

FOIA MARKER

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Folder Title: War Powers-Somalia [3]				
Staff Office-Individual: Legal Advisor-Kreczko, Alan				
Original OA/ID Number: 2952				
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Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. form	WAVES Request for Appointments [Personally Identifiable Information] [partial] (1 page)	09/28/1993	b(6)
001b. note	Handwritten notes from meeting (1 page)	09/29/1993	P1/b(1)
002. memo	James P. Terry to NSC Counsel, re: War Powers-Related Questions Re Somalia (5 pages)	06/18/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Legal Advisor (Kreczko, Alan)
OA/Box Number: 2952

FOLDER TITLE:

War Powers - Somalia [3]

2012-0659-F

ke4156

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

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

RR. Document will be reviewed upon request.

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Dear Mr. Gilman:

I am responding to your letter of July 30 to Secretary Christopher, in which you inquired further concerning the application of the War Powers Resolution to Somalia.

You asked whether our conclusion that section 5(b) of the Resolution does not apply to the U.S. military presence in Somalia is affected by the fact that section 5(b) refers not only to actual hostilities but also to "situations where imminent involvement in hostilities is clearly indicated by the circumstances." Our answer is that this does not affect our conclusion. There has not, in our view, been a "clear indication" of "imminent involvement" of our forces in sustained hostilities throughout a 60-day period. The involvement of our forces in incidents involving violence in Somalia has not been sustained, but rather isolated and intermittent. This view of section 5(b) is, of course, the same as that held by previous administrations.

Once again, I hope we have provided a useful response. Please communicate with me again if I can be of further assistance.

Sincerely,

Wendy R. Sherman
Assistant Secretary
Legislative Affairs

The Honorable
Benjamin A. Gilman,
Committee on Foreign Affairs,
House of Representatives.

Washington, D.C. 20520

Office of the Legal Adviser

FACSIMILE TRANSMISSION COVER SHEET

Transmission Date: 9/29/93 Pages Transmitted: 2TRANSMITTED TO:Fax No.: 395-1839

Name: Nam. Nolin
Organization: NSC
Bldg, Room:
Tele/Ext:
Description:
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TRANSMITTED FROM:Fax No. 647-734

Name: Chuck Allen
Organization: Office of the Legal Adviser (L/PA)
Bldg, Room: Main State Room
Washington, DC 20520
Tele/Ext: 647-

Note: This copier is designated as "unattended" and will receive documents 24 hours a day. You must let the receiving party know you are sending a document.

COMMENTS:

Nam -
Here is our latest draft response to
Aidman. Mike Matheson wanted me to
get it to you, perhaps for discussion
purposes at today's meeting.
PHOTOCOPY PRESERVATION

103d Congress, 1st Session - - - - - House Document 103-98

PROGRESS OF UNITED STATES EFFORTS
IN SOMALIA

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

PROGRESS REPORT OF UNITED STATES EFFORTS IN SOMALIA



JUNE 10, 1993.—Referred to the Committee on Foreign Affairs and
ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1993

69-011

file: *asf*
| *Somalia /*
War Power

THE WHITE HOUSE,
Washington, June 10, 1993.

Hon. THOMAS S. FOLEY,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: On December 10, 1992, President Bush reported to the Congress that U.S. Armed Forces had been deployed to Somalia to assist the United Nations efforts to deal with the human catastrophe in that country, to avert related threats to international peace and security, and to protect the safety of Americans and others engaged in relief operations. This action was part of a multilateral response to U.N. Security Council Resolution 794, which authorized Member States, under Chapter VII of the U.N. Charter, to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia. Since that time, my Administration and its predecessor have endeavored, through briefings and other means, to keep you informed about the progress of U.S. efforts in Somalia. I am providing this further report, consistent with the War Powers Resolution, in light of the passage of 6 months since President Bush's initial report on the deployment of U.S. Armed Forces to Somalia.

As you are aware, the U.S.-led operation, known as Operation Restore Hope, was responsible for stemming the tragic situation and saving many lives by ensuring that desperately needed relief efforts in behalf of the civilian population could proceed. Owing in large measure to the success of the U.S.-led Unified Task Force in Somalia (UNITAF), the responsibility for the continuing operation was transferred in an orderly fashion to the operational control of the U.N. Operation in Somalia (UNOSOM II) on May 4, 1993, pursuant to U.N. Security Council Resolution 814. This Resolution similarly invoked Chapter VII of the U.N. Charter and endowed UNOSOM II with the right to use force to ensure that the mandate is implemented.

The United States continues to support U.N. efforts in Somalia by providing approximately 3,000 U.S. logistics and other support personnel under the operational control of UNOSOM II. In addition, approximately 1,100 troops remain in the area as a Quick Reaction Force (QRF), under the operational control of the Commander in Chief, U.S. Central Command, for use in emergency situations. The UNOSOM II deputy commander, a U.S. Army general who is the U.S. contingent commander, is authorized to send the QRF into action as may be necessary.

On June 5, 1993, UNOSOM II forces operating in Mogadishu encountered attacks instigated by one of Somalia's factional leaders, resulting in the deaths of 23 Pakistani military personnel. Three U.S. military personnel assigned to UNOSOM II sustained minor injuries. As envisioned in response to such situations, the QRF was

called upon to assist in quelling the violence against the lawful activities of UNOSOM II in implementing the U.N. mandate. On June 6, 1993, the U.N. Security Council adopted Resolution 837, reaffirming the authority of UNOSOM II to take all necessary measures against those responsible for these armed attacks.

Our forces will remain equipped and prepared to accomplish their humanitarian mission and defend themselves, if necessary; they also will be provided such additional U.S. support as may be necessary to ensure their safety and the accomplishment of their mission.

I have continued the deployment of U.S. Armed Forces to Somalia pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive and in accordance with applicable treaties and laws. This deployment is consistent with S.J. Res. 45, as adopted by the Senate on February 4, 1993, and as modified and adopted by the House on May 25, 1993.

Effective U.S. foreign policy requires close cooperation between the President and the Congress, and this imperative is particularly important regarding issues surrounding the use of our Nation's Armed Forces. I remain committed to ensuring that the Congress is kept fully informed on these matters and that the public good is served through constructive discussions and cooperation between our two branches.

Sincerely,

BILL CLINTON

Withdrawal/Redaction Marker

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REQUEST FOR APPOINTMENT

Handwritten signature

TO: Officer-in-charge
Appointments Center
Room 060, OEOB

Please admit the following appointment on Wednesday, September 29, 1993

for Alan Kreczko of NSC:
(NAME OF PERSON TO BE VISITED) (AGENCY)

^S
Gorelick, Jamie
Harper, Conrad
Matheson, Michael
McNeill, John
Rindskopf, Elizabeth
Terry, James

(b)(6)

[001a]

→ *Handwritten:* Andrew, Michael

Handwritten: Brittain, Frank (no)

(b)(6)

Handwritten: cleared
cleared

DOJ

Walter Dellinger

NSC

Alan Kreczko
Neal Wolin
Don Gross

MEETING LOCATION

Building OEOB

Requested by Jo Hunerwadel

Room No. 472

Room No. 348 Extension 5026

Time of Meeting 1100

Date of request 28 September 1993

Additions and/or changes made by telephone should be limited to five (5) names or less.

CLINTON LIBRARY PHOTOCOPY

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

June 25, 1993

*Mark
for file (WP)
4676
Somalia
War
Powers*



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: ALAN KRECZKO *AK*

SUBJECT: Supplemental Report to Congress, Consistent with
the War Powers Resolution, on the Deployment of
United States Armed Forces to Somalia

Attached for transmittal to the President is a recommended supplement to the June 10, 1993, War Powers Report to Congress. While not legally required, the report is intended to keep the Congress fully informed and avoid a legalistic argument over the requirements of the War Powers Resolution.

The report has been coordinated with the Counsel to the President and the Departments of State, Justice and DOD, including JCS.

Concurrences by: Jeremy Rosner, *Rosner* Rand Beers, *Beers* Dennis Jett, *Jett*

RECOMMENDATION

That you sign the memorandum for the President at Tab I forwarding the supplemental report to Congress on Somalia.

Attachments

Tab I Memorandum for the President
| Tab A Letter to the Speaker of the House
| Tab B Letter to the President pro tempore of the Senate
Tab II Incoming Correspondence from State Department



THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: ANTHONY LAKE

SUBJECT: Supplemental Report to Congress, Consistent with
the War Powers Resolution, on the Deployment of
United States Armed Forces to Somalia

Purpose

To provide a supplemental report to Congress regarding the
status of the deployment of U.S. Armed Forces to Somalia.

