters)
Bronze Staff (with V device)
Joint Service Commendation Medal
Army Commendation Medal (with Oak Leaf Cluster)
American Defense Service Medal
American Campaign Medal (with 4 Campaign Stars)
World War II Victory Medal
Army Occupation Medal (Germany)
National Defense Service Medal (with Oak Leaf Cluster)
Vietnam Service Medal (with 2 Campaign Stars)
French Croix de Guerre (with Silver Star)
Vietnamese Gallantry Cross with Palm
Vietnamese Honor Service Medal (1st Class)
Vietnamese Campaign Medal
Army General Staff Identification Badge
Joint Chiefs of Staff Identification Badge

Publications:

French Indochina: American Dilemma, 1950, U of Virginia Pamphlet

"Communist China: Political Plum - Economic Lemon," 1960, USACGSC Military Review

"Soviet Russia and Communist China: Mutual Nemeses, " 1961 US Naval Institute Proceedings

February 15, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM:

ROBERT BELL *RB*

SUBJECT:

The Arms Control Impact Statement (ACIS) Reporting Requirement

BACKGROUND

Section 36 of the Arms Control and Disarmament Act requires the preparation annually of Arms Control Impact Statements on major weapons systems (Tab I). As originally conceived by the statute, ACIS reports were designed to provide Congress with details on weapons systems appearing in the concurrent Department of Defense and Department of Energy budget requests. However, there is wide consensus in government that the ACIS have outlived their usefulness. Moreover, saving money in this area would be consistent with the President's broader theme of belt tightening.

Support for repealing the statute is contained in two recent reports. The first, issued last fall by the State Department Inspector General Sherman Funk, is known as "the Goodby Report" (Tab II). The other, also issued last fall, was written by Michael Krepon of the Stimson Center of Washington D.C. Krepon argues that ACIS "have embroiled interagency relations, while not helping the agency's image in Congress" (Tab III).

Last year, roughly 6,500 interagency manhours were consumed to complete the 26 weapons and systems programs assessed in the FY93 ACIS. The FY94 version would require a projected total of 11,500 interagency manhours to complete the assessments of the 46 weapons and systems programs ACDA proposes to review this year. Gordon Adams at the OMB estimates the 46 assessments will cost taxpayers approximately \$333,000 to complete.

I concur that the ACIS requirement should be rescinded and would like your approval to approach key Congressional staff to informally sound them out about this. If reaction from the Hill is strongly negative, we will drop the idea, rather than risk any spillover into higher priority issues, such as securing treaty ratification.

Concurrence: Don Gross

RECOMMENDATION

That the Office of Arms Control and Defense Policy consult informally with Congress to explore the possibility of repealing the ACIS requirement.

Approve _____

Disapprove _____

Attachments

Tab I	Section 36 of the Arms Control and Disarmament Act w/Attachment
Tab II	ACDA "Goodby" Report
Tab III	Stimson Center Report

Space Administration, and other affected Government agencies, in all significant aspects of United States arms control and disarmament policy and related matters, including current and prospective policies, plans, and programs, (2) resolve differences of opinion between the Director and such other agencies which cannot be resolved through consultation, and (3) provide for presentation to the President of recommendations of the Director with respect to such differences, when such differences involve major matters of policy and cannot be resolved through consultation.

ARMS CONTROL IMPACT INFORMATION AND ANALYSIS

SEC. 36.³⁷ (a) In order to assist the Director in the performance of his duties with respect to arms control and disarmament policy and negotiations, any Government agency preparing any legislative or budgetary proposal for—

(1) any program of research, development, testing, engineering, construction, deployment, or modernization with respect to nuclear armaments, nuclear implements of war, military facilities or military vehicles designed or intended primarily for the delivery of nuclear weapons,

(2) any program of research, development, testing, engineering, construction, deployment, or modernization with respect to armaments, ammunition, implements of war, or military facilities, having—

(A) an estimated total program cost in excess of \$250,000,000, or

(B) an estimated annual program cost in excess of \$50,000,000, or

(3) any other program involving technology with potential military application or weapons systems³⁸ which such Government agency or the Director believes may have a significant impact on arms control and disarmament policy or negotiations,

shall, on a continuing basis, provide the Director with full and timely access to detailed information, in accordance with the procedures established pursuant to section 35 of this Act, with respect to the nature, scope, and purpose of such proposal.

