

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 - May 1994 #1 [2]

Staff Office-Individual:

Defense Policy-Bell, Robert

Original OA/ID Number:

264

Row:	Section:	Shelf:	Position:	Stack:
31	3	4	2	v

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Summary of Conclusions of Deputies Committee Meeting onf Peacetime Draft and the Selective Service System; April 29, 1994. Record ID: 9420549. (1 page)	05/03/1994	P1/b(1)
001b. minutes	Minutes for the Deputies Committee Meeting, April 29, 1994. Record ID: 9420549. (6 pages)	05/03/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 264

FOLDER TITLE:

Chron File - May 1994 #1 [2]

2016-0152-F

vz4573

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]

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

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

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

RR. Document will be reviewed upon request.

~~SECRET~~

~~SECRET~~

20549

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

May 3, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH:

ROBERT G. BELLE *RGB*

FROM:

STEVEN R. JONES *J*

SUBJECT:

Summary of Conclusions of April 29, 1994 DC
Meeting on Peacetime Draft Registration and the
Selective Service System

Attached for your review is the "Summary of Conclusions" from the
April 29, 1994 Deputies Meeting on Peacetime Draft Registration
and the Selective Service System.

RECOMMENDATION

That you review the attached Summary of Conclusions at Tab I and
authorize Will Itoh to sign the memorandum to his counterparts at
Tab II.

Approve _____ Disapprove _____

Attachments

Tab I Summary of Conclusions
Tab II Memorandum to Itoh Counterparts

~~SECRET~~

Declassify on: OADR

~~SECRET~~

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

Withdrawal/Redaction Marker

Clinton Library

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COLLECTION:

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OA/Box Number: 264

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2016-0152-F

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

~~SECRET~~

~~SECRET~~

20549

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

MEMORANDUM FOR

MR. LEON FUERTH
Assistant to the Vice President
for National Security Affairs

COL T. R. PATRICK
Secretary
Joint Chiefs of Staff

COL. ROBERT P. MCALEER
Executive Secretary
Department of Defense

MR. G. HUNTINGTON BANISTER
Acting Director
Selective Service System

DR. GORDON M. ADAMS
Assistant Director for National
Security & International
Affairs
Office of Management and Budget

MR. RICK ALLEN
Senior Advisor to the
President
Corporation for National and
Community Service

SUBJECT: Deputies Committee Meeting on the Need for
Peacetime Draft Registration and the Selective
Service System ~~(S)~~

The attached is for Deputies eyes only. The summary of
conclusions attached is for the DC meeting which was held on
April 29, 1994 in the Situation Room from 4:00 to 5:00 p.m. ~~(S)~~

William H. Itoh
Executive Secretary

Attachment
Summary of Conclusions

DECLASSIFIED
E.O. 13526

White House Guidelines, September 11, 2006

By 12 NARA, Date 10/3/06

1016-0152-F

~~SECRET~~

Declassify on: OADR

~~SECRET~~

~~SECRET~~

~~SECRET~~

20549 A/O

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

May 3, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ~~ROBERT G. BELLE~~ *RB*
FROM: STEVEN R. JONES *SJ*
SUBJECT: Minutes of the April 29, 1994 DC Meeting on
Peacetime Draft Registration and the Selective
Service System

Attached for your review are the Minutes from the April 29, 1994
Deputies Committee Meeting on Peacetime Draft Registration and
the Selective Service System.

RECOMMENDATION

That you review and approve the attached Minutes at Tab I.

Approve _____ Disapprove _____

Attachment
Tab I Minutes

~~SECRET~~

Declassify on: OADR

~~SECRET~~

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By *VL* NARA, Date *10/3/2016*
2016-052-E

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. minutes	Minutes for the Deputies Committee Meeting, April 29, 1994. Record ID: 9420549. (6 pages)	05/03/1994	P1/b(1)

COLLECTION:

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National Security Council
Defense Policy and Arms Control (Robert Bell)
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2016-0152-F

vz4573

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NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

May 5, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT BELE *RB*

FROM:

PETER FEAVER *PFE*SUBJECT: Defense Proposed Report Re. HR-3891 Medal of Honor
for Rudolph Salais Vela

Tab II is a proposed DoD report indicating their opposition to HR 3891, a bill to waive the time limitations associated with a decision to award the Medal of Honor.

