

FOIA MARKER

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

Folder Title:

Chron File - September 1993 #1 [2]

Staff Office-Individual:

Defense Policy-Bell, Robert

Original OA/ID Number:

47

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

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - IRIS GOLD 94-1. (1 page)	09/01/1993	P1/b(1)
001b. cable	re: Part I Significant Military Exercise Brief (SMEB) [Iris Gold 94-1] (2 pages)	08/16/1993	P1/b(1)
002. letter	[Personally Identifiable Information] [partial] (1 page)	08/18/1993	b(6)
003a. memo	For William Itoh from Keith Hahn. Subject: U.S. Freedom of Navigation (FON) Program. Record ID: 9306609. (1 page)	09/03/1993	P1/b(1)
003b. memo	For Colonel Robert P. McAleer. Subject: U.S. Freedom of Navigation (FON) Program. (1 page)	09/01/1993	P1/b(1)
003c. memo	For Executive Secretary, Department of State and Executive Secretary, National Security Council. Subject: U.S. Freedom of Navigation (FON) Program. (5 pages)	08/19/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 47

FOLDER TITLE:

Chron File - September 1993 #1 [2]

2016-0152-F

vz4463

RESTRICTION CODES

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

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

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

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

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

RR. Document will be reviewed upon request.

NATIONAL SECURITY COUNCIL

WASHINGTON D.C. 20506

September 2, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RBB*FROM: KEITH HAHN *KH*

SUBJECT: Significant Military Exercise IRIS GOLD 94-1

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, approving military exercise IRIS GOLD 94-1. At Tab II Defense recommends approval and State concurs.

IRIS GOLD 94-1 is a combined special operations field training exercise with the Kuwaiti military. It will take place at selected training areas and ranges throughout Kuwait October 1 to December 12. It will involve approximately 36 U.S. and 500 Kuwaiti personnel.

The critical cancellation date is September 15, 1993.

Concurrence by: Bruce *B*redelRECOMMENDATION

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

Attachments

Tab I Memorandum for Signature

Tab II OSD Executive Secretary Memorandum, September 1, 1993

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *VR* NARA, Date *10/3/2006*

2116-0152 -F

~~SECRET~~

Declassify on: OADR

NATIONAL SECURITY COUNCIL
WASHINGTON, D C 20506

MEMORANDUM FOR COL. ROBERT P. McALEER
Executive Secretary
Department of Defense

SUBJECT: Significant Military Exercise IRIS GOLD 94-1

Military exercise IRIS GOLD 94-1 is approved.

William H. Itoh
Executive Secretary

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - IRIS GOLD 94-1. (1 page)	09/01/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 47

FOLDER TITLE:

Chron File - September 1993 #1 [2]

2016-0152-F
vz4463

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. cable	re: Part I Significant Military Exercise Brief (SMEB) [Iris Gold 94-1] (2 pages)	08/16/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 47

FOLDER TITLE:

Chron File - September 1993 #1 [2]

2016-0152-F
vz4463

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

September 2, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT G. BELL *RG*

FROM: STEVEN R. JONES *J*

SUBJECT: NASA Draft Bill RE: Assistance to Achieve Contract
Goal For Minorities

OMB requests NSC views on the NASA draft legislation which would provide NASA set-aside authority to reserve acquisitions exclusively for small businesses and other organizations owned and controlled by socially and economically disadvantaged individuals, including women, historically Black colleges and universities and other minority education institutions.

NASA has established a goal of awarding 8 percent of the total value of its prime contracts and subcontracts to these minority business concerns and institutions. NASA believes reliance on section 8(a) of the small business act is insufficient to enable NASA to meet its goal, and that this legislation is necessary to overcome legal challenges.

According to OMB, DoD already has this authority and there have been attempts in past years to gain similar authority for civilian agencies as a whole. While this approach might be preferable, the NSC should not object to the NASA draft legislation for NASA-unique authority, assuming that it does not overly restrict NASA management in its current streamlining and reorganization effort.

Concurrences by: Alan Kreczko *AK*, Jeremy Rosner *JR*

RECOMMENDATION

That you sign the memorandum at Tab I.

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: NASA Draft Bill RE: Assistance to Achieve Contract
Goal for Minorities

The NSC has no objections to the NASA draft amendment which would provide NASA set-aside authority to reserve acquisitions exclusively for minority businesses and institutions.

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

August 23, 1993

LEGISLATIVE REFERRAL MEMORANDUM

**LRM #D-355
DRAFT #328**

TO: Legislative Liaison Officer -

COMMERCE - Michael A. Levitt - (202)482-3086 - 324
DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325
ENERGY - Bob Rabben - (202)586-6718 - 209
HHS - Frances White - (202)690-7760 - 328
HUD - Edward J. Murphy, Jr. - (202)708-1793 - 215
JUSTICE - Sheila F. Anthony - (202)514-2141 - 217
LABOR - Robert A. Shapiro - (202)219-8201 - 330
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
EDUCATION - John Kristy - (202)401-2670 - 207
TREASURY - Richard S. Carro - (202)622-1146 - 228
NSC - William H. Itoh - (202)395-3723 - 249
CEA - Francine Obermiller - (202)395-5036 - 242
NEC - Sonia Mathews - (202)456-6722 - 429
NSF - Lawrence Rudolph - (202)357-9435 - 248
OPM - James N. Woodruff - (202)606-1424 - 331
OSTP - Susanne Bachtel - (202)456-7116 - 288
SBA - Christine Swedin - (202)205-6702 - 315

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

**OMB CONTACT: Jeffrey WEINBERG (395-3457)
Secretary's line (for simple responses): 395-3454**

**SUBJECT: NASA Draft Bill Assistance To Achieve
Contract Goal For Minorities**

DEADLINE: NOON September 3, 1993

**COMMENTS: NASA proposes to add this section to its
authorization bill.**

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:
Howard Paster
C. Walden
C. Cerda
Kathy Peroff

Bob Damus
Bill Coleman
Cyndi Vallina

LRN #D-355

RESPONSE TO LEGISLATIVE REFERRAL MEMORANDUM

If your response to this request for views is simple (e.g., concur/no comment) we prefer that you respond by faxing us this response sheet. If the response is simple and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a secretary.

You may also respond by (1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); (2) sending us a memo or letter; or (3) if you are an OASIS user in the Executive Office of the President, sending an E-mail message. Please include the LRM number shown above, and the subject shown below.

TO: Jeffrey WEINBERG
Office of Management and Budget
Fax Number: (202) 395-3109
Analyst/Attorney's Direct Number: (202) 395-3457
Branch-Wide Line (to reach secretary): (202) 395-3454

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

**SUBJECT: NASA Draft Bill Assistance To Achieve
Contract Goal For Minorities**

The following is the response of our agency to your request for views on the above-captioned subject:

_____ Concur

_____ No objection

_____ No comment

_____ See proposed edits on pages _____

_____ Other: _____

_____ FAX RETURN of _____ pages, attached to this
_____ response sheet



National Aeronautics and
Space Administration

Washington, D.C.
20546

Office of the Administrator

AUG 16 1993

The Honorable Leon E. Panetta
Director
Office of Management and Budget
Executive Office of the President
Washington, DC 20503

Dear Mr. Panetta:

In accordance with Circular No. A-19, I am forwarding for Office of Management and Budget coordination and advice 25 copies of proposed legislation to add a section to the National Aeronautics and Space Administration Authorization Act for FY 1994 and 1995 entitled, "Assistance to Achieve Contracting Goals for Minorities," a draft sectional analysis thereof, and draft letters for transmitting the proposed legislation to the House and the Senate.