(b)(1) The Director, as he deems appropriate, shall assess and analyze each program described in subsection (a) with respect to its impact on arms control and disarmament policy and negotiations, and shall advise and make recommendations, on the basis of such assessment and analysis, to the National Security Council, the Office of Management and Budget, and the Government agency proposing such program.

(2)³⁹ No request to the Congress for authorization or appropriations for—

³⁷ 22 U.S.C. 2576. This section was added by sec. 146 of Public Law 94-141.

³⁸ Sec. 1(l) of Public Law 95-338 struck out the words "weapons systems or technology" and inserted "technology with potential military application or weapons systems". Senate Report No. 95-843, May 15, 1978, states at page 3 that this change was made "so that there would be no question that technology with potential military application, rather than, simply, weapons technology, could be reviewed and reported upon under the legislation."

³⁹ Sec. 1(2) of Public Law 95-338 amended and restated subsec. (b)(2) which previously read as follows:

New Purposes and Priorities for Arms Control



A Report to
Sherman M. Funk
Inspector General of ACDA

Arms Control and Disarmament Act

Sec 36 - Arms Control Impact Information and Analysis. These statements should be dispensed with, and replaced with a report on emerging technologies that have national security implications.

Sec 37 - Verification of Arms Control Agreements. These reports on the verifiability of proposed agreements serve a useful purpose and should be continued.

Sec 38 - Reports on Standing Consultative Commission (SCC) Activities. The substance of any U.S. Commissioners' activities should be folded into a comprehensive report on the status of implementation efforts.

Sec 39 - Comprehensive Compilation of Arms Control and Disarmament Studies. This report, which now only covers past activities, should be expanded to cover research in progress and contemplated future priorities, including arms control research needed to deal with technology having potential new weapons applications. The aim would be to guide and coordinate government-sponsored research on arms control strategies and technologies.

Sec 50 - Report to Congress. This is ACDA's annual report and should be continued.

Sec 52 - Reports on Adherence To and Compliance With Agreements. These reports should become part of the comprehensive implementation report.

Defense Authorization Act

- **Annual Report on Soviet Compliance with Arms Control Commitments (known as the Soviet Noncompliance Report).** This should cover the successor states to the Soviet Union and become part of the implementation report.

- **Report on Proliferation of Weapons of Mass Destruction and Their Delivery Means.** This comprehensive report covering global proliferation activities and U.S. efforts to counter and control them should be continued.

Currently, some of these reports to Congress are sent by the President and some by the ACDA Director. Consideration should be given to having all the annual reporting mandated by legislation—which ACDA coordinates on an interagency basis—sent to the Congress by the President.

Export Control Process

The panel judges a vigorous nonproliferation program to be of critical importance to U.S. interests. Efficient and effective procedures are

called for to support all aspects of the U.S. nonproliferation effort if that effort is to be successful. This report points out that a number of improvements to the export control process would assist us to achieve that goal. These include: strengthened NSC policy coordination procedures for establishing guidelines for transfers; a common data network; full exchange of essential data among agencies, with necessary safeguards; timely procedures for review, appeals, and resolution of differences; and effective enforcement measures.

Although ACDA participates in decisions on U.S. export licensing, the Agency does not have a basis in legislation to support across-the-board involvement in the export control process. As one of the steps to improve the efficiency of that process, all involved agencies should have a comprehensive legislative basis for their participation in licensing decisions. There is a need to fill in the interstices where there is not currently legislation specifying ACDA involvement. All dual-use items should be covered.



**The U.S. Arms Control and Disarmament
Agency: Restructuring for the
Post-Cold War Era**

**Michael Krepon
Amy E. Smithson
James A. Schear**

THE HENRY L. STIMSON CENTER

21 Dupont Circle, N.W. ■ Fifth Floor ■ Washington, DC 20036 ■ tel 202.223.5956 ■ fax 202.785.9034

non-proliferation, the agency has not taken much of a public profile.

