

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

Folder Title:

Somalia Files (1993-1994): Somalia 1993 [2]

Staff Office-Individual:

Global Affairs-Darragh, Sean

Original OA/ID Number:

274

Row:	Section:	Shelf:	Position:	Stack:
35	4	6	1	V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. form	NSC/RMO Profile Sheet (2 pages)	06/17/1993	P1/b(1)
001b. memo	Sean Darragh to Samuel Berger, re: [Aideed] (2 pages)	06/17/1993	P1/b(1)
002. memo	[Duplicate of 001b] (2 pages)	06/17/1993	P1/b(1)
003. memo	Sean Darragh to Anthony Lake and Samuel Berger, re: Visit to Fort Bragg, North Carolina (1 page)	08/31/1993	P1/b(1)
004. memo	Re: Your Meeting with Foreign Minister Dixit (1 page)	00/00/1993	P1/b(1)
005. memo	Re: [Policy and Procedure] (3 pages)	00/00/1993	P1/b(1)
006. memo	Anthony Lake to the President, re: Assessment of Military Operations in Somalia (2 pages)	06/00/1993	P1/b(1)
007a. memo	William Itoh to Marc Grossman, re: Request for Security Detail (1 page)	07/30/1993	P1/b(1)
007b. memo	Thomas McLarty to Lloyd Bentsen, re: Request for Security Detail (1 page)	07/30/1993	P1/b(1)
007c. memo	Sean Darragh to Anthony Lake, re: Request for Security Detail (1 page)	07/29/1993	P1/b(1)
007d. memo	Anthony Lake to Thomas McLarty, re: Request for Security Detail (1 page)	07/00/1993	P1/b(1)
008. memo	Anthony Lake to the President, re: [Presidential Order] (2 pages)	00/00/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F

kc4115

RESTRICTION CODES

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

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

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

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

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009c. cable	Re: [Aideed] (2 pages)	08/20/1993	P1/b(1)
010. memo	[Duplicate of 003] (1 page)	08/31/1993	P1/b(1)

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National Security Council
The White House

rec'd 6/17
7:58 PM
JWZ
4/18

PROOFED BY: ASK LOG # 4490
URGENT NOT PROOFED: _____ SYSTEM PRS NSC INT
BYPASSED WW DESK: _____ DOCLOG KA A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
DepExecSec ^{new}			
ExecSec	<u>1</u>	<u>VS</u>	<u>11</u>
Staff Director			
D/APNSA	<u>2</u>	<u>NR</u>	
APNSA	<u>3</u>		
Situation Room	<u>4</u>	Nat'l Sec Advisor has seen	
West Wing Desk	<u>5</u>	<u>10/19</u>	<u>AS</u>
NSC Secretariat			<u>N</u>

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

cc: VP McLarty Other _____

Should be seen by: _____
(Date/Time)

COMMENTS:

17 JAN 93 5:19

DISPATCH INSTRUCTIONS:

Withdrawal/Redaction Marker

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SUBJECT: UNOSOM II Progress in Somalia: The Facts

Aren't We Failing in Somalia? Aren't We Bogged Down? NO.

1. Almost 30 district councils have been formed with the assistance of UNOSOM in cooperation with local Somalis.
2. A peace agreement, which includes a cease-fire and disarmament, has been signed and adhered to in Kismayo. Kismayo had been among the more problematic regions of Somalia prior to UN involvement.
3. Banditry throughout Somalia has been drastically reduced.
4. The Emergency Food Program is in the process of being stopped because it is no longer needed. There has been a good crop of locally grown food and there is plenty of food in the system.
5. Small private markets are opening throughout the country.
6. Overall security in Somalia is generally good. There is a security problem in southern Mogadishu, but that is an isolated area where one warlord (deemphasize Aideed) has been causing problems.

Haven't We Changed Our Mission? NO.

7. The UNOSOM II mission has always been to provide the Somalis a chance to get back on their feet again; to help rebuild their institutions and infrastructure.
 8. The U.S. as part of a broad consortium of donors has assisted UNOSOM to open health clinics, repaired wells and irrigation systems, provided seeds and tools to Somalis, which has allowed most of Somalia to move toward a state of normalcy.
 9. During the two year crisis, prior to the UN's remediation of the civil war, 500,000 Somalis died from starvation, disease, or fighting. Starvation in Somalia has virtually stopped.
 10. The UN has committed resources that will now begin to rebuilding banking and finance centers which will help bring Somalia back into the community of nation and a state of normalcy.
- Aren't we overemphasizing Aideed? No.
11. The media, which is overwhelmingly entrenched in Mogadishu, is providing Aideed a great deal of media attention. Their experience in Mogadishu is at odds with the experience one would have anywhere else in Somalia.
 12. The controversy between Aideed and the UN is a sexy topic. Reporting that most of Somalia is moving toward normalcy and that no one in Somalia is starving anymore is not.

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TO: LAKE

FROM: DARRAGH

DOC DATE: 31 AUG 93
SOURCE REF:

KEYWORDS: SPECIAL FORCES
MILITARY EXERCISES

COUNTERTERRORISM
ANSA

PERSONS:

SUBJECT: TRIP TO FORT BRAGG TO SEE SPECIAL OPERATIONS FORCES CAPABILITIES
EXERCISE

ACTION: BERGER DISAPPROVED RECOM

DUE DATE: 03 SEP 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

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By KDE NARA, Date 12/16/16

2012-0659-F

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSWEA

CLOSED BY: NSASK

DOC 1 OF 1

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~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

4521
REDO

June 21, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE *RA*

FROM: SEAN DARRAGH *SAP*

SUBJECT: Memorandum to the President Updating Him on the
Latest Results of Military Operations in Somalia

Attached at Tab I is a memorandum to the President updating him
on recent developments in United Nation's peacekeeping efforts in
Somalia.

Concurrences by: Dennis Jett *for SD*

RECOMMENDATION

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

Attachment

Tab I Memorandum to the President

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By KDE NARA, Date 12/16/16

2012-0659-F

SECRET

Declassify on: OADR

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DARRAGH

5260 See Pres

decision on

THE PRESIDENT HAS SEEN P. 2

8 4 9 3

THE WHITE HOUSE

WASHINGTON

93 AUG 2 17:57

August 2, 1993

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*
HOWARD PASTER *HP*

SUBJECT: Consultations with Congress on Transferring FMF
Funding to the ESF Account to Reimburse Mexico

Purpose

To approve consultations with Congress on transferring funding from Foreign Military Financing (FMF) to the Economic Support Fund (ESF) to partially reimburse Mexico for repatriating Chinese economic migrants on May 14, 1993.

Background

We are working with the Government of Mexico (GOM) to bring about rapid repatriation of economic migrants. Central to the success of the cooperation is the question of funding. Enlisting the assistance of Mexico, or any third country, requires clear readiness on the part of the United States to bear part of the financial burden. Cooperation with the Government of Mexico for future incidents of alien smuggling could be at risk if such funding is not forthcoming.

The USG has consented to reimburse Mexico for outstanding expenses related to the 14 May repatriation of Chinese migrants. While total cost of that flight was \$684,000, arrangements with the GOM only covered \$260,000, leaving \$424,000 outstanding.

The Department of Justice will use its Immigration Emergency fund to finance transportation costs for the repatriation of future groups of economic immigrants. The Department of State has, however, been made responsible for providing funds to address the GOM's earlier expenditure of \$424,000 from the previous repatriation flight.

