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001. memo	Richard Schifter to Samuel Berger, re: Judicial Program for Somalia (2 pages)	09/29/1993	P1/b(1)

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RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

TO THE CONGRESS OF THE UNITED STATES:

In response to the request made by the House and Senate for certain information on our military operations in Somalia, I am pleased to forward the attached report.

In transmitting this report, I want to reiterate the points that I made on October 6 and to the American people in remarks on October 7. We went to Somalia on a humanitarian mission. We saved approximately a million lives that were at risk of starvation brought on by civil war that had degenerated into anarchy. We acted after 350,000 already had died.

Ours was a gesture of a great nation, carried out by thousands of American citizens, both military and civilian. We did not then, nor do we now plan to stay in that country. The United Nations agreed to assume our military mission and take on the additional political and rehabilitation activities required so that the famine and anarchy do not resume when the international presence departs.

For our part, we agreed with the United Nations to participate militarily with a much smaller U.S. force for a period of time, to help the United Nations create a secure environment in which it could ensure the free flow of humanitarian relief. At the request of the United Nations and the United States, approximately 30 nations deployed over 20,000 troops as we reduced our military presence.

With the recent tragic casualties to American forces in Somalia, the American people want to know why we are there, what we are doing, why we cannot come home immediately, and when we will come home. Although the report answers those questions in detail, I want to repeat concisely my answers:

o We went to Somalia because without us a million people would have died. We, uniquely, were in a position to save them, and other nations were ready to share the burden after our initial action. .

o What the United States is doing there is providing, for a limited period of time, logistics support and security so that the humanitarian and political efforts of the United Nations, relief organizations, and others can have a reasonable chance of success. The United Nations, in turn, has a longer term political, security, and relief mission designed to minimize the likelihood that famine and anarchy will return when the United Nations leaves. The U.S. military mission is not now nor was it ever one of "nation building."

o We cannot leave immediately because the United Nations has not had an adequate chance to replace us, nor have the Somalis had a reasonable opportunity to end their strife. We want other nations to assume more of the burden of international peace. To have them do so, they must think that they can rely on our commitments when we make them. Moreover, having been brutally attacked, were American forces to leave now we would send a message to terrorists and other potential adversaries around the world that they can change our policies by killing our people. It would be open season on Americans.

o We will, however, leave no later than March 31, 1994, except for a few hundred support troops. That amount of time will permit the Somali people to make progress toward political reconciliation and allow the United States to fulfill our obligations properly, including the return of any Americans being detained. We went there for the right reasons and we will finish the job in the right way.

While U.S. forces are there, they will be fully protected with appropriate American military capability.

Any Americans detained will be the subject of the most complete and thorough efforts of which this Government is capable, with the unrelenting goal of returning them home and returning them to health.

I want to thank all those who have expressed their support for this approach during the last week. At difficult times such as these, when we face international challenges, bipartisan unity among our two branches of government is vital.

William J. Clinton

THE WHITE HOUSE,

October 13, 1993.

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**Report to the Congress
on US Policy in Somalia**

October 13, 1993

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9307862
RECEIVED: 12 OCT 93 16

TO: PRESIDENT

CHRON FILE

FROM: LAKE
WH EXECUTIVE CLERK

DOC DATE: 12 OCT 93
SOURCE REF:

KEYWORDS: SOMALIA

CONGRESSIONAL

PERSONS:

SUBJECT: RPT TO CONGRESS ON SOMALIA

ACTION: PRES SGD PER WH EXEC CLERK

DUE DATE: 15 OCT 93 STATUS: C

STAFF OFFICER: DARRAGH

LOGREF:

FILES: PA

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

CLARKE
DARRAGH
NSC CHRON

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

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DOC 2 OF 2

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ACTION DATA SUMMARY REPORT

RECORD ID: 9307862

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 LAKE
002 PRESIDENT
002

Z 93101218 FWD TO PRES FOR SIG
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X 93101408 PRES SGD PER WH EXEC CLERK

UNCLASSIFIED

National Security Council
The White House

Rec'd 10/12
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	SEQUENCE TO	HAS SEEN	DISPOSITION
DepExecSec	_____	_____	_____
ExecSec	<u>1</u>	<u>WE</u>	_____
Staff Director	<u>2</u> <u>Cops</u>	_____	_____
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APNSA	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>4</u>	_____	<u>DN</u>
NSC Secretariat	<u>5</u>	_____	_____
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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:

ExecSec's office has disltd


THE WHITE HOUSE
WASHINGTON

October 12, 1993

President sgd per WH
Executive Clerk 13 Oct 93

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK
FROM: ANTHONY LAKE 
SUBJECT: Report to Congress on Somalia

Purpose

To respond to the request of the Congress that you provide a report on Somalia policy by October 15, 1993.

Background

Congress requested that you provide a report outlining U.S. policy in Somalia by October 15, 1993. The cover letter attached at Tab A will be attached to each report to Congress. The report will be sent to each member of Congress.

RECOMMENDATION

That you sign the attached cover letter at Tab A.

Attachment

Tab A Cover Letter to the Report to Congress on Somalia

cc: Vice President
Chief of Staff

TO THE CONGRESS OF THE UNITED STATES:

In response to the request made by the House and Senate for certain information on our military operations in Somalia, I am pleased to forward the attached report.

In transmitting this report, I want to reiterate the points that I made to you and other Members on October 6 and to the American people in remarks on October 7. We went to Somalia on a humanitarian mission. We saved approximately a million lives that were at risk of starvation brought on by civil war that had degenerated into anarchy. We acted after 350,000 already had died.

Ours was a gesture of a great nation, carried out by thousands of American citizens, both military and civilian. We did not then, nor do we now plan to stay in that country. The United Nations agreed to assume our military mission and take on the additional political and rehabilitation activities required so that the famine and anarchy do not resume when the international presence departs.

For our part, we agreed with the UN to participate militarily with a much smaller U.S. force for a period of time, to help the UN create a secure environment in which it could ensure the free flow of humanitarian relief. At the request of the UN and the United States, approximately thirty nations deployed over 20,000 troops as we reduced our military presence.

With the recent tragic casualties to American forces in Somalia, the American people want to know why we are there, what we are doing, why we cannot come home immediately, and when we will come home. Although the report answers those questions in detail, I want to repeat concisely my answers:

- o We went to Somalia because without us a million people would have died. We, uniquely, were in a position to save them, and other nations were ready to share the burden after our initial action.

- o What the U.S. is doing there is providing, for a limited period of time, logistics support and security so that the humanitarian and political efforts of the UN, relief organizations and others can have a reasonable chance of success. The UN, in turn, has a longer term political, security, and relief mission designed to minimize the likelihood that famine and anarchy will return when the UN leaves. The U.S. military mission is not now nor was it ever one of "nation building."

o We cannot leave immediately because the UN has not had an adequate chance to replace us, nor have the Somalis had a reasonable opportunity to end their strife. We want other nations to assume more of the burden of international peace. To have them do so, they must think that they can rely on our commitments when we make them. Moreover, having been brutally attacked, were American forces to leave now we would send a message to terrorists and other potential adversaries around the world that they can change our policies by killing our people. It would be open season on Americans.

o We will, however, leave no later than March 31, 1994, except for a few hundred support troops. That amount of time will permit the Somali people to make progress toward political reconciliation and allow the U.S. to fulfill our obligations properly, including the return of any Americans being detained. We went there for the right reasons and we will finish the job in the right way.

While U.S. forces are there, they will be fully protected with appropriate American military capability.

Any Americans detained will be the subject of the most complete and thorough efforts of which this government is capable, with the unrelenting goal of returning them home and returning them to health.

I want to thank you and the many other Members who have expressed their support for this approach during the last week. At difficult times such as these, when we face international challenges, bipartisan unity among our two branches of government is vital.

THE WHITE HOUSE,

REPORT TO THE CONGRESS ON
U.S. POLICY IN SOMALIA

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EXECUTIVE SUMMARY

After 350,000 people had died in the famine and anarchy that gripped Somalia in 1992, the United States intervened militarily with 25,000 U.S. troops to ensure the delivery of humanitarian relief to the two million who were at risk of death by starvation. In May 1993, the United States turned this mission over to the United Nations Operation in Somalia (UNOSOM) and withdrew over 20,000 troops, leaving less than 5,000 until the events of the past week.

The Mission of the United States Military in Somalia

The U.S. military mission is to assist in providing a secure environment to enable the free flow of humanitarian relief. We are carrying out this mission by providing U.S. military logistical services to UN forces and by providing U.S. combat units to act as an interim force protection supplement to UN forces in emergencies. Thus, the U.S. military mission is supportive of, but more limited than, the overall UN mission, which is described later in the report.

o Size of U.S. forces: Prior to October 7, the U.S. had approximately 4,500 troops in Somalia: 2,800 logisticians, 1,300 in the Quick Reaction Force (QRF) and 400 Rangers. Since the recent attack on U.S. forces, the President has ordered the deployment of approximately 3,000 additional Army combat personnel. Off-shore will also be two Marine Expeditionary Units, with 3,600 Marines on board, an aircraft carrier with 58 strike aircraft, and Air Force gunships stationed nearby.

o Command Structure: All U.S. troops are under U.S. command. The logistics troops are assigned to the UN's Force Command for operational control only.

U.S. Policy

The President recently modified U.S. policy in Somalia through the following three decisions:

o Military Force Protection: Due to the increased military threat to U.S. and UN personnel, the President deployed the additional troops and equipment described above. These forces are intended to protect our troops and enable our forces to complete their mission. These forces will provide greater air power and greater armor protection.

o Political Process: The President dispatched Ambassador Robert Oakley to the region to accelerate the achievement of a lasting political solution by African leaders working with Somalis. Ethiopian President Meles has agreed to

lead this effort. The U.S. does not seek to dictate a solution to Somalia's political problems but merely to stimulate African engagement in achieving such an arrangement. The President decided that the political process would be enhanced if the UN military effort were depersonalized, with less U.S. military effort focused on the capture of Mohammed Aideed. At the same time, the President has not ruled out any military options.

o Duration of U.S. Military Presence: The U.S. will complete the transition of its military logistics support to civilian contractors and other nations' logistics units no later than March 31, 1994. U.S. combat forces also will be withdrawn no later than that date. Approximately 200 to 300 members of the U.S. military may remain in the UN Force Command headquarters and assist in protecting the U.S. Liaison Office. The U.S. will also assist the UN in deploying additional forces from other nations. Pakistan, Egypt, Nepal and India now have additional forces readying for dispatch to Somalia.

These steps, taken together, will provide the Somali people time to have a reasonable opportunity of achieving a political solution. They also will give the UN time to assess its mission, secure alternative logistic support, and to adjust the UNOSOM Force Command to operate without U.S. back-up combat units. Neither the Somalis nor the UN can count on an open-ended U.S. commitment. Such a perception could slow the achievement of the goals of the U.S. and UN operations.

U.S. Interests and Providing an Opportunity for Peace

The U.S. has a humanitarian interest in preventing the return of the mass death caused by anarchy and famine. Approximately one million Somalis still depend upon relief supplies, and the open roads and lines of communication that are required. The U.S. has a national security interest in:

o fulfilling its commitments to the many nations who deployed with us and to the UN;

o making international burden sharing work, so that on those occasions when it is clearly in our interest to do so, we can meet crises in ways that include other nations' forces and funds;

o preventing potential enemies and terrorists from believing that they can change our policies by killing our people.

