

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 - June 1994 #2 [3]				
Staff Office-Individual: Defense Policy-Bell, Robert				
Original OA/ID Number: 264				
Row: 31	Section: 3	Shelf: 4	Position: 2	Stack: V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - MINI-NOBLE SABINA 1. (1 page)	06/13/1994	P1/b(1)
001b. cable	re: Part I Significant Military Exercise Brief. [Mini-Noble Sabina 1] (1 page)	05/20/1994	P1/b(1)
002a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - NOBLE SHIRLEY 15. (1 page)	06/13/1994	P1/b(1)
002b. cable	re: Part I Significant Military Exercise Brief. [Noble Shirley 15] (2 pages)	05/20/1994	P1/b(1)
003a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - INTRINSIC ACTION 94-2. (1 page)	06/13/1994	P1/b(1)
003b. cable	re: Part I Significant Military Exercise Brief. [Intrinsic Action 94-2] (2 pages)	05/17/1994	P1/b(1)
004a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - EAGLE SALUTE 94. (1 page)	06/13/1994	P1/b(1)
004b. cable	re: Part I Significant Military Exercise Brief. [Eagle Salute 94] (2 pages)	05/24/1994	P1/b(1)
005a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - INFINITE ACCLAIM 94-2. (1 page)	06/13/1994	P1/b(1)
005b. cable	re: Part I Significant Military Exercise Brief. [Infinite Acclaim 94-2] (1 page)	05/25/1994	P1/b(1)
006a. form	Fax Cover Sheet. [partial] (1 page)	06/15/1994	b(7)(C)

COLLECTION:

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

FOLDER TITLE:

Chron File - June 1994 #2 [3]

2016-0152-F

vz4586

RESTRICTION CODES

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

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

P1 National Security Classified Information [(a)(1) of the PRA]

P2 Relating to the appointment to Federal office [(a)(2) of the PRA]

P3 Release would violate a Federal statute [(a)(3) of the PRA]

P4 Release would disclose trade secrets or confidential commercial or
financial information [(a)(4) of the PRA]

P5 Release would disclose confidential advice between the President
and his advisors, or between such advisors [(a)(5) of the PRA]

P6 Release would constitute a clearly unwarranted invasion of
personal privacy [(a)(6) of the PRA]

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

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

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]

b(2) Release would disclose internal personnel rules and practices of
an agency [(b)(2) of the FOIA]

b(3) Release would violate a Federal statute [(b)(3) of the FOIA]

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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 Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006b. memo	Summary of Conclusions for Principals Committee Meeting, June 14, 1994. Record ID: 9420739. (2 pages)	06/15/1994	P1/b(1)

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National Security Council
Defense Policy and Arms Control (Robert Bell)
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4747

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 15, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

~~ROBERT BELL~~ *RB*

FROM:

KEITH HAHN *KH*

SUBJECT: Significant Military Exercise MINI-NOBLE SABINA 1

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

MINI-NOBLE SABINA 1 is a small-scale bilateral naval special warfare land training event conducted with Israeli armed forces. It is scheduled to take place at selected Israeli ranges July 4-15 and will involve 8-16 U.S. personnel.

The critical cancellation date is June 29, 1994.

Concurrences by:

Q
David Satterfield and Morton Halperin *MHH/s*

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the exercise.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006
By *ML* NARA, Date *10/2/2006*

796-052-F

~~SECRET~~

Declassify on: OADR

~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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

SUBJECT: Significant Military Exercise MINI-NOBLE SABINA 1

The National Security Council staff concurs in military exercise
MINI-NOBLE SABINA 1.

William H. Itoh
Executive Secretary

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - MINI-NOBLE SABINA I. (1 page)	06/13/1994	P1/b(1)

COLLECTION:

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Chron File - June 1994 #2 [3]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. cable	re: Part I Significant Military Exercise Brief. [Mini-Noble Sabina 1] (1 page)	05/20/1994	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

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vz4586

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NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20508

June 15, 1994

4746

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

~~ROBERT BELL~~ *RBB*

FROM:

KEITH HAHN *KH*

SUBJECT: Significant Military Exercise NOBLE SHIRLEY 15

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, concurring in military exercise NOBLE SHIRLEY 15. At Tab II Defense recommends approval and State concurs.

NOBLE SHIRLEY 15 is designed to offload Landing Force Sixth Fleet equipment (that will be transferred to Israel) by conducting a combined amphibious landing. The equipment will be moved ashore approximately 10 nautical miles south of Ashdod, Israel.

The critical cancellation date is June 29, 1994.

Concurrences by: David Sauterfield *DS* and Morton Halperin *MH /s*

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the exercise.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

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

2016-0152 -F

~~SECRET~~

Declassify on: OADR

~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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

SUBJECT: Significant Military Exercise NOBLE SHIRLEY 15

The National Security Council staff concurs in military exercise
NOBLE SHIRLEY 15.

William H. Itoh
Executive Secretary

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - NOBLE SHIRLEY 15. (1 page)	06/13/1994	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 - June 1994 #2 [3]

2016-0152-F

vz4586

RESTRICTION CODES

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

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

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

RR. Document will be reviewed upon request.

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

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002b. cable	re: Part I Significant Military Exercise Brief. [Noble Shirley 15] (2 pages)	05/20/1994	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 - June 1994 #2 [3]

2016-0152-F

vz4586

RESTRICTION CODES

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4749

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 15, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

~~ROBERT BELL~~ *RB*

FROM:

KEITH HAHN *KH*

SUBJECT: Significant Military Exercise INTRINSIC ACTION
94-2

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, concurring in military exercise INTRINSIC ACTION 94-2. At Tab II Defense recommends approval and State concurs.

INTRINSIC ACTION 94-2 is a combined U.S./Kuwaiti field training exercise consisting of platoon/company maneuvers and live fire training at selected training areas and ranges within Kuwait. It is scheduled to take place July 1 - August 29.

The critical cancellation date is June 23, 1994.

Concurrences by: *EL* Ellen Lippson and *M44/s* Morton Halperin

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the exercise.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

DECLASSIFIED
E.O. 13526

White House Guidelines, September 11, 2006

By *VR* NARA, Date *10/3/2016*

7016-0152-7

~~SECRET~~

Declassify on: OADR

~~SECRET~~

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

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

SUBJECT: Significant Military Exercise INTRINSIC ACTION
94-2

The National Security Council staff concurs in military exercise
INTRINSIC ACTION 94-2.