Rudolph Salais Vela served during World War II as a member of Company I, 305th Infantry Regiment, 77th Infantry Division. According to the scanty records available, Private Vela was awarded the Purple Heart in 1978 for wounds received while rescuing another soldier wounded in action on Okinawa on June 23, 1945. However, the Army was unable to find any records that Private Vela was nominated for any higher awards within the time limitations of section 3744 of title 10, U.S. Code.

The Department of Defense is opposed on principle to lifting the time limitations associated with the Medal of Honor. By law, a recipient must be nominated within two years of the act justifying the award. This restriction is designed to insure that the award will be granted while the facts concerning the valorous act are fresh in the minds of witnesses. The DoD has enforced this restriction consistently, without regard to the race of the candidate or the circumstances surrounding the nomination. The Department argues that without the time restriction there is no fair or accurate way to decide which brave soldiers should receive special recognition.

Concurrences by:

JR *Enders*
Jeremy Rosner and Alan KreczkoRECOMMENDATION

That you sign and forward the memorandum at Tab I indicating NSC staff concurrence in the proposed report.

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 Proposed Report Re. HR 3891 Medal of Honor
for Rudolph Salais Vela

The National Security Council staff concurs in the proposed report.

3514

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

May 4, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2612

TO: Legislative Liaison Officer -

**JUSTICE - Sheila F. Anthony - (202)514-2141 - 217
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 Proposed Report RE: HR 3891, Medal of
Honor for Rudolph Salaiz Vela**

DEADLINE: C.O.B. May 12, 1994

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:

Phebe Vickers

Tom Lewis

Joe Lackey

Bob Damus

Janet Forsgren

Jennifer Palmieri

LRM #I-2612

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: Melissa COOK
 Office of Management and Budget
 Fax Number: (202) 395-6148
 Analyst/Attorney's Direct Number: (202) 395-3924
 Branch-Wide Line (to reach secretary): (202) 395-7362

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

SUBJECT: DEFENSE Proposed Report RE: HR 3891, Medal of
 Honor for Rudolph Salais Vela

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

MAY 3 '84 12:34 FROM OSD-LRS

TO FORSGREN

PAGE.003

**DEPARTMENT OF THE ARMY**
WASHINGTON, D.C. 20315

Honorable Ronald V. Dellums
Chairman, Committee on Armed Services
House of Representatives
Washington, D.C. 20518

Dear Mr. Chairman:

This is in response to your request for the views of the Department of Defense on H.R. 3891, 103d Congress, a bill "to waive certain time limitations with respect to awarding the Medal of Honor to Rudolph Salais Vela."

The purpose of H.R. 3819 is to waive the time limitations in section 3744 of title 10, United States Code, concerning the award of the Medal of Honor, as they apply to Rudolph Salais Vela who served during World War II. The bill would permit the President to award the Medal of Honor to former Private First Class Rudolph Salais Vela for conspicuous acts of valor performed by him during combat operations on Okinawa in June 1945.

The Department of the Army on behalf of the Department of Defense is opposed to the bill.

Department of the Army records reflect no evidence that an award of the Medal of Honor was ever recommended by appropriate officials for acts of valor to Rudolph Salais Vela. Further investigation as a result of Congressional inquiries regarding an award for former Private First Class Salais Vela revealed insufficient evidence or recollection by former members in appropriate command and staff positions that an award was proposed for Private Salais Vela. The former regimental executive officer for the 305th Infantry, 77th Infantry Division, remembered the events surrounding a number of recommendations for the Medal of Honor and the names of the recipients. That officer, as well as Private Salais Vela's former company commander and battalion commander, stated there was no recommendation for an award involving Private Salais Vela.

Private Salais Vela was a member of Company I, 305th Infantry Regiment, 77th Infantry Division during World War II. Because there is no official Department of the Army record of action on June 23, 1945, the following synopsis of Private Salais Vela's actions is based solely on the personal recollections of other members of his unit. On June 23, 1945, Company I was engaged in combat operations on Okinawa. The battle on this day was for Hills 81 and 85 and was the last formal battle on Okinawa. The objective consisted of a hill complex with an enemy fortification of an interconnecting series of caves, tunnels,

