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Folder Title:

Chron File - March 1993 #1 [4]

Staff Office-Individual:

Defense Policy-Bell, Robert

Original OA/ID Number:

43

Row:

31

Section:

3

Shelf:

1

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2

Stack:

V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. cable	Duplicate of 001b. (2 pages)	02/04/1993	P1/b(1)
001b. cable	re: Part I Significant Military Exercise Brief (SMEB). (2 pages)	02/04/1993	P1/b(1)
001c. cable	Duplicate of 001b. (2 pages)	02/04/1993	P1/b(1)
002. cable	Duplicate of 001b. (2 pages)	02/04/1993	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 - March 1993 #1 [4]

2016-0152-F

vz4363

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]

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 11, 1993

INFORMATION

MEMORANDUM FOR NANCY HERNREICH

THROUGH: NANCY SODERBERG

FROM: ROBERT BELL *RAB*

SUBJECT: Call to General Crocker

Per the President's guidance, I called Brigadier General George Crocker, a life-long personal friend of the President's cousin, Gilbert Cornwell. General Crocker was extremely reluctant to consider my suggestion that he might from time to time want to offer us his opinions on the state of the military or individual military issues now under review. General Crocker's concern was that any such communication might be seen as "jumping the chain of command" or as an inappropriate crossing of the line by a military officer into politics.

I assured General Crocker that this was not the President's intent and that we simply would welcome his personal views on any matter that he might want to address as a citizen. I left my phone number with him, but made it clear that any call would be at his discretion.

~~CONFIDENTIAL~~

March 8, 1993

NATIONAL SECURITY AFFAIRS CALENDAR

Feb 1-Mar 12 United Nations Human Rights Commission (UNHRC) 49TH Session, Geneva

Feb 1-Mar 12 Ecuadorian President Sixto Duran Ballen in Washington for Surgery and Post-Operative Recovery Period

Mar 8-11 Missile Technology Control Regime (MTCR) Plenary Meeting (to consider Argentine Membership), Canberra, Australia

Mar 8-11 Private Visit of Gulf Cooperation Council (GCC) Secretary General Abdallah Bishara to Washington

Mar 9 Vote at the United Nations Human Rights Commission (UNHRC) in Geneva on U.S.-drafted Resolution on Human Rights in Cuba

Mar 9 Private Visit of Italian Foreign Minister Emilio Colombo to Washington

Mar 9 Private Visit of French President Francois Mitterrand to Washington

Mar 10 Indonesian People's Consultative Assembly to Re-Elect President Soeharto for Sixth Term

Mar 11-15 Eighth Ministerial Meeting on the Environment in Latin America and the Caribbean, Santiago

Mar 11 & 15 Bilateral Trade Talks with Brazil, Washington

Mar 12-21 Private Visit of Israeli Prime Minister Yitzhak Rabin to address American-Israeli Public Affairs Committee (AIPAC) Convention in New York and to Washington

Mar 13 Australian National Election

Looking Ahead:

Mar 15 Fifth Session of the START Joint Compliance and Inspection Commission, Geneva

Mar 15 Somali Reconciliation Conference, Addis Ababa

Mar 15-16 Norwegian Defense Minister Johan Holst visits Washington and participates in Bilateral Study Group Meeting in Norfolk, Virginia

~~CONFIDENTIAL~~

DECLASSIFIED
E.O. 13526
Department of State Guidelines, September 11, 2006
By VR NARA, Date 8/23/2016
2016-0152-F

Mar 15-16	Private Visit of Spanish Foreign Minister Javier Solana to Washington
Mar 15-26	United Nations Conference on Trade and Development (UNCTAD) Trade and Development Board Meeting, Geneva
Mar 16-18	Conference on Security and Cooperation in Europe (CSCE) Economic Forum, Prague
Mar 17	Visit of Irish Prime Minister Albert Reynolds to Washington for St. Patrick's Day call on President
Mar 17-18	(Proposed) Visit of European Community (EC) President Jacques Delors to Washington
Mar 17-18	Trilateral Meetings on the North American Free Trade Agreement (NAFTA), Washington
Mar 17-26	United Nations Commission on the Status of Women, Vienna
Mar 17-19	Joint Commission on the Environment (Commission of Panamanian and U.S. Representatives), Panama City
Mar 18-19	Private Visit of South African Foreign Minister R. F. Botha to Washington
Mar 20	Presidential Elections, Second Round, Niger
Mar 21 & 28	French National Assembly Elections (First and Second Rounds of Voting)
Mar 22	(Date Proposed by Denmark) U.S.-European Communities (EC) Troika Political Directors Meeting in Washington
Mar 22	Visit of Dutch Trade Minister Yvonne van Rooy to Washington
Mar 24	(Tentative) Visit of British Foreign Secretary Douglas Hurd to Washington
Mar 25-26	United Nations International Drug Control Program (UNDCP) Major Donors Meeting, Vienna
Mar 26	Private Visit of Chancellor Helmut Kohl of Germany to Washington
Mar 25-26	Visit of Swedish Foreign Minister Margaretha af Ugglas to Washington
Mar 26	United Nations Security Council 60-day Review of Iraqi Sanctions
Mar 27	Lesotho National Elections

Mar 28-Apr 1	Asia Pacific Economic Cooperation (APEC) Senior Officials Meeting, Williamsburg
Mar 29	Visit of Dutch Foreign Minister Peter Kooijmans to Washington
Mar 29	North Atlantic Treaty Organization (NATO) Defense Ministerial with Cooperation Partners, Brussels. Delegation lead by Secretary of Defense, Les Aspin
Mar 29-30	Meeting of the United Nations Industrial Development Organization (UNIDO) Industrial Development Board (IDB) and General Conference (GC) to select a new Director General for UNIDO, Vienna
Mar 29-31	1993 Annual Ministerial Meeting of the Inter-American Development Bank (IDB), Hamburg
Mar 29-Apr 7	Council On Narcotic Drugs (CND) Annual Meeting, Vienna
Mar 30-Apr 1	Nuclear Suppliers Group Plenary Meeting, Lucerne, Switzerland
Late Mar	Cyprus Reunification Negotiations Resume--Newly-elected Cypriot President Glafcos Clerides and Turkish Cypriot Leader Denktash to participate, New York
Apr TBD	Legislative Elections, Madagascar
Apr 6	Private Visit of Egyptian President Hosni Mubarak to Washington
Apr 7-8	Visit of Swedish Minister of Trade Ulf Dinkenspiel to Washington
Apr 8	Private Visit of Latvian Foreign Minister Georgs Andrejevs to Washington
Apr 10	United Nations Security Council Review of Libyan Compliance with Resolutions 731 and 748 Concerning the Pan Am 103 and UTA 772 Bombings
Mid-Apr	(Proposed) Visit of Norwegian Foreign Minister Thorvald Stoltenberg
Apr 10-11	The South Asian Association for Regional Cooperation (SAARC) Summit in Dhaka, Bangladesh
Apr 12-17	The Inter-Parliamentary Union Conference (Coordinated with Speaker of the U.S. House of Representatives, Thomas Foley), New Delhi
Apr 13-16	International Tropical Timber Agreement (ITTA) Renegotiation, First Session, Geneva

Apr 16	Private Visit of Japanese Prime Minister Kiichi Miyazawa to Washington
Apr 18	First Round, Central African Republic Presidential and Legislative Elections
Apr 19-20	Visit of Dutch Defense Minister Rokus ter Beek to Washington
Apr 19-23	Second Chemical Weapons Convention Preparatory Commission Plenary, The Hague
Apr 20-21	Eleventh Association of South East Asian Nations (ASEAN)-U.S. Dialogue, Bandar Seri Begawan
Apr 20-23	Conference on Security and Cooperation in Europe (CSCE) Seminar on Migration, Warsaw
Apr 21	Brazilian Constitutional Referenda (to decide on parliamentary or presidential system of government, and republic or constitutional monarchy)
Apr 22	Opening Ceremonies for the Holocaust Museum, Washington, and related events, with probable participation by several European heads of state and government
Apr 22-23	Border Governors Conference, Monterrey, Mexico
Apr 23-25	Eritrea Independence Referendum
Apr 24-25	East-West Economic Conference in Tokyo. Japan will Host this Second Annual Meeting of Trade Ministers to discuss ways to alleviate the problems of doing business in former Communist countries
Apr 26-30	Space Conference of the Americas, Puntarenas, Chile
Apr 26-30	United Nations Industrial Development Organization (UNIDO), Program and Budget Committee, Vienna
Apr 26-May 4	United Nations Food and Agriculture Organization (FAO) Committee on Agriculture (COAG) Meeting, Rome
Apr 26-May 5	United Nations Commission for Human Settlements (UNCHS/HABITAT) Governing Council, Nairobi
Apr 26-May 7	United Nations Children's Fund (UNICEF) Executive Board Regular Session, New York
Apr 26-May 14	Universal Postal Union (UPU), Executive Council, Bern
Apr 27	Yemen Parliamentary Elections

Apr 27-28	United Nations Secretary General's Consultations on Possible Reform of the Law of the Sea Convention
Apr 27-29	Dublin Group Meeting on Alternative Development and Drugs, Berlin
Apr 27-May 9	Private Visit of Mongolian Prime Minister Puntsagiya Jasrai to Washington, Chicago, Houston and Alaska
Apr 28-29	Consultative Group Meeting on Russia, Paris
Apr 28-29	King Juan Carlos I and Queen Sophia of Spain Visit Philadelphia to Receive Philosophical Society's Jefferson Medal and Washington
Apr 28-30	International Agency for Research on Cancer, Governing Council (Election of Director), Lyon, France
Apr 30	Moroccan Parliamentary Elections
Apr 30-May 1	International Monetary Fund/International Bank for Reconstruction and Development (IMF/IBRD) Spring Meetings, Washington
Apr/May TBD	Secretary of State Christopher's Meeting with European Communities (EC) Foreign Ministers in Brussels--A Working Dinner will follow
Apr/May TBD	Eurogroup Defense Ministers Meeting, Washington
May TBD	Possible First Meeting of the Association of South East Asian Nations (ASEAN) Post-Ministerial Conference (PMC), Senior Officials Meeting
May TBD	Private Visit of Philippine President Fidel Ramos to Washington
May 2	Second Round, Central African Republic Presidential and Legislative Elections
May 3-4	Council of the Americas Annual Meeting, Washington
May 3-14	World Health Assembly (WHO) (Election of Director General), Geneva
May 4-6	African Development Bank Annual Meeting, Abidjan
May 9	Paraguayan Presidential Elections
May 9	Senegalese Legislative Elections
May 10-14	First Meeting of Non-Proliferation Treaty (NPT) Preparatory Committee, New York
May 10-21	United Nations Environment Program (UNEP) Governing Council, 17th Session, Nairobi

May 10-21	Second Session of the 1994 International Conference on Population and Development Preparatory Meeting, New York
Mid-May	Visit of President Mary Robinson of Ireland to Washington to accept award from CARE
May 15	Brazilian Congress Constitutes Itself as a Constituent Assembly to Amend the Constitution. Other Congressional Legislation may take a back seat for months
May 18-20	Asian Development Bank Annual Meeting, Manila
May 20-Jun 26	International Labor Organization (ILO) Governing Body and Conference, Geneva
May 23	Cambodian Elections
May 23-27	U.S.-Mexico Under the North American Free Trade Agreement (NAFTA): A Three-City Program on Business and Policy (sponsored by Caribbean/Latin American Action), San Antonio, Monterrey and Mexico City
May 24-29	Second Annual African-American/African Summit in Libreville, Gabon
May 25-26	Nuclear Planning Group/Defense Planning Committee at Ministerial level. U.S. Delegation Led by Secretary of Defense, Brussels
May/Jun TBD	United States-European Communities (U.S.-EC) Sub-Cabinet Talks led by Under Secretary of State for Economic Affairs, Washington or Brussels
May/Jun TBD	United States-European Communities (U.S.-EC) Summit, in Washington or Copenhagen, with participation by President Clinton and Secretary of State Christopher
May/Jun TBD	Wedding of Japanese Crown Prince in Tokyo
Jun TBD	U.S.-Mexican Binational Commission Meeting
Jun TBD	Special Session of the Organization of American States (OAS) General Assembly, Managua (to proceed regular General Assembly)
Jun 1-22	United Nations Development Program (UNDP) Governing Council, New York
Jun 2-3	Organization for Economic Cooperation and Development (OECD) Ministerial Meeting in Paris with Participation by Several U.S. Cabinet Members

Jun 2-10	Meeting of the Australia Group on Chemical Biological Weapons (CBW) Export Policy Coordination, Paris
Jun 4	International Energy Agency Ministerial Meeting, Paris. Participation by the Secretary of Energy
Jun 6	Bolivian National Elections
Jun 6-12	The XXIII Regular Session of the Organization of American States (OAS) General Assembly, Managua, Nicaragua
Jun 7-11	International Atomic Energy Agency (IAEA) Board of Governors, Vienna
Jun 7-19	World Meteorological Organization (WMO) Executive Council Meeting, Geneva
Jun 10-11	North Atlantic Council and North Atlantic Cooperation Council (NAC/NACC) Ministerials in Greece. U.S. Delegation led by Secretary of State Christopher
Jun 12	Nigerian Presidential Elections
Jun 14	Malawi Referendum on Multiparty Politics
Jun 14-25	Commission on Sustainable Development (CSD), First Session, New York
Jun 14-25	United Nations Food and Agriculture Organization (FAO) Council Meeting, Rome
Jun 14-25	World Conference on Human Rights, Vienna
Jun 21-25	Asia Pacific Economic Cooperation (APEC) Senior Officials Meeting, (Location TBD)
Jun 21-Jul 1	International Telecommunication Union (ITU) Administrative Council, Geneva
Jun 22-25	Dublin Group Regional Meetings, Brussels
Jun 22-28	International Tropical Timber Agreement (ITTA) Renegotiation, Geneva
Jun 28-30	Consultative Group on Indonesia, Paris
Jun 28-Jul 2	Asia Pacific Economic Cooperation (APEC) Senior Officials Meeting, Seattle, Washington
Jun 28-Jul 2	United Nations Industrial Development Organization (UNIDO) Industrial Development Board, Vienna
Jul TBD	Brazil to Host Ibero-American Summit

