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Folder Title:

Chron File - March 1994 #1 [1]

Staff Office-Individual:

Defense Policy-Bell, Robert

Original OA/ID Number:

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Duplicate of vz4543_001a. (1 page)	02/16/1994	P1/b(1)
001b. cable	Duplicate of vz4543_001b. (2 pages)	01/20/1994	P1/b(1)
002a. letter	[Personally Identifiable Information] [partial] (1 page)	02/18/1994	b(6)
002b. resume	Transcript of Naval Service for Leighton Warren Smith, Jr. (3 pages)	02/15/1994	b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
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FOLDER TITLE:

Chron File - March 1994 #1 [1]

2016-0152-F

vz4544

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]

TO: JUKES, J

FROM: ITOH

DOC DATE: 01 MAR 94
SOURCE REF:

KEYWORDS: DEFENSE POLICY

LEGISLATIVE REFERRAL

PERSONS:

SUBJECT: OMB PROPOSED AMENDMENT RE S-1587 FEDERAL ACQUISITION STREAMLINING ACT
OF 1993 LRM I-2113

ACTION: KENNEY SGD MEMO

DUE DATE: 28 FEB 94 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
JONES
ROSNER

COMMENTS:

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSJEB

CLOSED BY: NSGP

DOC 3 OF 3

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 1, 1994

MEMORANDUM FOR JAMES J. JUKES

FROM: WILLIAM H. ITO 
SUBJECT: OMB Proposed Amendment RE: S.1587, The Federal
Acquisition Streamlining Act of 1993 (LRM I-2113)

The NSC staff has reviewed the proposed legislation and has no additional comments.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

February 28, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT G. BELL *RB*

FROM: STEVEN R. JONES *J*

SUBJECT: OMB Proposed Amendment RE: S.1587, The Federal
Acquisition Streamlining Act of 1993 (LRM I-2113)

OMB requested a quick-turnaround concurrence on the attached 300 pages of acquisition streamlining legislation. The legislation implements "Section 800" panel recommendations along with raising the simplified acquisition threshold to \$100,000 and implementing Defense Acquisition Pilot programs. These initiatives are high priority items to achieve Secretary Perry's acquisition streamlining goals.

I have reviewed OMB's "line-in/line-outs" and have no additional comments to offer.

Concurrence by: Jeremy Rosner *JR*

RECOMMENDATION

That you sign the memorandum at Tab I.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

TO: ITOH

FROM: JUKES, J

DOC DATE: 25 FEB 94
SOURCE REF:

KEYWORDS: DEFENSE POLICY

LEGISLATIVE REFERRAL

PERSONS:

SUBJECT: OMB PROPOSED AMENDMENT RE S-1587 FEDERAL ACQUISITION STREAMLINING
ACT OF 1993

ACTION: PREPARE MEMO ITOH TO JUKES

DUE DATE: 28 FEB 94 STATUS: S

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

HAHN

jones

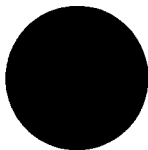
FOR CONCURRENCE

BELL

ROSNER

FOR INFO

JONES



URGENT

Full RPT w/ Hahn
jones

COMMENTS: DUE TODAY MON 28 FEB / CALL IN COMMENTS BUT DO FOLLOW - UP MEMO
W/ ITOH TO JUKES MEMO

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSJEB

CLOSED BY:

DOC 1 OF 1

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

1509

February 25, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2113

TO: Legislative Liaison Officer -

AGRIC-CR - Vince Ancell (all testimony) - (202)720-7095 - 230
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 - Danny Consenstein - (202)208-6706 - 329
JUSTICE - Sheila F. Anthony - (202)514-2141 - 217
OMB - Only, See Distribution Below - () - -
STATE - Julia C. Norton - (202)647-4463 - 225
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
TREASURY - Richard S. Carro - (202)622-1146 - 228
VA - Robert Coy - (202)535-8113 - 229
AID - Robert M. Lester - (202)647-8371 - 202
AOUSC - Robert Feidler - (202)273-1120 - 245
CEA - - (202)395-5036 - 242
EPA - Thomas C. Roberts - (202)260-5414 - 326
FEMA - John P. Carey - (202)646-4105 - 327
GSA - William R. Ratchford - (202)501-0563 - 237
NASA - Jeff Lawrence - (202)358-1948 - 219
NEC - Sonyia Matthews - (202)456-6722 - 429
NSC - William H. Itoh - (202)395-3723 - 249
OPM - James N. Woodruff - (202)606-1424 - 331
SBA - Christine Swedin - (202)205-6702 - 315
USTR - Fred Montgomery - (202)395-3475 - 223
CPPBSD - Beverly L. Milkman - (703)603-7740 - 290
OGE - Jane Ley - (202)523-5377 - 261

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

OMB CONTACT: Jim BROWN (395-3473)
Secretary's line (for simple responses): 395-3454
Allan BROWN (395-3501)

**SUBJECT: OMB Proposed Amendment(s) RE: S 1587, The
Federal Acquisition Streamlining Act of 1993**

DEADLINE: 5:00 MONDAY February 28, 1994

COMMENTS: This "Line In, Line Out" document incorporates the current draft of the Administration's proposed amendments to S. 1587. This document must be submitted promptly in order to be useful in the pending markups of this bill. Any proposed revisions must therefore be received by the deadline if they are to be considered for inclusion in this package.

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:

Elaine Karmack
John McClelland
Bruce McConnell
Peter Weiss
David Haun
Bob Damus
Paul Weinstein
Carol Dennis
Allan Brown
Alan Rhinesmith
Doug Criscitello
Jim Boden
Steve Kelman
Wayne Wittig
Bill Coleman
Matthew Blum
Margaret Yao
Dorothy Robyn
Jennifer Palmieri
John Kamensky
Gary Waxman

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: Jim BROWN
Office of Management and Budget
Fax Number: (202) 395-3109
Analyst/Attorney's Direct Number: (202) 395-3473
Branch-Wide Line (to reach secretary): (202) 395-3454

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

**SUBJECT: OMB Proposed Amendment(s) RE: S 1587, The
Federal Acquisition Streamlining Act of 1993**

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

TO: JUKES, J

FROM: ITOH

DOC DATE: 01 MAR 94
SOURCE REF:

KEYWORDS: TELECOMMUNICATIONS

LEGISLATIVE REFERRAL

PERSONS:

SUBJECT: COMMERCE PROPOSED DRAFT BILL ON TELECOMMUNICATIONS AMENDMENTS

ACTION: KENNEY SGD MEMO

DUE DATE: 28 FEB 94 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
ROSNER

COMMENTS:

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSJDA

CLOSED BY: NSGP

DOC 3 OF 3

NATIONAL SECURITY COUNCIL
WASHINGTON, D C. 20506

March 1, 1994

MEMORANDUM FOR JAMES J. JUKES

FROM:

WILLIAM H. ITO 

SUBJECT:

Commerce Proposed Draft Bill on Telecommunications
Amendments

The National Security Council staff concurs in the proposed
Commerce draft bill.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

February 28, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RB*

FROM: KEITH HAHN *KH*

SUBJECT: Commerce Proposed Draft Bill on Telecommunications
Amendments

The draft bill on Telecommunications Amendments at Tab II provides the Commerce Department's proposals for implementing the Administration's goals of providing universal service, promoting investment, protecting competition, securing open access and adapting to new telecommunications market conditions. The language in this draft bill is consistent with the determinations made, to date, by the National Information Infrastructure Task Force.

Concurrence by: Jeremy Rosner *JR*

RECOMMENDATION

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

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

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

February 24, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #M-1139

TO: Legislative Liaison Officer -

AGRICULTURE - Marvin Shapiro - (202)720-1516 - 312
DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325
EDUCATION - John Kristy - (202)401-2670 - 207
HHS - Frances White - (202)690-7760 - 328
JUSTICE - Sheila F. Anthony - (202)514-2141 - 217
STATE - Julia C. Norton - (202)647-4463 - 225
TREASURY - Richard S. Carro - (202)622-1146 - 228
FCC - Steve Klitzman - (202)632-6405 - 260
NEC - Sonyia Matthews - (202)456-6722 - 429
NSC - William H. Itoh - (202)395-3723 - 249
GSA - William R. Ratchford - (202)501-0563 - 237
OSTP - Chris Clary - (202)456-7116 - 288
SBA - Christine Swedin - (202)205-6702 - 315
USTR - Fred Montgomery - (202)395-3475 - 223

FROM:

JAMES J. JUKES (for) *JJ*
Assistant Director for Legislative Reference

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

SUBJECT:

COMMERCE Proposed Draft Bill on
Telecommunications Amendments

DEADLINE: Noon February 28, 1994

COMMENTS: Here is the legislative language for "Title VII," "unbundling," and "open access" that Commerce has informally supplied to the Congress. House subcommittee markup is expected to begin on Tuesday, March 1st. Please advise if you think that the draft language needs to be revised *prior* to markup.