Background

On June 10, 1993, you submitted a report to Congress "consistent
with the War Powers Resolution" as a supplemental report to
President Bush's report of December 10, 1992. This report
provided information on the June 5 attacks on U.N. forces that
killed 23 Pakistani peacekeeping personnel. Since that time,
U.N. forces have conducted successful operations to neutralize
the stronghold of General Aideed, who was responsible for the
June 5 attacks. Because of these recent developments, and in
view of the important role of U.S. Armed Forces in these actions,
it is advisable (but not legally required) for you to supplement
the June 10 report.

The report has been cleared by the Counsel to the President and
the Departments of State, DOD (including JCS) and ~~DE~~ Justice.

RECOMMENDATION

That you report to Congress on the status of the deployment of
Armed Forces to Somalia by signing the letters at Tab A and B.

Attachments

Tab A Letter for the Speaker of the House of Representatives
Tab B Letter to the President pro tempore of the Senate

3851

cc: Vice President
Chief of Staff

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THE WHITE HOUSE

WASHINGTON

Dear Mr. Speaker:

In my letter to you of June 10, 1993, regarding the deployment of U.S. Armed Forces to Somalia, I reported on the deplorable June 5 attacks on United Nations Operation in Somalia forces (UNOSOM II) instigated by one of Somalia's factional leaders. I also reported to you that on June 6, 1993, the U.N. Security Council adopted Resolution 837, which strongly condemned the unprovoked June 5 attacks that left 23 Pakistani peacekeepers dead. In addition, the Security Council reemphasized the crucial importance of the disarmament of all Somali parties, and reaffirmed the Secretary General's authority under Chapter VII of the U.N. Charter "to take all necessary measures against those responsible for the armed attacks [of June 5], including against those responsible for publicly inciting such attacks, to establish the effective authority of UNOSOM II throughout Somalia, including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment."

Since that time, the United Nations has acted resolutely to restore order in Mogadishu and to protect U.N. forces. These actions have ensured that the world community's crucial humanitarian efforts in Somalia and the national reconciliation process in that country will continue to move forward. In view of these developments (in particular the role of U.S. Armed Forces in the recent United Nations-led activities in Somalia), and because of my desire that Congress be kept fully informed regarding significant deployments of U.S. Armed Forces, I am providing this supplement to my earlier report.

In planning appropriate measures to respond to the violence and to implement the Security Council's mandate, the U.N. was able to draw upon the superb capabilities of the U.S. Armed Forces that remained in Somalia following the transition to UNOSOM II. In addition to the logistics and other support personnel assigned to UNOSOM II, the Quick Reaction Forces (QRF) -- under U.S. operational control -- was available to assist UNOSOM II during emergencies. At the height of the U.S.-led Unified Task Force (UNITAF) operations, just over 25,000 U.S. Armed Forces personnel were deployed to Somalia. Consistent with U.S. policy objectives, the current smaller U.S. contribution of approximately 4,400 personnel reflects the increased participation by other U.N. Member States.

U.S. Armed Forces played an extremely important role in the successful efforts of UNOSOM II to restore stability to the area and to enable U.N. humanitarian operations in Somalia to proceed. First, after determining that the leadership of one of Somalia's factions had planned and incited the June 5 attacks on U.N. peacekeepers, UNOSOM II initiated air and ground military operations in the early morning hours of June 12. Primary targets included weapons and ordnance caches and a radio facility that had been used to foment violence towards U.N. forces and opposition to implementation of the Security Council's humanitarian mandate in Somalia. U.S. fixed-wing and helicopter aircraft operating as part of the QRF, in support of UNOSOM II, destroyed or disabled those targets in a well-planned effort consistent with the Security Council's disarmament objectives and the mandate to restore security. U.S. forces sustained no casualties.

On June 17, the Special Representative of the Secretary General, acting pursuant to Security Council Resolution 837, ordered the arrest of General Mohammed Farah Aideed for alleged criminal acts against UNOSOM II peacekeeping forces on June 5. In addition, UNOSOM II forces conducted further coordinated ground and air operations designed to search, clear and disarm the factional stronghold of General Aideed in south Mogadishu that posed a continuing threat to U.N. operations. Ground and aerial broadcasts warned civilians to leave the area. Targets included weapons and ammunition caches, command and control facilities, and defensive positions. Once again, the U.S. QRF, in support of UNOSOM II, conducted air attacks, followed by search and clearing operations on the ground by non-U.S. UNOSOM II military personnel. Only one U.S. military member sustained minor injury, although there were several deaths and a number of injuries among UNOSOM II forces from other nations due to resistance by militia units and sniper fire. Although Aideed has not yet been arrested, the June 17 operation accomplished the objective of securing Aideed's compound and neutralizing military capabilities that had posed a major obstacle to U.N. efforts to deliver humanitarian relief, facilitate political reconciliation, and promote national reconstruction.

We now see renewed opportunity for UNOSOM II to move forward steadily towards fulfillment of the humanitarian mandate of the Security Council that is shared by the world community. By countering the lawless, unprovoked violence against U.N. peacekeepers, the U.N. has gone far towards preserving the credibility and security of peacekeeping forces in Somalia and throughout the world. U.S. forces remain on guard along with those of our U.N. partners to counter any threats to the important U.N. mission in Somalia, should they arise.

As before, I remain committed to ensuring that the Congress is kept fully informed on U.S. peacekeeping contributions and the use of U.S. Armed Forces for these vital purposes. I look forward to continuing discussions and close cooperation with you on these and related issues.

Sincerely,

The Honorable Thomas S. Foley
Speaker of the
House of Representatives
Washington, D.C. 20515

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THE WHITE HOUSE

WASHINGTON

Dear Mr. President:

In my letter to you of June 10, 1993, regarding the deployment of U.S. Armed Forces to Somalia, I reported on the deplorable June 5 attacks on United Nations Operation in Somalia forces (UNOSOM II) instigated by one of Somalia's factional leaders. I also reported to you that on June 6, 1993, the U.N. Security Council adopted Resolution 837, which strongly condemned the unprovoked June 5 attacks that left 23 Pakistani peacekeepers dead. In addition, the Security Council reemphasized the crucial importance of the disarmament of all Somali parties, and reaffirmed the Secretary General's authority under Chapter VII of the U.N. Charter "to take all necessary measures against those responsible for the armed attacks [of June 5], including against those responsible for publicly inciting such attacks, to establish the effective authority of UNOSOM II throughout Somalia, including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment."

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In planning appropriate measures to respond to the violence and to implement the Security Council's mandate, the U.N. was able to draw upon the superb capabilities of the U.S. Armed Forces that remained in Somalia following the transition to UNOSOM II. In addition to the logistics and other support personnel assigned to UNOSOM II, the Quick Reaction Forces (QRF) -- under U.S. operational control -- was available to assist UNOSOM II during emergencies. At the height of the U.S.-led Unified Task Force (UNITAF) operations, just over 25,000 U.S. Armed Forces personnel were deployed to Somalia. Consistent with U.S. policy objectives, the current smaller U.S. contribution of approximately 4,400 personnel reflects the increased participation by other U.N. Member States.

U.S. Armed Forces played an extremely important role in the successful efforts of UNOSOM II to restore stability to the area and to enable U.N. humanitarian operations in Somalia to proceed. First, after determining that the leadership of one of Somalia's factions had planned and incited the June 5 attacks on U.N. peacekeepers, UNOSOM II initiated air and ground military operations in the early morning hours of June 12. Primary targets included weapons and ordnance caches and a radio facility that had been used to foment violence towards U.N. forces and opposition to implementation of the Security Council's humanitarian mandate in Somalia. U.S. fixed-wing and helicopter aircraft operating as part of the QRF, in support of UNOSOM II, destroyed or disabled those targets in a well-planned effort consistent with the Security Council's disarmament objectives and the mandate to restore security. U.S. forces sustained no casualties.

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As before, I remain committed to ensuring that the Congress is kept fully informed on U.S. peacekeeping contributions and the use of U.S. Armed Forces for these vital purposes. I look forward to continuing discussions and close cooperation with you on these and related issues.

Sincerely,

The Honorable Robert C. Byrd
President pro tempore
of the Senate
Washington, D.C. 20510

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United States Department of State

Washington, D.C. 20520

DRAFT

MEMORANDUM FOR ANTHONY LAKE THE WHITE HOUSE

SUBJECT: War Powers Supplemental Report on Somalia

On June 10, 1993, President Clinton submitted a report to Congress regarding the deployment of U.S. Armed Forces to Somalia. The report was provided "consistent with the War Powers Resolution" as a supplemental report to President Bush's report of December 10, 1992. (Section 4(c) of the War Powers Resolution requires periodic reports at least once every six months as long as the deployment continues.)

The June 10 letter provided information on the June 5 attacks on UN forces that killed 23 Pakistani peacekeeping personnel. Since that time, UN forces have conducted successful operations to neutralize the stronghold of General Aideed, who was responsible for the June 5 attacks.

