

FOIA MARKER

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Folder Title:

Chron File - July 1993 #2 [3]

Staff Office-Individual:

Defense Policy-Bell, Robert

Original OA/ID Number:

46

Row:	Section:	Shelf:	Position:	Stack:
31	3	2	2	V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. cable	Duplicate of vz4434_002b. (1 page)	06/11/1993	P1/b(1)
001b. memo	Duplicate of vz4434_002a. (1 page)	07/10/1993	P1/b(1)
002a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - INDIGO SERPENT 93-3. (1 page)	07/07/1993	P1/b(1)
002b. cable	re: Part I Significant Military Exercise [Indigo Serpent 93-3] (2 pages)	05/26/1993	P1/b(1)
003. memo	For Samuel Berger from Robert Bell. Subject: Discussion Paper for DC Meeting on PRD-13. Record ID: 9320788. (2 pages)	07/17/1993	P1/b(1)
004. cable	re: Setting Dates for PM A/S Gallucci Trip. (2 pages)	07/14/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 46

FOLDER TITLE:

Chron File - July 1993 #2 [3]

2016-0152-F

vz4436

RESTRICTION CODES

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

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

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

b(1) National security classified information [(b)(1) of the FOIA]
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b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

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

RR. Document will be reviewed upon request.

TO: SHERFIELD, M

FROM: ITOH

DOC DATE: 14 JUL 93
SOURCE REF:

KEYWORDS: MILITARY EXERCISES

TURKEY

PERSONS:

SUBJECT: SIGNIFICANT MILITARY EXERCISE GATEWAY 2-93

ACTION: KENNEY SGD MEMO

DUE DATE: 13 JUL 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
EXECSEC
HAHN

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By 12 NARA, Date 10/3/2006

2016-0752-F

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSWEA

CLOSED BY: NSJDA

DOC 3 OF 3

~~SECRET~~

RECORD ID: 9305053

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 HAHN
002 ITOH
003

Z 93070920 PREPARE MEMO FOR ITOH
Z 93071410 FOR SIGNATURE
X 93071410 KENNEY SGD MEMO

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003 930714 SHERFIELD, M

~~SECRET~~

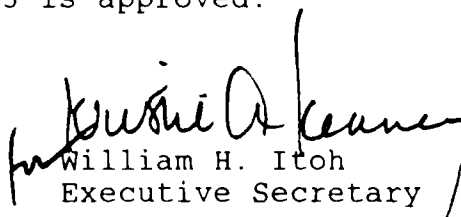
NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

July 14, 1993

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

SUBJECT: Significant Military Exercise GATEWAY 2-93

Military exercise GATEWAY 2-93 is approved.


William H. Itoh
Executive Secretary



~~SECRET~~

OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1000

Staff
SOS3

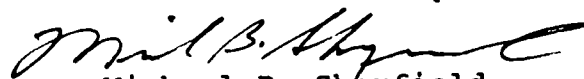
08 JUL 1993

MEMORANDUM FOR EXECUTIVE SECRETARY, NATIONAL SECURITY COUNCIL

SUBJECT: Significant Military Exercise - GATEWAY 2-93

The Department of Defense recommends NSC approval of significant military exercise GATEWAY 2-93, a summary of which is attached. The Department of State concurs with this recommendation.

Please note the critical cancellation date is 25 July 1993.


Michael B. Sherfield
Executive Secretary

Attachment:
As stated

This memorandum is UNCLASSIFIED without attachment.

~~SECRET~~

SEC DEF CONTR No. X6 19 88

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

July 15, 1993

INFORMATION

MEMORANDUM FOR NANCY HERNREICH

THROUGH: ROBERT G. BELL *RGB*
FROM: RICHARD HOOKER *RH*
SUBJECT: The President's Role in Service Academy
Nominations

Admission to the Air Force, Naval or Military Academies is governed by Title 10 of the U.S. Code. Cadets are typically nominated to the service academies by their congressman or senator, each of which is permitted to have one nomination at each academy per year. The Vice President (as President of the Senate) is also authorized to nominate one person per service academy per year.

A separate category called "Presidential nominations" exists which is intended to provide a means of entry for sons and daughters of career military (officers and enlisted) whose transient lifestyles make it difficult to compete for congressional nominations. 100 seats in each class (approximately 8% of the total) are reserved for these applicants. However, despite the name there is no mechanism for Presidential involvement. By law, these spaces are awarded by academy admissions officials to candidates from military families on a "best-qualified" basis.

The service secretaries are authorized to award unused congressional nominations to qualified applicants, and these normally go to minority applicants or athletes recruited by the academies. Regardless of the source of nomination, all applicants must be found "qualified for admission" by academy Admissions Boards. The criteria include scholastic achievement, athletic participation, community involvement and demonstrated leadership ability. A certain percentage of "at risk" candidates are admitted each year to promote a diversified student body at each institution; however, these candidates must still receive nominations from one of the sources discussed above to be admitted.

The Academies also operate Preparatory Schools to qualify selected enlisted candidates for admission. Candidates may apply as civilians and will enter upon military status if accepted. The course of instruction is approximately one year in length. Admission to the Academy upon completion is not automatic but is highly likely for those applicants who complete the preparatory course.

We do not recommend that the President formally endorse a particular application unless it is a unique case where the President personally knows the candidate and is familiar with his or her accomplishments. Even in such cases, there are more subtle ways to proceed. Admissions officers at the Academy can be informally alerted to applications which have "White House interest" and will "work the system" within the framework established by law, assuming the candidate is qualified. Such interest is best communicated telephonically at the staff level.

Attachment

Tab I Incoming Correspondence

NATIONAL SECURITY COUNCIL

July 15, 1993

MEMO TO BOB BELL

FROM: BROOKE DARBY

RE: The President's Role
in Military Academy
Appointments

RICH

Nancy has asked that you please prepare a memo by COB today (Thursday) to Nancy Hernreich on the process of military academy appointments and the appropriateness of the President endorsing candidates in this process, etc. (see attached letter).

We have not been asked to evaluate the merits of Russell Morrow's case.

I am waiting to hear back from Nancy Hernreich's office on whether they want us to prepare a draft response to Morrow and will let you know ASAP.

Thanks.

NH

7/14/94 J. L. Lacey
J. L. Lacey
K. L. Lacey
A. L. Lacey
P. L. Lacey
r BC-

President Bill Clinton
The White House
1600 Pennsylvania Ave.
Washington, D. C. 20500-2000

Dear President Clinton,

My family and I will be visiting Washington July 16-22. I contacted Mary Ann Salmon, and through her we have a White House tour scheduled July 21st.

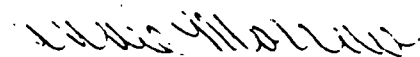
Russell, my son, is seeking an appointment to the Naval Academy. We would very much like to meet with you, if at all possible, anytime during our stay. Also, Russell would like to meet with the Vice President regarding a Vice-Presidential Nomination. (He has already completed the paperwork required for this process.)

While in Washington, we will be staying at the Hotel Washington.

We have again survived a Fourth of July picnic, and we had our usual entourage of politicians. However, we were lacking one that we like to see. I hope that someday you will have the time to visit us again.

