

④

AOPE-PP (AOCS/not dated) 1st End [REDACTED] 6-7803
SUBJECT: USASOC Search Procedures for Information Relating
to the Matter of Branch Davidians near Waco, Texas

Commander, U.S. Army Special Operations Command,
ATTN: AOPE-PP, Fort Bragg, NC 28307-5200 JUN 26 1995

FOR Commander, U.S. Army Special Operations Command, ATTN:
AOCS, Fort Bragg, NC 28307-5200

1. On 26 June 1995, this office conducted a search of all
pertinent (classified and unclassified) files. No files
concerning the Branch Davidians near Waco were found.

⑤ 2. [REDACTED] 2-5804, DCSPER, Plans, Policy and
Programs Division, conducted the search. The search took two
work hours to complete.

3. POC this headquarters is [REDACTED], 432-5804.

Encl
nc

2 [REDACTED]
3 [REDACTED]



REPLY TO
ATTENTION OF:

AOPS

DC80PS
DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY
SPECIAL OPERATIONS COMMAND
FORT BRAGG, NORTH CAROLINA 28307-5200



27 Jun 95

4
MEMORANDUM FOR USASOC CHIEF OF STAFF, ATTN: AOCS
FORT BRAGG, NC 28307-5200

SUBJECT: USASOC Search Procedures for Information Relating to the
Matter of Branch Davidians near Waco, Texas

1. A search was conducted and no records were found.
2. Point of contact this office is the undersigned at 2-6833/8752.

2
COL, MS
Director, Psychological
Applications Directorate

16
[REDACTED] LTC - SJA

From: [REDACTED] LTC - SJA
To: [REDACTED] COL - PAO
Cc: [REDACTED] COL - G3; [REDACTED] SJA
Subject: FW: Congressional/Waco
Date: Monday, June 19, 1995 5:08PM
Priority: High

15
Per fonecon with MAJ [REDACTED] (CofS office), he is returning the Gannett News Service binder to your office this evening as some of the admin annotations for declassification of documents need to be modified.

As the notes below indicate, we would like to make a copy of the binder to expedite processing a Congressional Inquiry. CPT [REDACTED] (our new Domestic Opns legal beagle) will be contacting your folks first thing in the morning to make a copy. Thanks.

8 7
From: [REDACTED] LTC - SJA
To: [REDACTED]
Cc: [REDACTED]
GP: [REDACTED]
Subject: RE: Congressional/Waco
Date: Monday, June 19, 1995 5:01PM

Thanks sir. Will do.

11
From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
GP: [REDACTED]
Subject: RE: Congressional/Waco
Date: Monday, June 19, 1995 4:34PM
Priority: High

12
Ted: I gave the Gannett News Service FOIA request to [REDACTED] office this morning as part of a packet for him to review prior to release. Recommend you contact that office for the material you need.

13
From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]
Date: Monday, June 19, 1995 3:58PM
Priority: High

Have received a heads-up fax of a request from the House Subcommittee on Crime (Judiciary Comm.) and House Subcommittee on National Security, International Affairs & Criminal Justice (Comm. on Government Reform & Oversight) seeking documents pertaining to the incidents at Waco, Texas, and Ruby Ridge, Idaho.

Have also just received a fax of the DoD General Counsel's formal tasking, which is being sent through both Joint and Service channels. The tasker asks that the requested documents be provided to the DoD General Counsel NLT COB 21 Jun 95.

14
CPT (P) [REDACTED] our new Counterdrug/Domestic Operations attorney has already been coordinating with your action officers to ensure the documents are ready for dispatch ASAP.

It would be helpful if the indexed binder of documents being readied for release to the Gannett News Service concerning Waco could be returned to the CD Division for copying. CD Division has copies of all of the documents contained therein, but not in a readily reproducible indexed volume.

It is my understanding that we do not have any documents related to Ruby Ridge. However, telephonic coordination with the Idaho National Guard revealed that they do have documents related to the Guard providing support in their Title 32 status. They will submit those documents through the National Guard Bureau.



FACSIMILE TRANSMITTAL HEADER SHEET

NATIONAL GUARD BUREAU

OFFICE OF POLICY AND LIAISON

THE PENTAGON, RM 2D379
WASHINGTON, DC 20310-2500



TRANSMITTED INFORMATION IS UNCLASSIFIED

10-21 Jul
20

NO. OF PAGES 9 + Cover

DATE 6/20/95

FROM



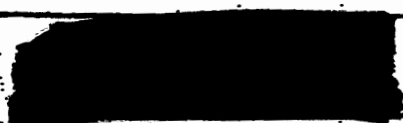
-1

PHONE

DSN 227-3688
COMM (703) 697-3688
FAX (703) 693-5029

SUBJECT

TO



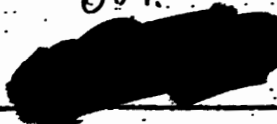
-2

PHONE

681-0800
681-0808 fax

REMARKS

Per Telecon



3

NGB-PO

20 June 1995

MEMORANDUM FOR NGB ZA, NGB CF, NGB ARZ, AND NGB CD

SUBJECT: Congressional Request for Records and Information Relating to the Matter of the Branch Davidians near Waco, Texas

1. Request you direct a search within your organization to identify and produce any documents responsive to this request. (See attached DOD letter and Congressional Subcommittee Information requests).
2. This request has a very short suspense of 1530 hrs 21 June 1995. Any information provided should comply with the Freedom of Information Act requirements. Questions on FOIA should be directed to NGB-AD at 703-681-3758.
3. Your cooperation in meeting this suspense is appreciated.
4. POC is [REDACTED] 697-1732.

(Completed w/attached)

21 June 1995

[REDACTED] - 2
LTC, Chief, Congressional
and Association



DEPARTMENT OF DEFENSE
WASHINGTON HEADQUARTERS SERVICES
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155



20 JUN 1995

MEMORANDUM FOR THE OFFICE OF THE DEPUTY GENERAL COUNSEL
(LEGAL COUNSEL)

SUBJECT: Congressional Request for Records and Information Relating to the Matter of
the Branch Davidians near Waco, Texas

In response to your request of June 16, 1995, a search was conducted for documents
pertaining to matters concerning the Branch Davidians and [REDACTED] A total of six
documents were identified (attached).

The search consisted of a review of the automated data base indexes for years 1992-
1995 and a physical search of subjective files for 1994 and 1995. The search was
(1A) performed by [REDACTED] Correspondence Control Division, on June 19, 1995.

[REDACTED] Director
Correspondence & Directives

Attachments

2
these redactions
are probably
unnecessary, right?



