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Folder Title:

Chron File - September 1994 #3 [3]

Staff Office-Individual:

Defense Policy-Bell, Robert

Original OA/ID Number:

266

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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. cable	re: Part I Significant Military Exercise Brief. [Tandem Thrust 95] (2 pages)	09/07/1994	P1/b(1)
002. briefing paper	Meeting with Deputy Secretary John Deutch, September 30, 1994. Record ID: 9407951. (2 pages)	09/29/1994	P1/b(1)
003. letter	[Personally Identifiable Information] [partial] (2 pages)	08/12/1994	b(6)
004a. letter	[Ronald V. Hite] [Personally Identifiable Information] [partial] (1 page)	09/19/1994	b(6)
004b. resume	Resume of Service Career of Ronald Verlin Hite. (3 pages)	08/20/1993	b(6)
005. memo	For Steve E Steiner from Robert Bell. Subject: Instructions for Concluding Negotiations on Votkinsk INF Exit Procedures. (3 pages)	09/30/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 266

FOLDER TITLE:

Chron File - September 1994 #3 [3]

2016-0152-F

vz4638

RESTRICTION CODES

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

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
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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)]

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

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

7783

September 29, 1994

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: ROBERT BELL *RB*
FROM: JIM SEATON *JS*
SUBJECT: Significant Military Exercise TANDEM THRUST 95

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, concurring in the military exercise TANDEM THRUST 95. At Tab II Defense recommends approval and State concurs.

TANDEM THRUST 95 is a contingency joint task force (CJTF) headquarters field training exercise scheduled for November 15 - December 15, 1994, in the Marianas Islands area. It is designed to train a JTF headquarters and appropriate forces to respond to short warning scenarios. This is the first time the Australian Navy will participate.

The critical cancellation date is October 17, 1994.

Concurrence by: Stanley Roth *SR*

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 *VL* NARA, Date *1/2/2017*
2016-0152-7

~~CONFIDENTIAL~~

Declassify on: OADR

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

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

SUBJECT: Significant Military Exercise TANDEM THRUST 95

The National Security Council staff concurs in military exercise
TANDEM THRUST 95.

William H. Itoh
Executive Secretary

~~CONFIDENTIAL~~

7783



OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

23 SEP 1994

MEMORANDUM FOR EXECUTIVE SECRETARY, NATIONAL SECURITY COUNCIL

SUBJECT: Significant Military Exercise - TANDEM THRUST 95

(U) The Department of Defense recommends NSC concurrence of the attached Significant Military Exercise Brief, Exercise TANDEM THRUST 95. The Department of State concurs with this recommendation.

(U) Please note the critical cancellation date for Exercise TANDEM THRUST 95 is 17 October 1994. If you have any questions or comments, our action officer for significant military activities is Col Linda Olsen, (703)697-5454.

R.P. McAleer

Robert P. McAleer
Executive Secretary

Attachment:
As stated

172057

THIS LETTER IS UNCLASSIFIED WITHOUT ATTACHMENT

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. cable	re: Part 1 Significant Military Exercise Brief. [Tandem Thrust 95] (2 pages)	09/07/1994	P1/b(1)

COLLECTION:

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

RR. Document will be reviewed upon request.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 30, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL *RB*

FROM: KEITH HAHN *KH*

SUBJECT: Vessel War Risk Insurance

At Tab I is a memorandum to the President requesting that he authorize the procurement of war risk insurance for privately owned ships, operating under charter to the Navy, which carry supplies into the waters around Haiti. Insurance companies have declared these waters to be an "exclusionary zone" and have increased insurance rates accordingly.

The U.S. saved over \$436 million through this program in connection with privately owned ships under contract or charter in support of military operations in Desert Shield/Desert Storm. More recently, we have used it in support of Operation Restore Hope in Somalia.

Since last May, the Department of Defense has sought to gain Presidential authorization to issue this insurance whenever such contingencies arose, without having to ask the President for specific permission. OMB has opposed granting this authority, believing that the President should be informed each time a situation requiring war risk insurance arises. This request is only for operations relating to Haiti.

Concurrence by: *in draft*
Gordon Adams (OMB)

RECOMMENDATION

That you sign the memorandum to the President at Tab I recommending that he authorize the Secretaries of Defense and Transportation to provide the requested insurance.

Attachments

Tab I Memorandum to the President

Tab A Memorandum to the Secretary of Defense and the
Secretary of Transportation from the President

Tab B Secretary of Defense Memorandum, September 28, 1994

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE

SUBJECT: Vessel War Risk Insurance

Purpose

The memorandum at Tab A authorizes the Secretary of Defense and Secretary of Transportation to provide war risk insurance to privately-owned ships under contract or charter to the Department of Defense operating in areas near Haiti designated as "exclusionary zones" for purposes of commercial war risk coverage.

Background

With Presidential authorization, the Department of Transportation can provide war risk insurance to the Department of Defense for commercial ships chartered to go into areas designated as "exclusionary zones" by commercial insurers. The U.S. saved over \$436 million through this program in connection with privately owned ships under contract or charter in support of military operations in Desert Shield/Desert Storm. More recently, we have used it in support of Operation Restore Hope in Somalia.

RECOMMENDATION

That you sign the memorandum at Tab A authorizing the Secretary of Transportation and Secretary of Defense to provide war risk insurance to U.S.-chartered commercial vessels operating in areas near Haiti designated as "exclusionary zones."

Attachments

Tab A Memorandum to the Secretary of Defense and the Secretary
of Transportation
Tab B Secretary of Defense Memorandum, September 28, 1994

cc: Vice President
Chief of Staff

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR THE SECRETARY OF DEFENSE
THE SECRETARY OF TRANSPORTATION

SUBJECT: Insurance Under Title XII of the Merchant Marine Act,
1936

By virtue of the authority vested in me by section 1205 of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. section 1285), I hereby approve the procurement of any insurance within the scope of section 1205 from the Secretary of Transportation by the Department of Defense for vessels under charter, contract, tender, or agreement with the Department of Defense, entering the territorial waters of Haiti excluded under commercial war risk trading warranties, for so long as the Secretary of Defense determines such insurance to be necessary. This approval is effective for 60 days.



THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301

28 SEP 1994

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Vessel War Risk Insurance

Title XII of the Merchant Marine Act, 1936, as amended, 46 App., USC, section 1281, and all other sections that follow, authorizes the Secretary of Transportation, with the approval of the President, to provide war risk, marine risk, and liability insurance. Section 1205 of the Merchant Marine Act authorizes any department or agency of the United States, with the approval of the President, to procure insurance from the Secretary of Transportation. Section 1205 also authorizes the Secretary of Transportation, with the approval of the President, to provide this insurance, without premium, to the Department of Defense and other agencies as the President may prescribe, in consideration of the Secretary of Defense or agency indemnification of the Secretary of Transportation against all losses covered by the insurance and authorizes the Secretary of Defense and other agencies to make indemnity agreement. These insurance programs are administered by the Maritime Administration, Department of Transportation.