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:

Greg Simon
Tom Kalil
Mike Nelson
Jonathan Baker, CRA

Ken Schwartz
Harry Meyers
Jonas Neihardt
Bruce McConnell
Huth

_____ Concur

_____ No objection

_____ No comment

_____ See proposed edits on pages _____

_____ Other: _____

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

P07/18

#1

02-24-94 09:03 AM

DRAFT 2/2/94 5:00 PM**ADMINISTRATION SUGGESTED LANGUAGE ON TITLE VII****TITLE VII****SEC. 701. SHORT TITLE.**

This Title may be cited as the "[] Act of 1994."

SEC. 702. FINDINGS.

The Congress finds that --

(1) Communications service providers are emerging that offer broadband, interactive, switched, digital services to persons in a wide range of places, including but not limited to homes, offices, classrooms, libraries, hospitals, and health care facilities. These offerings will include a variety of voice, high-speed data, and video services provided on an integrated basis over advanced network facilities.

(2) Such providers face the potential of being regulated under two different parts of the Communications Act of 1934 -- Title II (Common Carriers) and Title VI (Cable Communications). These providers could also be subject to regulation at the state level for the intrastate components of their offerings, and at the local level for cable television and possibly other services.

(3) The current regulatory environment will be needlessly overlapping, complex, and potentially conflicting for entities seeking to provide broadband, interactive, switched, digital services.

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DRAFT 2/2/94 5:00 PM**2**

(4) Technological and market changes are increasingly blurring the formerly established lines between traditional voice telephony, data communications, and cable television services, and these changes could erase such lines entirely in the future.

(5) The goals of competitive fairness and efficient regulation requires that the Federal Communications Commission regulate similarly-situated entities in a similar fashion.

(6) The existing regulatory scheme created by the Communications Act of 1934 may be ill-suited to services offered as a result of rapidly changing technology, as regulatory policies predicated on outdated distinctions can harm consumers by impeding competition and discouraging private sector investment in network and service offerings that are desired by the public.

(7) A more streamlined, adaptable regulatory regime would provide greater incentives for private sector firms to provide broadband, interactive, switched, digital services, thereby promoting competition in the delivery of communications services and the widespread availability of high quality, advanced services offered to the public at reasonable prices.

(8) A new, more flexible regulatory scheme can allow for rapid technological and marketplace changes, while also establishing mechanisms to ensure that important universal service, consumer protection, and efficiency goals continue to be met.

sec. 703. STATEMENT OF PURPOSES.

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The purposes of this Title are --

(1) To enact a flexible, adaptable regulatory regime that encourages the widespread provision of broadband, interactive, switched, digital services to a wide range of persons and places, including but not limited to homes, businesses, classrooms, libraries, hospitals and clinics;

(2) To encourage the development of broadband, interactive, switched, digital services, while ensuring that current services relied upon by the public, including basic telephone and cable television services, continue to be provided at reasonable prices and at high levels of quality.

(3) To remove unnecessary and artificial barriers to participation by the private sector in communications markets, while ensuring that consumers remain protected from any anticompetitive activities, and that communications networks that serve the public are interconnected and interoperable.

(4) To encourage private investment, promote and protect competition, and encourage flexible, responsive government action with regard to communications networks.

(5) To harmonize regulatory provisions under the Communications Act of 1934, in order to provide a more unified, streamlined approach to regulation of broadband, interactive, switched, digital services, thereby avoiding the imposition of conflicting or duplicative regulatory burdens on communications service providers.

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DRAFT 2/2/94 5:00 PM

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(6) To provide the Federal Communications Commission flexibility in the regulation of such communications services, so that regulation can keep pace with the rapid technological and marketplace changes that pervade the telecommunications and information industries, while preserving and advancing traditional universal service goals, and ensuring just and reasonable terms and conditions for competitors and consumers alike.

(7) To ensure that the Federal Communications Commission has the statutory authority to treat similarly situated firms similarly, rather than regulating firms according to the technology they use to transport information.

(8) To ensure provision, on a non-discriminatory basis, of open access to communications networks for information providers and consumers.

(9) To facilitate the realization of the goal that private sector activities result in the connection of all classrooms, libraries, hospitals, and clinics in the United States to the information infrastructure.

(10) To promote an open information marketplace, with services offered at reasonable prices, based on consumer demand, with expanded access to the information infrastructure.

(11) To promote and develop a society where information is easily available to all people, including disadvantaged, disabled, low-income, and rural users, as well as educational, medical, and small business entities, among others.

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(12) To advance substantial governmental and First Amendment interests in promoting a diversity of views provided through multiple outlets, by enabling individuals and organizations alike to publish and otherwise make information available in electronic form, including the development of local community networks.

(13) To provide the Federal Communications Commission with flexibility to tailor its regulations so that it can prevent abuses of market power that could harm consumers or impede competition, while ensuring that government regulation promotes new entry, innovation in technologies and services, efficient investment in infrastructure development, and full and fair competition in the offering of telecommunications services to the public.

SEC. 704. NEW TITLE ADDED TO THE COMMUNICATIONS ACT.

The Communications Act of 1934 (47 U.S.C. 701 et seq.) is amended by adding a new Title VII, entitled "[]" with the following sections:

"SEC. 701. DEFINITIONS.

For purposes of this Title, the following terms are defined:

"(a) "Title VII firm" means a person that is subject to Federal Communications Commission jurisdiction under this Title.

"(b) "Title VII broadband services" means broadband, interactive, switched, digital transmission services offered by Title VII firms to end users.

"(c) "Other Title VII services" means communication services offered by a Title VII firm, other than Title VII broadband services, that: (1) use the same

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DRAFT 2/2/94 5:00 PM**6**

facilities as Title VII broadband services, and (2) would be subject either to common carrier regulation under Title II, or regulation under Title VI, if offered by non-Title VII firms.

"(d) 'Title VII services' means Title VII broadband services and other Title VII services.

"SEC. 702. ELIGIBILITY TO ELECT TITLE VII REGULATION.

"(a) Any person that offers broadband, interactive, switched, digital services may elect to apply to the Commission for such services to be regulated under this Title.

"(b) To be eligible to become a Title VII firm in a particular state, the applicant must offer Title VII broadband services to at least 20 percent of its subscribers in that state. The Commission may waive the threshold subscriber percentage in specific cases, or modify it by rule of general applicability, if it finds doing so would advance the goals of this Title.

"(c) A Title VII applicant must certify to the Commission that it meets the condition in subsection (b) and provide such documentation and other information as the Commission may require. Its election to become a Title VII firm will become effective 180 days following such certification and provision of such documentation and information, for each state for which the condition is met, unless the Commission, after notice and comment, disallows the application prior to that time.

"SEC. 703. COMMISSION AUTHORITY.

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"(a) The Commission shall apply the regulatory regime established under this Title to all Title VII services, but only in those states for which a person offering the services is a Title VII firm.

"(b) Services subject to Commission authority under this Title, including both Title VII broadband services and other Title VII services, shall not be subject to either the provisions of Title II or Title VI.

"(c) The Commission shall, by rule, establish procedures and standards necessary to implement this Title.

"(d) The Commission shall treat a Title VII firm as a carrier, or common carrier, with respect to any Title VII services it offers, for the purposes of applying Sections 310(b), 332(c), 398(h)(1), 405, 407, 408(g), 410(b), 410(c), 412, 413, 415, 503(a), 503(b), 505, and 510 of this Act.

(to add savings clause somewhere re any FCC Title II or other authority stemming from changes to AT&T Consent Decree, as below:

["(e) Nothing in this Title shall be construed as altering the Commission's regulation of the activities of the Bell Operating Companies under Title II that pertain to regulation of [long distance], manufacturing, electronic publishing, and alarm monitoring services.]

"SEC. 704. STREAMLINED REGULATORY APPROACH FOR TITLE VII SERVICES.

"(a) Title VII firms shall provide open access to their networks so that anyone, including end users and information service providers, can use Title VII services to transmit information, including voice, data, and video programming, on

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a non-discriminatory basis. The Commission may establish rules, as needed to ensure that Title VII firms comply with this provision.