The risks of withdrawing prematurely from Somalia are significant. An immediate U.S. withdrawal would force many other nations that are now dependent on U.S. logistical support and force protection to leave Somalia with us. The result would be

the collapse of UNOSOM, the probable return of anarchy and civil war and with it famine, and the loss of the very significant gains achieved to date under two administrations. A precipitous withdrawal, with the likely collapse of the relief effort, would also devalue the noble efforts of the thousands of U.S. servicemen and women who have served with distinction in Somalia, particularly those who have given their lives to this noble cause.

All that two U.S. administrations, thousands of Americans, and people from thirty countries worked hard to achieve could be lost because the United States had left early, quickly, and under pressure.

I. INTRODUCTION

The United States went to Somalia to help stop one of the great human tragedies of our time. By the end of 1992, a third of a million Somalis had died of starvation and disease caused by anarchy and civil war; among them were almost half of all the children in Somalia. Another two million Somalis were at risk of starvation. Their suffering was exacerbated by a handful of Somali bandits and warlords who stopped food and other relief supplies from reaching their own countrymen. In our nation's best tradition, America took action with bipartisan support to end this human disaster.

As a result, in November, President Bush ordered U.S. troops to Somalia to help create a secure environment for the distribution of relief supplies. That has remained the primary mission of U.S. troops throughout the operation.

On February 4, 1993, the Senate adopted S.J. Res 45, authorizing the U.S. operation in Somalia. On May 25, the House adopted S.J. Res 45, as amended, authorizing that operation for 12 months. Congress has never acted to conference these two versions of the bill, despite Administration statements welcoming such a resolution.

On May 4, 1993, the United Nations assumed responsibility for the tasks that we had performed. Approximately 25,000 troops from approximately thirty nations deployed to take our place, and the Clinton Administration removed over 20,000 U.S. troops from Somalia.

Today, United States military forces remain in Somalia to help provide a secure environment for the delivery of food and other humanitarian aid. Although the starvation in Somalia has largely ended, there remains a substantial need for foreign relief. Almost a million people are completely dependent on relief supplies. The reviving indigenous food system is fragile and would again collapse if the peacekeepers left precipitously and civil war resumed.

Despite images of Somalis opposed to U.S. and UN involvement, most impartial analysts agree that the overwhelming majority of Somalis are grateful for our presence and wish us to remain. Television carried pictures of small groups of Somalis celebrating American casualties, but not the thousands that mourned them in a gathering in the same city the next day. With the exception of one sub-clan leader and his armed faction, the clan leaders, elders, womens groups, and most other organized elements have pleaded that we not abandon them to the men with the guns and civil war again.

II. THE MISSION OF THE U.S. MILITARY

A. Mission Statement

The mission of the U.S. military in Somalia is to assist in providing a secure environment to enable the free flow of humanitarian relief by providing U.S. military logistics services to UN forces and U.S. combat units to act as an interim force protection supplement to UN forces in emergencies. This has consistently been the mission of our forces. At no time have U.S. forces been tasked with such missions as "nation building."

In carrying out their mission, U.S. forces now have four tasks:

- 1) protect U.S. troops in Somalia and their logistic bases;
- 2) keep open and secure the key roads and lines of communication that are essential for the UN and relief workers to keep the flow of food, supplies and people moving freely throughout the country, so that starvation and anarchy do not return;
- 3) keep the pressure on those who originally cut off relief supplies and attacked our people;
- 4) through that pressure and the presence of our forces, help make it reasonably possible for the Somali people, working with others, to reach agreements among themselves so they can solve their own problems and survive after we leave.

B. Size of U.S. Deployment

Prior to October 7, the U.S. had approximately 4,500 troops in Somalia: 2,800 logisticians, 1,300 in the QRF, and 400 Rangers. As this report is prepared, additional U.S. forces are preparing for deployment or are en route to Somalia. The numbers used in this report, therefore, are close approximations.

The U.S. forces in support of the Somalia operation may be grouped into four classes:

- 1) the logistics and support units that the U.S. committed to support the UN operation. They number approximately 3,000.
- 2) the U.S. Army units that protect U.S. personnel and perform a force protection function to assist UN units. With the addition of approximately 3,000 Army combat personnel, they will soon total about 5,000.
- 3) the Marines aboard ships off-shore in a back-up U.S. force protection role. They will soon total 3,600.

U.S. FORCES IN SOMALIA
(AS OF OCTOBER 11, 1993)

<u>IN PLACE FORCES</u>	<u>SIZE</u> (approx)	<u>LOCATION</u>	<u>MISSION</u>
UNOSOM II Staff	50	Mogadishu	Individual Staff Officers Officers seconded to UN
Logistics Support Command	2,900	Mogadishu	Provide logistical & HQ Staff support to UNOSOM II Force Command
Quick Reaction Force	1,400	Mogadishu	Provide US combat capability for rapid response in support of UNOSOM II to counter specific threats that exceed UNOSOM II force capabilities
Ranger Task Force	<u>950</u>	Mogadishu	To support US forces in Somalia
TOTAL (As of Oct 11)	5,300		
<u>DEPLOYING FORCES</u>			
Additional Ground Forces	2,800	Mogadishu	To reinforce and enhance US force protection capability
Marine Expeditionary Units	<u>3,600</u>	Offshore	(Same as above)
TOTAL AFTER DEPLOYMENT	11,700		

4) the combat air support units aboard the aircraft carrier Lincoln and the U.S. Air Force gunships stationed nearby. These units will provide over 60 strike aircraft.

Thus, there will soon be approximately 8,000 U.S. military personnel in Somalia, supported by others off shore and nearby. Further detail is provided in Annex II to this report.

C. Command and Control

All U.S. military personnel are under U.S. command. In addition, all U.S. combat forces are under U.S. operational control.

The logistics units that support the overall UN military presence are assigned to the UN commander for operational control through the UNOSOM Deputy Commander, Major General Thomas Montgomery, U.S. Army. That means that for purposes explicitly agreed in writing between the U.S. and the UN, the UN commander may provide them direction in their logistics mission of supporting UN units. These units do not have any combat role.

The commander of U.S. forces in Somalia is Major General Thomas Montgomery, U.S. Army. He reports to the Commander-in-Chief, U.S. Central Command, General Joseph Hoar, U.S.M.C.

In addition, Major General Montgomery is the Deputy Commander of all forces assigned to the UNOSOM Force Command by other nations. LTG Cevik Bir, Turkish Army, is the Commander, UNOSOM Force Command.

III. U.S. POLICY

The U.S. goal in Somalia is humanitarian. We seek to carry out certain functions in support of the overall UN effort to assist the Somali people so that civil war, with its attendant anarchy and famine, does not return when the international presence departs.

The Administration sees the problems of Somalia as fundamentally humanitarian and political, not military. We actively support the efforts of the Somali people, working with the UN and others, to reach a political solution. Nonetheless, the widespread presence of weapons and the intention of some to use them for personal and political gain, requires a strong international security presence while the humanitarian and political situations are addressed.

In the wake of stepped up violence directed against U.S. and UN personnel, the President recently has authorized a number of steps to accelerate the completion of the U.S. military mission and to strengthen the UN in its mission.

A. Protection of U.S. Forces

Hostile factions in Mogadishu have recently reintroduced heavy weapons into the city and have been increasingly using these weapons against U.S. and UN forces. Forces from the U.S., Pakistan, Italy, Nigeria, Morocco, France, Turkey and Malaysia have been killed. To enhance security, the U.S. is in the process of augmenting its forces as described in the foregoing section.

B. Accelerated Political Track

On October 8, 1993, the President dispatched Ambassador Robert Oakley, who has served two U.S. administrations in Somalia, to work with African leaders to accelerate progress towards a political solution. The President decided that the political process would be enhanced if the UN military effort were depersonalized and less focused on the capture of Mohammed Aided. At the same time the President has not ruled out any military options.

President Meles of Ethiopia, who is the Organization of African Unity's (OAU) designated official on Somalia, has agreed to work with President Issaias of Eritrea and others to undertake new diplomatic steps to assist the Somalis to return to the course of peaceful political reconciliation. President Meles and other African leaders will attempt to facilitate a Somali solution, not one imposed from the outside. Neither the United States nor the United Nations seek to dictate a political outcome in Somalia. We will support a Somali solution to Somalia's problems.

C. Completing the U.S. Military Mission

The U.S. had earlier planned with the UN to reduce the number of U.S. logistics personnel from about 3,000 to about 1,400 by early 1994, and to withdraw the remainder of the American logistics units before the beginning of 1995. Now the U.S. intends to hand-off its logistical mission to other nations' forces and to civilian contractors on a more rapid basis, concluding by March 31, 1994. The U.S. will contract for civilian support on such functions as distributing food and petroleum. The U.S. will also assist the UN in securing its own civilian contractors. In addition, we will seek with the UN to identify non-U.S. units to assume the critical functions now performed by U.S. military logisticians. No U.S. combat forces will remain in Somalia beyond March 31, 1994.

Forces from other countries have more than offset U.S. force reductions and continue to arrive in Somalia. The Indian Army is in the process of deploying a brigade of over 4,000 troops to Somalia. Pakistan has announced that it is dispatching another

1,500-man brigade, bringing its force in the country to almost 6,000. Egypt is also adding a 1,500-man brigade to the force it already has deployed. The Nepalese Army plan to dispatch several hundred highly-skilled light infantry/commandos to Mogadishu.

With these steps, this period of time also will afford the UN operation sufficient time and opportunity to complete the transition to an effective operation without U.S. military units. The U.S. is also affording the Somali people a reasonable opportunity to overcome the barriers to a peaceful process of national political reconciliation.

After March 31, 1994, there will be no U.S. military units in Somalia, with the possible exception of approximately 200-300 hundred military personnel providing assistance and protection to the U.S. Liaison Office. This drawdown of U.S. military personnel is not conditioned upon the successful completion of any steps by the Somali people or the UN.

D. Missing U.S. Personnel

The U.S. is committed to have its missing or detained personnel well-treated and returned as soon as possible. Toward that end, a number of steps are being taken. One of them was the request to the International Committee of the Red Cross that they arrange visits to American personnel. The first such visit to one American soldier has been carried out. Other steps are underway. The U.S. is coordinating its efforts with the UN, which also has a Nigerian soldier missing and detained.

IV. U.S. INTERESTS AND PROVIDING A REASONABLE OPPORTUNITY FOR PEACE

The U.S. diplomatic and military efforts in Somalia have been based on humanitarian concerns over one of the most devastating human catastrophes in recent history. Such humanitarian efforts have long played an important role in U.S. foreign policy.

The U.S. however, has important national interests at stake in how we complete our mission in Somalia. All U.S. military units, except for a few hundred non-combat support personnel, will be withdrawn no later than March 31, 1994. The U.S. must not leave Somalia in a manner that increases the danger to Americans all over the world, effectively undermines the substantial accomplishments of U.S. forces in Somalia, or severely damages the prospects for international burden-sharing in the future.

The U.S. committed to the UN that we would provide logistics support for most of the approximately thirty nations in UNOSOM II. Making alternative arrangements may take up to six months. The UN and the many nations that deployed to Somalia at our

request also have been relying on the U.S. Quick Reaction Force to come to the aid of UN forces under attack. Alternatives to that capability sufficient to handle the recently increased security threat cannot quickly be put in place.