The purpose of the proposed new section is to provide NASA the authority to reserve acquisitions exclusively for small businesses and other organizations owned or controlled by socially and economically disadvantaged individuals, including women, and historically Black colleges and universities and other minority educational institutions. Since the enactment of 42 U.S.C. 2473b in Public Law 101-144, NASA has established a goal of awarding at least 8 percent of the total value of our prime contracts and subcontracts to these designated minority business concerns and institutions. Achievement of this prescribed goal will be significantly facilitated by enactment of this set-aside authority. Of course, meeting, or even exceeding, the goal will mean increased contracting and subcontracting opportunities for minority owned or controlled entities.

Specific legislative authority to set aside procurements for participation by minority concerns will eliminate certain legal questions which might otherwise arise. Enactment of this proposed new section will give NASA the clear legal authority to limit participation in selected acquisitions to minority concerns and to permit our prime contractors to do the same with regard to subcontracting opportunities.

2

We feel that this legislative proposal will enable NASA to better meet congressional objectives and increase the number of minority concerns in the aerospace contracting community. If we may be of assistance to you during your coordination of this package, please let us know.

Sincerely,



Daniel S. Goldin
Administrator

3 Enclosures
(25 copies)

DRAFT
**for coordination
and advice**

The Honorable Albert Gore, Jr.
President of the Senate
Washington, DC 20510

The Honorable Thomas S. Foley
Speaker of the House of
Representatives
Washington, DC 20515

Dear Mr. President:

Dear Mr. Speaker:

Submitted herewith is a proposed amendment to the National Aeronautics and Space Administration Authorization Act for FY 1994 and 1995 adding a section entitled "Assistance to Achieve Contract Goals for Minorities," together with the sectional analysis thereof.

The proposed language provides NASA with the specific authority to reserve acquisitions exclusively for small businesses and other organizations owned or controlled by socially and economically disadvantaged individuals, including women, and historically Black colleges and universities, and other minority educational institutions. Since 1990, NASA has been striving to achieve the goal prescribed by Congress to award at least 8 percent of the value of its prime contracts and subcontracts to such minority business concerns and institutions. Granting NASA authority to set aside specific procurements for minority business concerns and organizations will facilitate the ability of NASA to meet congressional objectives. Use of such

2

authority will result in increased participation of minority-owned and controlled entities as NASA contractors and subcontractors.

This legislation is considered necessary to overcome any questions concerning the constitutionality of any such set-aside program which might otherwise be established by NASA. Decisions of the Supreme Court indicate that only set-aside programs mandated or specifically approved by Congress to attain minority contracting goals are constitutional. This proposed legislation will permit NASA to use set-asides as a means of achieving the prescribed goal in a legally authorized manner.

The Office of Management and Budget advises that there is no objection to the presentation of this proposal to Congress and that its enactment would be consistent with the objectives of this Administration.

Sincerely,

Daniel S. Goldin
Administrator

**AMENDMENT TO
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
AUTHORIZATION ACT, FISCAL YEARS 1994 AND 1995**

Insert the following new section:

SECTION ____ . ASSISTANCE TO ACHIEVE CONTRACT GOAL FOR MINORITIES

(a) IN GENERAL.-- Pursuant to section 2473b of Title 42, United States Code; Public Law 101-507, the FY 1991 VA-HUD-Independent Agencies Appropriations Act, 104 Stat. 1380; and Public Law 102-389, the FY 1993 VA-HUD-Independent Agencies Appropriations Act, 106 Stat. 1610, the Administrator is required to establish a goal whereby at least eight per centum of annual Federal funding for prime and subcontracts in support of authorized programs, including the space station by the time operational status is obtained, is made available for contracts and subcontracts with --

(1) small business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals which include women for purposes of this section;

(2) historically Black colleges and universities; and

(3) other minority educational institutions.

(b) **WAIVER OF COMPETITIVE PROCEDURES.--** To the extent practicable and when necessary to facilitate achievement of the goal described in subsection (a), the Administrator may reserve acquisitions exclusively for eligible concerns designated in subsection (a) and may authorize such reservations for subcontracts. This set-aside authority is in addition to and does not affect the acquisition process under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

(c) **REGULATIONS.--** The Administrator shall prescribe such regulations as are necessary to carry out this section.

(d) **DEFINITIONS.--** For purposes of this section--

(1) the term "historically Black colleges and universities" means those institutions identified by the Secretary of Education pursuant to section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061).

(2) the term "other minority educational institutions" means those institutions designated by the Secretary of Education pursuant to section 312(b) of the Higher Education Act of 1965 (20 U.S.C. 1058).

(3) the term "socially and economically disadvantaged individuals" has the meaning given such terms in section 8(a)(5) and (6) of the Small Business Act (15 U.S.C. 637(a)(5) and (6)) and includes women for purposes of this section.

SECTIONAL ANALYSIS
of the Proposed Amendment to
the National Aeronautics and Space Administration
Authorization Act, Fiscal Years 1994 and 1995

The proposed amendment consists of a single section entitled "Assistance to Achieve Contract Goal for Minorities."

Title III of Public Law 101-144, the VA-HUD-Independent Agencies Appropriations Act for FY 1990 (103 Stat. 863) added 42 U.S.C. 2473b to the National Aeronautics and Space Act of 1958. This provision requires the Administrator of NASA to "annually establish a goal of at least 8 per centum of the total value of prime and subcontracts awarded in support of authorized programs, including the space station by the time operational status is obtained, which funds will be made available to small business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals [cite omitted] including Historically Black Colleges and Universities and minority educational institutions [cite omitted]." Public Law 101-507, the VA-HUD-Independent Agencies Appropriations Act for FY 1991 (104 Stat. 1380) reinforced this requirement. This provision, however, omitted the reference to "minority educational institutions" but added small businesses or other organizations owned or controlled by women to the list of

contractors with which contracts and subcontracts count toward meeting the goal. The provision at 42 U.S.C. 2473b was not revised to add woman-owned or controlled concerns as eligible sources. Neither the FY 1992 NASA Authorization Act (Public Law 102-195) nor the FY 1992 NASA Appropriations Act (Public Law 102-139) contain any similar provision. However, Public Law 102-389, the VA-HUD-Independent Agencies Appropriations Act for FY 1993 (106 Stat. 1610), repeats the provision which appears in Public Law 101-507.

The primary purpose behind this series of statutes is to increase the number of minority businesses and organizations receiving contracts and subcontracts from NASA. Congress apparently held the view that such concerns had not been able to achieve effective participation in NASA contracting opportunities. The primary purpose of this section is to provide NASA the authority to set aside procurements for exclusive participation by qualified minority concerns. The set-aside authority would be extended to include subcontracts through approved subcontracting plans. It is anticipated that acquisitions designated for set-aside would be conducted on a competitive basis among eligible concerns to better assure NASA a fair and reasonable price.

The use of this authority would facilitate the ability of NASA to achieve, or even exceed, the prescribed goal and thus accelerate the participation of minority concerns as NASA contractors and

subcontractors. For at least two reasons, reliance on section 8(a) of the Small Business Act is insufficient to enable NASA to attain the required goal. First, businesses which are owned or controlled by women are not part of the section 8(a) process. Second, agency surveys indicate that many minority concerns, whose products can meet NASA's requirements, do not participate in the section 8(a) program and cannot usually compete successfully on a full and open basis. The set-aside authority provided by this section would expand opportunities for NASA to enter into contracts and subcontracts with these minority concerns as well as concerns owned or controlled by women.

The existing legislation, described above, does not appear adequate to authorize the use of set-asides. These statutes do not go beyond the establishment of minority contracting goals. The Supreme Court, in the cases of Fullilove v. Klutznick, 448 U.S. 448, 100 S.Ct. 2758 (1980), and City of Richmond v. J.A. Croson Company, 488 U.S. 469, 109 S.Ct. 706 (1989), has established the principle that only set-aside programs which are mandated or specifically approved by Congress are constitutional. This section would eliminate possible constitutional barriers to the use of set-asides as a means to achieve the prescribed minority business contracting goal.