Z 0010493

INDEX

CONTROL NUMBER	DATE	CLASSIFICATION	CATEGORY
U79545	3/10/93	Unclassified	3
U82700	4/20/93	Unclassified	2
U84117	5/4/93	Unclassified	2
U78240	3/5/93	Unclassified	2
U78039	3/8/93	Unclassified	3
U79123	3/16/95	Unclassified	3

Ohio Militia member James Johnson said in Congressional hearings on 6/15/95 ~~that~~ something about survey of military officers ~~about~~ in 29 Palms California about willingness to enforce firearms law [Transcript #717-6 (CNN)]

and The Buffalo News on 4/30/95
Newsweek reported on 5/1/95 that numerous Internet messages in March 1995 warned that ATF + US Army units were training at Ft. Bliss, TX for a massive raid against militia members on 3/25/95 (which ATF spokesman Jack Killoran denies)

Sacramento Bee (1/15/95), quoting David Niven, lawyer involved in case against Weaver
The Washington Times reported on 2/23/95 that military aerial reconnaissance was used at Ruby Ridge and the Defense Mapping Agency was used for studying the photos

The Boston Globe (2/1/92) reported that military helicopters were used to bring Weaver from Ruby Ridge to Base
The BG (8/26/92) - "a fleet of mil. vehicles" at Ruby Ridge

armored mil. troop carriers (8/24/92) Chic. Trib

OTHER AGENCIES

Richard Scruggs Assistant to Attorney General Rm 5131 (202) 514-2107
Department of Justice
10th Street & Constitution Avenue N.W.
Washington DC 20530

Kent Marcus Deputy Assistant Attorney General (202) 514-3008
Office of Legislative Affairs FAX: (202) 514-4482
Department of Justice Sec. FAX: (202) 514-9207
10th Street & Constitution Avenue, N.W.
Washington DC 20530

Neal S. Wolin Deputy General Counsel (202) 622-0283
Department of Treasury FAX: (202) 622-2882
1500 Pennsylvania Avenue, N.W. Sec. FAX: (202) 622-
Washington DC 20220

Cheryl Mills White House Counsel's Office (202) 456-5111
Old Executive Office Building FAX: (202) 456-1647
Washington D.C. 20500 Sec. FAX: (202) 456-
622 0450 Rochelle Grunatt

CONGRESS

Tom Diaz Minority Counsel Rm 111 (202) 225-7087
Subcommittee on Crime (202) 225-7064
Committee on the Judiciary FAX (202) 225-1845
Cannon House Office Building
Washington DC 20515

Don Goldberg Asst to Min Counsel Rm 2153 (202) 225-5051
Committee on Gov't Reform FAX (202) 225-4784
& Oversight
Rayburn House Office Building
Washington DC 20515-6143

Michelle Lang Prof. Staff Member Rm B-373 (202) 225-2577
Subcommittee on Nat'l Security, FAX (202) 225-2373
International Affairs &
Criminal Justice
Committee on Gov't Relations &
Oversight
Rayburn House Office Building
Washington DC 20515

DEPARTMENT OF THE ARMY
HEADQUARTERS, 3D BATTALION, 67TH ARMOR REGIMENT
2D ARMORED DIVISION
FORT HOOD, TEXAS 76544-5000


18 August 1995

AFVB-JB-CDR

MEMORANDUM FOR General Council Department of Defense, 1600 Defense, Pentagon, Washington, D.C. 2030-1600.

SUBJECT Congress request for documentation relating to the matter of the Branch Davidien, at Waco Texas.

1. The two M1A1 tanks provided to the Federal Bureau of Investigation were not damaged at Waco Texas.
2. I was in command of Delta Company during the Branch Davidien incident. My company's tanks were tasked to support the FBI. Before transporting two M1A1 tanks back to Fort Hood, my maintenance officer and I inspected both of the M1A1 tanks for damage. One tank had a small scratch on the left side of the hull approximately one inch in length. This did not hinder its operation in any way, and it would have been impossible to repair. We had on site maintenance support for the equipment throughout the duration of the incident.

3. If I can be of further assistance please call at, 

② 



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY FORCES COMMAND
FORT MCPHERSON, GEORGIA 30330-6000



REPLY TO
ATTENTION OF

AFOP-OD (340a)

18 August 1995

MEMORANDUM FOR HQDA, DAMO-OD, ATTN: (1) [REDACTED] Washington,
DC 20310

SUBJECT: Congressional Requests for Information About Military
Support to LAW Enforcement Agencies Involved in Activities
Against Branch Davidians

1. References:

a. Memorandum, Assistant Secretary of Defense, 7 Aug 95,
SAB.

b. Memorandum, Joint Task Force-Six, 16 Aug 95, SAB.

2. As requested by reference a, enclosed is information
regarding equipment and personnel support provided, the cost of
support provided, duration and component of support provided by
JTF-6.

3. Point of contact in this office is (2) [REDACTED]
DSN 367-5020, COM (404)669-5020

Encl

(3)



NGB-ARC-M (37-20a)

18 Aug 95

MEMORANDUM FOR BG [REDACTED], DAJA-ZB

SUBJECT: Informal AR 15-6 Investigation Concerning Counterdrug Operation TX-0502-VAR-14 (Plus Up) at Waco, TX

1. Reference your request for interviews with personnel, the following appointments have been set up:

Date	Time	Person to be Interviewed	Location
2- 22 Aug 95	1330	[REDACTED] (NGB-JAS)	Pentagon, Rm 2E425
3- 23 Aug 95	0830	[REDACTED] (NGB-CD)	Park Ctr, Rm 460

2. If you wish to interview [REDACTED] I have tentatively set up an interview for him at:

5- 23 Aug 95 1530 [REDACTED] (NGB-ARZ-D) ARNGRC

6- [REDACTED] is now the Chief of Staff of the Army National Guard Readiness Center.

7- 3. [REDACTED] (NGB-CD) has retired. I have asked his office to call him and ask if he would be willing to be interviewed. I will let you know the answer when I hear back. 8- I was told [REDACTED] the Deputy Director of NGB-CD, 9- will be back from TDY on Wed, 23 Aug 95. [REDACTED] was Deputy Director in 1993, is aware of the investigation, and could be an alternative to [REDACTED] interview. 10

11- 4. [REDACTED] was the OSD liaison/officer with BATF, retired in Feb 95. I spoke to [REDACTED] (97-5656) who told me OSD has not placed anyone in this position due to cutbacks. He passed me to a [REDACTED] (spelling?) who said OSD does not have [REDACTED] files, his place of work was BATF. He did give me the phone number where [REDACTED] worked at BATF (202-927-8020); but I did not pursue this any further. 12

14- 5. I will be available to meet with you at 1330 on 21 Aug 95. 15

16- 6. [REDACTED] (NGB-CD) said they did have an office which you could work out of at Park Center. I was told the Internal Review Office has an area (but not a private office) where you could work with your auditor assistant, [REDACTED] if you would like to work out of the ARNGRC, it may be possible to get an office. When I called to check they were all booked, however, 17

the Sergeant did say she may be able to work something out. Please let me know if you would prefer to work out of this building. In addition, there is a cubicle across from my desk which is empty which you could also use.

