

FOIA MARKER

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Folder Title:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

Staff Office-Individual:

Transnational Threats-Clarke, Richard

Original OA/ID Number:

2986

Row:	Section:	Shelf:	Position:	Stack:
49	3	10	2	V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. paper	Discussion Paper: Deputies Committee on Somalia (4 pages)	01/12/1994	P1/b(1)
001b. paper	Discussion Paper - Post March 31, 1994 Deployments to Somalia of U.S. Civilian and Military Personnel (5 pages)	01/00/1994	P1/b(1)
001c. paper	Options Paper (3 pages)	06/00/1994	P1/b(1)
002. profile	Summary of Conclusions of Deputies Committee Meeting on Somalia (3 pages)	01/12/1994	P1/b(1)
003. report	Re: Somalia; Dangerous Road to 31 March (8 pages)	01/06/1994	P1/b(1)
004. report	Re: [Somalia] (3 pages)	11/09/1993	P1/b(1)
005. paper	Deputies Committee Discussion Paper - Somalia (5 pages)	12/03/1993	P1/b(1)
006. agenda	NSC Deputies Committee Meeting (1 page)	01/12/1994	P1/b(1)
007. memo	Richard Clarke to Samuel Berger, re: Briefing Memo for Somalia DC Meeting (3 pages)	01/11/1994	P1/b(1)
008. paper	[Duplicate of 001a] (4 pages)	01/12/1994	P1/b(1)
009. chart	Options for U.S. Presence in Somalia after March 31, 1994 (1 page)	01/00/1994	P1/b(1)
010. paper	[Duplicate of 001c] (3 pages)	01/00/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

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

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
011. paper	[Duplicate of 001b] (4 pages)	01/00/1994	P1/b(1)
012a. memo	R. Rand Beers to Samuel Berger, re: Summary of Conclusions of the Deputies Committee (2 pages)	11/23/1993	P1/b(1)
012b. paper	Summary of Conclusions of Deputies Committee on Somalia (2 pages)	11/23/1993	P1/b(1)
013a. memo	Lawrence Rossin to Anthony Lake, Samuel Berger, and Nancy Soderberger, re: Background Materials for Principals Committee Meeting on Haiti (2 pages)	01/24/1994	P1/b(1)
013b. report	Re: [Haiti] (4 pages)	01/24/1994	P1/b(1)
013c. report	Re: [Haiti Sanctions] (8 pages)	01/24/1994	P1/b(1)
013d. report	Re: [Haiti] (3 pages)	01/24/1994	P1/b(1)
013e. cable	Re: Sanctions Biting Hard (4 pages)	01/24/1994	P1/b(1)
014. memo	Richard Clarke to Anthony Lake, re: Principals Committee Meeting on Somalia (3 pages)	12/07/1993	P1/b(1)
015. profile	Principals Committee Discussion Paper - Somalia (8 pages)	12/07/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

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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.

~~SECRET~~

20043

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

January 11, 1994

ACTION

MEMORANDUM FOR SANDY BERGER

FROM: RICHARD A. CLARK 
SUBJECT: Discussion Paper for the Deputies Committee on
Somalia, January 12, 1994

Attached at Tab A is the Discussion Paper for the SVTS Deputies Committee meeting on Somalia, Wednesday, January 12, 1994.

RECOMMENDATION

That you authorize William Itoh to forward the transmittal memo to his counterparts at Tab I.

Approve _____ Disapprove _____

Attachments

Tab I Memorandum to Counterparts
Tab A Discussion Paper

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

By KDE NARA, Date 01/24/17

2012-0659-F

SECRET

Declassify on: OADR

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

20043

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

By KDE NARA, Date 01/24/17

2012-0659-F

MEMORANDUM FOR

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

MR. JOHN A. LAUDER
Executive Secretary
Central Intelligence Agency

MR. MARC GROSSMAN
Executive Secretary
Department of State

COL T. R. PATRICK
Secretary
Joint Chiefs of Staff

COL ROBERT P. MCALEER
Executive Secretary
Department of Defense

MR. ARRON WILLIAMS
Executive Secretary
Agency for International
Development

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

SUBJECT: Discussion Paper for Deputies Committee Meeting on
Somalia, January 12, 1994 (S)

Attached at Tab A is the Discussion Paper for the SVTS Deputies
Committee Meeting on Somalia, Wednesday, January 12, 1994. (S)

William H. Itoh
Executive Secretary

Attachment
Tab A Discussion Paper w/Attachments

~~SECRET~~

Declassify on: OADR

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001a. paper	Discussion Paper: Deputies Committee on Somalia (4 pages)	01/12/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
kc4183

RESTRICTION CODES

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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. paper	Discussion Paper - Post March 31, 1994 Deployments to Somalia of U.S. Civilian and Military Personnel (5 pages)	01/00/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

RESTRICTION CODES

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

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2201(3).