MAY 3 4 12:35 FROM C D-LRS

TO FORSGREN

PAGE. 4

-2-

and trenches on both the forward and reverse slopes of the hill. During intense fighting, the platoon leader, Second Lieutenant William O'Connell, was carrying a satchel of explosives to secure an enemy tunnel when he either set off a mine or enemy fire exploded the charges he was carrying. The blast wounded him severely and left him badly burned on a ledge above and away from his troops. He called out in pain for substantial period of time. Two medics refused to go to his assistance. Finally, Private Salais Vela, armed only with hand grenades, crawled to the wounded officer on the ledge. Lieutenant O'Connell was a man weighing approximately 240 pounds. Private Salais Vela, a much lighter man, under enemy weapons fire, managed to reach his officer and drag him back to the safety of his platoon area. Lieutenant O'Connell died several days later from his wounds. Private Salais Vela received a wound to his leg during the rescue attempt but refused medical attention for fear that his mother would learn of his injury during the battle and become extremely upset. As a result of the investigation into the incident, Private Salais Vela was awarded the Purple Heart on April 4, 1978, by Order of the Secretary of the Army.

The evidence of any recommendation for award of the Medal of Honor for Private Salais Vela's actions is scanty. Sergeant Watson Moss, before he died in an airplane crash, told a fellow member of the Company I platoon that he signed a recommendation for an award for Private Salais Vela. Unit records did not establish that such a recommendation was ever made. After action reports for the period in question did not include any reference to an award recommendation or a description of the incident.

After World War II, the period for submitting recommendations for award of the Medal of Honor was extended twice to allow deserving individuals who were not recommended during the prescribed period, because of the confusion of battle, to be recommended for the award. The extension ended on May 2, 1951, and the two-year time limitation period again became effective. The imposed limitations ensure that awards of the Medal of Honor are made while the facts and circumstances surrounding the events are fresh in the minds of the witnesses. Those witnesses then become responsible for bringing the matter to the attention of the appropriate official to set the recommendation in action.

Department of the Army, on behalf of the Department of Defense, believes that the limitations fixed by Congress are wise and fair provisions. These provisions have protected the integrity, honor and prestige of the Nation's highest award for valor. More importantly, the integrity, honor and prestige of past recipients have been protected. If the bill to award Private Salais Vela the Medal of Honor is enacted, this would

MAY 3 '94 12:38 FROM OSD-LRS

TO FORSGREN

PAGE.005

-3-

single him out for preferential treatment over other persons whose accomplishments and service were adjudicated under more stringent criteria. Under these conditions, to award the Medal of Honor by legislative action would be unjust to those who have earned the Medal of Honor by meeting the highest standards set by Congress for its award.

For the foregoing reasons, the Department of the Army on behalf of the Department of Defense recommends that the bill not be favorably considered.

The enactment of this bill will cause no apparent increase in budgetary requirements of the Department.

This report has been coordinated within Department of Defense in accordance with procedure prescribed by the Secretary of Defense.

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

Sincerely,

1 of 1 items

CQ's WASHINGTON ALERT 05/04/94

HR3891 Tejeda (D-TX) 02/23/94 (34 lines)
Introduced in House

To waive certain time limitations with respect to awarding the
Medal of Honor to Rudolph Salais Vela.

Special typefaces used in this bill version:

// \\ Italic

Item Key: 10253

103D CONGRESS
2D SESSION

H. R. 3891

To waive certain time limitations with respect to awarding the
Medal of Honor to Rudolph Salais Vela.

== == == == ==
IN THE HOUSE OF REPRESENTATIVES

February 23, 1994

Mr. TEJEDA introduced the following bill; which was referred to the
Committee on Armed Services

== == == == ==
A BILL

To waive certain time limitations with respect to awarding the
Medal of Honor to Rudolph Salais Vela.

//Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,\\ That,
notwithstanding any time limitation contained in section 3744(b) of
title 10, United States Code, the President may award, and present
in the name of the Congress, the Medal of Honor to Rudolph Salais
Vela of San Antonio, Texas, for conspicuous acts of valor performed
by him while serving as a private first class in the United States
Army during combat operations on Okinawa during June 1945.