In order to provide the \$424,000 to the GOM, we propose to employ the authority in Section 610 of the Foreign Assistance Act of 1961, as amended (FAA), to transfer the \$424,000 from FMF to the economic support fund (ESF) account under Part II, Chapter 4 of the FAA. This section permits you to authorize the transfer of up to ten percent of funds made available under any provision of

cc: Vice President
Chief of Staff

the FAA or Section 23 of the Arms Export Control Act (i.e., FMF) to consolidate with funds made available under any other provision of the FAA (i.e., ESF).

Use of Section 610(a) authority requires a Presidential Determination. Before that determination can be signed, we must consult with, and submit written justification to, the Speaker of the House, the Chairman of the Senate Foreign Relations Committee, and the Chairmen of the House and Senate Appropriations Committees. This is required by Section 652 of the FAA and Section 514 of the FY 93 Foreign Operations Appropriations Act.

Assuming Congressional reaction does not indicate a contrary course, we will then send you a second memorandum, asking you to sign the determination. Once you sign the determination, A.I.D. will send to the Hill a Congressional Notification, required in accordance with Section 634A of the FAA and Section 522 of the Foreign Operations Act. This will require a 15-day waiting period before funds can be obligated.

RECOMMENDATION

That you initial your approval authorizing consultation with the Congress on this issue.

Approve / Disapprove

Attachments

Tab A State Memorandum with Presidential Determination
 Tab B Memorandum of Justification
 Tab C Copies of the Letters to Pertinent Members of Congress

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

August 5, 1993

5862

8/6/93
went at 5:55 PM

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH: RICHARD A. CLARKE

FROM: RANDI BEERS

SUBJECT: Consultations with Congress on Transferring FMF
Funding to the ESF Account to Reimburse Mexico

The President has approved consultations with Congress regarding reimbursing Mexico for repatriating Chinese economic migrants (Tab II). Attached at Tab I is a memorandum to State authorizing consultations.

Concurrences by: Sean Darragh, Barbro Owens

RECOMMENDATION

That you sign the memorandum at Tab I.

Approve _____ Disapprove _____

Attachments

Tab I Memo to State
Tab II Presidential Approval on Consultations
with Congress

→ Sean

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

MEMORANDUM FOR MARC GROSSMAN
Executive Secretary
Department of State

SUBJECT: Consultations with Congress on Transferring FMF
Funding to the ESF Account to Reimburse Mexico

The President has authorized consultations with the Congress on this issue.

William H. Itoh
Executive Secretary

CLARKE
5260 See Pres
decision on
P. Z

THE WHITE HOUSE

WASHINGTON

33 AUG 2 17:57
August 2, 1993

THE PRESIDENT HAS SEEN
8-4-93

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
HOWARD PASTER

SUBJECT: Consultations with Congress on Transferring FMF
Funding to the ESF Account to Reimburse Mexico

Purpose

To approve consultations with Congress on transferring funding from Foreign Military Financing (FMF) to the Economic Support Fund (ESF) to partially reimburse Mexico for repatriating Chinese economic migrants on May 14, 1993.

Background

We are working with the Government of Mexico (GOM) to bring about rapid repatriation of economic migrants. Central to the success of the cooperation is the question of funding. Enlisting the assistance of Mexico, or any third country, requires clear readiness on the part of the United States to bear part of the financial burden. Cooperation with the Government of Mexico for future incidents of alien smuggling could be at risk if such funding is not forthcoming.

The USG has consented to reimburse Mexico for outstanding expenses related to the 14 May repatriation of Chinese migrants. While total cost of that flight was \$684,000, arrangements with the GOM only covered \$260,000, leaving \$424,000 outstanding.

The Department of Justice will use its Immigration Emergency fund to finance transportation costs for the repatriation of future groups of economic immigrants. The Department of State has, however, been made responsible for providing funds to address the GOM's earlier expenditure of \$424,000 from the previous repatriation flight.

In order to provide the \$424,000 to the GOM, we propose to employ the authority in Section 610 of the Foreign Assistance Act of 1961, as amended (FAA), to transfer the \$424,000 from FMF to the economic support fund (ESF) account under Part II, Chapter 4 of the FAA. This section permits you to authorize the transfer of up to ten percent of funds made available under any provision of

cc: Vice President
Chief of Staff

the FAA or Section 23 of the Arms Export Control Act (i.e., FMF) to consolidate with funds made available under any other provision of the FAA (i.e., ESF).

Use of Section 610(a) authority requires a Presidential Determination. Before that determination can be signed, we must consult with, and submit written justification to, the Speaker of the House, the Chairman of the Senate Foreign Relations Committee, and the Chairmen of the House and Senate Appropriations Committees. This is required by Section 652 of the FAA and Section 514 of the FY 93 Foreign Operations Appropriations Act.

Assuming Congressional reaction does not indicate a contrary course, we will then send you a second memorandum, asking you to sign the determination. Once you sign the determination, A.I.D. will send to the Hill a Congressional Notification, required in accordance with Section 634A of the FAA and Section 522 of the Foreign Operations Act. This will require a 15-day waiting period before funds can be obligated.

RECOMMENDATION

That you initial your approval authorizing consultation with the Congress on this issue.

Approve / Disapprove

Attachments

Tab A State Memorandum with Presidential Determination
 Tab B Memorandum of Justification
 Tab C Copies of the Letters to Pertinent Members of Congress

TO: GROSSMAN, M

FROM: ITOH

DOC DATE: 30 JUL 93
SOURCE REF:

KEYWORDS: LIMITED ACCESS

PERSONS: INDYK

SUBJECT: REQUEST FOR SECURITY DETAIL - LIMITED ACCESS

ACTION: KENNEY SGD MEMO

DUE DATE: 02 AUG 93 STATUS: C

STAFF OFFICER: DARRAGH

LOGREF:

FILES: NS

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
DARRAGH
NSC CHRON

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006
By VDE NARA, Date 12/16/16
2012-0659-F

COMMENTS:

DISPATCHED BY SWF

DATE 7/30

BY HAND

W/ATTCH

OPENED BY: NSWEA

CLOSED BY: NSJWF

DOC 2 OF 2

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

001 LAKE
001
002

CAO ASSIGNED ACTION REQUIRED

Z 93073011 FOR DECISION
X 93073011 LAKE APPROVED RECOM
X 93073011 KENNEY SGD MEMO

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

002 930730 GROSSMAN, M

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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007a. memo	William Itoh to Marc Grossman, re: Request for Security Detail (1 page)	07/30/1993	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F
kc4115

RESTRICTION CODES

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

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

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

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

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

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

NATIONAL SECURITY COUNCIL
DISTRIBUTION RECEIPT

LOG 9320838
DATE 30 JUL 93

SUBJECT: REQUEST FOR SECURITY DETAIL
DOCUMENT CLASSIFICATION: ~~SECRET~~

EXTERNAL DISTRIBUTION:

MR. MARC GROSSMAN
DEPARTMENT OF STATE
ROOM 7224, MAIN STATE
2201 C STREET, NW
WASHINGTON, DC 20520

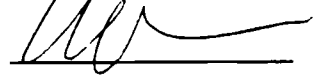
DATE

7/29/93

TIME

1235

SIGNATURE



COPY: ORIGINAL

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS

Initials: DOE Date: 12/16/16

2012-0659-F

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

PAGE 01 OF 01 PAGES

NATIONAL SECURITY COUNCIL
DISTRIBUTION RECEIPT

LOG 9320838
DATE 30 JUL 93

SUBJECT: REQUEST FOR SECURITY DETAIL
DOCUMENT CLASSIFICATION: ~~SECRET~~

EXTERNAL DISTRIBUTION:

MR. MARC GROSSMAN
DEPARTMENT OF STATE
ROOM 7224, MAIN STATE
2201 C STREET, NW
WASHINGTON, DC 20520

DATE

7/29/93

TIME

12:15

SIGNATURE



COPY: ORIGINAL

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS

Initials: LOE Date: 12/16/16

2012-0659-5

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

PAGE 01 OF 01 PAGES

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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007b. memo	Thomas McLarty to Lloyd Bentsen, re: Request for Security Detail (1 page)	07/30/1993	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F
ke4115

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]
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007c. memo	Sean Darragh to Anthony Lake, re: Request for Security Detail (1 page)	07/29/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F
ke4115

RESTRICTION CODES

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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007d. memo	Anthony Lake to Thomas McLarty, re: Request for Security Detail (1 page)	07/00/1993	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F

ke4115

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. memo	Anthony Lake to the President, re: [Presidential Order] (2 pages)	00/00/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F
ke4115

RESTRICTION CODES

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

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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009a. form	NSC/RMO Profile Sheet (1 page)	08/20/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F
ke4115

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009b. memo	Sean Darragh to Anthony Lake, re: [Aideed] (1 page)	08/20/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F
ke4115

RESTRICTION CODES

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

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

RR. Document will be reviewed upon request.

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- b(1) National security classified information [(b)(1) of the FOIA]
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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009c. cable	Re: [Aideed] (2 pages)	08/20/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F
ke4115

RESTRICTION CODES

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

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

~~SECRET~~
NSC/RMO PROFILE

RECORD ID: 9306558
RECEIVED: 31 AUG 93 15

TO: LAKE

FROM: DARRAGH

DOC DATE: 31 AUG 93
SOURCE REF:

KEYWORDS: SPECIAL FORCES
MILITARY EXERCISES

COUNTERTERRORISM
ANSA

PERSONS:

SUBJECT: TRIP TO FORT BRAGG TO SEE SPECIAL OPERATIONS FORCES CAPABILITIES
EXERCISE

ACTION: BERGER DISAPPROVED RECOM

DUE DATE: 03 SEP 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

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By KDE NARA, Date 2/16/16

2012-0659-F

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSWEA

CLOSED BY: NSASK

DOC 1 OF 1

~~SECRET~~

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010. memo	[Duplicate of 003] (1 page)	08/31/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Global Issues and Multilateral Affairs (Darragh, Sean)
OA/Box Number: 274

FOLDER TITLE:

Somalia Files (1993-1994): Somalia 1993 [2]

2012-0659-F
ke4115

RESTRICTION CODES

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

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RR. Document will be reviewed upon request.

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

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

THE WHITE HOUSE

WASHINGTON

September 29, 1993

MR. PRESIDENT:

Attached is a decision memo from Tony Lake recommending that you authorize the State Department to consult with relevant congressional committees about providing funds and assistance to help reestablish the Somali police force.

Two forms of assistance are recommended: (i) the use of \$2 million in previously allocated Economic Support Funds for the UN to pay the salaries of Somali police, requiring a Presidential waiver of otherwise applicable prohibitions under § 614 of the Foreign Assistance Act; and (ii) the drawdown of \$25 million in DOD commodities and services, requiring a Presidential Determination under § 552 of the FAA.

Consultations with relevant congressional committees are required before making the Determination or exercising the waiver. The State Department is ready to go to the Hill this afternoon to begin consultations.

Approve ☒ Disapprove ☐ Discuss ☐
consultations

TDS
Todd Stern

~~CONFIDENTIAL~~

THE PRESIDENT HAS SEEN 9/29
7362

DECLASSIFIED E.O. 13526

White House Guidelines,

THE WHITE HOUSE

September 11, 2006

WASHINGTON

By VDE NARA, Date 12/16/16 12-20, PG: 33
2612-0659-F

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK *W.M. 6 to*

FROM: ANTHONY LAKE ✓

SUBJECT: Foreign Assistance Act Drawdown and Presidential Waiver of Statutory Restrictions on Assistance to Somalia in Support of UN Efforts to Reestablish a Somali Police Force

Purpose

To authorize consultations with Congress on a 614 waiver to make up to \$2 million in Economic Support Funds (ESF) available and on the drawdown of up to \$25 million in DOD commodities and services to support UNOSOM's efforts to reconstitute the Somali police.

Background

It is clear that progress on both the political and humanitarian fronts in Somalia depends on a stable security environment. Thus, it is essential that a credible police force be established before UNOSOM withdraws. Accordingly, there is an intra-governmental consensus that we should support the reestablishment of an effective Somali police force.

In order to provide this support, we propose to drawdown DOD commodities and services and to use \$2 million in previously allocated ESF. The drawdown requires a Presidential Determination under FAA Section 552. Although this authority is limited to \$25 million in any fiscal year, none has been used in FY 93. The use of ESF requires use of your Presidential authority under FAA Section 614 to waive otherwise applicable prohibitions.

Under Section 552, the President must determine (1) "that, as a result of an unforeseen emergency, the provision of assistance under (the PKO) Chapter in amounts in excess of funds otherwise available for such assistance is important to the national security interests of the U.S.," and (2) "that such unforeseen emergency requires the immediate provision of assistance (under the PKO Chapter)." We believe that the urgent need to support the UNOSOM objective of fostering a police force meets these statutory standards. Before making this determination, we must

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Declassify on: OADR

cc: Vice President
Chief of Staff *Noted 9/29/16*

provide a written notification and justification to the Speaker of the House and the Senate Committee on Foreign Relations.

To utilize ESF to fund the police, you must invoke a 614 waiver. This provision authorizes you to furnish assistance under the FAA "without regard to any" provisions of the FAA, or any law authorizing or appropriating funds under the FAA. Before exercising Section 614 authority, the President must consult with, and provide a written policy justification to several Congressional committees and then notify in writing the Speaker and the Chairman of the Senate Foreign Relations Committee, that furnishing this assistance "is important to the security of the United States."

Upon receiving your approval, the State Department will consult with Congress and provide the Memorandum of Justification (Tab B). Assuming there is no Congressional objection, we will then submit the formal determinations for your approval.

RECOMMENDATION

That you authorize State to consult with relevant committees of Congress concerning the proposed determination and waiver to support the reestablishment of the Somali police.

Approve _____ Disapprove _____

Attachments

Tab A State Department Memorandum
Tab B Memorandum of Justification
Tab C Copies of Letters to Pertinent Members of Congress

~~CONFIDENTIAL~~

7362

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 27, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE *RC*

FROM: SEAN J. DARRAGH *SD*

SUBJECT: Foreign Assistance Act Drawdown and Presidential Waiver of Statutory Restrictions on Assistance to Somalia in Support of UN Efforts to Reestablish a Somali Police Force

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By KDE NARA, Date 12/16/16

2012-0659-F

The attached Memorandum to the President requests authorization to consult with Congress on a drawdown of up to \$25 million in DOD commodities and services, and to consult with Congress on a 614 waiver to make up to \$2 million in ESF available to reconstitute the Somali police force. Following consultations, the formal determinations will be submitted to the President for signature.