William H. Itoh
Executive Secretary

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - INTRINSIC ACTION 94-2. (1 page)	06/13/1994	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 - June 1994 #2 [3]

2016-0152-F

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003b. cable	re: Part I Significant Military Exercise Brief. [Intrinsic Action 94-2] (2 pages)	05/17/1994	P1/b(1)

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~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

4752

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 15, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *Rub*

FROM: KEITH HAHN *kh*

SUBJECT: Significant Military Exercise EAGLE SALUTE 94

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, concurring in military exercise EAGLE SALUTE 94. At Tab II Defense recommends approval and State concurs.

EAGLE SALUTE 94 is a combined U.S./Egyptian naval exercise which includes electronic warfare, surface surveillance and coordination and surface gun fire events. It will involve two U.S. ships and one P-3C maritime patrol aircraft and will take place in the north Red Sea July 16-21.

The critical cancellation date is July 8, 1994.

Concurrences by: *g* David Satterfield and Morton Halperin *MHH/s*

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the exercise.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *VC* NARA, Date *11/7/2016*

2016-052-F

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

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

SUBJECT: Significant Military Exercise EAGLE SALUTE 94

The National Security Council staff concurs in military exercise
EAGLE SALUTE 94.

William H. Itoh
Executive Secretary

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - EAGLE SALUTE 94. (1 page)	06/13/1994	P1/b(1)

COLLECTION:

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

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

4751

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 15, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ~~ROBERT BELI~~ *RB*

FROM: KEITH HAHN *KH*

SUBJECT: Significant Military Exercise INFINITE ACCLAIM
94-2

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, concurring in military exercise INFINITE ACCLAIM 94-2. At Tab II Defense recommends approval and State concurs.

INFINITE ACCLAIM 94-2 is a combined unit level exercise between U.S. naval and Jordanian air forces. It will involve approximately 100 U.S. and 80 Jordanian personnel and will take place in international air space over the north Red Sea and territorial air space over Jordan July 9-13.

The critical cancellation date is June 29, 1994.

Concurrences by: *In draft* David Satterfield and *In draft* Morton Halperin

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the exercise.

Attachments

Tab I Memorandum for Signature

Tab II Incoming Correspondence

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *VR* NARA, Date *10/3/2016*

7016-0152-1

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

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

SUBJECT: Significant Military Exercise INFINITE ACCLAIM
94-2

The National Security Council staff concurs in military exercise
INFINITE ACCLAIM 94-2.

William H. Itoh
Executive Secretary

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - INFINITE ACCLAIM 94-2. (1 page)	06/13/1994	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 - June 1994 #2 [3]

2016-0152-F

vz4586

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]
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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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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.

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005b. cable	re: Part I Significant Military Exercise Brief. [Infinite Acclaim 94-2] (1 page)	05/25/1994	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 - June 1994 #2 [3]

2016-0152-F

vz4586

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]
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TO: AGENCIES

FROM: ITOH

DOC DATE: 15 JUN 94
SOURCE REF:

KEYWORDS: ICBM
PC

THEATER MISSILE DEFENSE
SOC

PERSONS:

SUBJECT: SUMMARY OF CONCLUSIONS FOR PC MTG ON ABM / TMD DEMARCATION

ACTION: REED SGD MEMO TO AGENCIES

DUE DATE: 17 JUN 94 STATUS: C

STAFF OFFICER: ANDREASEN

LOGREF:

FILES: IFG

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO
ANDREASEN

BELL
BERGER
HALL
HAWKINS
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LAKE
MILLISON
NSC CHRON
SODERBERG
WOLIN

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By ML NARA, Date 10/3/96

7016-0152-F

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSASK

CLOSED BY: NSJDA

DOC 2 OF 2

~~SECRET~~

RECORD ID: 9420739

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE
001
002

Z 94061608 FOR DECISION
X 94061608 LAKE APPROVED RECOM
X 94061608 REED SGD MEMO TO AGENCIES

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

002 940615 FUERTH, L
002 940615 GROSSMAN, M
002 940615 ADAMS, G
002 940615 WALES, J
002 940615 MCALEER, R
002 940615 LAVIN, A
002 940615 INDERFURTH, K
002 940615 GARTHOFF, D
002 940615 PATRICK, T
002 940615 STARR, B

~~SECRET~~

Rec'd 4/15 5:30pm
National Security Council
The White House

PROOFED BY: JAY LOG # 20739
URGENT NOT PROOFED: _____ SYSTEM PRS NSC INT
BYPASSED WW DESK: _____ DOCLOG JAY A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
Reed	<u>4</u>		<u>A</u>
Kenney	<u>1</u>	<u>W</u>	<u>A</u>
Itoh			
Soderberg			
Berger	<u>2</u>	<u>ok</u>	
Lake	<u>3</u>	Natl Sec Advisor has seen	
Situation Room			
West Wing Desk		<u>OK 5/14</u>	<u>N</u>
NSC Secretariat			

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other _____

Should be seen by: _____
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

Spec Sec has deskette

NATIONAL SECURITY COUNCIL
DISTRIBUTION RECEIPT

LOG 9420739
DATE 15 JUN 94

SUBJECT: SUMMARY OF CONCLUSIONS FOR PC MTG ON ABM / TMD DEMARCATION
DOCUMENT CLASSIFICATION: ~~SECRET~~

EXTERNAL DISTRIBUTION:	DATE	TIME	SIGNATURE
MR. LEON FUERTH OFFICE OF THE VICE PRESIDENT VIA LARRY BRANSCUM ROOM 290, OEOB WASHINGTON, DC 20506	_____	_____	_____ PRINT NAME: _____ COPY: 1 _____
MR. MARC GROSSMAN DEPARTMENT OF STATE ROOM 7224, MAIN STATE 2201 C STREET, NW WASHINGTON, DC 20520	_____	_____	_____ PRINT NAME: _____ COPY: 1 _____
DR. GORDON M. ADAMS OFFICE OF MANAGEMENT & BUDGET ROOM 238 OLD EXECUTIVE OFFICE BLDG WASHINGTON, DC 20503	_____	_____	_____ PRINT NAME: _____ COPY: 1 _____
MS. JANE WALES OFFICE OF SCIENCE & TECHNOLOGY POLICY ROOM 494 OLD EXECUTIVE OFFICE BLDG WASHINGTON, DC 20500	_____	_____	_____ PRINT NAME: _____ COPY: 1 _____

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS
Initials: VL Date: 12/01/2004

DATE, TIME, SIGN THE RECEIPT AND RETURN TO: NSC SECRETARIAT, ROOM 379 OEOB

PAGE 01 OF 01 PAGES

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006a. form	Fax Cover Sheet. [partial] (1 page)	06/15/1994	b(7)(C)

COLLECTION:

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

FOLDER TITLE:

Chron File - June 1994 #2 [3]