This section also serves the purpose of clarifying and defining the categories of qualifying minority concerns. The original

legislation (Public Law 101-144), which was codified at 42 U.S.C. 2473b, did not include businesses and organizations owned or controlled by women. This category was designated in the provisions incorporated in the Appropriations Acts for FY 1991 (Public Law 101-507) and FY 1993 (Public Law 102-389). This sequence has created confusion as to whether awards of contracts and subcontracts to concerns owned or controlled by women during fiscal years 1990 and 1992 could be counted toward meeting the 8 percent goal. This section will provide permanent recognition of this category.

The original legislation listed the category of minority educational institutions in addition to historically Black colleges and universities. This category was not separately identified in the provisions contained in the FY 1991 and FY 1993 Appropriations Acts. This discrepancy creates an ambiguity as to whether awards of contracts and subcontracts to other minority educational institutions are included. This section provides that awards to such entities are to be counted toward achievement of the goal and defines the institutions included in this category.

6597

Document No. 034262ss

WHITE HOUSE STAFFING MEMORANDUM

DATE: 09/01/93 ACTION/CONCURRENCE/COMMENT DUE BY: 09/03/93

SUBJECT: MILITARY NOMINATION: LTGEN WILSON A. SHOFFNER, USA

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☐	PASTER	☐	☐
McLARTY	☐	☐	RASCO	☐	☐
NEEL	☐	☐	RUBIN	☐	☐
PANETTA	☐	☐	SEGAL	☐	☐
BAGGETT	☐	☐	SEIDMAN	☐	☐
EMANUEL	☐	☐	STEPHANOPOULOS	☐	☐
GEARAN	☐	☐	TYSON	☐	☐
GERGEN	☐	☐	VARNEY	☐	☐
GIBBONS	☐	☐	WATKINS	☐	☐
HALE	☐	☐	WILLIAMS	☐	☐
HERMAN	☐	☐	CLERK	☐	☒
LAKE	☐	☐	BELL, Bob	☒	☐
LINDSEY	☐	☐		☐	☐
McGINTY	☐	☐		☐	☐
MONTOYA	☐	☐		☐	☐
NUSSBAUM	☐	☐		☐	☐

REMARKS:

Do you have any objection?

RESPONSE:

The National Security Council staff concurs in the attached military nomination.

Anthony Lake

JOHN D. PODESTA
 Assistant to the President
 and Staff Secretary
 Ext. 2702

THE WHITE HOUSE

WASHINGTON

August 24, 1993

3 AUG 30 09:00

MEMORANDUM FOR THE PRESIDENT

FROM:

JOHN A. GAUGHAN

DIRECTOR, WHITE HOUSE MILITARY OFFICE

SUBJECT:

Army General Officer Nomination

Forwarded for your approval and signature is the nomination of Lieutenant General Wilson A. Shoffner, United States Army, for appointment to the grade of lieutenant general on the retired list.

This nomination is submitted by the Deputy Secretary of Defense after considering adverse information pertaining to General Shoffner, which has been provided by the Assistant Secretary of Defense (Military Manpower & Personnel Policy) (Tab A). If you approve this nomination, the adverse information will be provided to the Senate Armed Services Committee.

This nomination has been staffed by the Acting Secretary of the Army and was approved by the Deputy Secretary of Defense.

Recommendation

That you approve and sign the attached.

Attachment



THE DEPUTY SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-1000



21 AUG 1993

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Army General Officer Nomination

On behalf of the Secretary of Defense, I recommend you nominate Lieutenant General Wilson A. Shoffner, United States Army, for appointment to the grade of lieutenant general on the retired list. General Shoffner, who is 55 years of age, is currently assigned as Commanding General, United States Army Combined Arms Command and Fort Leavenworth/Deputy Commanding General, United States Army Training and Doctrine Command for Combined Arms.

I have personally reviewed adverse information concerning General Shoffner and will provide the information to the White House Military Office separately. Should you approve this nomination, the same information will be provided to the Senate Armed Services Committee.

William J. Perry

Attachments

Withdrawal/Redaction Marker

Clinton Library

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

002. letter	[Personally Identifiable Information] [partial] (1 page)	08/18/1993	b(6)
-------------	--	------------	------

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 47

FOLDER TITLE:

Chron File - September 1993 #1 [2]

2016-0152-F

vz4463

RESTRICTION CODES

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

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

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

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

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

RR. Document will be reviewed upon request.

The White House

Washington

To the Senate of the United States:

I nominate:

The following named officer to be placed on the retired list
in the grade indicated under the provisions of Title 10, United
States Code, Section 1370:

To be Lieutenant General

Lieutenant General Wilson A. Shoffner, (b)(6), United States Army

[002]

NATIONAL SECURITY COUNCIL
WASHINGTON D.C. 20506

September 3, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RB*

FROM: KEITH HAHN *KH*

SUBJECT: Defense Draft Bill Technical Corrections to the
Warrant Officer Management Act

Attached at Tab II is proposed legislation from DoD which would make a number of technical corrections to sections of the Warrant Officer Management Act. Specifically, the bill would make certain sections in the Act consistent with parallel provisions applicable to commissioned officers other than warrant officers. There are six sections of the Act which require modification to achieve consistency between the treatment of warrant and other commissioned officers. The corrections proposed do not change the basic relationship between warrant and commissioned officers.

Concurrence by: Jeremy Rosner *JR*

RECOMMENDATION

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

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

MEMORANDUM FOR JANET R. FORSGREN

FROM: WILLIAM H. ITOH

SUBJECT: Defense Draft Bill Technical Corrections to the
Warrant Officer Management Act

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

6617

8 pgs

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

August 31, 1993

LEGISLATIVE REFERRAL MEMORANDUM

LRM #D-366

DRAFT #334

TO: Legislative Liaison Officer -

**TRANSPORTATION - Tom Harliny - (202)366-4687 - 226
NSC - William H. Itoh - (202)395-3723 - 249**

**FROM: JANET R. FORSGREN (for) *Janet R. Forsgren*
Assistant Director for Legislative Reference**

**OMB CONTACT: Melissa COOK (395-3924)
Secretary's line (for simple responses): 395-7362**

**SUBJECT: DEFENSE Draft Bill Technical Corrections to
the Warrant Officer Management Act**

DEADLINE: C.O.B. September 14, 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:

**{ Tom Stanners
Tom Lewis
Chris Bertram
Howard Paster
Janet Forsgren
Delphine Motley**

AUG 31 '93 9:50 FROM OSD-LRS

TO SCHREIBER

PAGE.002



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
WASHINGTON, D.C. 20301-1600

Draft

August 31, 1993

Bernard H. Martin
Assistant Director for Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Martin:

The enclosed legislative proposal, Department of Defense Legislative Item 103-031, "To amend title 10, United States Code, to make technical corrections to sections codified by the Warrant Officer Management Act," is forwarded for review in accordance with Office of Management and Budget Circular A-19.

The General Counsel has approved the forwarding of this legislative initiative.

Sincerely,

A handwritten signature in black ink, appearing to read "Samuel T. Brick", written over a circular stamp.

Samuel T. Brick
Director, Legislative Reference
Service

Enclosure:
As Stated

AUG 31 '93 9:50 FROM OSD-LRS

TO SCHREIBER

PAGE.003

Draft

The Honorable Al Gore
President of the Senate
Washington, DC 20510

Dear Mr. President:

Enclosed is a draft of proposed legislation "To amend title 10, United States Code, to make technical corrections to sections codified by the Warrant Officer Management Act."