This should be done as soon as possible, because consultations and formal determinations should be done before the end of the fiscal year.

Concurrences by: Jennifer *JW* Ward, Alan *AK* Kreczko, Susan *SR* Rice

RECOMMENDATION

That you forward the attached Memorandum to the President formally requesting his authorization to consult with Congress on the drawdown of up to \$25 million in DOD commodities and services and on the 614 waiver.

Attachments

Tab I Memorandum to the President

Tab A State Department Memorandum

Tab B Memorandum of Justification

Tab C Copies of Letters to Pertinent Members of Congress

~~CONFIDENTIAL~~

Declassify on: OADR

September 11, 2006

By KOE NARA, Date 12/16/16 Washington, D.C. 205202012-0659-F~~CONFIDENTIAL~~MEMORANDUM FOR ANTHONY LAKE
THE WHITE HOUSE

SUBJECT: Foreign Assistance Act Drawdown and Presidential Waiver of Statutory Restrictions on Assistance to Somalia in Order to Support United Nations Efforts to Reestablish a Somali Police Force

This memorandum requests that the President authorize the Department of State to: (i) take the necessary steps to draw down up to \$25 million in DOD commodities and services to support the United Nations Operation in Somalia (UNOSOM II) in the reestablishment of an effective Somali police force, and (ii) to consult with, and provide the attached written policy justification to, relevant committees of the Congress concerning the proposed waiver of legal restrictions on providing assistance to Somalia in order to enable the drawdown and the provision of up to \$2 million in Economic Support Funds (ESF) to the UN to pay the salaries of Somali police.

Under the UN Security Council's mandate, UNOSOM II has taken on the difficult and complex tasks of promoting political reconciliation and economic development to ensure that the situation does not revert to the humanitarian crisis of a year ago. It has become increasingly clear that progress on both the political and humanitarian fronts depends on a stable security environment. As a consequence, it is crucial that credible police forces in the major Somali population centers be established before the withdrawal of the U.S. Quick Reaction Force.

In order to support the reestablishment of an effective Somali police force, we propose to draw down DOD commodities and services, and to use \$2 million in previously allocated ESF. The drawdown requires a Presidential Determination under FAA Section 552, and the use of ESF requires use of the President's authority under FAA Section 614 to waive otherwise applicable prohibitions.

Drawdown of DOD Commodities and Services

The UN Secretary General's August 17 report on Somalia calls for \$45 million to fund initial costs of reconstituting a "justice system," comprising police, judicial, and prison components. This plan calls for a 16-month police training program to create a 10,000-person Somali police force by the end of 1994, combining the current force with additional personnel to be recruited. The report proposes the

~~CONFIDENTIAL~~

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-2-

rehabilitation of up to three police training academies, and substantial improvements to prison and judicial facilities. Material requirements to meet these objectives, based on the UNOSOM II assessment contained in the Secretary General's report, include:

- 4-wheel-drive vehicles;
- passenger trucks;
- radio base stations;
- handheld radios;
- vehicle maintenance packages;
- uniforms;
- pistols;
- rifles.

Drawdown of certain DOD commodities and services to contribute to this effort may be implemented under the special peacekeeping drawdown authority in Section 552(c)(2) of the FAA. Although this authority is limited to \$25 million in any fiscal year, none of this amount has yet been used in FY 93. The President must determine (1) "that, as a result of an unforeseen emergency, the provision of assistance under [the PKO] Chapter in amounts in excess of funds otherwise available for such assistance is important to the national security interests of the United States," and (2) "that such unforeseen emergency requires the immediate provision of assistance [under the PKO chapter]."

We believe that the urgent need to support the UN's objective of reestablishing an effective Somali police force, which is pivotal to the success of the humanitarian operations and our ability to withdraw our armed forces as soon as possible, meets these statutory standards. This unforeseen emergency allowed us no opportunity to program funds for these purposes, and at this point in the fiscal year there are no funds in the PKO account to meet these requirements.

There are a number of areas where commodities and services could be provided to fulfill a significant portion of the requirements identified in the Secretary General's report. For example, according to a preliminary DOD review, provision of up to \$25 million in vehicles, mobile communications equipment and base stations, ammunition, and troop equipment would contribute some of the most important items needed in this effort. We also plan to use the authorization of this drawdown as leverage to induce other donor countries to complete the entire package, including providing associated services and training, or seek UN contract-funded equipment training and maintenance.

DOD and the Joint Chiefs of Staff (JCS) concur in this drawdown proposal. JCS is concerned, however, that the program

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CONFIDENTIAL

-3-

is not executable until the full extent of training, logistics, and maintenance costs are defined. Success of the police training program is contingent on training and logistics support, not simply a drawdown of equipment and uniforms. Prior to the commitment of the drawdown of U.S. military equipment, the UN must be advised of these concerns and either contract out the required maintenance and training, or obtain other donor country commitments to accomplish the training and maintenance. Failure to do so may subject the United States to UN pressure to accomplish these tasks, leading to additional U.S. logistical support commitments at a time when the current goal is to withdraw U.S. logistics force structure from Somalia.

Prior to the date the President intends to exercise this authority, we must provide a written notification and justification to the Speaker of the House and the Senate Committee on Foreign Relations. The President could sign the necessary Determination and authorize the drawdown on the following day. If the President approves, we would provide a Memorandum of Justification (Tab 1) with letters to Congress (Tab 2). Once this has been accomplished, we will so inform the NSC and provide the text of the required Determination for the President to sign to authorize DOD to proceed.

\$2 Million in ESF

In an effort to bolster immediately the Secretary General's program to reconstitute the Somali justice system, the Deputies Committee (DC) agreed on August 16 to recommend a \$6 million grant from AID to UNOSOM II to underwrite initial costs of the judicial component. The proposed drawdown responds to some of the requirements of the police component, however, the issue of Somali police salaries remains unaddressed. We are therefore proposing an additional \$2 million of ESF to pay police salaries. We would also use this contribution to leverage other donor support.

To use ESF as a contribution to the UN to pay police salaries in Somalia, it is necessary to waive two legal restrictions. Somalia is ineligible for assistance under the statutory provisions which forbid assistance to countries that are in default for six months (Section 620(q) of the FAA), or one year (Section 518 of the Foreign Operations Appropriations Act, 1993) on debt owed the USG. In addition, Section 660 of the FAA prohibits use of foreign assistance funds for training, advice, or financial support for police or law enforcement entities of any foreign government.

Section 614(a)(1) of the FAA provides the means for overcoming these restrictions. This provision authorizes the President to furnish assistance under the FAA (e.g., ESF to

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-4-

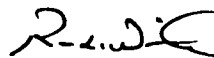
promote economic or political stability) "without regard to any" provisions of the FAA, or any law authorizing or appropriating funds under the FAA.

Before exercising Section 614(a)(1) authority, the President must consult with, and provide a written policy justification to, the Appropriations Committees, the Senate Foreign Relations Committee, and the House Foreign Affairs Committee. The President must then determine, and notify in writing the Speaker and the Chairman of the Senate Foreign Relations Committee, that furnishing of assistance under this authority "is important to the security interests of the United States." For the reasons set forth in the Memorandum of Justification attached at Tab 1, we believe that the contemplated proposal satisfies the criteria for invoking these authorities.