2016-0152-F

vz4586

RESTRICTION CODES

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

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SECURITY CLASSIFICATION

TIME OF TRANSMISSION

WHSR CONTROL
TIME OF RECEIPT

WHITE HOUSE
SITUATION ROOM

PRECEDENCE
☐ FLASH
☐ IMMEDIATE
☐ PRIORITY
☐ ROUTINE

RELEASER: _____

DATE/TIME: _____

MESSAGE #: _____

NSC LOG #

FROM: National Security Council PHONE: 202-456-2291 ROOM: WHSR
SUBJECT: Notice of Meeting SOC OF PC MTG ON ABM PAGES: _____

PLEASE DELIVER TO:

DEPT/AGENCY	NAME/OFFICE	PHONE	SECURE FAX
<u>USUN New York</u>	<u>Mr. Rick Inderfurth</u>	<u>212-415-4016</u>	<u>(b)(7)c</u>

[006a]

SPECIAL DELIVERY INSTRUCTIONS/REMARKS

Eyes Only for Rick Inderfurth for hand delivery to Ambassador Madeline Albright.
If Mr. Inderfurth is not available please deliver to Nancy Buss.

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS
Initials: RL Date: 12/01/2006

~~SECRET~~

SECURITY CLASSIFICATION

TIME OF TRANSMISSION

TIME OF RECEIPT

WHITE HOUSE SITUATION ROOM

PRECEDENCE: IMMEDIATE
PRIORITY
 ROUTINE

RELEASER: _____

DTG: _____

~~SECRET~~

MESSAGE NO. _____ CLASSIFICATION _____ PAGES 3

FROM WILLIAM H. ITOH (202) 456-2585 West Wing Desk
 (NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION SOC of PC MTG ON ABM/TMD

DEMARCATION NSC LOG # 20739

TO (AGENCY)	DELIVER TO	DEPT/ROOM NO.	PHONE NUMBER
STATE	EXECUTIVE SECRETARY	_____	_____
USUN/STATE	OFFICE OF THE AMBASSADOR	_____	_____
DOD	EXECUTIVE SECRETARY	_____	_____
JCS	SECRETARY	_____	_____
CIA	EXECUTIVE SECRETARY	_____	_____
<u>ENERGY</u>	<u>DIR EXECUTIVE SECRETARIAT</u>	_____	_____
<u>ACDA</u>	<u>EXECUTIVE SECRETARY</u>	_____	_____
_____	_____	_____	_____

REMARKS:

UNCLASSIFIED UPON REMOVAL
 OF CLASSIFIED ATTACHMENTS
 Initials: RL Date: 12/31/2006

~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

20739

June 15, 1994

MEMORANDUM FOR

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

MR. MARC GROSSMAN
Executive Secretary
Department of State

COLONEL ROBERT P. MCALEER
Executive Secretary
Department of Defense

MS. ANN LAVIN
Director, Executive Secretariat
Department of Energy

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

AMB. RICK INDERFURTH
Office of the Representative
of the United States to
the United Nations

MR. DOUGLAS GARTHOFF
Executive Secretary
Central Intelligence Agency

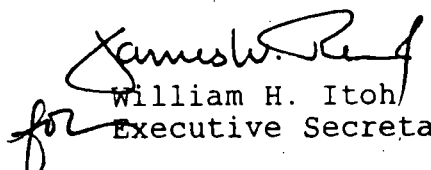
COLONEL T. R. PATRICK
Secretary
Joint Chiefs of Staff

JANE WALES
Associate Director for
National Security &
International Affairs
Office of Science and
Technology Policy

MS. BARBARA STARR
Executive Secretary
Arms Control and Disarmament
Agency

SUBJECT: Summary of Conclusions of PC Meeting on ABM/TMD
Demarcation. (S)

The attached is for Principals eyes only. The summary of
conclusions attached is for the PC meeting which was held on
June 14, 1994 in the Roosevelt Room from 2:30 - 3:15 P.M. (S)


William H. Itoh
Executive Secretary

Attachment
Summary of Conclusions

DECLASSIFIED
E.O. 13526
White House Guidelines, September 11, 2006
By VL NARA, Date 10/2/06

~~SECRET~~

Declassify on: OADR

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006b. memo	Summary of Conclusions for Principals Committee Meeting, June 14, 1994. Record ID: 9420739. (2 pages)	06/15/1994	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 - June 1994 #2 [3]

2016-0152-F

vz4586

RESTRICTION CODES

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~~SECRET~~

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

20739

June 14, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT G. BELL *RGB*

FROM: STEVEN P. ANDREASEN *SA*

SUBJECT: Summary of Conclusions of June 14, 1994 PC Meeting
on ABM/TMD Demarcation

Attached for your review is the "Summary of Conclusions" from the June 14, 1994 Principals Committee meeting on ABM/TMD Demarcation.

RECOMMENDATION

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

Approve *W*

Disapprove _____

Attachments

Tab I Itoh Memorandum to Agency Counterparts
Tab A Summary of Conclusions

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *VL* NARA, Date *10/3/06*

2016-0152-8

~~UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS~~

Initials: _____ Date: _____

~~SECRET~~

Declassify on: OADR

~~SECRET~~

TO: FORSGREN, J

FROM: ITOH

DOC DATE: 15 JUN 94
SOURCE REF:

KEYWORDS: NAVY

LEGISLATIVE REFERRAL

PERSONS: CARRON, ARTHUR A

SUBJECT: DEFENSE PROPOSED RPT RE HR-3917 RELIEF FOR ARTHUR CARRON

ACTION: KENNEY SGD MEMO

DUE DATE: 16 JUN 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: NSMBN

CLOSED BY: NSGP

DOC 3 OF 3

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9404689

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 HAHN
003

Z 94061315 PREPARE MEMO ITOH TO FORSGREN
X 94061617 KENNEY SGD MEMO

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003 940615 FORSGREN, J

UNCLASSIFIED

National Security Council
The White House

PROOFED BY: OPM LOG # 4654
URGENT NOT PROOFED: _____ SYSTEM PRS NSC INT
BYPASSED WW DESK: _____ DOCLOG Joe A/O _____

ama

	SEQUENCE TO	HAS SEEN	DISPOSITION
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Kenney	<u>1</u>	<u>Walt</u>	<u>A</u>
Itoh			
Soderberg			
Berger			
Lake			
Situation Room			
West Wing Desk	<u>2</u>	<u>48K 6/14</u>	<u>D</u>
NSC Secretariat			<u>D</u>

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other _____

Should be seen by: _____
(Date/Time)

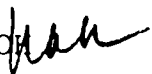
COMMENTS:

DISPATCH INSTRUCTIONS:

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 15, 1994

MEMORANDUM FOR JANET R. FORSGREN

FROM: WILLIAM H. ITOM 

SUBJECT: Defense Proposed Report Re. HR-3917 - Relief for
Arthur A. Carron, Jr.