We are extremely proud to have you leading our nation. You may count on my continued support, and I wish you and your family well.

Sincerely,



Annie Morrow
P O Box 303
Corning, Arkansas 72422
501-857-3498

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

July 14, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT G. BELL *RGB*

FROM: RICHARD HOOKER *RH*

SUBJECT: DOD 103-018: Draft Bill U.S. Armed Forces Logistic Support, Supplies and Services Acquisition Authorization

We have reviewed and recommend that you concur with the proposed legislation. This bill authorizes the Department to borrow or loan military equipment, supplies and services to the United Nations for peacekeeping or humanitarian assistance operations, as is currently authorized for NATO and certain other countries. The legislation also permits these exchanges for deployed units engaged in overseas training or other operations where declared hostilities do not exist and where readiness is not affected. These limitations are waived upon determination of active hostilities. The Joint Staff concurs with the Department's views on this issue.

Concurrences by:

In draft
Keith Hahn, Susan Rice and Jeremy Rosner *JR*

RECOMMENDATION

That you sign the memo of concurrence at Tab I.

Attachments

Tab I Memo of Concurrence
Tab II Incoming Correspondence

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20508

MEMORANDUM FOR RONALD K. PETERSON

FROM: WILLIAM H. ITOH

SUBJECT: DOD 103-018 Defense Draft Bill U.S. Armed Forces
Logistic Support, Supplies and Services
Acquisition Authorization

The National Security Council staff has reviewed and concurs with the proposed legislation.

SPECIAL

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

4842

June 29, 1993

LEGISLATIVE REFERRAL MEMORANDUM

LRM #D-275
DRAFT #291

TO: Legislative Liaison Officer -

JUSTICE - Faith Burton - (202) 514-2141 - 217
NSC - William H. Itoh - (202) 395-3723 - 249
STATE - Julie C. Norton - (202) 647-2137 - 225

FROM: *H. F. Itoh*
RONALD K. PETERSON (for)
Assistant Director for Legislative Reference

OMB CONTACT: MIKE GOAD (395-7301)
Secretary's line (for simple responses): 395-6194

SUBJECT: DEFENSE Draft Bill US Armed Forces Logistic
Support, Supplies, and Services Acquisition
Authorization (DOD 103-018)

DEADLINE: 4:00 P.M., FRIDAY, July 2, 1993

COMMENTS: This LRM supercedes LRM #D-275, dated June 22, 1993,
and establishes a new deadline for comments. Please respond
by the deadline noted above. Please note that the Department
of Defense draft bill has not been modified.

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:
D. Costello
K. MacIntyre
B. Thierwechter
T. Davis

Page 7pg

Honorable Albert Gore
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

Enclosed is a draft of proposed legislation "To amend subchapter I of chapter 138 of title 10, United States Code, to provide the Secretary of Defense the authority to acquire and transfer logistic support, supplies, and services in exercises and operations with the United Nations Organization or any regional international organization of which the United States is a member, to authorize the temporary provision of limited items of military equipment, to remove the limitations on the amounts that may be obligated or accrued during a contingency operation and for other purposes."

The proposed legislation is part of the Department of Defense Legislation Program for the 103rd Congress. The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for consideration of the Congress.

Purpose of the Legislation

Subchapter I of chapter 138 of title 10, United States Code, currently authorizes United States armed forces deployed outside of the United States to acquire and transfer logistic support, supplies, and services with NATO countries, NATO subsidiary bodies and certain eligible or designated non-NATO countries. This proposal would extend that authority to the United Nations Organization or any regional international organization of which the United States is a member in support of humanitarian or peacekeeping operations such as the United Nations' sanctioned operations in Somalia.

This proposal would also permit deployed United States armed forces to loan or borrow general purpose vehicles and other items of military equipment which would not affect readiness. The authority to temporarily exchange logistic support of this nature with designated countries and international organizations would facilitate greater cooperation during an exercise or military operation. Section 65 of the Arms Export Control Act, which permits loans only for research and development purposes, would not be affected by this proposal.

Dollar limitations in the current legislative authority remain in place until the determination of active hostilities. Application of these limitations to extended military activities short of a state of declared hostilities, however, could prevent use of these authorities when they are most needed. Therefore, it is proposed that the dollar limitations be waived during operations conducted in support of humanitarian and refugee

assistance, disaster and famine relief, peacekeeping, peace enforcement or contingency operations. United States armed forces participating in multinational operations, like Operation Desert Shield/Storm and Operation Restore Hope, could benefit from this proposal by taking advantage of available coalition resources during activities conducted leading up to or that fall short of active hostilities.

The organizational restrictions and preconditions currently found in sections 2341, 2342, 2344, 2347 and 2350 of title 10, United States Code, are inconsistent with exercise scenarios and likely United States' involvement in contingency operations in the future. They inhibit military cooperation and the efficient use of logistic resources that would otherwise be possible because of rationalization, standardization and interoperability initiatives. The enclosed proposal would correct such inconsistencies.

Cost and Budget Data

This proposal greatly benefits the United States armed forces by increasing reciprocal logistic support with our allies and with international organizations. The improved efficiency in the use of logistic resources would result in dollar savings and reduced lead-time for logistic services and supplies required by United States armed forces deployed outside the United States. Savings cannot be reliably estimated because they will depend on the number and scope of transactions concluded in the future and the degree of United States involvement in future operations.

Sincerely,

Enclosure:
As Stated

A B I L L

To amend subchapter I of chapter 138 of title 10, United States Code, to provide deployed United States armed forces the authority to acquire and transfer logistic support, supplies, and services in exercises and operations with the United Nations Organization or any regional international organization of which the United States is a member, to authorize the temporary provision of limited items of military equipment, to remove the limitations on the amounts that may be obligated or accrued during a contingency operation and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO ACQUIRE LOGISTIC SUPPORT, SUPPLIES, AND SERVICES FOR ELEMENTS OF THE ARMED FORCES DEPLOYED OUTSIDE OF THE UNITED STATES

Section 2341 of title 10, United States Code, is amended in subsection (1) by replacing "and" with "," and adding "and from the United Nations Organization or any regional international organization of which the United States is a member" between "... subsidiary bodies," and "logistic support. . .".

SECTION 2. CROSS-SERVICING AGREEMENTS.

Section 2342 of title 10, United States Code, is amended as follows:

(a) In subsection (a)(1)(B) by striking out "or"; renumber subsection (a)(1)(C) as subsection (a)(1)(D); and adding new subsection (a)(1)(C) as "(C) the United Nations Organization or any regional international organization of which the United States is a member",

(b) In subsection (a)(2) by replacing "subsidiary body" wherever it appears with "organization"; and

(c) In subsection (c) by replacing "a routine" with "an ordinary"; and by adding at the end of the paragraph "However, subject to section 2348, the Secretary of Defense may use the authority of this subchapter in peacetime to facilitate routine mutual logistic support of and by United States armed forces in training, exercises, and operations and to permit better use of host nation resources for recurring logistic support requirements of deployed United States armed forces."