7. Attached is a marked up copy of the sample memo I sent you with some of the names/dates completed.

8. Please call me and let me know if the scheduled interview times and dates are satisfactory, and where/what building you would like to work out of. I will be leaving early today at 1330.

Encl

[REDACTED]
[REDACTED]
Management Analyst

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310-2200

DAJA-ZB

18 August 1995

MEMORANDUM FOR Record

SUBJECT: Waco Investigation

1. Worked on the Waco investigation all morning.
 - a. Continued review of the files which have been provided to me.
 - b. Discussion w/ [REDACTED] He will assist with the investigation.
 - c. Telcall to [REDACTED] a/scheduling interviews during week of 21 August and other administrative matters.
 - d. Telcall to [REDACTED] insley a/providing a diskette with the roster of participants in the Waco operation.
2. Rtn telcall to [REDACTED] in the afternoon. We will meet on 24 August and he will provide a contact with DAIG. He suggested that I coordinate with DAIG to ensure no conflict, overlap, gaps with possible existing DAIG investigation.
3. Telcall to [REDACTED] to discuss a POC for the investigation; he designated [REDACTED] State JA. Very helpful.
4. Telcall to [REDACTED] to discuss my general plan for the investigation, to request his telephone numbers, to request a copy of the ATF report. Very helpful.
5. Reception for [REDACTED] at TAG's home at 6:30pm. Discussed the relationship of CD and MSCA support with [REDACTED].
6. Briefly work on Waco investigation at home during the evening.

[REDACTED]
BG, JA, ARNGUS
ARNG Special Assistant to
The Judge Advocate General



FORCES COMMAND

COUNTERDRUG DIVISION

FROM: ^① [REDACTED]

Headquarters, Forces Command
ATTN: AFOP-OD
Fort McPherson, GA 30330-6000

DSN: 367- 5020

COM: (404) 669- _____

NON-SECURE FACSIMILE HEADER SHEET

COMMAND/OFFICE SYMBOL	NAME/TITLE	OFFICE PHONE NO./ FAX NO.
TO: DAMO - ODD	^② [REDACTED]	223-4358
TOTAL PAGES INCLUDING HEADER: 4	PRECEDENCE R	DAY/MONTH/YEAR 18 AUG 95

REMARKS:

^③ [REDACTED]

Please call once you've looked this over. We want to be sure we've answered the mail.

^④ [REDACTED]

I CERTIFY THAT THIS FAX CONTAINS NO CLASSIFIED INFORMATION.

FAX OD ADMIN (404) 669-6378 / DSN 367-6378

FAX G3 ADMIN (404) 669-6567 / DSN 367-6567

(SIGNATURE/NAME/TITLE)

TRANSMITTAL/ACTION/CONTROL (FORSCOM Memo 1-11)				DATE: 18 Aug 95		
SUBJECT: Response to ASD Request for Information on CD Mission JT002E-93, Waco, TX				OFFICE SYMBOL/PHONE: [REDACTED] (1)		
				NAME: [REDACTED] (2)		
THRU: <input type="checkbox"/> SGS <input type="checkbox"/> CofS <input type="checkbox"/> DCG	TO: SJA					
ACTION REQUIRED: <input checked="" type="checkbox"/> APPROVAL <input type="checkbox"/> SIGNATURE <input type="checkbox"/> INFORMATION						
BACKGROUND/DISCUSSION: TAB A is Tasker from Assistant Secretary of Defense requesting additional information regarding support provided LEAs by JTF-6 during execution of CD Mission JT002E-93. TAB B is FORSCOM response to Tasker. Response identifies equipment and personnel support provided, cost of support, duration and component of support provided by JTF-6.						
RECOMMENDATION: SJA review and approve FORSCOM response for release.						
_____ (3) DIRECTOR						
ACTION: APPROVED _____ NOTED _____ COMMENT _____						
COORDINATION/CONCURRENCE				ROUTING/APPROVALS		
OFFICE	NAME/TITLE	DATE	CONCUR		INITIALS	DATE
AFCG-JA (4)	[REDACTED]	18 Aug 95	JSK	BRANCH CHIEF		
APCS-PA (5)	[REDACTED]	18 Aug 95	Yes	DIVISION CHIEF		
				EXEC OFFICER		
				DEP DIRECTOR		
				SPELL/ADMIN	[Signature]	18 Aug 95
FOR COMMAND GROUP USE						
ROOFED BY (Initials/Date)		SGS (Number)		DSGS		
RETURNED FOR ACTION		TASKER	LOG	IN	OUT	
RETURNED FROM ACTION						

HQ FORSCOM Form 1048, 1 Mar 94

Z 0019011

08/21/95 15:11 0701 224 5180
08/21/95 09:18

ADJUTANT GENERAL

32-

003

SENT BY: Xerox Telecopier 7020 : 7-13-95 : 12:47PM :

AR 37-1, para 7-7 states, "the individual concerned will inform the Director of Resource Management (DRM) or equivalent. The DRM will immediately notify the commander responsible for the allowance/allotment involved in the alleged violation."

In this case either the TXARNG or NGB-CD should report since counter-drug NGPA funding was used for all personnel.

3. When should the suspected violation be reported?

Within 15 days of the date of discovery of the possible violation a "flash report" is sent to ASA(FM). An investigating officer is appointed within 30 days. (Reference AR 37-1)

For NGB-JA: 1. In your opinion, is there sufficient evidence to suspect that a violation may have occurred?

Please provide your response to these questions to me by noon Wednesday, 19 Jul.

Z 0015335



ADJUTANT GENERAL'S DEPARTMENT

Post Office Box 5218
Austin, Texas 78763-5218
512-465-5001

RECEIVED AUG 24 1995

21 August 1995

AGTX-JA (15-6)

MEMORANDUM FOR The Army National Guard Special Assistant to
The Judge Advocate General of the Army
ATTN: (1) [REDACTED] P.O. Box 1695
Bismark, North Dakota 58502

SUBJECT: Investigation of alleged Anti-Deficiency Act Violation

1. Enclosed, per your request, is our copy of the Report of the Department of the Treasury on the Bureau of Alcohol, Tobacco and Firearms Investigation of Vernon Wayne Howell aka David Koresh.
2. If you require additional information or documentation, please do not hesitate to contact our office. POC is (2) [REDACTED] State Judge Advocate, or the undersigned at (512) 465-5057 or DSN 954-5057.