Upon receiving the President's approval in principle for the waiver under Section 614, we will proceed with the consultations and provide the Memorandum of Justification with letters to Congress (Tab 2). Assuming Congressional reaction does not indicate a contrary course, we will submit a separate recommendation to the NSC and provide the text of the required Determination for the President to sign to authorize the Section 614 waiver and the drawdown under Section 552.

Accordingly, we recommend that the President authorize consultations with, and the furnishing of a justification to, Congress. If these consultations do not suggest a different course of action, we will recommend that the President sign a Determination exercising his authorities as described above.

Thank you for your assistance in this matter.



Marc Grossman
Executive Secretary

Attachments:

- Tab 1 - Memorandum of Justification
- Tab 2 - Draft Letter of Notification

~~CONFIDENTIAL~~



Memorandum of Justification for a
Presidential Determination to Draw Down
DoD Commodities and Services, and to
Set Aside Legal Restrictions on
Providing Foreign Assistance to Somalia

The United Nations Operation in Somalia (UNOSOM II) now has taken on the difficult and complex tasks of promoting political reconciliation and economic development to ensure that the situation does not revert to the humanitarian crisis of a year ago. It has become increasingly clear that progress on both the political and humanitarian fronts depends on a stable security environment. Reestablishment of an effective police force is key to establishing and maintaining a secure environment in Somalia. It will be difficult, if not impossible, to maintain progress on political reconciliation and economic development in the absence of a secure environment. Without such progress, withdrawal of UN peacemaking forces, including those provided by the United States and the U.S. Quick Reaction Force (QRF), would have a devastating impact on the significant gains that have been made over the past year in this humanitarian effort.

The UN Secretary General's August 17 report on Somalia calls for \$45 million to fund the initial costs of reconstituting a "justice system", comprising police, judicial, and prison components. Implementation requirements include a 16-month police training program to create a 10,000-person Somali police force by the end of 1994, combining the current force with additional police personnel to be recruited. The report proposes the rehabilitation of up to three police training academies and the improvement and renovation of the prison and judicial facilities. Material requirements to meet these objectives, based on the UNOSOM II assessment contained in the Secretary General's report, include:

- 258 4-wheel drive vehicles for the police;
- 100 20-passenger trucks for the police;
- 41 administrative or 4-wheel vehicles for the courts;
 - 16 for the prisons; 25 for UNOSOM staff;
- vehicle maintenance packages (parts, tools, fuel);
- 70 radio base stations (for communication with foot and vehicular patrols);
- 600 handheld radios (for foot and vehicular patrols);
- 10,000 police uniforms plus individual equipment for 70 police stations;
 - 70 electric generators;
 - 70 water supply tanks;
 - 70 police station basic kits;
 - administrative supplies;

- 5,000 pistols for police, 160 for prison personnel;
- 5,000 rifles for police, 160 for prison personnel;
- training ammunition;
- materials and fixtures for one academy restoration;
- supplies, equipment, furnishings for the court system
- 1,000 prison custodial uniforms;
- 1,000 inmates uniforms;
- administrative supplies for 4 prison facilities;
- administrative supplies, equipment, furnishings for the supporting UNOSOM staff elements.

There are clearly areas where a drawdown of DOD commodities, as well as the provision of supporting training and services, could constitute a significant portion of the requirements identified in the Secretary General's report. For example, according to preliminary DOD review, the provision of up to \$25 million in vehicles, communications equipment, ammunition, and troop equipment would contribute some of the most important items needed in this effort. Authorization of this drawdown would provide leverage for the U.S. and UN to induce other donor countries to complete the entire package, including providing associated services and training, or seek UN-funded equipment training and maintenance.

For these purposes, the Administration proposes that the President exercise the special peacekeeping drawdown authority contained in Section 552(c)(2) of the Foreign Assistance Act, as amended. This provision allows the President to direct the drawdown of commodities and services from the stocks of any agency of the U.S. government if he determines that (1) "as a result of an unforeseen emergency, the provision of assistance under the [the PKO] Chapter in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States," and (2) that "such unforeseen emergency requires the immediate provision of assistance under [the PKO Chapter]." We believe that the urgent need to reestablish functioning Somali police forces meets the statutory standards, and there are insufficient funds in the PKO account to meet this and other needs worldwide.

In an effort to bolster immediately the Secretary General's program to reconstitute the Somali justice system, the Deputies Committee (DC) agreed on August 16 to recommend a \$6 million grant from AID to UNOSOM II to underwrite initial costs. The issue of Somali police salaries, however, remains unaddressed. We are therefore proposing an additional \$2 million of ESF to pay police salaries. We would also use this contribution to leverage other donor support.

The sources of this \$2 million are:

\$1.688 from AID Africa region 517 recoveries "excess to FY 1993 rescission requirements";

\$0.312 million from AID Africa region 517 recoveries "elsewhere in the Agency excess to the FY93 rescission requirements".

No project or country program funds were deobligated to make these funds available for Somalia. These funds were unobligated at the time they were identified for Somalia.

To use ESF as a contribution to the UN to pay police salaries in Somalia, it is necessary to waive two legal restrictions. Somalia is ineligible for assistance under the statutory provisions which forbid assistance to countries that are in default for six months (Section 620(q) of the FAA), or one year (Section 518 of the Foreign Operations Appropriations Act, 1993), on debt owed the USG. In addition, Section 660 of the FAA prohibits use of foreign assistance funds for training, advice, or financial support for police or law enforcement entities of any foreign government.

In order to make such assistance available, it is necessary to waive the legal restrictions applicable to Somalia or generally to the funds. The Administration proposes to use the Presidential waiver authority in Section 614 to do so, as well as to enable the Section 552(c)(2) drawdown, notwithstanding FAA Section 660 restrictions.

Despite the continuing conflict with the militia of General Aideed in south Mogadishu, UNOSOM II's work elsewhere in the country is moving forward. Outside the capital, political violence is rare, banditry has declined and, despite continued pockets of deprivation, the food emergency has ended. The maintenance of security has been essential to this progress and to the U.S. security interest in seeing that the UN's crucial peace enforcement effort under Chapter VII of the UN charter succeeds. UNOSOM II is a landmark operation. In a world rife with humanitarian crises caused by armed conflict, it is indeed important to U.S. national interests to support multinational efforts that help us by achieving a more equitable sharing of the responsibility for crisis management and relief.

For these reasons, the use of the emergency authority provided by Section 552(c)(2) to provide DOD commodities and services to the UN to support reestablishment of Somali police forces is necessary and important to the national interest. In addition, the use of the President's waiver authority under Section 614 to enable the drawdown and to assist the UN with funds for police salaries is important to the security interests of the United States.



United States Department of State

Washington, D.C. 20520

Letter to be transmitted to:

Speaker of the House
Chairman, Senate Foreign Relations
Chairman, House Foreign Affairs
Chairman, Senate Appropriations
Chairman, House Appropriations

Dear _____:

I wish to inform you that the President proposes to exercise his authority under Section 552(c)(2) of the Foreign Assistance Act of 1961, as amended (the "Act"), in order to draw down up to \$25 million in Department of Defense commodities and services to support the United Nations operation in Somalia (UNOSOM II) in the reestablishment of Somali police forces. He also proposes to exercise his authority under Section 614(a)(1) of the Act to enable this drawdown and to authorize that \$2 million in Economic Support Funds (ESF) be made available to UNOSOM II for use in payment of salaries of Somali police forces.