The peaceful political process must also be given a reasonable time to succeed. Those Somalis who oppose it should not be given an easy opportunity to wait out the UN. Instead, there must be time for a new structure to be created and begin working while there is a strong security presence. There is also a direct relationship between progress on political reconciliation and the ability of the UN force to operate after the U.S. leaves. More nations will be inclined to continue their participation in the UN force beyond March if a viable political solution has been reached.

The U.S. commitment is not open-ended. We can, however, provide a reasonable opportunity -- a limited window of opportunity -- to the Somalis, the nations that have joined us, and the UN. Providing that opportunity for peace and effective completion of the U.S. mission is best achieved by a deliberate, phased withdrawal of U.S. forces over a six month period. The risks of leaving Somalia precipitously include the following:

- o U.S. Missing: Were we to leave now we would be leaving behind and unaccounted for, missing or detained U.S. servicemen and reducing our ability to recover them.

- o Open Season on Americans: Were we to be seen to retreat after U.S. casualties, we would be inviting adversaries, terrorists and thugs all over the world to kill U.S. citizens as a means to change U.S. policy. In a world where Americans must operate in potentially hostile environments, and where there are many who may wish us ill and do not hesitate to use violence, this is a message we cannot send.

- o Getting Others to Share Burdens: It is in our interest to be able to recruit other nations to send troops and funds to take on tasks with us, or instead of us, in circumstances where that serves U.S. interests. If we left abruptly, we would damage our relations with the thirty other countries that are serving in Somalia at the direct request of the U.S. Many of these countries also have suffered serious losses in pursuit of this humanitarian mission, including the Pakistanis, the Nigerians and others. If the U.S. breaks its commitments in Somalia, these and other nations would be reluctant to join the U.S. in future coalition efforts because they would perceive our resolve as weak, and our commitments unreliable.

- o Forcing Others Out: Leaving other nations' forces in Somalia without essential logistical support and protection will cause many of them to depart. U.S. logisticians are in Somalia

providing material support for more than 25,000 other troops from all over the world. The U.S. QRF is the only force in the country now capable of coming to the swift aid of other forces under attack. An immediate American withdrawal, without allowing time for the UN to replace these U.S. capabilities, would force other contingents to leave Somalia without completing their mission.

o Return of Starvation: Since there has not yet been adequate progress on political reconciliation, the premature departure of the U.S. and many of the international contingents would almost certainly result in renewed civil war, and with it, renewed anarchy and famine. The images of starving children and a devastated country would return to haunt us. The accomplishments of the many U.S. and international forces that have served and sacrificed in Somalia would be lost, and their efforts would be largely in vain.

V. THE UNITED NATIONS

The U.S. military mission is one component of the broader UN mission. As a leading member of the UN, we are also contributing to other aspects of the UN mission.

The UN mission is three-fold: security, humanitarian relief and reconstruction, and political reconciliation.

A. Security

The U.S.-led UNITAF operation turned over vast sections of Somalia from U.S. military control to UN forces in May. Belgium leads the UN forces in the south, including the port of Kismayu. France leads the force in the interior, around Baidoa. Pakistani, Nigerian and Egyptian forces are among the larger contingents in Mogadishu. Other large contingents have come from Italy and India.

African states have provided support to UNOSOM. Significant and effective units have deployed from several African states, including Botswana, Nigeria, Zimbabwe, Tunisia, Morocco and Egypt.

Details on the non-U.S. deployments are in Annex IV.

The UN is working to reconstitute a Somali police and judiciary system that gradually can assume the security role in some areas. Already 5,000 Somali police have returned to their jobs. The UNOSOM Justice Program is working to train and equip them. Promises of assistance have come from Germany, Japan, the Netherlands, Italy and Egypt. The U.S. has offered \$2 million for police salaries and up to \$25 million in DOD equipment. We have also provided up to \$6 million for the judicial program.

B. Humanitarian Assistance

Approximately 300,000 urban destitute and another 700,000 displaced persons still depend entirely on international humanitarian assistance. Over 18,000 metric tons of food relief are required monthly.

In addition, there currently are over 545,000 Somali refugees abroad in Kenya, Ethiopia, Yemen, and Djibouti who are dependent upon international aid and who will require some assistance as they return to their homes. These Somalis want to return home to participate, both politically and economically, in rebuilding their country once it is safe to do so. Equally important is avoiding the establishment of semi-permanent large-scale refugee camps, which are destabilizing for neighboring countries and which the international donor community can ill-afford to support.

Although the UN effort has been successful in reducing the numbers of people dependent on relief assistance, the indigenous food system that has returned remains fragile. It is dependent upon the secure supply of materials such as fertilizers and seeds as well as on access to market towns. Renewed civil war would destroy much of it quickly, returning hundreds of thousand to dependence upon relief.

There are some unqualified successes, however. This Spring, approximately 70 percent of Somali children were vaccinated, twice as many as in 1989, and basic medical assistance is now available in most villages. A year ago no schools were operating. Today 234 are open. Most importantly, mass starvation has ended. In Baidoa, for instance, 60-70 percent of the children suffered from malnutrition, many of them severely. Today, that number has dropped to 10-20 percent. The signs of progress abound, and increasingly the humanitarian challenge is shifting to rehabilitation.

The UN is taking steps to reduce Somalia's dependence on emergency foreign relief assistance. The World Bank has agreed to act as UNOSOM's agent for donor coordination and longer term planning. The World Bank is holding a donors conference on October 22.

C. The Political Mission

The UN has sponsored two conferences in Addis Ababa, Ethiopia, where Somali leaders came together to end the civil war and find ways to create a government peacefully. Those conferences produced agreement to a cease-fire and the cantonment under international inspection of heavy weapons. The leaders of the prominent Somali clans and factions also agreed to create

district and regional councils, building towards the creation of a Transitional National Council and leading to a Somali national government.

Although Mohammed Aideed participated in these conferences and agreements, he apparently decided that this process ruled out his opportunity to assume control of the country. Having led a faction in the civil war that tried to seize national institutions in Mogadishu, he later hired forces mainly from his own sub-clan, using money gained in trafficking the drug khat. These forces blocked international relief supplies from moving out of the Mogadishu port and airport prior to the U.S. intervention. In June, Aideed's forces broke the cease-fire and the arms cantonment agreement.

Since then, the national political reconciliation process has been stalled. Nonetheless, the creation of district and regional councils has continued. Over thirty district councils have been created and another forty are in process. The major clan and faction leaders continue to support a peaceful political reconciliation process to determine the shape of a new national government. The current diplomatic efforts of Presidents Meles and Issaias and the UN greatly increase the prospects of a peaceful political solution.

ANNEX I: KEY BACKGROUND INFORMATION

A. Famine and Civil War

In mid-1992, humanitarian conditions in Somalia were horrendous. Even in normal times, Somalia's periodic droughts forced the country to rely on foreign assistance to help feed its people. The effects of the drought of the early 1990's, however, were grossly exaggerated by the outbreak of civil war between warlords fighting for control of Somalia after the fall of dictator Siad Barre. Food supplies became a weapon of war. Food stocks were destroyed, markets disrupted, and shipments hijacked. Farmers abandoned even the few productive fields, and herdsmen fled to safer areas with what remained of their livestock. The resulting famine led to over 300,000 deaths, including almost half of all Somali children, and another two million Somalis were at risk of starvation.

While relief agencies valiantly attempted to provide food and other assistance, their efforts were severely hampered by insecurity. Relief ships were rarely able to berth at the main southern ports. When they managed to dock, non-governmental organizations (NGOs) were subjected to extortion by local "authorities" and humanitarian convoys were looted by the bandits that roamed the countryside.

B. The U.S. Response

On August 28, 1992, the U.S. launched a military airlift, known as Operation Provide Relief, from Mombasa, Kenya to deliver food to Somalia. Before ceasing operations in March, 1993, U.S. military aircraft had flown over 2,000 sorties, 875 cargo sorties, and 1156 aerial refuellings, carrying 28,727 metric tons (MT) of food. USG-funded civilian aircraft carried another 19,435 MT to Somalia and northern Kenya. The airlift was only an emergency measure, however, and was incapable of meeting the 60,000 MT per month needed to feed the southern Somali population. The U.S. delivered another 338,000 metric tons of relief supplies by 15 common use ships and 2 Fast Sealift Ships (FSS).

C. UNOSOM I

As the relief efforts labored against the drought and the interference of the warlords, the Security Council established the first UNOSOM mission, consisting of 50 unarmed cease-fire observers. The authorized strength was raised to 3,500 in August, although only Pakistan provided a force of 500 for the mission.

Once the Pakistani contingent arrived in Mogadishu in late September, however, they immediately came under fire from heavy caliber weapons. Having undertaken a traditional peacekeeping mission, which only allowed for the use of force in self-defense, and faced with superior numbers and firepower from the warlords controlling Mogadishu, the Pakistani commander made the decision to hunker down at the airport and not directly confront the warlords.

In the meantime, as more food became available through the airlift and NGO activity increased, relief supplies were increasingly hijacked by armed bandits and extortionist Somali "officials." By November 1992, an estimated 60-80 percent of the relief food was being looted by bandits or diverted by corrupt authorities before reaching the desperate population. Faced with the uncertain security situation, many voluntary relief organizations tried to operate from neighboring Kenya or Ethiopia, but large segments of the population were isolated from the aid. As December approached, it became clear that unless the security situation in Somalia improved, relief efforts would be wasted and deaths would continue.

D. UNITAF

UNOSOM I had failed in its mission. The Pakistanis remained held up at the airport by the forces of Aideed. After consultations with the UN, the Bush Administration volunteered to lead an international coalition into Somalia to ensure delivery of relief supplies. In December 1992, under authorization of UN Security Council Resolution 794, over 20,000 American troops were sent to Somalia.

Among its other provisions, Resolution 794 called for the Secretary General to develop a plan to ensure that a strengthened UNOSOM would be able to promote political reconciliation once UNITAF withdrew.

Upon arrival in Mogadishu, UNITAF forces quickly secured the city's port, enabling the arrival and unloading of relief ships. Under military escort, relief food and other humanitarian supplies began to move out of the Mogadishu port for distribution in the Mogadishu area and to Baidoa, Bardera, Hoddur, Wajit, Gailalassi, Belet Uen and Merca. Extensive road repair and mine clearing operations on the major distribution routes by UNITAF forces further accelerated the movement of food.

E. UNOSOM II

UN Security Council Resolution 814 of March 26, 1993, returned control of the Somalia operation on May 4, 1993, to UNOSOM II. Its mandate was to provide security, help implement the Addis Ababa agreements, assist in political reconciliation, and support relief activities. The mandate also authorized UN agencies to facilitate refugee repatriation, reestablish the police and judiciary systems, and create a demining program. Finally, UNSC Resolution 814 cited Chapter VII of the UN Charter, which gave UN personnel the right to use force, if necessary, to carry out their mission. UNOSOM II forces took command of the Somalia operation on May 4, 1993. The U.S. logistics support command in Mogadishu provides management expertise for the rest of UNOSOM forces and other U.S. forces in Somalia. The U.S. is contributing support to other national contingents that they cannot presently provide for themselves. U.S. soldiers provide communications support and distribute petroleum, oil and lubricants (POL), potable water, and combat rations. They are also conducting some administrative functions and performing limited medical support services, including ground and air ambulance evacuation. U.S. logistics support troops will be withdrawn as more of the support functions are turned over to civilian contractors or other national contingents, but no later than March 31, 1994.