This nonpremium war risk insurance was used by the Department of Defense in connection with privately owned ships under contract or charter to the Department of Defense in support of military operations in the Middle East war and resulted in direct savings to the Government of over \$436 million. It was also used successfully in support of Operation RESTORE HOPE in Somalia, for which savings are still being calculated. Without Government provided insurance, the Government is liable for any increases in commercial insurance premiums that result from ordering the ships into areas of the world that are designated "exclusionary zones" by commercial insurers. If commercial insurance is unavailable for such areas, as the Department of Transportation has indicated may be a possibility in the Haiti area of operations, privately owned ships may have the right to refuse to enter those areas unless Government insurance is provided.

In connection with the operations in Haiti, it is anticipated that privately owned ships under charter or contract to the Department of Defense or the ships operated for the Department of Defense by contractors may have to be ordered into areas classified as "exclusionary zones" for purposes of commercial war risk coverage.

Request that approval be given for the Department of Defense to obtain vessel war risk insurance from the Department of Transportation, and for the Secretary of Transportation to issue such insurance without premium for operations in Haiti. Enclosed for your signature is a proposed memorandum for the Secretary of Defense and the Secretary of Transportation indicating your approval of this request.

William J. Perry

Enclosure

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~
NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

7951

September 29, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM:

ROBERT BELL *RB*

SUBJECT:

POTUS Meeting with Deutch Re Weapons Cuts

The President is scheduled to meet with Deputy Secretary of Defense John Deutch tomorrow at 10:45 a.m. to discuss possible cutbacks or stretchouts in major weapons systems in the FY 1996 defense budget request. The memorandum at Tab I provides the President with background on the systems that Deutch currently has under review.

RECOMMENDATION

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

Attachment

Tab I Meeting Memorandum for the President

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *VZ* NARA, Date *1/3/2017*

2016-0152-2

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~

Withdrawal/Redaction Marker

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COLLECTION:

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National Security Council
Defense Policy and Arms Control (Robert Bell)
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Chron File - September 1994 #3 [3]

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RR. Document will be reviewed upon request.



J22

August 18, 1994

MEMORANDUM FOR MEMBERS OF THE DEFENSE RESOURCES BOARD

SUBJECT: Additional DRB Program Alternatives

The Program Decision Memorandum (PDM I) for the first phase of the Fiscal Years 1996-2001 Program Review covered initial adjustments to the Military Department Program Objectives Memoranda (POM), as well as funding changes and policy guidance in other programs such as Ballistic Missile Defense and Chemical Demilitarization.

PDM I, however, did not address several areas, particularly the possibility of funding a military pay raise at the HCI minus 0.5 percent level. Because the desire for the pay raise for improvements in other areas such as readiness, sustainability and quality of life may require us to shift resources from some POM priorities, we need to review several programs. What follows is a list of the program options that the relevant Department of Defense component should prepare for review by the Defense Resources Board (DRB) in September. Each of the components should provide a written summary of its program options to me by September 7, 1994, and be prepared to brief the DRB. This effort should not interfere with submittal of the Budget Estimate Submission (BES) as scheduled on September 9, 1994.

Department of the Army

- o Comanche helicopter program. The Army should develop a program alternative that terminates the Comanche.
- o Advanced Field Artillery System (AFAS). The Army should develop a program alternative that terminates AFAS and replaces it with additional upgrades to the Paladin system.

Department of the Air Force

- o Joint Primary Aircraft Training System (JPATS) program. The Air Force should develop at least two program alternatives for JPATS: (1) deferring introduction of the JPATS trainer for up to seven years and (2) reducing costs by increased reliance on commercial practices, a slow procurement profile, and enhanced joint training.
- o F-22 fighter program. The Air Force should develop a program alternative that delays initial procurement of F-22 fighters by up to four years.

- o Precision-Guided Munition (PGMs). The Air Force should develop at least two alternative programs: (1) cancelling the Tri-Service Standoff Attack Missile (TSSAM) and procuring other PGMs to perform the mission and (2) retaining TSSAM, but adding \$100 million per year to near-term PGM programs.

Department of the Navy

- o Medium Lift Replacement. From the September Defense Acquisition Board meeting on medium lift programs, the Navy and Marine Corps should submit for DRB consideration the most promising alternative that cancels the V-22 and replaces it with a helicopter alternative
- o DDG-51 Destroyers. The Navy should develop two program alternatives for DDG-51 procurement in the FY 1996-01 period: (1) 2.5 per year beginning with two in FY 1996 and (2) two per year beginning in FY 1996. (In both alternatives procurement would return to three per year after 2001.)
- o New Attack Submarine. The Navy should submit an alternative NSSN program that does not include a submarine in FY 2001.
- o Advanced Amphibious Assault Vehicle (AAAV). The Navy and Marine Corps should develop a program alternative that cancels the AAAV.
- o JPATS and PGMs. The Navy should develop alternatives that reflect the impact of the different Air Force JPATS and TSSAM alternatives on the Navy.

Other DoD Components

- o In addition to the options prepared by the Military Departments, the DoD Comptroller should identify potential reductions in overhead and infrastructure. These options should include personnel reductions in the Office of the Secretary of Defense and related defense support activities and operating agencies greater than four percent per year.



John M. Deutch

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 29, 1994

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ROBERT BELL *RB*

FROM: KEITH HAHN *KH*

SUBJECT: Law of the Sea Convention

At Tab A Secretary Christopher has forwarded the United Nations Convention on the Law of the Sea (done in 1982) and the Agreement Relating to the Implementation of Part XI of the Convention (signed by the U.S., subject to ratification, on July 29, 1994). Tab I provides a description of the contents of the Convention and a brief history of U.S. steps toward ratification designed to bring the President up-to-speed on these long and arcane negotiations.

The Senate Foreign Relations Committee is anxious to receive the treaty before adjournment. Senator Pell has said this is his highest priority in the next session. Even Senator Helms seems to be favorably disposed to this treaty, having made generally positive comments to recent changes in the Agreement in other fora (although he maintains official reservations). There has been some opposition from other Republicans, led by Judd Gregg, who is on the committee, but this is not seen as a major problem at this time. While the House does not have a voice in the ratification process, it will certainly have a role in follow-on implementing legislation. The HFAC hasn't really focused on this as yet, but we're not expecting major problems. The same goes for the Merchant Marine and Fisheries Committee, which has been following this pretty closely and seems supportive, at least at the staff level. The main opposition in the House will probably come from HMM&F ranking Republican Jack Fields, who adamantly opposes the seabed mining provisions and thinks we are giving too much away to Third World countries. Some congressional staff members believe that Senator Gregg's opposition is really reflecting his personal friendship with Fields, and not his strongly held personal views.