(3) [REDACTED]
[REDACTED]
CPT, JA, TXARNG
AGR Judge Advocate

COVER SHEET		CONTROL NUMBER	
SUBJECT Congressional Requests for Information About Military Support to Law Enforcement Agencies Involved in Activities Against the Branch Davidians at Waco		OFFICE SYMBOL DAMO-ODS	
ACTION REQUIRED Provide all information on equipment, personnel, and reimbursable costs in matrix format. Include "sensitive" support.		DATE 22 AUG 95	
MEMORANDUM FOR RECORD. (Describe briefly the requirement, background and action taken or recommended. Must be sufficiently detailed to identify the action without recourse to other sources.)			
<u>ORIGIN OF ACTION</u>			
1. Memorandum from [REDACTED] ASD(SO/LIC), to SECARMY (Red Enclosure 2).			
<u>SUMMARY</u>			
2. Request for this information received after [REDACTED] testified at Congressional hearings on Waco.			
3. Charts attached to memo, at Red Enclosure 1, present a comprehensive synopsis of Army support(active component) and equipment requests for National guard assets requiring HQDA approval. Army data contained was extracted from Audit Trail previously submitted by this office.			
<u>RECOMMENDATION</u>			
4. Director OD sign the action memo at Red Encl 1 and forward thru the DCSOPS, DAS, and ASA(IL&E) to the ASD(SO/LIC).			
5. DCSOPS line thru Action Memo at Red Encl 1 and forward through the DAS, ASA (IL&E), to the ASD (SO/LIC).			
(Continue on reverse side)			
IMPLICATIONS		CINFO	
YES <input type="checkbox"/> NO <input type="checkbox"/>		PRIM PROGS	
YES <input type="checkbox"/> NO <input type="checkbox"/>		BUDGET	
YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>	
COORDINATIONS		APPROVALS	
OFFICE	NAME	PHONE	INITIALS
SAGC	[REDACTED]	697-8029	DIV ODS
DAMO-ODD	[REDACTED]	693-4358	DIR OD
ASA (ILE)	[REDACTED]	614-9046	EX
MOSO-SOD	[REDACTED]	695-3189	DCSOPS
		FILE	
		DISPATCH	
SHOW ADDITIONAL COORDINATION ON REVERSE SIDE		<input type="checkbox"/> ALTHQ <input type="checkbox"/> AWC	
ACTION OFFICER (Name, grade, phone and signature)			
[REDACTED] GS/74331			



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF FOR OPERATIONS AND PLANS
400 ARMY PENTAGON
WASHINGTON DC 20310-0400



DAMO-ODS

22 August 1995

MEMORANDUM THRU DEPUTY CHIEF OF STAFF FOR OPERATIONS AND
PLANS

DIRECTOR OF THE ARMY STAFF
ASSISTANT SECRETARY OF THE ARMY
(INSTALLATIONS, LOGISTICS AND
ENVIRONMENT)

FOR ASSISTANT SECRETARY OF DEFENSE (SO/LIC)

SUBJECT: Congressional Requests for Information About Military Support to
Law Enforcement Agencies Involved in Activities Against the Branch Davidians

1. This memorandum responds to a request for additional information from [REDACTED] ASD (SO/LIC), dated 7 August 1995, subject as above. Data provided reflect active component support and National Guard equipment requests requiring Headquarters, Department of the Army approval. Attached charts show support provided by the Army (TAB 1), Joint Task Force Six support (TAB 2), and Special Operations support (TAB 3).

2. Information requested but not provided is simply not available. Records were not retained or insufficient data is available to compose a response.


3.. POC for this action is [REDACTED] at 697-4331.

2

3
[REDACTED]
Director of Operations,
Readiness and Mobilization

3 Enclosures

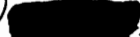


 (U N C L A S S I F I E D)

EXECUTIVE SUMMARY

23 August 1995

(U) Antideficiency Act Cases (U). The National Guard Bureau issued a flash report on 28 July 1995 indicating a possible Antideficiency Act (ADA) violation involving the misuse of National Guard Counter Narcotics Program (32 USC 112) funds. The potential violation occurred as a result of the National Guard's involvement and support in the assault on the Branch Davidian's compound in Waco, Texas. Army Guard personnel were placed in 32 USC 112 status to support the Bureau of Alcohol, Tobacco, and Firearms and the Federal Bureau of Investigation during phase 2 of the assault. The potential ADA violation was reported because there is a question as to which funds were appropriate to pay National Guard personnel. Also, there is a question whether National Guard personnel can be placed in a title 32 status to conduct police actions. An investigation into this alleged ADA violation is being conducted by the National Guard Bureau.

(2)  /SAFM-FCL/697-0757 (3)

APPROVED BY: 

(U N C L A S S I F I E D)

24 AUG 95

①
MEMORANDUM FOR [REDACTED], FT. HOOD, TEXAS

SUBJECT: Equipment Loaned, Cost Data, and Reimbursement Related to Support of Law Enforcement Agencies at Waco During Actions Against the Branch Davidians

②
1. Per your telecon this morning with [REDACTED], I am providing the following documents:

a. The letter from the Assistant Secretary of Defense for Special Operations/Low Intensity Conflict which establishes the requirement;

b. Our matrix on loaned equipment which requires reimbursement. The items which our records indicate were loaned by Ft. Hood are underlined. I need for you to verify the list. If you make any changes to it, we need supporting documentation for our own records. Then we need the remaining information on the chart (the cost related to the loan and use of the item(s); whether or not reimbursement was made; if not, why not?).

2. Our chart shows the items approved at HQDA and we have documentation for. I would like to keep the chart to one page. You should add any items not shown under the general category of miscellaneous items and show one cost figure for them, unless the item is a major item of equipment. In that case, list it. For items like support vehicles associated with a major item, simply roll them into the cost figure for the major item, but there is no need to list them separately.

3. The final product you produce needs to do two things: 1) present a cost by major item loaned and a total for all support provided; 2) indicate what has and has not been reimbursed; 3) if an item has not been pursued for reimbursement, why not?