Because of recent developments, and in view of the important role of U.S. Armed Forces in these actions, it is advisable (but not legally required) for the President to supplement his June 10 letter. The attached draft report describes the successful UN-led operations of June 12 and 17 that have essentially restored stability in Mogadishu. The advisability of sending such a report was discussed during a meeting last week that included the National Security Advisor, the Secretary of State, and the Secretary of Defense. The report has been cleared by DoD, including JCS, and by Justice.

We therefore recommend that the President sign the attached report.

Marc Grossman
Executive Secretary

Attachment:
As stated.

DRAFT

Dear Mr. Speaker:

In my letter to you of June 10, 1993, regarding the deployment of U.S. Armed Forces to Somalia, I reported on the deplorable June 5 attacks on United Nations Operation in Somalia forces (UNOSOM II) instigated by one of Somalia's factional leaders. I also reported to you that on June 6, 1993, the U.N. Security Council adopted Resolution 837, which strongly condemned the unprovoked June 5 attacks that left 23 Pakistani peacekeepers dead. In addition, the Security Council reemphasized the crucial importance of the disarmament of all Somali parties, and reaffirmed the Secretary-General's authority under Chapter VII of the U.N. Charter "to take all necessary measures against those responsible for the armed attacks [of June 5], including against those responsible for publicly inciting such attacks, to establish the effective authority of UNOSOM II throughout Somalia, including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment."

Since that time, the United Nations has acted resolutely to restore order in Mogadishu and to protect U.N. forces. These actions have ensured that the world community's crucial humanitarian efforts in Somalia and the national reconciliation process in that country will continue to move forward. In view of these developments (in particular the role of U.S. Armed Forces in the recent United Nations-led activities in Somalia), and because of my desire that Congress be kept fully informed regarding significant deployments of U.S. Armed Forces, I am providing this supplement to my earlier report.

In planning appropriate measures to respond to the violence and to implement the Security Council's mandate, the U.N. was able to draw upon the superb capabilities of the U.S. Armed Forces that remained in Somalia following the transition to UNOSOM II. In addition to the logistics and other support personnel assigned to UNOSOM II, the Quick Reaction Force (QRF) -- under U.S. operational control -- was available to assist UNOSOM II during emergencies. At the height of the U.S.-led Unified Task Force (UNITAF) operations, just over 25,000 U.S. Armed Forces personnel were deployed to Somalia. Consistent with U.S. policy objectives, the current smaller U.S. contribution of approximately 4,400 personnel reflects the increased participation by other U.N. Member States.

U.S. Armed Forces played an extremely important role in the successful efforts of UNOSOM II to restore stability to the area and to enable U.N. humanitarian operations in Somalia to proceed. First, after determining that the leadership of one of Somalia's factions had planned and incited the June 5 attacks on U.N. peacekeepers, UNOSOM II initiated air and ground military operations in the early morning hours of June 12. Primary targets included weapons and ordnance caches and a radio facility that had been used to foment violence towards U.N. forces and opposition to implementation of the Security Council's humanitarian mandate in Somalia. U.S. fixed-wing and helicopter aircraft operating as part of the QRF, in support of UNOSOM II, destroyed or disabled those targets in a well-planned effort consistent with the Security Council's disarmament objectives and the mandate to restore security. U.S. forces sustained no casualties.

On June 17, the Special Representative of the Secretary-General, acting pursuant to Security Council Resolution 837, ordered the arrest of General Mohammed Farah Aided for alleged criminal acts against UNOSOM II peacekeeping forces on June 5. In addition, UNOSOM II forces conducted further coordinated ground and air operations designed to search, clear and disarm the factional stronghold of General Aided in south Mogadishu that posed a continuing threat to U.N. operations. Ground and aerial broadcasts warned civilians to leave the area. Targets included weapons and ammunition caches, command and control facilities, and defensive positions. Once again, the U.S. QRF, in support of UNOSOM II, conducted air attacks, followed by search and clearing operations on the ground by non-U.S., UNOSOM II military personnel. Only one U.S. military member sustained minor injury, although there were several deaths and a number of injuries among UNOSOM II forces from other nations due to resistance by militia units and sniper fire. Although Aided has not yet been arrested, the June 17 operation accomplished the objective of securing Aided's compound and neutralizing military capabilities that had posed a major obstacle to U.N. efforts to deliver humanitarian relief, facilitate political reconciliation, and promote national reconstruction.

We now see renewed opportunity for UNOSOM II to move forward steadily towards fulfillment of the humanitarian mandate of the Security Council that is shared by the world community. By countering the lawless, unprovoked violence against U.N. peacekeepers, the U.N. has gone far towards preserving the credibility and security of peacekeeping forces in Somalia and throughout the world. U.S. forces remain on guard along with those of our U.N. partners to counter any threats to the important U.N. mission in Somalia, should they arise.

As before, I remain committed to ensuring that the Congress is kept fully informed on U.S. peacekeeping contributions and the use of U.S. Armed Forces for these vital purposes. I look forward to continuing discussions and close cooperation with you on these and related issues.

DEPARTMENT OF STATE
Office of the Legal Adviser (L)

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Chuck

File with Somalia

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CONTENTS / COMMENTS*Draft 6-month
letter on Somalia*

Dear Mr. Speaker:

On December 10, 1992, President Bush reported to the Congress that U.S. Armed Forces had been deployed to Somalia to assist the United Nations effort to deal with the human catastrophe in that country, to avert related threats to international peace and security, and to protect the safety of Americans and others engaged in relief operations. This action was part of a multilateral response to UN Security Council Resolution 794, which authorized Member States under Chapter VII of the UN Charter to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia. Since that time, the Bush Administration and my own have endeavored, through briefings and other means, to keep you informed about the progress of U.S. efforts in Somalia. I am providing this further report, consistent with the War Powers Resolution, in light of the passage of six months since the initial report of President Bush.

As you are aware, the U.S.-led operation, commonly known as Operation Restore Hope, was responsible for stemming the tragic situation and saving many lives by ensuring that desperately needed relief efforts on behalf of the civilian population could proceed. Due in large measure to the success of the U.S.-led United Nations Force in Somalia (UNITAF), the responsibility for the ongoing operation was transferred in an orderly fashion to the operational control of the UN Operation in Somalia (UNOSOM II) on May 5, 1993, pursuant to UN Security Council Resolution 814. This Resolution similarly invoked Chapter VII of the UN Charter and endowed UNOSOM II with the right to use force to ensure that the mandate is implemented.

The U.S. continues to support UN efforts in Somalia by providing approximately 3,000 U.S. logistics and other support personnel under the operational control of UNOSOM II. In addition, approximately 1,100 U.S. troops remain in the area as a Quick Reaction Force (QRF), under the operational control of the Commander in Chief, U.S. Central Command, for use in emergency situations. The UNOSOM II deputy commander, a U.S. Army general who is the U.S. contingent commander, is authorized to send the QRF into action as may be necessary.

On June 5, 1993, UNOSOM II forces operating in Mogadishu encountered violence instigated by one of Somalia's factional leaders, resulting in the deaths of 22 Pakistani military personnel. Three U.S. military personnel assigned to UNOSOM II sustained minor injuries. As envisioned in response to such situations, the QRF was called upon to assist in quelling the violence against the lawful activities of UNOSOM II in implementing the UN mandate. On June 6, 1993, the UN Security Council adopted Resolution 837, reaffirming the authority of UNOSOM II to take all necessary measures against those responsible for these armed attacks.

-2-

As President Bush stated in his letter of December 10, 1993, it remains our intent that U.S. Armed Forces deployed to Somalia not become involved in hostilities. Our forces will remain equipped and prepared to accomplish their humanitarian mission and defend themselves, if necessary; they also will be provided such additional U.S. support as may be necessary to ensure their safety and the accomplishment of their mission.

I have continued the deployment of U.S. Armed Forces to Somalia pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive, and in accordance with applicable treaties and laws. This deployment is consistent with S.J. Res. 45 as adopted by the Senate on February 4, 1993, and by the House on May 25, 1993.

Effective U.S. foreign policy requires close cooperation between the President and Congress, and this imperative is particularly important regarding issues surrounding the use of our nation's Armed Forces. I remain committed to ensuring that the Congress is kept fully informed on these matters and that the public good is served through constructive discussions and cooperation between our two branches.

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*my
Administration
and its
predecessor*

-2-

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DEPARTMENT OF STATE
Office of the Legal Adviser (L)

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my
Administration
and the
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-2-

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P4 Release would disclose trade secrets or confidential commercial or
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P5 Release would disclose confidential advice between the President
and his advisors, or between such advisors [(a)(5) of the PRA]
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b(6) Release would constitute a clearly unwarranted invasion of
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purposes [(b)(7) of the FOIA]
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financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information
concerning wells [(b)(9) of the FOIA]

Congress of the United States

Washington, DC 20515

June 15, 1993

The Honorable Warren M. Christopher
Secretary of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Secretary:

We are writing to request your assessment of the current situation in Somalia. Until now, the Administration has taken the position that the U.S. Armed Forces in Somalia are not in a situation of hostilities or imminent involvement in hostilities within the meaning of the War Powers Resolution. In our opinion, recent events in Mogadishu call for a reexamination of this conclusion.