Jul TBD	Meeting of Ibero-American Foreign Ministers, Salvador de Bahia, Brazil
Jul 1	Luxembourg Assumes Western European Union (WEU) Presidency
Jul 1	Belgium Assumes European Communities (EC) Presidency
Jul 7-8	G-7 Summit in Japan with participation of President Clinton, Secretary of State Christopher and Secretary of the Treasury Bentsen
Jul 23-24	Association of South East Asian Nations (ASEAN) Ministerial Meeting, Singapore
Jul 26-28	Association of South East Asian Nations (ASEAN) Post-Ministerial Conference, Singapore
Aug 6	Inauguration of the new Bolivian President
Aug 12-15	Pope John Paul II attends World Youth Congress, Denver
Aug 15	Inauguration of the New Paraguayan President
Aug 27	Nigerian Inauguration of Third Republic
Aug 30-Sept 10	(Tentative-Alternative) Commission on Sustainable Development (CSD), First Session, New York
Sept 22-24	International Atomic Energy Agency (IAEA) Board of Governors, Vienna
Sept 26-30	International Monetary Fund/International Bank for Reconstruction and Development (IMF/IBRD) Annual Meeting, Washington
Sept 27-Oct 1	International Atomic Energy Agency (IAEA) General Conference, Vienna
Oct TBD	Parliamentary Elections, Spain
Oct TBD	Local Elections, Tanzania
Oct TBD	Pakistan Presidential Election
Oct 14-15	Rio Group Meeting, Santiago
Oct 25-Nov 5	International Maritime Organization (IMO) Assembly, London
Nov 6-25	Food and Agriculture Organization Conference, Rome
Nov 17-19	Asia Pacific Economic Cooperation (APEC) Ministerial Meeting, Seattle
Dec 13	General Elections in Chile



9304414

United States Department of State

Washington, D.C. 20520

March 8, 1993

UNCLASSIFIED
~~(WITH CONFIDENTIAL ATTACHMENT)~~

MEMORANDUM FOR WILLIAM H. ITOH
EXECUTIVE SECRETARY
NATIONAL SECURITY COUNCIL

SUBJECT: National Security Affairs Calendar

The National Security Affairs Calendar for the coming months is attached.

A handwritten signature in cursive script, appearing to read "Marc Grossman".

Marc Grossman
Executive Secretary

Attachment:
As stated.

UNCLASSIFIED
~~(WITH CONFIDENTIAL ATTACHMENT)~~

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9301129
RECEIVED: 03 MAR 93 12

TO: GRAHAM, DANIEL O

FROM: BERGER

DOC DATE: 10 MAR 93
SOURCE REF:

KEYWORDS: SPACE POLICY

ADNSA

PERSONS:

SUBJECT: REPLY TO LTGEN GRAHAM RE DUAL USE SPACE LIFT TECHNOLOGIES

ACTION: BERGER SGD LTR

DUE DATE: 06 MAR 93 STATUS: C

STAFF OFFICER: BELL

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO
BELL
JONES
NSC CHRON

COMMENTS:

DISPATCHED BY

MM

DATE

3/10

BY HAND

W/ATTCH

OPENED BY: NSJDA

CLOSED BY: NSMEM

DOC 3 OF 3

UNCLASSIFIED

THE WHITE HOUSE

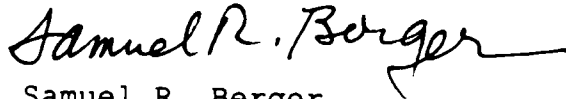
WASHINGTON

March 10, 1993

Dear General Graham:

Thank you for your recent letter and your offer to brief me on dual use space lift technologies. I agree that this is an important topic, and I would appreciate if you would give my Director for space policy, Steve Jones, a call to arrange a meeting with him. He can be reached at (202) 395-4970.

Sincerely,



Samuel R. Berger
Deputy Assistant to the President
for National Security Affairs

Lieutenant General Daniel O. Graham
(USA, Ret.)
Chairman
The Space Transportation Association
2800 Shirlington Road
Suite 405A
Arlington, VA 22206

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

1129

March 8, 1993

ACTION

Barry Non Sec Adj. Gen.
has seen

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL *RG*

FROM: STEVEN R. JONES *SJ*

SUBJECT: Letter from Space Transportation Association
Re: Space Lift Technologies for Both Military
and Private Sectors

I will be working space transportation issues with OSTP.
Recommend you advise General Graham to meet with me (I will also
try to arrange for OSTP participation).

RECOMMENDATION

That you sign the letter to General Graham at Tab I asking him to
brief Steve Jones on dual use space lift technologies.

Attachments

Tab I Letter to General Graham

Tab II Incoming Correspondence

The Space Transportation Association

Staff
1129

Daniel O. Graham
Chairman

T. Rogers
President

Richard Coleman
Executive Director

Board of Directors

James M. Beggs
NASA
Administrator

H. Hollister Cantus
Lockheed Missiles & Space

Harry Crosby
Atlantic Research Corp.

D. Flora
Martin Marietta

Hal W. Howes
Aerojet

Bobby J. Lyles
Thiokol Corporation

C. A. Ordahl
McDonnell Douglas

John L. Piotrowski
Gen., USAF (Ret.)

Robert C. Richardson III
Brig. Gen., USAF (Ret.)

J. Milnor Roberts
Maj. Gen., AUS (Ret.)

Bernard Schriever
Gen., USAF (Ret.)

February 23, 1993

Mr. Samuel Berger
Deputy National Security Advisor
National Security Council
The White House
1600 Pennsylvania Ave
Washington, DC

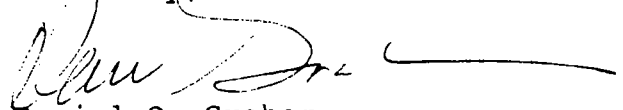
Dear Mr. Berger:

Our trade association, Space Transportation Association, has been working hard to advance dual use space lift technologies, which have applications for both the military and commercial sectors.

Specifically, STA is convinced Single Stage to Orbit rockets can meet on demand requirements for SDI applications, as well as give US industry a substantial lead in competitive international space launch commercial markets.

I would like to brief you on this opportunity should you find this matter of interest. I will be in contact next week to follow up.

Sincerely,


Daniel O. Graham
Lt. Gen., USA (Ret.)

NATIONAL SECURITY COUNCIL

WASHINGTON, D C 20506

March 10, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL *RGB*
FROM: KEITH HAHN *h*
SUBJECT: Press Inquiries into Navy Suicides

At Tab II Marc Ginsberg has forwarded a request from Mike Gauldin of the Arkansas Governor's office for assistance in an investigation being conducted by Sean Harrison, an Arkansas journalist, into the deaths of two Arkansans who were in the U.S. Navy.

I contacted the Naval Investigative Service to see if they were working with Mr. Harrison to answer his questions. They have not been contacted by Mr. Harrison directly on these two cases, but they have responded to Senator Pryor's inquiries in the past. Additional information on these two cases is contained in the NIS responses to Senator Pryor at Tab III.

The letter to Mr. Gauldin at Tab I summarizes the findings of the NIS investigations and provides a point of contact at the Naval Investigative Service for additional information. It also offers our assistance to Mr. Harrison if he feels that the NIS is not sufficiently forthcoming.

RECOMMENDATION

That you sign the letter to Marc Ginsberg at Tab I responding to a request by Mike Gauldin of the Arkansas Governor's office.

Attachments

Tab I Letter for Signature
Tab II Incoming Correspondence
Tab III Naval Investigative Service Responses to Congressional Inquiries

THE WHITE HOUSE

WASHINGTON

Dear Mr. Ginsberg:

Thank you for forwarding the materials that Mike Gauldin sent you concerning Sean Harrison's investigation into the deaths of two Arkansas sailors, Lawrence R. Brown, Jr. and Martin William J. Essary. My staff has made further inquiries to the Naval Investigative Service, but there is no additional evidence which sheds new light on these cases.

In the case of Botswain's Mate Seaman (BMSN Brown), an autopsy conducted by a Navy pathologist concluded that the cause of death was suicide, with no indications of foul play. Investigation by the Naval Investigative Service produced no evidence that would support an alternative conclusion. In particular, there were no indications that BMSN Brown had approached his commanding officer with information about drug use aboard ship, or that other sailors involved in drug use played a part in Brown's death. BMSN Brown's parents were notified through Senator Pryor's office in October 1991 of the results of the investigation.

The investigation into the death of Machinist's Mate Fireman (MMFA) Essary also yielded no new information. A thorough autopsy conducted at the Portsmouth Naval Hospital produced a finding of death by asphyxiation and suicide. Toxicological tests revealed a high blood alcohol level in Essary's body, and several witnesses reported that Essary was clearly depressed just before his death. Additionally, the investigation produced no evidence to support the allegation that Essary had been assaulted by a drug dealer aboard ship just prior to his death. Naval investigators also forwarded this information to Senator Pryor's office.

I deeply sympathize with the families of these young men and hope that time heals the wounds left by the premature death of their sons. In the past year the Navy has undertaken a major effort to help their people recognize indications of potential suicide and take appropriate steps. But this doesn't help the parents of these two young men.

I hope that the information in the attached letters to Senator Pryor are some help in Mr. Harrison's investigation. If he needs more help, please have him contact Colonel Lohman of the Naval

Investigative Command at (202) 433-8800. He is aware of Mr. Harrison's interest. If he feels that he is not getting sufficient cooperation from NIS, he can contact Keith Hahn on my staff at (202) 395-6923.

Sincerely,

Anthony Lake
Assistant to the President for
National Security Affairs

Enclosures

Mr. Marc Ginsberg
Galland, Kharasch, Morse
& Garfinkle, P.C.
Canal Square
1054 31st St., N.W.
Washington, D.C. 20007-4492

DEPARTMENT OF THE NAVY
HEADQUARTERS
NAVAL INVESTIGATIVE SERVICE COMMAND
WASHINGTON, D.C. 20384

IN REPLY REFER TO

5863

Ser 23/1U0755

04 Oct 91

The Honorable David Pryor
United States Senator
3030 Federal Building
Little Rock, AR 72201

Dear Senator Pryor:

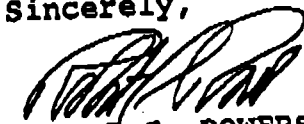
This correspondence is in response to your letter of August 26, 1991, concerning your constituents Mr. and Mrs. Lawrence Brown, and the 1975 death of their son Boatswain's Mate Seaman (BMSN) Lawrence R. Brown Jr., United States Navy.

The Naval Investigative Service Command (NISCOM) conducted an investigation into the circumstances surrounding the death of BMSN Brown, and an autopsy was conducted by a United States Navy pathologist. The pathologist concluded that the manner of death was suicide. In addition, the NISCOM investigation developed no evidence of foul play or any involvement by BMSN Brown as a command informant. Accordingly, NISCOM does not intend to reopen the investigation absent some evidence of criminal causality.

Please be advised that a copy of the investigation may be requested by the Browns under the Freedom of Information Act. A review of this information by Mr. and Mrs. Brown should resolve many of the issues raised in their letter. I recommend that you inform the Browns of the investigation's availability from this Command (Code 00JF).

I trust this information will be of assistance in responding to your constituents regarding this unfortunate incident.

Sincerely,



ROBERT J. POWERS
Director of Investigations
and Counterintelligence



THE SECRETARY OF THE NAVY
WASHINGTON, D. C. 20350-1000

The Honorable David Pryor
United States Senator
3030 Federal Building
Little Rock, Arkansas 72201

Dear Senator Pryor:

This is in response to your letter of March 21, 1991, on behalf of Mr. and Mrs. Virgil J. Essary concerning the death of their son Machinist Mate Fireman (MMFA) Martin W.J. Essary, United States Navy. Subsequent to your correspondence, the Naval Investigative Service Command (NISCOM), released a copy of the investigative report to Mr. and Mrs. Essary under a Freedom of Information Act request. Hopefully, the report will answer some of their concerns regarding the circumstances surrounding MMFA Essary's death.

MMFA Essary was found dead at about 5:30 a.m. on June 18, 1990, in his workspace aboard the USS WASP. The NISCOM was immediately asked to conduct an investigation to fully document the circumstances surrounding the death and to determine if there was any criminality involved. On June 19, 1990, an autopsy was performed at the Naval Hospital, Portsmouth, Virginia, which determined the cause of death to be "asphyxia by hanging" and the manner of death to be "suicide." Nothing was uncovered during the course of the NISCOM investigation that refuted the autopsy findings.