The U.S. logistical support command (USLSC) functions under U.S. command but under the operational control of the Commander of UNOSOM II Force Command, Turkish Lt. General Cevik Bir. U.S. Major General Thomas Montgomery is the Deputy Commander of UNOSOM II Force Command and, as the senior American military officer in Somalia, is the Commander of all U.S. Forces in Somalia (USFORSOM). All American forces in Somalia remain under the command of U.S. Central Command (CENTCOM).

Given the continuing presence of well-armed private militias that had thwarted the original, lightly-armed UN peacekeeping mission (UNOSOM I) as well as the UN's inexperience in conducting a peace enforcement operations, the President, decided to make available to the UN a Quick Reaction Force to reinforce UNOSOM's combat capabilities in emergencies as needed. The QRF was to respond to hostile threats and attacks that exceeded UNOSOM military force capabilities. As security conditions improved, and when directed by the U.S. National Command Authorities, the QRF was to move off-shore from Somalia and out of the area.

The U.S. QRF and other U.S. combat personnel in Somalia are not in the UNOSOM chain of command. They serve under the command and operational control of the USCINCCENT (Commander in Chief, Central Command). Tactical control of the QRF is delegated from USCINCCENT to General Montgomery, who is authorized to utilize the QRF in situations within Somalia that require emergency

employment of immediate combat power for a limited period or for show-of-force operations. Requests to use the QRF for purposes other than these narrowly-defined missions require explicit CINCCENT approval.

F. The Recent Violence

The transition from UNITAF to UNOSOM appeared to be moving smoothly until June 5. Supplies were being delivered, talks among the factions had started, and progress had begun towards creating local and district councils. UNOSOM's plans were proceeding on track, and U.S. forces had drawn down from their peak of over 25,000 in January to less than 5,000, when on June 5, forces loyal to General Mohammed Aideed ambushed Pakistani peacekeepers, killing 24. This began a running conflict between UN forces and militiamen loyal to Aideed. Aideed apparently believed he could force the UN from Mogadishu, and thereby gain control of the capital and maintain a military and political edge over his rivals. Aideed's attacks seem designed to create divisions between the various national contingents, to sap UNOSOM's will to engage militarily, and to erode public support among the contributing countries.

UNSC Resolution 837 of June 6, 1993, condemned the premeditated armed attacks by forces apparently belonging to the United Somali Congress (USC/SNA) against UNOSOM II personnel on June 5, and the use of radio broadcasts to incite attacks against such personnel. The resolution also stressed the importance of restoring law and order and authorized the Secretary General, again under Chapter VII of the Charter, to take all necessary measures against those responsible for the attacks, including arrest, detention, trial and punishment. At the request of the UN, U.S. aircraft destroyed heavy weapons that the Aideed group had assembled in Mogadishu in violation of the Addis Agreement for use in further attacks against the UN.

Forces loyal to Aideed escalated their campaign against the UN using command-detonated mines, sniper fire and mortar attacks. Because his forces control much of south Mogadishu, through which most supplies and traffic must pass from the port, his attacks on the UN have appeared to greatly magnify his presence. Yet, due to the importance of the roads in that area, the continuing toll on UN peacekeepers, and the growing frequency and audacity of the assaults, Aideed's attacks could not be ignored. Aideed mixed his fighters among women and children to inhibit the response of the peacekeepers, and added women as combatants to his forces.

At the request of the UN, the U.S. sent Rangers to Mogadishu to help apprehend those responsible for the attacks on peacekeepers. The Rangers mounted several raids in August and September, netting arms caches and several leaders of the forces hostile to the UN.

G. Progress and Setbacks

o Making a Large UN Force Work: While there have been many serious problems for UNOSOM in Mogadishu, its successes throughout Somalia have been both impressive and substantial. There have been command and control difficulties within UNOSOM that have hampered its effectiveness, but it should be recalled that UNOSOM II is the first UN peace enforcement operation where the international community sought to impose an end to fighting on recalcitrant parties. The difficulties have stemmed from several sources.

The novelty of learning together under a new system has resulted in significant mis-steps. Except for the members of NATO, the world's militaries have little experience in working within large multilateral organizations. While the UN is working to correct the problems of coordination, there will continue to be difficulties due to language, different procedures and incompatible equipment.

More problematic has been the fact that some countries have arrived in Somalia with clearly differing perspectives on what would be required of them. Some contingents view UNOSOM as an extension of traditional peacekeeping operations, where the peacekeepers take great pains to avoid using force or appearing to take sides in the conflict. Other contingents have little real combat experience and are reluctant to take on the warlords, even when ordered to do so. Still others recognize more clearly that UNOSOM is a unique experiment that requires the skills of both traditional peacekeeping and the more robust efforts of peace enforcement. Closer consultations between the UN and the troop contributing countries before they arrive and continuing close consultations both in the field and in New York are necessary to overcome these differences. Under-Secretary General for Peacekeeping Kofi Annan has instituted periodic meetings of troop contributing countries in New York; the U.S. has encouraged him to make these more frequent and more consultative.

Nations also arrived with differing opinions of how their forces will relate both to the UN Force Commander and their national capitals. In some cases, this has meant referring almost all orders to capitals for agreement, which has caused delays and, in some cases, mutual recrimination. Kofi Annan's consultations in New York with representatives of troop contributing countries are aimed in large part at clarifying these positions.

UNOSOM II has suffered as well from public relations difficulties. The UN and U.S. response to the assaults on UN peacekeepers by forces loyal to Aideed have made it appear that all of UNOSOM's efforts are focused solely on a vendetta against one warlord. This has ignored the UN's progress outside of

Mogadishu on political institution-building and rehabilitation. Moreover, the press and others have portrayed UNOSOM as an American, rather than UN, operation. The larger story of the end of starvation and the beginnings of political reconciliation has largely been lost. UNOSOM, and the UN in general, need to do a better job of communicating developments to the people of Somalia and to the world at large.

o UNOSOM-Political Operations: Despite the problems of UNOSOM, progress is being made in areas outside of Mogadishu that have traditionally been controlled by Somali warlords. Of Somalia's 84 districts, 30 now have working district councils. More will be established shortly. These councils are broad based organizations that will oversee the reconciliation process in their areas and, eventually, take on full responsibility for local administration. In addition, peace talks have been successfully concluded under UNOSOM sponsorship in Kismayu, where two factions had engaged in heavy combat last spring.

The Addis Ababa peace accord remains the basis for ensuring political reconciliation and the eventual restoration of the Somali government. However, attacks on UN peacekeepers and the need to respond to these attacks have complicated efforts to form the "Transitional National Council" called for in the Addis Ababa agreement.

o UNOSOM-Political/Judiciary Program: The UN Secretary General's August 17 report on Somalia requests \$45 million to fund the initial costs of reestablishing a Somali justice system comprising police, judicial and prison components. In response to the urgent need, the U.S. will provide a \$6 million grant to UNOSOM which will cover all initial costs of reestablishing the judicial system, including: salaries of judges and other personnel of the various courts, the Ministry of Justice and the Office of the Attorney General; rehabilitation of facilities, provision of vehicles, supplies and equipment; and support for UNOSOM personnel. As called for in UNSC Resolution 814, these are voluntary contributions and not part of the UNOSOM II assessment.

As many as 5,000 Somali police have assumed local security roles now covered by the UN, but they need equipment and training, which UNOSOM will provide. To support the police component, the President after consulting with Congress directed on September 30, a drawdown of up to \$25 million in DoD commodities and services for the UN for these purposes. The drawdown could include vehicles, vehicle maintenance packages (using non-U.S. personnel), radios, uniforms and weapons. While this will respond to some of the equipment requirements of the police component, the President also authorized provision of an additional \$2 million in Economic Support Funds (ESF) to help cover police personnel costs.

Beyond the direct benefit to the UN effort that will come from this package of assistance, the U.S. commitment will provide leverage for the UN, with U.S. diplomatic support, to induce other donor countries to contribute to the UN plan.

In a continuing effort, a UN working group has commitments from a number of nations to donate money, equipment and trainers to set up Somalia's police force, including Germany, the Netherlands, the UK, Italy, Norway, Sweden, and Egypt. Saudi Arabia and Malaysia have also expressed interest in assisting.

o UNOSOM-Relief/Operations: Humanitarian efforts in Mogadishu have been severely hampered by the violence in the capital. To assist the displaced population of Mogadishu, CARE continues to provide dry food rations thrice weekly through 23 distribution centers, reaching almost 300,000 people. Outside of Mogadishu, humanitarian conditions have improved, and the UN reported recently that 42,000 fewer MT of food are now needed to support humanitarian programs than was required at the height of the famine.

More than 200,000 refugees have been registered by UNHCR for voluntary repatriation. It is estimated that some 50,000 refugees have spontaneously returned during the last few months and UNHCR has directly assisted some 15,000 refugees with organized transport by land and air. UNHCR also is assisting displaced persons in Kismayu and Bardera to return to their homes. They report that 2,624 families from Mogadishu and Kismayu have returned to 35 villages surveyed in Lower Juba.

The gradual reduction of feeding programs all over southern Somalia will have to take into account the reality, however, that certain groups in Somalia continue to be blocked access to food and relief supplies due to inter-clan rivalries. Vulnerable groups, particularly displaced persons, women and children under five, continue to exist in significant pockets of suffering. In Kismayu, for instance, the UN halted food distribution programs in displaced camps to encourage the displaced persons to return home, but when they did not move out of the camps, malnutrition resurfaced. In Bardera, a poor harvest in September forced many displaced who had gone home to return to the city only to find that food distributions had stopped. The population of a relief camp there recently grew from 2,000 to 9,000. While the UN and NGOs moved quickly to respond to both these situations when they

arose, these examples serve to illustrate that humanitarian progress made in Somalia remains fragile and dependent upon a secure environment.

ANNEX II:

LOCATION AND FUNCTIONS OF U.S. FORCES IN SOMALIA
(AS OF OCTOBER 11, 1993)

Quick Reaction Force (QRF)

As of October 9, the QRF consisted of 1,358 personnel, including:

- a brigade level headquarters unit of the 10th Mountain Division;
- a helicopter task force of 48 aircraft;
- a battalion of the 10th Mountain Division, with an engineering platoon, a military police platoon, a psychological operations team, a civil affairs team, a truck section, a bulldozer team and a Special Forces team, and;
- the 46th Forward Support Battalion with a platoon of MP's;
- a mechanized infantry team of 14 Bradley fighting vehicles and 4 tanks.

Rangers

A Ranger Task Force of approximately 950 personnel supporting U.S. forces in Somalia.

47 U.S. military personnel currently serve in UNOSOM II force command staff.

507th Corps Support Group (CSG)

Headquarters: University Compound, Mogadishu
Personnel: Officers: 33, Enlisted: 224.
Military
Specialties: Command and control/management functions

561st Corps Support Battalion

Headquarters: Hunter Base, Mogadishu
Personnel: Officers: 13, Enlisted: 41.
Military
Specialties: Command and control/management functions, materiel management, transportation management

102nd Quartermaster Company (POL)

Mission: Provides receipt, issue, and storage of petroleum for U.S. and UNOSOM Forces in Theater. The company maintains the bag farm and the Inland Petroleum Distribution System, which transfers fuel from docked ships to the bag farm.

Location: Airfield

Customers supported: U.S. and UNOSOM Forces.

(a) Mogadishu: JP-5 capacity is 2,620,000 gal./MOGAS capacity is 300,000 gal.

(b) Baledogle (Morocco): JP-5 capacity is 40,000 /MOGAS capacity is 20,000 gal.