According to press accounts, 23 Pakistani soldiers were killed and 59 wounded in guerilla attacks on United Nations peacekeepers on June 5. The U.S. Quick-Reaction Force had to be called out to rescue besieged Pakistanis, and three U.S. soldiers were wounded in the combat. On June 6, the U.N. Security Council adopted a resolution calling for the arrest, prosecution, and trial of those responsible for the attacks.

Between June 5 and June 12, non-essential U.N. officials and foreign aid workers were evacuated from Mogadishu, and those who remained were relocated to a heavily fortified compound in preparation for assaults on arms depots and other facilities belonging to warlord Mohamed Farah Aided. U.S. AC-130 gunships were sent to Djibouti for use in these assaults, and over 2,000 U.S. Marines were ordered to redeploy from Kuwait to Somalia.

On June 12, the AC-130s attacked facilities in Mogadishu belonging to Aided. Attacks by U.S. aircraft and helicopters have continued daily since June 12. These attacks have prompted demonstrations by Somali supporters of Aided, including one in which Pakistani soldiers opened fire and killed at least 14 demonstrators.

In light of these facts, and in accordance with section 4(b) of the War Powers Resolution, we would appreciate your response to the following questions:

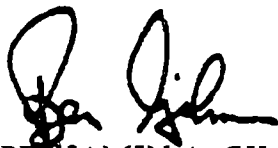
1. Were U.S. Armed Forces in Somalia in "hostilities" within the meaning of the War Powers Resolution on June 5?
2. Were U.S. Armed Forces in Somalia in "hostilities" or a situation "where imminent involvement in hostilities [was] clearly indicated by the circumstances" within the meaning of the War Powers Resolution between June 5 and June 12?
3. Have U.S. Armed Forces in Somalia been in "hostilities" within the meaning of the War Powers Resolution between June 12 and the date of this letter?
4. Have U.S. Armed Forces in Somalia been in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution at any time between the date of this letter and the date of your response?

The Honorable Warren M. Christopher
June 15, 1993
Page 2

5. Does the Administration anticipate that U.S. Armed Forces in Somalia will be in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution at any time subsequent to the date of your response?
6. If U.S. Armed Forces in Somalia have been, are, or are anticipated to be in "hostilities" or a situation "where imminent involvement in hostilities is clearly indicated by the circumstances" within the meaning of the War Powers Resolution, does the Administration intend to withdraw U.S. Armed Forces from Somalia within 60 days in accordance with section 5(b) of the War Powers Resolution? If not, what will be the legal basis for the U.S. military presence in Somalia after 60 days have elapsed?

Your response to these questions will be of great use to Congress as it proceeds with consideration of S.J.Res. 45, the "Resolution Authorizing the Use of United States Armed Forces in Somalia."

Sincerely,



BENJAMIN A. GILMAN
Ranking Republican Member
Committee on Foreign Affairs



JESSE HELMS
Ranking Republican Member
Committee on Foreign Relations

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

June 25, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: ALAN KRECZKO *AK*

SUBJECT: Supplemental Report to Congress, Consistent with
the War Powers Resolution, on the Deployment of
United States Armed Forces to Somalia

Attached for transmittal to the President is a recommended supplement to the June 10, 1993, War Powers Report to Congress. While not legally required, the report is intended to keep the Congress fully informed and avoid a legalistic argument over the requirements of the War Powers Resolution.

The report has been coordinated with the Counsel to the President and the Departments of State, Justice and DOD, including JCS.

Concurrences by: Jeremy Rosner, Rand Beers, Dennis Jett

RECOMMENDATION

That you sign the memorandum for the President at Tab I forwarding the supplemental report to Congress on Somalia.

Attachments

Tab I Memorandum for the President

Tab A Letter to the Speaker of the House

Tab B Letter to the President pro tempore of the Senate

Tab II Incoming Correspondence from State Department

THE WHITE HOUSE

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: ANTHONY LAKE

SUBJECT: Supplemental Report to Congress, Consistent with the War Powers Resolution, on the Deployment of United States Armed Forces to Somalia

Purpose

To provide a supplemental report to Congress regarding the status of the deployment of U.S. Armed Forces to Somalia.

Background

On June 10, 1993, you submitted a report to Congress "consistent with the War Powers Resolution" as a supplemental report to President Bush's report of December 10, 1992. This report provided information on the June 5 attacks on U.N. forces that killed 23 Pakistani peacekeeping personnel. Since that time, U.N. forces have conducted successful operations to neutralize the stronghold of General Aideed, who was responsible for the June 5 attacks. Because of these recent developments, and in view of the important role of U.S. Armed Forces in these actions, it is advisable (but not legally required) for you to supplement the June 10 report.

The report has been cleared by the Counsel to the President and the Departments of State, DOD (including JCS) and the Justice.

RECOMMENDATION

That you report to Congress on the status of the deployment of Armed Forces to Somalia by signing the letters at Tab A and B.

Attachments

Tab A Letter for the Speaker of the House of Representatives
Tab B Letter to the President pro tempore of the Senate

cc: Vice President
Chief of Staff

THE WHITE HOUSE

WASHINGTON

Dear Mr. Speaker:

In my letter to you of June 10, 1993, regarding the deployment of U.S. Armed Forces to Somalia, I reported on the deplorable June 5 attacks on United Nations Operation in Somalia forces (UNOSOM II) instigated by one of Somalia's factional leaders. I also reported to you that on June 6, 1993, the U.N. Security Council adopted Resolution 837, which strongly condemned the unprovoked June 5 attacks that left 23 Pakistani peacekeepers dead. In addition, the Security Council reemphasized the crucial importance of the disarmament of all Somali parties, and reaffirmed the Secretary General's authority under Chapter VII of the U.N. Charter "to take all necessary measures against those responsible for the armed attacks [of June 5], including against those responsible for publicly inciting such attacks, to establish the effective authority of UNOSOM II throughout Somalia, including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment."

Since that time, the United Nations has acted resolutely to restore order in Mogadishu and to protect U.N. forces. These actions have ensured that the world community's crucial humanitarian efforts in Somalia and the national reconciliation process in that country will continue to move forward. In view of these developments (in particular the role of U.S. Armed Forces in the recent United Nations-led activities in Somalia), and because of my desire that Congress be kept fully informed regarding significant deployments of U.S. Armed Forces, I am providing this supplement to my earlier report.

In planning appropriate measures to respond to the violence and to implement the Security Council's mandate, the U.N. was able to draw upon the superb capabilities of the U.S. Armed Forces that remained in Somalia following the transition to UNOSOM II. In addition to the logistics and other support personnel assigned to UNOSOM II, the Quick Reaction Forces (QRF) -- under U.S. operational control -- was available to assist UNOSOM II during emergencies. At the height of the U.S.-led Unified Task Force (UNITAF) operations, just over 25,000 U.S. Armed Forces personnel were deployed to Somalia. Consistent with U.S. policy objectives, the current smaller U.S. contribution of approximately 4,400 personnel reflects the increased participation by other U.N. Member States.

U.S. Armed Forces played an extremely important role in the successful efforts of UNOSOM II to restore stability to the area and to enable U.N. humanitarian operations in Somalia to proceed. First, after determining that the leadership of one of Somalia's factions had planned and incited the June 5 attacks on U.N. peacekeepers, UNOSOM II initiated air and ground military operations in the early morning hours of June 12. Primary targets included weapons and ordnance caches and a radio facility that had been used to foment violence towards U.N. forces and opposition to implementation of the Security Council's humanitarian mandate in Somalia. U.S. fixed-wing and helicopter aircraft operating as part of the QRF, in support of UNOSOM II, destroyed or disabled those targets in a well-planned effort consistent with the Security Council's disarmament objectives and the mandate to restore security. U.S. forces sustained no casualties.

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As before, I remain committed to ensuring that the Congress is kept fully informed on U.S. peacekeeping contributions and the use of U.S. Armed Forces for these vital purposes. I look forward to continuing discussions and close cooperation with you on these and related issues.

Sincerely,

The Honorable Thomas S. Foley
Speaker of the
House of Representatives
Washington, D.C. 20515

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U.S. Armed Forces played an extremely important role in the successful efforts of UNOSOM II to restore stability to the area and to enable U.N. humanitarian operations in Somalia to proceed. First, after determining that the leadership of one of Somalia's factions had planned and incited the June 5 attacks on U.N. peacekeepers, UNOSOM II initiated air and ground military operations in the early morning hours of June 12. Primary targets included weapons and ordnance caches and a radio facility that had been used to foment violence towards U.N. forces and opposition to implementation of the Security Council's humanitarian mandate in Somalia. U.S. fixed-wing and helicopter aircraft operating as part of the QRF, in support of UNOSOM II, destroyed or disabled those targets in a well-planned effort consistent with the Security Council's disarmament objectives and the mandate to restore security. U.S. forces sustained no casualties.