Interviews by NISCOM Special Agents, of those USS WASP crew members who were knowledgeable of MMFA Essary's activities on June 17 and 18, 1990, disclosed he had consumed a considerable quantity of alcohol on June 17. This was verified during toxicological tests of MMFA Essary's body fluids. A crew member who was with MMFA Essary for most of the afternoon and evening on June 17, stated that Essary was very depressed during the evening hours. Another crew member told a NISCOM Special Agent that MMFA Essary had stated to him on two occasions that he wanted to kill himself. A third crew member, who described himself as MMFA Essary's best friend aboard the USS WASP, stated that Essary had been depressed and had kept to himself more than usual prior to his death.

Some members of MMFA Essary's family were interviewed during the NISCOM investigation and their comments were incorporated into the NISCOM report of investigation. Mrs. Essary related a specific incident, which she said was told to her by MMFA Essary, wherein MMFA Essary was assaulted by a drug dealer aboard the USS WASP. The incident was determined to never have happened.

Additionally, the Executive Officer, USS WASP, when interviewed by a NISCOM Special Agent, advised that he, not the Commanding Officer, spoke to some Essary family members about MMFA Essary's death and that certain statements attributed to him by the family members were not made.

I deeply sympathize with Mr. and Mrs. Essary over the unfortunate death of their son, however, a full and thorough investigation to determine the cause and manner of MMFA Essary's death did not produce any evidence of foul play. Accordingly, the United States Navy does not anticipate reopening its investigation into this matter.

Your constituents' questions pertaining to items of personal property belonging to MMFA Essary were previously answered by the Commanding Officer, USS WASP, by separate correspondence. A copy of this correspondence has been attached for your information.

I trust this will assist you in responding to your constituents.

Sincerely,

0567

GALLAND, KHARASCH, MORSE & GARFINKLE, P. C.

CANAL SQUARE

1054 THIRTY-FIRST STREET, N. W.

WASHINGTON, D. C. 20007-4492

ROBERT H. MORSE
MORRIS R. GARFINKLE
EDWARD D. GREENBERG
MARK S. KAHAN
SUSAN B. JOLLIE
MARC C. GINSBERG
ANDREW B. SACKS
DAVID K. MONROE
DAVID P. STREET
RICHARD M. LORENZO*
MARK W. ATWOOD
ROBERT W. KNEISLEY
GERALD SEIFERT*
STEVEN JOHN FELLMAN
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February 9, 1993

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Nancy Soderberg
Staff Director
National Security Council
The White House
Washington, D.C.

Re: Navy "Suicides" -- Arkansas Press

Nancy:

On the basis that you are in a far better position than me to handle the enclosed materials, I am passing this off to you.

In early January, I received a phone call from Mike Gauldin of the Governor's Office. He asked me to review materials about an investigation being conducted by Sean Harrison, an Arkansas journalist, into the deaths of several Arkansans who were in the U.S. Navy.

I could not do anything with the materials because there was no one at DOD (except Jeff Smith) who could be entrusted to determine whether there was reason to believe that foul play was involved.

Now that the skeletal DOD team is in place, I trust that someone will eventually follow up. Best personal regards.

Sincerely,

Marc Ginsberg

DONREY MEDIA GROUP

NEWSPAPER OUTDOOR
BROADCAST CABLE

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POST OFFICE BOX 1359
FORT SMITH, ARKANSAS 72902-1359

DEC. 31, 1992

DEAR MR. GINSBERG,

MIKE GAULDIN OF THE ARKANSAS GOVERNOR'S OFFICE PHONED YOU ABOUT THIS MATTER EARLIER TODAY AND YOU RETURNED MY CALL BUT WE MISSED EACH OTHER.

I HAVE WRITTEN ABOUT THESE NAVY "SUICIDES" AND THE FLAWED WORK BY NAVAL INVESTIGATIVE SERVICE. IF YOU'LL READ AN ARTICLE OR TWO YOU WILL SEE THAT THE ALLEGATIONS ARE FAR MORE SERIOUS THAN SEX-SCANDAL COVER-UPS. I AM HOPING THE HOUSE SUBCOMMITTEE STUDYING THE NIS RECORD WOULD BE WILLING TO HEAR TESTIMONY FROM THESE FAMILIES. THAT'S WHAT I NEED HELP WITH.

ALSO, I WOULD LIKE TO INTERVIEW REP. LES ASPIN, WHO CHAIRED THE HOUSE PANEL BEFORE BILL CLINTON NAMED HIM DEFENSE SECRETARY-DESIGNATE. THANKS.

SINCERELY,



SEAN HARRISON, CAPITOL REPORTER

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TWO ARKANSAS CASES:

Seaman Martin William J. Essary, 21, USN, was found hanged June 18, 1990, aboard his ship, the USS Wasp, while docked at the Norfolk Naval Base. The Navy said it was a suicide but Essary's parents, of Beebe, Ark., believe he was murdered because he had threatened to blow the whistle on drug dealers aboard the ship.

* NIS requested an extension of time on its investigation so it could conduct a handwriting analysis on the supposed suicide note, but its final report mentions nothing about the test. NIS fails to explain why the note was signed "Jacket," a name no one has heard of.

* NIS said in its final report that there was no evidence to support the Essary's claim that Martin was at odds with drug dealers, but it does not say how it reached that conclusion. It merely asserts this.

* A Navy serviceman at Norfolk who knew Martin well and was interviewed by an NIS agent told a newspaper reporter that the agent said foul play was suspected but not to tell anyone. The sailor disclosed this on an agreement of anonymity.

BMSN Lawrence R. Brown Jr., 26, USN, was found hanged Jan. 3, 1975, aboard his ship, the USS New, while docked at the Norfolk Naval Base. The Navy ruled it a suicide, but Brown's parents, of Rogers, believe he was murdered because he had told a commanding officer about drugs being transported aboard his ship.

* NIS did not investigate whether drugs had been transported on the USS New.

* NIS refused to give the parents a copy of the supposed suicide note for months, and about a month before the parents received the note, their home was burglarized and the only thing stolen was a box full of letters the sailor had written.

* After the death, a man posing as a representative of the sailor's life-insurance company visited the parents and asked suspicious questions that led the mother to check on the man's identity. She didn't find out who he was, but she learned he wasn't from the insurance company.

(Lawrence Brown Jr. continued)

* When the sailor's mother persisted in trying to find answers to the NIS's discrepancies, she was treated rudely by Navy officials and told, "It's none of your business. Your son is Navy business."

* The mother was asked questions by Navy officials about things she had said in phone conversations to her ex-daughter-in-law, which the mother says they could only have known if her phone had been tapped.

* The Navy concluded that "Randy" Brown took his own life because he had debts, was depressed and because his girlfriend had broken up with him. But, the girlfriend said they had not broken up -- their relationship was healthy.

~~OTHER CASES.~~

Navy's Handling of State Cases Drew Criticisms

9-27-92

Harrison
Morning News Capitol Bureau

LITTLE ROCK — The Navy's dubious investigation of the Tailhook sex scandal is the latest in a long line of fishy inquiries the Navy has made of itself, including two Arkansas cases in which families contend their sons' drug-related murders were covered up to protect the Navy's image. The high-profile Tailhook case has led to a reorganization of the Naval Investigative Service, the Navy's self-investigating agency.

A Pentagon report released Thursday said the Navy botched the investigation of sexual assault allegations stemming from the 1991 Tailhook convention in Las Vegas. Rear Adm. Duvall M. Williams Jr., head of NIS, another top Navy official were forced into retirement for allegedly conducting a half-hearted inquiry that sought mostly to protect the Navy's reputation.

Before Tailhook, there was the blundered investigation of the 1989 gun turret explosion aboard the USS Iowa that killed 47 sailors. The Navy eventually conceded mistakes and apologized to the family of a sailor killed.

Before that there was the 1987 investigation of spying at the U.S. Embassy in Moscow, in which three Marines said they were threatened and coaxed by NIS to accuse other Marines of spying. NIS's competency and motives were called into question and it almost became the focus of investigation itself.

And there were other less publicized cases. The military maintains sole jurisdiction over investigations of incidents on military property, including peacetime deaths.

Thursday's reorganization and forced retirements — apparently overdue — is little solace for a Rogers family and a Beebe family who lost sons and found only frustration and humiliation in NIS's probes of the suspicious deaths.

"This shows how corrupt NIS is, and I'd like to hope it could reopen Martin's case," said Virgil Essary of Beebe whose son, Seaman Martin Wil J. Essary, was found hanged

aboard his ship in June 1990 at the Norfolk, Va., Naval Base.

"But we're still at their mercy," he said of the Navy. Until Navy investigations are done by an autonomous agency that cares more about facts than protecting recruiting, "They'll have their system to cover their butts," he said.

The Essarys say their son, 21, just before his death had planned to blow the whistle on some drug dealing shipmates. NIS's investigation left some key questions unanswered.

For instance, was Martin Essary at odds with any shipmates and was there any drug dealing aboard his ship, the USS Wasp?

NIS requested an extension of time for the inquiry so it could perform a handwriting analysis on the supposed suicide note found near the body. But a final report given the parents mentioned nothing about the test. The Essarys say it wasn't their son's handwriting and the note was signed "Jacket," a name they never heard of. Martin Essary's middle initial, J, does not stand for a name — it's just an initial, his parents said.

Also, there was a discrepancy in the reported time of the death by ship officials and the autopsy's determination of time of death, a three-hour difference, which was never answered by the NIS report.

The death of a Rogers man 15 years earlier was remarkably similar. Navy officer Lawrence R. Brown Jr., 26, was found hanged in 1975 aboard his ship, the USS New, while docked at Norfolk. NIS ruled it a suicide, saying he took his life out of depression over the loss of a girlfriend. The girlfriend later told his parents their relationship was healthy, and she had said so to NIS agents.

The Browns say their son had just days before told his commanding officer that he witnessed illegal drugs being loaded aboard his ship.

The Browns requested a copy of the suicide note, and about a month before they received it their home was burglarized and the only thing stolen was a box of letters written by their son. The letter could have been forged, they say.

Lorraine Brown said she was visited by a man who claimed to be from

the life insurance company and asked her personal, suspicious questions. After he left she phoned the insurance company and they told her they didn't know the man and hadn't sent anyone.

When she persisted with Navy officials to answer her questions they humiliated her, saying "It's none of your business. Your son is Navy business," she said. And she believes they tapped her phone, because they later asked her about things she had talked about only with her daughter-in-law on the phone.

Lorraine Brown said she gave up long ago trying to get answers from the Navy. They refuse to answer the most probing questions citing "national security," she said.

Virgil Essary says the Navy doesn't want the public to know about the drugs or the murders because it would harm recruiting.

In the USS Iowa explosion, NIS was accused of fabricating the story of a suicidal-homicidal sailor in order to cover up the fact that outdated bags of gunpowder were stored in the gun turret and that there was other defective equipment and unqualified, untrained sailors in the turret. The Navy eventually apologized to the accused sailor's family, after another sailor recanted testimony that he said he was forced to make.

The Pentagon's report Thursday said NIS's concern for the Navy's reputation was an overriding factor behind an effort to quash the Tailhook investigation.

Allegedly, a group of drunken male Navy pilots at the 1991 Tailhook convention sexually abused at least 26 women at a Las Vegas hotel. Testimony said Williams, NIS director, repeatedly tried to stop the probe and at one time said he didn't think women should serve in the military.

On another occasion, the Pentagon report said, Williams told Assistant Secretary of the Navy Barbara Pope that "a lot of female Navy pilots are go-go dancers, topless dancers, hookers."

Forced into retirement, along with Williams, was Rear Adm. John Gordon, the Navy's top recruiter, who was accused of allowing an officer to participate in the investigation even though a close friend of the officer was implicated in the scandal.

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Dead sailor's parents mistrust Navy

Blame drug dealers for son's 'suicide'

By Sean Harrison
Gazette Searcy Bureau

The body of Navy Apprentice Martin W. J. Essary, 21, was found hanged aboard the aircraft carrier USS Wasp, at the Norfolk, Va., Naval Base on June 18, 1990.

The Navy ruled the death a suicide.

But the sailor's parents, Virgil and Gladys Essary of Beebe, don't accept that. They don't believe their son killed himself — especially for the reasons the Navy gave them.

The Essarys have their own theory about Martin's death — that it was drug-related. And what they call the Navy's failure to answer all their questions about their son's death has served only to bolster that belief.

"We think the drug dealers on the ship got him 'cause he was about to turn them in," Gladys Essary said in a recent interview. "If that's not what happened, then why is the Navy acting like it's hiding something?"

After eight months and numerous requests for the findings of a two-part Navy investigation of the death, the Essarys have received only a partial report.

The partial report doesn't answer the "important" questions, they said, and they also claimed it is full of inaccuracies and contradictions. They received copies of "final endorsements" — but no new information — in mid-January, about the time the coal-

See NAVY/5B



Jeff Thompson/Gazette Staff

AWAITING ANSWERS: Gladys and Virgil Essary of Beebe don't accept a ruling by the U.S. Navy that their son, Martin

W.J. Essary, 21, (shown in photograph) hung himself aboard his ship last summer.

Road tax items wrapped up; assembly faces new topics

Today's calendar

Here are the events today, the 50th day of the 78th General Assembly:

Store is a hit in

husband, Melvin Walker and a sister, Ruby Duncan of Strawberry. Funeral will be at 2 p.m. today at Eli Lindsey Methodist Church. Burial will be in Lancaster Cemetery by Higginbotham Funeral Service of Walnut Ridge.