Bottom line: we need to get this to the Hill as quickly as possible so that the Senate can take it up early in the next session.

Concurrences by: *In draft* Alan Kreczko and *In draft* Eileen Claussen

RECOMMENDATION

That you forward the Law of the Sea Convention to the President for signature.

Attachments

Tab I	Memorandum for the President
Tab A	Presidential Transmittal Letter to the Senate
Tab B	Secretary of State Forwarding Letter
Tab C	United Nations Convention on Law of the Sea
Tab D	Agreement Relating to Implementation of Part XI
Tab E	Resolution Regarding Pioneer Activities
Tab F	Statement of Understanding on Outer Edge of the Continental Margin

THE WHITE HOUSE

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: ANTHONY LAKE
SUSAN BROPHY

SUBJECT: Law of the Sea Convention

Purpose

To transmit to the Senate the United Nations Convention on the Law of the Sea and the Agreement Relating to the Implementation of Part XI of the Convention.

Background

The Law of the Sea Convention has over 120 signatories and has been ratified by enough countries for it to enter into force on November 16, 1994. The Convention provides a comprehensive framework to govern the use of the oceans. It is divided into 17 parts with nine annexes covering a range of topics from zones of national jurisdiction, freedom of navigation and marine environmental protection to deep seabed mining.

U.S. defense strategy is highly dependent upon traditional freedoms of navigation, including unimpeded transit and overflight of the world's oceans, coastal waters, international straits and archipelagic waters. While we have effectively maintained these rights over the past decade, excessive claims to jurisdiction by coastal states continue to threaten U.S. security interests. The risk, cost and effort to counter these challenges will increase as U.S. force structure, particularly overseas bases, is reduced.

The Convention also recognizes coastal state sovereign rights for the purpose of conserving and managing living marine resources within its 200 nautical miles exclusive economic zones. A coastal state also has the exclusive authority to prescribe conservation and management laws and to enforce them in the exclusive economic zone. This regime is both consistent with U.S. law and international policies and advances important interests of the U.S. with regard to fishery matters.

cc: Vice President
Chief of Staff

Part XI of the Convention -- relating to deep seabed mining of the high seas -- was one of the most contentious issues discussed during the negotiations. The Reagan Administration concluded the regime did not provide adequate protection for private investment/exploitation of the seabed and, as a result, did not sign the convention. The Bush Administration shared these concerns, identified several specific problem areas with the regime and authorized then-U.S. Ambassador to the UN, Thomas Pickering to investigate developing countries' willingness to discuss changes to Part XI. This began a series of informal consultations under the auspices of the UN Secretary General which culminated in the changes contained in the Agreement Relating to Implementation of Part XI (at Tab D).

U.S. mining interests and their representatives in Congress, while declaring strong support for the balance of the Convention, have expressed continued concerns and opposition to the deep seabed mining regime, despite the changes which were included in the Agreement. The mining representatives believe that any international regulatory system would probably inhibit development, depress productivity, increase costs and discourage innovation, thereby wasting much of the benefit to be gained from mining the oceans.

We believe the Agreement alters Part XI to provide the U.S., and other states with major economic interests, a voice in decisionmaking commensurate with those interests. For example, the U.S., acting alone, can block decisions on issues of major financial or budgetary significance in the Finance Committee. Acting alone, the U.S. can block decisions to distribute revenues from mining in the Executive Council. Other substantive decisions can be blocked in the Council by the U.S. and two of our allies acting in concert. The mandatory technology transfer provisions are replaced by provisions for the promotion of technology transfer through cooperative arrangements (e.g., joint ventures) and through procurement on the open market. The Agreement limits assistance to land-based producers of minerals to adjustment assistance financed out of a portion of the royalties from future seabed mining and replaces the production control regime with the application of GATT principles on subsidization.

With industry opposition, and the debate that surrounded the decision not to sign the Convention in 1982, the issue could be controversial on the Hill. Fortunately, the adjusted Convention can be expected to have knowledgeable and articulate supporters in the Senate, including several on the Foreign Relations Committee. We also can expect support for the Convention from important interest groups and from the broader public. For example, Part V, dealing with the Exclusive Economic Zone, and

Part VI, dealing with the Continental Shelf, are clearly in the economic interest of the U.S. and are likely to draw support from energy companies and fishery interests. Part XII provides a comprehensive regime to protect and preserve the marine environment. We can expect that environmentalists in the U.S. will rally in support of this regime. And, although the provisions of Part XIII, dealing with Marine Scientific Research, fall short of the ideal, they constitute a reasonable and workable balance between the interests of the coastal states and the scientific community. Perhaps the strongest proponent of the Convention is the Department of Defense, which has an extensive plan to lobby their position that a Law of the Sea agreement that safeguards navigation and overflight rights is an essential element of U.S. national security.

The Senate Foreign Relations Committee is anxious to receive the treaty before adjournment. Senator Pell has promised to give this his highest priority in the next session.

RECOMMENDATION

That you sign Tab A transmitting the Convention on the Law of the Sea to the Senate.

Attachments

Tab A Transmittal Letter to the Senate
Tab B Secretary of State Forwarding Letter
Tab C United Nations Convention on Law of the Sea
Tab D Agreement Relating to Implementation of Part XI
Tab E Resolution Regarding Pioneer Activities
Tab F Statement of Understanding on Outer Edge of the
Continental Margin

TO THE SENATE OF THE UNITED STATES:

I transmit herewith, for the advice and consent of the Senate to accession, the United Nations Convention on the Law of the Sea, with Annexes, done at Montego Bay, December 10, 1982 (the Convention), and, for the advice and consent of the Senate to ratification, the Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, with Annex, adopted at New York, July 28, 1994 (the Agreement), and signed by the United States, subject to ratification, on July 29, 1994. I also transmit, for the information of the Senate, the Report of the Department of State with respect to the Convention and Agreement, as well as Resolution II of Annex I and Annex II of the Final Act of the Third United Nations Conference on the Law of the Sea.

The United States has basic and enduring national interests in the oceans and has consistently taken the view that the full range of these interests is best protected through a widely accepted international framework governing uses of the sea. Since the late 1960s, the basic U.S. strategy has been to conclude a comprehensive treaty on the law of the sea that will be respected by all countries. Each succeeding U.S. administration has recognized this as the cornerstone of U.S. oceans policy.