The National Security Council staff concurs in the proposed report.

4689

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

June 10, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2942

TO: Legislative Liaison Officer -

JUSTICE - Sheila F. Anthony - (202)514-2141 - 217
NSC - William H. Itoh - (202)395-3723 - 249
TREASURY - Richard S. Carro - (202)622-1146 - 228

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 3917, Relief
for Arthur A. Carron, Jr.**

DEADLINE: C.O.B. June 17, 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
Mary Jo Siclari
Wendell Waites
Alicia Kolaian
Clarissa Cerda
Karen Hancox
Jim Murr
Janet Forsgren

LRM #I-2942

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 3917, Relief
 for Arthur A. Carron, Jr.

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

JUN 0 104 10:20 FROM OSD LRG

TO FORGREN

PAGE.000

Honorable Jack Brooks
Chairman
Committee on the Judiciary
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is to present the views of the Department of Defense with respect to H.R. 3917, 103rd Congress, a bill "for the relief of Arthur A. Carron, Jr."

The purpose of H.R. 3917 is to waive the time limitation of section 3702(b) of title 31, United States Code, with respect to a claim by Arthur A. Carron, Jr., for amounts due to him from the Department of the Navy in connections with checks issued to Mr. Carron by the Department of the Navy in 1966 and 1971, but which were not presented for payment by Mr. Carron until after the checks were cancelled in accordance with law.

The checks in issue are as follows:

- (1) Treasury check 2,831,843, dated 18 October 1966, in the amount of \$10,850.74, for a cash savings account;
- (2) Treasury check 70,445,856, dated 29 January 1971, in the amount of \$1,361.00, for salary and expenses; and
- (3) Treasury check 71,681,041, dated 1 April 1971, in the amount of \$562.25, for retired pay.

Mr. Carron has advised that the three checks were initially received by his wife and were retained by her without his knowledge, and that only recently did he come into possession of the checks. Under a provision of the Competitive Equality Banking Act of 1989, 31 U.S.C. § 3702(c), the checks have been cancelled by the Department of the Treasury and are no longer payable. Additionally, under 31 U.S.C. § 3702(b), a claim against the government which is not presented to the General Accounting Office, or the agency whose activities gave rise to the claim, within six years after the claim accrues is barred. Because Mr. Carron's claims accrued in 1966 and 1971, and were not presented within the statutory period, they are barred under section 3702(b). Given these circumstances, the Department of the Navy is without legal authority to issue replacement checks to Mr. Carron. The effect of H.R. 3917 would be to waive the statutory bar to payment of these claims.

JUN 9 '94 13:20 FROM OSD-LRS

TO FORSGREN

PAGE.004

The Department of Defense generally opposes private relief legislation of this type, which has the effect of waiving the statute of limitations in a preferential manner. It is noted, however, that a primary reason for a claims statute of limitation is to ensure that claims are presented in a timely manner so that the facts incident to the claim can be obtained and evaluated with the assurance that they are accurate. In this case, Mr. Carron has physical possession of all three checks, and while the Department has been unable to ascertain whether payment was ever made with respect to the 18 October 1966 and 29 January 1971 checks, due to loss of Mr. Carron's pay records, we were able to determine that payment was never made for the 1 April 1971 check, which was his first check for retired pay. Under these circumstances, it is reasonable to conclude that payment has not previously been made with respect to any of the three checks. Accordingly, under the unique circumstances of this case, the Department does not oppose the proposed legislation.

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

2 of 2 items

CQ's WASHINGTON ALERT 06/09/94

HR3917 Stupak (D-MI) 02/24/94 (48 lines)
Introduced in House

For the relief of Arthur A. Carron, Jr.

Special typefaces used in this bill version:

// \\ Italic

!! !! Bold roman

Item Key: 10297

--

103D CONGRESS
2D SESSION

H. R. 3917

For the relief of Arthur A. Carron, Jr.

IN THE HOUSE OF REPRESENTATIVES

February 24, 1994

Mr. STUPAK introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

For the relief of Arthur A. Carron, Jr.

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

!!SECTION 1. WAIVER OF TIME LIMITATIONS.!!

The time limitations set forth in section 3702(b) of title 31,
United States Code, shall not apply with respect to a claim by
Arthur A. Carron, Jr., of Bark River, Michigan, for amounts due to
him by the Department of the Navy. The amounts due are represented
by the following checks that were received but not negotiated by

Arthur A. Carron, Jr.:

(1) Treasury check number 2,831,843, dated October 18, 1966, in the amount of \$10,850.74 for salary and expenses.

(2) Treasury check number 10,445,856, dated January 29, 1971, in the amount of \$1,361.00 for salary and expenses.

(3) Treasury check number 71,681,041, dated April 1, 1971, in the amount of \$562.25 for retirement pay.

!!SEC. 2. DEADLINE.!!

Section 1 shall apply only if Arthur A. Carron, Jr., or his authorized representative, submits a claim pursuant to such section before the expiration of the 3-month period beginning on the date of the enactment of this Act.

There are no more items to read.

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

June 14, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT BELL *RGB*

FROM:

PETER FEAVER *PF*

SUBJECT:

Defense Proposed Report Re. HR-3917 - Relief for
Arthur Carron, Jr.

At Tab I is a proposed report, prepared by the Department of Defense, on HR-3917, a bill to provide relief for Arthur Carron, Jr. Mr. Carron has three outstanding checks from the Department of the Navy dating from 1966-1971. He claims that he did not realize that he had the checks until it was too late to cash them. HR-3917 would waive the statutory bar to payment on these claims. Because of the unique circumstances of the case, the Department of Defense supports the bill.

Concurrence by:

Jeremy Rosner *JR*RECOMMENDATION

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

Attachments

Tab I Memorandum for Signature

Tab II Incoming Correspondence

TO: PETERSON, R

FROM: ITOH

DOC DATE: 15 JUN 94
SOURCE REF:

KEYWORDS: DEFENSE POLICY
LEGISLATIVE REFERRAL

ENVIRONMENT

PERSONS:

SUBJECT: AGRICULTURE PROPOSED TESTIMONY RE HR-2080 MANAGEMENT OF PUBLIC LANDS
USED FOR MILITARY PURPOSES

ACTION: KENNEY SGD MEMO

DUE DATE: 15 JUN 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
CLAUSSEN
EXECSEC
HAHN
ROSNER

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSJEB

CLOSED BY: NSGP

DOC 3 OF 3

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ACTION DATA SUMMARY REPORT

RECORD ID: 9404716

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 HAHN
002 ITOH
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Z 94061409 PREPARE MEMO ITOH TO PETERSON
Z 94061516 FOR SIGNATURE
X 94061616 KENNEY SGD MEMO

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003 940615 PETERSON, R

UNCLASSIFIED

National Security Council
The White House

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NSC Secretariat			<u>D</u>

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other _____

Should be seen by: _____
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

4716

June 15, 1994

MEMORANDUM FOR RONALD K. PETERSON

FROM: WILLIAM H. ITO 
SUBJECT: Agriculture Proposed Testimony RE: HR 2080,
Management of Public Lands Used for Military
Purposes

The National Security Council staff concurs in the proposed
Agriculture testimony.