Van Buren

Mrs. Vera Deal Harris, 81, of Van Buren, a retired supervisor with the Housekeeping Department for Sparks Regional Medical Center, died Saturday. She was a Baptist. Survivors are three sons, Billy Deal of Sparks, Nev., and Jim and Richard Deal of Van Buren; two stepsons, Charles Harris of Mountainburg and Jimmy Harris of Chester, Va.; six daughters, Nancy Deal, Bessie Jerden, Peggy Sweet and Emma Kay Klomfas of Van Buren, Betty Daves of Conway, and LaVon Goree of Fort Smith; a stepdaughter, Frances Foster of Pine Bluff; two brothers, J. D. Rains of Sallisaw, Okla. and Louis Rains of Cartersville, Okla.; 30 grandchildren; 58 great-grandchildren; and several great-great-grandchildren. Funeral will be at 2 p.m. today at Ocker Funeral Home of Van Buren. Burial will be in Gracelawn Cemetery.

Warren

Tommy Julian Carraway, 35, of New York, formerly of Warren, a professional photographer, died Friday. He was a Baptist and a graduate of the University of Arkansas at Fayetteville. Survivors are his parents, Julian and Reba Carraway of Warren; a brother, Pat Carraway of Anaheim, Calif.; and his grandmother, Ruby Carraway of Warren. Funeral will be at 2 p.m. Tuesday at Frazer's Funeral Home of Warren. Burial will be in Oakland Cemetery. Visitation will be from 6 to 9 p.m. today at the funeral home.

Mrs. Lucy Cora Risher Miller, 82, of Warren, died Saturday. She was a Baptist and was the widow of Earl Miller Sr. Survivors are a son, Jim Miller of Calion; a daughter, Patay Miller of Hermitage; two sisters, Betty Jan Baldwin of Warren and Annie Risher of El Dorado; 11 grandchildren and 13 great-grandchildren. Funeral will be at 2 p.m. Monday at Frazer's Funeral Home. Burial will be in McFarland Cemetery at Banks.

Crash

Continued from Page 1B

elaborate on what that could have meant.

The tower alerted authorities at Fort Chaffee, and then told Edwards he could make a landing on the Army post's air field, about 5 nautical miles from the airport.

The plane was headed directly toward the airstrip when it lost altitude, clipped some trees and plunged to the ground at about 80

Navy

Continued from Page 1B

tion forces in the Persian Gulf attacked Iraq.

Jim Thompson, an assistant director for Naval Investigative Service, said Tuesday that the family was probably entitled to all the information they have sought. The reason they hadn't received it was likely the result of a miscommunication, he said.

The Navy closed its investigation of Martin Essary's death in September, concluding that the young sailor took his life because he was depressed over the loss of a girlfriend and because he had missed a court date on a speeding ticket.

Investigators noted that Martin Essary had purchased life insurance shortly before his death and that he got drunk the night before his body was found.

The Essarys described their son as virile, stubborn and eager. He would not have taken the coward's way out by killing himself, they said, and he certainly wouldn't do it because of problems cited by the Navy — problems they described as minor.

"Martin always had several girlfriends," Virgil Essary said. "He wouldn't kill himself over a girl breaking up."

He said his son's nickname among buddies on the ship was "Joker," for his fondness of practical jokes.

NIS, which uses civilian investigators but is part of the Navy, looks into criminal aspects of a case. It is routinely involved in all peacetime Navy deaths.

The other part of the investigation — an administrative, fact-finding mission to determine whether the established policies were followed — was performed by the Navy's Judge Advocate General's office. This was the information sent to the Essarys, with some deletions.

The Essarys said they are convinced the Navy realizes their son's death was drug-related and is holding back information that would hurt the Navy's public image and hamper recruiting efforts.

If it was a simple suicide as the Navy said, they asked, why all the secrecy? Why not release the information and put an end to their agony?

Their son had a strong anti-drug attitude that may have led to his death, the Essarys said.

On June 9, Martin Essary's 21st birthday — and nine days before his death — Martin telephoned and told them he was at odds with some fellow sailors who were dealing drugs on the ship, his parents said.

He said he was planning to blow the whistle on them, the Essarys said.

The night before his death he called again, this time from a bar in Norfolk.

"Something is going down. I guess I really *** them off now." He had found a bag of drugs hidden on the ship and had flushed it down a toilet, they said.

"I asked him why he didn't just go to his CO [commanding officer] and report it," Gladys Essary said. "And he said, 'Mom, it doesn't work that way in the Navy. This is something you have to do on your own.'"

A suicide note was found near the body, but the parents said the note they saw was not written in their son's handwriting. And the note was signed "Jacket," a nickname they said they've never heard of.

They were told a handwriting analysis was to have been done on the note by NIS. But a copy of the note and the results of the analysis are among the information the Essarys have been unable to obtain.

They also want complete autopsy reports with photos and copies of interviews with anyone who might have known anything about their son's conflict with any drug dealers.

Lt. Cmdr. Kevin L. Weber of the Wasp, the officer who conducted the investigation for the Judge Advocate General's office, said he was not aware there had been a drug problem on the ship.

"We usually find those guys in the first few months, and they're gone. They're immediately made civilians," Weber said. But he also said the Wasp was a relatively new ship with a new crew, commissioned about a year ago.

Martin Essary put nothing in writing about a conflict with any drug dealers on ship, however, leaving the Essarys without supporting evidence of their claim.

Former friends from junior high school at Hartford (Sebastian County) said everyone knew how Martin Essary felt about drugs.

Megamarket

Continued from Page 1B

their children, Rafe and Kayla. "Once you get past the front — where everybody is looking for a basket — then everything's OK."

Most shoppers said they came to the store looking for bargains, and others just came to see what the store was like. Several came to draw comparisons to other supermarkets in Sherwood.

Many left satisfied, but others were disappointed by the long lines.

"We thought we'd come out here to see what's different about it," said Joe Allen of Little Rock, who was shopping at the store with his mother, Mary Prouthier. "Even though it doesn't have the double coupons that Kroger has, they have cheaper prices and they have bigger choices too. ... We save about 20 percent."

Kim and Jenese Schroeder trav-

"When all the kids were getting into smoking pot, Martin would get mad and tell them it was going to screw up their brains," Wesley Cumbie, 20, of Hartford who was a close friend for the two years the Essarys lived there.

"Now, he would drink a beer. But anybody who knew Martin knew he was against drugs."

Thompson, who works in the NIS regional office at Norfolk, said if the family would file a Freedom of Information Act request, they probably would receive all the information they want.

He said the casualty assistance officer assigned to the Essarys after the death probably didn't know to tell them about the FOI procedure, or how to file the request.

"This is probably just a big miscommunication," Thompson said.

The Essarys' casualty assistance officer, Damage Control Chief Ronald Henderson of the Naval and Marine Corp Reserve Center at Camp Robinson, said he had told the Essarys how to file the FOI request.

And the Essarys said they had made an FOI request and done everything else they were told to do — several times — and felt they'd been ignored. Thompson said NIS had apparently never received an FOI request.

The Essarys also said they had called Gov. Bill Clinton's office, but were told he was too busy to hear their complaint. They have not contacted a United States senator or representative, they said, because they did not know how.

Mike Gauldin, the governor's media spokesman, responded that he doubted the Essarys were told Clinton was too busy to hear their complaint. He said the office normally refers questions about military matters to the state's U.S. senators. "They may have interpreted that as a brush-off," Gauldin said.

weekly bill of groceries at Megamarket. Normally, they shop at Food-4-Less in Jacksonville.

After a morning at Megamarket, they said they might switch stores. "I like this store better than Food-4-Less. It's better organized and a lot cleaner," Kim said. "We'll come back."

"It's a bargainer's paradise," said Sandra Rogers of North Little Rock, who shared a shopping cart with her sister-in-law, Evie. "We came out here to spend a little money and we're going to end up spending a lot."

Some folk, like Kasey Miller of Sherwood, were just plain fed up after spending the better part of two hours at the store.

"We have seven kids and when we go to the store, we want to get it done," Kasey Miller said.

The 70,000-square-foot Megamarket in Sherwood is the second in the Little Rock area and the 13th in the South. Another store is in west Little Rock near the Bow-

NAVY

An examination of the seaborne service's scandal-ridden police agency

More than a year has passed since Catherine Jakovic's son, Marine Lance Cpl. Scott Jakovic, died of a gunshot to the head in a tiny guard shack at the Earle Naval Weapons Station in New Jersey. Today, she still can't get a straight story about whether her son was killed or took his own life. First, the Navy said there was no evidence of foul play. Scott Jakovic, a Navy spokesman said, died in "a self-inflicted accident." Two months later, citing the lack of eyewitnesses, the Navy said Jakovic's death was a mystery. A month after that, the Navy conceded that there was an eyewitness after all; the next month, the eyewitness, Pfc. Edward Markovitch, was accused of shooting Jakovic. Then, the Navy *dropped* the shooting charge and tried another tack. Scott Jakovic died, the Navy now says, while playing russian roulette with Markovitch.

Last week, Catherine Jakovic traveled to Philadelphia to sit in on Markovitch's court-martial, but a judge says the Navy's bungling will make it hard for justice to be served. First, Navy agents failed to read Markovitch his rights before his first interview. The agents then lost the paper on which Markovitch waived his rights during a second interview on the shooting. They also let another marine handle Markovitch's fired weapon and failed to ask the FBI to fingerprint it. And the agents waited so long to test for gunpowder residue on Markovitch's hands that the results are viewed as inconclusive.

Today, Catherine Jakovic is angry not so much at Edward Markovitch as at the Naval Investigative Service, the agency responsible for law and order on U.S. Navy ships at sea and at Navy bases around the world. The NIS, Jakovic says, made a hash of its inquiry into

her son's death. "I don't care if they let this kid off or if they give him 99 years," she says of Markovitch. "I want this investigation investigated."

The death of Scott Jakovic is just one of 17,000 cases the Naval Investigative Service has handled this year. The Jakovic affair will never make national headlines like past NIS embarrassments such as the spy cases involving John Walker, Jonathan Jay Pollard or the Marine guards at the U.S. Embassy in Moscow who were accused of selling state secrets for sexual favors. Nor will it attract the attention of more recent Navy fiascoes like the botched investigation of the fatal explosion aboard the battleship USS Iowa or the scandalous treatment of two dozen women by drunken Navy aviators at a Las Vegas convention last year. In many ways, though, the Navy's inquiry into Scott Jakovic's death is every bit as important as the headline-grabbing cases, because it illuminates what damage can be done to the soul of a military service when the agency designed to police it abuses its authority or falls down on the job.

A look at the record. For most Americans, military justice is an arcane field of little relevance to their daily lives. But in the leaner Defense Department budgets of the post-cold-war era, maintaining the integrity of U.S. fighting forces will be more important than ever. In the Navy now, the NIS record of administering justice to officers and enlisted personnel is the focus of an investigation by a subcommittee of the House Armed Services Committee; the inquiry also covers Army and Air Force police agencies. "Much of the data we're working with indicates that many failures laid at NIS's doorstep don't belong there," says Rep. Les Aspin, chairman of the Armed Services panel. "On the other hand, serious problems not previously attributed to NIS *are* coming to light." One that is worth illuminating, sources

say, is politically driven investigations. "The entire policy process has become demeaned and criminalized," says former Navy Secretary John Lehman. "Policy disagreements seem to be normal and sufficient causes to launch criminal investigations."

The NIS's most recent problems center on its investigation of events at last year's Tailhook convention in Nevada.



USTICE

The annual gathering of Navy aviators turned violent when drunken pilots molested more than 24 women. The NIS investigated, but nothing happened for months. The Defense Department's inspector general finally stepped in, castigated the NIS commander, Rear Adm. Duvall Williams, and accused him of deliberately steering the inquiry away from Navy brass.

Williams has denied the charges. So frustrated is Sean O'Keefe, the acting Navy secretary, that he has replaced Williams with a civilian and changed the agency's name—to the ~~Naval Criminal Investigative Service~~. Still, a four-month examination by *U.S. News* sug-

A mother's lament. *Catherine Jakovic is upset over the Navy's investigation.*

gests that bureaucratic reshuffling may not be enough.

Senior NIS officials say their agents may make mistakes from time to time. But they emphatically assert that their agency is one of the best police organizations in the nation, that their rate of error and misfeasance is minuscule and that they police their ranks vigorously. In fact, reports by the Pentagon's in-

LINDA L. CREIGHTON — USN&WR

COVER STORY

spector general document many cases that the NIS has investigated successfully, including the Ill Wind investigation that netted 57 convictions or guilty pleas for fraud. NIS agents have also caught spies and brought errant admirals to justice.

Cop shop. The plus side of the ledger is offset by another, darker side, however. Among U.S. federal investigative agencies, none comes close to the number of controversies, like the Iowa and Tailhook and other investigations, that the NIS has bungled over the past decade. Similarly, no other U.S. police agency has been the target of stinging rebukes from its own overseers.

On the face of it, the Naval Investigative Service does not look like a police agency that would be abnormally prone to problems. The NIS employs 1,050 civilian agents on ships and in 172 offices around the world. Its mission—to investigate crimes committed on Navy property or by Navy personnel—seems as straightforward as that of a county sheriff. Its agents are four-year college graduates, trained at a federal police center in Georgia, where they often graduate at or near the top of their class. Once on the job, the term used most often to describe NIS agents is "aggressive."