This assistance is required on an urgent basis to support the UN's objective of reestablishing effective Somali police forces, which is pivotal to the success of the humanitarian operations and contributes to our ability to withdraw U.S. armed forces as soon as possible. The drawdown will allow the U.S. to supply a significant portion of the requirements identified in the Secretary General's report of August 17, 1993. The contribution towards police salaries will assist the UN in meeting immediate needs and will encourage additional support from other member states.

As indicated in the course of informal consultations with interested committee staff, and as described in detail in the attached memorandum of justification, we believe that the drawdown and use of ESF funds for these purposes will make an important contribution to the crucial efforts of the United

Nations to reestablish effective Somali police forces. This, in turn, will serve important U.S. interests by contributing towards improved security and facilitating the fulfillment of UNOSOM II's mission.

Sincerely,

Wendy R. Sherman
Assistant Secretary
Legislative Affairs

Enclosure:

1. Memorandum of Justification

~~CONFIDENTIAL~~
NSC/RMO PROFILE

RECORD ID: 9307362
RECEIVED: 27 SEP 93 16

TO: PRESIDENT

FROM: LAKE
WH EXECUTIVE CLERK

DOC DATE: 28 SEP 93
SOURCE REF:

KEYWORDS: ECONOMIC ASSISTANCE
UN
CONGRESSIONAL

SOMALIA
CM

PERSONS:

SUBJECT: FOM ASSISTANCE ACT DRAWDOWN & PRES WAIVER OF STATUTORY RESTRICTIONS
ON ASSISTANCE TO SOMALIA IN SUPPORT OF UN TO REESTABLISH POLICE

ACTION: PRES APPROVED RECOM DUE DATE: 30 SEP 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

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By KDE NARA, Date 12/16/16
2012-0659 F

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSWEA

CLOSED BY: NSWEA

DOC 2 OF 2

~~CONFIDENTIAL~~

THE WHITE HOUSE

WASHINGTON

September 29, 1993

MR. PRESIDENT:

Attached is a decision memo from Tony Lake recommending that you authorize the State Department to consult with relevant congressional committees about providing funds and assistance to help reestablish the Somali police force.

Two forms of assistance are recommended: (i) the use of \$2 million in previously allocated Economic Support Funds for the UN to pay the salaries of Somali police, **requiring a Presidential waiver of otherwise applicable prohibitions under § 614 of the Foreign Assistance Act;** and (ii) the drawdown of \$25 million in DOD commodities and services, **requiring a Presidential Determination under § 552 of the FAA.**

Consultations with relevant congressional committees are required before making the Determination or exercising the waiver. **The State Department is ready to go to the Hill this afternoon to begin consultations.**

Approve ☒ Disapprove ☐ Discuss ☐
consultations

TDS
Todd Stern

~~CONFIDENTIAL~~

THE PRESIDENT HAS SEEN 9/29
7362

THE WHITE HOUSE

WASHINGTON

September 28, 1993 8:33

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: ANTHONY LAKE

SUBJECT: Foreign Assistance Act Drawdown and Presidential Waiver of Statutory Restrictions on Assistance to Somalia in Support of UN Efforts to Reestablish a Somali Police Force

By KDE NARA, Date 12/16/16
2012-0659-F

Purpose

To authorize consultations with Congress on a 614 waiver to make up to \$2 million in Economic Support Funds (ESF) available and on the drawdown of up to \$25 million in DOD commodities and services to support UNOSOM's efforts to reconstitute the Somali police.

Background

It is clear that progress on both the political and humanitarian fronts in Somalia depends on a stable security environment. Thus, it is essential that a credible police force be established before UNOSOM withdraws. Accordingly, there is an intra-governmental consensus that we should support the reestablishment of an effective Somali police force.

In order to provide this support, we propose to drawdown DOD commodities and services and to use \$2 million in previously allocated ESF. The drawdown requires a Presidential Determination under FAA Section 552. Although this authority is limited to \$25 million in any fiscal year, none has been used in FY 93. The use of ESF requires use of your Presidential authority under FAA Section 614 to waive otherwise applicable prohibitions.

Under Section 552, the President must determine (1) "that, as a result of an unforeseen emergency, the provision of assistance under (the PKO) Chapter in amounts in excess of funds otherwise available for such assistance is important to the national security interests of the U.S.," and (2) "that such unforeseen emergency requires the immediate provision of assistance (under the PKO Chapter)." We believe that the urgent need to support the UNOSOM objective of fostering a police force meets these statutory standards. Before making this determination, we must

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Declassify on: OADR

cc: Vice President
Chief of Staff

provide a written notification and justification to the Speaker of the House and the Senate Committee on Foreign Relations.

To utilize ESF to fund the police, you must invoke a 614 waiver. This provision authorizes you to furnish assistance under the FAA "without regard to any" provisions of the FAA, or any law authorizing or appropriating funds under the FAA. Before exercising Section 614 authority, the President must consult with, and provide a written policy justification to several Congressional committees and then notify in writing the Speaker and the Chairman of the Senate Foreign Relations Committee, that furnishing this assistance "is important to the security of the United States."

Upon receiving your approval, the State Department will consult with Congress and provide the Memorandum of Justification (Tab B). Assuming there is no Congressional objection, we will then submit the formal determinations for your approval.

RECOMMENDATION

That you authorize State to consult with relevant committees of Congress concerning the proposed determination and waiver to support the reestablishment of the Somali police.

Approve _____ Disapprove _____

Attachments

Tab A	State Department Memorandum
Tab B	Memorandum of Justification
Tab C	Copies of Letters to Pertinent Members of Congress

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

7362

September 27, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE *MAZ*
FROM: SEAN J. DARRAGH *JD*
SUBJECT: Foreign Assistance Act Drawdown and Presidential
Waiver of Statutory Restrictions on Assistance to
Somalia in Support of UN Efforts to Reestablish a
Somali Police Force

The attached Memorandum to the President requests authorization to consult with Congress on a drawdown of up to \$25 million in DOD commodities and services, and to consult with Congress on a 614 waiver to make up to \$2 million in ESF available to reconstitute the Somali police force. Following consultations, the formal determinations will be submitted to the President for signature.

This should be done as soon as possible, because consultations and formal determinations should be done before the end of the fiscal year.

Concurrences by: Jennifer *W* Ward, Alan *AK* Kreczko, Susan *R* Rice

RECOMMENDATION

That you forward the attached Memorandum to the President formally requesting his authorization to consult with Congress on the drawdown of up to \$25 million in DOD commodities and services and on the 614 waiver.