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.

Purpose of the Legislation

The purpose of the legislation is to amend chapter 33A of title 10, concerning the personnel management of warrant officers, to make certain sections in the chapter consistent with parallel provisions applicable to commissioned officers other than warrant officers. The proposal would also remove inconsistent language in certain sections and would make the provisions in chapter 33A applicable to retired warrant officers who are recalled to active duty.

Currently, regular warrant officers must execute a new oath of office under section 3331 of title 5 upon appointment to a higher grade. This oath serves as evidence of the acceptance of the appointment. Section 626 of title 10, concerning commissioned officers above the grade of chief warrant officer, W-5, provides that an officer appointed to a higher grade is considered to have accepted such appointment on the date on which the appointment is made unless the officer expressly declines the appointment. Section 626 also provides that an officer who has served continuously since the officer subscribed to the oath required by section 3331 is not required to take a new oath upon appointment to a higher grade. This proposal would add virtually identical provisions to section 578 of title 10 concerning promotions of warrant officers on the warrant officer active-duty list.

Section 573(a)(2) requires that a warrant officer, W-1, serve not less than 18 months on active duty in that grade before promotion to chief warrant officer, W-2. Similarly, section 574(a)

AUG 31 '93 9:50 FROM OSD-LRS

TO SCHREIBER

PAGE.004

Draft

provides that a chief warrant officer may not be considered for promotion to the next higher grade under chapter 33A of title 10 until the officer has completed three years on active duty in the grade in which the officer is serving. Section 619 of title 10, concerning the promotion of commissioned officers above the grade of chief warrant officer, W-5, does not provide that the minimum periods of service required prior to promotion to a higher grade be service on active duty. This proposal would amend sections 573(a)(2) and 574(e) to make their service requirements consistent with those imposed on commissioned officers above the grade of chief warrant officer, W-5.

Section 575(d) of title 10 provides that each time a selection board is convened to consider warrant officers on the active duty list for promotion, each warrant officer in the promotion zone and each warrant officer above the zone shall be considered for promotion. Section 577, however, provides that the Secretary concerned may, by regulation, preclude from consideration by a selection board a warrant officer who has an established separation date that is within 90 days after the date on which the board is convened. This proposal would amend section 575(d) to recognize explicitly that warrant officers who have an established separation date within 90 days after the board convened would not have to be considered for promotion.

Section 576(e) of title 10 provides that a report of a selection board must be submitted to the Secretary concerned for approval or disapproval. Section 576(f)(1) indicates that after the Secretary's review, unless the Secretary returns the report for corrective action, the Secretary must submit the report as required by section 576(e), i.e., to the Secretary of the military department concerned. Read literally, the last sentence in section 576(f)(1) requires the Secretary to submit a report to himself. This proposal would strike that sentence.

Under section 580 of title 10, a warrant officer who has twice failed of selection for promotion to the next higher regular warrant officer grade shall be retired if retirement eligible or separated from active duty. Currently under section 580(a)(3), a warrant officer who has at least 18 but not more than 20 years of creditable active service on "(A) the date on which the Secretary approves the report of the board under section 576(e) of [title 10], or (B) the date on which his name was removed from the recommended list under section 579 of [title 10], whichever applies" may remain on active duty until the officer is retirement eligible. The date of retirement of such an officer is not later than the first day of the seventh calendar month beginning after the date upon which the officer completes 20 years of active service. These provisions parallel those applicable to commissioned officers above the grade of chief warrant officer, W-5, with one exception. To remain on active duty after having twice failed of selection, a

AUG 31 '93 9:51 FROM OSD-LRS

TO SCHREIBER

PAGE.005

Draft
5

warrant officer must have at least 18 years but not more than 20 years active service at the time the Secretary approves the selection board report. A commissioned officer above the grade of chief warrant officer, W-5, may remain on active duty if on the date on which the officer is to be separated the officer is within two years of qualifying for retirement, i.e., not later than the first day of the seventh calendar month beginning after the month the report is approved. This proposal would amend section 580 to permit a warrant officer to remain on active duty if the officer is within two years of qualifying for retirement at the time the officer would otherwise be separated, rather than at the time the Secretary approves the selection board report.

Section 582(2) indicates that retired warrant officers on active duty are not subject to chapter 33A of title 10. This has resulted in an inequity due to a warrant officer personnel policy of the past. Section 1305 of title 10 provides that a regular warrant officer below the grade of chief warrant officer, W-5, who completes 24 years of active service as a warrant officer shall be retired and that a chief warrant officer, W-5, who completes 30 years of active service as a warrant officer shall be retired. Subsection (c) of section 1305 authorizes the Secretary concerned to defer retirement for length of service, but not later than 60 days after the warrant officer becomes 62 years of age. Currently, members whose retirement dates are deferred remain on active duty and are subject to chapter 33A of title 10 and can compete for promotion. In the past, however, rather than defer retirement, warrant officers were retired and then recalled to active duty. Because of section 582(2), these warrant officers are not subject to chapter 33A. This proposal would make retired warrant officers who were recalled to active duty without a break in service prior to the effective date of the Warrant Officer Management Act (February 1, 1992) subject to chapter 33A.

Cost and Budget Data

If enacted, this legislative proposal would not increase the budgetary requirements of the Department of Defense.

Sincerely,

Enclosure:
Draft Bill

AUG 31 '93 9:52 FROM OSD-LRS

TO SCHREIBER

PAGE.006

Draft

A BILL

To amend title 10, United States Code, to make technical corrections to sections codified by the Warrant Officer Management Act.

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

3 **SECTION 1. TECHNICAL CHANGES TO SECTIONS CODIFIED BY**
4 **THE WARRANT OFFICER MANAGEMENT ACT.**

5 Chapter 88A of title 10, United States Code, is amended—

6 (1) in section 578, by adding at the end the following new subsections:

7 "(e) An officer who is appointed to a higher grade under this section is
8 considered to have accepted such appointment on the date on which the
9 appointment is made unless the officer expressly declines the appointment.

10 "(f) An officer who has served continuously since the officer subscribed to the
11 oath of office prescribed in section 8881 of title 5 is not required to take a new
12 oath upon appointment to a higher grade under this section.";

13 (2) in sections 578(a)(2) and 574(e), by striking "on active duty";

14 (3) in section 575(d), by inserting before the period at the end thereof
15 ", except for those officers precluded from consideration under regulations
16 prescribed by the Secretary concerned under section 577 of this title";

17 (4) in section 576(f)(1), by striking the last sentence thereof;

18 (5) in section 580(a)(3), by striking "(A) the date on which the Secretary
19 concerned approves the report" and all that follows through "whichever
20 applies" and inserting in lieu thereof "the date on which the warrant officer

Draft

1 would otherwise be discharged under paragraph (4);

2 (6) by amending section 580(a)(4)(A) to read as follows:

3 "(4)(A) Except as provided in paragraphs (2) and (3), a warrant officer
4 described in paragraph (1) shall be discharged on the date requested by the
5 officer and approved by the Secretary concerned, which date shall not be later
6 than the first day of the seventh calendar month beginning after the month in
7 which (i) the Secretary concerned approves the report of the board which
8 considered the officer for the second time, or (ii) the officer's name is removed
9 from the recommended list or promotion list under section 579 of this title,
10 whichever applies."; and

11 (7) in section 582(2) is amended by inserting before the period at the end
12 thereof "(except those retired warrant officers who were recalled to active
13 duty prior to February 1, 1992, without a break in service)".