Properly channeled, that trait is a plus for any police agency; misdirected, it can be trouble. ~~It is Navy commanders who order the NIS to investigate cases.~~ As Lehman notes, influence from those commanders or bad legal advice is all it takes to send the NIS down the wrong path. Even more prevalent, Navy lawyers say, is the idea that because the commander ordered an investigation, he wants a conviction. "Our biggest problem," says a 25-year veteran of the NIS, "is that we are under the thumb of the Navy."

One longstanding source of NIS troubles is the nature of crimes, particularly sex crimes, that the agency is called on to investigate. While the Navy constitutes only one fourth of the active-duty military, it conducts 51 percent of the military's investigations of alleged homosexuals—a fact that some ascribe to close quarters shared by sailors on long sea duty. Another factor lies in what many Navy lawyers say is an aggressively prose-

curatorial bent in the Navy. Unlike America's other military services, the Navy typically assigns its most junior lawyers to defend those accused of crimes; once those lawyers improve their adversarial skills, they become prosecutors. Prosecutors who lose too often are sent back to defend service personnel charged with crimes by the NIS. Vaughan Taylor, an attorney who has represented many defendants accused by the NIS, says he knows of a prosecutor "who is constantly in trouble for screwing up cases and in trouble

with the judges and commanders for giving ridiculous advice. He has just been told he's being sent to defense."

This apparent institutional bias toward the prosecution is compounded by a unique command structure. Unlike the other branches of the military service, which have separate prosecution and defense commands, in the Navy both sides still report to one boss, the commander of the Naval Legal Services Office. Says Christopher Nicoll, who defended the weapons officer on the USS Stark, which was

THE FREEMAN CASE



Eric Freeman says that an NIS investigation that led to his discharge from the Navy for homosexuality was prejudiced. Certainly, it was flawed. In November 1987, Freeman was a seaman at a Virginia training command when he took a sailor back to his bunk room one night. Freeman says he met the sailor at a McDonald's and took him home because the sailor was too drunk to drive.

The next day, Freeman's two roommates told friends that Freeman and the visitor had engaged in sex. The NIS investigated, found and interviewed the "other sailor," and five months later, both Freeman and the visitor were discharged.

A review of the case found that the statements of Freeman's two roommates contradicted each other a dozen times. One roommate, Keith Lieblang, now says he never saw Freeman and the visitor engage in any sexual contact. Lieblang also concedes that he had drunk "five or six 16-ounce beers" just before the incident. The other roommate, Lieblang says, had an "ax to grind" with Freeman. None of this was uncovered by the NIS.

Amazingly, the sailor identified by the NIS as Freeman's visitor on the night in question says he has never met Freeman. The man, Eric Dupler, says he is gay. He also says that significant portions of the one-page report of his interview with NIS agents were fabricated. An NIS official says it makes no sense that an agent would lie on a report. But Freeman, who insists he is not gay, thinks otherwise. The investigation, he says, was just another way to drive alleged gays out of the Navy.



Victim? Lehman

COVER STORY

attacked by an Iraqi warplane in the Persian Gulf in 1987: "The system leaves an unspoken but sinister kind of unease."

Command influence. Most troubling, however, is the idea that Navy brass can and sometimes do influence routine investigative decision making. It is impossible to determine how pervasive such influence may be, but NIS agents say Tailhook was not an isolated instance. One veteran NIS agent told *U.S. News* that on several occasions he refused to conduct investigations that various base commanders had ordered simply to "collect information" on a subject. The man, a respected NIS veteran, says he flatly refused to pursue investigations he viewed as frivolous or politically motivated. ~~The agent also recalled several investigations that were short-circuited by commanders because they seemed to be going in a place no one wanted them to go.~~ A former high NIS official says a Marine commander tried to remove an NIS agent from his base when he questioned the putting green the general had built in his back yard with taxpayers' money.

Other problems plaguing the NIS are more basic. When civilian police agencies routinely receive anonymous tips about wrongdoing, for instance, they typically investigate only those that are credible and specific. The NIS, by contrast, is required to investigate *every* tip that comes from anonymous callers into a Department of Defense hot line established to take reports of waste, fraud and abuse.

Robert Powers, the NIS director, readily concedes the hot line can cause headaches. "You can't say it's a really bad thing," Powers says, "because some good investigations have come out of it. But I have also seen some bad things come out of it. People make a complaint, and after a couple of months of investigation, you find what you are in the middle of is a nasty divorce."

Once begun, such investigations are difficult to stop—even in the absence of incriminating evidence. "I remember telling [then Navy Secretary John] Lehman once," says Vice Adm. John Fetterman, a former Navy inspector general, "that in my assessment, if I wanted to get rid of my competition, all I had to do was

stay up at night and make a bunch of anonymous telephone calls."

Lehman himself apparently was so victimized. According to several knowledgeable Navy officials, the NIS, acting on tips, conducted three investigations of Lehman as he was leaving office in 1987. One inquiry focused on Lehman's use of a Navy helicopter to fly his wife and daughter to a ship christening at Newport News, Va., where they were honored guests. Another was over a "gift" his wife

received from the shipyard, the broken bottle she had used to christen the ship. Still another NIS inquiry examined Lehman's flight records at his reserve unit to

see if he had been cheating on his flight qualifications. Lehman declined to comment on all of these, but Brian McKee, then NIS director of investigations, recalled one investigation of Lehman that he said was turned over to another federal agency after Lehman left. Apparently, nothing came of the inquiries.

THE LINDSEY SCOTT CASE



If there is any case that encompasses all the elements of faulty police work in the NIS, it is that of Lindsey Scott, a Marine corporal accused of raping and stabbing a woman on Virginia's Quantico Marine base in 1983. Scott's lawyers believe the NIS targeted Scott, then built their case against him to fit.

First, there were the photo and physical lineups the NIS had used to arrest him. From the start, the victim's identification of Scott was shaky. At a police lineup, the woman pointed to Scott and another man as the rapist; NIS agents arrested only Scott. Then there was Scott's alibi, which the NIS failed to check thoroughly.

Worse, says Ellis Cohen, a television producer who is co-authoring a book on the case, were the insinuations made by NIS agents at trial. There was a knife, never recovered, that Scott had used to clean his stove that day. Since he had thrown the knife away, agents swore, it must have been the weapon used in the attack. There was also a gumbo pot that NIS agents seized in Scott's kitchen. The victim said there was a bucket in the back car seat of the man who attacked her. NIS agents concluded it was Scott's gumbo pot. Scott's clothes were seized as evidence, but they bore no trace of blood. NIS agents testified that Scott must have disposed of the clothes worn in the attack. ~~They left these half-truths in the air,~~ says John Leino, Scott's attorney. "I called them the Naval Insinulative Service." Scott served four years in prison before he was acquitted in a retrial.



Jailed. Marine Frank Reister

THE MOSCOW SPY CASE



In December 1986, Marine Sgt. Clayton Lonetree, a guard at the U.S. Embassy in Moscow, confessed to a CIA official that he had had a love affair with a Soviet woman and that he passed an embassy phone book and floor plans to the Soviets.

The first hint of trouble came from NIS Special Agent Thomas Brannon's encouraging of Lonetree to lie and to confess much greater crimes. In court, Brannon said Lonetree had come up with the idea. "He said to me exactly these words: Do you want me to lie to you?" Brannon testified. "And to keep him talking to me I said, 'Yes.'" Lonetree told Brannon he had stolen 200 secrets and given them to the Soviets. Then he said he was lying.

The NIS spent three exhausting days questioning Cpl. Arnold Bracy and emerged with a statement that he had let Soviets roam through the embassy. Bracy, however, was coerced and tricked by the NIS, as did Marine Cpl. Robert Williams, a witness against Bracy. Williams testified that NIS agents had put falsehoods into his statement. When Williams protested, he recalled, "they all agreed to make the changes, but they never changed [the statement]." He said he signed the statement to end his interrogation.

A General Accounting Office review of the case found that the NIS conducted a "professional and thorough" investigation, asserting that the agency's mission was to plug leaks, not build airtight criminal cases. The charges against Bracy were dropped. Lonetree was convicted of fraternizing with Soviet nationals and passing information to the KGB.

Norman Polmar, one of America's most distinguished writers on naval affairs and a Defense Department consultant, says he was subjected to two troublesome NIS inquiries. In the late 1980s, not long after he did a report for the Defense Department that contended the Seawolf submarine was not cost-effective, the NIS and the Defense Investigative Service began investigating Polmar to determine whether he had violated his security clearances. Polmar says Adm. Bruce DeMars acknowledged

later that he had requested the investigation to "safeguard nuclear submarines." DeMars says he has no recollection of the matter.



Discharged. Sgt. Kile

The first investigation of Polmar, which lasted a year, examined the circumstances of his publishing an article and giving an interview to the *Navy Times*. Both the article and the interview contained publicly available information. The second case involved an article Polmar authored with the chief of a national laboratory, and the paper was cleared by the proper au-

thorities. The NIS agents had never checked.

The Navy's investigations of sex crimes often result in problems far different from those raised in so-called political inquiries, and here the NIS seems burdened by history. One agent says that when he started with the NIS in 1962, the agency concentrated on security clearances, and 90 percent of his work was homosexuals. "They called us the 'pecker posse,'" this agent said.

Some people still do. While only 12 percent of all NIS cases involve sex crimes such as sodomy, rape and assault, the agency conducts more than half of the Pentagon's investigations of suspected homosexuals. "I never met an agent who liked to do homosexual cases," says Greg Golden, the NIS officer in charge of hiring and training. Golden acknowledges, however, that some gays may be correct when they say NIS agents try to obtain quick admissions from accused homosexuals. "I'd be the first to admit that you like to get them over quickly," Golden said.

Some gays, though, accuse the NIS of unsavory tactics to do so. Steve Krug, a sailor on the USS Independence, says that an agent told him he would go to his hometown and interview his parents, friends and former teachers about allegations of homosexuality. A terrified Krug quietly admitted to being homosexual and was discharged.

A Marine "witch hunt." In a policy statement vehemently challenged by gays, NIS officials insist that agents investigate homosexuality only when they have evidence of a specific act or attempted act of sodomy, which is a crime under military law; general allegations of homosexual preference are not pursued. "That's a lot of bull," says Krug, citing his investigation. "They didn't have any evidence of an act that had occurred. All they had was this person that said I'm a friend of his and that I'm gay."

That's precisely how the NIS investigation of several drill instructors suspected of being lesbians at the Marine Corps training base at Parris Island, S.C., turned into what was commonly called a "witch hunt." What started as a legitimate look into illegal fraternization turned ugly when two female Marines gave agents dozens of names of

COVER STORY

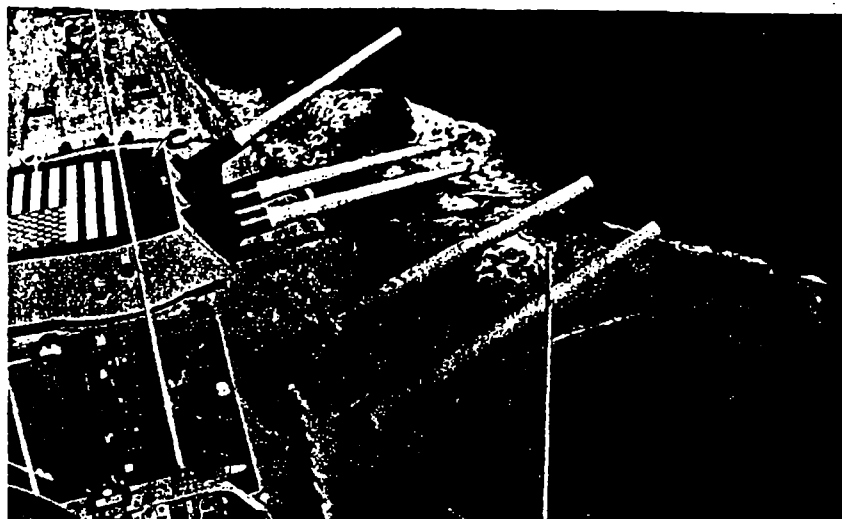
women they said were lesbians. The testimony of the first marine was largely discredited in court when defense attorney Vaughan Taylor brought forth her conflicting statements. By then, however, nearly half the 246 women at Parris Island had been interrogated and asked intimate and embarrassing questions about their sex lives. Sgt. Mary Kile—who insisted she was not gay—and 13 other female marines were either discharged from the Marine Corps or resigned rather than face trials. Three went to the brig for indecent acts and sodomy.

Not only homosexuals are investigated under the military's unusual sex laws. Under certain circumstances, adultery and heterosexual contact are vigorously prosecuted, with results that many civilians would find abhorrent. Last April, Marine Lt. Frank Reister was sentenced to seven years in military prison for womanizing. He was convicted of consensual heterosexual oral sex, fraternization and six counts of adultery and conspiracy to commit adultery. Reister was also convicted of assault—for having sex while infected with herpes. Much of the evidence against Reister was found on two pages of a personal diary he kept in his house, where, on Jan. 18, 1989, he decided to list his "conquests." Some of the affairs occurred when he was married.

Reister certainly had marital difficulties, but his legal trouble did not start until after his divorce, when he dated a Navy nurse whom he asked to take care of his house while he went on vacation. While Reister was away, the nurse discovered his diary and read of Reister's affairs. She went to the NIS and told them she had been raped.