**SECTION 3. METHODS OF PAYMENT FOR ACQUISITIONS AND TRANSFERS
BY THE UNITED STATES**

Section 2344 of title 10, United States Code, is amended by adding at subsection (b)(4) ", the United Nations Organisation or any regional international organization of which the United States is a member" between "bodies" and "under."

**SECTION 4. LIMITATION ON AMOUNTS THAT MAY BE OBLIGATED OR
ACCRUED BY THE UNITED STATES**

Section 2347 of title 10, United States Code, is amended as follows:

(a) In subsection (a)(1) by adding ", the United Nations Organisation or any regional international organization of which the United States is a member" between "subsidiary bodies of the North Atlantic Treaty Organisation" and "may not exceed";

(b) In subsection (b)(1) by adding ", the United Nations Organisation or any regional international organization of which the United States is a member" between "subsidiary bodies of the North Atlantic Treaty Organisation" and "may not exceed"; and

(c) By adding a new subsection as "(c) When the armed forces of the United States are involved in operations conducted in support of humanitarian and refugee assistance, disaster and famine relief, peacekeeping, peace enforcement or contingency operations, the restrictions set forth in subsections (a) and (b) above are waived for the purposes and the duration of these operations."

SECTION 5. DEFINITIONS.

Section 2350 of title 10, United States Code, is amended as follows:

(a) In subsection (1) by adding "(including airlift)" between "transportation" and "petroleum"; by adding "calibration services" between "maintenance services" and "and port services."; and by adding at the end of the paragraph "Also, included on a loan basis only, are general purpose vehicles and other items of military equipment not designated as part of the United States Munitions List pursuant to section 38(a)(1) of the Arms Export Control Act and for purposes other than research and development pursuant to section 65 of the Arms Export Control Act."; and

(b) Delete subsection (3) in its entirety and substitute new subsection (3) as "(3) The term 'transfer' means selling (whether for payment in currency, replacement-in-kind, or exchange of supplies or services of equal value), loaning, or otherwise temporarily providing logistic support, supplies, and services under the terms of a cross-servicing agreement."

SECTION 6. EFFECTIVE DATE

The amendments made by this Act shall be effective with regard to acquisitions and transfers of logistic support, supplies, and services under the authority of this subchapter that are initiated after the date of enactment of this Act.

4702

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

June 22, 1993

LEGISLATIVE REFERRAL MEMORANDUM

**LRM #D-275
DRAFT #291**

TO: Legislative Liaison Officer -

**JUSTICE - Faith Burton - (202) 514-2141 - 217
NSC - William H. Itoh - (202) 395-3723 - 249
STATE - Julie C. Norton - (202) 647-2437 - 225**

**FROM: RONALD K. PETERSON (for) *Ronald K. Peterson*
Assistant Director for Legislative Reference**

**OMB CONTACT: MIKE GOAD (395-7301)
Secretary's line (for simple responses): 395-6194**

**SUBJECT: DEFENSE Draft Bill US Armed Forces Logistic
Support, Supplies, and Services Acquisition
Authorization (DOD 103-018)**

DEADLINE: TUESDAY, July 6, 1993

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:
D. Costello
K. MacIntyre
B. Thierwechter**

Honorable Albert Gore
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

Enclosed is a draft of proposed legislation "To amend subchapter I of chapter 138 of title 10, United States Code, to provide the Secretary of Defense the authority to acquire and transfer logistic support, supplies, and services in exercises and operations with the United Nations Organization or any regional international organization of which the United States is a member, to authorize the temporary provision of limited items of military equipment, to remove the limitations on the amounts that may be obligated or accrued during a contingency operation and for other purposes."

The proposed legislation is part of the Department of Defense Legislation Program for the 103rd Congress. The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for consideration of the Congress.

Purpose of the Legislation

Subchapter I of chapter 138 of title 10, United States Code, currently authorizes United States armed forces deployed outside of the United States to acquire and transfer logistic support, supplies, and services with NATO countries, NATO subsidiary bodies and certain eligible or designated non-NATO countries. This proposal would extend that authority to the United Nations Organization or any regional international organization of which the United States is a member in support of humanitarian or peacekeeping operations such as the United Nations' sanctioned operations in Somalia.

This proposal would also permit deployed United States armed forces to loan or borrow general purpose vehicles and other items of military equipment which would not affect readiness. The authority to temporarily exchange logistic support of this nature with designated countries and international organizations would facilitate greater cooperation during an exercise or military operation. Section 65 of the Arms Export Control Act, which permits loans only for research and development purposes, would not be affected by this proposal.

Dollar limitations in the current legislative authority remain in place until the determination of active hostilities. Application of these limitations to extended military activities short of a state of declared hostilities, however, could prevent use of these authorities when they are most needed. Therefore, it is proposed that the dollar limitations be waived during operations conducted in support of humanitarian and refugee

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The organizational restrictions and preconditions currently found in sections 2341, 2342, 2344, 2347 and 2350 of title 10, United States Code, are inconsistent with exercise scenarios and likely United States' involvement in contingency operations in the future. They inhibit military cooperation and the efficient use of logistic resources that would otherwise be possible because of rationalization, standardization and interoperability initiatives. The enclosed proposal would correct such inconsistencies.

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As Stated

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SECTION 2. CROSS-SERVICING AGREEMENTS.

Section 2342 of title 10, United States Code, is amended as follows:

(a) In subsection (a)(1)(B) by striking out "or"; renumber subsection (a)(1)(C) as subsection (a)(1)(D); and adding new subsection (a)(1)(C) as "(C) the United Nations Organization or any regional international organization of which the United States is a member",

(b) In subsection (a)(2) by replacing "subsidiary body" wherever it appears with "organization"; and

(c) In subsection (c) by replacing "a routine" with "an ordinary"; and by adding at the end of the paragraph "However, subject to section 2348, the Secretary of Defense may use the authority of this subchapter in peacetime to facilitate routine mutual logistic support of and by United States armed forces in training, exercises, and operations and to permit better use of host nation resources for recurring logistic support requirements of deployed United States armed forces."

**SECTION 3. METHODS OF PAYMENT FOR ACQUISITIONS AND TRANSFERS
BY THE UNITED STATES**

Section 2344 of title 10, United States Code, is amended by adding at subsection (b) (4) ", the United Nations Organization or any regional international organization of which the United States is a member" between "bodies" and "under."

**SECTION 4. LIMITATION ON AMOUNTS THAT MAY BE OBLIGATED OR
ACCURED BY THE UNITED STATES**

Section 2347 of title 10, United States Code, is amended as follows:

(a) In subsection (a) (1) by adding ", the United Nations Organization or any regional international organization of which the United States is a member" between "subsidiary bodies of the North Atlantic Treaty Organization" and "may not exceed";

(b) In subsection (b) (1) by adding ", the United Nations Organization or any regional international organization of which the United States is a member" between "subsidiary bodies of the North Atlantic Treaty Organization" and "may not exceed"; and

(c) By adding a new subsection as "(c) When the armed forces of the United States are involved in operations conducted in support of humanitarian and refugee assistance, disaster and famine relief, peacekeeping, peace enforcement or contingency operations, the restrictions set forth in subsections (a) and (b) above are waived for the purposes and the duration of these operations."

SECTION 5. DEFINITIONS.