(c) Baidoa (France): JP-5 capacity is 120,000

(d) Bardera (Botswana): JP-5 capacity is 40,000/MOGAS is 20,000 gal.

(e) Belet Uen (Germany): JP-5 capacity is 100,000/MOGAS is 20,000 gal.

(f) Waajid (Zimbabwe): JP-5 capacity is 76,000/MOGAS is 26,000 gal.

(g) Balcad (Korea): JP-5 capacity is 34,000 gal.

(h) Totals

JPS:	3,030,000
MOGAS	412,000

Personnel: Officers: 6, Enlisted: 119

Military Specialties: Petroleum Specialist, Light Wheeled Vehicle Mechanic, QM Shipment Repairman

594th Transportation Company

Mission: Provides light transportation support for messengers and general cargo for both local and line haul missions.

Equipment: 48 ea. H923 (5T TRK, CGO), 10 ea. M931A2, 17 ea. M871 (30ft. trl.)

Location: Hunter Base (as of 30 Aug 93)

Customers supported: All U.S. and UNOSOM Forces.

Personnel: Officers: 5, Warrent Officers: 1, Enlisted: 120

Military Specialties: Truck Drive, Heavy Wheeled Vehicle Mechanic

196th Quartermaster Detachment (Water Purification Section)

Mission: Provides purification, issue, storage, distribution of bulk water for U.S. and UNOSOM Forces. Operates and maintains a tactical water distribution system (TWDS).

Location: Airfield.

Customers supported: The unit is operating five production sites (see below), producing potable and non-potable water with the Reverse Osmosis Water Purification system (ROWPO). Bulk water is delivered to Baledogle, Baidoa, Bardera, and Belet Uen.

(a) Mogadishu:

1. Airfield (capacity): 80K.
 2. Embassy (capacity): 40K.
 3. New Port (capacity): 210k.
 4. Reservoir (capacity): 260k.
 5. University (capacity): 40k.
- Total: 630k

- (b) Baledogle, Morocco (capacity): 76k.
- (c) Baidoa, France (capacity): 60k.
- (d) Bardera, Botswana (capacity): 56k.
- (e) Belet Uen, Germany (capacity): 70k.

Personnel: Officers: 22, Enlisted: 40.
 Military
 Specialties: Water Purification Specialist, OM Equipment Repairman, Preventive Medicine Specialist

79th Quartermaster Company

Mission: Provides graves registration and Theater Mortuary Evacuation Point (TMFP) services for U.S. Forces.

Location: Airfield.

Customers supported: U.S. Forces in Theater are supported. While the Terms of Reference (TOR) identify the processing of remains as a national responsibility, to include Somalis' remains incident to hostile action with UNOSOM II Forces, the TMFP has processed most of the remains in Theater.

Personnel: Officers: 1, Enlisted: 16.
 Military
 Specialties: Mortuary Affairs Specialist

40th Transportation Company

Mission: Provides transportation for bulk water and fuel for local and line haul missions.
 Equipment: 60 ea 2A2 (Trac.), 20 ea. M967 (5K fuel tankers). and 40 ea. M1098 (water tankers)
 Location: Hunter Base.
 Customers supported: All U.S. and UNOSOM Forces
 Personnel: Officers: 5, Enlisted: 120
 Military Specialties: Light Wheeled Vehicle Mechanic, Supply Specialist, Truck Driver

POL LAB (managed by the 561st CSB/individual augmentees)

Mission: Test fuel samples to ensure quality
 Location: Hunter Base
 Customers supported: All U.S. and UNOSOM Forces
 Personnel: Officers: 1, Enlisted: 4
 Military Specialties: Petroleum Lab Specialist

568th/362nd Construction Support Equipment (CSE) Company

Mission: Primarily responsible for MSR maintenance repair
 Location: Hunter Base
 Customers supported: All U.S. and UNOSOM Forces
 Personnel: Officers: 6, Enlisted: 195
 Military Specialties: Heavy construction Equipment Operations, Heavy Construction Shipment Mechanic, Truck Driver

TF 24/10th Terminal Battalion

Headquarters: New Port, Mogadishu

567th Transportation Company

Mission: Provides terminal service support for Mogadishu New Port. The service includes the discharging and handling of cargo from ships at dock.

Equipment: Crane and MHE capability (includes RTCH capability)

Location: New Port

Customers supported: All U.S. Forces are supported. The unit has provided limited support to UNOSOM forces and NGOs when available.

Personnel: Officers: 1, Enlisted: 75

Military

Specialties: Port (terminal) Operations Specialists

551st Cargo Transfer Company

Mission: Provides ADACG support for passengers and cargo on all U.S. incoming and outgoing flights.

Equipment: MHE capability

Location: Airfield International Terminal

Customers supported: All U.S. Forces are supported. (UNOSOM Forces' services are handled by UNOSOM at the north ramp.)

Personnel: Officers: 1, Enlisted: 38

Military

Specialties: Warehouse Specialist

13th Corps Support Battalion

Headquarters: Sword Base. The Army Oil Analysis Program (AOAP) laboratory and the Logistics Assistance Office (LAO) are at this location.

Personnel: Officers: 15, Enlisted: 31

Military

Specialties: Command and control/management function, Automated Supply Specialist, Supply Specialist

227th Quartermaster Company

Mission: Provides direct support of Class I rations to all U.S. Forces. Receives, stores, and issues perishable rations to all U.S. Forces.

Location: Sword Base

Customers supported: U.S. Forces (5,167 personnel)

Personnel: Officers: 1, Enlisted: 79
 Military
 Specialties: Class I Warehouse Specialist

598th Maintenance Company

Mission: Provides Direct Support and back-up unit level maintenance support for U.S. forces under UNOSOM II. Provides class IX management and support for U.S. Forces

Location: Sword Base

Customers supported: All U.S. Forces in Theater supported. While the TOR does not require it, the unit has provided repair, repair technical assistance, and class IX technical assistance to UNOSOM forces.

Personnel: Officers: 5, Enlisted: 176

Military
 Specialties: Wheeled Vehicle Repairman, Track Vehicle Repairman, Power Operation Repairman

533rd Transportation Company

Mission: Provides general cargo transportation for local and line haul missions

Equipment: 50ea. M915A1, 80 ea. M872 (40 ft. trl.)

Location: Sword Base (as of 30 Aug 93.)

Customers supported: All U.S. and UNOSOM Forces

Personnel: Officers: 4, Warrant Officers: 1, Enlisted: 116

Military
 Specialties: Petroleum Specialist

57th EOD (Explosive Ordnance Disposal) Detachment

Mission: Provides explosive ordnance disposal and demolition for U.S. and UNOSOM Forces in Theater

Location: University Compound

Customers supported: U.S. and UNOSOM Forces

Personnel: Officers: 1, Enlisted: 11

Military
 Specialties: EOD Specialist

406th Quartermaster Company

Mission: Provides direct support of class I semi-perishable rations, packaged rations, and bottled water to U.S. Forces. It also provides packaged rations and bottled water to UNOSOM Forces. The unit receives, stores, and issues to all UNOSOM Forces that are not self-supporting.

Location: Sword Base.

Customers supported: U.S. and UNOSOM Forces (3,730 personnel)

The following UNOSOM Forces are supported outside Mogadishu: (The class I manager maintains a current status of the UNOSOM Forces supported for rations and bottled water.)

<u>Site Supported</u>	<u>UNOSOM Force</u>	<u>Item</u>
Baledogle	Moroccans	Bottled Water
Baidoa	French	Bottled Water
Bardera	Botswanans	Rations/Bottle Water
Belet Uen	Germans	Bottled Water
"	Nigerians	Rations/Bottle Water
Waaqid	Zimbabwe	Rations/Bottle Water

Personnel: Officers: 1, Enlisted: 46
 Military
 Specialties: Ration Storage Specialist

508th Ordnance Company, Ammunition Supply Point (ASP)

Mission: Operate an ammunition supply facility (CSA/TSA) for receiving, storing, re-warehousing, combat configuration, and issuing conventional ammunition.

Location: Airfield

Customers supported: All U.S. Forces

Personnel: Officers: 1, Enlisted: 45
 Military
 Specialties: Ammunition Supply Specialist

Task Force II, Signal

Mission: Provide all switching/relaying and communication equipment for areas away from Mogadishu. 507th provides all communication and equipment for the Mogadishu area.

Location: University Compound (Headquarters). Note sites are operated throughout the Theater.

Customers supported: All U.S. and UNOSOM Forces

Personnel: Officers: 13, Enlisted: 185

Military Specialties: Communication Specialist

18th AG Detachment

Mission: to provide direct postal services to include receipt, distribution, sorting, routing and dispatch, and directory assistance.

Capabilities: Processing and handling 35,000 lbs daily

Location: University Compound/Airfield.

Customers Supported: All U.S. Forces in Theater

Personnel: Officers: 1, Enlisted: 15

Military Specialties: Admin Specialist

546th Personnel Service Company (PSC)

Mission: Provide personnel and finance support to include record updates, check cashing, casual payments, claims, travel and contract payments.

Location: University Compound

Customers supported: All U.S. Forces in Theater

Personnel: Officers: 2; Enlisted: 6

Military Specialties: Admin Specialist

13th PAO (Public Affairs Office)

Mission: To provide public affairs support to all U.S. Forces in Theater; specifically, a command information program and media relations support.

Location: University Compound

Personnel: Officers: 1, Enlisted: 3

Military
Specialties: Photojournalist, Broadcaster

Army Materiel Command (AMC)

Mission: Provide assistance in all areas of logistics. Can perform DS/GS maintenance on the majority of U.S. Force equipment in Theater.
Location: Sword Base
Customers Supported: All U.S. and UNOSOM Forces in Theater in accordance with the Terms of Reference.
Personnel: 10 GS 12/13, Supply and Maintenance Technicians

Medical Support by the Combat Support Hospital
Requirements of the Subordinate Supporting Units

46th Combat Support Hospital (CSH)

Location: The headquarters is at the Embassy Compound.
Personnel: Officers: 42, WO 1, Enlisted: 127
Military Specialties: Doctors, various specialties; nurses, various specialties; other health care providers; administrators

82nd Medical Company (Air Ambulance)

Mission: Provide medical evacuation for U.S. Forces with six UH-60 helicopters.
Location: Airfield, international airport
Personnel: Officers: 4, Warrent Officers: 10, Enlisted: 29

528th Combat Stress Psychologist (CSC)/Individual Augmentees

Mission: Provide treatment/counselling for U.S. Forces suffering from combat stress related-illnesses
Location: Embassy compound
Personnel: Officers: 1, Enlisted: 1

32nd Medical Logistics

Mission: Provide Medical Task Force 46 with all necessary
Class VIII Medical Supplies for all U.S. Forces.
Location: Embassy Compound
Personnel: Officers: 1, Enlisted: 9

248th Medical Detachment (Vet)/Individual Augmentees

Mission: Inspect food items and living conditions for U.S.
Forces
Location: Embassy Compound
Personnel: Officers: 1, Enlisted: 2

261st ASMS

Mission: Conduct sickcalls and provide ambulance drivers for
all U.S. personnel
Location: Embassy Compound
Personnel: Officers: 4, Enlisted: 34

926th Medical Detachment

Mission: Operate vehicle mounted insect spraying unit
Location: Embassy Compound
Personnel: Officers: 1, Enlisted: 3

Military Specialties for all subordinate CSH Units:

Officer Specialties:

Air Ambulance Pilots
Ground Ambulance Administrators
Preventive Medicine Physician
Environmental Medicine Physician
Environmental Science Officer
Social Worker
Veterinarian

Enlisted MOSs

Practical Nurses
Medical Specialist

Operating Room Specialist
Respiratory Specialist
Pharmacy Specialist
X-Ray Specialist
Biological Medical Specialist
Medical Technician (Air Ambulance)
Medical Technician (Ground Ambulance)
Veterinary Technician
Behavior Science Specialist
Preventive Medicine Specialist

Other support MOSs: Patient Administration; food service, communications, medical supply, vehicle maintenance, laundry and bath, administration, etc.