Nor has ACDA invested much in being the "agency of record" for arms control. Its three major publications--the Documents on Disarmament series, Arms Control and Disarmament Agreements, and World Military Expenditures and Arms Transfers--are of substantial research and documentary value, though they are sometimes not produced in a timely fashion. ACDA produces briefing pamphlets and issue briefs, but these do not appear to be widely circulated or cited. According to the 1989 IG report, the agency's publications were "not necessarily being sent to the right audiences or providing the data that the targeted audiences most require."⁵⁷ In general, the report indicated, the public affairs function had suffered from "poor management and a misalignment of staff."⁵⁸ ACDA's relations with Congress have also been problematic. Some in Congress have complained that ACDA should be more forthright in articulating publicly the "arms control perspective" on major security policy issues in the same way that DOD presents the case for military planning and budgets. As argued previously, this is not a fair criticism: the idea that ACDA could somehow be unleashed from the constraining influence of other executive branch agencies--to, in effect, "let ACDA be ACDA"--is both impractical and self-defeating. Compounding this problem, Congress has levied reporting and analytical requirements on ACDA, such as the Arms Control Impact Statement (ACIS), which have embroiled interagency relations while not helping the agency's image in Congress. Not surprisingly, when Congress has sought reports on how ACDA views its own agenda, the agency has generally disappointed its sponsors on Capitol Hill.

Summing Up

In general, the foregoing discussion reveals a troubling picture of ACDA. Although in some areas of performance the agency exhibited underlying strength, in most areas one finds evidence of progressive decline. Specifically:

- ACDA's ability to operate effectively at senior political levels in the executive branch has declined substantially since the early 1970s. ACDA no longer serves as a

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

0648

February 17, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RB*

FROM: KEITH HAHN *KH*

SUBJECT: OMB Request for Views RE: HR 57, United States
Merchant Marine Utilization and Preference Act

At Tab II OMB requests our comments on proposed legislation to amend Title 10, U.S. Code, to clarify the preference for U.S.-flag merchant vessels in carrying DoD cargo. This is identical to the legislation proposed last year by Congresswoman Bentley, HR 5168. A copy of the Navy's comments submitted with regard to HR 5168 is attached at Tab III and remain applicable to HR 57.

In addition, the recently signed DoD Directive which establishes the United States Transportation Command (CINCTrans) assigns this Command responsibility for common user ocean transportation services. As such, section 4, paragraph (c) (2) (A) of HR 57 (and HR 5168) would run counter to new DoD organizational relationships and responsibilities.

DoD's opposition to last year's bill was led by the ASD for Production and Logistics. Secretary Aspin may not be able to provide a Defense witness for the February 24 hearing by the House Merchant Marine subcommittee since, as yet, he does not have the appropriate personnel in place to address this issue.

Concurrence by: *Don* Don Gross

RECOMMENDATION

That you sign the memorandum at Tab I deferring to Defense on this issue.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence
Tab III Office of the Chief of Naval Operations Memorandum,
June 23, 1992

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

0648

MEMORANDUM FOR JAMES J. JUKES

SUBJECT: OMB Request for Views RE: HR 57, United States
Merchant Marine Utilization and Preference Act

The National Security Council staff defers to the Department of Defense on HR 57, the United States Merchant Marine Utilization and Preference Act.

William H. Itoh
Executive Secretary

2 pages
0648

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503**

February 16, 1993

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-46

TO: Legislative Liaison Officer -

AGRIC-CR - Robin Rorapaugh (all testimony) - (202)720-7095 - 230
COMMERCE - Michael A. Levitt - (202)482-3086 - 324
DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325
JUSTICE - Faith Burton - (202)514-2141 - 217
STATE - Matt Winslow - (202)647-4463 - 225
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
TREASURY - Richard S. Carro - (202)622-1146 - 228
AID - Robert M. Lester - (202)647-8371 - 202
NSC - William H. Itoh - (202)456-6534 - 249
CEA - Francine Obermiller - (202)395-5036 - 242
LABOR - Robert A. Shapiro - (202)219-8201 - 330
FMC - Russell A. Rockwell - (202)523-5911 - 307