Section 2350 of title 10, United States Code, is amended as follows:

(a) In subsection (1) by adding "(including airlift)" between "transportation" and "petroleum"; by adding "calibration services" between "maintenance services" and "and port services."; and by adding at the end of the paragraph "Also, included on a loan basis only, are general purpose vehicles and other items of military equipment not designated as part of the United States Munitions List pursuant to section 38(a) (1) of the Arms Export Control Act and for purposes other than research and development pursuant to section 65 of the Arms Export Control Act."; and

(b) Delete subsection (3) in its entirety and substitute new subsection (3) as "(3) The term "transfer" means selling (whether for payment in currency, replacement-in-kind, or exchange of supplies or services of equal value), loaning, or otherwise temporarily providing logistical support, supplies, and services under the terms of a cross-servicing agreement."

** 010'3909 70101 **

SECTION 6. EFFECTIVE DATE

The amendments made by this Act shall be effective with regard to acquisitions and transfers of logistic support, supplies, and services under the authority of this subchapter that are initiated after the date of enactment of this Act.

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

July 12, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT G. BELL *RGB*

FROM:

RICHARD HOOKER *RH*

SUBJECT:

DoD Comments on S.129: Extending U.S. Jurisdiction
to Offenses Committed Abroad by U.S. Military
Members and Persons Accompanying U.S. Armed Forces

We have reviewed and recommend that you concur with the Department of Defense's comments on S.129. This bill extends U.S. jurisdiction to cover offenses committed by military members and persons accompanying U.S. armed forces operating overseas. It provides a remedy in situations where DoD civilians serving abroad commit serious offenses which are not prosecuted by host governments (DoD civilians may not be tried by military courts except in time of war). The Department appropriately stresses that this act not be construed to set aside Status of Forces Agreements (SOFA) already in force which regulate conditions under which U.S. forces serve abroad in host countries.

Concurrences by: Keith Hahn and Jeremy Rosner

RECOMMENDATION *(P)*

That you sign the memo of concurrence at Tab I.

Attachments

Tab I Memo of Concurrence

Tab II Incoming Correspondence

NATIONAL SECURITY COUNCIL
WASHINGTON, D C 20506

MEMORANDUM FOR RONALD K. PETERSON

FROM: WILLIAM H. ITOH

SUBJECT: DoD Comments on S 129

The National Security Council staff has reviewed and concurs with the proposed comments on S 129.

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

SPECIAL

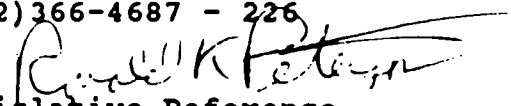
June 24, 1993

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-721

TO: Legislative Liaison Officer -

JUSTICE - Faith Burton - (202)514-2141 - 217
NSC - William H. Itoh - (202)395-3723 - 249
STATE - Julie C. Norton - (202)647-2137 - 225
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226

FROM: RONALD K. PETERSON (for) 
Assistant Director for Legislative Reference

OMB CONTACT: MIKE GOAD (395-7301)
Secretary's line (for simple responses): 395-6194

SUBJECT: Defense Proposed Report RE: S 129, Criminal
Offenses Committed by Certain Military
Personnel Outside the United States

DEADLINE: MONDAY, July 19, 1993

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:
L. Haber
B. Thierwechter
K. MacIntyre



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

WASHINGTON, D C 20301-1600

**DRAFT
FOR
OMB A-19
REVIEW**

Honorable Sam Nunn
Chairman, Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This is in response to your request for the views of the Department of Defense on S. 129, 103rd Congress, a bill "To amend title 10, United States Code, to provide for jurisdiction, apprehension, and detention of members of the Armed Forces and certain civilians accompanying the Armed Forces outside the United States, and for other purposes."

S. 129 would fill a jurisdictional void concerning offenses committed by United States nationals abroad. Although Article 2(a)(10) of the Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 802(a)(10), provides that in time of war, persons serving with or accompanying an armed force in the field are subject to the UCMJ, the United States Supreme Court has held unconstitutional the exercise of military jurisdiction over civilians in time of peace. Furthermore, the exercise of jurisdiction by foreign courts over offenses committed by United States civilians overseas has not been a wholly adequate substitute for United States jurisdiction. The Services have, over the years, reported offenses, including serious felonies, committed by civilians accompanying our forces, which have gone unpunished because the host nation lacked either the interest or the jurisdiction to bring a criminal action against the offender. The impact upon discipline and morale can be significant when the only available response to a criminal offense is non-criminal administrative action.

At present, except for certain offenses against the United States itself, such as treason, espionage, fraud against the Government and theft of Government property, wrongful acts committed by civilian employees and dependents in foreign countries, which would be state crimes if committed in the United States, do not violate any laws of the United States and cannot, therefore, be punished by the United States. These crimes are under the exclusive jurisdiction of the host country. Extending United States jurisdiction to overseas offenses would allow response to criminal cases in which a foreign country chooses not

to prosecute because local interests are not sufficiently implicated or when the offender is no longer amenable to the jurisdiction of the country in which the crime was committed.

For these reasons, the Department of Defense supports the overall initiative to subject members of the armed forces and civilians serving with, employed by, or accompanying our armed forces to the jurisdiction of the United States district courts for crimes committed outside of the United States. Nonetheless, the bill raises several concerns that must be noted.

The bill provides for an additional chapter to title 10 of the United States Code, which is dedicated to legislation dealing with the armed forces. A statute granting jurisdiction to United States district courts for the trial of criminal cases would fit more appropriately in title 18 of the Code, which contains legislation dealing generally with Federal crimes and criminal procedures and the jurisdiction of the United States district courts. A bill to amend title 18 as well as a bill to amend title 10 to provide for apprehension, restraint, removal and delivery of offenders would be consistent with this codification scheme.

Section 992(b) of the bill raises another matter of concern by restricting our current ability to prosecute Service members for Federal offenses either by court-martial or in Federal District Court. The current flexibility allows us to handle cases of mixed civilian and military defendants efficiently and effectively. Section 992(b) appears to be an unnecessary limitation on that important prosecutorial flexibility.

Section 992(e) authorizes military members to apprehend and detain civilians overseas. The proposed legislation, however, does not include any procedures for a hearing prior to or within a reasonable time after apprehension. Likewise, it does not address issues involving legal counsel, such as who will provide an attorney when the person detained is indigent. The absence of such procedures raises constitutional due process and civil liability issues. A pretrial confinement hearing, for example, if conducted by a military judge, would raise constitutional issues under Supreme Court decisions that nullified peacetime military jurisdiction over civilians. Furthermore, we oppose using military or civilian attorneys of the military departments to counsel indigent dependents, as such use could result in troubling attorney-client relationships. Moreover, since the bill extends the jurisdiction to try cases before an Article III court. Thus, the arrest and removal provisions would seem to

require that the procedures to accomplish this conform to those required in title 18 and the Federal Rules of Criminal Procedure. The bill, therefore, should clarify who shall authorize the arrest warrant or search warrant, conduct the removal hearing, and set bail.