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001c. paper	Options Paper (3 pages)	06/00/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

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

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RR. Document will be reviewed upon request.

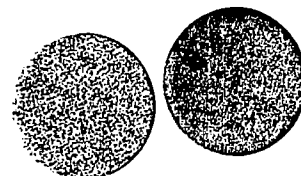
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~~SECRET~~

20052

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

January 12, 1994



ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: RICHARD A. CLARKE
FROM: SEAN J. DARRAGH *SD*
SUBJECT: Summary of Conclusions from Deputies Committee Meeting on Somalia

Attached at Tab A is the Summary of Conclusions of the Deputies Committee meeting on Somalia, January 12, 1994, at 2:30 p.m.

Concurrences by: R. Rand Beers, Susan Rice, Jennifer Ward

RECOMMENDATION

That you authorize Will Itoh to forward the transmittal memo at Tab I to his counterparts.

Approve _____ Disapprove _____

Attachments

Tab I Memorandum to Counterparts
Tab A Summary of Conclusions

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By VDE NARA, Date 08/24/17

2012-0659-F

~~SECRET~~

Declassify on: OADR

~~SECRET~~

20052

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

MEMORANDUM FOR

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

MR. MARC GROSSMAN
Executive Secretary
Department of State

COL. ROBERT P. MCALEER
Executive Secretary
Department of Defense

MR. JOHN A. LAUDER
Executive Secretary
Central Intelligence Agency

COL. T. R. PATRICK
Secretary
Joint Chiefs of Staff

MR. AARON WILLIAMS
Executive Secretary
Agency for International
Development

SUBJECT: Summary of Conclusions of the Deputies Committee
Meeting on Somalia ~~(S)~~

Attached at Tab A is the Summary of Conclusions of the Deputies
Committee Meeting on Somalia, January 12, 1994. ~~(S)~~

William H. Itoh
Executive Secretary

Attachment
Tab A Summary of Conclusions

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By VDE NARA, Date 6/24/17

2012-0659-F

~~SECRET~~

Declassify on: OADR

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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002. profile	Summary of Conclusions of Deputies Committee Meeting on Somalia (3 pages)	01/12/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

RESTRICTION CODES

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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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003. report	Re: Somalia: Dangerous Road to 31 March (8 pages)	01/06/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

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004. report	Re: [Somalia] (3 pages)	11/09/1993	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
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21368

NATIONAL SECURITY COUNCIL
WASHINGTON D C 20506

December 2, 1993

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: RICHARD A. CLARKE
FROM: SEAN J. DARRACH
SUBJECT: Deputies Committee Meeting on Somalia

Attached at Tab A is the discussion paper for the Deputies Committee meeting on Somalia to be held on December 3, 1993. The meeting is scheduled to begin at 4:00 p.m. in the Situation Room.

Concurrences by: Jennifer Ward, Susan Rice

RECOMMENDATION

That you authorize Will Itoh to transmit the attached meeting notification memorandum and discussion paper to agency counterparts.

Approve _____ Disapprove _____

Attachments

Tab I Notification of Deputies Committee Meeting
Tab A Discussion Paper for Deputies Committee Meeting

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By KDE NARA, Date 01/04/17

2012-0659-F

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Declassify on: OADR

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21368

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

MEMORANDUM FOR

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

MR. MARC GROSSMAN
Executive Secretary
Department of State

COL. ROBERT P. MCALEER
Executive Secretary
Department of Defense

MR. JOHN A. LAUDER
Executive Secretary
Central Intelligence Agency

COL T. R. PATRICK
Secretary
Joint Chiefs of Staff

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

MR. AARON WILLIAMS
Executive Secretary
Agency for International
Development

SUBJECT: Deputies Committee Meeting on Somalia (S)

Attached at Tab A is the Discussion Paper for the Deputies
Committee Meeting to be held on December 3, 1993 at 4:00 p.m. in
the White House Situation Room. (S)

William Itoh
Executive Secretary

Attachment
Tab A Discussion Paper

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

By VDE NARA, Date 01/24/17

2012-0659-F

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Declassify on: OADR

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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005. paper	Deputies Committee Discussion Paper - Somalia (5 pages)	12/03/1993	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F

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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.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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006. agenda	NSC Deputies Committee Meeting (1 page)	01/12/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

RESTRICTION CODES

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

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

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

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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007. memo	Richard Clarke to Samuel Berger, re: Briefing Memo for Somalia DC Meeting (3 pages)	01/11/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
kc4183

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DISCUSSION PAPER

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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008. paper	[Duplicate of 001a] (4 pages)	01/12/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
kc4183

RESTRICTION CODES

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Personnel options 1-3

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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009. chart	Options for U.S. Presence in Somalia after March 31, 1994 (1 page)	01/00/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
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Infrastructure Paper

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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010. paper	[Duplicate of 001c] (3 pages)	01/00/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

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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RR. Document will be reviewed upon request.