TO: PERRY, W

FROM: LAKE

DOC DATE: 09 MAY 94
SOURCE REF:

KEYWORDS: AP
SP

CM

PERSONS: GRAVES, H

SUBJECT: REQUEST FOR PRES APPOINTMENT FOR REP OF CORPS OF CADETS

ACTION: LAKE SGD MEMO

DUE DATE: 26 APR 94 STATUS: C

STAFF OFFICER: HAHN

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

BELL
FEAVER
NSC CHRON

COMMENTS:

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSASK

CLOSED BY: NSGP

DOC 4 OF 4

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9403118

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001	HAHN	Z	94042217	PREPARE MEMO FOR LAKE
002	LAKE	Z	94042819	FOR SIGNATURE
002	FEAVER	Z	94050415	FOR REDO
003	LAKE	Z	94050612	FOR SIGNATURE
004		X	94050920	LAKE SGD MEMO

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

004 940509 PERRY, W

UNCLASSIFIED

THE WHITE HOUSE

WASHINGTON

May 9, 1994

MEMORANDUM FOR THE HONORABLE WILLIAM H. PERRY
The Secretary of Defense

SUBJECT: Request for Presidential Appointment for
Representatives of the Corps of Cadets

I have endorsed your request that the President meet with the representatives of the Corps of Cadets to receive the 1993 yearbook, Howitzer, in a scheduling proposal to Ricki Seidman, Assistant to the President and Director of Scheduling and Advance. Peter Feaver, Director for Defense Policy and Arms Control on my staff, will contact your office to make any necessary liaison arrangements once we receive confirmation of a date and time.



Anthony Lake
Assistant to the President
for National Security Affairs

Schedule Proposal

THE WHITE HOUSE
WASHINGTON

date 5 / 9 / 94

☐ ACCEPT	☐ REGRET	☐ PENDING
---------------------------------	---------------------------------	----------------------------------

TO: Ricki Seidman
Assistant to the President and
Director of Scheduling and Advance

FROM: Anthony Lake ✓

REQUEST: Meeting with representatives from the
Corps of Cadets from the United States
Military Academy.

PURPOSE: To receive the 1993 U.S. Military
Academy yearbook featuring the
President's graduation speech to the
Class of 1993.

BACKGROUND: The Secretary of Defense has proposed
that the President meet with members of
the Class of 1993 of the U.S. Military
Academy to receive a copy of the 1993
Academy yearbook. The President gave
the graduation speech at the Academy in
May 1993 and this speech is featured in
the Class of 1993 yearbook.

PREVIOUS PARTICIPATION: Graduation speech in May 1993.

DATE AND TIME: Open

DURATION: Five minutes

LOCATION: Oval Office

PARTICIPANTS: The President
Representatives from Corps of Cadets

OUTLINE OF EVENTS: The President receives gift of yearbook
and has photo taken with group.

REMARKS REQUIRED: None

MEDIA COVERAGE: White House photographer only

FIRST LADY'S ATTENDANCE: No

VICE PRESIDENT'S ATTENDANCE: No

SECOND LADY'S ATTENDANCE: No

cc: Stephanie Streett

RECOMMENDED BY: Secretary Perry and Anthony Lake
CONTACT: Peter Feaver (55022)



THE SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1000

18 APR 1994

The President
The White House
Washington, DC 20500

Dear Mr. President:

Lieutenant General Howard D. Graves, the Superintendent of the United States Military Academy, requests an appointment for representatives of the Corps of Cadets to present you the yearbook, the 1993 *Howitzer*.

The 1993 *Howitzer* features your graduation speech to the Class of 1993, your election and inauguration. Five cadets, an officer and the publication adviser would present the *Howitzer*.

Major Thomas Gibbons will be glad to provide additional information to your staff. He may be reached by telephone at (703) 697-7887.

Sincerely,

William J. Perry

Mr. President
This would be a very nice thing to do. I
heartily endorse Gen. Graves' request. That was a
great day at West Point!
B.

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

May 4, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL *[Signature]*
FROM: PETER FEAVER *PDF*
SUBJECT: Presidential Appointment Request from
Superintendent of West Point to Present Yearbook

Per your request, this package has been revised to reflect your decision to endorse Secretary Perry's proposal for a presidential photo opportunity with representatives from the Corps of Cadets of the United States Military Academy.

At Tab IV the Secretary of Defense has written to the President to pass along a request from Lt. Gen. Howard Graves, the Superintendent of the United States Military Academy. Lt. Gen. Graves requests an appointment for representatives of the Corps of Cadets to present the President the 1993 Academy yearbook, Howitzer, featuring the President's graduation speech to the Class of 1993.

Tab I is a schedule proposal for the photo opportunity. Tab II is a memorandum from you to Secretary Perry informing him that you have endorsed his request that the President meet with representatives of the Corps of Cadets.