We also recommend that § 992(e)(1) of the proposed legislation be rewritten to allow the Secretary of Defense to designate and authorize civilian law enforcement personnel "to apprehend and detain, outside the United States, any person described in subsection (a) who is reasonably believed to have engaged in conduct which constitutes a criminal offense." The legislation, as drafted, would permit the Secretary of Defense to authorize only members of the Armed Forces serving in a law enforcement position to "apprehend and detain." The Naval Criminal Investigative Service (NCIS), however, which is composed of civilian employees, is primarily responsible for investigating major criminal offenses, of concern to the Department of the Navy, and may be in the best position to apprehend and detain certain suspected criminals.

We also recommend that the legislation define "person accompanying the armed forces" to include family members of a member of the armed forces residing with the member outside the United States, civilian employees of a military department residing outside the United States in connection with their employment, and employees of a Department of Defense contractor residing outside the United States in connection with their employment who are not nationals of the host nation. This will ensure that the legislation clearly provides for jurisdiction over the class of persons that has escaped the reach of criminal jurisdiction when the foreign country in which such individuals were present did not exercise its jurisdiction over their criminal offenses.

Finally, § 993(a)(2) seems to indicate that the proposed legislation is not intended to affect the operation of Status of Forces Agreements, such as the NATO SOFA. Presumably, the legislation would not deprive host nation authorities of their right under these agreements to prosecute cases involving United States civilians. This understanding should be clarified, perhaps in the accompanying sectional analysis. It should also be made clear that the extra-territorial jurisdiction created by the proposed legislation will be exercised sparingly, on a case-by-case basis, in unusual situations where United States interests in prosecuting a serious case will not be vindicated by the host country. Furthermore, the authority to effect

apprehensions abroad may be perceived as an encroachment on the foreign country's sovereignty, and a violation of the Status of Forces Agreement (SOFA). Accordingly, the legislation should include a provision for coordination with foreign sovereigns in the exercise of the arrest authority jurisdiction to ensure compliance with existing SOFAs.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report for the consideration of the Committee.

Sincerely,

Jamie S. Gorelick

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9304477
RECEIVED: 17 JUN 93 10

TO: PETERSON, R

FROM: ITOH

DOC DATE: 12 JUL 93
SOURCE REF:

KEYWORDS: MARINES

LEGISLATIVE REFERRAL

PERSONS:

SUBJECT: DOD DRAFT BILL RE USMC AUTHORIZED STRENGTH LIMITATIONS REVISIONS

ACTION: KENNEY SGD MEMO

DUE DATE: 21 JUN 93 STATUS: C

STAFF OFFICER: HAHN

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

BELL
EXECSEC
HAHN

COMMENTS:

DISPATCHED BY

DATE

BY HAND

W/ATTCH

OPENED BY: NSJDA

CLOSED BY: NSMEM

DOC 3 OF 3

UNCLASSIFIED

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

July 12, 1993

MEMORANDUM FOR RONALD K. PETERSON

FROM: WILLIAM H. ITOR 

SUBJECT: Defense Draft Bill, USMC Authorized Strength
Limitations Revisions (DoD 103-015)

The National Security Council staff concurs in the draft Defense bill.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

July 8, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RB*

FROM: KEITH HAHN *KH*

SUBJECT: Proposed Defense Legislation, Increase in Marine Officer Endstrength (DoD 103-015)

At Tab II Defense proposes legislation which would increase Marine Corps officer endstrength by 231 majors and 133 lieutenant colonels, for a total increase of 364 field grade officers. This increase would be offset by a decrease in an equal number of company grade (captain and below) officers.

We met with OMB, OSD and Marine Corps officials to discuss the specifics and associated costs of this proposal. The Marine Corps has had a shortfall in the number of officers in these ranks for several years. DOPMA requirements and compliance with Goldwater/Nichols legislation has exacerbated these shortfalls. OSD sought reallocation of officers among paygrades in past years with no success. OMB had hoped that other services would highlight similar problems and a consolidated proposal could be sent forward. However, to date, the other services have not requested relief from grade allocations.

We believe that the costs associated with this proposal are minimal and the benefits for Marine Corps officer career development significant enough to warrant approval.

Concurrence by: Mike Andriacos *(Signature)*

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the draft legislation.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

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

4477
SPECIAL

June 16, 1993

LEGISLATIVE REFERRAL MEMORANDUM

LRM #D-265
DRAFT #286

TO: Legislative Liaison Officer -

NSC - William H. Itoh - (202)395-3723 - 249

FROM: RONALD K. PETERSON (for) *Ronald K Peterson*
Assistant Director for Legislative Reference

OMB CONTACT: MIKE GOAD (395-7301)
Secretary's line (for simple responses): 395-6194

SUBJECT: DEFENSE Draft Bill USMC Authorized Strength
Limitations Revisions (DOD 103-015)

DEADLINE: 4:00 P.M., MONDAY, June 21, 1993

COMMENTS: The Department of Defense has requested expedited clearance of the attached proposal so that the Department may transmit it to Congress for inclusion in the annual National Defense Authorization Act.

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:

T. Lewis

K. MacIntyre

B. Thierwichter

JUN 16 '93 11:49 FROM OSD-LRS

TO PETERSON

PAGE.006

A B I L L

To amend section 532 of title 10, United States Code, to authorize a revision in the strength limitations of such section for Marine Corps commissioned officers on active duty in the grades of major and lieutenant colonel with respect to total commissioned officers on active duty in the Marine Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the table set forth in section 523(a)(1) of title 10, United States Code, is amended by striking out the last six lines of such table relating to total number of commissioned officers on active duty in the Marine Corps and numbers who may be serving in the Marine Corps in grades of major, lieutenant colonel, and colonel for such number and substituting in lieu thereof the following:

12,500	2,961	1,596	592
15,000	3,278	1,705	613
17,500	3,656	1,815	633
20,000	4,034	1,924	654
22,500	4,412	2,034	675
25,000	4,790	2,231	695

DRAFT
FOR
OMB A-19
REVIEW

06/17/93

09:32

OMB LRD/RDI

005

JUN 15 '93 11:49 FROM OSD-LRS

TO PETERSON

PAGE.005

million. For fiscal year 1997, the increased costs are estimated at \$8.7 million.

Sincerely,

Enclosures

- (1) Draft Bill
- (2) Sectional Analysis

JUN 16 '93 11:47 FROM OSD-LRB

TO PETERSON

PAGE.003

**DRAFT
FOR
OMB A-19
REVIEW**

Honorable Al Gore
President of the Senate
Washington, DC 20510

Dear Mr. President:

Enclosed is a draft of proposed legislation "To amend section 523(a)(1) of Title 10, United States Code, regarding the authorized strength limitations of Marine Corps commissioned officers on active duty in the grades of major and lieutenant colonel".

This proposal is part of the Department of Defense Legislative Program for the 103d Congress. The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Marine Corps has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

Purpose of the Legislation

The purpose of this legislation is to achieve an appropriate distribution of officers within the Marine Corps by increasing the authorized strength ceiling of commissioned officers on active duty in the grades of major and lieutenant colonel. This legislation will not increase the total number of officers authorized for the Marine Corps and will not impede planned reductions in the officer force.