DISCUSSION PAPER
ON POST MARCH PERSONNEL

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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011. paper	[Duplicate of 001b] (4 pages)	01/00/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

RESTRICTION CODES

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TO: AGENCIES

FROM: ITOH

DOC DATE: 29 NOV 93
SOURCE REF:

KEYWORDS: SOMALIA

DC

PERSONS:

SUBJECT: SUMMARY OF CONCLUSIONS OF DC MTG ON SOMALIA 23 NOV

ACTION: ITOH SGD MEMO TO AGENCIES

DUE DATE: 26 NOV 93 STATUS: C

STAFF OFFICER: CLARKE

LOGREF:

FILES: IFM

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

BEERS
CLARKE
DARBY
NSC CHRON
SODERBERG
WRIGHT

DECLASSIFIED E.O. 13526

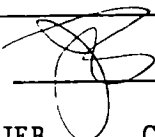
White House Guidelines,

September 11, 2006

By KOE NARA, Date 01/24/17

2012-0659-F

COMMENTS:

DISPATCHED BY 

DATE

11/30

BY HAND

W/ATTCH

OPENED BY: NSJEB

CLOSED BY: NSJEB

DOC 2 OF 2

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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012a. memo	R. Rand Beers to Samuel Berger, re: Summary of Conclusions of the Deputies Committee (2 pages)	11/23/1993	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

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2201(3).

RR. Document will be reviewed upon request.

~~SECRET~~

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

21338

November 29, 1993

MEMORANDUM FOR

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

MR. JOHN A. LAUDER
Executive Secretary
Central Intelligence Agency

MR. MARC GROSSMAN
Executive Secretary
Department of State

COL T. R. PATRICK
Secretary
Joint Chiefs of Staff

COLONEL ROBERT P. MCALEER
Executive Secretary
Department of Defense

MR. AARON WILLIAMS
Executive Secretary
Agency for International
Development

AMB. RICK Inderfurth
Office of the Permanent
Representative of the U.S.
to the United Nations

SUBJECT: Summary of Conclusions of Deputies Committee
Meeting on Somalia (C)

Attached at Tab A is the Summary of Conclusions of the Deputies
Committee Meeting on Somalia, November 23, 1993. (S)


William H. Itoh
Executive Secretary

Attachment
Tab A Summary of Conclusions

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

By VOE NARA, Date 01/24/17
2012-0689-F

~~SECRET~~

Declassify on: OADR

~~SECRET~~

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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012b. paper Summary of Conclusions of Deputies Committee on Somalia (2 pages) 11/23/1993 P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

RESTRICTION CODES

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

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NATIONAL SECURITY COUNCIL

29-Dec-1993 10:31 EDT

~~CONFIDENTIAL~~

MEMORANDUM FOR:

Richard A. Clarke

(CLARKER)

FROM:

Sean J. Darragh
(DARRAGH)

SUBJECT:

GILMAN LETTER

RAC,

Although we were slow in responding initially to the Gilman letter, it spent most of its life atrophying in our legal shop. Because of the complexity of the letter, Neil Wolin convened an interagency group to work on it. This group took well over a month to reach consensus on a proper response.

SJD

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By KDE NARA, Date 01/29/17

2012-0659-F

NATIONAL SECURITY COUNCIL

18-Dec-1993 09:51 EDT

UNCLASSIFIED

MEMORANDUM FOR: SEE BELOW

FROM: M. Brooke Darby
(DARBY)

SUBJECT: package 7723 - response to Gilman letters on Somalia

Tony has seen your package 7723, response to Congressman Gilman's letters on Somalia, and is very unhappy that it took so long to respond to a Member of Congress who has been so active on this sensitive issue. He thinks it would embarrassing for the President to send a letter at this point and he asks that you, Dick, please call Gilman instead.

I'm sending the package back to you.

Thanks.