The NIS, accompanied by a Navy prosecutor and the nurse, went to Reister's house and gathered his bedsheet and photographed the "conquest" pages of his diary. Later, they returned with a search warrant and seized condoms, adult playing cards and a prescription for medicine for the treatment of herpes. Using the information in Reister's diary, NIS agents tracked down five women and his ex-wife. The Navy nurse's testimony at Reister's court-martial was not convincing enough to convict him of rape, so the

THE IOWA INVESTIGATION



One year ago, the chief of naval operations apologized to the family of Gunner's Mate Clayton Hartwig for having falsely accused the sailor of causing the explosion that killed him and 46 shipmates aboard the USS Iowa. The NIS is often blamed for the fiasco. In truth, its role was limited, but it did provide key evidence in the case.

At first, the NIS was kept from the explosion scene while evidence was washed overboard. When they finally were allowed to proceed, the NIS agents pursued the investigation with vigor. Grilling one sailor for days, they got him to say that he had seen an electronic timer in Hartwig's locker that could have been used for a bomb. Although the sailor later retracted his statement, Navy scientists clung to the bomb theory.

NIS agents also assembled testimony that was later used by FBI psychologists to paint a portrait of Hartwig as a misfit—a suicidal, homicidal and perhaps homosexual sailor. A panel of independent psychiatrists assembled by Congress later complained that the positive side of the Hartwig profile was missing. It was left for scientists at Sandia National Laboratories to show that the explosion aboard the famed World War II battleship could be explained as an accident.

charge was downgraded to consensual sodomy, a crime under the Uniform Code of Military Justice. Today, Reister remains in prison while his lawyer, David Dowell, appeals the conviction. Dowell questions whether NIS agents legally should ever have had access to the diary.

NIS targets from admirals to seamen complain that agents often make up their minds in advance about a person's guilt or innocence, then build a case to support their theories. "What they do," says Dan Hyatt, a decorated Navy enlisted man who rejoined the service in 1981 as a prosecutor and a defender, "is they interview 15 people. And if the potential witnesses have something favorable to say, they won't reduce it to a sworn statement; they will just produce a memo that the person has nothing to offer. So you end

up with a pile of evidence on a guy that does not have anything favorable in it, and people are accused where they should never be accused in the first place."

Conflicting statements. Once again, there is evidence to suggest these are not isolated instances. One witness in the case of Ralph Bernard, a veteran Navy weapons engineer who has been investigated by the NIS for nearly a year and a half but not yet charged with a crime (story, Page 63), says that an NIS agent only took notes when he told the agent things that fit the agent's criminal theory. Kathy Kubicina, the sister of Clayton Hartwig, whom the Navy accused of blowing up the USS Iowa, examined a report of her interview with NIS agents line by line. Kubicina says she noted 25 statements in the report that she did not utter. The NIS's

COVER STORY

Robert Powers says the references cited by Kubicina were "not very flattering to Kathy and her family and her brother" and that she disputes them for that reason. "That's not unusual," Powers says. "It happens all the time."

In another case reviewed by *U.S. News*, however, it appears that the witness had no reason to lie or challenge NIS agents' account of the events in question. On a night in August 1990, Marine Lance Cpl. William "Chip" Jahn fired his .22-caliber rifle inside base housing and, as his family fled, then wandered around outside with the rifle. A standoff ensued between Jahn and military police as Jahn continued wandering about the yard, the rifle resting across his shoulders. Witnesses said the military police exercised great restraint, but when Jahn approached a Marine sergeant, the officer shot Jahn in the leg and disarmed him. Jahn's defense attorney said that his client was despondent and possibly suicidal. He was accused of six crimes, including attempted murder of the sergeant. Anne Colombo, a neighbor who witnessed the incident, was interviewed by the NIS. A few days later, Colombo says, an agent returned with a handwritten statement and asked her to sign it. Colombo said at a hearing that she examined the statement and saw that it was full of errors, including a sentence that quoted her as stating that she saw Jahn point his gun at the marine who shot and disarmed him. "I told the [agent] that wasn't how it went," Colombo advised a Navy judge, "but they just kind of blew me off." When Colombo continued to object to the report, she said, the agent told her, "This is just—I need it for my records. It's just a statement." Jahn was discharged and all criminal charges were dismissed.

If the problems of the NIS are as deep-rooted as these cases suggest, Navy Secretary O'Keefe's proposed correctives—installing a civilian at the top and transferring the NIS's top-notch fraud unit to the Defense Department—are a bandage at best. What the agency needs most, Navy lawyers and legal experts say, is an infusion of professionalism from top to bottom. "This is military law. This is what holds the fibers of the military community together," says Gary Myers, the attorney for John Markovitch, the marine accused in the Jakovic case. "And you've got these agents running around, doing this stuff. It's sad."

BY PETER CARY

THE CHINA LAKE AFFAIR

A low-cost weapon and a tough engineer find themselves in the sights of Navy police

For 40 years, Ralph Bernard was a true believer. A civilian engineer who designed missiles for the U.S. Navy, he turned out weapons of war in the belief that what he was doing was best for his country. But that was before the Naval Investigative Service searched Bernard's house, seized 10,000 documents and padlocked his office. Now he sits in an empty office all day, writing legal memos and trying to figure how to salvage the remnants of five years of work paid for by \$23.5 million of the taxpayers' money.

The inquisition of Ralph Bernard might just be another tale of cops on the trail of government corruption but for the political atmosphere in which it was launched. Senior officials of the NIS say they have simply pursued allegations of wrongdoing without regard to fear or favor, but Ralph Bernard's co-workers, friends and others familiar with his work believe the NIS inquiry is a Pentagon ploy designed to derail a low-budget missile project that conflict-

ed with another, more expensive weapon favored by Navy brass. "The NIS investigation is absolutely a hoax," says a senior Navy official. "This guy has a reputation as being as clean as the driven snow. What happened here is they made a personal assault over what should have been a political argument."

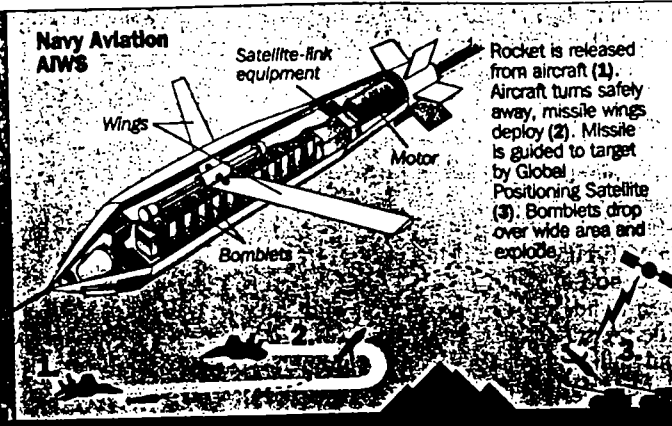
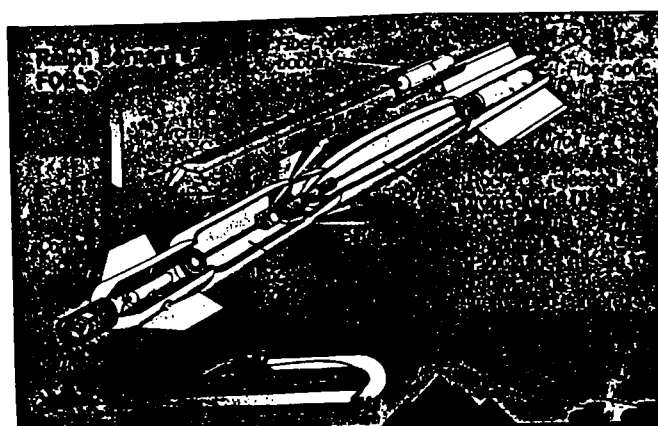
"Like a planter's wart." If it were not for the damage it has done, the investigation would be comical. Besides raiding Bernard's home and office, the NIS has pawed through his garbage, subpoenaed the pay records from his wife's part-time job in an optometrist's office and demanded virtually every piece of paper in the files of his brothers' Washington consulting firm—while asserting that the brothers were not a target of the inquiry.

While the Bernards maintain that they are innocent, they are no babes in the woods. Carl, a former Army officer, and Charles, a former Navy and Pentagon official, are skilled infighters wise in the ways of Washington. Over the years they



In limbo. Bernard, in his home office. The NIS seized thousands of documents.

A TALE OF TWO MISSILES



	FOG-S Fiber-Optic Guided Skipper	AIWS (basic version)	AIWS (improved version)
Design	Composite metal body	Composite metal body	Composite metal body
Range	Up to 40 miles	Up to 40 miles	Up to 40 miles
Guidance	Satellite-link guidance	Satellite-link guidance	Satellite-link guidance
Warhead	Bomb	Bomb	Bomb
Estimated cost	\$22,000	\$22,000	\$22,000
Development cost so far			

have driven some Pentagon brass right up the wall. One was Rear Adm. Jeremy "Bear" Taylor, now retired but formerly in charge of Navy aviation's plans and requirements. "The Bernard guys are like a plantar's wart," Taylor says. "They get in there and keep growing, and if you don't get in there and freeze them out, they'll take over your toe." Taylor defends the NIS investigation of Bernard, comparing it to a traffic cop on the side of the road. "The value is not in the one guy you nail," Taylor says. "It's that everybody sees him. If you hang one, you get everybody's attention."

The Skipper. Ralph Bernard's story begins in China Lake, a sprawling Navy weapons complex set in a high, wind-swept desert valley three hours east of Los Angeles. In years past, China Lake was a "Right Stuff" kind of place, a proving ground where iconoclastic scientists and can-do engineers turned out some of the best weapons in the world. Ralph Bernard grew up at China Lake; intellectually, he never left. In the early 1980s, Bernard built a missile called the Skipper, an air-to-ship weapon that cost a modest \$22,000 each. Navy brass wanted a different and more costly weapon, but Navy Secretary John Lehman liked the Skipper so much he ordered 5,500 of them. And when Lehman wanted a missile to follow the Skipper, Ralph Bernard jumped in to do the job.

But the new missile would prove

much harder to build. In the early 1980s, a U.S. Army lab had developed an antitank missile called FOG-M. "FOG" meant Fiber-Optic Guided, "M" meant missile. Launched from the back of a truck, the missile had a little video camera in its nose, and as it flew toward its target, it trailed a hair-thin, fiber-optic cable that transmitted back to a controller everything the video camera saw. The controller, sitting safely in his truck, could guide the missile directly into an enemy tank. Ralph Bernard drew on this technology for what he called FOG-S, a fiber-optic-guided successor to the Skipper. But the FOG-S would have to fly up to 600 miles an hour after launch from a jet, and its fiber-optic cable had to unspool at unheard-of rates while the pilot guided the missile to its target.

In 1987, Bernard went to work with a small team of dedicated engineers and characteristic zeal. But the folks at Navy aviation were pushing for another missile known as the Advanced Interdiction Weapon System, or AIWS. The AIWS did not require a live pilot to guide it to its target. On the other hand, the basic AIWS was not as accurate as FOG-S. But Navy brass pointedly note that the AIWS had been blessed by the Navy procurement system.

By September of 1989, Bernard had airplane-dropped an early version of the FOG-S and used the fiber-optic ca-

ble to guide it to its target. By 1990, his team had air-launched a rocket-powered FOG-S, guided it and flown it for 6 miles. It locked on to its target just as the cable ran out. Encouraged, the team prepared more tests.

By this time, though, the FOG-S was making some people in Navy aviation very nervous. In May 1989, the Naval Strike Warfare Center issued a warning: "FOG-S potentially competes against the ... AIWS for funding. AIWS must receive our total concentration for development effort and funding. ... Do not introduce FOG-S (per se) to the fleet."

But the Bernards had the ear of Congress. Rep. Charlie Wilson, a powerful Texas Democrat, was enlisted. It helped when a contractor in his district was retained to make some FOG-S parts. More support came from other members of the House Appropriations Committee. Some had FOG-S contractors in their districts too. The result: When the Navy budgeted no money for FOG-S, the House panel gave Bernard up to \$10 million a year.

Fed up, Navy brass began a two-pronged counterattack. First, it began holding back the cash authorized by Congress for FOG-S. Second, the Navy sent Bear Taylor to Capitol Hill to try to kill the FOG-S.

But something else was happening, too, and it was more ominous. On Au-

■ COVER STORY

gust 6, 1990, Ralph Bernard's fax machine at China Lake began spitting out an undated but obviously recent memorandum from a Navy aviation office. The memo was addressed to the technical director of China Lake. "Why would private consultants like C. Bernard and A. Battistia [actually Anthony Battista, an influential congressional aide who had become a private consultant] continue to support the FOG-S ... programs if there was no monetary gain?" the memo said. "It may be that their support is altruistic, but it could also be that they are funded by these programs." The memo, which had been pirated by a friend of Bernard's, suggested that an investigation be launched. The inquisition of Ralph Bernard was about to begin.

Top officials in the Navy's AIWS program insist they never saw the FOG-S as a threat. But what the House Appropriations Committee did in mid-1991 to AIWS had to be an eye-opener. This time the committee slashed all \$53 million for the AIWS. The Navy rallied and persuaded Congress to restore the money, but now the writing was on the wall.