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

4716

June 13, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2973

TO: Legislative Liaison Officer -

Commons
INTERIOR - Danny Conenstein - (202) 208-6706 - 329
ENERGY - Bob Rabben - (202) 586-6718 - 209
DEFENSE - Samuel T. Brick, Jr. - (703) 697-1305 - 325
JUSTICE - Sheila F. Anthony - (202) 514-2141 - 217
TRANSPORTATION - Tom Herlihy - (202) 366-4687 - 226
EPA - Thomas C. Roberts - (202) 260-5414 - 326
NASA - Jeff Lawrence - (202) 358-1948 - 219
NSC - William H. Itoh - (202) 395-3723 - 249

FROM:

Corps of Engineers

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

OMB CONTACT: Craig CRUTCHFIELD (395-3857)
Secretary's line (for simple responses): 395-6194
Ruth Dyk SAUNDERS (395-3446)

SUBJECT: AGRICULTURE Proposed Testimony RE: HR 2080,
Management of public lands used for military
purposes

DEADLINE: 10:00 A.M. June 15, 1994

COMMENTS: Defense and Interior are also scheduled to testify.
The House Armed Services Committee had also scheduled a
hearing on HR 2080, but that has been postponed from June 15th
until later this month.

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 "Pay-As-You-Go" provisions of
Title XIII of the Omnibus Budget Reconciliation Act of 1990.

CC:

K. McGinty
L. Haber
B. Burke
J. Palmieri
P. Griffin
J. Winkler
S. Cannon

Concur _____

No objection _____

No comment _____

See proposed edits on pages _____

Other: _____

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

USDA CLEARANCE DRAFT
JUNE 10, 1994 1:30 p.m.
USDA Contact:
FS: Chris Pyron 203-1303

STATEMENT OF
GORDON SMALL, ACTING ASSOCIATE DEPUTY CHIEF
FOR NATIONAL FOREST SYSTEM
FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Subcommittee on National Parks and Public Lands
Committee on Interior and Insular Affairs
United States House of Representatives

Concerning H.R. 2080
Military Land Reform and Reassessment Act of 1993

June 17, 1994

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

Thank you for the opportunity to offer our views on H.R. 2080,
the "Military Land Reform and Reassessment Act of 1993."

H.R. 2080 would most directly affect the operations of the
Department of Defense. For that reason, we defer to that
Department on the merits of this bill.

The Forest Service is affected by the provisions of the Engel
Act and the 1956 Act, both of which would be amended by H.R.
2080. We would like to share our observations on the effects of
the proposed changes.

Section 3 of H.R. 2080 would amend the Act of July 25, 1956
(P.L. 84-604, 70 Stat. 656, as amended; 16 U.S.C. 503a, 505b).

referred to as the 1936 Act. It would prohibit the interchange of National Forest System lands that are within a conservation system unit or other area designated or established for conservation or protection by proclamation, Executive order, or Act of Congress with a department of the military. It would highlight the applicability of the the National Environmental Policy Act of 1969, the Forest and Rangeland Renewable Resources Planning Act of 1974, and the National Forest Management Act of 1976 to these interchanges. It would also make such interchanges contingent upon a determination by the Secretary of Agriculture that an interchange will improve the protection and management of the natural, cultural or other resources and values of the National Forest System. Finally, it would delay the effective date of any interchange, other than that occurring in a single state, from 45 to 180 days after notification of the Congress.

The relationship between the military and the Forest Service has a long history. Several National Forests were created or expanded by transfer of lands previously used by the military. On the other hand, a few National Forests, or portions thereof, were added to military installations by legislation or Executive Order. Under the provisions of the 1936 Act, interchanges have been used to consolidate National Forest ownership and improve management as well as to support activities at military installations. The authority is also used to provide single agency administration for Federal civil

06/13/94 15:38

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CRUTCHFIELD

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works projects, such as water impoundments constructed by the Corps of Engineers. This authority has been a valuable management tool for both the military and the Forest Service.

We are concerned that the amendments contained in H.R. 2080, if enacted, would impede use of this authority. First, section 3(a) imposes an absolute requirement that any interchange have a positive impact on ~~resources and~~ ^{resources and} values of the National Forests. It does not allow for interchanges that may be of significant benefit to the military but may place some minimal burden on the National Forest System. We anticipate such an asymmetrical relationship will serve as a disincentive to the military to accommodate the Forest Service when a proposed interchange would not be clearly to their benefit. Secondly, we believe that the 180-day notice period specified in section 3(a)(4) is unnecessary. For example, operation of the NEPA process, where applicable, provides clear notice to all interested parties, including the Congress, of a proposed interchange long before a final decision is reached. Extending the formal notice period to 180 days would only serve to further delay an already lengthy, time consuming process that is reviewed by both Houses of Congress.

Section 4 of H.R. 2080 would extend to the coverage of the Engel Act ((P.L. 85-537, 72 Stat. 27; 43 U.S.C. 155 et seq.) to the airspace over nonmilitary ~~lands~~ ^{substantive} lands or lands managed by the Secretary of Agriculture. ~~Section 4(e)~~ ^{Subsection (e)} would mandate that

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FOREST SERVICE

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008/008

both the Secretaries of the Interior and Agriculture monitor the effect of military aircraft overflights on the resources and values of lands under their respective authority. We agree that military overflights present a challenge in managing National Forest System lands but we also believe provision for mandatory monitoring contained in section 4 may be premature.

At the request of Congress, representatives of the Departments of Defense, the Interior, and Agriculture and the Federal Aviation Administration are working together to solve issues regarding overflights. This effort is being coordinated through the Interagency Airspace/Natural Resource Coordination Group (IANRCG). IANRCG has established five standing subcommittees to address key topics. They are: 1) operations and safety; 2) environmental effects; 3) NEPA planning and compliance; 4) education and awareness; and 5) coordination and procedures (internal and external). This effort has already produced solutions to problems caused by overflights of wildlife refuges managed by the Fish and Wildlife Service. We would ask your patience as we work to address other matters related to overflights of National Forest System land.

This concludes my formal statement. I would be pleased to respond to the Subcommittee's questions.