Distribution:

FOR: Richard A. Clarke	(CLARKER)
FOR: Sean J. Darragh	(DARRAGH)
CC: Wanda D. Lindsey	(LINDSEY)
CC: Wendy E. Gray	(GRAY)
CC: Brenda I. Hilliard	(HILLIARD)
CC: Cathy Millison	(MILLISON)
CC: M. Brooke Darby	(DARBY)
CC: M. Kay LaPlante	(LAPLANTE)
CC: Allison M. Wright	(WRIGHT)

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
013a. memo	Lawrence Rossin to Anthony Lake, Samuel Berger, and Nancy Soderberger, re: Background Materials for Principals Committee Meeting on Haiti (2 pages)	01/24/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F

ke4183

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RR. Document will be reviewed upon request.

Legal Limits on SDN Designations

This paper states the legal basis for requiring proof of prohibited activities by persons who are to be named as Specially Designated Nationals ("SDNs") of Haiti, and notes the possibility for the President to adopt broader standards for such designations in further Executive orders concerning Haiti.

The President has extraordinary power, including blocking authority, available to him under § 1702 of the International Emergency Economic Powers Act, 50 U.S.C. 1701-06 ("IEEPA"). He can, for example, block the assets of all nationals of a targeted country, as has been done pursuant to substantially identical authority in the Trading with the Enemy Act, 50 U.S.C. App. 1-44, with respect to sanctions on Cuba, Vietnam and North Korea. The scope of blocking is specified by Executive order in IEEPA-based sanctions, thereby setting the standards to be applied by the Secretary of the Treasury or the Office of Foreign Assets Control ("OFAC") in administering their delegated powers pursuant to the order. Because their powers derive from the President's exercise of authority, neither the Secretary nor OFAC may exercise IEEPA authority outside the scope exercised by the President himself.

In the case of Haiti, in successive Executive orders, the President blocked all property of (1) "the Government of Haiti, including the *de facto* regime in Haiti," (2) "any Haitian national providing substantial financial or material contributions to the *de facto* regime in Haiti, or doing substantial business with the *de facto* regime in Haiti," and (3) "persons (a) who have contributed to the obstruction of the implementation of the United Nations Security Council Resolutions 841 and 873, the Governors Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti; (b) who have perpetuated or contributed to the violence in Haiti; or (c) who have materially or financially supported" the activities in items (a) and (b). In each case, the Executive orders note that Treasury actions under the delegation are limited to such actions "as may be necessary to carry out the purpose of" the order. See, e.g., E.O. 12872 § 3. OFAC's blocking actions through the SDN program under these various standards must be premised on a finding that a given individual or entity meets the relevant standard.

Blocking actions by OFAC pursuant to an Executive order are subject to judicial review as "final agency action" under the Administrative Procedure Act, 5 U.S.C. § 706(2)(A) (the "APA").

A court will review the action of OFAC in administering economic sanctions to determine whether OFAC properly applied its own standards for blocking -- i.e., those of the Executive order, as further refined in OFAC regulations and practice -- or whether the action was arbitrary and capricious or an abuse of discretion. While considerable deference is afforded to the agency in such review, taking an action outside the scope of its delegation would result in an adverse ruling. Similarly, where an agency record provides no basis for the agency's decision, that decision may be found to be arbitrary and capricious. In light of this standard of review, OFAC actions -- including SDN designations -- must comport with the language of the Executive order empowering the agency to act and must also be supported by a record of the agency's decision that there is a rational basis for its action. This is the legal basis for requiring proof of specified actions by a Haitian individual or entity, where those actions form the basis for blocking specified in the relevant Executive order.

If felt necessary to the conduct of U.S. foreign policy towards Haiti, the President could set new, lower standards for blocking in further Executive orders under IEEPA. To the extent that those standards involve foreign policy determinations, the standards themselves are unlikely to be found reviewable by the judiciary. However, regardless of how easily met the standards, OFAC must be able to show that the standards were, in fact, applied in order to withstand APA review of its actions.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
013b. report	Re: [Haiti] (4 pages)	01/24/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

RESTRICTION CODES

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

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b(1) National security classified information [(b)(1) of the FOIA]
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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013c. report	Re: [Haiti Sanctions] (8 pages)	01/24/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F

ke4183

RESTRICTION CODES

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

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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013d. report	Re: [Haiti] (3 pages)	01/24/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

RESTRICTION CODES

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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013e. cable	Re: Sanctions Biting Hard (4 pages)	01/24/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
ke4183

RESTRICTION CODES

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
014. memo	Richard Clarke to Anthony Lake, re: Principals Committee Meeting on Somalia (3 pages)	12/07/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

Peacekeeping - Haiti and Somalia (1993 and 1994) [loose] [1]

2012-0659-F
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
015. profile	Principals Committee Discussion Paper - Somalia (8 pages)	12/07/1993	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Transnational Threats (Clarke, Richard)
OA/Box Number: 2986

FOLDER TITLE:

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