Bear Taylor, meanwhile, had visited Representative Wilson. First he hinted that Wilson's hometown FOG-S contractor might find work with the AIWS program instead. Then he played his trump card—breaking the news that the FOG-S program was under NIS investigation. "I said, 'Somebody's got to tell the congressman he doesn't want to fight too hard for this one right now; it's in a gray area,'" Taylor recalled. "And I think that had him back off."

On June 26, 1991, the NIS arrived at the optometrist's office where Ralph's wife, Barbara, works. The agents had her take them to Ralph's home office, where they seized 10,647 documents. Then the interviews began. The agents talked to a woman who worked in Ralph Bernard's office, showing her a circle they had drawn. It depicted Ralph and his brothers scheming to award FOG-S contracts to companies that then hired his brothers as consultants. "They kept trying to put words in my mouth," recalled the woman,

who refused to allow her name to be used. "They asked, 'Don't you think this is illegal?'"

NIS agents interviewed Charles McIntosh four times. McIntosh was the China Lake manager of a company that helped projects like Ralph Bernard's order parts. The first time, McIntosh recalled, NIS Agent Leo Lamont asked, "Don't you believe Ralph was pointing us in the direction to buy things so his brothers could get the benefit from these companies?" McIntosh says he had already heard this theory from Ralph Bernard's boss. The NIS, according to McIntosh, said it was more than just theory. "Ralph's a crook," McIntosh quoted Agent La-



The missile. A test model of the FOG-S, at China Lake

mont as saying, "and we've got him dead to rights."

The theory of the case. NIS Agent Lamont declined to discuss the matter. Robert Powers, the NIS's director of criminal investigations, said he could not comment on an open investigation. He said that in the heat of interviews, some people misconstrue what NIS agents say. However, one woman, Vera Vega, signed a statement saying she had been misquoted in a key NIS affidavit. The affidavit was the very one the NIS had used to obtain its warrant to search Bernard's home and office.

In the NIS affidavit, the agents explained their criminal theory. Ralph Bernard, the agents said, had used office phones and fax machines to send "government proprietary technical data" to his brothers Charles and Carl. They relayed the data to contractors to help them win FOG-S contracts. The contractors then repaid Chuck and Carl Bernard by hiring them as consultants.

Another Bernard brother, Lute, a

San Francisco attorney, took up the cause. He showed the court affidavits from FOG-S contractors who swore that the Bernards had never worked for them. Then he pointed out that under California federal law, what Ralph Bernard faxed to his brothers was not "government property." An assistant U.S. attorney, William Haehsy, replied that the "theft of government property" really meant misuse of office phones. So the Bernards produced documents showing that all of Ralph's phone calls were approved by a supervisor each month. That was enough for Dennis Beck, the federal magistrate hearing the case. In February, Beck ruled that the theory behind the NIS search and seizure was without merit. The U.S. attorney is appealing the ruling.

But the investigation did not stop. NIS agents soon were seen pawing through the Bernard family's garbage, looking for more clues. Then the grand jury subpoenaed the pay records from the optometrist's office where Barbara Bernard worked part time. Next they subpoenaed the records of Barbara Bernard's \$200-a-month retirement savings. Meanwhile, the Navy was moving to revoke Ralph Bernard's secu-

rity clearance for allegedly sending several pages of the low-level classified material to his brothers in Washington. If proved, that could be enough to cost him his job.

Citing Navy regulations, Ralph will not talk to the press. Through his brother Lute he denies all the charges. "He has always been so loyal, so honorable," says Barbara Bernard, his wife. "This is a devastating thing." Where the investigation is heading still is unclear. One source close to the probe insists the investigation proceeds in good faith and that when it is over, it will be seen to have been productive. In the meantime, there are new indications that the Naval Investigative Service is turning away from Ralph and looking at Chuck and Carl Bernard. Their theory: that the brothers manipulated Ralph and his FOG-S program for their own economic gain. The Bernards say that's ridiculous. ■

BY PETER CARY

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~~SECRET~~

1322

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 10, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RBH*
FROM: KEITH HAHN *KH*
SUBJECT: Significant Military Exercise EARLY VICTOR 93

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, approving military exercise EARLY VICTOR 93. At Tab II Defense recommends approval and State concurs.

EARLY VICTOR 93 is a combined special operations field training exercise with Jordan. It is scheduled to take place April 7 - May 2 in the vicinity of Al Jafr Air Base and the towns of Et Talifa, Ash Shawbak, and Aqaba, Jordan. Although Jordan aligned itself with Iraq during the Gulf War, it has since made significant progress in supporting U.N. sanctions and its military has voiced a strong desire to exercise with U.S. forces.

The critical cancellation date is March 22, 1993.

Concurrences by: Martin Indyk *MI* and Edmund Huls *EH*

RECOMMENDATION

That you sign the memorandum at Tab I approving the exercise.

Attachments

Tab I Memorandum for Signature
Tab II OSD Executive Secretary Memorandum, March 8, 1993

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *RL* NARA, Date *8/23/2016*

2316-0152-F

~~SECRET~~

Declassify on: OADR

~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

MEMORANDUM FOR COL. MICHAEL B. SHERFIELD
Executive Secretary
Department of Defense

SUBJECT: Significant Military Exercise EARLY VICTOR 93

Military exercise EARLY VICTOR 93 is approved.

William H. Itoh
Executive Secretary

~~SECRET~~

1322



OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1000

08 MAR 1993

MEMORANDUM FOR EXECUTIVE SECRETARY, NATIONAL SECURITY COUNCIL

SUBJECT: Significant Military Exercise - EARLY VICTOR 93

The Department of Defense recommends NSC approval of the attached Significant Military Exercise Brief, Exercise EARLY VICTOR 93. The Department of State concurs with this recommendation.

Please note the critical cancellation date is 22 March 1993.

A handwritten signature in cursive script, likely of Michael B. Sherfield, is positioned above his printed name.

Michael B. Sherfield
Executive Secretary

Attachment:
As stated

This memorandum is UNCLASSIFIED without enclosure.

Sec Def Cont Nr. **X61029**

~~SECRET~~

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. cable	Duplicate of 001b. (2 pages)	02/04/1993	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 - March 1993 #1 [4]

2016-0152-F
vz4363

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
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001b. cable	re: Part I Significant Military Exercise Brief (SMEB). (2 pages)	02/04/1993	P1/b(1)
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COLLECTION:

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

FOLDER TITLE:

Chron File - March 1993 #1 [4]

2016-0152-F
vz4363

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]
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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001c. cable	Duplicate of 001b. (2 pages)	02/04/1993	P1/b(1)
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COLLECTION:

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

FOLDER TITLE:

Chron File - March 1993 #1 [4]

2016-0152-F
vz4363

RESTRICTION CODES

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 10, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL *Rb*

FROM: KEITH HAHN *KH*

SUBJECT: Letter from Brian G. Yonish RE: Relations with the
Military

At Tab II Brian Yonish has written to you expressing his concern about the relationship between President Clinton and the military. He believes that it is important that the President appoint officials to the Department of Defense who have demonstrated experience and appreciation for things "military," rather than stressing other criteria.

The response at Tab I is provided since you have communicated with Mr. Yonish before and because he provided research materials to Nancy Soderberg and Deborah Castleman during the campaign.

RECOMMENDATION

That you sign the letter to Brian Yonish at Tab I.

Attachments

Tab I Letter for Signature
Tab II Incoming Correspondence

THE WHITE HOUSE

WASHINGTON

Dear Mr. Yonish:

I very much appreciate the insights you provided in your recent letter. I can assure you that President Clinton is sensitive to the need for a strong working relationship with the military and its leaders.

While there may not be full congruency between the views of the Administration and the military leadership on every issue, I think all parties understand the importance of a healthy relationship and will approach these issues with a willingness to work together to achieve positive results.

Thank you again for your thoughts on this important subject.

Sincerely,

Anthony Lake
Assistant to the President
for National Security Affairs

Mr. Brian G. Yonish
4822 Treasure Court
Fairfax, VA 22032

February 25, 1993

Dr. Anthony Lake
Assistant to the President for
National Security Affairs
The White House
Washington, D.C. 20500

Dear Professor Lake,

During the fall of last year I wrote to you expressing my interest in helping Governor Clinton's national security transition team. You were very gracious and personally responded to my letter. In addition, during the summer and fall I enjoyed providing research materials to Nancy Soderberg and Deborah Castleman.

Although I risk being labeled a gadfly, I offer an important observation in the aftermath of the initial debate regarding homosexuals in the armed forces. My comment focuses on the larger relationship between the administration and the Pentagon, and I hope my thoughts will complement the impending strategic review of future U.S. defense requirements.

The controversy surrounding homosexuals in the armed forces has exacerbated a preexisting fissure in the relationship between the administration and the Pentagon. This rift reflects a credibility problem that, if not arrested, may profoundly diminish the effectiveness of the U.S. armed forces to project global power.

Specifically, efforts by otherwise well intentioned national security transition members reveal a dangerously inept understanding of how to carry out the President's military policy goals. Perhaps this shortcoming was a function of political expediency or of the perfunctory attention given to national security and military issues during the campaign. Nevertheless, it is most important that mutual trust and loyalty exist between the civilian leadership and the members of the armed forces. The Congress cannot impose this trust. It must originate from the White House and be adopted by the new civilian leadership in the Pentagon.

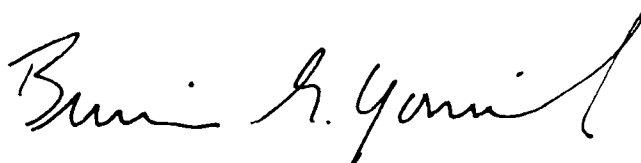
Whether mutual trust and confidence are established largely depends on the credentials of the remaining persons appointed to the Pentagon, and the receptiveness of the President and

Secretary Aspin to consider their counsel. Foremost consideration must be given to selecting individuals with reputations reflecting a military perspective or with demonstrated experience in the unique environment of the armed forces. Moreover, stressing ancillary factors analogous to quotas will have dismal consequences by failing to assuage the anxiety of the members of the armed forces. Previous recent administrations have had greater latitude on these points without jeopardizing the all-volunteer force. President Clinton unfortunately does not enjoy similar flexibility.

I do not foresee an exodus of personnel or insubordination if this trust is not attained. The most probable consequence will be a crisis of confidence and a disruption of leadership comparable to, or exceeding, that experienced during the post-Vietnam War era. This crisis will retard the restoration of the esprit de corps within the armed forces, and eviscerate the unity of purpose established between the White House and the Defense Department during the past decade. Potential adversaries may very well manipulate this real or perceived division. Under these circumstances, any future successful U.S. military action akin to Operation Desert Storm will be less certain. The lives of American servicemembers may be needlessly endangered.

I believe President Clinton can be a successful Commander-in-Chief. Maintaining rapport between the civilian leadership and the members of the armed forces will determine whether this vital goal is achieved.

Respectfully Yours,

A handwritten signature in black ink, appearing to read "Brian G. Yonish". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Brian G. Yonish

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 11, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RB*

FROM: KEITH HAHN *kh*

SUBJECT: Merchant Seaman Reemployment Rights Act of 1993

Tab II provides a proposed statement of Administration policy regarding Merchant Seamen reemployment rights. The purpose of this Act is to address an area not covered in last year's bill which provided reemployment rights for reservists activated for national security contingencies. There has been no objection in the past to providing this coverage. Rather the issue has been a technical one -- how best to do it.

This legislation gives responsibility to Transportation to ensure Merchant Seamen reemployment rights. The previous Administration sought to assign responsibility to Labor. Labor has already concurred in this draft, noting that, in the future, it may exercise the option to provide alternative methods for meeting this requirement.

Concurrences by: *in draft* Jeremy Rosner and *for* Don Gross

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the proposed statements of Administration policy.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

MEMORANDUM FOR JAMES J. JUKES

FROM: WILLIAM H. ITOH

SUBJECT: Proposed Statement of Administration Policy RE: HR
1109, Merchant Seamen Reemployment Rights Act of
1993

The National Security Council staff concurs in the proposed
statement of Administration policy.

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

March 11, 1993

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-141

TO: Legislative Liaison Officer -

**DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
LABOR - Robert A. Shapiro - (202)219-8201 - 330
JUSTICE - Faith Burton - (202)514-2141 - 217
VA - Robert Coy - (202)535-8113 - 229
NSC - William H. Itoh - (202)456-6534 - 249
NEC - Elizabeth Lindemuth - (202)456-6630 - 429**

**FROM: JAMES J. JUKES (for [signature])
Assistant Director for Legislative Reference**

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

**SUBJECT: Proposed Statement of Administration Policy
RE: HR 1109, Merchant Seamen Reemployment
Rights Act of 1993**

DEADLINE: 5:00 P.M. TODAY, THURSDAY March 11, 1993

COMMENTS: This Statement of Administration Policy must be finalized today. If we do not hear from you by the deadline, we will therefore assume that you have no objection to it.

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:

**Bob Damus
Meg DiBari
Larry Matlack
Todd Gramms
Chris Mustain
Bob Pellici
Carol Rasco
Tom Stanners
Vince Foster**

*3 pages
total*

_____ Concur
_____ No objection
_____ No comment
_____ See proposed edits on pages _____
_____ Other: _____
_____ FAX RETURN of _____ pages, attached to this
_____ response sheet

DRAFT

March 11, 1993
(House)

H.R. 1109 - Merchant Seamen Reemployment Rights Act of 1993
(Lipinski (D) Illinois and 20 others)

The Administration has no objection to House passage of H.R. 1109, but may seek Senate amendments to promote consistent enforcement of veteran's reemployment requirements.