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

6663

September 3, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL *RB*
FROM: KEITH HAHN *KH*
SUBJECT: Presidential Commissioning of CVN-74 - USS JOHN STENNIS

The USS JOHN STENNIS (CVN-74) is tentatively scheduled to be commissioned in Newport News at 11:00 a.m. on November 13, 1993 (a Saturday). The President's participation in an aircraft carrier commissioning would provide an excellent opportunity for him to speak on national security issues and to demonstrate his commitment to maintaining American presence abroad. CVN-74's sponsor is John Stennis' daughter. Stennis is still alive but will be unable to attend the ceremony due to poor health.

I have inquired into other possible dates for the commissioning ceremony in the event that the President is unable to attend on November 13. Given sufficient advance notice, Newport News can conduct the ceremony at 12:00 on November 11 or 12 (the proceeding Thursday and Friday). November 11 has the added advantage of being Veterans Day, thus providing another possible theme for a speech. However, commissionings are not usually held on work days due to the disruption caused in the shipyard.

If the President is available, we should encourage him to speak at the commissioning on November 13.

RECOMMENDATION

That you approve and forward the scheduling request at Tab I.

Attachment

Tab I Presidential Scheduling Request

THE WHITE HOUSE

Schedule Proposal

WASHINGTON

date ____/____/____

☐ ACCEPT☐ REGRET☐ PENDING

TO: Marcia L. Hale
Assistant to the President and Director
of Scheduling and Advance

FROM: Anthony Lake

REQUEST: Commissioning Ceremony for CVN-74 - USS
JOHN STENNIS

PURPOSE: To participate in the commissioning of
the aircraft carrier USS JOHN STENNIS

BACKGROUND: The President's participation in an
aircraft carrier commissioning would
provide an excellent opportunity for him
to speak on national security issues and
to demonstrate his commitment to
maintaining American presence abroad.
There is some flexibility in the dates
for the commissioning if scheduled
sufficiently far in advance. Ceremony
could be held on Thursday, November 11
(Veterans Day) at 12:00 or Friday,
November 12 at 12:00.

PREVIOUS PARTICIPATION: Visited the USS THEODORE ROOSEVELT on
March 12, 1993.

DATE AND TIME: November 13, 1993 at 11:00 a.m.

DURATION: One hour

LOCATION: Newport News, Virginia

PARTICIPANTS: The aircraft carrier's sponsor is John
Stennis' daughter. John Stennis is
still alive but will be unable to attend
the ceremony due to poor health. The
Secretary of the Navy and the Chief of
Naval Operations will be in attendance.
Carrier commissionings usually draw
crowds of 1000-2000 people.

OUTLINE OF EVENTS: To be provided under separate cover.

REMARKS REQUIRED: Yes

MEDIA COVERAGE: Open press

FIRST LADY'S ATTENDANCE: Not required

VICE PRESIDENT'S ATTENDANCE: No

SECOND LADY'S ATTENDANCE: No

RECOMMENDED BY: Anthony Lake

CONTACT: Keith Hahn, X6923

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9306441
RECEIVED: 26 AUG 93 08

TO: JUKES, J

FROM: ITOH

DOC DATE: 03 SEP 93
SOURCE REF:

KEYWORDS: DEFENSE POLICY

LEGISLATIVE REFERRAL

PERSONS:

SUBJECT: DOD DRAFT BILL NATL DEFENSE AQUISITION IMPROVMENTS ACT 1993

ACTION: KENNEY SGD MEMO

DUE DATE: 30 AUG 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
EXECSEC
HAHN

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSMEM

CLOSED BY: NSASK

DOC 3 OF 3

UNCLASSIFIED

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

September 3, 1993

MEMORANDUM FOR JAMES J. JUKES

FROM: WILLIAM H. ITO *W.H.I.*SUBJECT: Defense Draft Bill - National Defense Acquisition
Improvements Act of 1993

The National Security Council has no objections to the DoD draft bill implementing "Section 800" Panel procurement reforms.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 2, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT G. BELL *RB*

FROM: STEVEN R. JONES

SUBJECT: Defense Draft Bill - National Defense Acquisition
Improvements Act of 1993

OMB has forwarded for NSC comment the subject draft bill that would amend several DoD-specific procurement statutes in accordance with the recommendations of the recent Defense Acquisition Reform ("Section 800") Panel. This group of proposed revisions consolidates and streamlines several outdated service-specific authorities.

One area of NSC interest is Section 101 and 102 regarding industrial mobilization, which grants the President through the Secretary of Defense the authority to seize plants and orders in times of emergency. This authority is a step beyond Defense Production Act authority to prioritize and allocate resources in times of national emergency, and -- according to DoD -- has only been used once since the seizure authority was granted in 1916. The consolidation of this authority (which now exists for the Air Force and Army) under the Secretary of Defense does in no way prejudice the anticipated draft PRD and Executive Order implementing Defense Production Act authorities.

I would defer further detailed comment to procurement law experts in DoD, OMB and Commerce. In checking with the OMB Office of Federal Procurement Policy, I found that they had cleared the draft legislation and reported they found nothing inconsistent with current National Performance Review or DoD acquisition reform initiatives.

Concurrence by: Jeremy Rosner *JR*

RECOMMENDATION

That you sign the attached memo.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

6441

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

August 23, 1993

LEGISLATIVE REFERRAL MEMORANDUM

**LRM #D-2'
DRAFT**

TO: Legislative Liaison Officer -

AGRICULTURE - Marvin Shapiro - (202)720-1516 - 312
COMMERCE - Michael A. Levitt - (202)482-3086 - 324
EDUCATION - John Kristy - (202)401-2670 - 207
ENERGY - Bob Rabben - (202)586-6718 - 209
HHS - Frances White - (202)690-7760 - 328
HUD - Edward J. Murphy, Jr. - (202)708-1793 - 215
INTERIOR - Ralph Hill - (202)208-6706 - 329
JUSTICE - Sheila F. Anthony - (202)514-2141 - 217
LABOR - Robert A. Shapiro - (202)219-8201 - 330
STATE - Julia C. Norton - (202)647-2137 - 225
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
TREASURY - Richard S. Carro - (202)622-1146 - 228
VA - Robert Coy - (202)535-8113 - 229
NSC - William H. Itoh - (202)395-3723 - 249
CEA - Francine Obermiller - (202)395-5036 - 242
NEC - Sonia Mathews - (202)456-6722 - 429
SBA - Christine Swedin - (202)205-6702 - 315
NASA - Jeff Lawrence - (202)358-1948 - 219
GSA - William R. Ratchford - (202)501-0563 - 237

FROM: Jeffrey WEINBERG (for) 
Assistant Director for Legislative Reference

OMB CONTACT: Jim BROWN (395-3473)
Secretary's line (for simple responses): 395-3454
Alexander McCLELLAND (395-3850)

SUBJECT: DEFENSE Draft Bill National Defense
Acquisition Improvements Act of 1993

DEADLINE: C.O.B. FRIDAY September 3, 1993

COMMENTS: This DOD proposal would amend several DOD-specific
procurement statutes. If we do not hear from you by the
deadline, we will assume that you have no objection to
clearance of this bill.

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:
Phil Lader
Howard Paster
C. Cerda
C. Walden
Don Gessaman
Steve Dotson
Greg Henry
John McClelland
Bruce McConnell
Bob Damus
Barbara Selfridge
Sheryll Cashin
Bernie Martin
Frank Reeder
Gordon Adams
Chris Edley
Al Burman
Allan Brown
Bill Coleman
Wayne Wittig
Robert Neal
Adrien Silas
Doug Criscitello
Jim MacRae
Cyndi Vallina
Cora Beebe
Ken Schwartz
Louisa Koch
Greg Simon
Elaine Kamarck
Donsia Strong
David Haun

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

Dear Mr. President:

Forwarded herewith is the draft of legislation to streamline service-specific and other DOD acquisition statutes. This proposal is based upon certain of the recommendations contained in the Report of the Advisory Panel on Streamlining and Codifying Acquisition Laws that was authorized by Section 800 of the National Defense Authorization Act for Fiscal year 1991 (P.L. No. 101-510).