RECOMMENDATION

That you sign the scheduling proposal at Tab I and the memorandum to Secretary Perry at Tab II informing him that you have endorsed his request that the President meet with representatives of the Corps of Cadets.

Attachments

Tab I Schedule Proposal
Tab II Memorandum to Secretary Perry
Tab III Original Package
Tab IV Incoming Correspondence

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

April 27, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL *RBB*FROM: PETER FEAVER *PDF*SUBJECT: Presidential Appointment Request from
Superintendent of West Point to Present Yearbook

At Tab II the Secretary of Defense has written to the President to pass along a request from Lt. Gen. Howard Graves, the Superintendent of the United States Military Academy. Lt. Gen. Graves requests an appointment for representatives of the Corps of Cadets to present the President the 1993 Academy yearbook, Howitzer, featuring the President's graduation speech to the Class of 1993.

In light of the many military events for which we already have Presidential scheduling proposals pending, I recommend that we reject this request. Endorsing this request in this busy season risks diluting our other higher priority scheduling requests.

Tab I is a proposed memorandum from you to Secretary Perry expressing regrets.

RECOMMENDATION

That you sign the memorandum to Secretary Perry at Tab I expressing your regrets that the President is unable to accept the request for an appointment for representatives of the Corps of Cadets.

Attachments

Tab I Memorandum to Secretary Perry
Tab II Incoming Correspondence

4/28

TZ/SB -

I think we should try + do. We could fit
in as part of BC's weekly photo ops. If you agree,
I'll ask Bob to do schedule request. *ms.*

I agree. Good early shot
@

Agree
@

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

May 9, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH:

ROBERT BELL *RGB*

FROM:

KEITH HAHN *KH*SUBJECT: Letter to the President from Senator Grassley RE
Tax Relief for American Military in Somalia

At Tab B Senator Grassley has written the President asking him to retroactively proclaim Somalia a combat zone so that U.S. military personnel who served there can have the pay that they earned while in Somalia exempted from taxation. HR 494, pending before Congress, would provide this tax relief and has the support of former Secretary of Defense Aspin and General Shalikashvili, as well as Secretary Perry (at Tab C).

The legislation would list Somalia as a combat zone from December 2, 1993 (the day Operation Restore Hope began) until March 31, 1994. Although we did not declare Somalia a combat zone at the outset of Operation Restore Hope due to other considerations, we believe that the President should support this congressional effort to provide tax relief to U.S. service members who served in Somalia, but he should not preempt congressional legislation by declaring humanitarian operations in Somalia as a "combat zone."

Concurrences by: Richard Clarke and Jeremy Rosner *MR* *(P)*RECOMMENDATION

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

Attachments

Tab I	Memorandum to the President
Tab A	Letter to Senator Grassley
Tab B	Incoming Correspondence
Tab C	Aspin/Shalikashvili Letter and Perry Letter

THE WHITE HOUSE

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
SUSAN BROPHY

SUBJECT: Letter from Senator Grassley RE Tax Relief for
American Military in Somalia

Purpose

To respond to Senator Charles Grassley's request for you to proclaim Somalia a combat zone so that U.S. military personnel who served there can have the pay that they earned in Somalia exempted from taxation.

Background

HR 494, pending before Congress, would enable the men and women who served in Somalia to exempt from taxes earnings for the period of time they spent overseas in support of Operation Restore Hope. At Tab C, Former Secretary of Defense Les Aspin and Chairman of the Joint Chief of Staff General John Shalikashvili indicate their support for this legislation. In a separate letter, Secretary Perry also registers his support. Senator Grassley asks that you expedite the process by which this tax exemption takes place by listing Somalia as a combat zone by proclamation.

Operation Restore Hope was not listed as a combat operation during the time from its inception on December 2, 1993 to the official termination of U.S. ground presence on March 31, 1994 in order to avoid confusion about the intended nature of the U.S. mission. We agree that the military men and women who served in Somalia deserve the benefits contained in HR 494 and recommend that you register your support for the legislation but not preempt congressional efforts by listing the Somalia operation as a combat zone.

RECOMMENDATION

That you sign the letter to Senator Grassley at Tab A.

Attachments

Tab A Letter to Senator Grassley
Tab B Incoming Correspondence
Tab C Aspin/Shalikashvili Letter and Perry Letter

cc: Vice President
Chief of Staff

THE WHITE HOUSE

WASHINGTON

Dear Senator Grassley:

Thank you for writing to express your concern for the need to provide tax exemption for the servicemen and women who served in Somalia during Operation Restore Hope. I share your desire to see that they are recognized for the sacrifices they made there in support of humanitarian operations.