* * * * *

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9320088
RECEIVED: 08 FEB 93 15

TO: SODERBERG

FROM: PONEMAN

DOC DATE: 10 MAR 93
SOURCE REF:

KEYWORDS: EXPORT CONTROLS

CONGRESSIONAL

PERSONS:

SUBJECT: INVITATION PONEMAN SPEAK ABOUT EXPORT CONTROLS AT SEMINAR SPONSORED
BY INDUSTRY COALITION ON TECHNOLOGY TRANSFER ET AL ON 19 MAR

ACTION: SODERBERG APPROVED RECOM

DUE DATE: 11 FEB 93 STATUS: C

STAFF OFFICER: PONEMAN

LOGREF:

FILES: NS

NSCP:

CODES:

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

FOR ACTION

FOR CONCURRENCE

FOR INFO

BELL
NSC CHRON
PONEMAN

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSWEA

CLOSED BY: NSWEA

DOC 1 OF 1

UNCLASSIFIED

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

March 10, 1993

MEMORANDUM FOR NANCY SODERBERG

FROM: DANIEL PONEMAN *DP*

SUBJECT: Invitation to Export Control Seminar,
March 19, 1993

I have been invited to speak about export controls at a one-day seminar sponsored by the Industry Coalition on Technology Transfer, the National Association of Manufacturers, and the staff of the Subcommittee on International Economic Policy, Trade and the Environment of the House Foreign Affairs Committee (Tab I). The seminar presents a good opportunity to exchange views with Hill staffers and industry representatives.

I would characterize my remarks as personal in nature. No press has been invited.

Concurrences by: Jeremy Rosner, Bob Kyle, Paul Clarke

RECOMMENDATION

That you approve my acceptance of the invitation attached at Tab I.

Approve *DP* Disapprove _____

Attachment

Tab I Invitation and Agenda

*(OK by ethics -
there is no Washington
who's paying - No money
involved)*

PERMISSIBLE TO GIVE PRESENTATION
IN OFFICIAL CAPACITY, WITHOUT
COMPENSATION & APPROPRIATE TO
ACCEPT GIFT OF MEALS (LUNCH) - -
SCFR § 2635(g)(1).

ED Mills
3/15/93

Digital Equipment Corporation
1331 Pennsylvania Avenue, N.W.
Suite 650
Washington, D.C. 20004

digital

February 4, 1993

Mr. Daniel B. Poneman
Director,
Defense Policy and Arms Control
National Security Council
Old Executive Office Building, Room 389
Washington DC 20506

Dear Mr. Poneman:

In an attempt to raise the awareness of new Members of Congress and staff on export control issues, the Subcommittee on International Economic Policy, Trade and the Environment of House Foreign Affairs, the Industry Coalition on Technology Transfer, and the National Association of Manufacturers will jointly sponsor an educational seminar on export control to be

[REDACTED] This seminar will be at an introductory level, and will have as its primary purpose to emphasize the importance of the subject and the need for more understanding and involvement by Members and staff.

As chairman of the ICOTT working group organizing the seminar, I have developed a tentative agenda (attached) that attempts to provide as comprehensive and balanced a view of the problem as possible in the short time allocated. I feel that one of the topics that should be addressed is a treatment of the value of export controls as a policy tool. In a discussion of the seminar with Richard Barth, he suggested the possibility that you might be interested in speaking on this subject.

The issue would be treated in a half-hour segment. I will moderate the seminar; Ed Rice and John Scheibel of the Committee staff will provide introductory remarks. Should you agree to speak, your segment would be at 10:45 AM.

Sincerely,

Bob Rarog

Robert Rarog
Export Policy Manager

9:00 - 9:30 Introduction
(Ed Rice, John Scheibel)

9:30 - 10:00 Statutory Authority
(Legislative Counsel)

10:00 - 10:30 Decision-Making in Export Policy
and Licensing

Eric Hirschhorn, Winston and Strawn
(confirmed)

The objective of this segment is to provide a description of agencies and bodies of regulation involved in the policy and licensing process, with a summary of how these agencies interact on a formal and informal basis.

10:30 - 10:45 Break

10:45 - 11:15 Benefits of Export Control as a Policy Tool
(speaker to be determined)

Objective of this segment is to provide a perspective on the desirability of controls as a policy tool to achieve specific technical objectives and as a means of changing national behavior.

11:15 - 11:45 Costs of Export Controls

Lee Mercer, Digital Equipment
(confirmed)

The objective of this segment is to illustrate a broad view of "costs", including administrative overhead, lost sales, and compliance exposure.

11:45 - 12:30 Case Studies

(Speakers/cases to be determined)

This segment will lay out three case studies illustrating problems with the current decision making process. Cray will present a an example from the computer industry.

12:30 - 1:30 Lunch

(Luncheon speaker to be determined; invitation extended to Major General William Burns)

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9301162
RECEIVED: 04 MAR 93 13

TO: YONISH, BRIAN G

FROM: LAKE

DOC DATE: 16 MAR 93
SOURCE REF:

KEYWORDS: DEFENSE POLICY

MP

PERSONS: YONISH, BRIAN G

SUBJECT: LAKE LTR TO YONISH RE RELATIONS W/ MILITARY

ACTION: LAKE SGD LTR

DUE DATE: 08 MAR 93 STATUS: C

STAFF OFFICER: HAHN

LOGREF:

FILES: WH

NSCP:

CODES:

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

FOR ACTION

FOR CONCURRENCE

FOR INFO

BELL

HAHN

NSC CHRON

COMMENTS:

DISPATCHED BY  DATE 3/16 BY HAND W/ATTCH

OPENED BY: NSASK

CLOSED BY: NSKDB

DOC 3 OF 3

UNCLASSIFIED

THE WHITE HOUSE

WASHINGTON

March 16, 1993

Dear Mr. Yonish:

Thank you for the insights you provided in your recent letter. I can assure you that President Clinton is sensitive to the need for a strong working relationship with the military and its leaders.

I appreciate your taking the time to write.

Sincerely,



Anthony Lake
Assistant to the President
for National Security Affairs

Mr. Brian G. Yonish
4822 Treasure Court
Fairfax, VA 22032



NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 10, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL *RBB*

FROM: KEITH HAHN *KH*

SUBJECT: Letter from Brian G. Yonish RE: Relations with the
Military

At Tab II Brian Yonish has written to you expressing his concern about the relationship between President Clinton and the military. He believes that it is important that the President appoint officials to the Department of Defense who have demonstrated experience and appreciation for things "military," rather than stressing other criteria.

The response at Tab I is provided since you have communicated with Mr. Yonish before and because he provided research materials to Nancy Soderberg and Deborah Castleman during the campaign.

RECOMMENDATION

That you sign the letter to Brian Yonish at Tab I.

Attachments

Tab I Letter for Signature

Tab II Incoming Correspondence

1162
February 25, 1993

Dr. Anthony Lake
Assistant to the President for
National Security Affairs
The White House
Washington, D.C. 20500

Dear Professor Lake,

During the fall of last year I wrote to you expressing my interest in helping Governor Clinton's national security transition team. You were very gracious and personally responded to my letter. In addition, during the summer and fall I enjoyed providing research materials to Nancy Soderberg and Deborah Castleman.

Although I risk being labeled a gadfly, I offer an important observation in the aftermath of the initial debate regarding homosexuals in the armed forces. My comment focuses on the larger relationship between the administration and the Pentagon, and I hope my thoughts will complement the impending strategic review of future U.S. defense requirements.

The controversy surrounding homosexuals in the armed forces has exacerbated a preexisting fissure in the relationship between the administration and the Pentagon. This rift reflects a credibility problem that, if not arrested, may profoundly diminish the effectiveness of the U.S. armed forces to project global power.

Specifically, efforts by otherwise well intentioned national security transition members reveal a dangerously inept understanding of how to carry out the President's military policy goals. Perhaps this shortcoming was a function of political expediency or of the perfunctory attention given to national security and military issues during the campaign. Nevertheless, it is most important that mutual trust and loyalty exist between the civilian leadership and the members of the armed forces. The Congress cannot impose this trust. It must originate from the White House and be adopted by the new civilian leadership in the Pentagon.

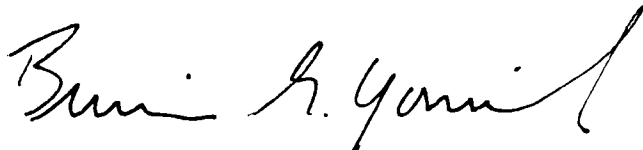
Whether mutual trust and confidence are established largely depends on the credentials of the remaining persons appointed to the Pentagon, and the receptiveness of the President and

Secretary Aspin to consider their counsel. Foremost consideration must be given to selecting individuals with reputations reflecting a military perspective or with demonstrated experience in the unique environment of the armed forces. Moreover, stressing ancillary factors analogous to quotas will have dismal consequences by failing to assuage the anxiety of the members of the armed forces. Previous recent administrations have had greater latitude on these points without jeopardizing the all-volunteer force. President Clinton unfortunately does not enjoy similar flexibility.

I do not foresee an exodus of personnel or insubordination if this trust is not attained. The most probable consequence will be a crisis of confidence and a disruption of leadership comparable to, or exceeding, that experienced during the post-Vietnam War era. This crisis will retard the restoration of the esprit de corps within the armed forces, and eviscerate the unity of purpose established between the White House and the Defense Department during the past decade. Potential adversaries may very well manipulate this real or perceived division. Under these circumstances, any future successful U.S. military action akin to Operation Desert Storm will be less certain. The lives of American servicemembers may be needlessly endangered.

I believe President Clinton can be a successful Commander-in-Chief. Maintaining rapport between the civilian leadership and the members of the armed forces will determine whether this vital goal is achieved.

Respectfully Yours,

A handwritten signature in black ink, appearing to read "Brian G. Yonish". The signature is fluid and cursive, with a long, sweeping tail on the last word.

Brian G. Yonish

~~SECRET~~
NSC/RMO PROFILE

RECORD ID: 9301322
RECEIVED: 10 MAR 93 07

TO: SHERFIELD, M

FROM: ITOH

DOC DATE: 16 MAR 93
SOURCE REF:

KEYWORDS: MILITARY EXERCISES

JORDAN

PERSONS:

SUBJECT: SIGNIFICANT MILITARY EXERCISE EARLY VICTOR 93

ACTION: KENNEY SGD MEMO

DUE DATE: 13 MAR 93 STATUS: C

STAFF OFFICER: HAHN

LOGREF:

FILES: PA

NSCP:

CODES:

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

FOR ACTION

FOR CONCURRENCE

FOR INFO

BELL
HAHN
NSC CHRON

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By RL NARA, Date 8/25/2016

2016-0152-F

COMMENTS:

DISPATCHED BY RA DATE 3/16 BY HAND W/ATTCH

OPENED BY: NSMEM

CLOSED BY: NSKDB

DOC 3 OF 3

~~SECRET~~

NATIONAL SECURITY COUNCIL

WASHINGTON, D C. 20506

March 16, 1993

MEMORANDUM FOR COL. MICHAEL B. SHERFIELD
Executive Secretary
Department of Defense

SUBJECT: Significant Military Exercise EARLY VICTOR 93

Military exercise EARLY VICTOR 93 is approved.

William H. Itoh
Executive Secretary

~~SECRET~~

1322

~~SECRET~~
NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 10, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RB*
FROM: KEITH HAHN *KH*
SUBJECT: Significant Military Exercise EARLY VICTOR 93

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, approving military exercise EARLY VICTOR 93. At Tab II Defense recommends approval and State concurs.

EARLY VICTOR 93 is a combined special operations field training exercise with Jordan. It is scheduled to take place April 7 - May 2 in the vicinity of Al Jafr Air Base and the towns of Et Talifa, Ash Shawbak, and Aqaba, Jordan. Although Jordan aligned itself with Iraq during the Gulf War, it has since made significant progress in supporting U.N. sanctions and its military has voiced a strong desire to exercise with U.S. forces.

The critical cancellation date is March 22, 1993.

Concurrences by: Martin Indyk *MI* and Edmund Hull *EH*

RECOMMENDATION

That you sign the memorandum at Tab I approving the exercise.

Attachments

Tab I Memorandum for Signature
Tab II OSD Executive Secretary Memorandum, March 8, 1993

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By *Y* NARA, Date *7/27/06*
2016-0152-F

~~SECRET~~

Declassify on: OADR

~~SECRET~~

~~SECRET~~

1322



OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1000

08 MAR 1993

MEMORANDUM FOR EXECUTIVE SECRETARY, NATIONAL SECURITY COUNCIL

SUBJECT: Significant Military Exercise - EARLY VICTOR 93

The Department of Defense recommends NSC approval of the attached Significant Military Exercise Brief, Exercise EARLY VICTOR 93. The Department of State concurs with this recommendation.

Please note the critical cancellation date is 22 March 1993.

A handwritten signature in cursive script, likely of Michael B. Sherfield, is positioned above the printed name.

Michael B. Sherfield
Executive Secretary

Attachment:
As stated

This memorandum is UNCLASSIFIED without enclosure.

Sec Def Cont Nr. **X61029**

~~SECRET~~

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. cable	Duplicate of 001b. (2 pages)	02/04/1993	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 - March 1993 #1 [4]

2016-0152-F
vz4363

RESTRICTION CODES

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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)]

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