On June 17, the Special Representative of the Secretary General, acting pursuant to Security Council Resolution 837, ordered the arrest of General Mohammed Farah Aideed for alleged criminal acts against UNOSOM II peacekeeping forces on June 5. In addition, UNOSOM II forces conducted further coordinated ground and air operations designed to search, clear and disarm the factional stronghold of General Aideed in south Mogadishu that posed a continuing threat to U.N. operations. Ground and aerial broadcasts warned civilians to leave the area. Targets included weapons and ammunition caches, command and control facilities, and defensive positions. Once again, the U.S. QRF, in support of UNOSOM II, conducted air attacks, followed by search and clearing operations on the ground by non-U.S. UNOSOM II military personnel. Only one U.S. military member sustained minor injury, although there were several deaths and a number of injuries among UNOSOM II forces from other nations due to resistance by militia units and sniper fire. Although Aideed has not yet been arrested, the June 17 operation accomplished the objective of securing Aideed's compound and neutralizing military capabilities that had posed a major obstacle to U.N. efforts to deliver humanitarian relief, facilitate political reconciliation, and promote national reconstruction.

We now see renewed opportunity for UNOSOM II to move forward steadily towards fulfillment of the humanitarian mandate of the Security Council that is shared by the world community. By countering the lawless, unprovoked violence against U.N. peacekeepers, the U.N. has gone far towards preserving the credibility and security of peacekeeping forces in Somalia and throughout the world. U.S. forces remain on guard along with those of our U.N. partners to counter any threats to the important U.N. mission in Somalia, should they arise.

As before, I remain committed to ensuring that the Congress is kept fully informed on U.S. peacekeeping contributions and the use of U.S. Armed Forces for these vital purposes. I look forward to continuing discussions and close cooperation with you on these and related issues.

Sincerely,

The Honorable Robert C. Byrd
President pro tempore
of the Senate
Washington, D.C. 20510

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DRAFT

MEMORANDUM FOR ANTHONY LAKE THE WHITE HOUSE

SUBJECT: War Powers Supplemental Report on Somalia

On June 10, 1993, President Clinton submitted a report to Congress regarding the deployment of U.S. Armed Forces to Somalia. The report was provided "consistent with the War Powers Resolution" as a supplemental report to President Bush's report of December 10, 1992. (Section 4(c) of the War Powers Resolution requires periodic reports at least once every six months as long as the deployment continues.)

The June 10 letter provided information on the June 5 attacks on UN forces that killed 23 Pakistani peacekeeping personnel. Since that time, UN forces have conducted successful operations to neutralize the stronghold of General Aideed, who was responsible for the June 5 attacks.

Because of recent developments, and in view of the important role of U.S. Armed Forces in these actions, it is advisable (but not legally required) for the President to supplement his June 10 letter. The attached draft report describes the successful UN-led operations of June 12 and 17 that have essentially restored stability in Mogadishu. The advisability of sending such a report was discussed during a meeting last week that included the National Security Advisor, the Secretary of State, and the Secretary of Defense. The report has been cleared by DoD, including JCS, and by Justice.

We therefore recommend that the President sign the attached report.

Marc Grossman
Executive Secretary

Attachment:
As stated.

DRAFT

Dear Mr. Speaker:

In my letter to you of June 10, 1993, regarding the deployment of U.S. Armed Forces to Somalia, I reported on the deplorable June 5 attacks on United Nations Operation in Somalia forces (UNOSOM II) instigated by one of Somalia's factional leaders. I also reported to you that on June 6, 1993, the U.N. Security Council adopted Resolution 837, which strongly condemned the unprovoked June 5 attacks that left 23 Pakistani peacekeepers dead. In addition, the Security Council reemphasized the crucial importance of the disarmament of all Somali parties, and reaffirmed the Secretary-General's authority under Chapter VII of the U.N. Charter "to take all necessary measures against those responsible for the armed attacks [of June 5], including against those responsible for publicly inciting such attacks, to establish the effective authority of UNOSOM II throughout Somalia, including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment."

Since that time, the United Nations has acted resolutely to restore order in Mogadishu and to protect U.N. forces. These actions have ensured that the world community's crucial humanitarian efforts in Somalia and the national reconciliation process in that country will continue to move forward. In view of these developments (in particular the role of U.S. Armed Forces in the recent United Nations-led activities in Somalia), and because of my desire that Congress be kept fully informed regarding significant deployments of U.S. Armed Forces, I am providing this supplement to my earlier report.

In planning appropriate measures to respond to the violence and to implement the Security Council's mandate, the U.N. was able to draw upon the superb capabilities of the U.S. Armed Forces that remained in Somalia following the transition to UNOSOM II. In addition to the logistics and other support personnel assigned to UNOSOM II, the Quick Reaction Force (QRF) -- under U.S. operational control -- was available to assist UNOSOM II during emergencies. At the height of the U.S.-led Unified Task Force (UNITAF) operations, just over 25,000 U.S. Armed Forces personnel were deployed to Somalia. Consistent with U.S. policy objectives, the current smaller U.S. contribution of approximately 4,400 personnel reflects the increased participation by other U.N. Member States.

U.S. Armed Forces played an extremely important role in the successful efforts of UNOSOM II to restore stability to the area and to enable U.N. humanitarian operations in Somalia to proceed. First, after determining that the leadership of one of Somalia's factions had planned and incited the June 5 attacks on U.N. peacekeepers, UNOSOM II initiated air and ground military operations in the early morning hours of June 12. Primary targets included weapons and ordnance caches and a radio facility that had been used to foment violence towards U.N. forces and opposition to implementation of the Security Council's humanitarian mandate in Somalia. U.S. fixed-wing and helicopter aircraft operating as part of the QRF, in support of UNOSOM II, destroyed or disabled those targets in a well-planned effort consistent with the Security Council's disarmament objectives and the mandate to restore security. U.S. forces sustained no casualties.

On June 17, the Special Representative of the Secretary-General, acting pursuant to Security Council Resolution 837, ordered the arrest of General Mohammed Farah Aided for alleged criminal acts against UNOSOM II peacekeeping forces on June 5. In addition, UNOSOM II forces conducted further coordinated ground and air operations designed to search, clear and disarm the factional stronghold of General Aided in south Mogadishu that posed a continuing threat to U.N. operations. Ground and aerial broadcasts warned civilians to leave the area. Targets included weapons and ammunition caches, command and control facilities, and defensive positions. Once again, the U.S. QRF, in support of UNOSOM II, conducted air attacks, followed by search and clearing operations on the ground by non-U.S., UNOSOM II military personnel. Only one U.S. military member sustained minor injury, although there were several deaths and a number of injuries among UNOSOM II forces from other nations due to resistance by militia units and sniper fire. Although Aided has not yet been arrested, the June 17 operation accomplished the objective of securing Aided's compound and neutralizing military capabilities that had posed a major obstacle to U.N. efforts to deliver humanitarian relief, facilitate political reconciliation, and promote national reconstruction.

We now see renewed opportunity for UNOSOM II to move forward steadily towards fulfillment of the humanitarian mandate of the Security Council that is shared by the world community. By countering the lawless, unprovoked violence against U.N. peacekeepers, the U.N. has gone far towards preserving the credibility and security of peacekeeping forces in Somalia and throughout the world. U.S. forces remain on guard along with those of our U.N. partners to counter any threats to the important U.N. mission in Somalia, should they arise.

As before, I remain committed to ensuring that the Congress is kept fully informed on U.S. peacekeeping contributions and the use of U.S. Armed Forces for these vital purposes. I look forward to continuing discussions and close cooperation with you on these and related issues.

DEPARTMENT OF STATE
Office of the Legal Adviser (L)

FACSIMILE

Transmission Cover Sheet

TRANSMITTED TO:

FTS:

COMM: 395-1039

Name:

Neil Walin

Organization:

NSC

Building, Room #, etc.

Telephone / Extension:

TRANSMITTED FROM:

FTS: 647-1037

COMM: (202) 647-1037

Name:

Chuck Allen

Organization:

Office of the Legal Adviser

4/pm

Building, Room #, etc.

Main STATE - Room 6417
Washington D.C. - 20520

Telephone / Extension:

Transmission Date:

June 24, 1993

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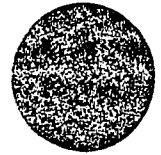
please call the transmitter and request re-transmission.