Deploying Augmentation Forces
(as of 8 October 1993)

- an additional light infantry battalion
- an armor battalion task force
- 4 AC-130H gunships
- two Marine Expeditionary Units
- a carrier strike force
- a self-propelled artillery battery
- 9 additional helicopters
- special operations personnel, including PSYOPs, civil affairs and others
- a heavy combat engineer battalion

ANNEX III

UNITAF FORCE CONTRIBUTORS
(as of March 23, 1993)

<u>Country</u>	<u>Number of Troops</u>	<u>Type of Forces</u>	<u>Location</u>
Australia*	931	Infantry	Baidoa
Belgium	761	Air Inf	Kismayu
Botswana	206	Infantry	Mogadishu
Canada**	1164	Mech Inf	Belet Uen
Egypt	235	Mech Inf	Mogadishu
France	1578	Mech Inf	Oddur
Greece	110	Med/Log	Mogadishu
India***	5	Advance	Mogadishu
Italy	2558	Air Inf	Gialalasi
Kuwait	138	Infantry	Mogadishu
Morocco	126	Mech Inf	Baledogle
New Zealand	67	Air Trans	Mogadishu
Nigeria	565	Recon	Mogadishu
Pakistan	880	Infantry	Mogadishu
Saudi Arabia	680	Infantry	Mogadishu
Sweden	180	Medical	Mogadishu
Tunisia	133	Infantry	Mogadishu
Turkey	300	Infantry	Mogadishu
U.A.E.	640	Infantry	Mogadishu
Zimbabwe	160	Infantry	Mogadishu
Total Non-U.S.	12,555		

On January 19, U.S. troop strength hit its peak at 25,074.

* Australia withdrew its infantry battalion at the conclusion of UNITAF, leaving in place a traffic control unit.

** Canada withdrew its infantry contingent at the end of UNITAF.

*** Indian forces did not arrive in time to take part in UNITAF.

ANNEX IV

UNOSOM FORCE CONTRIBUTORS
(as of October 6, 1993)

<u>Country</u>	<u>Number of Troops</u>	<u>Type of Forces</u>	<u>Location</u>
Australia	30	Log Staff	Mogadishu
Bangladesh	948	Inf/Sig	Mogadishu
Belgium	952	Infantry	Kismayu
Botswana	247	Infantry	Bardera
Canada	4	Staff	Mogadishu
Egypt	539	Infantry	Mogadishu
France	1117	Infantry	Oddur
Germany	1727	Eng/Log	Belet Uen
Greece	110	Med/Log	Wajid
India	3606	Inf/Log	Belet Uen
Ireland	80	Trans	Mogadishu
Italy	2663	Infantry	Gialalasi
Korea	250	Infantry	Mogadishu
Kuwait	138	Infantry	Mogadishu
Malaysia	870	Inf/MP	Mogadishu
Morocco	950	Infantry	Baledogle
New Zealand	43	Air Trans	Mogadishu
Nigeria	614	Infantry	Belet Uen
Norway	130	HQ staff	Mogadishu
Pakistan	5003	Infantry	Mogadishu
Romania	236	Fld Hosp	Mogadishu
Saudi Arabia	678	Infantry	Mogadishu
South Korea	252	Engineer	Mogadishu
Sweden	148	Medical	Mogadishu
Tunisia	142	Infantry	Mogadishu
Turkey	320	Infantry	Mogadishu
U.A.E.	663	Infantry	Mogadishu
U.S.A.	2781	Log	Mogadishu
<u>Zimbabwe</u>	<u>894</u>	<u>Infantry</u>	<u>Baidoa</u>
Force HQ	297		
Prvt Mrshl	143		
SSG	<u>63</u>		
Subtotal	26,645		
U.S. QRF	1,358		
U.S. Rangers	<u>600</u>		
Total	28,603		

Expected additional arrivals

India	2820	Inf/Log	Belet Uen
Nepal	320	Inf/MP	Mogadishu
Tunisia	463	Infantry	Mogadishu
Uganda	300	Infantry	Mogadishu
Zambia	570	Infantry	?
Egypt	1500	Medic Infantry	Mogadishu
Pakistan	1500	Medic Infantry	Mogadishu

ANNEX V

U.S. AND UNOSOM FATALITIESUNOSOM II FATALITIES STATUS
COUNTRY-WIDE STATISTICS

(As of October 11)

<u>Country</u>	<u>KIA</u>
France	1
Italy	6
Morocco	7
Nigeria	7
Pakistan	34
Turkey	1
USA	25
Malaysia	1
Total	82

** UNITAF KIA included four Americans and four coalition partner soldiers killed in action.

ANNEX VI: REMARKS OF PRESIDENT WILLIAM J. CLINTON
ON U.S. POLICY IN SOMALIA OCTOBER 7, 1993

Today I want to talk with you about our nation's military involvement in Somalia.

A year ago, we watched with horror as Somali children and their families lay dying by the tens of thousands -- dying the slow, agonizing death of starvation, a starvation brought on not only by drought, but also by the anarchy that then prevailed in that country.

This past weekend, we all reacted with anger and horror as an armed Somali gang desecrated the bodies of our American soldiers and displayed a captured American pilot -- all of these soldiers who were taking part in an international effort to end the starvation of the Somali people themselves.

These tragic events raise hard questions about our effort in Somalia. Why are we still there? What are we trying to accomplish? How did a humanitarian mission turn violent? And when will our people come home? These questions deserve straight answers.

Let's start by remembering why our troops went into Somalia in the first place. We went because only the United States could help stop one of the great human tragedies of this time. A third of a million people had died of starvation and disease. Twice that many more were at risk of dying. Meanwhile, tons of relief supplies piled up in the capital of Mogadishu because a small number of Somalis stopped food from reaching their own countrymen.

Our consciences said: enough. In our country's best tradition, we took action with bi-partisan support. President Bush sent in 28,000 American troops as part of a United Nations humanitarian mission. Our troops created a secure environment so food and medicine could get through. We saved close to one million lives. And throughout most of Somalia -- everywhere but in Mogadishu -- life began returning to normal. Crops are growing. Markets are reopening. So are schools and hospitals. Nearly a million Somalis still depend completely on relief supplies, but at least the starvation is gone. And none of this would have happened without American leadership and America's troops.

Until June, things went well with little violence. The United States reduced our troop presence from 28,000 down to less than 5,000, with other nations picking up where we left off.

But then in June, the people who caused much of the problem in the beginning started attacking American, Pakistani and other troops who were there just to keep the peace. Rather than participate in building the peace with others, these people

sought to fight and to disrupt, even if it means returning Somalia to anarchy and famine. And make no mistake about it: if we were to leave Somalia tomorrow, other nations would leave, too. Chaos would resume. The relief effort would stop. And starvation would soon return. That knowledge has led us to continue our mission.

It is not our job to rebuild Somalia's society, or even to create a political process that can allow Somalia's clans to live and work in peace. The Somalis must do that for themselves. The United Nations and many African states are more than willing to help. But we -- we in the United States -- must decide whether we will give them enough time to have a reasonable chance.

We started this for the right reasons. And we're going to finish it in the right way.

In a sense, we came to Somalia to rescue innocent people in a burning house. We have nearly put the fire out, but some smoldering embers remain. If we leave now, those embers will reignite into flames and people will die again. If we stay a short while longer and do the right things, we've got a reasonable chance of cooling off the embers and getting other firefighters to take our place.

We also have to recognize that we cannot leave now and still have all our troops present and accounted for. And I want you to know that I am determined to work for the security of those Americans missing or held captive. Anyone holding an American right now should understand, above all else, that we will hold them strictly responsible for our soldiers' well-being. We expect them to be well-treated. And we expect them to be released.

So now we face a choice. Do we leave when the job gets tough or when the job is well done? Do we invite a return of mass suffering, or do we leave in a way that gives the Somalis a decent chance to survive?

Recently, General Colin Powell said this about our choices in Somalia: "because things get difficult, you don't cut and run. You work the problem and try to find a correct solution."

I want to bring our troops home from Somalia. Before the events of this week, we already had reduced the number of our troops there from 28,000 to less than 5,000. We must complete that withdrawal soon -- and I will. But we also must leave on our terms. We must do it right. And here is what I intend to do.

The past week's events make it clear that, even as we prepare to withdraw from Somalia, we need more strength there. We need more armor, more air power, to ensure our people are safe and that we can do our job. Today, I have ordered 1,700 additional Army troops and 104 additional armored vehicles to Somalia to protect our troops and complete our mission. I also have ordered an aircraft carrier and two amphibious groups with 3,600 combat Marines to be stationed offshore. These forces will be under American command.

Their mission -- what I am asking these young Americans to do -- is the following.

First, they are there to protect our troops and our bases. We did not go to Somalia with a military purpose. But those who attack our soldiers will pay a very heavy price.

Second, they are there to keep open and secure the roads, the port and the lines of communication that are essential for the United Nations and the relief workers to keep the flow of food and supplies and people moving freely through the country, so that starvation and anarchy do not return.

Third, they are there to keep the pressure on those who cut off relief supplies and attacked our people -- not to personalize the conflict, but to prevent a return to anarchy.

Fourth, through their pressure and their presence, our troops will help make it possible for the Somali people, working with others, to reach agreements among themselves so they can solve their problems and survive when we leave.

That is our mission.

I am proposing this plan because it will let us finish leaving Somalia on our own terms and without destroying all that two Administrations have accomplished there.

For, if we were to leave today, we know what would happen. Within months, Somali children again would be dying in the streets. Our credibility with friends and allies would be severely damaged. Our leadership in world affairs would be undermined at the very time when people are looking to America to help promote peace and freedom in the post-Cold War world.

And all around the world, aggressors, thugs and terrorists will conclude that the best way to get us to change our policies is to kill our people. It would be open season on Americans.

That is why I am committed to getting our job done in Somalia not only quickly but also effectively. To do that, I am taking steps to ensure troops from other nations are ready to take the place of our soldiers. We have already withdrawn some 20,000 U.S. troops, and more than that number have replaced them from over two dozen other nations. Now we will intensify efforts to have other countries deploy more troops to Somalia to assure that security will remain when we are gone. And we will complete the replacement of U.S. military logistics personnel with civilian contractors who can provide the same support to the UN.

While we are taking military steps to protect our own people and help the UN maintain a secure environment, we must pursue new diplomatic efforts to help the Somalis find a political solution to their problems. That is the only kind of outcome that can endure. For, fundamentally, the solution to Somalia's problems is not a military one. It is political. Leaders of neighboring African states such as Ethiopia and Eritrea have offered to take the lead, in efforts to build a settlement among the Somali

people that can preserve order and security. I have directed my representatives to pursue such efforts vigorously. And I have asked Ambassador Bob Oakley, who served effectively in two Administrations as U.S. representative in Somalia, to travel to the region immediately to advance this process.