"(b) The Commission shall adopt rules, in consultation with the states, to establish universal service obligations applicable to Title VII firms. Such obligations may include contributions, either financial or in-kind, to the preservation and advancement of universal service consistent with universal service obligations imposed under other Titles of this Act, whether or not the Title VII firms are subject to the rate regulation provisions of this Title.

"(c) The Commission shall seek to promote the interconnection and interoperability of networks providing Title VII services. To further this goal, the Commission is authorized to take actions that facilitate industry standards-setting processes, including the promulgation of procedures and timetables for the adoption of industry standards. The Commission shall have the authority to establish interconnection and interoperability standards or requirements by rule if it finds that the industry standards-setting process is not functioning to accomplish this goal within a reasonable period of time, or that promulgating such standards or requirements is necessary to advance the goals of this Title.

"(d) The Commission shall adopt rules as are necessary and feasible to ensure that Title VII services are accessible and usable by individuals with disabilities, including individuals with functional limitations of hearing, vision, movement, manipulation, speech and interpretation, and are available to all educational institutions in the nation.

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"(e) The Commission shall regulate the rates for Title VII services only if it finds that a Title VII firm has market power with respect to such services. The Commission shall conduct proceedings to establish guidelines or standards for defining "market power" for the offering of Title VII services. The Commission is also authorized to adopt transitional rules, as needed, for the application of such rate regulation before it has made a determination regarding a Title VII firm's market power. However, the Commission shall impose such transitional rate regulation only on Title VII firms that, at the time of their application for Title VII status, are regulated by the Commission under Title II as a common carrier with market power, or under Title VI as a cable operator that is not subject to effective competition.

"(f) For any Title VII services subject to rate regulation, the Commission has the authority to impose requirements to provide public notice regarding such rates, through tariffing or some other appropriate means, and to establish, by rule, procedures and standards to ensure that rates are just and reasonable.

"(g) With respect to the offering of Title VII services, the Commission shall promulgate rules, as necessary, to address the concerns reflected in Sections 223 through 229 of Title II.

"(h) The Commission may adopt such regulations as necessary to ensure that the delivery of video programming directly to subscribers via Title VII services is consistent with the principles and objectives of sections 325(b), 611, 614, 615, and 632 of this Act. Providers of video programming directly to subscribers via

02-14-94 09:03 AM

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Title VII services shall be subject to the payment of fees imposed by a local franchising authority, in lieu of the fees required of a cable operator under section 622. The rate at which such fees are imposed shall not exceed the rate at which franchise fees are imposed on any cable operator transmitting video programming in the same service area.

"(l) The Commission may also impose additional requirements by rule, or issue such orders, as necessary, to carry out the purposes of this Title.

"(j) The Commission shall establish procedures for resolving expeditiously any complaints filed by any entity against a Title VII firm and alleging a violation of the terms of Title VII, or a Commission order issued pursuant to its Title VII authority.

"SEC. 705. STATE AUTHORITY TO REGULATE TITLE VII SERVICES.

"(a) Notwithstanding any other provision of this Act, no state or local government may regulate entry into the market for the provision of any Title VII services.

"(b) State governments may regulate rates for any Title VII services only pursuant to the authority provided under this Title.

"(c) No state or local government may regulate rates for any Title VII service if the Commission finds, or has found, that the Title VII firm lacks market power in the provision of such service.

"(d) States may regulate rates for intrastate services, subject to the following conditions:

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"(1) For those intrastate Title VII broadband services for which the Commission finding in subsection (c) has not been made, a state may regulate the rates for such services pursuant to models or standards established by the Commission for rate regulation. The Commission shall, after notice and comment, establish such models or standards in consultation with the states. A Title VII firm subject to state regulation under this subsection, or any other interested party, may petition the Commission for review of the state's compliance with the Commission's models or standards for rate regulation. If the Commission declines to review the state's action, it may do so in an order without stating its reasons, and such order is not subject to appeal in the U.S. courts. If the Commission accepts the petition for review, it must provide the state, the Title VII firm, and other interested parties an opportunity to comment. Following its review of such comments, the Commission shall issue an order, including findings on whether the state has so complied, an explanation of the Commission's reasons, and directions for such relief as it finds necessary, and such order shall be subject to appeal in the U.S. courts.

"(2) For those intrastate other Title VII services for which the Commission finding in subsection (c) has not been made, states may regulate the rates for such services; provided that the Commission may preempt such state regulation, but only to the extent necessary to avoid

02-24-94 09:10 AM

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direct conflict between state regulatory actions and the policies implemented under this Title.

"(a) The Commission is granted the authority to preempt other state or local regulations concerning other terms or conditions of a Title VII firm's offering, but only to the extent such regulation is found to conflict with the policies and provisions established under this Title.

***sec. 706. REMEDIES.**

"The Commission may award damages to any person claiming to be damaged by a Title VII firm for a violation of, or failure to comply with, any provision of this Title or any Commission order issued pursuant to this Title.

sec. 705. CONFORMING AMENDMENT.

(a) Section VII of the Communications Act of 1934, which is labeled "Miscellaneous Provisions" and includes Sections 701 through 713, is changed to Title VIII and the Sections renumbered to be Sections 801 through 813.

(b) Section 2(b) of the Communications Act is amended to read "Except as provided in sections 223 through 227, inclusive, and subject to the provisions of section 301, title VI, and Section 705 . . ."

02-24-94 09:03 AM

P02/16

#2

DRAFT 2/2/94 5:00 PM**ADMINISTRATION SUGGESTED LANGUAGE ON UNBUNDLING****SEC. 105. TELECOMMUNICATIONS COMPETITION.**

(a) Section 201(a) of the Communications Act of 1934 (47 U.S.C. § 201(a)) is amended by adding at the end thereof the following language:

"The duties of a carrier under Section 201(a) of this Act include the obligation to interconnect with the facilities and equipment of other providers of telecommunications and information services on reasonable and nondiscriminatory terms, in accordance with regulations adopted by the Commission."

(b) Title II of the Communications Act of 1934 (47 U.S.C. §§ 201 et seq.) is amended by adding at the end the following new section:

"SEC. 225. TELECOMMUNICATIONS COMPETITION.

"(a) OBLIGATIONS OF LOCAL EXCHANGE CARRIERS--For the purposes of promoting the development of competition and the availability of telecommunications and information services to the public, within 1 year after enactment of this section, and consistent with its authority under section 230(b), the Commission shall adopt regulations to require each local exchange carrier, upon bona fide request, to provide to any entity seeking to provide telecommunications services or information services--

"(1) interconnection to the carrier's telecommunications facilities at any technically feasible and economically reasonable point within the carrier's network. Such interconnection shall generally entail the collocation

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P03/16

DRAFT 2/2/94 5:00 PM**2**

necessary for interconnection at the carrier's premises. The Commission may allow actual or virtual collocation, as it finds to be technically feasible and economically reasonable;

"(2) nondiscriminatory access, on an unbundled basis, where technically feasible and economically reasonable, to any of the carrier's facilities or information, including databases and signalling systems, essential to the efficient transmission, routing, or other provision of any telecommunications or information service and the interoperability of both providers' networks, as needed to meet the purposes of this subsection;

"(3) nondiscriminatory access, where technically feasible and economically reasonable, to the poles, ducts, conduits, and rights-of-way owned or controlled by the carrier;

"(4) nondiscriminatory access to the network functions of the carrier's telecommunications network, such as local loop transport (including connections between end users and local end offices switches), local end office switching, and transport between local end offices and between local end offices and interexchange carrier points of presence, which shall be offered on an unbundled basis; and

"(5) telecommunications services and network functions without any restrictions on the resale or sharing of those services and functions.

"(b) **PRICING REGULATIONS**—Within 18 months after enactment of this section, and consistent with its authority under section 230(b), the Commission shall adopt

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DRAFT 2/2/94 5:00 PM**3**

regulations establishing the general terms and conditions under which a local exchange carrier must provide the unbundled facilities, services, and functions required by paragraphs (1) through (5) of subsection (a). Such regulations shall ensure, at a minimum, that--

"(1) the carrier provides those facilities, services, and functions on just, reasonable, and nondiscriminatory rates and other terms and conditions and that they are at least equal in type and quality to the facilities, services, and functions that the carrier provides to itself or any other person;

"(2) the rates charged by the carrier for the facilities, services, and functions required by paragraphs (1) through (5) of subsection (a) [recover or reflect] the costs incurred in providing them. Nothing in this subsection shall preclude the use of price cap or incentive regulation.