FROM: JAMES J. JUKES (for) *Jil*
Assistant Director for Legislative Reference

OMB CONTACT: Jim BROWN (395-3473)
Secretary's line (for simple responses): 395-3454

**SUBJECT: OMB Request for Views RE: HR 57, United
States Merchant Marine Utilization and
Preference Act**

DEADLINE: 5:00 P.M. February 19, 1993

**COMMENTS: This bill will be the subject of a hearing by the House
Merchant Marine subcommittee on February 24. The
Departments of State, Defense, and Transportation have
been invited to testify at this hearing, and are
requested to submit their testimony for clearance ASAP.**

OMB requests the views of your agency on the above subject before
advising on its relationship to the program of the President, in
accordance with OMB Circular A-19.

Please advise us if this item will affect direct spending or
receipts for purposes of the the "Pay-As-You-Go" provisions of
Title XIII of the Omnibus Budget Reconciliation Act of 1990.

CC:

Cyndi Vallina
Meg DiBari
John McClelland
Tom Dorsey
Bob Damus

Roger Adkins
Rodney Bent
Bruce Sasser
Ed Clarke

103D CONGRESS
1ST SESSION

H. R. 57

To amend title 10, United States Code, to clarify the preference for United States-flag merchant vessels in the carriage of Department of Defense cargoes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mrs. BENTLEY introduced the following bill; which was referred jointly to the Committees on Merchant Marine and Fisheries and Armed Services

A BILL

To amend title 10, United States Code, to clarify the preference for United States-flag merchant vessels in the carriage of Department of Defense cargoes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "United States Mer-
5 chant Marine Utilization and Preference Act of 1993".

6 **SEC. 2. FINDINGS AND POLICY.**

7 (a) **FINDINGS.**—The Congress finds that, for national
8 defense, it is in the interest of the United States that a

2

1 clear understanding exists among the Department of
2 Transportation and the Department of Defense, in par-
3 ticular, and all other Federal departments and agencies,
4 that all Federal departments and agencies have com-
5 plementary interests in the control and utilization of
6 ocean-going merchant vessels that are registered or docu-
7 mented under the laws of the United States.

8 (b) POLICY.—It is the policy of the United States
9 that—

10 (1) the Federal Maritime Administration and
11 its wartime counterpart have broad powers of con-
12 trol over ocean-going United States-flag merchant
13 vessels; and

14 (2) the Secretary of Defense, operating under
15 the national policy promulgated in section 101 of the
16 Merchant Marine Act, 1936 (46 App. U.S.C. 1101),
17 ensure that military drafts of United States-flag
18 merchant vessels (including breakbulk, roll-on-roll-
19 off, lift-on lift-off (cellularized and containerized),
20 multipurpose carriers, tankers, and various auxil-
21 iaries), are operated in conformity with the require-
22 ments and plans of the Department of Defense and
23 military exigencies.

24 **SEC. 3. PURPOSE.**

25 The purpose of this Act is to—

3

1 (1) clarify the Department of Defense cargoes
2 transported by water that are required to be trans-
3 ported on privately owned United States-flag vessels;

4 (2) clarify the Department of Defense cargoes
5 transported by water that may be transported on
6 vessels that are owned, controlled, or chartered by
7 the Government of the United States; and

8 (3) reduce to a minimum the number of cargo
9 transport vessels maintained and operated by the
10 Military Sealift Command in order to give preference
11 to privately owned United States-flag vessels for
12 transportation by water of Department of Defense
13 cargoes.

14 **SEC. 4. TRANSPORTATION BY WATER OF DEPARTMENT OF**
15 **DEFENSE CARGOES.**

16 Section 2631 of title 10, United States Code, is
17 amended to read as follows:

18 **"§ 2631. Transportation by water of Department of**
19 **Defense cargoes**

20 "(a) Except as otherwise provided in this section,
21 under conditions other than full or partial mobilization de-
22 clared by the President, transportation by water for De-
23 partment of Defense cargoes shall be obtained, consistent
24 with military requirements and prudent management, in
25 the following order of priority:

4

1 “(1) To the maximum extent practicable, use of
2 privately owned United States-flag vessels that are—

3 “(A) operating in United States liner or
4 tramp trades, and

5 “(B) not chartered to the Government.