Following adoption of the Convention in 1982, it has been the policy of the United States to act in a manner consistent with its provisions relating to traditional uses of the oceans and to encourage other countries to do likewise.

The primary benefits of the Convention to the United States include the following:

- The Convention advances the interests of the United States as a global maritime power. It preserves the right of the U.S. military to use the world's oceans to meet national security requirements and of commercial vessels to carry sea-going cargoes. It achieves this, inter alia, by stabilizing the breadth of the territorial sea at 12 nautical miles; by setting forth navigation regimes of innocent passage in the territorial sea, transit passage in straits used for international navigation, and archipelagic sea lanes passage; and by reaffirming the traditional freedoms of navigation and overflight in the exclusive economic zone and the high seas beyond.
- The Convention advances the interests of the United States as a coastal State. It achieves this, inter alia, by providing for an exclusive economic zone out to 200 nautical miles from shore and by securing our rights regarding resources and artificial islands, installations and structures for economic purposes over the full extent of the continental shelf. These provisions fully comport with U.S. oil and gas leasing practices, domestic management of coastal

fishery resources, and international fisheries agreements.

- As a far-reaching environmental accord addressing vessel source pollution, pollution from seabed activities, ocean dumping and land-based sources of marine pollution, the Convention promotes continuing improvement in the health of the world's oceans.
- In light of the essential role of marine scientific research in understanding and managing the oceans, the Convention sets forth criteria and procedures to promote access to marine areas, including coastal waters, for research activities.
- The Convention facilitates solutions to the increasingly complex problems of the uses of the ocean -- solutions which respect the essential balance between our interests as both a coastal and a maritime nation.
- Through its dispute settlement provisions, the Convention provides for mechanisms to enhance compliance by Parties with the Convention's provisions.

Notwithstanding these beneficial provisions of the Convention and bipartisan support for them, the United States decided not to sign the Convention in 1982 because of flaws in the regime it would have established for managing the development of mineral resources of the seabed beyond national jurisdiction (Part XI). It has been the consistent view of successive U.S. administrations that this deep seabed mining regime was inadequate and in need of reform if

the United States was ever to become a Party to the Convention.

Such reform has now been achieved. The Agreement, signed by the United States on July 29, 1994, fundamentally changes the deep seabed mining regime of the Convention. As described in the Report of the Secretary of State, the Agreement meets the objections the United States and other industrialized nations previously expressed to Part XI. It promises to provide a stable and internationally recognized framework for mining to proceed in response to future demand for minerals.

Early adherence by the United States to the Convention and the Agreement is important to maintain a stable legal regime for all uses of the sea, which covers more than seventy per cent of the surface of the globe. Maintenance of such stability is vital to U.S. national security and economic strength.

I therefore recommend that the Senate give early and favorable consideration to the Convention and to the Agreement and give its advice and consent to accession to the Convention and to ratification of the Agreement. Should the Senate give such advice and consent, I intend to exercise the options concerning dispute settlement recommended in the accompanying report of the Secretary of State.

THE WHITE HOUSE,

9421566

DEPARTMENT OF STATE
WASHINGTON

September 23, 1994

The President:

I have the honor to submit to you the United Nations Convention on the Law of the Sea, with Annexes, done at Montego Bay, December 10, 1982 (the Convention), and the Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, with Annex, adopted at New York, July 28, 1994 (the Agreement), and signed by the United States on July 29, 1994, subject to ratification. I recommend that the Convention and the Agreement be transmitted to the Senate for its advice and consent to accession and ratification, respectively.

The Convention sets forth a comprehensive framework governing uses of the oceans. It was adopted by the Third United Nations Conference on the Law of the Sea (the Conference), which met between 1973 and 1982 to negotiate a comprehensive treaty relating to the law of the sea.

The Agreement, adopted by United Nations General Assembly Resolution A/RES/48/263 on July 28, 1994, contains legally binding changes to that part of the Convention dealing with the mining of the seabed beyond the limits of national jurisdiction (Part XI and related Annexes) and is to be applied and

The President,

The White House.

interpreted together with the Convention as a single instrument. The Agreement promotes universal adherence to the Convention by removing obstacles to acceptance of the Convention by industrialized nations, including the United States.

I also recommend that Resolution II of Annex I, governing preparatory investment in pioneer activities relating to polymetallic nodules, and Annex II, a statement of understanding concerning a specific method to be used in establishing the outer edge of the continental margin, of the Final Act of the Third United Nations Conference on the Law of the Sea be transmitted to the Senate for its information.

The Convention

The Convention provides a comprehensive framework with respect to uses of the oceans. It creates a structure for the governance and protection of all marine areas, including the airspace above and the seabed and subsoil below. After decades of dispute and negotiation, the Convention reflects consensus on the extent of jurisdiction that States may exercise off their coasts and allocates rights and duties among States.

The Convention provides for a territorial sea of a maximum breadth of 12 nautical miles and coastal State sovereign rights over fisheries and other natural resources in an Exclusive Economic Zone (EEZ) that may extend to 200 nautical miles from the coast. In so doing, the Convention brings most fisheries under the jurisdiction of coastal States. (Some 90 percent of living marine resources are

harvested within 200 nautical miles of the coast.) The Convention imposes on coastal States a duty to conserve these resources, as well as obligations upon all States to cooperate in the conservation of fisheries populations on the high seas and such populations that are found both on the high seas and within the EEZ (highly migratory stocks, such as tuna, as well as "straddling stocks"). In addition, it provides for special protective measures for anadromous species, such as salmon, and for marine mammals, such as whales.

The Convention also accords the coastal State sovereign rights over the exploration and development of non-living resources, including oil and gas, found in the seabed and subsoil of the continental shelf, which is defined to extend to 200 nautical miles from the coast or, where the continental margin extends beyond that limit, to the outer edge of the geological continental margin. It lays down specific criteria and procedures for determining the outer limit of the margin.

The Convention carefully balances the interests of States in controlling activities off their own coasts with those of all States in protecting the freedom to use ocean spaces without undue interference. It specifically preserves and elaborates the rights of military and commercial navigation and overflight in areas under coastal State jurisdiction and on the high seas beyond. It guarantees passage for all ships and aircraft through, under and over straits used for

international navigation and archipelagos. It also guarantees the high seas freedoms of navigation, overflight and the laying and maintenance of submarine cables and pipelines in the EEZ and on the continental shelf.

For the non-living resources of the seabed beyond the limits of national jurisdiction (i.e., beyond the EEZ or continental margin, whichever is further seaward), the Convention establishes an international regime to govern exploration and exploitation of such resources. It defines the general conditions for access to deep seabed minerals by commercial entities and provides for the establishment of an international organization, the International Seabed Authority, to grant title to mine sites and establish necessary ground rules. The system was substantially modified by the 1994 Agreement, discussed below.