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

June 14, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RBB*FROM: KEITH HAHN *KH*SUBJECT: Agriculture Proposed Testimony RE: HR 2080,
Management of Public Lands Used for Military
Purposes

Tab II provides the proposed testimony of the acting Associate Deputy Chief for the National Forest System, Gordon Small, before the House Subcommittee on National Parks and Public Lands on the Military Land Reform and Reassessment Act of 1993. Agriculture defers to DoD on the merits of this bill. They provide more specific comments on those provisions of the Engel Act and the 1956 Act which would be amended by HR 2080. Primarily, Agriculture does not want to change the current authorities that allow them to work with DoD to effect swaps of public lands. They also believe that the mandatory airspace monitoring provisions may be premature.

Concurrences by: Eileen Claussen and Jeremy Rosner *EC*RECOMMENDATION

That you sign the memorandum at Tab I concurring in the proposed Agriculture testimony.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

TO: PETERSON, R

FROM: ITOH

DOC DATE: 15 JUN 94
SOURCE REF:

KEYWORDS: ENVIRONMENT
LEGISLATIVE REFERRAL

DEFENSE POLICY

PERSONS:

SUBJECT: INTERIOR PROPOSED TESTIMONY RE HR-2080 MANAGEMENT OF PUBLIC LANDS
USED FOR MILITARY PURPOSES

ACTION: KENNEY SGD MEMO

DUE DATE: 15 JUN 94 STATUS: C

STAFF OFFICER: HAHN

LOGREF:

FILES: WH

NSCP:

CODES:

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FOR ACTION

FOR CONCURRENCE

FOR INFO

BELL
CLAUSSEN
EXECSEC
HAHN
ROSNER

COMMENTS: _____

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CLOSED BY: NSGP

DOC 3 OF 3

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ACTION DATA SUMMARY REPORT

RECORD ID: 9404715

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CAO ASSIGNED ACTION REQUIRED

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X 94061616 KENNEY SGD MEMO

DISPATCH DATA SUMMARY REPORT

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National Security Council
The White House



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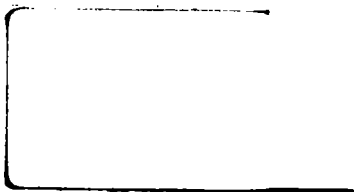
A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc: VP McLarty Other _____

Should be seen by: _____
(Date/Time)

COMMENTS:

DISPATCH INSTRUCTIONS:



NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 15, 1994

MEMORANDUM FOR RONALD K. PETERSON

FROM: WILLIAM H. ITO 
SUBJECT: Interior Proposed Testimony RE: HR 2080,
Management of Public Lands Used for Military
Purposes

The National Security Council staff concurs in the proposed
Interior testimony.

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

4715

June 13, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2960

TO: Legislative Liaison Officer -

AGRIC-CR - Vince Ancell (all testimony) - (202)720-7095 - 230
ENERGY - Bob Rabben - (202)586-6718 - 209
DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325
JUSTICE - Sheila F. Anthony - (202)514-2141 - 217
TRANSPORTATION - Tom Herlihy - (202)866-4687 - 226
EPA - Thomas C. Roberts - (202)260-5414 - 326
NASA - Jeff Lawrence - (202)358-1948 - 219
NSC - William H. Itoh - (202)395-3728 - 249

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

OMB CONTACT: Craig CRUTCHFIELD (395-3857)
Secretary's line (for simple responses): 395-6194
Jim McDIVITT (395-3715)

SUBJECT: INTERIOR Proposed Testimony RE: HR 2080,
Management of public lands used for military
purposes

DEADLINE: 10:00 A.M. June 15, 1994

COMMENTS: Defense is also scheduled to testify. The House
Armed Services Committee had also scheduled a hearing on HR
2080, but that has been postponed from June 15th until later
this month.

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:
K. McGinty
L. Haber
B. Burke
J. Palmieri
P. Griffin

DRAFT

6/13/94 12:45 P.

STATEMENT OF MAT MILLENBACH, ACTING CHIEF OF STAFF, OFFICE OF THE ASSISTANT SECRETARY FOR LAND AND MINERALS MANAGEMENT, UNITED STATES DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, COMMITTEE ON NATURAL RESOURCES, UNITED STATES HOUSE OF REPRESENTATIVES, ON H.R. 2080, THE MILITARY LAND REFORM AND REASSESSMENT ACT OF 1993.

HEARING 6-17-94

I appreciate the opportunity to appear here today to present the views of the Department of the Interior (DOI) on H.R. 2080, the Military Land Reform and Reassessment Act of 1993.

The Department generally supports the concepts presented in this bill. However, we suggest that it be amended to ensure the desired results can be realized. We will be happy to work with you to draft appropriate changes and modifications.

Section 2 of H.R. 2080 would amend the Federal Land Policy and Management Act of 1976 (FLPMA) to provide that State military departments and their subordinate units meet the same provisions and limitations of Section 302(b) of FLPMA as do Federal agencies for issuance of authorizations to use the public lands. In effect, the State military departments (generally meaning the National Guard) would be treated as if they were Federal military agencies for the purpose of using public lands pursuant to FLPMA, except that H.R. 2080 does provide for general and specific authorizations to the National Guard for noncontaminating uses.

DEPT OF THE INTERIOR
OFFICE OF THE ATTORNEY GENERAL

Under current law, we consider a State military department to be a State agency reporting to the Governor of the State, as do other State agencies. When a State military department applies for the

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right to use or receive public lands, the Department of the Interior evaluates the nature of the intended use to determine what kind of authorization would be appropriate to meet State needs, the needs of other users, and also to meet our management goals. If Section 2 of H.R. 2080 is enacted, the Department of the Interior will evaluate the applications of State military departments as if they were from Federal agencies.

While the Department of the Interior does not foresee any problems in handling applications from State military departments in accordance with the general provisions of Section 2 of H.R. 2080, the measure should be amended to clarify in whose name land withdrawals should be made and reserved when the withdrawal is for State military purposes. Also, the subsection numbered section 302(e)(7) to be added to FLPMA, as proposed in Section 2(b) of H.R. 2080, which provides for use of public lands by both Federal and State military departments or personnel, should be amended to avoid the confusion that may result when a Federal military unit wishes to use areas authorized for use by State military departments. It should clarify which entity has the primary right to use the authorized areas if both want to be there at the same time.

In addition to the provisions of H.R. 2080, an alternative military use procedure which the Congress might want to consider would be to extend the authority of Section 302(d) of FLPMA, which now applies

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only to Federal military use of public lands in Alaska, so that it applies to military use of public lands in other States, also.