The House Report accompanying the 1981 Defense Officer Personnel Management Act (DOPMA) legislation (H.R. 96-1462) invited proposals for changes to the grade table in circumstances wherein a Service experienced improved retention and demonstrated more definitive grade requirements. The Marine Corps has satisfied these criteria; retention has improved significantly since 1981 and requirements have been revalidated.

In the years since 1981, new legislation affecting officer management, such as Title IV of the Goldwater-Nichols Act of 1985 and the Defense Acquisition Workforce Improvement Act of 1990, has been passed. This legislation has had a significant impact on officer management: increasing field grade officer needs and reducing management flexibility (e.g., prescribed tour lengths, required professional military education, career sequencing, etc.) The increased emphasis on, and the Marine Corps support of, joint activities has contributed to a need for additional field grade officer authorizations.

JUN 18 '93 11:49 FROM OSD-LRS

TO PETERSON

PAGE.007

SECTIONAL ANALYSIS

As amended, section 523(a)(1) would authorize the Secretary of the Navy to raise the ceiling on the number of majors and lieutenant colonels on active duty in the Marine Corps. Such statutory authority is required to allow the Marine Corps to: (1) have sufficient numbers of majors and lieutenant colonels to satisfy joint and external billet demands, joint professional military education requirements and validated in-service needs; (2) fill billets with officers of the appropriate grade and levels of experience conducive to effective performance, thereby enhancing mission capability; (3) provide greater opportunities for Reserve officers to make the military a career; and (4) reduce promotion timing and increase promotion opportunity to meet congressional intent as expressed through the Defense Officer Personnel Management Act of 1981.

The Marine Corps plans to phase-in the amended grade table provided by this legislation over a four-year period and would control, within established budgetary limits, any increased costs associated with this authority. The following table shows the proposed phase-in of the increased authority and the associated cost to the Marine Corps.

PHASE-IN PLAN AND ESTIMATED COSTS FOR IMPLEMENTATION OF THE PROPOSED GRADE TABLE						
	FY93 CURRENT TABLE	FY94 PHASE- IN	FY95 PHASE- IN	FY96 PHASE- IN	FY97 PHASE- IN	TOTAL INCREASE FROM FY93
LTCOL	1,544	1,577	1,610	1,643	1,677	133
MAJOR	2,965	3,023	3,081	3,139	3,196	231
COST*			\$.9	\$5.5	\$8.7	

* Cost (in millions) compares the 9Aug92 OSD 94/95 budget submission to the proposed grade table phase-in. In FY94, the Marine Corps will stay within the FY93 budget by executing officer end strength reductions early in the FY and promoting to the FY94 phase-in authority late in the FY.

JUN 18 '93 11:48 FROM OSD-LRS

TO PETERSON

PAGE 004

In 1989 the Marine Corps completed a comprehensive, two-year study of officer billets. As a result, 175 field grade positions were eliminated. In 1991 the Commandant of the Marine Corps convened a Force Structure Planning Group (FSPG) to develop a force structure plan for the future. This group recommended the most capable Marine Corps structure that meets the FY97 DoD directed and strength requirement. The Commandant approved the FSPG's recommendation as the USMC 2001 Force Structure Implementation Plan (USMC 2001). To fill the validated internal field grade requirements of the USMC 2001 plan, plus maintain or increase their level of participation in the joint and external arenas, requires a redistribution of officers as provided for in this legislation. In addition, increasing the authorized ceiling for majors and lieutenant colonels will enable the Marine Corps to fill requisite positions with officers of the appropriate grade and levels of experience conducive to effective performance, thereby enhancing mission capability.

The high rates of retention in the Marine Corps, coupled with inadequate field grade authorizations, have also slowed promotions. Promotion timing for majors and lieutenant colonels now far exceed DOPMA guidelines. The inability to effect timely promotion to major also greatly impairs the capacity of the Marine Corps to satisfy both in-service and joint duty requirements. Marine Corps field grade officers do not have sufficient time to receive joint PME, gain requisite joint duty or acquisition experience, serve a tour as a joint specialty officer, and maintain credibility in their primary specialty within the Marine Corps.

To increase attrition, the Marine Corps has also had to reduce promotion opportunity below DOPMA guidelines for all field grades. More field grade authorizations will serve to reduce promotion timing and increase promotion opportunity. This will ensure that they are consistent with congressional intent as expressed through DOPMA.

The high rates of retention and inadequate field grade authorizations have also severely restricted the opportunity for Reserve officers to make the Marine Corps a career. In FY92, Reserve ground officers only had a six percent opportunity to augment into the Regular Marine Corps.

The Department of Defense supports this legislation.

Cost and Budget Data

The Marine Corps would control, within established budgetary limits, any increased costs associated with the proposal through a gradual and judicious use of the increased authority. The Marine Corps plans to phase in the increased authority over a four year period. For fiscal years 1994 and 1995, the increased costs will be less than \$1 million over that two year period. For fiscal year 1996, the increased costs are estimated at \$5.5

~~CONFIDENTIAL~~
NSC/RMO PROFILE

RECORD ID: 9305054
RECEIVED: 09 JUL 93 20

TO: SHERFIELD, M

FROM: ITOH

DOC DATE: 12 JUL 93
SOURCE REF:

KEYWORDS: MILITARY EXERCISES

SAUDI ARABIA

PERSONS:

SUBJECT: SIGNIFICANT MILITARY EXERCISE INDIGO SERPENT 93-3

ACTION: KENNEY SGD MEMO

DUE DATE: 13 JUL 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
EXECSEC
HAHN

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By 12 NARA, Date 10/3/2016
2016-0152-F

COMMENTS: _____

DISPATCHED BY

DATE

BY HAND

W/ATTCH

OPENED BY: NSWEA

CLOSED BY NSMEM

DOC 3 OF 3

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

July 12, 1993

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

SUBJECT: Significant Military Exercise INDIGO SERPENT 93-3

Military exercise INDIGO SERPENT 93-3 is approved.

for Kristie A. Kenney
William H. Itoh
Executive Secretary

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

5054

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

July 10, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RB*

FROM: KEITH HAHN *KH*

SUBJECT: Significant Military Exercise INDIGO SERPENT 93-3

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, approving military exercise INDIGO SERPENT 93-3. At Tab II Defense recommends approval and State concurs.

INDIGO SERPENT 93-3 is a combined U.S./Saudi Arabian naval surface exercise that is designed to practice basic seamanship skills in preparation for larger scale combined exercises. It is scheduled to take place July 31 - August 4 in international waters in the north Red Sea, and will involve one U.S. frigate and one U.S. P-3 aircraft.

The critical cancellation date is July 21, 1993.

Concurrences by: Martin Indyk *MI* and Bruce Riedel *BR*

RECOMMENDATION

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

Attachments:

Tab I: Memorandum for Signature

Tab II: OSD Executive Secretary Memorandum, July 7, 1993

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *VJ* NARA, Date *6/3/2016*

7016-1152-2

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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002a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - INDIGO SERPENT 93-3. (1 page)	07/07/1993	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 46

FOLDER TITLE:

Chron File - July 1993 #2 [3]

2016-0152-F
vz4436

RESTRICTION CODES

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

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

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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.