The Convention sets forth a comprehensive legal framework and basic obligations for protecting the marine environment from all sources of pollution, including pollution from vessels, from dumping, from seabed activities and from land-based activities. It creates a positive and unprecedented regime for marine environmental protection that will compel parties to come together to address issues of common and pressing concern. As such, the Convention is the strongest comprehensive environmental treaty now in existence or likely to emerge for quite some time.

The essential role of marine scientific research in understanding and managing the oceans is also secured. The Convention affirms the right of all

States to conduct marine scientific research and sets forth obligations to promote and cooperate in such research. It confirms the rights of coastal States to require consent for such research undertaken in marine areas under their jurisdiction. These rights are balanced by specific criteria to ensure that coastal States exercise the consent authority in a predictable and reasonable fashion to promote maximum access for research activities.

The Convention establishes a dispute settlement system to promote compliance with its provisions and the peaceful settlement of disputes. These procedures are flexible, in providing options as to the appropriate means and fora for resolution of disputes, and comprehensive, in subjecting the bulk of the Convention's provisions to enforcement through binding mechanisms. The system also provides Parties the means of excluding from binding dispute settlement certain sensitive political and defense matters.

Further analysis of provisions of the Convention's 17 Parts, comprising 320 articles and nine Annexes, is set forth in the Commentary that is enclosed as part of this Report.

The Agreement

The achievement of a widely accepted and comprehensive law of the sea convention -- to which the United States can become a Party -- has been a consistent objective of successive U.S. administrations for the past quarter century. However, the United States decided not to sign the

Convention upon its adoption in 1982 because of objections to the regime it would have established for managing the development of seabed mineral resources beyond national jurisdiction. While the other Parts of the Convention were judged beneficial for U.S. ocean policy interests, the United States determined the deep seabed regime of Part XI to be inadequate and in need of reform before the United States could consider becoming Party to the Convention.

Similar objections to Part XI also deterred all other major industrialized nations from adhering to the Convention. However, as a result of the important international political and economic changes of the last decade -- including the end of the Cold War and growing reliance on free market principles -- widespread recognition emerged that the seabed mining regime of the Convention required basic change in order to make it generally acceptable. As a result, informal negotiations were launched in 1990, under the auspices of the United Nations Secretary-General, that resulted in adoption of the Agreement on July 28, 1994.

The legally binding changes set forth in the Agreement meet the objections of the United States to Part XI of the Convention. The United States and all other major industrialized nations have signed the Agreement.

The provisions of the Agreement overhaul the decision-making procedures of Part XI to accord the United States, and others with major economic

interests at stake, adequate influence over future decisions on possible deep seabed mining. The Agreement guarantees a seat for the United States on the critical executive body and requires a consensus of major contributors for financial decisions.

The Agreement restructures the deep seabed mining regime along free market principles and meets the U.S. goal of guaranteed access by U.S. firms to deep seabed minerals on the basis of reasonable terms and conditions. It eliminates mandatory transfer of technology and production controls. It scales back the structure of the organization to administer the mining regime and links the activation and operation of institutions to the actual development of concrete commercial interest in seabed mining. A future decision, which the United States and a few of its allies can block, is required before the organization's potential operating arm (the Enterprise) may be activated, and any activities on its part are subject to the same requirements that apply to private mining companies. States have no obligation to finance the Enterprise, and subsidies inconsistent with GATT are prohibited.

The Agreement provides for grandfathering the seabed mine site claims established on the basis of the exploration work already conducted by companies holding U.S. licenses on the basis of arrangements "similar to and no less favorable than" the best terms granted to previous claimants; further, it strengthens the provisions requiring consideration of the potential environmental impacts of deep seabed mining.

The Agreement provides for its provisional application from November 16, 1994, pending its entry into force. Without such a provision, the Convention would enter into force on that date with its objectionable seabed mining provisions unchanged. Provisional application may continue only for a limited period, pending entry into force. Provisional application would terminate on November 16, 1998, if the Agreement has not entered into force due to failure of a sufficient number of industrialized States to become Parties. Further, the Agreement provides flexibility in allowing States to apply it provisionally in accordance with their domestic laws and regulations.

In signing the agreement on July 29, 1994, the United States indicated that it intends to apply the agreement provisionally pending ratification. Provisional application by the United States will permit the advancement of U.S. seabed mining interests by U.S. participation in the International Seabed Authority from the outset to ensure that the implementation of the regime is consistent with those interests, while doing so consistent with existing laws and regulations.

Further analysis of the Agreement and its Annex, including analysis of the provisions of Part XI of the Convention as modified by the Agreement, is also set forth in the Commentary that follows.

Status of the Convention and the Agreement

One hundred and fifty-two States signed the Convention during the two years it was open for signature. As of September 8, 1994, 65 States had

deposited their instruments of ratification, accession or succession to the Convention. The Convention will enter into force for these States on November 16, 1994, and thereafter for other States 30 days after deposit of their instruments of ratification or accession.

The United States joined 120 other States in voting for adoption of the Agreement on July 28, 1994; there were no negative votes and seven abstentions. As of September 8, 1994, 50 States and the European Community have signed the Agreement, of which 19 had previously ratified the Convention. Eighteen developed States have signed the Agreement, including the United States, all the members of the European Community, Japan, Canada and Australia, as well as major developing countries, such as Brazil, China and India.

Relation to the 1958 Geneva Conventions

Article 311(1) of the LOS Convention provides that the Convention will prevail, as between States Parties, over the four Geneva Conventions on the Law of the Sea of April 29, 1958, which are currently in force for the United States: the Convention on the Territorial Sea and the Contiguous Zone, 15 U.S.T. 1606, T.I.A.S. No. 5639, 516 U.N.T.S. 205 (entered into force September 10, 1964); the Convention on the High Seas, 13 U.S.T. 2312, T.I.A.S. No. 5200, 450 U.N.T.S. 82 (entered into force September 30, 1962); Convention on the Continental Shelf, 15 U.S.T. 471, T.I.A.S. No. 5578, 499 U.N.T.S. 311 (entered into force June 10, 1964); and the Convention on Fishing

and Conservation of Living Resources of the High Seas, 17 U.S.T. 138, T.I.A.S. No. 5969, 559 U.N.T.S. 285 (entered into force March 20, 1966). Virtually all of the provisions of these Conventions are either repeated, modified, or replaced by the provisions of the LOS Convention.

Dispute Settlement

The Convention identifies four potential fora for binding dispute settlement:

- the International Tribunal for the Law of the Sea constituted under Annex VI;
- the International Court of Justice;
- an arbitral tribunal constituted in accordance with Annex VII; and
- a special arbitral tribunal constituted in accordance with Annex VIII for specified categories of disputes.