I join Secretary of Defense Perry and Chairman of the Joint Chiefs of Staff General Shalikashvili in supporting current congressional legislation (H.R. 494) designed to provide tax relief for the period of time these wonderful men and women spent in this operation and commend you for your continued concern for our Armed Forces.

Sincerely,

The Honorable Charles E. Grassley
United States Senate
Washington, D.C. 20510

3215

REPLY TO:

- ☐ 135 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-1801
(202) 224-3744
TTY: (202) 224-4478
- ☐ 721 FEDERAL BUILDING
210 WALNUT STREET
DES MOINES, IA 50308-2140
(515) 284-4890
- ☐ 206 FEDERAL BUILDING
101 1ST STREET SE.
OCCAS, IA 52401-1227
(319) 383-6832

United States Senate

CHARLES E. GRASSLEY

WASHINGTON, DC 20510-1501

REPLY TO:

- ☐ 103 FEDERAL COURTHOUSE BUILDING
320 8TH STREET
SIOUX CITY, IA 51101-1244
(712) 233-1880
- ☐ 210 WATERLOO BUILDING
531 COMMERCIAL STREET
WATERLOO, IA 50701-5427
(319) 232-8857
- ☐ 118 FEDERAL BUILDING
131 E. 4TH STREET
DAVENPORT, IA 52801-1513
(319) 322-4331
- ☐ 307 FEDERAL BUILDING
8 SOUTH 8TH STREET
COUNCIL BLUFFS, IA 51501
(712) 322-7103

April 14, 1994

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I am writing in regard to providing tax relief for American soldiers who have served in the United Nations operation in Somalia.

Under section 112 of the Internal Revenue Code, enlisted soldiers' pay for service in a designated "combat zone" is exempt from taxation. Officers receive a \$500 per month exemption. The combat zone designation must be made by the President of the United States through an executive order.

After the urging of many of us in Congress, former President Bush formally designated the area of the Persian Gulf as an official combat zone for purposes of implementing section 112. Apparently, soldiers are still receiving tax-free income for follow-up missions in the Persian Gulf theater. However, even though day-to-day combat took place in Somalia, and "hostile pay" was authorized for those who served there, section 112 has never been implemented.

Mr. President, our soldiers who served in Somalia deserve better. It would be tragic not to give our defenders of freedom everything they deserve and have earned. I, therefore, urge you to retroactively proclaim Somalia to be what we all know it was and is - a combat zone. I look forward to your response on this matter.

Sincerely,

Chuck Grassley
Charles E. Grassley
United States Senator

CEG/kd



THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301

1 FEB 1994

The Honorable Daniel Patrick Moynihan
Chairman
Committee on Finance
United States Senate
Washington, D.C. 20510

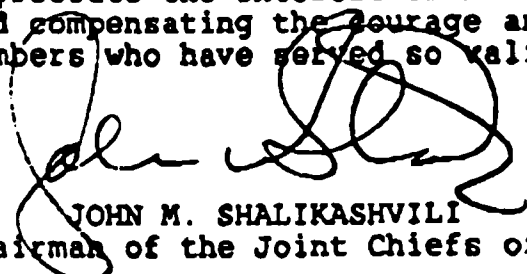
Dear Mr. Chairman,

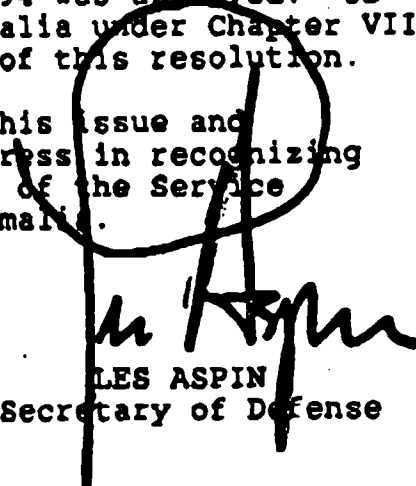
The Department of Defense strongly supports H.R. 494. This bill provides that members of the Armed Forces serving in the arduous humanitarian relief effort in Somalia are entitled, upon Presidential order, to a tax exclusion as though they had served in a combat zone as defined in title 26 USC, section 112. We also note that the FY 1994 Defense Appropriations Act contained a Sense of the Congress Resolution supporting a combat zone tax exclusion for Service members in Somalia.