Purpose of the Legislation

The proposed legislation would:

- repeal those service-specific authorities that are obsolete or no longer needed by the DOD;
- retain and consolidate those authorities that remain useful to the DOD, and
- amend, in limited instances, certain authorities to provide for current needs of the DOD.

Cost and Budget Data

The cost and budget implications of this legislation cannot be determined at this time. Most of this initiative addresses "clean-up," statutory streamlining rather than direct changes to the acquisition process. However, this proposal will streamline the acquisition processes of the DOD in certain respects and, therefore, should be enacted.

The Office of Management and Budget has advised that, from the standpoint of the Administration's programs, there is not objection to the presentation of this proposal for consideration by the Congress. It is recommended that this proposal be enacted by Congress.

A copy has been sent to the Speaker of the House of Representatives.

Sincerely,

Enclosures:

1. Draft Bill
2. Sectional Analysis

27 July 93

A BILL

To amend title 10, United States Code, to streamline and improve the acquisition process, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Defense Acquisition Improvements Act of 1993".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—SERVICE SPECIFIC STATUTES

- Sec. 101. Industrial mobilization: orders; priorities; possession of manufacturing plants; violations.
- Sec. 102. Industrial mobilization: plants; lists; board on mobilization of industries essential for military preparedness.
- Sec. 103. Procurement for experimental purposes.
- Sec. 104. Procurement of production equipment.
- Sec. 105. Authority to sell.
- Sec. 106. Authorization.
- Sec. 107. Army rations.
- Sec. 108. Exceptional subsistence.
- Sec. 109. Military surveys and maps.
- Sec. 110. Unserviceable ammunition.
- Sec. 111. Architectural and engineering services.
- Sec. 112. Gratuitous services.
- Sec. 113. Civil reserve air fleet.
- Sec. 114. Guided missiles; research and development, procurement, construction.
- Sec. 115. Exchange of personnel.
- Sec. 116. Relief of contractors and their employees from losses by enemy action.
- Sec. 117. Sale of degaussing equipment.
- Sec. 118. Appropriations; available for other purposes.
- Sec. 119. Conversion of combatants and auxiliaries.
- Sec. 120. Construction of combatant and escort vessels and assignment of vessel projects.
- Sec. 121. Bids on construction: estimates required.
- Sec. 122. Construction on pacific coast.
- Sec. 123. Disposition of naval vessels.
- Sec. 124. Policy in constructing combatant vehicles.
- Sec. 125. Naval salvage facilities.
- Sec. 126. Defense enterprise programs.
- Sec. 127. Encouragement of aviation.
- Sec. 128. Contracted advisory and assistance services: accounting procedures.

- Sec. 129. Contracts for the procurement of milk: price adjustments; purchases from the commodity credit corporation.
- Sec. 130. Supplies: economic order quantities.
- Sec. 131. Liquid fuels and natural gas: contracts for storage, handling, or distribution.
- Sec. 132. Acquisition of petroleum: authority to waive procedures.
- Sec. 133. Repeal of provision relating to certificate of independent price determination in certain department of defense contract solicitations.
- Sec. 134. Contracts: vouchering procedures.
- Sec. 135. Repeal of inspector general act provision relating to transfer of authority.
- Sec. 136. Procurement of critical aircraft and ship spare parts; quality control.
- Sec. 137. Army subsistence supplies; contract stipulations; place of delivery on inspection.
- Sec. 138. Air Force subsistence supplies; contract stipulations; place of delivery on inspection.
- Sec. 139. Deposit of contracts.
- Sec. 140. Repeal of obsolete provision.
- Sec. 141. Repeal of redundant naval patent provision.
- Sec. 142. Repeal of executed reporting requirement.
- Sec. 143. Repeal of obsolete naval aircraft chapter.

TITLE I—SERVICE SPECIFIC STATUTES

SEC. 101. INDUSTRIAL MOBILIZATION: ORDERS; PRIORITIES; POSSESSION OF MANUFACTURING PLANTS; VIOLATIONS.

(a) CONSOLIDATED SECTION.—(1) Chapter 148 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2538. Industrial mobilization: orders; priorities; possession of manufacturing plants; violations

"(a) In time of war or when war is imminent, the President, through the Secretary of Defense or secretary of the military department concerned, may order from any person or organized manufacturing industry necessary products or materials of the type usually produced or capable of being produced by that person or industry.

"(b) A person or industry with whom an order is placed under subsection (a), or the responsible head thereof, shall comply with that order and give it precedence over all orders not placed under that subsection.

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9306568
RECEIVED: 31 AUG 93 18

TO: JUKES, J

FROM: ITOH

DOC DATE: 03 SEP 93
SOURCE REF:

KEYWORDS: SPACE PROGRAMS

LEGISLATIVE REFERRAL

PERSONS:

SUBJECT: OMB REQUEST FOR VIEWS RE HR-2200 NASA AUTHORIZATION ACT

ACTION: KENNEY SGD MEMO

DUE DATE: 03 SEP 93 STATUS: C

STAFF OFFICER: JONES

LOGREF: 9304508

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
JONES
NSC CHRON

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSWEA

CLOSED BY: NSASK

DOC 3 OF 3

UNCLASSIFIED

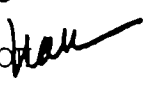
NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

September 3, 1993

MEMORANDUM FOR JAMES J. JUKES

FROM:

WILLIAM H. ITO 

SUBJECT:

OMB Request for Views RE: H.R. 2200 - NASA
Authorization Act - FY 1994

The NSC raises no objection to the House NASA Authorization bill on the basis of our national security policy. The NSC defers comment on the specific funds authorized for individual programs to NASA and OMB program analysts.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 2, 1993

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT G. BELL *RGB*

FROM: STEVEN R. JONES *J*

SUBJECT: OMB Request for Views RE: H.R. 2200 - NASA
Authorization Act - FY 1994

OMB has requested NSC views on the House version of the NASA Authorization prior to Senate authorization action. The bill authorizes NASA expenditures, including \$1.9 billion for Space Station Freedom in FY 1994 and \$12.7 billion through FY 2000.

The bill also would require some new studies, including a NASA-DoD led comparative analysis of United States and foreign expendable launch systems and an OSTP-led study on orbital debris. A joint OSTP-NSC working group on Space Debris has already laid the groundwork for doing such a study this fall in preparation for U.N. meetings on this subject in early 1994.

In checking with NASA legislative affairs I uncovered no major items that they plan to reclama. I will defer to OMB analysts for a detailed review of the budget numbers. I did not find anything in the House authorization contrary to national security policy.