CONTENTS / COMMENTS

New smooth reflecting
our 4:45 conversation
Thanks
Chuck

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 15, 1993



ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: ALAN KRECZKO^{AK}/DONALD GROSS^{by AK}

SUBJECT: Somalia -- War Powers Report

As Neal Wolin informed you on Saturday, we are not legally required to report to Congress on the Aideed operation in Somalia.

Nonetheless, several policy arguments support a report to Congress, which we recommend on conclusion of the current operation:

- Past Presidents have reported to Congress on significant military engagements, even where not legally required. For example, Reagan reported engagements with Iranian gunboats during the Kuwaiti reflagging exercise. Clinton will look less forthcoming by comparison.
- The legal argument for not reporting could be challenged by some in Congress. We can avoid the debate by providing a report.
- There is a public relations benefit to a report on a successful operation.

We suggested a report at a meeting of the War Powers Group yesterday. DOD opposed, arguing that no one in Congress was calling for a report and that providing one will create an expectation of such reports in the future and undercut our position that a report is not legally required. State was equivocal. JCS said it would follow orders, but mentioned that Colin Powell was inclined against a report for the reasons mentioned by DOD.

We believe the arguments in favor of a report outweigh the risks mentioned by DOD. We can mitigate the precedential impact of providing the report by packaging it as a "supplement" to the President's June 10 report, which mentioned Aideed's attack on the Pakistanis and suggested retaliation would follow. We also believe that striking a forthcoming approach with the Congress on these issues will serve our interest in lowering the decibels in the overall War Powers debate.

Concurrences: Jeremy Rosner^{by AK}, Robert Bell^{by AK}, Rand Beers^{by AK}

RECOMMENDATION

That you authorize Alan to inform DOS and DOD that we have decided to provide a report and to request its preparation.

Approve _____

Disapprove _____

Alternatively, that you raise this issue at your lunch with Secretaries Aspin and Christopher.

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

June 12, 1993

INFORMATION

MEMORANDUM FOR SAMUEL R. BERGER

FROM: NEAL S. WOLIN *NSW*

SUBJECT: War Powers Reporting Requirements for Somalia

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By KOE NARA, Date 05/08/17

2012-0059-F

I have considered the question of whether the President is required to report to Congress consistent with the War Powers Resolution on the participation of U.S. forces in last night's UNOSOM actions and have concluded that he is not.

On June 10, the President submitted a six month War Powers report on the status of the deployment of U.S. Armed Forces in Somalia (Tab I). Among other things, that report noted that 1,100 U.S. troops, comprising a Quick Reaction Force (QRF) under the operational control of the Commander in Chief, CENTCOM, remain in Somalia for use in emergency situations, and that the UNOSOM II deputy commander is authorized to send the QRF into action "as may be necessary." The June 10 report also detailed the circumstances which led to last night's use of force. Finally, the report stated that U.S. forces will "remain equipped and prepared to accomplish their humanitarian mission and defend themselves" and that they will "be provided such additional U.S. support as may be necessary to ensure their safety and the accomplishment of their mission."

The War Powers Resolution requires the President to report "periodically" but does not require a report after each incident such as last night's. The Resolution requires a report, within 48 hours, when forces are introduced (1) "into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances" or (2) "in numbers which substantially enlarge United States Armed Forces equipped for combat already located in a foreign nation."

Because there has not been any significant change in the status or number of U.S. forces deployed since the report the President's signed two days ago, I do not believe a further report is necessary, at least for the time being. Indeed, last night's action is well within the language in that report contemplating the further use of the QRF or "additional U.S. support." Last night's action is not different in character from earlier uses of the QRF or other U.S. forces after which no reports were made.

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~~CONFIDENTIAL~~

A formal report to Congress is further obviated when, as was the case last night, the Administration "consults" with Congress prior to acting.

The State Legal Adviser's office and the Legal Counsel to the Chairman, JCS concur that a War Powers report is not necessary at this time. Of course, changed circumstances (i.e. "hostilities" or "imminent hostilities") or a substantially enlarged U.S. force may trigger further War Powers obligations. We plan to follow this closely tomorrow, and we are convening a meeting of the War Powers Group on Monday, at which time we will once again take up these issues with respect to Somalia.

Concurrence by: *HR for Mr. Wicks (telecard.)*
Jeremy Rosner

Attachment

Tab I President Clinton's June 10 Report

~~CONFIDENTIAL~~

THE WHITE HOUSE

WASHINGTON

June 10, 1993

Dear Mr. Speaker:

On December 10, 1992, President Bush reported to the Congress that U.S. Armed Forces had been deployed to Somalia to assist the United Nations effort to deal with the human catastrophe in that country, to avert related threats to international peace and security, and to protect the safety of Americans and others engaged in relief operations. This action was part of a multilateral response to U.N. Security Council Resolution 794, which authorized Member States, under Chapter VII of the U.N. Charter, to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia. Since that time, my Administration and its predecessor have endeavored, through briefings and other means, to keep you informed about the progress of U.S. efforts in Somalia. I am providing this further report, consistent with the War Powers Resolution, in light of the passage of 6 months since President Bush's initial report on the deployment of U.S. Armed Forces to Somalia.

As you are aware, the U.S.-led operation, known as Operation Restore Hope, was responsible for stemming the tragic situation and saving many lives by ensuring that desperately needed relief efforts in behalf of the civilian population could proceed. Owing in large measure to the success of the U.S.-led Unified Task Force in Somalia (UNITAF), the responsibility for the continuing operation was transferred in an orderly fashion to the operational control of the U.N. Operation in Somalia (UNOSOM II) on May 4, 1993, pursuant to U.N. Security Council Resolution 814. This Resolution similarly invoked Chapter VII of the U.N. Charter and endowed UNOSOM II with the right to use force to ensure that the mandate is implemented.

The United States continues to support U.N. efforts in Somalia by providing approximately 3,000 U.S. logistics and other support personnel under the operational control of UNOSOM II. In addition, approximately 1,100 U.S. troops remain in the area as a Quick Reaction Force (QRF), under the operational control of the Commander in Chief, U.S. Central Command, for use in emergency situations. The UNOSOM II deputy commander, a U.S. Army general who is the U.S. contingent commander, is authorized to send the QRF into action as may be necessary.

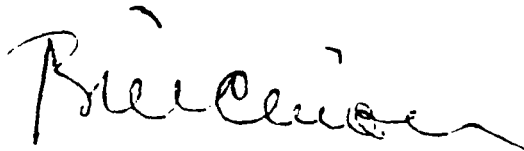
On June 5, 1993, UNOSOM II forces operating in Mogadishu encountered attacks instigated by one of Somalia's factional leaders, resulting in the deaths of 23 Pakistani military personnel. Three U.S. military personnel assigned to UNOSOM II sustained minor injuries. As envisioned in response to such situations, the QRF was called upon to assist in quelling the violence against the lawful activities of UNOSOM II in implementing the U.N. mandate. On June 6, 1993, the U.N. Security Council adopted Resolution 837, reaffirming the authority of UNOSOM II to take all necessary measures against those responsible for these armed attacks.

Our forces will remain equipped and prepared to accomplish their humanitarian mission and defend themselves, if necessary; they also will be provided such additional U.S. support as may be necessary to ensure their safety and the accomplishment of their mission.

I have continued the deployment of U.S. Armed Forces to Somalia pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive and in accordance with applicable treaties and laws. This deployment is consistent with S.J. Res. 45, as adopted by the Senate on February 4, 1993, and as modified and adopted by the House on May 25, 1993.

Effective U.S. foreign policy requires close cooperation between the President and the Congress, and this imperative is particularly important regarding issues surrounding the use of our Nation's Armed Forces. I remain committed to ensuring that the Congress is kept fully informed on these matters and that the public good is served through constructive discussions and cooperation between our two branches.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Clinton", written in dark ink.

The Honorable Thomas S. Foley
Speaker of the
House of Representatives
Washington, D.C. 20515

Betsy Pond

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

June 8, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ALAN J. KRECZKO

FROM: NEAL S. WOLIN *NSW*

SUBJECT: Six Month Report to Congress, Consistent with the War Powers Resolution, on the Deployment of United States Armed Forces to Somalia

The War Powers Resolution requires that whenever U.S. Armed Forces are introduced into foreign territory equipped for combat, or other situations triggering the resolution, the President shall, as long as the forces continue to be engaged in such situations, report to Congress periodically on the status, scope and duration of the situation, but "in no event shall he report to the Congress less often than once every six months." President Bush submitted his original report to Congress on the deployment of U.S. forces to Somalia on December 10, 1992 (Tab III).

The proposed report (Tabs A and B) has been cleared by the Departments of State, Defense (including the JCS) and Justice. Like the original report, this one states that it is being provided "consistent with the War Powers Resolution."

The letters must be signed and delivered to Congress no later than Thursday June 10, 1993.