The men and women of the Armed Forces serving in Somalia have served in a demanding environment under conditions of austerity, adversity, and hostility. Since Somalia was declared an area qualifying for Imminent Danger Pay, over 175 US combat casualties have occurred, including 26 valiant men who made the ultimate sacrifice, attesting to the dangerous conditions there.

We recommend H.R. 494 use a starting date of December 3, 1992, the date United Nations Resolution 794 was approved. US forces began their security mission in Somalia under Chapter VII of the United Nations Charter as a result of this resolution.

We would welcome your leadership on this issue and appreciate the interest of members of Congress in recognizing and compensating the courage and sacrifice of the Service members who have served so valiantly in Somalia.


JOHN M. SHALIKASHVILI
Chairman of the Joint Chiefs of Staff


LES ASPIN
Secretary of Defense

02505



THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301

14 MAR 1994

Honorable Ike Skelton
Chairman, Military Forces and
Personnel Subcommittee
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman,

Thank you for your recent letter regarding a combat zone tax exclusion for the men and women serving in Somalia. They have endured hardship and hostility with great fortitude, and I am extremely proud of their accomplishments.

I sincerely appreciate your concern for our mission in Somalia and for the forces who served there. I also share your desire to see that they receive benefits appropriate to the challenges they faced and the sacrifices they made and applaud your sponsorship of H.R. 494. You should know that Secretary Aspin and General Shalikashvili recently wrote Representative Rostenkowski expressing their support for H.R. 494. I wholeheartedly second their comments. We believe H.R. 494 provides the most appropriate means of providing a tax exclusion for the Somalia operation.

The members of the Armed Forces serving in Somalia have done a magnificent job in the face of difficult conditions and hostility. Your continuing concern for them and their welfare is appreciated.

William J. Perry

64473

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

May 9, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL 

FROM: KEITH HAHN 

SUBJECT: Energy Proposed Report RE S 1170, Authorize
Secretary of the Interior to Lease Naval Oil Shale
Reserves in Colorado

Tab II provides DOE's proposed response to legislation introduced last year which would allow the Secretary of the Interior, through the Bureau of Land Management, to lease public lands in Colorado for oil and gas exploration. Neither the legislation nor DOE's amendments have any direct national security implications since the land is no longer needed for national defense petroleum reserves.

Concurrence by: Jeremy Rosner 

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the proposed Energy report.

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: Energy Proposed Report RE S 1170, Authorize
Secretary of the Interior to Lease Naval Oil Shale
Reserves in Colorado

The National Security Council staff concurs in the proposed
Energy report.

3600

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

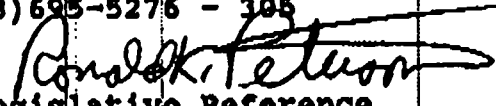
May 6, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2646

TO: Legislative Liaison Officer -

COMMERCE - Michael A. Levitt - (202)482-3151 - 324
DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325
INTERIOR - Danny Consenstein - (202)208-6706 - 329
JUSTICE - Sheila F. Anthony - (202)514-2141 - 217
TREASURY - Richard S. Carro - (202)622-1146 - 228
EPA - Thomas C. Roberts - (202)260-5414 - 326
GSA - William R. Ratchford - (202)501-0563 - 237
NSC - William H. Iton - (202)395-3723 - 249
NAVY - Captain John Hutson - (703)695-5276 - 305

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

OMB CONTACT: Craig CRUTCHFIELD (395-3857)
Secretary's line (for simple responses): 395-6194
James MIETUS (395-3183)

**SUBJECT: Energy Proposed Report RE: S. 1170, Authorize
Secretary of the Interior to lease Naval Oil
Shale Reserves in Colorado**

DEADLINE: 4:00 P.M. May 9, 1994

COMMENTS: Energy would like to transmit the proposed amendments to S. 1170 before the Senate Energy Committee markup on 5/11. Energy is preparing a cover letter for this report. If you do not respond by the deadline, we must assume your agency has no objection to the proposed amendments.

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:

J. McDivitt
J. Schuhart
S. Swain
E. Rea
A. Stigile
K. McGinty
B. Burke

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

AMENDMENTS TO S. 1170

(1) On page 1, before line 1: Insert ", and for other purposes" before "in the long title."