We defer to the Forest Service for comments on Section 3 of H.R. 2080 which relates to amendments to the Act of July 26, 1956 (16 U.S.C. 505a, 505b). That Act applies only to the Department of Agriculture and the military departments of the Department of Defense.

Section 4 would amend the Engle Act to make the creation of military use zones or areas in the airspace over nonmilitary public lands and lands managed by the Secretary of Agriculture subject to review by the Congress. In general, the Department of the Interior supports the concept of section 4 regarding management of airspace over special management units such as wilderness areas, wildlife refuges, and national parks. This provision would allow for more positive control of military aircraft overflights when those flights are shown to have negative impacts on the public land resources or users.

Airspace interests of the Department of the Interior are currently being addressed through an agreement with the FAA that was entered into 18 months ago. It is being actively implemented by all parties. Under the agreement, FAA has served as a key facilitator in addressing problems on the National Wildlife Refuges.

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The Interagency Airspace/Natural Resources Committee was established 6 months ago as an ad-hoc group of DOD and Federal land management personnel. It has met twice in 1994. Through these meetings several aircraft overflight issues on National Wildlife Refuges are close to resolution.

We commend the Air National Guard for taking the initiative to form this group and to facilitate meetings between National Wildlife Refuge managers and members of the Armed Services. They have also assigned a temporary liaison to the National Refuge System to help resolve site specific issues.

Although progress is being made through the FMA and the Interagency Airspace/Natural Resources Committee to resolve aircraft overflight issues, much work still needs to be done. It is our understanding that the latter Committee is drafting a process for permanent problem-solving for land managers and expects to have it completed in a few months.

In addition, since lands held in trust by the United States for Indians are not public lands, the Department of the Interior takes special care to consider the potential impacts aircraft overflights may have on trust resources. The provisions of section 4 would not apply to Indian trust lands.

Section 5 of H.R. 2080, regarding military withdrawal inventories

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and reports, should be reexamined. The inventory of existing withdrawals required by section 5(a)(1) is a partial duplication of the withdrawal review requirements of Section 304(1) of FLPMA. The Department of the Interior is already working to provide much of this information to the Congress.

Section 5(a)(2) refers to available information concerning the natural, cultural, scenic, recreational, scientific, and other resources and values of the lands withdrawn for military purposes but is not a complete sentence. The intent of the provision appears to be to require such information to be included in the inventory required by section 5(a)(1). The Department of the Interior does not maintain much of the information that is being requested.

Most current military withdrawals were made before the National Environmental Policy Act was passed, so that much of the information listed had not been developed at the time of withdrawal. Since the Department of the Interior does not normally operate on military withdrawn lands, we suggest that the DOD should develop and submit information concerning the resources and values indicated in section 5(a)(2). In addition, it may not be practical or administratively feasible to provide the requested inventory data on the approximately 16 million acres of military withdrawn lands within the time specified in section 5(a). In fact, we estimate that a minimum of 5 years would be needed to accomplish

6

this task, assuming the necessary funding is provided.

Section 6 of H.R. 2080 would provide for reverter of certain withdrawn military lands to the Secretary of the Interior or the Secretary of Agriculture, if the lands are no longer needed for military purposes, unless the land is contaminated. The meaning and intent of this section need clarification. For example, the scope of the phrase "other lands previously managed by the Secretary or the Secretary of Agriculture" in section 6(a) is susceptible to several interpretations. In addition, the lands may not be contaminated but may otherwise be unsuitable for return to these agencies. The bill should be amended to provide for such situations.

There is a question as to whether the reverter is to be considered automatic. An automatic reverter for Federal lands which are no longer needed for military purposes is not appropriate or suitable. Before lands are transferred between Federal agencies, questions concerning hazardous materials, suitability of the lands for the programs of the receiving agency, and other issues should be considered. The Secretary of Agriculture and the Secretary of the Interior should be allowed more discretion as to which lands to accept from the DOD.

Under section 6(b) the Secretary of Defense would have to decontaminate any lands that would "revert" to the Secretary of the

Interior or the Secretary of Agriculture, to make the lands appropriate for management. We strongly support the concept of decontamination of such lands by the Secretary of Defense so that they can be managed as public lands. In recent years, military withdrawal legislation has included decontamination provisions and we have included such language in our most recent legislative proposals concerning military withdrawals.

Section 6 of H.R. 2080 does not provide the flexibility needed to address the variety of situations that may exist concerning the termination of military land withdrawals. It is essential that the bill require decontamination prior to the transfer from DOD jurisdiction, provided that it is technically and economically feasible and to the extent funds are appropriated. Contaminated lands should remain under the jurisdiction of the Secretary of Defense until decontaminated.

Section 7 of H.R. 2080, concerning the Orchard Training Area in the State of Idaho, should be amended to bring it up to date. It refers to a 1985 Memorandum of Understanding (MOU) between the State of Idaho Military Division and the Bureau of Land Management. H.R. 2080 was introduced prior to enactment of Public Law 103-64 which created the Snake River Birds of Prey National Conservation Area in Idaho. That conservation area includes the Orchard Training Area. Use of the area by the Idaho National Guard and management of the larger conservation area by the Bureau of Land

Management are specifically addressed in that public law. Section 7 should be amended to make H.R. 2080 consistent with Public Law 103-64 rather than with the 1985 MOU.

I've mentioned the most significant problems that should be addressed. There may be other less significant changes which would improve the bill. As I stated earlier, we will be happy to work with you to draft language to ensure that the Act can achieve the results intended.

This concludes my prepared statement. I will be pleased to answer your questions.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 14, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RGB*

FROM: KEITH HAHN *KH*

SUBJECT: Interior Proposed Testimony RE: HR 2080,
Management of Public Lands Used for Military
Purposes

Tab II provides several amendments that Interior proposes to be made to the Military Land Reform and Reassessment Act of 1993. While Interior generally supports the concepts presented in this bill, the amendments they propose would require that DoD share or assume some of the requirements and responsibilities that the current draft assigns to Interior. None of these responsibilities are onerous, with the possible exception of some environmental reporting requirements (which Interior proposes be extended for a minimum of 5 years).

Concurrences by: Eileen Claussen *EC* and Jeremy Rosner *JR*

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the proposed Interior testimony.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

TO: FORGREN, J

FROM: ITOH

DOC DATE: 16 JUN 94
SOURCE REF:

KEYWORDS: DEFENSE POLICY
LEGISLATIVE REFERRAL

LEGAL ISSUES

PERSONS: GAMBLE, LLOYD B

SUBJECT: JUSTICE PROPOSED RPT RE HR-3344 RELIEF FOR GAMBLE

ACTION: KENNEY SGD MEMO

DUE DATE: 13 JUN 94 STATUS: C

STAFF OFFICER: FEAVER

LOGREF:

FILES: WH

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DOCUMENT DISTRIBUTION

FOR ACTION

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BELL
EXECSEC
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ROSNER

COMMENTS:

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OPENED BY: NSMBN

CLOSED BY: NSMBN

DOC 3 OF 3

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 16, 1994

MEMORANDUM FOR JANET R. FORSGREN

FROM: WILLIAM H. ITOH *W.H.I.*

SUBJECT: Justice Proposed Report Re. HR-3344, Relief for
Gamble

The National Security Council Staff concurs in the proposed
report.