4. Topic has very high visibility; we need your input ASAP.

5. You can reach me at DSN 227-4331/3203/2003; FAX DSN (703)697-3147.

③
[REDACTED]

703183

917035937533 P.22

DOD-A-



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF FOR OPERATIONS AND PLANS
400 ARMY PENTAGON
WASHINGTON DC 20310-0400

3/27/97



DAMO-GDS

30 August 1995

MEMORANDUM THRU ~~DEPUTY CHIEF OF STAFF FOR OPERATIONS AND PLANS~~

~~DIRECTOR OF THE ARMY STAFF~~
~~ASSISTANT SECRETARY OF THE ARMY~~
~~(INSTALLATIONS, LOGISTICS AND ENVIRONMENT)~~

[Handwritten signatures and initials]
SEP 05 1995
PDASA (ILE)

FOR ASSISTANT SECRETARY OF DEFENSE (SO/LIC)

SUBJECT: Congressional Requests for Information About Military Support to Law Enforcement Agencies Involved in Activities Against the Branch Davidians -- INFORMATION MEMORANDUM--

1. This memorandum responds to a request for additional information from Mr. ~~██████████~~, ASD (SO/LIC), dated 7 August 1995, subject as above. Data provided reflect active component support and National Guard equipment requests requiring Headquarters, Department of the Army approval. TAB A shows all equipment and resources provided, TAB B shows all reimbursable costs, TAB C personnel provided, and TAB D (S) shows Special Operations support in a consolidated format because of its classified nature.
2. Ninety-eight percent of the active component support has been reimbursed.
3. POC for this action is LTC ~~██████████~~ at 697-4331.

3 Enclosures

~~██████████~~
Brigadier General, GS
Director of Operations,
Readiness and Mobilization

Purpose: To document the aid provided by the military to federal law enforcement operations

(Classified by DCG)

Declassify when separated from classified TAB.)

Printed on Recycled Paper

0444(L) # 0472 95620720

Z 0026089

	No. of pages
<i>Documents from USUHS working files</i> ✓	
Talking points on USUHS involvement in Waco	1
Integrated medical support plan: Waco, Texas (Apr. 12, 1993)	48 8
After-action reports on Waco	12
 <i>Documents from Army working files</i>	
Memorandum for the record re: FBI request for emergency medical support in Waco (Apr. 15, 1993)	1
 <i>from FORSCOM working files</i>	
Message re: telcon between watch officer FORSCOM and MAJ [REDACTED] III Corps COC	3

I removed 10 pages from this document for faxing - I don't think you'll need them

① [REDACTED]

REPLY TO
ATTENTION OFDEPARTMENT OF THE ARMY
HEADQUARTERS 2D ARMORED DIVISION
FORT HOOD, TEXAS 76544-5200

AFVB-JA

25 August 1995

MEMORANDUM FOR GENERAL COUNSEL, DEPARTMENT OF DEFENSE, 1600
DEFENSE, PENTAGON, WASHINGTON, DC 20301-1600SUBJECT: Request for Documents Relating to M1A1 Tanks Used at
the Branch Davidians' Compound, Waco, Texas

1. I have been directed by the Office of the Chief of Staff of the Army to reply directly to your office in response to your memo of 11 August 1995, requesting information on damage reports for two M1A1 tanks used at Waco, Texas in March and April 1993.

(1) 2. 3d Battalion, 67th Armor has no maintenance records reflecting damage to any tank as a result of use at the Branch Davidian compound. Additionally, there is little reason to believe that any damage was ever recorded. The statement of [REDACTED] regarding a "small scratch on the left side of the hull approximately one inch in length" may well be accurate; however, cosmetic damage of such an insignificant nature would not normally be recorded in any maintenance or accountability record. Further, I have been informed that the tanks have been painted at least twice (as a matter of routine scheduled maintenance) since their use at Waco.

3. The two tanks in question were "hand-receipted" to the FBI during their use at Waco. The tanks were inspected for damage upon their return to Army control and, there being no evidence of recordable damage, the hand receipts were destroyed (as is customary). A search of the records of 3d Battalion, 67th Armor reveals no document reflecting use of the tanks by the FBI.

(2) [REDACTED]



2d ARMORED DIVISION
Office of the Staff Judge Advocate
Fort Hood, Texas 76544



HELL ON WHEELS!

Office Symbol: AFVB-JA

DSN: 737-9526

COMM: (817) 287-9526

DSN FAX: 737-1789

COMM FAX: (817) 287-1789

TO:

OFFICE: DOD GC

TELEPHONE #:

FROM:

OFFICE: 2AD SJA

TELEPHONE:

REMARKS: PER OUR EARLIER CONVERSATION

VERIFIED W/ UNIT MEMBERS THAT SOLDIERS DID

NOT DRIVE TANKS - HAND RECEIPTS WERE

USED AND LATER ROUTINELY DESTROYED

of Pgs.

Classification

Priority

2

U

R

COVER SHEET				CONTROL NUMBER 9507738Z	
SUBJECT Request for Damage Reports on (2) M1A1 Tanks Damaged During Support to Law Enforcement Agencies in Waco				OFFICE SYMBOL DAMO-ODS	
ACTION REQUIRED Review files and provide any documents related to damaged tanks and property accountability for those tanks				DATE 29 AUG 95	
MEMORANDUM FOR RECORD. (Describe briefly the requirement, background and action taken or recommended. Must be sufficiently detailed to identify the action without recourse to other sources.)					
<u>ORIGIN OF ACTION</u>					
1. Memorandum from DOD General Counsel requesting damage reports (Red Enclosure 2).					
<u>SUMMARY</u>					
2. Request is for damage reports on the two M1 tanks provided by Ft. Hood in support of the FBI. The initial tasker contained a letter from the officer in command at the time of this event. It explains that the tanks were not damaged during this mission.					
3. Additional coordination with OCLL revealed that the inquiry had two focuses: damage reports and property accountability documents.					
4. The former commander's letter answered the damage report question. This office has no documents which would assist in answering property accountability questions. A written response indicating a file search was done will answer the mail.					
5. All other documents relating to Waco were already surrendered. A reexamination of files produced no new information related to this subject.					
<u>RECOMMENDATION</u>					
6. Director approve and sign memo at Red Enclosure 1 and forward to DCSOPS.					
7. DCSOPS initial memo at Red Enclosure 1.					
(Continue on reverse side)					
IMPLICATIONS		CINFO		PRIM PROGS	
YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>		BUDGET	
YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>		YES <input type="checkbox"/> NO <input type="checkbox"/>	
COORDINATIONS					
OFFICE	NAME	PHONE	INITIALS	DATE	
SAGC	[REDACTED] ①	697-8029	DIV ODS	29 Aug 95	
ASA IL&E	[REDACTED] ②	695-3012	DIR OD	[REDACTED]	
DALO-SMM	[REDACTED] ③	695-4151	EX	[REDACTED]	
			DCSOPS	1 Sep	
			FILE	DISPATCH	
SHOW ADDITIONAL COORDINATION ON REVERSE SIDE			<input type="checkbox"/> ALT HQ RB <input type="checkbox"/> AWC		
ACTION OFFICER (Name, grade, phone and signature) ④					
[REDACTED] 697-4331					



SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-2500

8/30/95

File -
Waco

Honorable Peter T. King
House of Representatives
Washington, D.C. 20515-3203

Dear Congressman:

In response to your letter regarding my July 31, 1995 testimony before the House Subcommittee on Crime of the Committee on the Judiciary and the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Governmental Reform and Oversight in the matter of the Branch Davidians near Waco, Texas, you asked about the "extent to which the SAS was involved in Waco."