"(3) the carrier does not bundle together any elements, features, or functions for which unbundling is technically feasible and economically reasonable.

The States may adopt regulations implementing this subsection and paragraphs (1) through (5) of subsection (a) for intrastate services so long as such regulations are not inconsistent with those adopted by the Commission. In carrying out their obligations under this section, the Commission and the States shall prevent undue rate increases for any class or group of ratepayers.

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P05/16

DRAFT 2/2/94 5:00 PM

4

"(b) TELECOMMUNICATIONS NUMBER PORTABILITY.--The Commission shall adopt regulations to secure telecommunications number portability at the earliest possible date. Such regulations shall ensure that--

"(1) telecommunications number portability shall be available, upon request, in a manner that is technically feasible and economically reasonable; and

"(2) an impartial entity shall administer telecommunications numbering and make such numbers available on an equitable basis.

The Commission shall have exclusive jurisdiction over those portions of the North American Numbering Plan that pertain to the United States.

"(d) EXEMPTIONS AND MODIFICATIONS.--The Commission may modify the requirements of subsections (a) through (c) for any small local exchange carrier (as defined by the Commission) or any local exchange carrier to the extent that it operates in a rural area, as defined in Section 851 of this Act.

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#3

DRAFT 2/2/94 5:00 PM**ADMINISTRATION SUGGESTED LANGUAGE ON OPEN ACCESS****"(d) NONDISCRIMINATORY ACCESS REQUIREMENTS FOR CABLE TELEVISION SYSTEMS--**

"(1) Within 1 year after enactment of this section, the Commission shall, after notice and comment, adopt regulations requiring cable operators to offer nondiscriminatory access to channel capacity on their systems for commercial and noncommercial use by persons not affiliated with them, except when technology, costs, and market conditions would make such offering inappropriate. Such nondiscriminatory requirements would supersede any obligations imposed on those cable operators by Section 612 of this Act. The channel capacity subject to nondiscriminatory access requirements shall not include any activated channels that are otherwise required for use (or the use of which is prohibited) by Federal law or regulation.

"(2) So far as is reasonable, in order to efficiently implement the purposes of this Act and to ensure similar regulatory treatment for similarly situated firms, the regulations adopted by the Commission pursuant to subparagraph (1) shall serve to conform cable operators' nondiscriminatory access obligations under this subsection to those of local exchange carriers under section 653.

TO: MCALEER, R

FROM: ITOH

DOC DATE: 01 MAR 94
SOURCE REF:

KEYWORDS: MILITARY EXERCISES

ISRAEL

PERSONS:

SUBJECT: SIGNIFICANT MILITARY EXERCISE NOBLE STALLION 1

ACTION: KENNEY SGD MEMO

DUE DATE: 01 MAR 94 STATUS: C

STAFF OFFICER: HAHN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

BELL
EXECSEC
HAHN
SATTERFIELD

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSGP

CLOSED BY: NSGP

DOC 3 OF 3

~~SECRET~~

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By 172 NARA, Date 10/3/2016
7016-0152 -f

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

March 1, 1993

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

SUBJECT: Significant Military Exercise NOBLE STALLION 1

Military exercise NOBLE STALLION 1 is approved.

for Kristie A. Kenney
William H. Itoh
Executive Secretary

~~SECRET~~

~~SECRET~~

1490

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

February 26, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RNB*

FROM: KEITH HAHN *KH*

SUBJECT: Significant Military Exercise NOBLE STALLION 1

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

NOBLE STALLION 1 is a bilateral multi-warfare exercise designed to improve U.S. Navy, U.S. Air Force, Israeli Navy and Israeli Air Force military capabilities in a variety of surface, subsurface, ground and air warfare operations. It will take place in the eastern Mediterranean and over Israeli airspace and training ranges March 8-24.

The critical cancellation date is March 2, 1994.

Concurrence by: David *Satterfield*

RECOMMENDATION

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

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

~~SECRET~~

Declassify on: OADR

~~SECRET~~

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Duplicate of vz4543_001a. (1 page)	02/16/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 263

FOLDER TITLE:

Chron File - March 1994 #1 [1]

2016-0152-F
vz4544

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. cable	Duplicate of vz4543_001b. (2 pages)	01/20/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 263

FOLDER TITLE:

Chron File - March 1994 #1 [1]

2016-0152-F

vz4544

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(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

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RR. Document will be reviewed upon request.

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NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

March 1, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT G. BELL *RGB*

FROM:

STEVEN R. JONES *J*

SUBJECT:

OMB Request for Views RE: H.R. 3675, Defense
Alternative Use Committee Act (LRM I-2075)

OMB requested views regarding the subject proposed legislation. H.R. 3675 would require the establishment of Alternate Use Committees and plans at all businesses with more than 100 employees working on defense contracts and at all defense facilities and bases.

The NSC supports the intent of defense transition assistance, that is, to ease the transition of industries, communities and workers affected by the defense downturn to more productive endeavors. The Administration's \$20+ billion defense reinvestment and conversion program, the five-point base reutilization plan, and specific assistance in forming community reuse committees and plans through the Office of Economic Adjustment all work toward this end.

H.R. 3675, however, would duplicate the Administration's ongoing efforts and waste resources in rigidly encompassing all businesses and defense facilities. It would require Alternative Use Committees to be funded out of contract overhead or defense facility operating accounts, even when there is small probability of a particular facility being closed. Such a mechanistic approach would waste scarce defense resources. The Administration should oppose this legislation.

Concurrence by: Jeremy Rosper *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 RONALD K. PETERSON

FROM: WILLIAM H. ITOH

SUBJECT: OMB Request for Views RE: H.R. 3675, Defense
Alternative Use Committee Act (LRM I-2075)

You requested NSC views on H.R. 3675, which would require the establishment of Alternate Use Committees and plans for all businesses with more than 100 defense employees and at all defense facilities and bases.

The NSC supports the intent of defense transition assistance, that is, to ease the transition of industries, communities and workers affected by the defense downturn to more productive endeavors. The Administration's \$20+ billion defense conversion and base reutilization programs, including specific assistance in forming community reuse committees and plans through the Office of Economic Adjustment all work to this end.

H.R. 3675, however, would duplicate much of the Administration's ongoing efforts and waste resources in rigidly encompassing all businesses and defense facilities, regardless of circumstance. This would waste scarce defense resources which could be more efficiently tailored through the Administration's program. The NSC, therefore, opposes this legislation.

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

~~1385~~
1365

SPECIAL

February 22, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2075

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
EPA - Thomas C. Roberts - (202)260-5414 - 326
GSA - William R. Ratchford - (202)501-0563 - 237
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
NASA - Jeff Lawrence - (202)358-1948 - 219
NEC - Sonyia Matthews - (202)456-6722 - 429
NSC - William H. Itoh - (202)395-3723 - 249
OSTP - Chris Clary - (202)456-7116 - 288
SBA - Christine Swedin - (202)205-6702 - 315
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
TREASURY - Richard S. Carro - (202)622-1146 - 228

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: OMB Request for Views RE: HR 3675, Defense
Alternative Use Committee Act

DEADLINE: 9:00 A.M., FRIDAY, March 4, 1994

COMMENTS: If your agency has substantive concerns with the bill, please submit those concerns in the form of a report to the appropriate committee. (This LRM has NO attachment.)

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:
P. Vickers

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 1, 1994

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ROBERT G. BELL *268*
FROM: KEITH HAHN *KH*
SUBJECT: Nomination for American Battle Monuments
Commission

At Tab B Senator Bennett Johnston urges President Clinton to nominate Haydn Williams for appointment to the American Battle Monuments Commission, background on which is provided at Tab B. The response to Senator Johnston thanks him for writing to endorse Mr. Williams and advises him that you have forwarded the summary of Mr. Williams' qualifications and the Senator's endorsement to the appropriate person.

Haydn Williams has a specific interest in wanting to become a member of the Commission. He is a former Presidential Representative to the Micronesian Status Negotiations and has been pressuring the Commission to build a larger, better maintained memorial on Saipan.

RECOMMENDATION

That you sign the letter to Senator Johnston at Tab I and the memorandum to Veronica Biggins at Tab II.