Concurrences by: Jeremy Rosner, *NSW* Rand Beers, *NSW* Dennis Jett
(*Helemond.*) (*Helemond.*)

RECOMMENDATION

That you recommend to the President that he report to Congress, consistent with the War Powers Resolution, on the status of the deployment of Armed Forces to Somalia (Tab I) by signing identical letters to the Speaker of the House and the President pro tempore of the Senate (Tabs A and B).

Attachments

Tab I Memorandum for the President
Tab A Letter to the Speaker of the House
Tab B Letter to the President pro tempore of the Senate
Tab II Incoming Correspondence from Department of State
Tab III December 10, 1992 Report to Congress

THE WHITE HOUSE

WASHINGTON

June 9, 1993

93 JUN 9 P8:33

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK *H.M.B.*FROM: ANTHONY LAKE SUBJECT: Six Month Report to Congress on the Deployment of
United States Armed Forces in SomaliaPurpose

To report to Congress consistent with the War Powers Resolution on the status of the deployment of United States Armed Forces in Somalia.

Background

The War Powers Resolution requires reports to Congress every six months when U.S. Armed Forces have been deployed into foreign territory while equipped for combat and in certain other situations.

President Bush submitted his original report to Congress on the deployment of U.S. forces to Somalia on December 10, 1992.

The proposed report (Tabs A and B) outlines the history of the deployment, the continuing support of U.S. support to the UN Operation in Somalia (UNOSOM II) and the attacks on UNOSOM II forces last weekend. The report notes that U.S. forces will remain equipped and prepared to accomplish their humanitarian mission and defend themselves, if necessary. The letter concludes by reaffirming your desire to keep Congress fully informed and to continue constructive discussions and cooperation on these issues.

The Counsel to the President together with the Departments of State, Defense (including the Joint Chiefs of Staff) and Justice concur in the text of these letters.

RECOMMENDATION

That you report to Congress consistent with the War Powers Resolution on the status of the deployment of Armed Forces to Somalia by signing the letters at Tabs A and B.

Attachments

Tab A Letter to the Speaker of the House of Representatives
Tab B Letter to the President pro tempore of the Senate

cc: Vice President
Chief of Staff

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THE WHITE HOUSE

WASHINGTON

June 10, 1993

Dear Mr. Speaker:

On December 10, 1992, President Bush reported to the Congress that U.S. Armed Forces had been deployed to Somalia to assist the United Nations effort to deal with the human catastrophe in that country, to avert related threats to international peace and security, and to protect the safety of Americans and others engaged in relief operations. This action was part of a multilateral response to U.N. Security Council Resolution 794, which authorized Member States, under Chapter VII of the U.N. Charter, to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia. Since that time, my Administration and its predecessor have endeavored, through briefings and other means, to keep you informed about the progress of U.S. efforts in Somalia. I am providing this further report, consistent with the War Powers Resolution, in light of the passage of 6 months since President Bush's initial report on the deployment of U.S. Armed Forces to Somalia.

As you are aware, the U.S.-led operation, known as Operation Restore Hope, was responsible for stemming the tragic situation and saving many lives by ensuring that desperately needed relief efforts in behalf of the civilian population could proceed. Owing in large measure to the success of the U.S.-led Unified Task Force in Somalia (UNITAF), the responsibility for the continuing operation was transferred in an orderly fashion to the operational control of the U.N. Operation in Somalia (UNOSOM II) on May 4, 1993, pursuant to U.N. Security Council Resolution 814. This Resolution similarly invoked Chapter VII of the U.N. Charter and endowed UNOSOM II with the right to use force to ensure that the mandate is implemented.

The United States continues to support U.N. efforts in Somalia by providing approximately 3,000 U.S. logistics and other support personnel under the operational control of UNOSOM II. In addition, approximately 1,100 U.S. troops remain in the area as a Quick Reaction Force (QRF), under the operational control of the Commander in Chief, U.S. Central Command, for use in emergency situations. The UNOSOM II deputy commander, a U.S. Army general who is the U.S. contingent commander, is authorized to send the QRF into action as may be necessary.

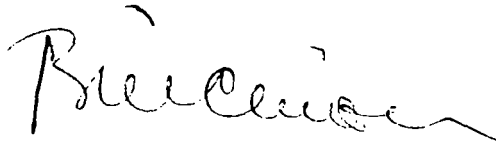
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Our forces will remain equipped and prepared to accomplish their humanitarian mission and defend themselves, if necessary; they also will be provided such additional U.S. support as may be necessary to ensure their safety and the accomplishment of their mission.

I have continued the deployment of U.S. Armed Forces to Somalia pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive and in accordance with applicable treaties and laws. This deployment is consistent with S.J. Res. 45, as adopted by the Senate on February 4, 1993, and as modified and adopted by the House on May 25, 1993.

Effective U.S. foreign policy requires close cooperation between the President and the Congress, and this imperative is particularly important regarding issues surrounding the use of our Nation's Armed Forces. I remain committed to ensuring that the Congress is kept fully informed on these matters and that the public good is served through constructive discussions and cooperation between our two branches.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Clinton", written in dark ink.

The Honorable Thomas S. Foley
Speaker of the
House of Representatives
Washington, D.C. 20515

Office of the Press Secretary

For Immediate Release

June 10, 1993

TEXT OF A LETTER FROM THE PRESIDENT
TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
AND THE PRESIDENT PRO TEMPORE OF THE SENATE

June 10, 1993

Dear Mr. Speaker: (Dear Mr. President:)

On December 10, 1992, President Bush reported to the Congress that U.S. Armed Forces had been deployed to Somalia to assist the United Nations effort to deal with the human catastrophe in that country, to avert related threats to international peace and security, and to protect the safety of Americans and others engaged in relief operations. This action was part of a multilateral response to U.N. Security Council Resolution 794, which authorized Member States, under Chapter VII of the U.N. Charter, to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia. Since that time, my Administration and its predecessor have endeavored, through briefings and other means, to keep you informed about the progress of U.S. efforts in Somalia. I am providing this further report, consistent with the War Powers Resolution, in light of the passage of 6 months since President Bush's initial report on the deployment of U.S. Armed Forces to Somalia.

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personnel. Three U.S. military personnel assigned to UNOSOM II sustained minor injuries. As envisioned in response to such situations, the QRF was called upon to assist in quelling the violence against the lawful activities of UNOSOM II in implementing the U.N. mandate. On June 6, 1993, the U.N. Security Council adopted Resolution 837, reaffirming the authority of UNOSOM II to take all necessary measures against those responsible for these armed attacks.

Our forces will remain equipped and prepared to accomplish their humanitarian mission and defend themselves, if necessary; they also will be provided such additional U.S. support as may be necessary to ensure their safety and the accomplishment of their mission.

I have continued the deployment of U.S. Armed Forces to Somalia pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive and in accordance with applicable treaties and laws. This deployment is consistent with S.J. Res. 45, as adopted by the Senate on February 4, 1993, and as modified and adopted by the House on May 25, 1993.

Effective U.S. foreign policy requires close cooperation between the President and the Congress, and this imperative is particularly important regarding issues surrounding the use of our Nation's Armed Forces. I remain committed to ensuring that the Congress is kept fully informed on these matters and that the public good is served through constructive discussions and cooperation between our two branches.

Sincerely,

WILLIAM J. CLINTON

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THE WHITE HOUSE

WASHINGTON

June 10, 1993

Dear Mr. President:

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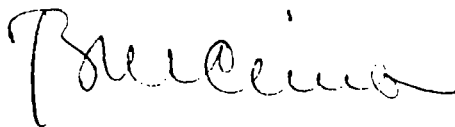
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The Honorable Robert C. Byrd
President pro tempore
of the Senate
Washington, D.C. 20510

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Washington, D.C. 20520

June 8, 1993

MEMORANDUM FOR ANTHONY LAKE
THE WHITE HOUSE

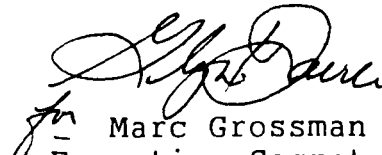
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We therefore recommend that the President sign the attached report.


for Marc Grossman
Executive Secretary

Attachment:
As stated.

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APPENDIX 3

THE WHITE HOUSE,
Washington, December 10, 1992.

Hon. THOMAS S. FOLEY,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Beginning in January of this year with the adoption of U.N. Security Council Resolution 733, the United Nations has been actively addressing the humanitarian crisis in Somalia. The United States has been assisting the U.N. effort to deal with a human catastrophe. Over 300,000 Somalis have died of starvation. Five times that number remain at risk, beyond the reach of international relief efforts in large part because of the security situation. As a result, voluntary relief organizations from the United States and other countries have appealed for assistance from outside security forces.