As I indicated in my testimony, there were no foreign military personnel at Waco as a result of any association with the Department of Defense. As I also testified, it is my understanding there may have been one or two Special Air Service observers with a civilian law enforcement agency, specifically the FBI. I did not testify, however, that there was any involvement by any foreign military personnel. Accordingly, I respectfully suggest this question be referred to the Department of Justice.

You also asked about the "extent to which the Defense Department works with the SAS in the United States." US forces routinely train with foreign military forces at home and abroad. For several years, we have trained with the SAS in the United Kingdom as well as hosted them in the United States. Such training provides significant benefits to US forces in terms of training, equipment familiarity, language proficiency, and cultural awareness. Conduct of this training has been, and will continue to be, fully coordinated with appropriate US government agencies and directly supports US national objectives.

I trust this answers your questions in this matter.

Sincerely,
[Redacted Signature]

cf:
Attorney General, Department of Justice
Director, Federal Bureau of Investigation



SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-2500

August 30, 1995

Honorable Herbert H. Bateman
House of Representatives
Washington, D.C. 20515-3203

Dear Congressman:

In response to your letter regarding my July 31, 1995 testimony before the House Subcommittee on Crime of the Committee on the Judiciary and the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Governmental Reform and Oversight in the matter of the Branch Davidians near Waco, Texas, you asked for "an explanation for any involvement...by foreign military personnel."

As I indicated in my testimony, there were no foreign military personnel at Waco as a result of any association with the Department of Defense. As I also testified, it is my understanding there may have been one or two Special Air Service observers with a civilian law enforcement agency, specifically the FBI. I did not testify, however, that there was any involvement by any foreign military personnel. Accordingly, I respectfully suggest this question be referred to the Department of Justice.

US forces routinely train with foreign military forces at home and abroad. For several years, we have trained with the SAS in the United Kingdom as well as hosted them in the United States. Such training provides significant benefits to US forces in terms of training, equipment familiarity, language proficiency, and cultural awareness. Conduct of this training has been, and will continue to be, fully coordinated with appropriate US government agencies and directly supports US national objectives.

I trust this answers your questions in this matter.

Sincerely,

(1)

cf:
Attorney General, Department of Justice
Director, Federal Bureau of Investigation

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310-2200

DAJA-ZB

31 August 1995

MEMORANDUM FOR [REDACTED] NGB-ZPF

SUBJECT: Alleged Antideficiency Violation — Case N^o. 95-09

1. Reference AR 37-1, Army Accounting and Fund Control, 30 April 91.
2. Paragraph 29-16c(13), AR 37-1, states that the investigation report concerning an alleged antideficiency violation must include an evaluation of the performance of the fund control responsibilities of the holder of the appropriate fund subdivision. The Chief, National Guard Bureau, has appointed me to conduct an informal AR 15-6 investigation concerning Counterdrug Operation TX-0502-VAR-14 (Plus Up) at Waco, TX, during FY93, and I must include your evaluation of the holder of the fund subdivision, [REDACTED], in the report. The evaluation should only address his performance of fund control responsibilities.

3. Request you provide the evaluation by 22 September 1995 to the following address:

(3) [REDACTED]
NGB-ARC-M
Army National Guard Readiness Center
111 South George Mason Drive
Arlington, VA 22204-1382

4. If you have any questions, request that you call [REDACTED] at 607-7534 or call me at 701-223-2711 (fax: 701-223-9619).

(4) [REDACTED]
(5) [REDACTED]
BG, JA, ARNGUS
ARNG Special Assistant to
The Judge Advocate General

(6) CF: [REDACTED]

100 1000 1225
not sent, as per [REDACTED]
report sent to [REDACTED]
an [REDACTED]
[REDACTED]



DEPARTMENTS OF THE ARMY AND THE AIR FORCE

NATIONAL GUARD BUREAU
2500 ARMY PENTAGON
WASHINGTON, D.C. 20310-2500



NGB-CD (500)

31 August 1995

MEMORANDUM FOR OFFICE OF THE DEPARTMENT OF DEFENSE
COORDINATOR FOR DRUG ENFORCEMENT POLICY
AND SUPPORT (DEP&S), 1510 DEFENSE PENTAGON,
WASHINGTON, DC 20301-1510

SUBJECT: Response to Congressional Request for Information--Military Support to
Law Enforcement Agencies Relating to Activities Against Branch Dividians

Enclosed is the information requested on the Branch Dividians that was completed by
the Texas Army National Guard and forwarded directly to Mr. Holmes' office.

Encl
as

[REDACTED]

COL, NGB
Executive Officer, Joint
Counterdrug Task Force

(1)

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310-2200

DAJA-ZB

16 August 1995

MEMORANDUM FOR Ms. [REDACTED], NGB-ARC-M

Name 186

SUBJECT: Investigation of Possible Antideficiency Violation

① [REDACTED] TAG-ND, has assigned Lt. Col. [REDACTED] AGR
judge advocate, to assist me with the investigation.