Obviously, even then, there is no guarantee Somalia will rid itself of violence or suffering. But we will have given Somalia a reasonable chance. This week some 15,000 Somalis took to the streets to express sympathy for our losses and to thank us for our effort. Most Somalis are not hostile to us, but grateful, and they want to use this opportunity to rebuild their country.

It is my judgment and that of my military advisors that we may need up to six months to complete these steps and conduct an orderly withdrawal. We will do what we can do to complete the mission before then. All American troops will be out of Somalia no later than March the 31th, except for a few hundred support personnel in non-combat roles.

If we take these steps, if we take the time to do the job right, I am convinced we will have lived up to the responsibilities of American leadership in the world, and we will have proven that we are committed to addressing the new problems of a new era.

When our troops in Somalia came under fire this last weekend, we witnessed a dramatic example of the heroic ethic of the American military. When the first Black Hawk helicopter was downed this weekend, the other American troops didn't retreat, although they could have. Some ninety of them formed a perimeter around the helicopter, and they held that ground under intensely heavy fire. They stayed with their comrades. That is the kind of soldiers they are. That is the kind of people we are.

So let us finish the work we set out to do. And let us demonstrate to the world, as generations of Americans have done before us, that when Americans take on a challenge, they do the job right.

Let me express my thanks and my gratitude and my profound sympathy to the families of the young Americans who were killed in Somalia. My message to you is, your country is grateful, and so is the rest of the world, and so are the vast majority of the Somali people. Our mission from this day forward is to increase our strength, do our job, bring our soldiers out, and bring them home. Thank you, and God bless America.

NATIONAL SECURITY COUNCIL
WASHINGTON, D C. 20506

October 12, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE *RC*
FROM: SEAN J. DARRAGH *SJD*
SUBJECT: Report to the Congress on Somalia

Attached is a memorandum to the President requesting that he sign the enclosed cover letter. The cover letter will accompany each copy of the Report to Congress. Each member of Congress will receive a copy of the report.

Concurrences by: Jennifer ~~Ward~~ *JW*, Susan Rice *SR*

RECOMMENDATION

That you sign the memorandum to the President at Tab I requesting that he sign the enclosed cover letter of the Report to Congress on Somalia.

Attachments

Tab I Memorandum to the President
Tab II Cover Letter of the Report to Congress on Somalia

File

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
OHIO · MICHIGAN · KENTUCKY · TENNESSEE

CHAMBERS OF
NATHANIEL R. JONES
CIRCUIT JUDGE
432 U. S. POST OFFICE & COURTHOUSE
CINCINNATI, OHIO 45202-3988

September 24, 1993

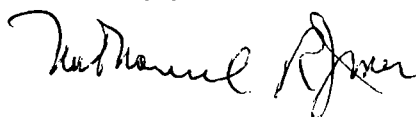
Ambassador Richard Schifter
Special Assistant to the
President and Counselor
National Security Council
Washington, D.C. 20506

Dear Ambassador Schifter:

I am transmitting to you for your information, a summary of an Advisory Opinion issued by the Codes of Conduct Committee of the Judicial Conference of the United States. It bears rather directly on the matter we have been discussing.

Chief Judge Merritt has been apprised of this Opinion and I expect to receive a letter of approval from him within a few days. As soon as it is received I will advise you.

Sincerely yours,



Nathaniel R. Jones

NRJ:mlc
Enclosure

COMMITTEE ON CODES OF CONDUCT
OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES
FEDERAL BUILDING, LOCKBOX 33
844 KING STREET
WILMINGTON, DELAWARE 19801

TELEPHONE
COM: (302) 573-6165
FTS: 487-6165

JUDGE R. LANIER ANDERSON, III
JUDGE FRANKLIN S. BILLINGS, JR.
JUDGE JOHN P. FULLAM
MAGISTRATE HENRY L. JONES, JR.
JUDGE JOHN B. JONES
JUDGE NATHANIEL R. JONES
JUDGE ROBERT C. JONES
JUDGE HENRY A. POLITZ
JUDGE DAVID SAM
JUDGE ROBERT M. TAKASUGI
JUDGE JOSEPH L. TAURO
JUDGE PATRICIA M. WALD
JUDGE HIRAM H. WARD
JUDGE JAMES B. ZAGEL

April 25, 1991

R. TOWNSEND ROBINSON
COUNSEL
FTS: 633-5987

JUDGE WALTER K. STAPLETON
CHAIRMAN

RECEIVED

APR 29 1991

NATHANIEL R. JONES
Circuit Judge

Honorable Louis H. Pollak
United States District Court
16613 United States Courthouse
Independence Mall West
Philadelphia, PA 19106-1723

Re: Docket No. 781

Dear Judge Pollak:

You inquire whether a judge may serve as a member of the Working Group on Detention of the United Nations Human Rights Commission. If appointed, you would serve as one of five members. You would be the member selected from a particular set of nations--Canada, United States, and the nations of Western Europe. You would not, however, be a representative of your country or any of the other countries. You would serve the United Nations. You would accept no compensation for your services but would receive travel expenses. You would be nominated for this post by the United States, but the selection would be made by the United Nations. Your nomination does not mean you would, in fact, be selected.

The Working Group reports to the United Nations Human Rights Commission and also to the General Assembly on complaints of violations of those provisions of the Universal Declaration of Human Rights that relate to unlawful detention (i.e., for political reasons or without due process). The Working Group will have occasion to engage in on-site fact finding though it will do so infrequently. Members of the Working Group would appear before the Human Rights Commission to explain the Working Group's reports.

Honorable Louis H. Pollak
April 25, 1991
Page Two

Canon 5G states:

A judge should not accept appointment to a committee, commission, or other position that is concerned with issues of fact or policy on matters other than the improvement of the law, the legal system, or the administration of justice, unless appointment of a judge is required by Act of Congress. A judge should not, in any event, accept such an appointment if the judge's governmental duties would interfere with the performance of judicial duties or tend to undermine the public confidence in the integrity, impartiality or independence of the judiciary.

The Committee believes this is the appropriate Canon to apply in your case although we do not believe our analysis would be materially different if we applied Canon 4C. The United Nations may not, in a technical sense, be a government, but it is more analogous to a government than to a private organization. Your appointment to the Working Group would come only as a result of your nomination by our government.

Given that the mission of the Working Group is to hold up against the model standard of the U.N. Declaration, the current workings of legal systems, and the administration of justice in various nations around the world, the subject matter addressed by the Working Group would appear to concern improvement of the law, the legal system, or the administration of justice. So the initial requirements of Canon 5G are satisfied in our opinion.

One further requirement of Canon 5G is that the appointment not interfere with judicial duties. We have no way of knowing whether or not this will occur because we do not know how much of your time will be consumed by Working Group activities or when that time will have to be spent with the Working Group. Nothing you have reported to us, however, suggests that the responsibilities of members of the Working Group are incompatible with your judicial responsibilities.

The remaining requirement of Canon 5G is that the appointment not tend to undermine the public confidence in the integrity, impartiality or independence of the judiciary. We have, in the past, expressed concern over participation by judges in a

Honorable Louis H. Pollak
April 25, 1991
Page Three

private group's efforts to ameliorate unlawful detention. We have found that a judge may not write letters to foreign governments protesting unlawful detention of a specific person if the letter identifies its author as a judge. In that case we believe (1) the judge might contravene a statute prohibiting citizens from corresponding to foreign governments without the authority of the United States (18 U.S.C. 953) and, in so doing, contravene Canon 2A as well ("A judge should ... comply with the law."); (2) the judge would lend the prestige of his office to advance the private interest of a specific person (the detainee) and thus contravene Canon 2B; and (3) the judge would incur an unavoidable risk that his actions would contravene Canon 7 which prohibits political activity.

Your case is different. Your nomination by the United States avoids the problem of communicating with foreign governments without the authority of the United States. We assume you will speak to the Commission and the Assembly not as a judge but as a Working Group member. Indeed, use of the title "United States District Judge" with respect to Working Group activities would be inappropriate. We further assume the Working Group will ordinarily address the problem of unlawful detention in a context that is broader than a plea or demand for the release of specific individuals. Moreover, if such a plea or demand for release is made on occasion, we assume it will be in the name of the United Nations or the Commission and not in the name of the individual members of the Working Group. Finally, you will be able to reach your conclusions about matters of unlawful detention on the basis of your own fact-finding, not solely upon the representations of one group that such detention is occurring.

Since the purpose of the Working Group is to improve legal systems and the administration of justice around the world, its activities will be "political" in one sense of that word. Canon 7A(3), however, provides that activities directed to the improvement of the law, the legal system, and the administration of justice are not foreclosed by the general prohibition against engaging in political activity. While we can conceive of the Working Group becoming involved in matters so controversial that your involvement could jeopardize your effectiveness as a judge at home, we think those instances should be rare and that in the unlikely event that such a situation should develop, you would have sufficient warning to permit your withdrawal without injury to your effectiveness as a judge.

Honorable Louis H. Pollak
April 25, 1991
Page Four

The Committee therefore sees no reason why the Canons would be contravened by your appointment as a member of the Working Group. You must, however, consider, now and throughout any service on the Working Group, whether the time you devote to the Working Group will interfere with the performance of judicial duties and whether the activities of the Working group would impair your effectiveness as a judge.

For the Committee


Chairman

UNITED NATIONS



NATIONS UNIES

File


United Nations Information Centre, Washington, D.C., 20006

1889 F Street, N.W.

(202) 289-8670

FACSIMILE TRANSMISSION PAGEDate: 1 October 1993
Page 1 of 2

TO: Ambassador Richard Schifter
Special Assistant to the President
and Counselor
National Security Council
FAX: (202) 395-7366

FROM: Michael Stopford, Director 
United Nations Information Centre, Washington, D.C.
(202) 289-8670
FAX: (202) 289-4267

SUBJECT: Somalia

It was a great pleasure to meet with you yesterday and I much look forward to keeping in touch on human rights and other issues of common concern. With respect to Somalia, I thought you might be interested in the attached press release on the progress so far achieved by the Justice Division of UNCSOM.

Kind regards,

PHOTOCOPY PRESERVATION

TO: BERGER

FROM: SCHIFTER

DOC DATE: 29 SEP 93
SOURCE REF:

KEYWORDS: SOMALIA

LEGAL ISSUES

PERSONS: JONES, NATHANIEL R

SUBJECT: JUDICIAL PROGRAM FOR SOMALIA

ACTION: BERGER APPROVED RECOM

DUE DATE: 02 OCT 93 STATUS: C

STAFF OFFICER: SCHIFTER

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

KRECKO
NSC CHRON
SCHIFTER

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By KOE NARA, Date 12/05/16

2012-0659-F

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSASK

CLOSED BY: NSJEB

DOC 1 OF 1

~~CONFIDENTIAL~~
ACTION DATA SUMMARY REPORT

RECORD ID: 9307454

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 BERGER
001 KRECKZO
001 BERGER
001

Z 93092917 FOR DECISION
Z 93093013 FOR FURTHER ACTION
Z 93100414 FOR DECISION
X 93100414 BERGER APPROVED RECOM

~~CONFIDENTIAL~~

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Richard Schifter to Samuel Berger, re: Judicial Program for Somalia (2 pages)	09/29/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Counselor's Office (Schifter, Richard)
OA/Box Number: 681

FOLDER TITLE:

Somalia, 1993 [2]

2012-0659-F
ke4104

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]

Biographical Data

THE HONORABLE NATHANIEL R. JONES United States Circuit Judge

Judge Jones was born in Youngstown, Ohio on May 13, 1926, to Lillian and Nathaniel B. Jones. He attended the public schools there. After service in the United States Air Force in World War II, he was educated at Youngstown State University, receiving his A.B. in 1951 and his LL.B. in 1956 (converted to J.D. in 1970). He was admitted to the Ohio Bar in 1957.