(2) On page 2, line 3: Insert "known as 'Oil Shale Reserve Numbered 1'," before "and".

(3) On page 2, line 4: Insert "known as 'Oil Shale Reserve Numbered 3', and in Carbon and Uintah Counties, Utah, reserved by Executive order of the President dated December 6, 1916 (as amended by Executive Order of the President dated June 12, 1919), known as 'Oil Shale Reserve Numbered 2', except for the producing oil and natural gas reserves on Oil Shale Reserve Numbered 3," before "subject".

(4) On page 3, after line 2: Add the following new sections:

SEC. 2. Notwithstanding any other law, the Secretary of Energy may sell all or a portion of the producing oil and natural gas reserves and existing equipment on Oil Shale Reserve Numbered 3.

SEC. 3. Notwithstanding any other law, if the Secretary of Energy does not initiate a sale of, and receive bids on, the producing oil and natural gas reserves under section (2) of this Act within two years of the date of enactment of this subsection, jurisdiction over the unsold producing oil and natural gas reserves on Oil Shale Reserve Numbered 3 transfers to the Secretary of the Interior who shall administer those reserves through the Bureau of Land Management in accordance with the Mineral Leasing Act (30 U.S.C. § 181 et seq.).

SEC. 4. In exercising the authority conferred in section (2) of this Act, the Secretary of Energy shall use competitive procedures to conduct a sale, shall assure that the consideration received in a sale represents fair market value, and may reject any bid, even if the bid meets or exceeds minimally acceptable levels.

SEC. 5. Immediately upon the sale of the producing oil and natural gas reserves under section (2) of this Act, Federal jurisdiction over all operations relating to production of those reserves transfers to the Secretary of the Interior, through the Bureau of Land Management.

SEC. 6. Notwithstanding any other law, revenue from a sale under section (2) of this Act shall be covered into the Treasury.

SEC. 7. For a period of two years from the date of enactment of this Act, Oil Shale Reserves Numbered 1, 2, and 3 are withdrawn from all forms of entry under the mining laws, but not the mineral leasing laws. During that time, the Secretary of the Interior shall evaluate whether to continue the withdrawal under the Federal Land Policy and Management Act of 1976 (45 U.S.C. 1701 et seq.) or allow it to abate.

103D CONGRESS
1ST SESSION

S. 1170

To amend the Mineral Leasing Act to provide for leasing of certain lands
for oil and gas purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 29 (legislative day, JUNE 22), 1993

Mr. CAMPBELL introduced the following bill; which was read twice and
referred to the Committee on Energy and Natural Resources

A BILL

To amend the Mineral Leasing Act to provide for leasing
of certain lands for oil and gas 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. Section 17 of the Mineral Leasing Act
4 (30 U.S.C. 226) is amended by adding the following new
5 subsection at the end thereof:

6 “(b)(1) **AUTHORITY TO LEASE.**—Notwithstanding
7 any other provision of law, the Secretary of the Interior,
8 in consultation with the Secretary of Energy, may lease
9 for oil and gas exploration, development and production
10 the public domain lands located in Garfield County, Colo-

1 rado, reserved by Executive order of the President dated
2 December 6, 1916 (as amended by Executive order of the
3 President dated June 12, 1919), and by Executive order
4 of the President dated September 27, 1924, subject to
5 valid existing rights, and pursuant to the requirements of
6 this Act.

7 “(2) MANAGEMENT.—The Secretary of the Interior,
8 through the Bureau of Land Management, shall hereafter
9 manage the surface estate in the lands covered by this
10 subsection, pursuant to the Federal Land Policy and Man-
11 agement Act of 1976 (43 U.S.C. 1701, et seq.), and other
12 laws applicable to the public lands.

13 “(3) ROYALTY.—A lease of lands by the Secretary
14 of the Interior under this subsection shall be conditioned
15 upon the payment of a royalty pursuant to subsection (b)
16 of this section, except that the Secretary may establish
17 a sliding scale royalty of not less than 12.5 per centum
18 and not more than 25 per centum in amount or value of
19 the production removed or sold from the lease.

20 “(4) EXISTING EQUIPMENT.—The lease of lands by
21 the Secretary under this subsection may include the trans-
22 fer, at fair market value, of wells, gathering lines, and re-
23 lated equipment owned by the United States on the lands
24 referenced in paragraph (1) and suitable for use in the

3

- 1 exploration, development or production of hydrocarbons on
- 2 such lands.".

o