Concurrence by: Jeremy Rosner *JR*

RECOMMENDATION

That you sign the memo at Tab I.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

6568

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

August 27, 1993

LEGISLATIVE REFERRAL MEMORANDUM

LRM #1-1154

TO: Legislative Liaison Officer -

COMMERCE - Michael A. Levitt - (202)482-3086 - 324 (Sec. 3.1)
DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325 (Sec. 3.1)
ENERGY - Bob Rabben - (202)586-6718 - 209
HHS - Frances White - (202)690-7760 - 328
JUSTICE - Sheila F. Anthony - (202)514-2141 - 217 (Sec. 11.1)
STATE - Julia C. Norton - (202)647-4463 - 225 (Sec. 3.1)
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226 (Sec. 3.1)
TREASURY - Richard S. Carro - (202)622-1146 - 228
NSC - William H. Itoh - (202)395-3723 - 249
CEA - Francine Obermiller - (202)395-5036 - 242
GSA - William R. Ratchford - (202)501-0563 - 237
NASA - Jeff Lawrence - (202)358-1948 - 219
NEC - Sonia Mathews - (202)456-6722 - 429
NSF - Lawrence Rudolph - (202)357-9435 - 248
OSTP - Susanne Bachtel - (202)456-7116 - 288
SBA - Christine Swedin - (202)205-6702 - 315
USTR - Fred Montgomery - (202)395-3475 - 223 (Sec. 3.1)
INTERIOR - Ralph Hill - (202)208-6706 - 329
FEMA - Spence W. Perry - (202)646-4105 - 327 (Sec. 12.1)
EDUCATION - John Kristy - (202)401-2670 - 207 (Sec. 3.2)
AGRICULTURE - Marvin Shapiro - (202)720-1516 - 312 (Sec. 3.1)

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

OMB CONTACT: Jeffrey WEINBERG (395-3457)
Secretary's line (for simple responses): 395-3454

SUBJECT: OMB Request for Views RE: HR 2200, NASA
Authorization Act, FYs 1994-95

DEADLINE: NOON September 3, 1993 →

COMMENTS: Please provide views on problems in the House-passed version of HR 2200 so that they can be raised in the Senate.

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:
Howard Paster
Kathy Peroff

Sarah Horrigan
Bob Damus
C. Cerda
Van Schwartz

Jeeyang Rhee
Cyndi Vallina
Richard Dalbello
Chris Heiser

_____ Concur

_____ No objection

_____ No comment

_____ See proposed edits on pages _____

_____ Other: _____

_____ FAX RETURN of _____ pages, attached to this
_____ response sheet

103D CONGRESS
1ST SESSION

H. R. 2200

IN THE SENATE OF THE UNITED STATES

AUGUST 2 (legislative day, JUNE 30), 1993

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control, and data communications, construction of facilities, research and program management, and Inspector General, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "National Aeronautics
5 and Space Administration Authorization Act, Fiscal Years
6 1994 and 1995".

6568

IIA

103D CONGRESS
1ST SESSION

H. R. 2200

IN THE SENATE OF THE UNITED STATES

AUGUST 2 (legislative day, JUNE 30), 1993

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To authorize appropriations to the National Aeronautics and
Space Administration for research and development,
space flight, control, and data communications, construc-
tion of facilities, research and program management, and
Inspector General, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "National Aeronautics
5 and Space Administration Authorization Act, Fiscal Years
6 1994 and 1995".

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

6626

September 3, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL

FROM: KEITH HAHN

SUBJECT: Letter to the President from Representative
Skelton RE: General Shalikashvili as New Chairman,
Joint Chiefs of Staff

At Tab B Representative Ike Skelton has written the President to congratulate him on his choice of General Shalikashvili as the next Chairman, Joint Chiefs of Staff. The letter to Congressman Skelton at Tab A thanks him for his endorsement and acknowledges General Shalikashvili's unique professional qualifications and personal characteristics.

Concurrence by: Jeremy Rosner

RECOMMENDATION

That you forward the memorandum and letter at Tab I to the President.

Attachments

Tab I Memorandum for the President
Tab A Letter to Representative Skelton
Tab B Incoming Correspondence

THE WHITE HOUSE

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
HOWARD PASTER

SUBJECT: Letter from Representative Skelton RE: General Shalikashvili as New Chairman, Joint Chiefs of Staff

Purpose

To respond to a letter from Representative Ike Skelton congratulating you on your choice of General John Shalikashvili as the next Chairman, Joint Chiefs of Staff.

Background

As a key member of the House Armed Services Committee and a congressional expert on military personnel issues, Ike Skelton's endorsement of General Shalikashvili will be important both for his confirmation and for a healthy long-term relationship between the Chairman and the HASC. At Tab B you noted that we should reply to Representative Skelton's letter.

RECOMMENDATION

That you sign the letter to Representative Skelton at Tab A.

Attachments

Tab A Letter to Representative Skelton
Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

THE WHITE HOUSE

WASHINGTON

Dear Ike:

Thank you for your letter of August 12. The floods in the Midwest have made this a rough summer for the people of St. Louis and much of the rest of Missouri. I hope that we have seen the end of the heavy rains and we can get on with the task of building for the future.

I greatly appreciate your words of endorsement for my selection of General John Shalikashvili to be the next Chairman of the Joint Chiefs of Staff. Aside from his outstanding professional credentials, I'm sure that you will also find that he is the type of forthright and candid military leader this country needs as we seek to structure our armed forces for the challenges that lay before us.

Sincerely,

The Honorable Ike Skelton
House of Representatives
Washington, D.C. 20515



HOUSE OF REPRESENTATIVES
WASHINGTON, D. C. 20515

IKE SKELTON
4TH DISTRICT, MISSOURI

93 AUG 16

ALL: 31

August 12, 1993

Handwritten: To Tony
FYI
Shd reply

Dear Mr. President,

Thank you for coming to Missouri to sign the Disaster Relief Bill. We appreciate your thoughtfulness and your efforts.

Let me take this means to congratulate you on your choice of General John Shalikashvili for the new Chairman of the Joint Chiefs of Staff. He will do an outstanding job, not only for you, but for the country. I wholeheartedly endorse your choice.

It was good to visit briefly with your wife and daughter in St. Louis. I hope you will have the opportunity to take a few days off.

Yours truly,

IKE SKELTON
Member of Congress

The Honorable Bill Clinton
President
The White House
Washington, D. C. 20500

*For urgent
turnaround.
Thanks.*

*Note says:
To Tony
FYI
Shd reply*

8/31

THE WHITE HOUSE

WASHINGTON

August 18, 1993

13 AUG 18 P4:15

MEMORANDUM FOR THE PRESIDENT

FROM: HOWARD PASTER *HP*

SUBJECT: CONGRESSIONAL CORRESPONDENCE

Attached are letters which I thought you might be of interest to you. They are as follows:

- Threat by* 1. Phil Gramm (R-TX)
- Threat by* 2. Ike Skelton (D-MO)
- Threat by* 3. Frank Lautenberg (D-NJ)
- Threat by* 4. Ted Kennedy (D-MA)
- Setup* 5. Ron and Roscoe Dellums (D-CA)
Big sign to her

Can't read

AMBASSADE DE FRANCE

WASHDC

A
WASHINGTON

B. & Bell-

TO:

F71

Jeanne
Walker

Washington, Se

For the attention of Mrs Houck

9/3 1430pm

Regarding my phone call, I wish to confirm that Mr. Patrick VILLEMUR who is chargé d'affaires a.i. and M. Jean-René GEHAN who is counselor would like an appointment of 15 minutes this afternoon with M. Toni LAKE concerning the Geneva conference armament.

→ This appointment has been requested by the Minister of Foreign Affairs in Paris and Mr. Robert Bell who is special assistant to the President and Senior Director for Defense Policy, Arms control at NSI is aware of this request.

Sincerely yours

Joëlle JOUAN

(202) 944 6123

Jeanne —

(p.s.) I will receive Vilmur + Gehan today at 5:00pm.

This text illustrates the dangers of a compound sentence! They should of put a period after "Paris" since they meant only to indicate that I was aware that the Embassy might seek an appointment with,

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003a. memo	For William Itoh from Keith Hahn. Subject: U.S. Freedom of Navigation (FON) Program. Record ID: 9306609. (1 page)	09/03/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 47

FOLDER TITLE:

Chron File - September 1993 #1 [2]

2016-0152-F
vz4463

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

MEMORANDUM FOR COL. ROBERT P. MCALEER
Executive Secretary
Department of Defense

MARC GROSSMAN
Executive Secretary
Department of State

SUBJECT: U.S. Freedom of Navigation (FON) Program

The National Security Council staff concurs in the Freedom of Navigation Program list of candidates for FON assertions as modified by the Department of State.