Attachments

Tab I Letter to Senator Johnston
Tab II Memorandum to Veronica Biggins
Tab A Incoming Correspondence
Tab B Information on American Battle Monuments
Commission

THE WHITE HOUSE
WASHINGTON

Dear Senator Johnston:

Thank you very much for bringing to our attention the outstanding qualifications of Mr. Haydn Williams. He clearly has provided outstanding service to our nation for several decades.

I have forwarded his biographical information and your letter of endorsement to the Assistant to the President and Senior Advisor for Presidential Personnel, Ms. Veronica Biggins, for consideration for a position on the American Battle Monuments Commission.

Sincerely,

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

The Honorable J. Bennett Johnston
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR VERONICA BIGGINS

FROM: SAMUEL BERGER

SUBJECT: Nomination for American Battle Monuments
Commission

At Tab A Senator Bennett Johnston urges the President to nominate Haydn Williams for appointment to the American Battle Monuments Commission. In my response to Senator Johnston I assured him that I would forward this nomination to you for consideration.

You should know that Haydn Williams was the President's Personal Representative for the Micronesian Status Negotiations, 1971-76. He is specifically interested in building a larger, better-kept monument on Saipan and hopes to use his position as a member of the Commission to bring this about.

Attachments

Tab A Incoming Correspondence
Tab B Information on American Battle
Monuments Commission

United States Senate

WASHINGTON, DC 20510-1802

February 17, 1994

Mr. Sandy Berger
Deputy Assistant to the President for National
Security Affairs
The White House
Washington, D.C. 20500

Dear Sandy:

I am writing to strongly urge President Clinton to nominate Haydn Williams for appointment to the American Battle Monuments Commission.

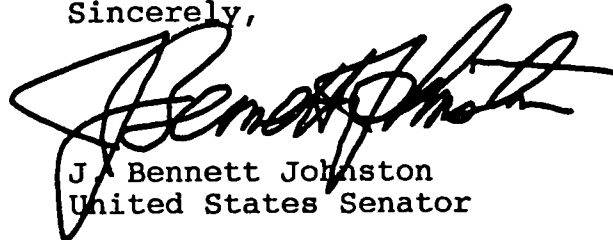
Mr. Williams served as President of the Asia Foundation from 1964-1989 and was elected President Emeritus in 1989. During the Eisenhower Administration, he served as the Deputy Assistant Secretary for National Security Council Affairs. He also served as the Deputy Assistant Secretary of Defense for International Security Affairs during the Kennedy Administration. His cultural activities are also as varied and include stints as Commissioner of the Asian Art Museum of San Francisco, 1970-1989 and Trustee of the Asian Art Foundation of San Francisco, 1970-1989.

Enclosed is a summary of Mr. Williams' qualifications and extensive professional activities which will attest to his impressive credentials. I hope you will agree that he would be an excellent addition to the team of outstanding individuals being assembled for the American Battle Monuments Commission.

Please feel free to contact me or my office, if you have any questions regarding Mr. Williams's application.

Thank you for your assistance in this matter.

Sincerely,



J. Bennett Johnston
United States Senator

JBj/ck

F. HAYDN WILLIAMS

BIOGRAPHICAL INFORMATION

I. PERSONAL DATA

- * Born August 21, 1919, Spokane, Washington. Social Security Number: 576-20-2341
- * Married Margaret French Gregory, 1960.
- * Military Service: U.S. Navy Reserve 1942-46. Lieutenant (junior grade)
- * Home address: 2200 Pacific Avenue, San Francisco, California 94115

II. EDUCATION

- * University of California, Berkeley
 - AB - History and Political Science
- * The Fletcher School of Law and Diplomacy (Tufts and Harvard University)
 - MA - International Relations, 1947
 - PhD - International Law and Diplomacy, 1957
- * Honorary Degrees
 - LLD - Seoul National University, 1966
 - LLD - University of Colombo, 1986

III. ACADEMIC EXPERIENCE

- * University of Washington, Seattle
 - Assistant Professor 1949-51
- * Fletcher School of Law and Diplomacy
 - Assistant Professor and Assistant Dean, 1951-54
 - Associate Professor and Associate Dean, 1955-57
- * Harvard University
 - Defense Studies Program Associate, 1955-57
- * Lecturer, Naval War College and National War College, 1959-62
- * Government of Pakistan: Consultant on education for foreign service, 1953-57
- * University of Washington, Seattle
 - Professor and Director Undergraduate Honors Program, 1963

IV. PROFESSIONAL EXPERIENCE AND GOVERNMENT SERVICE

- * President, The Asia Foundation, 1964-89. Elected President Emeritus, 1989.
- * President's Personal Representative for the Micronesian Status Negotiations with rank of Ambassador, 1971-76.
- * Eisenhower Administration
 - Deputy Assistant Secretary of Defense for National Security Council Affairs and Plans, 1957-60.
 - Alternative Defense Representative on President's Special Review Committee on U.S. International Activities Abroad (The Sprague Committee)

* Kennedy Administration

- Deputy Assistant Secretary of Defense for International Security Affairs, 1960-62.
- Senior Defense member U.S. Delegation to Fourteen Nation Conference on Laos, 1961.
- Defense Department advisor to Secretary of State to Organization of American States Conference, Punta Del Este, Uruguay, 1962.
- Defense Department member, National Security Council Interagency Task Force on South East Asia, 1961-62; Congo Task Force, 1961-61; White House Alliance for Progress Committee, 1961-62 (Berle Committee); and the White House Interagency Committee on Civil Aviation, 1961-62 (Halaby Committee).

V. COMMISSIONS, BOARDS AND OTHER ACTIVITIES

* Government

- U.S. National Commission for UNESCO, member Executive Committee, 1966-70.
- White House Fellows, member Regional Selection Board, 1971-72 and 1975-77.
- Truman Scholars, Chairman, Selection Panel for California, Arizona, Nevada, Hawaii, and Pacific Island Territories, 1975 to present.
- Member White House Task Force on American Books Abroad, U.S. Information Agency, 1984-85.
- Member Secretary of Defense's Ad Hoc Review Panel on Missing in Action in Southeast Asia, 1990.
- Board of Visitors, National Defense University, 1989-93.

* Education and Public Affairs

- Member Board of Visitors, The Fletcher School of Law and Diplomacy, 1964 to present.
- Trustee, University of California Berkeley Foundation, 1966-70.
- Member Advisory Board, University of California International Studies Program, 1992 to present.
- Trustee, World Affairs Council of Northern California, 1966-72.
- Trustee, United Board for Christian Higher Education in Asia, 1970-80.
- Founding Member, American Advisory Committee to the Japan Foundation, 1972-84.
- Member, Senior Advisory Committee to The Japan Society, 1982 to present.
- Trustee, Asian Institute of Technology, Bangkok, Thailand, 1989 to present.
- Vice Chairman and Member, Board of Directors of the U.S. National Committee for Pacific Economic Cooperation, 1985 to present.
- Member, New York Council on Foreign Relations, 1964 to present.

* Cultural

- Commissioner, Asian Art Museum of San Francisco, 1970-1989.
- Trustee, Asian Art Foundation of San Francisco, 1970-1989.
- Bishop Museum, Honolulu, Member International Advisory Board, 1976-80.

THE AMERICAN BATTLE MONUMENTS COMMISSION

WASHINGTON, D.C. 20314

FACT SHEET AND INFORMATION NEWSLETTER

February 24, 1994

The American Battle Monuments Commission (ABMC) is an independent agency of the Executive Branch of the United States federal government. Its principal functions are to commemorate the sacrifices and achievements of U.S. Armed Forces since April 6, 1917 through the erection of suitable memorial shrines; to design, construct, operate and maintain permanent American military burial grounds in foreign countries; to control the design and construction of U.S. military monuments and markers in foreign countries by other U.S. citizens and organizations both public and private; and to encourage the maintenance of such monuments and markers by their sponsors. In the performance of these functions, the Commission administers, operates and maintains twenty-four permanent American military burial grounds for War Dead, and 73 memorial structures in twelve countries around the world. Last fall, this Commission completed a World War II memorial on Guadalcanal and presently it is in the process of establishing a Korean War Veterans Memorial on the Mall in the Nation's Capital. Last year, P.L. 103-22 was enacted authorizing establishment of a World War II Veterans Memorial in the Nation's Capital. A World War II coin bill was also enacted authorizing the U.S. Treasury to mint 3 World War II commemorative coins, a \$5.00 gold piece, a \$1.00 silver piece and a \$0.50 clad piece. Surcharges on the coins sold will help defray the costs of designing and erecting the World War II memorial.