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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002b. cable	re: Part I Significant Military Exercise [Indigo Serpent 93-3] (2 pages)	05/26/1993	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 46

FOLDER TITLE:

Chron File - July 1993 #2 [3]

2016-0152-F

vz4436

RESTRICTION CODES

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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

July 15, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: ROBERT BELL *Rab*
SUBJECT: Decision Memo on CTB Negotiator

This memorandum is to confirm our conversation at yesterday's Senior Directors meeting; to wit, that Secretary Christopher, Secretary Aspin and you are agreed that we should "dual-hat" our Ambassador to the Conference on Disarmament (CD), Stephen Ledogar, as our CTB Chief Negotiator with the other Perm-5 states.

RECOMMENDATIONS

That you approve my notifying the agencies that participate in the Arms Control Interagency Working Group (IAWG) that you have decided that the U.S. Ambassador to the CD will also be the Head of Delegation for the CTB negotiations.

Approve _____ Disapprove _____

That you approve my notifying Ambassador Ledogar that he will head this negotiation and that I solicit his views on how best to organize his CTB delegation, including the question of whether he should be assigned a deputy with a solid background in nuclear testing issues.

Approve _____ Disapprove _____

That you approve my informing key congressional staff of this decision.

Approve _____ Disapprove _____

TO: SODERBERG

FROM: BELL
MANZANARES

DOC DATE: 14 JUL 93
SOURCE REF:

KEYWORDS: ADMINISTRATIVE

PERSONS: ANDREASEN

SUBJECT: NSC STAFF TRAVEL STEVEN ANDREASEN TRAVEL NOW TO INCLUDE BEIJING

ACTION: KENNEY SGD MEMO

DUE DATE: 26 JUN 93 STATUS: C

STAFF OFFICER: BELL

LOGREF:

FILES: ADMIN

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
ANDREASEN
BELL
MANZANARES
NSC CHRON

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSKDB

CLOSED BY: NSWEA

DOC 3 OF 3

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

20714
Add-on

July 15, 1993

MEMORANDUM FOR MR. MARC GROSSMAN
Executive Secretary
Department of State

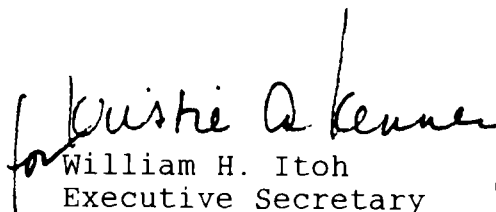
SUBJECT: NSC Staff Foreign Travel

NSC Staff Member: Steven Andreasen
Director for Defense Policy and
Arms Control

Purpose of Travel: To represent NSC on consultations on nuclear testing issues in London (July 20-21), Paris (July 21-23) and Beijing (July 23-27).

Itinerary:

<u>Date</u>	<u>City</u>	<u>Country</u>	<u>Major Event/Meeting</u>
July 20-21	London	UK	Consultations with allies on nuclear testing issues
July 21-23	Paris	France	
July 23-27	Beijing	China	


William H. Itoh
Executive Secretary

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

20714
Add-on

July 13, 1993

ACTION

MEMORANDUM FOR NANCY SODERBERG

THROUGH: J. ROBERT MANZANARES *JRM*
FROM: ROBERT BELL *RGB*
SUBJECT: NSC Staff Travel - Steven Andreasen

Request travel orders be provided for Steven Andreasen as the NSC representative on the delegation for consultations on nuclear testing issues scheduled for July 19-27, 1993 in London, Paris and Beijing.

NSC is requested to cover the expenses of the trip. Per diem is estimated at \$215 for London, July 20-21; per diem is \$230 for Paris, July 21-25; per diem for Beijing is \$143. Air fare is estimated to be approximately \$3,500 round trip at coach class.

RECOMMENDATION

That you authorize Will Itoh to sign the attached travel request and the memorandum to the Department of State.

Approve _____

Disapprove _____

Attachments

Tab I Travel Authorization Form
Tab II Itoh Memorandum to State

DATE July 13, 1993

NSC STAFF TRAVEL AUTHORIZATION

1. TRAVELER'S NAME: Steven P. Andreasen
2. PURPOSE/EVENT (Include Dates): Nuclear testing consultations
with allies in London (July 20-21) Paris (July 21-23);
and Beijing (July 23-27).
3. ITINERARY (Please Attach Copy of Proposed Itinerary):
Washington, DC to London to Paris to Beijing
and return.
4. DEPARTURE DATE July 19, 1993 RETURN DATE July 27, 1993
DEPARTURE TIME 3:00 PM RETURN TIME 9:00 PM
5. MODE OF TRANSPORTATION:
GOVT. AIR _____ COMMERCIAL AIR X POV X RAIL _____
OTHER _____
6. ESTIMATED EXPENSES:
TRANSPORTATION \$3500.00 RT London, \$215 PER DIEM Paris, \$230 OTHER _____
TOTAL _____ Beijing, \$143
7. WHO PAYS EXPENSES: NSC X OTHER _____
IF NOT NSC, DESCRIBE SOURCE AND ARRANGEMENTS: _____

8. WILL FAMILY MEMBER ACCOMPANY YOU: YES _____ NO X
IF SO, WHO PAYS FOR FAMILY MEMBER (If Travel Not Paid By
Traveler, Describe Source & Arrangements): _____

9. TRAVEL ADVANCE REQUESTED: \$ _____ YES
10. REMARKS (Use This Space to Indicate Any Additional Items You
Would Like to Appear on Your Travel Orders): _____

11. TRAVELER'S SIGNATURE: Steven P. Andreasen
12. APPROVALS: Senior Director Robert M. Beell
Director of Administration Robert M. Beell
Executive Secretary Kristie A. Kenny

TO: HERNREICH, N

FROM: HOOKER
BELL

DOC DATE: 15 JUL 93
SOURCE REF:

KEYWORDS: NAVY
AIR FORCE

ARMY

PERSONS: MORROW, RUSSELL

SUBJECT: PRES ROLE IN SERVICE ACADEMY NOMINATIONS

ACTION: HOOKER SGD MEMO

DUE DATE: 19 JUL 93 STATUS: C

STAFF OFFICER: HOOKER

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
HOOKER
JONES
REED
SODERBERG

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSMEM

CLOSED BY: NSKDB

DOC 1 OF 1

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9305201

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001

X 93071519 HOOKER SGD MEMO

UNCLASSIFIED

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

July 15, 1993

INFORMATION

MEMORANDUM FOR NANCY HERNREICH

THROUGH: ROBERT G. BELL *RB*FROM: RICHARD HOOKER *RH*SUBJECT: The President's Role in Service Academy
Nominations

Admission to the Air Force, Naval or Military Academies is governed by Title 10 of the U.S. Code. Cadets are typically nominated to the service academies by their congressman or senator, each of which is permitted to have one nomination at each academy per year. The Vice President (as President of the Senate) is also authorized to nominate one person per service academy per year.

A separate category called "Presidential nominations" exists which is intended to provide a means of entry for sons and daughters of career military (officers and enlisted) whose transient lifestyles make it difficult to compete for congressional nominations. 100 seats in each class (approximately 8% of the total) are reserved for these applicants. However, despite the name there is no mechanism for Presidential involvement. By law, these spaces are awarded by academy admissions officials to candidates from military families on a "best-qualified" basis.