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U.S. Armed Forces will remain in Somalia only as long as necessary to establish a secure environment for humanitarian relief operations and will then turn over the responsibility of maintaining this environment to a U.N. peacekeeping force assigned to Somalia. Over 15 nations have already offered to deploy troops. While it is not possible to estimate precisely how long the transfer of respon-

sibility may take, we believe that prolonged operations will not be necessary.

We do not intend that U.S. Armed Forces deployed to Somalia become involved in hostilities. Nonetheless, these forces are equipped and ready to take such measures as may be needed to accomplish their humanitarian mission and defend themselves, if necessary; they also will have the support of any additional U.S. Armed Forces necessary to ensure their safety and the accomplishment of their mission.

I have taken these actions pursuant to my constitutional authority to conduct our foreign relations and as Commander in Chief and Chief Executive, and in accordance with applicable treaties and laws. In doing so, I have taken into account the views expressed in H. Con. Res. 370, S. Con. Res. 132, and the Horn of Africa Recovery and Food Security Act, Public Law 102-274, on the urgent need for action in Somalia.

I am providing this report in accordance with my desire that Congress be fully informed and consistent with the War Powers Resolution. I look forward to cooperating with Congress in the effort to relieve human suffering and to restore peace and stability to the region.

Sincerely,

GEORGE BUSH.

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III

THE WHITE HOUSE
WASHINGTON

December 10, 1992

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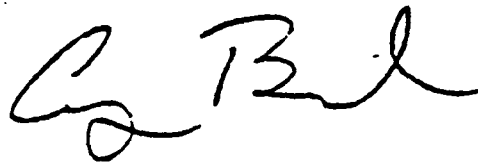
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Sincerely,

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The Honorable Thomas S. Foley
Speaker of the
House of Representatives
Washington, D.C. 20515

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

June 8, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ALAN J. KRECZKO *AK*
FROM: NEAL S. WOLIN *hfw*
SUBJECT: Six Month Report to Congress, Consistent with the
War Powers Resolution, on the Deployment of United
States Armed Forces to Somalia

The War Powers Resolution requires that whenever U.S. Armed Forces are introduced into foreign territory equipped for combat, or other situations triggering the resolution, the President shall, as long as the forces continue to be engaged in such situations, report to Congress periodically on the status, scope and duration of the situation, but "in no event shall he report to the Congress less often than once every six months." President Bush submitted his original report to Congress on the deployment of U.S. forces to Somalia on December 10, 1992 (Tab III).

The proposed report (Tabs A and B) has been cleared by the Departments of State, Defense (including the JCS) and Justice. Like the original report, this one states that it is being provided "consistent with the War Powers Resolution."

The letters must be signed and delivered to Congress no later than Thursday June 10, 1993.

Concurrences by: Jeremy Rosner, *hfw* Rand Beers, *hfw* Dennis Jett
(hfw) *(hfw)*

RECOMMENDATION

That you recommend to the President that he report to Congress, consistent with the War Powers Resolution, on the status of the deployment of Armed Forces to Somalia (Tab I) by signing identical letters to the Speaker of the House and the President pro tempore of the Senate (Tabs A and B).

Attachments

Tab I Memorandum for the President
Tab A Letter to the Speaker of the House
Tab B Letter to the President pro tempore of the Senate
Tab II Incoming Correspondence from Department of State
Tab III December 10, 1992 Report to Congress

THE WHITE HOUSE

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: ANTHONY LAKE

SUBJECT: Six Month Report to Congress on the Deployment of
United States Armed Forces in SomaliaPurpose

To report to Congress consistent with the War Powers Resolution on the status of the deployment of United States Armed Forces in Somalia.

Background

The War Powers Resolution requires reports to Congress every six months when U.S. Armed Forces have been deployed into foreign territory while equipped for combat and in certain other situations.

President Bush submitted his original report to Congress on the deployment of U.S. forces to Somalia on December 10, 1992.

The proposed report (Tabs A and B) outlines the history of the deployment, the continuing support of U.S. support to the UN Operation in Somalia (UNOSOM II) and the attacks on UNISOM II forces last weekend. The report notes that U.S. forces will remain equipped and prepared to accomplish their humanitarian mission and defend themselves, if necessary. The letter concludes by reaffirming your desire to keep Congress fully informed and to continue constructive discussions and cooperation on these issues.

The Counsel to the President together with the Departments of State, Defense (including the Joint Chiefs of Staff) and Justice concur in the text of these letters.

RECOMMENDATION

That you report to Congress consistent with the War Powers Resolution on the status of the deployment of Armed Forces to Somalia by signing the letters at Tabs A and B.

Attachments

Tab A Letter to the Speaker of the House of Representatives
Tab B Letter to the President pro tempore of the Senate

cc: Vice President
Chief of Staff

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THE WHITE HOUSE

WASHINGTON

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S/S 9313043
United States Department of State

Washington, D.C. 20520

June 8, 1993

MEMORANDUM FOR ANTHONY LAKE
THE WHITE HOUSE

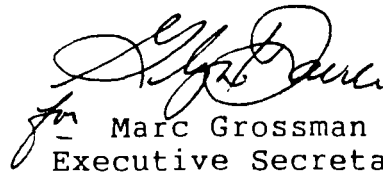
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We do not intend that U.S. Armed Forces deployed to Somalia become involved in hostilities. Nonetheless, these forces are equipped and ready to take such measures as may be needed to accomplish their humanitarian mission and defend themselves, if necessary; they also will have the support of any additional U.S. Armed Forces necessary to ensure their safety and the accomplishment of their mission.

I have taken these actions pursuant to my constitutional authority to conduct our foreign relations and as Commander in Chief and Chief Executive, and in accordance with applicable treaties and laws. In doing so, I have taken into account the views expressed in H. Con. Res. 370, S. Con. Res. 132, and the Horn of Africa Recovery and Food Security Act, Public Law 102-274, on the urgent need for action in Somalia.

I am providing this report in accordance with my desire that Congress be fully informed and consistent with the War Powers Resolution. I look forward to cooperating with Congress in the effort to relieve human suffering and to restore peace and stability to the region.

Sincerely,

GEORGE BUSH.

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THE WHITE HOUSE

WASHINGTON

December 10, 1992

Dear Mr. Speaker:

Beginning in January of this year with the adoption of U.N. Security Council Resolution 733, the United Nations has been actively addressing the humanitarian crisis in Somalia. The United States has been assisting the U.N. effort to deal with a human catastrophe. Over 300,000 Somalis have died of starvation. Five times that number remain at risk, beyond the reach of international relief efforts in large part because of the security situation. As a result, voluntary relief organizations from the United States and other countries have appealed for assistance from outside security forces.

On November 29, 1992, the Secretary General of the United Nations reported to the Security Council that the deteriorating security conditions in Somalia had severely disrupted international relief efforts and that an immediate military operation under U.N. authority was urgently required. On December 3, the Security Council adopted Resolution 794, which determined that the situation in Somalia constituted a threat to international peace and security, and, invoking Chapter VII of the U.N. Charter, authorized Member States to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia. In my judgment, the deployment of U.S. Armed Forces under U.S. command to Somalia as part of this multilateral response to the Resolution is necessary to address a major humanitarian calamity, avert related threats to international peace and security, and protect the safety of Americans and others engaged in relief operations.

In the evening, Eastern Standard Time, on December 8, 1992, U.S. Armed Forces entered Somalia to secure the airfield and port facility of Mogadishu. Other elements of the U.S. Armed Forces and the Armed Forces of other Members of the United Nations are being introduced into Somalia to achieve the objectives of U.N. Security Council Resolution 794. No organized resistance has been encountered to date.

U.S. Armed Forces will remain in Somalia only as long as necessary to establish a secure environment for humanitarian relief operations and will then turn over the responsibility of maintaining this environment to a U.N. peacekeeping force assigned to Somalia. Over 15 nations have already offered to deploy troops. While it is not possible to estimate precisely

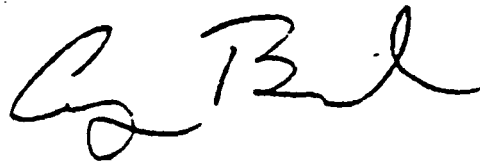
how long the transfer of responsibility may take, we believe that prolonged operations will not be necessary.

We do not intend that U.S. Armed Forces deployed to Somalia become involved in hostilities. Nonetheless, these forces are equipped and ready to take such measures as may be needed to accomplish their humanitarian mission and defend themselves, if necessary; they also will have the support of any additional U.S. Armed Forces necessary to ensure their safety and the accomplishment of their mission.

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I am providing this report in accordance with my desire that Congress be fully informed and consistent with the War Powers Resolution. I look forward to cooperating with Congress in the effort to relieve human suffering and to restore peace and stability to the region.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Reagan", is positioned below the word "Sincerely,".

The Honorable Thomas S. Foley
Speaker of the
House of Representatives
Washington, D.C. 20515