Prior to 1923, no federal agency was responsible for commemorating the sacrifices and achievements of U.S. Armed Forces. After the Allied victory in World War I, many American troop units erected monuments and markers to themselves where they had served in Europe. These monuments and markers came in assorted sizes, shapes and descriptions. Too often, they bore little relationship to the achievements of the units, were poorly designed and constructed, were erected on land not owned by the units and were without provision for future maintenance.

The War Department studied the problem and concluded that a federal agency should be responsible for honoring American Armed Forces where they served and controlling the construction of American military monuments and markers on foreign soil by U.S. citizens and organizations, both public and private. To this end, legislation was enacted in 1923 creating the American Battle Monuments Commission. Because of his stature, military background and interest, President Harding appointed General of the Armies John J. Pershing to the newly formed Commission and he was elected Chairman by the other members. He served as Chairman from 1923 until his death in 1948, at which time he was succeeded by General George C. Marshall. Following General Marshall's death in 1959, General Jacob L. Devers became Chairman. He was succeeded by General Mark W. Clark who died in 1984. General Andrew J. Goodpaster succeeded General Clark in 1985. He was succeeded by General P. X. Kelley, USMC, the current Chairman, in 1990.

The Commission's World War I commemorative program consisted of the erection of a non-sectarian chapel in each of the eight permanent American military cemeteries on foreign soil established by the War Department for the Dead of that war, the landscaping of each of these cemeteries; integration of sculpture, battle maps and Tablets of the Missing as memorial features and the erection of eleven separate monuments elsewhere in Europe. Use of these sites as cemeteries or memorials was granted to the U.S. in perpetuity without charge or taxation.

In 1934, by Presidential Executive Order, the American Battle Monuments Commission was given responsibility for the eight existing permanent American military burial grounds in Europe, and for the design, construction, operation and maintenance of future permanent American military burial grounds erected on foreign soil.

By the end of World War II, the U.S. Army had established several hundred temporary military burial grounds in battle areas around the world. Fourteen sites in foreign countries were selected jointly by the Secretary of the Army and the American Battle Monuments Commission to become permanent World War II cemetery memorial sites. The locations of these sites corresponded closely to the course of military operations during the war. These burial grounds were turned over to ABMC after the interments in them had been completed by the American Graves Registration Service of the Quartermaster General, War Department in the configuration proposed by the cemetery architect and approved by ABMC.

Like the World War I cemeteries, use of the World War II sites as permanent military burial grounds was granted in perpetuity by the host countries, free of charge or taxation. Except in the Philippines, burial was limited by agreement with the host countries to members of the U.S. Armed Forces who died overseas during the war. U.S. civilian technicians,

Red Cross workers and entertainers serving the military were treated as members of the Armed Forces insofar as burial entitlement was concerned. The agreement with the Philippine Government permitted members of the Philippine Scouts and Philippine Army units that fought with U.S. Forces in the Philippines also to be interred in the Manila American Cemetery. All of the Commission's World War I and II cemeteries are closed to burials except for remains of American War Dead still found from time to time in World War I and II battle areas.

The final disposition of World War I and II remains was carried out under the provisions of Public Law 389, 66th Congress and Public Law 368, 80th Congress, respectively. Authority to make further disposition of World War I remains was terminated by Public Law 389 on August 15, 1921; authority to make further disposition of World War II remains was terminated by Public Law 368 on December 31, 1951. From time to time, requests are received from relatives asking that the previous notarized declaration of the next-of-kin regarding final disposition of World War II remains be disregarded. Those making such requests are informed that the decision of the next of kin of record at the time of interment by law became final in 1951. Often, on seeing the great beauty and immaculate care of ABMC cemetery memorials, these same individuals tell us later that they are pleased that the remains of their loved ones are permanently interred in these shrines.

Seven hundred fifty unidentified American Dead of the War of 1847 are interred in a mass grave at the Commission's Mexico City National Cemetery. Additionally, 813 American veterans, civilians and foreign nationals are interred in wall crypts. Most of the individual interments in the Mexico City National Cemetery were made during the 1800's while it was being administered by the War Department. It was closed to further interments in 1924 and passed by Executive Order to the jurisdiction of ABMC on July 16, 1947.

The President directed by Executive Order on January 19, 1979 that the American Battle Monuments Commission assume responsibility for approximately 5,022 American military and civilian graves in the Panama Canal Zone effective October 1, 1979. The cemetery where the remains are located was designated as the Corozal American Cemetery and Memorial. Beginning with the Korean War, all recovered remains of U.S. military War Dead have been returned to the United States, its territories or possessions for burial.

Interred in ABMC cemeteries are the remains of 30,921 War Dead of World War I, 93,242 of World War II and 750 of the War of 1847. These statistics do not include the 5,022 remains interred in the Corozal American Cemetery or the 813 individual interments in the Mexico City American Cemetery. Inscribed on the headstones of the Unknowns buried in

ABMC's World War I cemeteries is: "HERE RESTS IN HONORED GLORY AN AMERICAN SOLDIER KNOWN BUT TO GOD." The inscription was altered in ABMC's World War II cemeteries to reflect the tri-service nature of the casualties as follows: "HERE RESTS IN HONORED GLORY A COMRADE IN ARMS KNOWN BUT TO GOD." The memorials at the Commission's cemeteries in foreign countries together with three of the Commission's four memorials in the United States commemorate individually by name all of the 94,093 servicemen and women Missing in Action or lost or buried at sea during World War I, World War II, the Korean War and the Vietnam War. The names of these heroic dead are engraved on Tablets of the Missing at the Commission's cemetery or memorial closest to the location where they lost their lives.

The policy-making body of the Commission consists of eleven members appointed by the President for an indefinite term who serve without pay. They meet with the professional staff of the Commission several times annually. The Commission has 376 full-time civilian employees, and six military officers who work for it by arrangement with the Department of Defense. Fifty-two of the civilian employees are U.S. citizens. Of these U.S. civilian employees, 38 are superintendents and assistant superintendents at the cemeteries and the remainder are administrative personnel. The other 324 civilian positions are filled by foreign nationals, hired from local applicants in the countries where our facilities are located. These foreign nationals perform general maintenance at the cemeteries and clerical and administrative work in the field offices. Twelve employees (4 military and 8 U.S. civilians in the administrative positions) are assigned to the Washington Office. Field offices located in Paris, France (1 military, 5 U.S. and 27 local national civilians) and Rome, Italy (1 military and 6 local national civilians) report to the Washington Office. These offices oversee operations at the individual cemeteries in the European and the Mediterranean areas. The Paris Office supervises operations in Belgium, England, France, Luxembourg and the Netherlands, while the Rome Office oversees operations in Tunisia, Italy and Gibraltar. The superintendent of the cemeteries in Mexico City, Panama and the Philippines report directly to the Washington Office. All cemetery superintendents and assistant superintendents are U.S. citizens and veterans, selected for their administrative ability, knowledge of horticulture, maintenance and construction and the ability to use compassion and tact in dealing with the public.

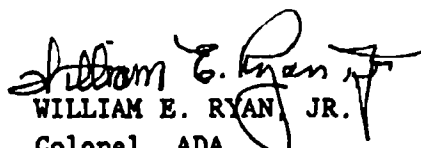
The Commission's annual budget is about twenty million dollars. Its expenses fall into two major categories: commemoration of U.S. Armed Forces through the erection of suitable memorial shrines and care and maintenance of the military burial grounds, monuments and memorials for which it is responsible. The Commission's appropriation request to the Congress for Fiscal Year 1995 is \$20,265,000.00.

The following information and services are provided without cost to friends and relatives of those interred in or memorialized at the Commission's cemeteries and memorials: name, location and general information about the cemetery or memorials in which they are interested; plot, row and grave number if appropriate; best route and modes of travel in-country to the cemetery or memorial, general information about accommodations available in the vicinity of the cemeteries and memorials; letters authorizing fee-free passports for members of the immediate family traveling overseas specifically to visit a grave or memorial site; black and white photographs of headstones and sections of the Tablets of the Missing on which the servicemen's names are engraved; large color lithographs of the cemeteries and memorials on which photographs of the appropriate headstones or Tablets of the Missing are mounted; and arrangements for floral decorations of grave and memorial sites.