William H. Itoh
Executive Secretary

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003b. memo	For Colonel Robert P. McAleer. Subject: U.S. Freedom of Navigation (FON) Program. (1 page)	09/01/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 47

FOLDER TITLE:

Chron File - September 1993 #1 [2]

2016-0152-F
vz4463

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
003c. memo	For Executive Secretary, Department of State and Executive Secretary, National Security Council. Subject: U.S. Freedom of Navigation (FON) Program. (5 pages)	08/19/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 47

FOLDER TITLE:

Chron File - September 1993 #1 [2]

2016-0152-F

vz4463

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]

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 7, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: JEREMY ROSNER (J)
FROM: MIKE ANDRICOS (M)
SUBJECT: National Security Talking Points for the
President's Meeting with Congressional Leadership
on Wednesday, September 8

The President is scheduled to meet with Bipartisan Congressional Leadership on Wednesday, September 8.

Suggested talking points on national security issues have been prepared for the President.

Concurrences by: Robert Bell, Jenonne Walker, Jane Holl, Richard Clarke, Nicholas Burns, Jennifer Ward, Martin Indyk
in draft *in draft* *in draft* *copy provided* *copy provided* *copy provided*

RECOMMENDATION

That you forward the attached memo to the President.

Attachments

Tab I Memo to the President
Tab A Talking Points

THE WHITE HOUSE
WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
HOWARD PASTER

SUBJECT: National Security Talking Points for Bipartisan
Congressional Leadership Meeting on Wednesday,
September 8

You are scheduled to meet with Bipartisan Congressional
Leadership on Wednesday, September 8.

Suggested talking points on national security issues are attached
(Tab A).

Also attached is a brief chronology of our involvement in the
peace process for use on Middle East questions.

Attachments

Tab A Talking Points
Tab B Mid East Chronology

cc: Vice President
Chief of Staff

SUGGESTED TALKING POINTS FOR MEETING WITH
BIPARTISAN CONGRESSIONAL LEADERSHIP MEETING

BOSNIA

- Our goal is to support the achievement of a negotiated settlement in Geneva. If a fair and enforceable agreement can be reached, we will work with NATO to implement and enforce the settlement. We also will continue to put pressure on those responsible for the aggression in Bosnia to achieve an equitable settlement.
- I will continue to consult closely with Congress.
- I will meet today with President Izetbegovic and tell him that the U.S. wants to be supportive, but that outside military intervention is not the answer.

DEFENSE BUDGET

- Both Houses take up the Defense Authorization Bill this week.
- We have just completed a "Bottom up Review" of Defense as we restructure our forces for the Post cold war era. We have identified the minimum program that meets national security requirements.
- A number of amendments concern me. We oppose terminating procurement of the Trident D-5 missile, opposing requiring NATO nations to offset the costs of our forces stationed there, cuts to ballistic missile defenses below the SASC level (\$3.45b).

SOMALIA

- I'm very concerned about amendments to force our withdrawal from Somalia. U.S. forces will remain there only until they have completed their mission. To force a premature withdrawal undercuts our ability to achieve our objectives -- establishing security throughout the country, standing up a credible police force and judicial system, and achieving real progress towards political reconciliation.

RUSSIAN AID

- We have come a long way toward funding Russian aid. I'd like to ask that we all make a strong push to get this done by the end of the month. I want to know how I can help.

MIDDLE EAST PEACE PROCESS

- We are urging Arab leaders to support the historic Declaration of Principles relating to interim self government announced by the Israelis and Palestinians.

NAFTA

- I want to reaffirm my strong support for NAFTA. These new accords provide tough and enforceable mechanisms to ensure

that increased trade does not come at the expense of workers and the environment.

BACKGROUND POINTS FOR MEETING WITH
BIPARTISAN CONGRESSIONAL LEADERSHIP MEETING

BOSNIA

- First, on Bosnia -- I want to reemphasize that I want to continue to consult closely with Congress as we try to support a difficult process that we hope will take us to a peaceful settlement there.
- The goal of the United States in the Bosnian conflict is to support the achievement of a negotiated settlement in Geneva. If a fair and enforceable agreement can be reached that is acceptable to the Bosnian government, the United States will work with our NATO allies to implement and enforce the settlement. In any event, we will continue to put pressure on those responsible for the aggression in Bosnia to achieve an equitable settlement.
- I will be meeting later today with President Izetbegovic of Bosnia. I'll tell him that the U.S. will continue to look for ways to be supportive, but that outside military intervention is not going to solve this dispute.

DEFENSE BUDGET

- Both Houses will be taking up the Defense Authorization Bill this week.
- We have just completed a "Bottom up Review" of Defense needs as we restructure our forces for the Post cold war era. I'm convinced that we have identified the minimum program that meets our national security requirements.
- In that regard, there are a number of amendments that are expected to be offered that concern me. Let me mention three. First, we would oppose terminating procurement of the Trident D-5 missile. Second, we would oppose amendments that would require European nations to offset the costs of our forces stationed there to the same level as Japan offsets these costs. And third, we would oppose cutting funding for ballistic missile defenses below the level recommended by the SASC, i.e. \$3.45 billion.

SOMALIA

- I'm also very concerned about amendments to force our withdrawal from Somalia. I can assure you that U.S. forces will remain there only until they have completed their mission, but efforts to force a premature withdrawal only undercut our ability to achieve our objectives -- establishing security throughout the country including Mogadishu, standing up a credible police force and judicial system, and achieving real progress towards political reconciliation.

RUSSIAN AID

- Finally, we have come a long way toward funding Russian aid. I think everyone in this room knows that it is my top foreign aid priority. I know we have some obstacles remaining, but I'd like to ask that we all make a strong push to get this done by the end of the month. I will be talking with several of you directly about how we can break this loose. I want to know how I can help get this done.

MIDDLE EAST PEACE PROCESS

- The Israelis and Palestinians achieved an historic conceptual breakthrough in their agreement on a Declaration of Principles relating to interim self government. Israel and the PLO continue to work on arrangements for mutual recognition and the U.S. is urging Arab leaders to support this agreement.
- King Hussein announced his support.
- The Gulf Cooperation Council (Saudi Arabia, Kuwait, UAE, Bahrain, Oman, Qatar) issued a strong statement of support.
- President Asad said this is a decision for Palestinians to take for themselves.
- President Mubarak has been instrumental in building Arab support of the agreement.
- PLO chairman Arafat won approval for the agreement from the Fatah central committee, and is expected to win support of the PLO executive committee, despite opposition from several factions.
- In the territories Faisal Husseini and other peace teamers are working to build support for the plan.

NAFTA

- I want to reaffirm to you my strong support for NAFTA. The new accords we have reached with Canada and Mexico provide tough and enforceable mechanisms to ensure that increased trade does not come at the expense of workers and the environment.

BACKGROUND -- IF ASKEDPeacekeeping Policy Review

- We have initiated a comprehensive review of U.S. policy on peacekeeping.
- Before I approve a new policy I want to consult closely on the broad issues of peacekeeping policy, funding and management.

- We view peace operations as simply one among many tools at our disposal to quell or resolve international conflicts. But we will always retain the capability to act unilaterally.
- We will use peacekeeping only when it is appropriate. When managed effectively, peace operations can be a comparatively inexpensive way to get other nations to share the responsibility. This is burden-sharing at its best.

Command and Control

- We have also been reviewing the issue of command and control of U.S. Forces assigned to multilateral missions. Frankly the press reports on this have been very misleading and in some cases plain false.
- The proposed draft policy has the full support of the Defense Department and Joint Staff.
- We haven't made any final decisions