Attachments

Tab I Memorandum to the President
Tab A State Department Memorandum
Tab B Memorandum of Justification
Tab C Copies of Letters to Pertinent Members of Congress

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By *KDE* NARA, Date *10/16/16*

2012-0659-F

~~CONFIDENTIAL~~

Declassify on: OADR



By YDE NARA, Date 12/16/16
2012-0659-F

Washington, D.C. 20520

~~CONFIDENTIAL~~

MEMORANDUM FOR ANTHONY LAKE
THE WHITE HOUSE

SUBJECT: Foreign Assistance Act Drawdown and Presidential
Waiver of Statutory Restrictions on Assistance to
Somalia in Order to Support United Nations Efforts to
Reestablish a Somali Police Force

This memorandum requests that the President authorize the Department of State to: (i) take the necessary steps to draw down up to \$25 million in DOD commodities and services to support the United Nations Operation in Somalia (UNOSOM II) in the reestablishment of an effective Somali police force, and (ii) to consult with, and provide the attached written policy justification to, relevant committees of the Congress concerning the proposed waiver of legal restrictions on providing assistance to Somalia in order to enable the drawdown and the provision of up to \$2 million in Economic Support Funds (ESF) to the UN to pay the salaries of Somali police.

Under the UN Security Council's mandate, UNOSOM II has taken on the difficult and complex tasks of promoting political reconciliation and economic development to ensure that the situation does not revert to the humanitarian crisis of a year ago. It has become increasingly clear that progress on both the political and humanitarian fronts depends on a stable security environment. As a consequence, it is crucial that credible police forces in the major Somali population centers be established before the withdrawal of the U.S. Quick Reaction Force.

In order to support the reestablishment of an effective Somali police force, we propose to draw down DOD commodities and services, and to use \$2 million in previously allocated ESF. The drawdown requires a Presidential Determination under FAA Section 552, and the use of ESF requires use of the President's authority under FAA Section 614 to waive otherwise applicable prohibitions.

Drawdown of DOD Commodities and Services

The UN Secretary General's August 17 report on Somalia calls for \$45 million to fund initial costs of reconstituting a "justice system," comprising police, judicial, and prison components. This plan calls for a 16-month police training program to create a 10,000-person Somali police force by the end of 1994, combining the current force with additional personnel to be recruited. The report proposes the

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-2-

rehabilitation of up to three police training academies, and substantial improvements to prison and judicial facilities. Material requirements to meet these objectives, based on the UNOSOM II assessment contained in the Secretary General's report, include:

- 4-wheel-drive vehicles;
- passenger trucks;
- radio base stations;
- handheld radios;
- vehicle maintenance packages;
- uniforms;
- pistols;
- rifles.

Drawdown of certain DOD commodities and services to contribute to this effort may be implemented under the special peacekeeping drawdown authority in Section 552(c)(2) of the FAA. Although this authority is limited to \$25 million in any fiscal year, none of this amount has yet been used in FY 93. The President must determine (1) "that, as a result of an unforeseen emergency, the provision of assistance under [the PKO] Chapter in amounts in excess of funds otherwise available for such assistance is important to the national security interests of the United States," and (2) "that such unforeseen emergency requires the immediate provision of assistance [under the PKO chapter]."

We believe that the urgent need to support the UN's objective of reestablishing an effective Somali police force, which is pivotal to the success of the humanitarian operations and our ability to withdraw our armed forces as soon as possible, meets these statutory standards. This unforeseen emergency allowed us no opportunity to program funds for these purposes, and at this point in the fiscal year there are no funds in the PKO account to meet these requirements.

There are a number of areas where commodities and services could be provided to fulfill a significant portion of the requirements identified in the Secretary General's report. For example, according to a preliminary DOD review, provision of up to \$25 million in vehicles, mobile communications equipment and base stations, ammunition, and troop equipment would contribute some of the most important items needed in this effort. We also plan to use the authorization of this drawdown as leverage to induce other donor countries to complete the entire package, including providing associated services and training, or seek UN contract-funded equipment training and maintenance.

DOD and the Joint Chiefs of Staff (JCS) concur in this drawdown proposal. JCS is concerned, however, that the program

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-3-

is not executable until the full extent of training, logistics, and maintenance costs are defined. Success of the police training program is contingent on training and logistics support, not simply a drawdown of equipment and uniforms. Prior to the commitment of the drawdown of U.S. military equipment, the UN must be advised of these concerns and either contract out the required maintenance and training, or obtain other donor country commitments to accomplish the training and maintenance. Failure to do so may subject the United States to UN pressure to accomplish these tasks, leading to additional U.S. logistical support commitments at a time when the current goal is to withdraw U.S. logistics force structure from Somalia.

Prior to the date the President intends to exercise this authority, we must provide a written notification and justification to the Speaker of the House and the Senate Committee on Foreign Relations. The President could sign the necessary Determination and authorize the drawdown on the following day. If the President approves, we would provide a Memorandum of Justification (Tab 1) with letters to Congress (Tab 2). Once this has been accomplished, we will so inform the NSC and provide the text of the required Determination for the President to sign to authorize DOD to proceed.

\$2 Million in ESF

In an effort to bolster immediately the Secretary General's program to reconstitute the Somali justice system, the Deputies Committee (DC) agreed on August 16 to recommend a \$6 million grant from AID to UNOSOM II to underwrite initial costs of the judicial component. The proposed drawdown responds to some of the requirements of the police component, however, the issue of Somali police salaries remains unaddressed. We are therefore proposing an additional \$2 million of ESF to pay police salaries. We would also use this contribution to leverage other donor support.

To use ESF as a contribution to the UN to pay police salaries in Somalia, it is necessary to waive two legal restrictions. Somalia is ineligible for assistance under the statutory provisions which forbid assistance to countries that are in default for six months (Section 620(q) of the FAA), or one year (Section 518 of the Foreign Operations Appropriations Act, 1993) on debt owed the USG. In addition, Section 660 of the FAA prohibits use of foreign assistance funds for training, advice, or financial support for police or law enforcement entities of any foreign government.

Section 614(a)(1) of the FAA provides the means for overcoming these restrictions. This provision authorizes the President to furnish assistance under the FAA (e.g., ESF to

CONFIDENTIAL

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-4-

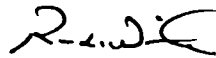
promote economic or political stability) "without regard to any" provisions of the FAA, or any law authorizing or appropriating funds under the FAA.

Before exercising Section 614(a)(1) authority, the President must consult with, and provide a written policy justification to, the Appropriations Committees, the Senate Foreign Relations Committee, and the House Foreign Affairs Committee. The President must then determine, and notify in writing the Speaker and the Chairman of the Senate Foreign Relations Committee, that furnishing of assistance under this authority "is important to the security interests of the United States." For the reasons set forth in the Memorandum of Justification attached at Tab 1, we believe that the contemplated proposal satisfies the criteria for invoking these authorities.

Upon receiving the President's approval in principle for the waiver under Section 614, we will proceed with the consultations and provide the Memorandum of Justification with letters to Congress (Tab 2). Assuming Congressional reaction does not indicate a contrary course, we will submit a separate recommendation to the NSC and provide the text of the required Determination for the President to sign to authorize the Section 614 waiver and the drawdown under Section 552.

Accordingly, we recommend that the President authorize consultations with, and the furnishing of a justification to, Congress. If these consultations do not suggest a different course of action, we will recommend that the President sign a Determination exercising his authorities as described above.

Thank you for your assistance in this matter.