Over fifteen million people visit the Commission's cemeteries and memorials annually; about twenty percent of the visitors overseas are Americans. Many of our visitors are distinguished persons; e.g., Presidents and Vice Presidents of the United States, American and foreign diplomats and senior government officials, members of Congress, members of foreign royal families, and senior American and foreign military officers. Former President Jimmy Carter and French President Valery Giscard D'Estang visited the Normandy American Cemetery on January 5, 1978 to pay homage to the American who died during the D-Day landings on Omaha and Utah Beaches and the subsequent fighting which took place in that area. President Ronald Reagan and seven other Heads of State visited Normandy in 1984, the 40th Anniversary of the D-Day landings. President George Bush visited the Sicily-Rome American Cemetery on Memorial Day 1989. He was accompanied by Mrs. Bush and the Italian Foreign Minister. Attached are extracts of letters received from American visitors indicating their appreciation for these shrines and the courtesies extended to them by our personnel.

Thank you for your interest.

Sincerely,


WILLIAM E. RYAN, JR.
Colonel, ADA
Director of Operations
and Finance

WHITE HOUSE STAFFING MEMORANDUM

DATE: 3/2/94 ACTION/CONCURRENCE/COMMENT DUE BY: 3/4/94

SUBJECT: Nomination of Vice Admiral Leighton W. Smith, Jr., United States Navy.

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☐	NUSSBAUM	☐	☐
McLARTY	☐	☐	QUINN	☐	☐
LADER	☐	☐	RASCO	☐	☐
ICKES	☐	☐	RUBIN	☐	☐
PANETTA	☐	☐	SEGAL	☐	☐
BAGGETT	☐	☐	SEIDMAN	☐	☐
EMANUEL	☐	☐	STEPHANOPOULOS	☐	☐
GEARAN	☐	☐	TYSON	☐	☐
GERGEN	☐	☐	VARNEY	☐	☐
GIBBONS	☐	☐	WATKINS	☐	☐
GRIFFIN	☐	☐	WILLIAMS	☐	☐
HALE	☐	☐	CLERK	☐	☒
HERMAN	☐	☐	<u>Bob Bell</u> →	☒	☐
LAKE	☐	☐	_____	☐	☐
LINDSEY	☐	☐	_____	☐	☐
McGINTY	☐	☐	_____	☐	☐
MYERS	☐	☐	_____	☐	☐

REMARKS:

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

March 2, 1994

94 MAR 2 P4:05

MEMORANDUM FOR THE PRESIDENT

FROM: ALPHONSO MALDON, JR. *Amg*
DEPUTY ASSISTANT TO THE PRESIDENT AND
DIRECTOR, WHITE HOUSE MILITARY OFFICE

SUBJECT: Flag Officer Nomination

Forwarded for your approval and signature is the nomination of Vice Admiral Leighton W. Smith, Jr., United States Navy, for his appointment to the grade of admiral and a recommendation for his assignment as Commander in Chief, U.S. Naval Forces Europe/ Commander in Chief, Allied Forces Southern Europe.

As required by title 10, United States Code, section 601(d)(1), the Secretary of Defense has attached an evaluation of Admiral Smith's performance in a joint duty assignment from the Chairman of the Joint Chiefs of Staff.

This nomination has been staffed by the Secretary of the Navy and approved by the Secretary of Defense.

Recommendation

That you approve and sign the attached.

Attachment



THE SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1000

2 MAR 1991

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Flag Officer Nomination

I recommend you assign Vice Admiral Leighton W. Smith, Jr., United States Navy, as Commander in Chief, U. S. Naval Forces Europe/Commander in Chief, Allied Forces Southern Europe, and nominate him for appointment to the grade of admiral. Admiral Smith, age 54, currently serves as Deputy Chief of Naval Operations, Plans, Policy and Operations, N3/5, Office of the Chief of Naval Operations. He will succeed Admiral Jeremy M. Boorda, United States Navy, who is being nominated for another position.

In order to carry out the duties and responsibilities of the proposed assignment, a flag officer must have demonstrated highly effective performance in senior leadership positions. He must possess a thorough understanding of the NATO structure and the requirements of the European theater of operations including the employment of strike and support forces, and allied land, air and naval forces. He must possess a thorough understanding of the political environment and have the ability to work well with senior officials from other nations. Admiral Smith meets these qualifications.

As required by title 10, United States Code, section 601(d)(1), I have attached an evaluation of Admiral Smith from the Chairman of the Joint Chiefs of Staff while assigned to a joint duty assignment and a joint equivalent assignment.

This action will not cause the Navy to exceed the number of officers authorized to be serving in the grade of admiral.

A handwritten signature in cursive script, reading "William J. Perry", is located in the lower right area of the page.

Attachment



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

CN-109-94

18 February 1994

MEMORANDUM FOR THE SECRETARY OF DEFENSE

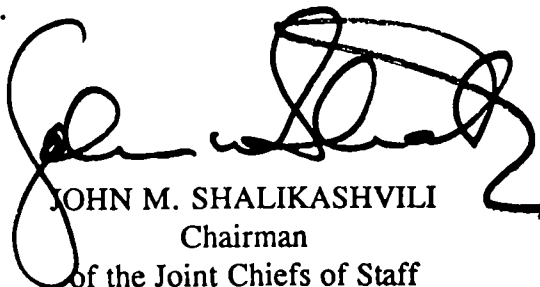
Through: Deputy Secretary of Defense

Subject: Flag Officer Nomination

1. In accordance with the provisions of title 10, United States Code, and DOD Instruction 1320.4, the Secretary of the Navy has recommended Vice Admiral Leighton W. Smith, Jr., for assignment as Commander in Chief, Allied Forces Southern Europe/Commander in Chief, US Naval Forces Europe, appointment to the grade of admiral, and approval of a joint specialty officer qualification waiver for assignment to this critical joint duty assignment position.

2. I have reviewed Vice Admiral Smith's performance in one joint equivalent and one joint assignment. As Strategic Study Group Fellow, Naval War College, Vice Admiral Smith conducted research and interviews across the spectrum of agencies involved in foreign policy such as the Department of State, National Security Council, Office of the Secretary of Defense, and numerous embassies as well as fleet and unified commands, all intelligence agencies, and the Joint Staff. Given the extraordinary sensitivity of his taskings, he was extremely successful in getting to the core of national problems and in developing national solutions. As Director for Operations, J-3, US European Command, Vice Admiral Smith skillfully planned and executed the full spectrum of operational contingencies from disaster relief to combat operations. A decisive thinker who seizes the initiative, he led the way through evacuations in Monrovia and Beirut, second front combat operations in Turkey, and humanitarian relief in Iraq. He personally molded new exercise guidelines to fit the massive realignment of forces in Europe and the emerging strategy for the 1990s. He also flawlessly executed Intermediate-Range Nuclear Forces Treaty inspection notification protocols and the unprecedented removal of all US chemical weapons from Europe. I am confident Vice Admiral Smith is well qualified for this assignment and advancement.

3. I approve the joint specialty officer qualification waiver for assignment to this critical joint duty assignment position. I concur in the Secretary's nomination of Vice Admiral Smith for this assignment and appointment to the grade of admiral and recommend you forward the enclosed nomination to the President for approval.

A handwritten signature in black ink, appearing to read "John M. Shalikashvili", is written over the typed name and title.

JOHN M. SHALIKASHVILI
Chairman
of the Joint Chiefs of Staff

Enclosure

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002a. letter	[Personally Identifiable Information] [partial] (1 page)	02/18/1994	b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 263

FOLDER TITLE:

Chron File - March 1994 #1 [1]

2016-0152-F

vz4544

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]

The White House

Washington

To the Senate of the United States:

I nominate:

The following named officer for appointment to the grade of Admiral while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601:

To be Admiral

Vice Admiral Leighton W. Smith, Jr., U. S. Navy, (b)(6)

[002a]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002b. resume	Transcript of Naval Service for Leighton Warren Smith, Jr. (3 pages)	02/15/1994	b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 263

FOLDER TITLE:

Chron File - March 1994 #1 [1]

2016-0152-F
vz4544

RESTRICTION CODES

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

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- 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]
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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]

IMMEDIATE RELEASE

No.
(703) 697-5131 (media)
(703) 697-3189 (copies)
(703) 697-5737 (public/industry)

FLAG OFFICER ANNOUNCEMENT

Secretary of Defense William J. Perry announced today that the President has nominated Vice Admiral Leighton W. Smith, Jr., U. S. Navy, for appointment to the grade of admiral and assignment as Commander in Chief, U. S. Naval Forces, Europe/Commander in Chief, Allied Forces, Southern Europe in Naples, Italy. Vice Admiral Smith is currently serving as Deputy Chief of Naval Operations, Plans, Policy and Operations, N3/5, Office of the Chief of Naval Operations at the Pentagon.