6 “(2)(A) Time charter or voyage charter of suit-
7 able privately owned United States-flag vessels—

8 “(i) operating in liner service providing
9 partial or total space available, or

10 “(ii) operating in tramp service,
11 to the extent those vessels are voluntarily made
12 available to the Department of Defense.

13 “(B) Time charters and voyage charters pursu-
14 ant to this paragraph shall be kept to the minimum
15 necessary to meet requirements which, barring rea-
16 sonable foresight, cannot be met by United States-
17 flag liner or tramp operators.

18 “(3)(A) In the event suitable United States-flag
19 vessels are not available in accordance with para-
20 graphs (1) and (2), and upon the written approval
21 of the Secretary of Transportation, use of—

22 “(i) vessels in the nucleus fleet established
23 under section 2631a; and

24 “(ii) to the extent vessels in the nucleus
25 fleet are not available, as determined by the

5

1 Secretary of Defense, foreign-flag vessels to the
2 extent necessary to meet urgent military re-
3 quirements.

4 "(B) Any use of a foreign-flag vessel pursuant
5 to this paragraph shall be limited to a single voyage.

6 "(b)(1) Except as provided in paragraph (2), any ap-
7 propriate tariff that a person has filed with the Federal
8 Maritime Commission under either the Shipping Act of
9 1916 or the Shipping Act of 1984 shall apply to transpor-
10 tation of Department of Defense cargo on any United
11 States-flag vessel that is operated by that person.

12 "(2)(A) This section does not prohibit an agency that
13 is responsible for procuring transportation of Department
14 of Defense cargo from procuring that transportation from
15 a person at a negotiated rate that is more favorable to
16 the United States Government than a tariff filed by that
17 person that is otherwise applicable under paragraph (1).

18 "(B) Any rate that is negotiated under this subpara-
19 graph shall be filed with the Federal Maritime Commis-
20 sion in the manner prescribed by the Commission.

21 "(c)(1) The Office of the Chief of Naval Operations
22 shall be solely responsible in the Department of Defense
23 for obtaining, providing, operating, and controlling Gov-
24 ernment-owned or Government-chartered vessels—

1 “(A) to transport Department of Defense car-
2 goes in areas that are not served by privately owned
3 United States-flag merchant vessels; and

4 “(B) for purposes of any partial or full mobili-
5 zation conducted for any reason declared by the
6 President.

7 “(2)(A) The Military Sealift Command is the sole
8 manager for ocean transportation of Department of De-
9 fense cargoes.

10 “(B) The purpose of any ocean transportation pro-
11 vided by the Department of Defense is to support and aug-
12 ment persons who provide transportation by water in com-
13 mercial service to the extent those persons cannot provide
14 the vessels or services required by the Department of De-
15 fense.

16 “(C) Except as provided in this section and section
17 2631a, the Department of Defense shall not engage in
18 competition with private persons in the provision of trans-
19 portation by water in commercial service.”.

20 **SEC. 5. NUCLEUS FLEET.**

21 Chapter 157 of title 10, United States Code, is
22 amended by inserting after section 2631 the following:

23 **“§ 2631a. Nucleus fleet**

24 “(a)(1) The Secretary of Defense shall establish and
25 maintain at all times under the exclusive custody, jurisdic-

tion, and control of the Department of Defense, a fleet of vessels, of a size and composition appropriate to meet military requirements. Such fleet shall be known as the 'nucleus fleet'.

"(2) The nucleus fleet may be comprised of—

"(A) Government-owned vessels, operated by either—

"(i) the Military Sealift Command or other Department of Defense agency with civil service employees, or

"(ii) companies that are citizens of the United States under section 2 of the Shipping Act, 1916, with commercial crews; or

"(B) privately owned United States-flag vessels that are chartered by the Department of Defense.