The service secretaries are authorized to award unused congressional nominations to qualified applicants, and these normally go to minority applicants or athletes recruited by the academies. Regardless of the source of nomination, all applicants must be found "qualified for admission" by academy Admissions Boards. The criteria include scholastic achievement, athletic participation, community involvement and demonstrated leadership ability. A certain percentage of "at risk" candidates are admitted each year to promote a diversified student body at each institution; however, these candidates must still receive nominations from one of the sources discussed above to be admitted.

The Academies also operate Preparatory Schools to qualify selected enlisted candidates for admission. Candidates may apply as civilians and will enter upon military status if accepted. The course of instruction is approximately one year in length. Admission to the Academy upon completion is not automatic but is highly likely for those applicants who complete the preparatory course.

We do not recommend that the President formally endorse a particular application unless it is a unique case where the President personally knows the candidate and is familiar with his or her accomplishments. Even in such cases, there are more subtle ways to proceed. Admissions officers at the Academy can be informally alerted to applications which have "White House interest" and will "work the system" within the framework established by law, assuming the candidate is qualified. Such interest is best communicated telephonically at the staff level.

Attachment

Tab I Incoming Correspondence

NATIONAL SECURITY COUNCIL

July 15, 1993

MEMO TO BOB BELL

FROM: BROOKE DARBY

RE: The President's Role
in Military Academy
Appointments

RICH

Nancy has asked that you please prepare a memo by COB today (Thursday) to Nancy Hernreich on the process of military academy appointments and the appropriateness of the President endorsing candidates in this process, etc. (see attached letter).

We have not been asked to evaluate the merits of Russell Morrow's case.

I am waiting to hear back from Nancy Hernreich's office on whether they want us to prepare a draft response to Morrow and will let you know ASAP.

Thanks.

NH

President Bill Clinton
The White House
1600 Pennsylvania Ave.
Washington, D. C. 20500-2000

My family
furthering
normal
and so
the group
BC-

Dear President Clinton,

My family and I will be visiting Washington July 16-22. I contacted Mary Ann Salmon, and through her we have a White House tour scheduled July 21st.

Russell, my son, is seeking an appointment to the Naval Academy. We would very much like to meet with you, if at all possible, anytime during our stay. Also, Russell would like to meet with the Vice President regarding a Vice-Presidential Nomination. (He has already completed the paperwork required for this process.)

While in Washington, we will be staying at the Hotel Washington.

We have again survived a Fourth of July picnic, and we had our usual entourage of politicians. However, we were lacking one that we like to see. I hope that someday you will have the time to visit us again.

We are extremely proud to have you leading our nation. You may count on my continued support, and I wish you and your family well.

Sincerely,


Annie Morrow
P O Box 303
Corning, Arkansas 72422
501-857-3498

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

July 15, 1993

INFORMATION

MEMORANDUM FOR ANTHONY LAKE

FROM: ROBERT BELL *Rbb*
SUBJECT: Memorandum from Tom Graham

Re your request for my views on Tom Graham's July 15 memo (Tab A) offering to remain of service to the Administration after John Holum is confirmed as ACDA Director: I agree Tom can and should continue to serve in an important role in the arms control area. Tom is enormously talented and experienced, and we are indebted to him for his many accomplishments under sometimes adverse conditions during the past two administrations.

Since Secretary Christopher, Secretary Aspin and you have agreed that Ambassador Ledogar should be "dual-hatted" to handle both the CD and our CTB negotiations, I would not recommend that we revisit that decision, notwithstanding Tom's interest in the job. Instead, I would recommend we offer Tom either the position of U.S. Representative to the Standing Consultative Commission (SCC), with the rank of Ambassador, or explore whether John Holum would be interested in having Tom serve as Deputy Director at ACDA. A third option would be to ask Tom to head the U.S. delegation to the NPT Review Conference.

If for whatever reason none of these three options is deemed appropriate and no other more senior position for Tom is identified, we should at a minimum try to persuade him to remain as ACDA General Counsel.

Concurrences: Rose Gottemoeller *RG* Daniel P. Haneman *DP*

Attachment
Tab A

Incoming Graham Correspondence

We have been envisioning one of ACDA's major tasks as orchestrating the run-up to the NPT Review.

Tom would do an excellent job, especially with Ukraine and Kazakhstan.

26

Tony:

Tom is excellent to work with, so I would like to see him stay in the nonproliferation area. My preference would be (1) Dep Director, (2) NPT rep. ... Dan

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

Washington, D.C. 20451

*Bill Bell, et al.
What do you
think?
R*

THE DIRECTOR

July 15, 1993

Dear Tony:

This note is a follow-up to our conversation of today. Looking ahead after John Holum is confirmed, I do want to stay in government and continue working for this Administration. I am prepared to do any job that the White House and others believe would be useful to the Administration. However, my personal preference would be a negotiating ambassador, in particular, the CTB negotiator, should that be practicable.

Thanks again for your support and counsel.

Sincerely,



Thomas Graham, Jr.
Acting

The Honorable
Anthony Lake
Assistant to the President
for National Security Affairs
The White House

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. memo	For Samuel Berger from Robert Bell. Subject: Discussion Paper for DC Meeting on PRD-13. Record ID: 9320788. (2 pages)	07/17/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 46

FOLDER TITLE:

Chron File - July 1993 #2 [3]

2016-0152-F

vz4436

RESTRICTION CODES

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

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

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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.

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]

'93 JUL 17 P1:50

WASHFAX RECEIPT
DEPARTMENT OF STATE**B**

S/S #

MESSAGE NO. **101934** CLASSIFICATION **SECRET/NO DIS** No. Pages **2**
 FROM: GLYN DAVIES S/S 647-8448 7224
 (Officer name) (Office symbol) (Extension) (Room number)

MESSAGE DESCRIPTION CABLE TO CAIRO: SETTING DATES FOR PM A/S
GALLUCCI TRIP ON EGYPT'S CW PROGRAM

TO: (Agency)	DELIVER TO:	Extension	Room No.
NSCS	NANCY SODERBERG	456-6534	WH SITRM
	WILL ITOH		
	KRISTIE KENNEY		
	EXECUTIVE SECRETARIAT		
	<u>Indyk</u> / <u>Poneman</u> / <u>Bell</u>		
	<u>Satterfield</u> / <u>Harris</u>		

FOR: CLEARANCE ☒ INFORMATION ☐ PER REQUEST ☐ COMMENT ☐

REMARKS: PLEASE CLEAR BY: 7/19

Thanks

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS

Initials: ND Date: 10/11/2011

2016 -0152 -F

S/S Officer:

Gavin 7/17
GLYN DAVIES

Nancy Thomas
3/5-0

CROSSHATCH

RETURN TIME-STAMPED COVERSHEET TO S/S.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. cable	re: Setting Dates for PM A/S Gallucci Trip. (2 pages)	07/14/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 46

FOLDER TITLE:

Chron File - July 1993 #2 [3]

2016-0152-F

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