Vice Admiral Smith was born August 20, 1939 in Mobile, Alabama.

-END-

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20508

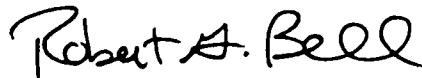
UNCLASSIFIED w/

~~SECRET/NOFORN/WNTEL ATTACHMENT~~

March 3, 1994

Dear Bill:

Attached are answers to the questions relating to THAAD and the ABM Treaty from your staff submitted to me in December. Given the interest in this subject elsewhere in Congress, I am providing info copies to the SASC and HASC.



Robert G. Bell
Special Assistant to the President
and Senior Director for Defense
Policy and Arms Control

Attachment
As stated

Mr. William Ashworth
Senate Foreign Relations Committee
SDOB, Room 446
Washington, D.C. 20510

UNCLASSIFIED w/

~~SECRET/NOFORN/WNTEL ATTACHMENT~~

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS
Initials: rz Date: 11/15/2016

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20508

UNCLASSIFIED w/

~~SECRET/NOFORN/WNTEL ATTACHMENT~~

March 3, 1994

Dear Monica:

Attached are answers to questions relating to THAAD and the ABM Treaty submitted to me by SFRC staff. I'd appreciate if you could pass the second copy to Jack Mansfield.

Robert G. Bell

Robert G. Bell

Special Assistant to the President
and Senior Director for Defense
Policy and Arms Control

Attachment
As stated

Ms. Monica Chavez
Senate Arms Control Observer Group
SHOB, Room 637B
Washington, D.C. 20510

UNCLASSIFIED w/

~~SECRET/NOFORN/WNTEL ATTACHMENT~~

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS
Initials: VR Date: 11/15/7016

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

UNCLASSIFIED w/

~~SECRET/NOFORN/WNTEL ATTACHMENT~~

March 3, 1994

Dear Chris:

As promised, attached are answers to questions relating to THAAD and the ABM Treaty submitted to me by SFRC staff.

Robert G. Bell

Robert G. Bell
Special Assistant to the President
and Senior Director for Defense
Policy and Arms Control

Attachment
As stated

Mr. Christopher A. Williams
House Armed Services Committee
RHOB, Room 2120
Washington, D.C. 20515

UNCLASSIFIED w/

~~SECRET/NOFORN/WNTEL ATTACHMENT~~

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS
Initials: VL Date: 11/15/2016

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

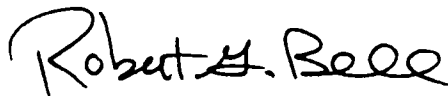
UNCLASSIFIED w/

~~SECRET/NOFORN/WNTEL ATTACHMENT~~

March 3, 1994

Dear Bruce:

Attached are answers to questions relating to THAAD and the ABM Treaty submitted to me by SFRC staff. Given the widespread interest in this subject in Congress, I wanted you and Chris Williams (as well as the SASC) to have copies of these responses.



Robert G. Bell

Special Assistant to the President
and Senior Director for Defense
Policy and Arms Control

Attachment
As stated

Mr. Bruce McDonald
House Armed Services Committee
RHOB, Room 2343
Washington, D.C. 20515

UNCLASSIFIED w/

~~SECRET/NOFORN/WNTEL ATTACHMENT~~

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS
Initials: VR Date: 11/15/2016

TO: PETERSON, R

FROM: ITOH

DOC DATE: 03 MAR 94
SOURCE REF:

KEYWORDS: DEFENSE POLICY

LEGISLATIVE REFERRAL

PERSONS:

SUBJECT: OMB REQUEST FOR VIEWS RE HR-3675 DEFENSE ALTERNATIVE USE COM ACT
LRM I-2075

ACTION: KENNEY SGD MEMO

DUE DATE: 25 FEB 94 STATUS: C

STAFF OFFICER: HAHN

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

BELL
EXECSEC
JONES
ROSNER

COMMENTS:

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSGP

CLOSED BY: NSGP

DOC 3 OF 3

NATIONAL SECURITY COUNCIL

WASHINGTON, D C 20506

March 3, 1994

MEMORANDUM FOR RONALD K. PETERSON

FROM: WILLIAM H. ITO *W. H. Ito*

SUBJECT: OMB Request for Views RE: H.R. 3675, Defense
Alternative Use Committee Act (LRM I-2075)

You requested NSC views on H.R. 3675, which would require the establishment of Alternate Use Committees and plans for all businesses with more than 100 defense employees and at all defense facilities and bases.

The NSC supports the intent of defense transition assistance, that is, to ease the transition of industries, communities and workers affected by the defense downturn to more productive endeavors. The Administration's \$20+ billion defense conversion and base reutilization programs, including specific assistance in forming community reuse committees and plans through the Office of Economic Adjustment all work to this end.

H.R. 3675, however, would duplicate much of the Administration's ongoing efforts and waste resources in rigidly encompassing all businesses and defense facilities, regardless of circumstance. This would waste scarce defense resources which could be more efficiently tailored through the Administration's program. The NSC, therefore, opposes this legislation.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 1, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT G. BELL *RGB*

FROM:

STEVEN R. JONES *J*

SUBJECT:

OMB Request for Views RE: H.R. 3675, Defense
Alternative Use Committee Act (LRM I-2075)

OMB requested views regarding the subject proposed legislation. H.R. 3675 would require the establishment of Alternate Use Committees and plans at all businesses with more than 100 employees working on defense contracts and at all defense facilities and bases.

The NSC supports the intent of defense transition assistance, that is, to ease the transition of industries, communities and workers affected by the defense downturn to more productive endeavors. The Administration's \$20+ billion defense reinvestment and conversion program, the five-point base reutilization plan, and specific assistance in forming community reuse committees and plans through the Office of Economic Adjustment all work toward this end.

H.R. 3675, however, would duplicate the Administration's ongoing efforts and waste resources in rigidly encompassing all businesses and defense facilities. It would require Alternative Use Committees to be funded out of contract overhead or defense facility operating accounts, even when there is small probability of a particular facility being closed. Such a mechanistic approach would waste scarce defense resources. The Administration should oppose this legislation.

Concurrence by: Jeremy Rosper *JR*

RECOMMENDATION

That you sign the memorandum at Tab I.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

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

~~1385~~
1365

SPECIAL

February 22, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2075

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
EPA - Thomas C. Roberts - (202)260-5414 - 326
GSA - William R. Ratchford - (202)501-0563 - 237
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
NASA - Jeff Lawrence - (202)358-1948 - 219
NEC - Sonyia Matthews - (202)456-6722 - 429
NSC - William H. Itoh - (202)395-3723 - 249
OSTP - Chris Clary - (202)456-7116 - 288
SBA - Christine Swedin - (202)205-6702 - 315
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
TREASURY - Richard S. Carro - (202)622-1146 - 228

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: OMB Request for Views RE: HR 3675, Defense
Alternative Use Committee Act

DEADLINE: 9:00 A.M., FRIDAY, March 4, 1994

COMMENTS: If your agency has substantive concerns with the bill, please submit those concerns in the form of a report to the appropriate committee. (This LRM has NO attachment.)

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:
P. Vickers

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.

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

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

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

1365

SPECIAL

February 22, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2075

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
EPA - Thomas C. Roberts - (202)260-5414 - 326
GSA - William R. Ratchford - (202)501-0563 - 237
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
NASA - Jeff Lawrence - (202)358-1948 - 219
NEC - Sonyia Matthews - (202)456-6722 - 429
NSC - William H. Itoh - (202)395-3723 - 249
OSTP - Chris Clary - (202)456-7116 - 288
SBA - Christine Swedin - (202)205-6702 - 315
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
TREASURY - Richard S. Carro - (202)622-1146 - 228

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: OMB Request for Views RE: HR 3675, Defense
Alternative Use Committee Act

DEADLINE: 9:00 A.M., FRIDAY, March 4, 1994

COMMENTS: If your agency has substantive concerns with the bill, please submit those concerns in the form of a report to the appropriate committee. (This LRM has NO attachment.)

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:
P. Vickers

Fax 2pg

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: MIKE GOAD
Office of Management and Budget
Fax Number: (202) 395-5691
Analyst/Attorney's Direct Number: (202) 395-7301
Branch-Wide Line (to reach secretary): (202) 395-6194

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

**SUBJECT: OMB Request for Views RE: HR 3675, Defense
Alternative Use Committee Act**

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