"(b)(1) Under conditions other than full mobilization, the nucleus fleet—

"(A) shall consist of such number and types of vessels as is appropriate to respond to changes in the military situation, as determined by the Secretary of Defense; and

"(B) may include transport, cargo, tanker, roll-on roll-off, lift-on lift-off, geared, and nongearred vessels and auxiliaries in appropriate numbers—

1 “(1) to carry out logistic needs of the mili-
2 tary departments which cannot be met by pri-
3 vate United States commercial interests;

4 “(ii) to provide immediate capability in an
5 emergency; and

6 “(iii) to provide an adequate base for nec-
7 essary expansion to meet emergency or mobili-
8 zation requirements in support of approved
9 plans for national defense, national emergency,
10 national mobilization, or national interest.

11 “(2)(A) Under conditions other than full mobiliza-
12 tion, that portion of the nucleus fleet maintained for pur-
13 poses of transportation by water shall remain within close
14 tolerance to the following numbers of vessels by types:

15 “(i) 10 dry cargo vessels.

16 “(ii) 22 tanker vessels.

17 “(B) The numbers set forth in subparagraph (A)(i)
18 and (ii)—

19 “(i) shall be reduced by one for each vessel de-
20 activated under subsection (c)(2)(A) or for which a
21 contract of charter is terminated under subsection
22 (c)(2)(B); and

23 “(ii) are subject to review and redetermination
24 by the Secretary of Defense in accordance with mili-
25 tary operation requirements.

9

1 “(C) Any change in the composition of the nucleus
2 fleet from the numbers and types of vessels specified in
3 subparagraph (A)(i) and (ii) shall not be effective unless—

4 “(i) a request for that change is submitted by
5 the Secretary of the Navy to the Secretary of De-
6 fense;

7 “(ii) the change is approved by the Secretary of
8 Defense; and

9 “(iii) the change is reported to the Congress
10 with supporting rationale.

11 “(3) In addition to the numbers of vessels specified
12 under paragraph (2), the nucleus fleet may include such
13 miscellaneous service support vessels and naval fleet auxil-
14 iary vessels as the Military Sealift Command determines
15 to be necessary to retain and operate for purposes of pro-
16 viding indirect support of other vessels of the Department
17 of the Navy.

18 “(c)(1) If a vessel in the nucleus fleet is inactive for
19 a period of 30 days, it shall be placed in reduced operating
20 status.

21 “(2) If vessel in the nucleus fleet is inactive for 120
22 days—

23 “(A) in the case of a vessel that is owned by
24 the United States, it shall be deactivated and placed

10

1 in reserve or disposed of, as considered appropriate
2 by the Secretary of Defense; and

3 "(B) in the case of a privately owned vessel, the
4 contract under which it is chartered shall be termi-
5 nated on the earliest possible date.

6 "(d)(1) Under conditions of full mobilization, in addi-
7 tion to the numbers and types of vessels authorized under
8 subsections (a), (b), and (c)—

9 "(A) the nucleus fleet may be augmented by
10 those types and numbers of vessels determined to be
11 appropriate by the Secretary of Defense, in accord-
12 ance with the priority established under section
13 2631(a);

14 "(B) the specific types of vessels to be added to
15 the nucleus fleet, and an appropriate schedule for
16 their transfer to or acquisition for the nucleus fleet,
17 shall be determined only by the Chief of Naval Oper-
18 ations.

19 "(2)(A) Any vessels to be added to the nucleus fleet
20 pursuant to paragraph (1) shall be provided by the Sec-
21 retary of Transportation in accordance with mobilization
22 procedures approved by the Secretary of Defense.

23 "(B) In addition to additional vessels provided under
24 subparagraph (A) for the nucleus fleet, the Secretary of
25 Transportation shall provide to the Secretary of Defense

11

1 such additional miscellaneous service support vessels and
2 naval fleet auxiliary vessels as the Secretary of Defense
3 determines to be necessary for purposes of providing indi-
4 rect support of other vessels of the Department of the
5 Navy for purposes of a full mobilization.

6 “(3) During periods of full or partial mobilization,
7 the Secretary of Defense shall—

8 “(A) continuously review the number of mer-
9 chant vessels under the control of the Department of
10 Defense;

11 “(B) determine any of those vessels that are ex-
12 cess to the needs of the department; and

13 “(C) transfer to the Secretary of Transpor-
14 tation such excess vessels.