A State, when adhering to the Convention, or at any time thereafter, is able to choose, by written declaration, one or more of these means for the settlement of disputes under the Convention. If the parties to a dispute have not accepted the same procedure for the settlement of the dispute, it may be submitted only to arbitration in accordance with Annex VII, unless the parties otherwise agree. If a Party has failed to announce its choice of forum, it is deemed to have accepted arbitration in accordance with Annex VII.

I recommend that the United States choose special arbitration for all the categories of disputes to which it may be applied and Annex VII arbitration for

disputes not covered by the above, and thus that the United States make the following declaration:

The Government of the United States of America declares, in accordance with paragraph 1 of Article 287, that it chooses the following means for the settlement of disputes concerning the interpretation or application of the Convention:

- (A) a special arbitral tribunal constituted in accordance with Annex VIII for the settlement of disputes concerning the interpretation or application of the articles of the Convention relating to (1) fisheries, (2) protection and preservation of the marine environment, (3) marine scientific research, and (4) navigation, including pollution from vessels and by dumping, and
- (B) an arbitral tribunal constituted in accordance with Annex VII for the settlement of disputes not covered by the declaration in (A) above.

Subject to limited exceptions, the Convention excludes from binding dispute settlement disputes relating to the sovereign rights of coastal States with respect to the living resources in their EEZs. In addition, the Convention permits a State to opt out of binding dispute settlement procedures with respect to one or more enumerated categories of disputes, namely disputes regarding maritime boundaries between neighboring States, disputes concerning military activities and certain law

enforcement activities, and disputes in respect of which the United Nations Security Council is exercising the functions assigned to it by the Charter of the United Nations.

I recommend that the United States elect to exclude all three of these categories of disputes from binding dispute settlement, and thus that the United States make the following declaration:

The Government of the United States of America declares, in accordance with paragraph 1 of Article 298, that it does not accept the procedures provided for in section 2 of Part XV with respect to the categories of disputes set forth in subparagraphs (a), (b) and (c) of that paragraph.

Recommendation

The interested Federal agencies and departments of the United States have unanimously concluded that our interests would be best served by the United States becoming a Party to the Convention and the Agreement.

The primary benefits of the Convention to the United States include the following:

- o The Convention advances the interests of the United States as a global maritime power. It preserves the right of the U.S. military to use the world's oceans to meet national security requirements and of commercial vessels to carry sea-going cargoes. It achieves this, inter alia, by stabilizing the breadth of the territorial sea at 12 nautical miles; by setting forth navigation

regimes of innocent passage in the territorial sea, transit passage in straits used for international navigation, and archipelagic sea lanes passage; and by reaffirming the traditional freedoms of navigation and overflight in the EEZ and the high seas beyond.

- o The Convention advances the interests of the United States as a coastal State. It achieves this, inter alia, by providing for an EEZ out to 200 nautical miles from shore and by securing our rights regarding resources and artificial islands, installations and structures for economic purposes over the full extent of the continental shelf. These provisions fully comport with U.S. oil and gas leasing practices, domestic management of coastal fishery resources, and international fisheries agreements.
- o As a far-reaching environmental accord addressing vessel source pollution, pollution from seabed activities, ocean dumping and land-based sources of marine pollution, the Convention promotes continuing improvement in the health of the world's oceans.
- o In light of the essential role of marine scientific research in understanding and managing the oceans, the Convention sets forth criteria and procedures to promote access to marine areas, including coastal waters, for research activities.
- o The Convention facilitates solutions to the increasingly complex problems of the uses of the ocean -- solutions which respect the essential

balance between our interests as both a coastal and a maritime nation.

- o Through its dispute settlement provisions, the Convention provides for mechanisms to enhance compliance by Parties with the Convention's provisions.
- o The Agreement fundamentally changes the deep seabed mining regime of the Convention. It meets the objections the United States and other industrialized nations previously expressed to Part XI. It promises to provide a stable and internationally recognized framework for mining to proceed in response to future demand for minerals.

The United States has been a leader in the international community's effort to develop a widely accepted international framework governing uses of the seas. As a Party to the Convention, the United States will be in a position to continue its role in this evolution and ensure solutions that respect our interests.

All interested agencies and departments, therefore, join the Department of State in unanimously recommending that the Convention and Agreement be transmitted to the Senate for its advice and consent to accession and ratification respectively. They further recommend that they be transmitted before the Senate adjourns sine die this fall.

The Department of State, along with other concerned agencies, stands ready to work with

- 15 -

Congress toward enactment of legislation necessary to carry out the obligations assumed under the Convention and Agreement and to permit the United States to exercise rights granted by the Convention.

Respectfully submitted,

Walter Christopher

Commentary
The 1982 United Nations Convention
on the Law of the Sea
and
The Agreement on Implementation of Part XI

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UNITED NATIONS CONVENTION
ON THE LAW OF THE SEA

RESOLUTION II

GOVERNING PREPARATORY INVESTMENT IN PIONEER ACTIVITIES
RELATING TO POLYMETALLIC NODULES

The Third United Nations Conference on the Law of the Sea,

Having adopted the Convention on the Law of the Sea (the "Convention"),

Having established by resolution I the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea (the "Commission") and directed it to prepare draft rules, regulations and procedures, as necessary to enable the Authority to commence its functions, as well as to make recommendations for the early entry into effective operation of the Enterprise,

Desirous of making provision for investments by States and other entities made in a manner compatible with the international régime set forth in Part XI of the

/...

AGREEMENT RELATING TO THE IMPLEMENTATION OF PART XI
OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE
SEA OF 10 DECEMBER 1982



UNITED NATIONS
1994

Annex II

STATEMENT OF UNDERSTANDING CONCERNING A SPECIFIC METHOD TO BE USED IN ESTABLISHING THE OUTER EDGE OF THE CONTINENTAL MARGIN

The Third United Nations Conference on the Law of the Sea,

Considering the special characteristics of a State's continental margin where: (1) the average distance at which the 200 metre isobath occurs is not more than 20 nautical miles; (2) the greater proportion of the sedimentary rock of the continental margin lies beneath the rise; and

Taking into account the inequity that would result to that State from the application to its continental margin of article 76 of the Convention, in that, the mathematical average of the thickness of sedimentary rock along a line established at the maximum distance permissible in accordance with the provisions of paragraph 4 (a) (i) and (ii) of that article as representing the entire outer edge of the continental margin would not be less than 3.5 kilometres; and that more than half of the margin would be excluded thereby;

Recognizes that such State may, notwithstanding the provisions of article 76, establish the outer edge of its continental margin by straight lines not exceeding 60 nautical miles in length connecting fixed points, defined by latitude and longitude, at each of which the thickness of sedimentary rock is not less than 1 kilometre,