Marc Grossman
Executive Secretary

Attachments:

- Tab 1 - Memorandum of Justification
- Tab 2 - Draft Letter of Notification

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Memorandum of Justification for a
Presidential Determination to Draw Down
DoD Commodities and Services, and to
Set Aside Legal Restrictions on
Providing Foreign Assistance to Somalia

The United Nations Operation in Somalia (UNOSOM II) now has taken on the difficult and complex tasks of promoting political reconciliation and economic development to ensure that the situation does not revert to the humanitarian crisis of a year ago. It has become increasingly clear that progress on both the political and humanitarian fronts depends on a stable security environment. Reestablishment of an effective police force is key to establishing and maintaining a secure environment in Somalia. It will be difficult, if not impossible, to maintain progress on political reconciliation and economic development in the absence of a secure environment. Without such progress, withdrawal of UN peacemaking forces, including those provided by the United States and the U.S. Quick Reaction Force (QRF), would have a devastating impact on the significant gains that have been made over the past year in this humanitarian effort.

The UN Secretary General's August 17 report on Somalia calls for \$45 million to fund the initial costs of reconstituting a "justice system", comprising police, judicial, and prison components. Implementation requirements include a 16-month police training program to create a 10,000-person Somali police force by the end of 1994, combining the current force with additional police personnel to be recruited. The report proposes the rehabilitation of up to three police training academies and the improvement and renovation of the prison and judicial facilities. Material requirements to meet these objectives, based on the UNOSOM II assessment contained in the Secretary General's report, include:

- 258 4-wheel drive vehicles for the police;
- 100 20-passenger trucks for the police;
- 41 administrative or 4-wheel vehicles for the courts;
 - 16 for the prisons; 25 for UNOSOM staff;
- vehicle maintenance packages (parts, tools, fuel);
- 70 radio base stations (for communication with foot and vehicular patrols);
- 600 handheld radios (for foot and vehicular patrols);
- 10,000 police uniforms plus individual equipment for 70 police stations;
 - 70 electric generators;
 - 70 water supply tanks;
 - 70 police station basic kits;
 - administrative supplies;

- 5,000 pistols for police, 160 for prison personnel;
- 5,000 rifles for police, 160 for prison personnel;
- training ammunition;
- materials and fixtures for one academy restoration;
- supplies, equipment, furnishings for the court system
- 1,000 prison custodial uniforms;
- 1,000 inmates uniforms;
- administrative supplies for 4 prison facilities;
- administrative supplies, equipment, furnishings for the supporting UNOSOM staff elements.

There are clearly areas where a drawdown of DOD commodities, as well as the provision of supporting training and services, could constitute a significant portion of the requirements identified in the Secretary General's report. For example, according to preliminary DOD review, the provision of up to \$25 million in vehicles, communications equipment, ammunition, and troop equipment would contribute some of the most important items needed in this effort. Authorization of this drawdown would provide leverage for the U.S. and UN to induce other donor countries to complete the entire package, including providing associated services and training, or seek UN-funded equipment training and maintenance.

For these purposes, the Administration proposes that the President exercise the special peacekeeping drawdown authority contained in Section 552(c)(2) of the Foreign Assistance Act, as amended. This provision allows the President to direct the drawdown of commodities and services from the stocks of any agency of the U.S. government if he determines that (1) "as a result of an unforeseen emergency, the provision of assistance under the [the PKO] Chapter in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States," and (2) that "such unforeseen emergency requires the immediate provision of assistance under [the PKO Chapter]." We believe that the urgent need to reestablish functioning Somali police forces meets the statutory standards, and there are insufficient funds in the PKO account to meet this and other needs worldwide.

In an effort to bolster immediately the Secretary General's program to reconstitute the Somali justice system, the Deputies Committee (DC) agreed on August 16 to recommend a \$6 million grant from AID to UNOSOM II to underwrite initial costs. The issue of Somali police salaries, however, remains unaddressed. We are therefore proposing an additional \$2 million of ESF to pay police salaries. We would also use this contribution to leverage other donor support.

The sources of this \$2 million are:

\$1.688 from AID Africa region 517 recoveries "excess to FY 1993 rescission requirements";

\$0.312 million from AID Africa region 517 recoveries "elsewhere in the Agency excess to the FY93 rescission requirements".

No project or country program funds were deobligated to make these funds available for Somalia. These funds were unobligated at the time they were identified for Somalia.

To use ESF as a contribution to the UN to pay police salaries in Somalia, it is necessary to waive two legal restrictions. Somalia is ineligible for assistance under the statutory provisions which forbid assistance to countries that are in default for six months (Section 620(q) of the FAA), or one year (Section 518 of the Foreign Operations Appropriations Act, 1993), on debt owed the USG. In addition, Section 660 of the FAA prohibits use of foreign assistance funds for training, advice, or financial support for police or law enforcement entities of any foreign government.

In order to make such assistance available, it is necessary to waive the legal restrictions applicable to Somalia or generally to the funds. The Administration proposes to use the Presidential waiver authority in Section 614 to do so, as well as to enable the Section 552(c)(2) drawdown, notwithstanding FAA Section 660 restrictions.

Despite the continuing conflict with the militia of General Aideed in south Mogadishu, UNOSOM II's work elsewhere in the country is moving forward. Outside the capital, political violence is rare, banditry has declined and, despite continued pockets of deprivation, the food emergency has ended. The maintenance of security has been essential to this progress and to the U.S. security interest in seeing that the UN's crucial peace enforcement effort under Chapter VII of the UN charter succeeds. UNOSOM II is a landmark operation. In a world rife with humanitarian crises caused by armed conflict, it is indeed important to U.S. national interests to support multinational efforts that help us by achieving a more equitable sharing of the responsibility for crisis management and relief.

For these reasons, the use of the emergency authority provided by Section 552(c)(2) to provide DOD commodities and services to the UN to support reestablishment of Somali police forces is necessary and important to the national interest. In addition, the use of the President's waiver authority under Section 614 to enable the drawdown and to assist the UN with funds for police salaries is important to the security interests of the United States.



United States Department of State

Washington, D.C. 20520

Letter to be transmitted to:

Speaker of the House
Chairman, Senate Foreign Relations
Chairman, House Foreign Affairs
Chairman, Senate Appropriations
Chairman, House Appropriations

Dear _____:

I wish to inform you that the President proposes to exercise his authority under Section 552(c)(2) of the Foreign Assistance Act of 1961, as amended (the "Act"), in order to draw down up to \$25 million in Department of Defense commodities and services to support the United Nations operation in Somalia (UNOSOM II) in the reestablishment of Somali police forces. He also proposes to exercise his authority under Section 614(a)(1) of the Act to enable this drawdown and to authorize that \$2 million in Economic Support Funds (ESF) be made available to UNOSOM II for use in payment of salaries of Somali police forces.

This assistance is required on an urgent basis to support the UN's objective of reestablishing effective Somali police forces, which is pivotal to the success of the humanitarian operations and contributes to our ability to withdraw U.S. armed forces as soon as possible. The drawdown will allow the U.S. to supply a significant portion of the requirements identified in the Secretary General's report of August 17, 1993. The contribution towards police salaries will assist the UN in meeting immediate needs and will encourage additional support from other member states.

As indicated in the course of informal consultations with interested committee staff, and as described in detail in the attached memorandum of justification, we believe that the drawdown and use of ESF funds for these purposes will make an important contribution to the crucial efforts of the United

Nations to reestablish effective Somali police forces. This, in turn, will serve important U.S. interests by contributing towards improved security and facilitating the fulfillment of UNOSOM II's mission.

Sincerely,

Wendy R. Sherman
Assistant Secretary
Legislative Affairs

Enclosure:

1. Memorandum of Justification