15 “(4)(A) Upon the termination of hostilities or in the
16 event of a partial demobilization prior to the termination
17 of hostilities, the nucleus fleet shall be reduced to the num-
18 bers and types of vessels in the fleet before full mobiliza-
19 tion, as determined by the Secretary of Defense.

20 “(B) In the event of a reduction in the nucleus fleet
21 under this paragraph, any vessels in the fleet that are re-
22 tained as part of either the active or laid-up permanent
23 operating forces of the Department of the Navy shall be
24 released from control by the Department of Defense in

12

1 “(i) Foreign-flag vessels that are under charter.

2 “(ii) United States-flag vessels that are under
3 charter from private owners.

4 “(iii) United States Government-owned mer-
5 chant vessels that are desired for sale or charter by
6 United States citizens for United States-flag oper-
7 ation in commercial service.

8 “(C) Vessels that are sold or chartered pursuant to
9 subparagraph (B)(iii) are deemed to be war-built vessels
10 for purposes of the Merchant Ship Sales Act of 1946 (50
11 App. U.S.C. 1735 et seq.).”.

12 **SEC. 6. CLERICAL AMENDMENT.**

13 The table of sections at the beginning of chapter 157
14 of title 10, United States Code, is amended by striking
15 the item relating to section 2631 and inserting the follow-
16 ing:

“2631. Transportation by water of Department of Defense cargoes.
“2631a. Nucleus fleet.”.

17 **SEC. 7. READY RESERVE FORCE.**

18 Section 11 of the Merchant Ship Sales Act of 1946
19 (50 App. U.S.C. 1744) is amended by adding at the end
20 the following:

21 “(e) USE OF VESSELS IN READY RESERVE FORCE.—

22 “(1) USE IN PEACETIME.—Vessels in the Ready
23 Reserve Force component of the National Defense

24 Reserve Fleet may be used in support of

13

1 movements of cargo as part of military exercises
2 only if that use does not compete with United
3 States-flag commercial vessel operators.

4 "(2) DEACTIVATION FOLLOWING NATIONAL
5 EMERGENCY.—A vessel in the Ready Reserve Force
6 component of the National Defense Reserve Fleet
7 that is activated to meet military sealift require-
8 ments associated with a national emergency shall be
9 deactivated in an expeditious manner if those re-
10 quirements no longer exist."

O



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, DC 20380-2000

IN REPLY REFER TO

5730
Memo 423D/021-92
23 Jun 92

MEMORANDUM FOR THE ASSISTANT FOR LEGAL AND LEGISLATIVE MATTERS
(OP-09BL)

Subj: H.R. 5168, 102ND CONGRESS, A BILL "TO AMEND TITLE 10, UNITED STATES CODE, TO CLARIFY THE PREFERENCE FOR UNITED STATES-FLAG MERCHANT VESSELS IN THE CARRIAGE OF DEPARTMENT OF DEFENSE CARGOES, AND FOR OTHER PURPOSES."

1. H.R. 5168 was intended to codify the Wilson-Weeks Agreement of 1954 in such a way as to increase the cost of moving DOD cargo without proven benefit. Accordingly DOD should strongly oppose.

2. In peacetime DOD exclusively uses privately owned U.S.-flag ships for the transportation of DOD cargo, unless those ships are unavailable. This has been regulated by the Cargo Preference Act of 1954 (10 U.S.C. section 2631) requiring ocean transportation of DOD cargo be transported on U.S. Government owned or privately owned U.S.-flag ships. This law has achieved its objective since over 94% of all cargo is transported in privately-owned U.S.-flagged ships. Foreign flagged ships are used only on those infrequent occasions when U.S.-flag ships are inadequate to meet requirements.

3. Section 4 provides that "time charters and voyage charters shall be kept to a minimum..." DOD determines the number of ships it will charter based upon projected military cargo transportation requirements that cannot be filled by U.S.-flag liner service. The minimum number of ships are chartered necessary to meet projected DOD ocean transportation requirements. Thus M&C is already in compliance with the stated purpose of this section which is already iterated in DOD Directive 4500.9.