While an undergraduate and law student, Judge Jones worked as a reporter. At the age of 20 he became editor of the Buckeye Review Newspaper and managed the Dickerson Printing Company. From 1956 to 1959, he was Executive Director of the Fair Employment Practices Commission of the City of Youngstown and the Mayor's Human Relations Commission. During this period, he was a member of the Mahoning County Welfare Advisory Board. A year after entering the private practice of law, Attorney General Robert Kennedy appointed him as an Assistant United States Attorney for the Northern District of Ohio at Cleveland. He held that position until being appointed in 1967 to serve as Assistant General Counsel to President Johnson's National Advisory Commission on Civil Disorders, also known as the Kerner Commission. This group made a study of the causes of the urban riots of the Sixties. Following the work of the Kerner Commission, Judge Jones returned to Youngstown to practice law as part of the law firm of Goldberg and Jones.

In 1969, the distinguished civil rights leader, Roy Wilkins, executive director of the National Association for the Advancement of Colored People, with whom Judge Jones had been associated in his work on the Kerner Commission, invited him to New York to assume the responsibility as general counsel of the NAACP. He held the position for a decade, from 1969 to 1979. He became the fourth chief counsel for that organization since its founding in 1909.

As National General Counsel, Judge Jones supervised the legal staff and programs of the organization that had chapters in 1,700 cities of the fifty states. In addition to serving as legal advisor to the various departments within the organization and to local branches, he directed all litigation in which the NAACP engaged.

In his capacity as General Counsel, Judge Jones coordinated the attack against northern school segregation and twice argued in the United States Supreme Court the Detroit school case, Bradley v. Milliken, 418 U.S. 717 (1974). In addition, in 1979 he had the responsibility for successfully organizing the presentation to the United States Supreme Court in the cases of Dayton Board of Education, et al. v. Brinkman, et al., 433 U.S. 406 (1977) and Columbus Board of Education, et al. v. Penick, et al., 443 U.S. 449 (1979). During Judge Jones' tenure as NAACP General Counsel, he directed the national response to the attacks against affirmative action, led an inquiry into discrimination against black servicemen in the military, and supervised the NAACP's defense in the Mississippi Boycott case, that led to a landmark Supreme Court decision that declared the right of individuals and organizations to engage in protests under the First Amendment.

On May 17, 1979, at a White House ceremony, President Carter announced his intention to appoint Nathaniel Jones to the United States Court of Appeals for the Sixth Circuit. After confirmation, he took his oath of office on October 15, 1979.

In addition to his judicial duties, Judge Jones participates in a variety of activities, including those related to legal education. He is adjunct professor at the University of Cincinnati College of Law, instructor in the trial advocacy program at the Harvard Law School and adjunct professor at the Criminal Law Institute of Atlanta University. He is currently serving as a member on the Board of Visitors at the College of Law, University of Cincinnati; the Indiana University School of Law and the Salmon P. Chase College of Law of Northern Kentucky State University.

He is a former member of the Board of Visitors at Case Western Reserve University Law School in Cleveland. He also is currently serving as a member of the Board of Governors of Nova University Law Center. Other activities include lecturing and judging moot court competitions at the following institutions: Harvard Law School, Yale Law School, Marshall Law School of Cleveland State University, Thurgood Marshall College of Law, Antioch College School of Law, Georgetown Law Center, University of Dayton, Ohio State University, Capitol University Law School, Columbia University Law School, New York University, Boston University Law School, Boston College's Law School and many others.

In 1985 Judge Jones traveled to South Africa on behalf of the Lawyers' Committee for Civil Rights Under Law, where he was a legal observer at a treason trial of 16 blacks. While on that mission, he was arrested for violation of apartheid laws. Returning to South Africa the following year, he lectured at a symposium held for thirty South African judges. In November, 1986, Judge Jones was part of a four-person team that went to the Soviet Union to meet with Soviet officials and Jewish Refuseniks, in connection with human rights. In June of 1987, he chaired a conference in Washington on "Children, The Law and Repression in South Africa." In June of 1989, Judge Jones travelled to Namibia as part of a visiting delegation to monitor the election process that would lead to the independence of Namibia.

Judge Jones has received numerous honors and awards including honorary degrees from Youngstown State University in 1970, Syracuse University in 1972, University of Akron School of Law in 1988, Indiana University School of Law-Indianapolis in 1990, Lesley College in 1991, William Mitchell College of Law in 1993 and Nova University in 1993. The National Bar Association conferred its Equal Justice Award in 1978.

Other activities of Judge Jones include the following:

Co-Chairman - The Roundtable - the aim of which is to broaden the involvement of minorities in the legal profession. Sponsored by the Cincinnati Bar Association and The Black Lawyers Association of Cincinnati.

Chairman, 1987 - Brotherhood National Conference of Christians and Jews, Cincinnati Region. Member - Board of Directors, Black Jewish Coalition.

On May 19, 1987, Judge Jones presented a paper at a Columbia Law School - NAACP Legal Defense Fund symposium on "Blacks and the Bicentennial of the Constitution."

Member - Committee on Code of Conduct of the Judicial Conference of the United States

Member - Advisory Committee of the Urban Morgan International Human Rights Institute

Member - Board of Governors, Nova University

Member - Board of Trustees, Thomas More College

Member - Board of Visitors, Northern Kentucky University

Master - Potter Stewart American Inns of Court

Trustee - Interrights, USA, an international human rights organization

Trustee - National Conference of Christians & Jews

Former President - Alpha Delta Boule', Sigma Pi Phi Fraternity

Member - Kappa Alpha Psi Fraternity

Member - Gothic Lodge #22 King Solomon Consistory No. 20

Mason, 33rd Degree - United Supreme Council

Member - Black Lawyers Association of Cincinnati

Member - Cincinnati Bar Association

Member - Committee, ABA Committee on Law Schools Accreditation

Coordinator - Death Penalty Task Force U.S. Court of Appeals for the Sixth Circuit

Member, University Club

Founding Director, Metropolitan Club

Judge Jones, along with his lecturing, has authored numerous articles and papers including "Yearning to Breathe Free," a report of the South African treason

trial; "Federal Power As Used to Protect Minority Rights," published in the Brigham Young L. Rev. 815 (1987); "Strategies for Completing the Job of Social Desegregation," 19 Howard L.J. 82 (1975); "Is 'Brown' Obsolete?," 3 Integrated Educ. (1976); "School and Divergent Perspectives: Changing Civil Rights Through Law -- Can It Be Done?," American Sociological Association (1977); "Metropolitan Desegregation: Where Are the Courts Heading?," Urban Rev. (1978); "Equal Protection Clause," Sw. L. Rev. Symposium (1979); "'Brown' -- 25 Years Later," Crisis Mag. (1979); "The Desegregation of Urban Schools Thirty Years After Brown," 55 Univ. Colo. L. Rev. 515 (1984); "The 1964 Civil Rights Act, Twenty Years and Beyond." 18 Suffolk Univ. L. Rev. 613 (1984); "The Justification For Race-Conscious Remedies", Harvard Journal of Law & Public Policy 71 (1986); "Remarks on the Bicentennial of The U.S. Constitution, The Harvard Blackletter Journal 12 (1988); "Why Be A Minority Professor Of Law", St. Louis Univ. Public L. Rev. 431 (1991); Milliken v. Bradley: Brown's Troubled Journey North, Fordham L. Rev. 49 (1992); "The Bill of Rights -- Then and Now -- An Ever Present Challenge, Ohio Northern Univ. L. Rev. 499 (1992); Keynote Address, NBLSA Midwest Region, 2nd Annual Midwest Recruitment and Retention Conference: Focus on Retention -- Strategies That Work, Northern Illinois Univ. L. Rev. 262 (1992).

Throughout Judge Jones' professional life he has served on a number of committees and special bodies. He was Co-Chairman of the Task Force on Administration of Military Justice, Department of Defense, 1972-1973, Trustee of the Lawyers Committee for Civil Rights, 1975-1979, and a former member of the Task Force on Veterans' Benefits. He was also a charter member of the Youngstown Area Development Corporation, and holds membership in the Elks, the Masons, the Urban League and a Life Member of the NAACP.

He was a member of the American Bar Association and from 1969-1979 served as Co-chairman of the Constitutional Rights Committee, and the ABA Criminal Section, 1971-1973. Jones is also a member of the Federal Bar Association, the National Bar Association where he was Chairman of the Civil Rights Section in 1976, the American Arbitration Association, the Ohio State Bar Association, the Mahoning County Bar Association, the Houston Law Club and Kappa Alpha Psi. He is listed in "Who's Who in America" and "Who's Who in Black America."

Married to the former Lillian Hawthorne, they are the parents of four children, three of whom are lawyers, and one who is an Atlanta businessman.

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

September 24, 1993

CHAMBERS OF
GILBERT S. MERRITT
CHIEF JUDGE
SUITE 303 CUSTOMS HOUSE
701 BROADWAY
NASHVILLE, TENNESSEE 37203

The Honorable Nathaniel R. Jones
United States Court of Appeals
432 U.S.P.O. & Courthouse
Cincinnati, Ohio 45202

Dear Judge Jones:

I have your letter of September 23, 1993 asking for my opinion and judgment respecting your service as UN Advisor for the Somali Court System. You would assist the United Nations and the government of the United States, at the request of the President through Ambassador Richard Schifter, in establishing and strengthening the Somali court system.

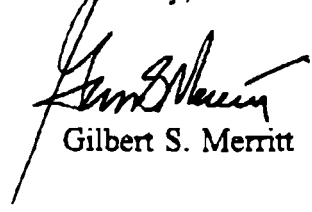
I see no objection to your service in this capacity. It is obviously a great opportunity to sponsor and help put in place the rule of law in Somali. You are to be commended for your many services in the past in helping to strengthen the rule of law in other countries in Africa. I fully understand why the President and the Secretary General of the United Nations would want you to serve in this capacity. I can think of no one who could offer them better advice and counsel.

The canons of judicial ethics encourage judges to undertake activities to strengthen the rule of law around the world. Many judges have undertaken such activities. The Judicial Conference of the United States recently established a permanent International Judicial Relations Committee for the very purpose of encouraging judges to engage in activities which strengthen the rule of law and strengthen the court systems in foreign lands. Our country, through the state department, and often in cooperation with the American Bar Association, is sending judges to many places in the world, especially Russia and other former Soviet states, to help them in achieving this same type of objective. As chairman of that committee of the Judicial Conference, I am aware of many such activities carried on by judges - although your responsibilities may be more far reaching and more difficult.

The April 25, 1991 letter from the Committee on Codes of Judicial Conduct of the Judicial Conference of the United States, a letter signed by the committee chairman Walter Stapelton, certainly serves as a precedent for your engaging in such public service in conjunction with the United Nations upon the request of the government of the United States. This precedent appears to be directly in point.

I not only approve of your request but would encourage you to undertake such an assignment. Let me know if we can be helpful in making your life easier so that you can carry out your responsibilities more effectively.

Sincerely,



Gilbert S. Merritt

mss

cc: James Higgins