Where a State establishes the outer edge of its continental margin by applying the method set forth in the preceding paragraph of this statement, this method may also be utilized by a neighbouring State for delineating the outer edge of its continental margin on a common geological feature, where its outer edge would lie on such feature on a line established at the maximum distance permissible in accordance with article 76, paragraph 4 (a) (i) and (ii), along which the mathematical average of the thickness of sedimentary rock is not less than 3.5 kilometres,

The Conference requests the Commission on the Limits of the Continental Shelf set up pursuant to Annex II of the Convention, to be governed by the terms of this Statement when making its recommendations on matters related to the establishment of the outer edge of the continental margins of these States in the southern part of the Bay of Bengal.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 9/29 ACTION/CONCURRENCE/COMMENT DUE BY: 10/3

SUBJECT: MILITARY NOMINATIONS: 26 OFFICERS FOR APPOINTMENT TO MAJOR GENERAL AND BRIGADIER GENERAL, USAR

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☐	McGINTY	☐	☐
PANETTA	☐	☐	MYERS	☐	☐
McLARTY	☐	☐	QUINN	☐	☐
LADER	☐	☐	RASCO	☐	☐
ICKES	☐	☐	RUBIN	☐	☐
RIVLIN	☐	☐	SEGAL	☐	☐
BAGGETT	☐	☐	SEIDMAN	☐	☐
CUTLER	☐	☐	STEPHANOPOULOS	☐	☐
EMANUEL	☐	☐	TYSON	☐	☐
GEARAN	☐	☐	VARNEY	☐	☐
GERGEN	☐	☐	WILLIAMS	☐	☐
GIBBONS	☐	☐	BELL	☒	☐
GRIFFIN	☐	☐	CLERK	☐	☒
HALE	☐	☐		☐	☐
HERMAN	☐	☐		☐	☐
LAKE	☐	☐		☐	☐
LINDSEY	☐	☐		☐	☐

REMARKS:

Do you have any objections?

RESPONSE:

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

Anthony Lake

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

THE WHITE HOUSE
WASHINGTON

94 SEP 28 P3:50 August 26, 1994

94 AUG 30 P2:16

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK *THC for Mark A. Rogers*
FROM: ALPHONSO MALDON, JR. *Mark A. Rogers*
DEPUTY ASSISTANT TO THE PRESIDENT AND
DIRECTOR, WHITE HOUSE MILITARY OFFICE
SUBJECT: General Officer Nomination

Forwarded for your approval and signature is a nomination containing the names of 26 officers for appointment to the grade of major general and brigadier general, as indicated, in the Reserve of the Army of the United States.

This nomination is submitted by the Secretary of Defense after considering adverse information pertaining to one officer which has been provided by the Under Secretary of Defense (Personnel and Readiness) (TAB A). If you approve this nomination, the adverse information will be provided to the Senate Armed Services Committee.

This nomination is based on the report of a Federal Recognition Board approved by the Secretary of the Army and forwarded by the Secretary of Defense.

Recommend you approve and sign the attached.

Attachment



THE SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1000

1 2 AUG 1994

MEMORANDUM FOR THE PRESIDENT

SUBJECT: General Officer Nomination

I recommend you nominate the twenty-six officers whose names are on the attached list for appointment to the grade indicated in the Reserve of the Army of the United States. These officers have been recommended for promotion by a Federal Recognition Board approved by the Secretary of the Army.

I have personally reviewed adverse information concerning one of the officers and will provide the information to the White House Military Office separately. Should you approve this nomination recommendation, I will provide the same information to the Senate Armed Services Committee.

This action will not result in the Army exceeding the authorized strength of general officers in an active status in the Reserve of the Army.

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

Attachment

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. letter	[Personally Identifiable Information] [partial] (2 pages)	08/12/1994	b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 266

FOLDER TITLE:

Chron File - September 1994 #3 [3]

2016-0152-F

vz4638

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

The White House

Washington

To the Senate of the United States:

I nominate:

The following United States Army National Guard officers for promotion to the grades indicated in the Reserve of the Army of the United States, under the provisions of Sections 593(a), 3385 and 3392, Title 10, United States Code:

To be Major General

Brigadier General James J. Hughes, Jr. (b)(6)

Brigadier General William D. Jones,

Brigadier General Gerald A. Rudisill,

Brigadier General Melvin C. Thrash,

(b)(6)

To be Brigadier General

Brigadier General John W. Hubbard, (b)(6)

Colonel John D. Havens, (b)(6)

Colonel Ronald D. Tincher,

Colonel Peter B. Injasoulian,

Colonel Alfred E. Tobin, (b)(6)

Colonel James W. O'Toole, (b)(6)

Colonel Francis D. Vavala,

Colonel Michael H. Harris,

Colonel Albert A. Mangone,

Colonel David P. Rataczak,

Colonel Thomas D. Kinley,

(b)(6)

(b)(6)

[003]

Colonel Joseph J. Taluto, (b)(6)

Colonel Roger C. Green, Jr., (b)(6)

Colonel Norman A. Hoffman, (b)(6)

Colonel Ewald E. Beth, (b)(6)

Colonel Raymond A. Vezina, (b)(6)

Colonel Eduardo R. Duenas, (b)(6)

[003]

Colonel Rodney A. McNelley, (b)(6)

Colonel Gene Sisneros, (b)(6)

Colonel Gus L. Hargett, Jr., (b)(6)

Colonel Harold J. Stearns, (b)(6)

Colonel John Avila, Jr., (b)(6)

No.

MEMORANDUM FOR CORRESPONDENTS

Secretary of Defense William J. Perry announced today that the President has nominated the following United States Army National Guard officers for promotion to the grades of major general and brigadier general in the Reserve of the Army of the United States.

To be Major General

Hughes, James J., Jr.

Deputy Commander
State Area Command
Ohio Army National Guard
Columbus, OH 43235-2712

Jones, William D.

The Adjutant General
Tennessee National Guard
Nashville, TN 37204-2217

Rudisill, Gerald A.

The Adjutant General
North Carolina National Guard
Raleigh, NC 27607-6410

Thrash, Melvin C.

The Adjutant General
Arkansas National Guard
Camp Robinson
North Little Rock, AR 72118-2200

To be Brigadier General

Avila, John, Jr.

Chief of Staff
49th Armored Division
P.O. Box 5218
Austin, TX 78763-5218

Beth, Ewald E.