H.R. 5168 would limit privately owned U.S.-flag vessels time chartered to the government from transporting DOD cargo by giving transportation priority to the privately owned U.S.-flag vessels in liner service. The DOD, already having paid for the space on the chartered vessel would then be forced to pay for the space being used on the liner vessel. The DOD would essentially be paying for the same space twice. Moreover, preferring liner service over chartered ships is not in DOD's best interest. DOD charters only the most militarily useful ships, such as roll-on/roll-off ships and breakbulk ships. If undue preference is given to liner service (which consists primarily of non-self sustaining container ships) this will decrease DOD support for the more militarily useful ships, thus resulting in a reduction in the number of those ships and the demand for U.S. citizen mariners who crew them.

Subj: H.R. 8168, 102ND CONGRESS, A BILL "TO AMEND TITLE 10, UNITED STATES CODE, TO CLARIFY THE PREFERENCE FOR UNITED STATES-FLAG MERCHANT VESSELS IN THE CARRIAGE OF DEPARTMENT OF DEFENSE CARGOES, AND FOR OTHER PURPOSES."

Section 4 also limits DOD's use of foreign flag ships to one voyage. The Cargo Preference Act of 1904 prohibits the use of foreign flag ships if U.S.-flag ships are available. Any further restrictions placed on the use of foreign ships would unduly restrict the DOD from ensuring the timely delivery of the cargo.

In addition, section 4 permits the use of the more favorable negotiated rates by DOD instead of commercial tariffs. Present law permits DOD to transport cargo using both alternatives making additional legislation unnecessary.

The responsibilities of the CNO and MSC outlined in this section may also be in conflict with the Goldwater - Nichols DOD Reorganization Act which precludes OPNAV involvement in acquisition matters.

The final provision specifies that DOD "shall not engage in competition with private persons in the provision of transportation by water in commercial service." This has been DOD policy, thus legislation is not required. DOD does not own any point-to-point ocean transportation ships and therefore is not in competition with the owners engaged in ocean transportation. It should be noted that this section could be interpreted to conflict with Section 1424 of 1991 DOD Authorization Act and should be modified to permit leasing of government owned ships under a program established under that section.

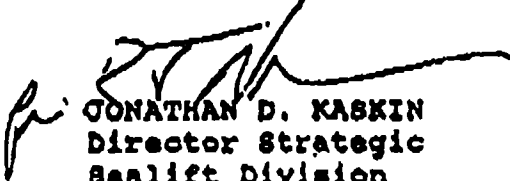
4. Section 5 limits the nucleus fleet to "10 dry cargo vessels" and "22 tanker vessels" thus limiting DOD's ability/flexibility to respond to military contingencies, humanitarian assistance efforts and other related events. Historically DOD has consistently and unilaterally reduced its nucleus fleet making legislation designed to force DOD to do so unnecessary.

Also Section 5 mandates that "service support vessels", such as Naval Fleet Auxiliary ships, be deactivated and placed in reserve, or be disposed of, if inactive for more than 120 days. This would preempt DOD from quickly employing that ship if needed and would significantly add to the cost to do so. Decisions to deactivate Navy Fleet Auxiliary ships and other service support vessels should be reserved to military planners and not be legislatively imposed through an arbitrarily established timeframe.

Subj: H.R. 5168, 102ND CONGRESS, A BILL "TO AMEND TITLE 10, UNITED STATES CODE, TO CLARIFY THE PREFERENCE FOR UNITED STATES-FLAG MERCHANT VESSELS IN THE CARRIAGE OF DEPARTMENT OF DEFENSE CARGOES, AND FOR OTHER PURPOSES."

5. Section 7 prohibits vessels in the Ready Reserve Force (RRF) from transporting cargo as part of a military exercise, unless no U.S.-flag commercial vessel operator was available. This would limit ability of DOD/MARAD to properly evaluate the RRF ships actual ability to transport DOD cargo.

6. To summarize, DOD should strongly oppose H.R. 5168.


JONATHAN D. KASKIN
Director Strategic
Sealift Division