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

June 13, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RBB*FROM: PETER FEAVER *PDF*

SUBJECT: Justice Proposed Report Re. HR-3344, Relief for Gamble

Tab II is a proposed report, prepared by the Department of Justice, on HR-3344, a bill "For the relief of Lloyd B. Gamble." Mr. Gamble claims that he was one of 740 service members given LSD as part of an Army research program conducted in 1957. HR-3344 would lift the immunity and pay Mr. Gamble \$254,488 in compensation. The Department of Justice does not support HR-3344, arguing that Mr. Gamble has not availed himself of established avenues for relief within the military such as the Army Board for Correction of Military Records. Moreover, the DOJ argues that waiving the immunity affirmed by the Supreme Court would "establish an unwarranted precedent of preferential treatment for favored litigants."

Concurrences by: Alan Kreczko *AK* and Jeremy Rosner *JR*RECOMMENDATION

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

4606

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

June 9, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #I-2937

TO: Legislative Liaison Officer -

DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325

VA - Robert Coy - (202)273-6666 - 229

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: JUSTICE Proposed Report RE: HR 3344, Lloyd B.
Gamble**

DEADLINE: 3:00PM June 16, 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:

~~Janet Forsgren~~

Phebe Vickers

Mary Jo Siclari

Wendell Waites

Justin Kopca

Bob Damus

Alicia Kolaian

Clarissa Cerda

Lorraine Miller

Jennifer Palmieri

Jim Murr

Janet Forsgren

LRM #I-2937

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: JUSTICE Proposed Report RE: HR 3344, Lloyd B.
 Gamble

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



U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

Honorable John Bryant
Chairman
Subcommittee on Administrative Law
and Governmental Relations
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for giving us the opportunity to comment on H.R. 3344, a bill "For the relief of Lloyd B. Gamble." While we understand the concern of the bill's sponsor for Mr. Gamble, for the reasons contained herein the Department of Justice recommends against enactment of this legislation.

Mr. Gamble's private relief bill is premised on his assertion that he was exposed to lysergic acid diethylamide (LSD) while he was in the military service. It appears that he was one of 740 service members given LSD under medical supervision as part of an Army research program conducted in 1957. The available information indicates that Mr. Gamble has never applied to the Department of Veterans Affairs for benefits to compensate him for residual disabilities attributable to his participation in such research. Compensation is available if such disabilities were incurred or aggravated during military service. Also, we have not been provided any independent verification that the problems Mr. Gamble attributes to the research were caused by it.

As you are aware, the Federal Tort Claims Act is a limited waiver of sovereign immunity. It was enacted by Congress largely because the legislative process is ill-suited to resolve individual personal injury claims. Through the Federal Tort Claims Act, Congress gave the courts the responsibility to apply the law uniformly to all claimants and to ensure that each claim is decided on its factual and legal merits. In granting this limited waiver, Congress provided very specific terms and conditions applicable to the government's consent to suit, and the courts have uniformly held that the Federal Tort Claims Act's limited waiver of sovereign immunity should be strictly construed. If enacted, H.R. 3344 would effectively bypass the Supreme Court decision in Feres v. United States, 340 U.S. 135 (1950), which held that the United States has

not waived sovereign immunity from suits by members of the military who are injured incident to their military service. The Feres Doctrine has recently been reaffirmed by the Supreme Court in United States v. Johnson, 481 U.S. 681 (1987) and in United States v. Stanley, 483 U.S. 669 (1987). The latter suit involved allegations of participation in LSD experiments similar to those made by Mr. Gamble.

H.R. 3344 would establish an unwarranted precedent of preferential treatment for favored litigants. Singling Mr. Gamble out for special treatment would undermine the well-established principle of American jurisprudence that requires the uniform application of the law to all persons. To the extent that he may be able to document service-connected injuries and any resulting disability, he may pursue entitlement to compensation through a petition to the Army Board for Correction of Military Records. However, the case has not been made which would justify a private bill of relief for Mr. Gamble.

Please call on us if we may be of further assistance regarding this or any other matter.

The Office of Management and Budget has advised this Department that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

Sheila F. Anthony
Assistant Attorney General

1 of 2 items

CQ's WASHINGTON ALERT 06/09/94

HR3344 Byrne (D-VA) 10/21/93 (60 lines)
Introduced in House

For the relief of Lloyd B. Gamble.

Special typefaces used in this bill version:

// \ Italic

!! !! Bold roman

Item Key: 8164

103D CONGRESS
1ST SESSION

H. R. 3344

For the relief of Lloyd B. Gamble.

IN THE HOUSE OF REPRESENTATIVES

October 21, 1993

Ms. BYRNE introduced the following bill; which was referred to the
Committee on the Judiciary

=====

A BILL

For the relief of Lloyd B. Gamble.

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

!!SECTION 1. APPROPRIATION OF FUNDS. !!

(a) PAYMENT.--The Secretary of the Treasury shall pay, out of
any money in the Treasury not otherwise appropriated, to Lloyd B.
Gamble of Fairfax, Virginia, the sum of \$253,488.

(b) BASIS.--The payment required by subsection (a) shall be to

compensate Lloyd B. Gamble for the injuries sustained by him as a result of the administration to him, without his knowledge, of lysergic acid diethylamide by United States Army personnel in 1957.

!!SEC. 2. SATISFACTION OF CLAIMS. !!

The payment made pursuant to section 1 shall be in full satisfaction of all claims Lloyd B. Gamble may have against the United States for any injury described in such section.

!!SEC. 3. INELIGIBILITY FOR ADDITIONAL BENEFITS. !!

Upon payment of the sum referred to in section 1, Lloyd B. Gamble shall not be eligible for any compensation or benefits from the Department of Veterans Affairs or the Department of Defense for any injury described in such section.

!!SEC. 4. LIMITATION OF AGENTS AND ATTORNEYS FEES. !!

It shall be unlawful for an amount of more than 10 percent of the amount paid pursuant to section 1 to be paid to or received by any agent or attorney for any service rendered to Lloyd B. Gamble in connection with the benefits provided by this Act. Any person who violates this section shall be guilty of an infraction and shall be subject to a fine in the amount provided in title 18, United States Code.