Name 187

2. His telephone number and address:

Lt. Col. [REDACTED]
Office of the Adjutant General
Fraine Barracks
P.O. Box 5511
Bismarck, ND 58506-5511

Name 188

Telephone: 701-224-5242
Fax: 701-224-5180
DSN: 344-xxxx

② [REDACTED]
BG, JA, ARNGUS
ARNG Special Assistant to
The Judge Advocate General

CF:

③ [REDACTED]
Lt. Col. [REDACTED]

Name 189



UNCLASSIFIED
FAX TRANSMITTAL SHEET

OFFICE OF THE CHAIRMAN
OF THE
JOINT CHIEFS OF STAFF

LEGAL COUNSEL
WASHINGTON, D.C. 20318-9999
OCJCS/LC PENTAGON ROOM 2E841

UNSECURE FAX NUMBER: (703) 693-1619 (DSN) 223-1619

VOICE VERIFICATION: (703) 697-1137 (DSN) 227-1137

FROM:

[REDACTED] ①

DATE: 16 AUG 95

SUBJECT: WACO

TO:

[REDACTED] ②

DESTINATION FAX NUMBER:

DESTINATION VOICE NUMBER:

NUMBER OF PAGES: COVER + 5

COMMENTS

③ [REDACTED] - Copy of Ambassador Holmes' memo. [REDACTED] ④

FAX TRANSMITTAL SHEET
UNCLASSIFIED

08/16/95 14:45

8703 695 7638

DAMO-ODD

001

FACSIMILE TRANSMITTAL HEADER SHEET

For use of this form, see AR 25-11; the proponent agency is ODSCA

COMMAND/ OFFICE	NAME/ OFFICE SYMBOL	OFFICE TELEPHONE NO. (AUTOVON/Comm.).	FAX NO. (AUTOVON/Comm.).			
FROM: DA, PENTAGON COUNTERDRUG DIVISION WASHINGTON, DC 20310	DAMO-ODD	DSN: 223-4358 / 59 (703) 693-4358 / 59	DSN: 225-7638 (703) 695-7638			
TO: Forscom CD	AFOP-OD	367-5020	367-6378			
CLASSIFICATION	PRECEDENCE	NO. PAGES (Including this Header)	DATE-TIME	MONTH	YEAR	RELEASER'S SIGNATURE
U	R	3	16 1440	AUG	95	[REDACTED] (1)

REMARKS

DC,

THIS IS THE MEMO REQUESTING INPT. THE DATA REQUESTED WILL
BE CONSOLIDATED AT DA LEVEL. JTFLG SHOULD HAVE READY ACCESS TO THIS.

Space Below For Communications Center Use Only

DA FORM 3918-R, JUL 90

DA FORM 3918-R, AUG 72 IS OBSOLETE

USAPPC V2.10

INFORMATION. IT CAN BE HAND WRITTEN OR FORMAL IF THEY
WISH IT THAT WAY. HOWEVER, THE INFORMATION WILL BE USE TO
BRIEF THE HIGHEST LEVELS. IF RESPONSE CAN BE SENT NLT 18 AUG
FRI, 1200 HRS THAT WOULD BE GREAT.
THANKS, (2)

Z 0019270



United States Army
Special Operations Agency
Washington DC 20310-0440

S: 18 Aug 95
16 Aug 95

SUBJECT: Congressional Requests for Info on Mil Spt to Waco

TAB A Request from DAMO-ODS for MOSO-SOD to compile a specific list of SMU equipment & personnel support provided to Waco, as well as DoD's cost of providing support, and if DoD was reimbursed.

TAB B Response to tasker. Equipment involved was returned in same condition, no maintenance costs involved. Only reimburseable expenses were TDY costs for the techs. Amt listed is based upon the TDY vouchers on hand.

TAB C Copy of the Info Paper/Exec Summ originally provided as background information.

Clay

(4) [redacted]
Spoke w/obs & response at TAB B fits the bill. They may want another copy of the original packet we provided on 14 Jul (INFO PAPER, REQ. FOR ASSIST. MSGS, Δ MEMO, ETC)

(6) [redacted] (6) [redacted]
Security Activities Branch
MOSO-SOD, (703) 697-1873



DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310-2200

DAJA-ZB

16 August 1995

MEMORANDUM FOR Record

SUBJECT: AR 15-6 Investigation (Waco)

1. Received a telephone call from [REDACTED] USP&FO, TXNG. He offered to meet with me next week, if necessary. I responded that I am still reviewing the files and am not prepared to discuss the matter at this time.

2. I asked about a POC for the TXARNG. He suggested that I directly contact [REDACTED]

3. I asked about [REDACTED] Swayze said that [REDACTED] was a state employee in the governor's office, but he has resigned.

4. I asked about [REDACTED] said that [REDACTED] is currently working at the Pentagon in the counterdrug program.

9- 5. [REDACTED] numbers:
telephone - 512-465-5186
fax - 512-465-5108

10 [REDACTED]
[REDACTED] ARNGUS
ARNG Special Assistant to
The Judge Advocate General

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310-2200

DAJA-ZB

16 August 1995

MEMORANDUM FOR [REDACTED] NGB-ARC-M

SUBJECT: Investigation of Possible Antideficiency Violation

2- 1. [REDACTED] TAG-ND, has assigned [REDACTED] AGR
judge advocate, to assist me with the investigation.

2. His telephone number and address:

4- [REDACTED]
Office of the Adjutant General
Fraine Barracks
P.O. Box 5511
Bismarck, ND 58506-5511

Telephone: 701-224-5242
Fax: 701-224-5180
DSN: 344-xxxx

5- [REDACTED]
ARNGUS
ARNG Special Assistant to
The Judge Advocate General

6- CF: [REDACTED]

7- FAXED to [REDACTED]
102-607-7585

17 Aug 95 1:55 pm



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, DC 20310-2200



DAJA-ZB

16 August 1995

MEMORANDUM FOR [REDACTED] TAG-TX

SUBJECT: AR 15-6 Investigation

② 1. [REDACTED] has appointed me to conduct an informal AR 15-6 investigation concerning an alleged anti-deficiency violation. A copy of his memorandum and accompanying flash report are attached.

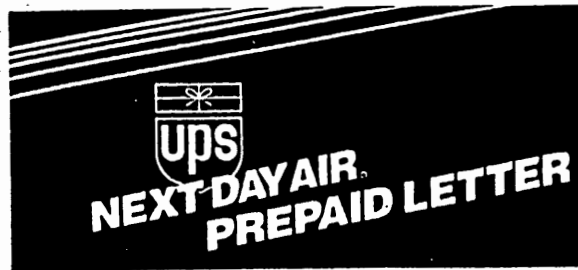
2. Request that you designate a POC if I must interview or contact members of the Texas National Guard during the investigation. Fortunately, I have a copy of the six volumes assembled by [REDACTED], so my first task will be to digest the information in those documents.

④ 3. [REDACTED] USP&FO, contacted me this morning to ask if I wanted to meet with him or needed any information from that office. I responded that I will be periodically contacting him for information, but need not meet with him at this time.

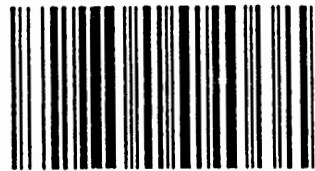
4. You may recall that we met at past ARNG functions. Enclosed, for your information, are a recent biographical sheet and the job description for the ARNG Special Assistant.