Commander, Detachment 1
State Area Command
Wisconsin Army National Guard
P.O. Box 8111
Madison, WI 53708-8111

Duenas, Eduardo R.	The Adjutant General Guam National Guard 622 E. Harmon Ind Pk Road Tamuning, GU 96911-4421
Green, Roger C., Jr.	Commander, Aviation Brigade 35th Infantry Division (Mechanized) Frankfort, KY 40601-6168
Hargett, Gus L., Jr.	Commander, Detachment 1 State Area Command Tennessee Army National Guard Smyrna, TN 37167
Harris, Michael H.	Assistant Adjutant General Texas Army National Guard P.O. Box 5218 Austin, TX 78763-5218
Havens, John D.	Assistant Adjutant General Missouri Army National Guard 1717 Industrial Drive Jefferson City, MO 65101-1468
Hoffman, Norman A.	Assistant Adjutant General Oregon Army National Guard Salem, OR 97309-5047
Hubbard, John W.	Assistant Adjutant General Oklahoma Army National Guard 3501 Military Circle NE Oklahoma City, OK 73111-4398
Injasoulain, Peter B.	Post Commander, Detachment 3 Michigan Army National Guard Fort Custer Training Center Augusta, MI 49012-9620
Kinley, Thomas D.	Assistant Adjutant General Vermont Army National Guard Colchester, VT 05446-3004
Mangone, Albert A.	Deputy Commander, Detachment 3 HQ, 42d Infantry Division Rehoboth, MA 02769-2696

McNelley, Rodney A.

Chief of Staff
Adjutant General's Department
Texas Army National Guard
Austin, TX 78763-5218

O'Toole, James W.

Assistant Adjutant General
New York Army National Guard
330 Old Niskayuna Road
Latham, NY 12110-2224

Rataczak, David P.

Chief of Staff
State Area Command
Arizona Army National Guard
Phoenix, AZ 85008-3495

Sisneros, Gene

Director of Personnel and Administration
Department of Military Affairs
New Mexico Army National Guard
Santa Fe, NM 87502

Stearns, Harold J.

Deputy Commander
State Area Command
Montana Army National Guard
Helena, MT 59604-4789

Taluto, Joseph J.

Chief of Staff
State Area Command
New York Army National Guard
330 Old Niskayuna Road
Latham, NY 12110-2224

Tincher, Ronald D.

Deputy Command
State Area Command
Kansas Army National Guard
P.O. Box C-300
Topeka, KS 66601-0300

Tobin, Alfred E.

Chief of Staff
State Area Command
North Carolina Army National Guard
4105 Reedy Creek Road
Raleigh, NC 27607-6410

Vavala, Francis D.

Assistant Adjutant General
Delaware Army National Guard
First Regiment Road
Wilmington, DE 19808-2191

Vezina, Raymond A.

The Adjutant General
Massachusetts National Guard
25 Haverhill Road
Reading, MA 01867-1999

WHITE HOUSE STAFFING MEMORANDUM

DATE: 7/29 ACTION/CONCURRENCE/COMMENT DUE BY: 10/3

MILITARY NOMINATION: MAJOR GENERAL RONALD V. HITE, USA

SUBJECT: _____

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

REMARKS:

Do you have any objection?

RESPONSE:

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

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

Anthony Lake

THE WHITE HOUSE

WASHINGTON

September 22, 1994

94 SEP 28 All : 34

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK *IKfar*
FROM: ALPHONSO MALDON, JR. *Almaldon*
DEPUTY ASSISTANT TO THE PRESIDENT AND
DIRECTOR, WHITE HOUSE MILITARY OFFICE
SUBJECT: General Officer Nomination

Forwarded for your approval and signature is the nomination of Major General Ronald V. Hite, United States Army, for appointment to the grade of lieutenant general and a recommendation for his assignment as Military Deputy, Office of the Assistant Secretary of the Army (Research, Development and Acquisition)/Director of the Army Acquisition Corps.

This nomination is submitted by the Secretary of Defense after considering adverse information pertaining to General Hite, which has been provided by the Under Secretary of Defense (Personnel and Readiness) (Tab A). If you approve this nomination, the adverse information will be provided to the Senate Armed Services Committee.

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

Recommendation

That you approve and sign the attached.

Attachment



THE SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1000

19 SEP 1994

MEMORANDUM FOR THE PRESIDENT

SUBJECT: General Officer Nomination

I recommend you nominate Major General Ronald V. Hite, United States Army, for assignment as Military Deputy, Office of the Assistant Secretary of the Army (Research, Development and Acquisition)/Director of the Army Acquisition Corps, and appointment to the grade of lieutenant general. General Hite, age 51, will succeed Lieutenant General William H. Forester, United States Army, who is retiring.

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

In order to carry out the duties and responsibilities of the proposed assignment, a general officer must have an in-depth knowledge of Army requirements. He must also have significant experience and thorough understanding of military research, development, and acquisition policies, procedures and programs. General Hite meets these requirements.

Because General Hite's selection for promotion to brigadier general was based primarily on scientific and technical qualifications, he has not served in a joint duty assignment. Therefore, the Chairman of the Joint Chiefs of Staff did not provide a joint duty evaluation. General Hite meets all the training and experience requirements specified by Title 10, United States Code, Sections 1733 and 1735, for this critical acquisition position.

The above action will not result in the Army exceeding the number of officers authorized to serve in the grade of lieutenant general.

William G. Perry

Attachment

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004a. letter	[Ronald V. Hite] [Personally Identifiable Information] [partial] (1 page)	09/19/1994	b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 266

FOLDER TITLE:

Chron File - September 1994 #3 [3]

2016-0152-F
vz4638

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

The White House

Washington

To the Senate of the United States:

I nominate:

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

To be lieutenant general

Major General Ronald V. Hite, (b)(6) United States Army [004a]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004b. resume	Resume of Service Career of Ronald Verlin Hite. (3 pages)	08/20/1993	b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 266

FOLDER TITLE:

Chron File - September 1994 #3 [3]

2016-0152-F
vz4638

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IMMEDIATE RELEASE

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

GENERAL OFFICER ANNOUNCEMENT

Secretary of Defense William J. Perry announced today that the President has nominated Major General Ronald V. Hite, United States Army, for appointment to the grade of lieutenant general and assignment as Military Deputy to the Assistant Secretary of the Army (Research, Development and Acquisition)/Director of the Army Acquisition Corps, Washington, DC. Since September 1992, he has served as the Deputy for Systems Management, Office of the Assistant Secretary of the Army (Research, Development and Acquisition), Washington, DC.

Major General Hite was born on May 10, 1943, in Washington County, Tennessee.

-END-

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. memo	For Steve E Steiner from Robert Bell. Subject: Instructions for Concluding Negotiations on Votkinsk INF Exit Procedures. (3 pages)	09/30/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 266

FOLDER TITLE:

Chron File - September 1994 #3 [3]

2016-0152-F

vz4638

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