5. Please contact me, at any time, if you have any questions about the investigation (office 701-223-2711; fax 701-223-9619; home 701-258-3507). In addition, we may also have an opportunity to informally discuss the planned investigation schedule during the FORSCOM Command Readiness Program 28-30 August at the PEC.

⑤ [REDACTED]
BG, JA, ARNGUS
ARNG Special Assistant to
The Judge Advocate General



TRACKING NUMBER



0621 7801 962

020181131 394 W

EXPIRATION DATE
07/15/95

1 DATE OF SHIPMENT
08 / 16 / 95

UPS SHIPPER NUMBER
E74-340

2 REFERENCE NUMBER

NAME [REDACTED] TELEPHONE
OTM 512-465-5195
COMPANY
CAMP MABRY
STREET ADDRESS
2200 W. 35TH BLD 34
CITY STATE ZIP CODE
AUSTIN TX 78703

3 NAME TELEPHONE
Chief National Guard Bureau
COMPANY
NGB-ARO-OM
STREET ADDRESS
111 So. Geo. Mason Drive
CITY STATE ZIP CODE
Arlington VA 22204-3382

SHIPPER'S COPY

Z 0034185

(U N C L A S S I F I E D)

EXECUTIVE SUMMARY

15 August 1995

(U) Antideficiency Act Cases (U). The National Guard Bureau issued a flash report on 28 July 1995 indicating a possible Antideficiency Act (ADA) violation involving the misuse of National Guard Counter Narcotics Program (32 USC 112) funds. The potential violation occurred as a result of the National Guard's involvement and support in the assault on the Branch Davidian's compound in Waco, Texas. Army Guard personnel were placed in 32 USC 112 status to support the Bureau of Alcohol, Tobacco, and Firearms and the Federal Bureau of Investigation during phase 2 of the assault. The potential ADA violation was reported because there is a question as to which funds were appropriate to pay National Guard personnel. Also, there is a question whether National Guard personnel can be placed in a title 32 status to conduct police actions. An investigation into this alleged ADA violation is being conducted by the National Guard Bureau.

①

██████████/SAFM-FCL/697-0757

APPROVED BY: _____

(U N C L A S S I F I E D)

<u>DoD Component</u>	<u>Date (s)</u>	<u>Requesting LEA</u>	<u>Equip/Services Provided</u>	<u>Approval Authority/Date</u>
USAF	3-Mar-93	FBI	Electronic Jammers & Equip Operators	CSAF 3 Mar 93 DUSD (SP) 3 Mar 93

**\$32,500 Cost of providing support. Includes transportation, per diem, housing, maintenance/repairs.

***Equip arrived Waco on 4 Mar 93. The jammers were operated 10-17 Mar 93.

****Active Air Force unit supported this effort.

Z 0033345



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON DC

15 Aug 95

MEMORANDUM FOR ASD/SO-LIC
THRU DTUSD (P)/SAS

FROM: HQ USAF/XOOM
1480 Air Force Pentagon
Washington DC 20330-1480

SUBJECT: Congressional Requests for Information About Military Support To Law
Enforcement Agencies Involved in Activities Against Branch Davidians (Your 7 Aug 95
letter)

The attached is provided in response to subject letter. Please contact me at DSN
227-1088 if you have any questions.


Chief, Special Management Division
Directorate of Operations, DCS/P&O

Attachment
USAF Support

50129

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by [REDACTED] (Appointing authority)

on 15 August 1995 (Date) (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - SESSIONS

The (investigation) (board) commenced at Bismarck, ND at 1030
(Place) (Time)
on 11 August 1995 (Date) (If a formal board met for more than one session, check here ☐. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.) The following persons (members, respondents, counsel) were present: (After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)

The Chief, National Guard Bureau, verbally appointed the investigating officer on 11 August 1995, and he signed the memorandum of appointment on 15 August 1995.

The following persons (members, respondents, counsel) were absent: (Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)

N/A

The (investigating officer) (board) finished gathering /hearing evidence at _____ on _____
(Time) (Date)
and completed findings and recommendations at _____ on _____
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO	NA ²
1	Inclosures (para 3-15, AR 15-6)			
	Are the following inclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The letter of appointment or a summary of oral appointment data?	X		
	b. Copy of notice to respondent, if any? (See item 9, below)			X
	c. Other correspondence with respondent or counsel, if any?			X
	d. All other written communications to or from the appointing authority?			X
	e. Privacy Act Statements (Certificate, if statement provided orally)?	X		
	f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?			X
	g. Information as to sessions of a formal board not included on page 1 of this report?			X
	h. Any other significant papers (other than evidence) relating to administrative aspects of the investigation or board?			X

FOOTNOTES: 1/Explain all negative answers on an attached sheet.

2/Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation.

	YES	NO	N/A
2 Exhibits (para 3-16, AR 15-6)			
a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	x		
b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	x		
c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	x		
d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	x		
e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?			x
f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?			x
g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit (para 3-16d, AR 15-6)?			x
3 Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?			x
B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6) N/A			
4 At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment (para 5-3b, AR 15-6)?			
5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?			
6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?			
7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?			
8 If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence (para 5-2d, AR 15-6)?			
C. COMPLETE ONLY IF A RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6) N/A			
9 Notice to respondents (para 5-5, AR 15-6):			
a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
b. Was the date of delivery at least five working days prior to the first session of the board?			
c. Does each letter of notification indicate —			
(1) the date, hour, and place of the first session of the board concerning that respondent?			
(2) the matter to be investigated, including specific allegations against the respondent, if any?			
(3) the respondent's rights with regard to counsel?			
(4) the name and address of each witness expected to be called by the recorder?			
(5) the respondent's rights to be present, present evidence, and call witnesses?			
d. Was the respondent provided a copy of all unclassified documents in the case file?			
e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):			
a. Was he properly notified (para 5-5, AR 15-6)?			
b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel (para 5-4, AR 15-6)?			
11 Counsel (para 5-6, AR 15-6):			
a. Was each respondent represented by counsel?			
Name and business address of counsel:			
(If counsel is a lawyer, check here <input type="checkbox"/>)			
b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
c. If military counsel was requested but not made available, is a copy (or, if oral, a summary) of the request and the action taken on it included in the report (para 5-6b, AR 15-6)?			
12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):			
a. Was the challenge properly denied and by the appropriate officer?			
b. Did each member successfully challenged cease to participate in the proceedings?			
13 Was the respondent given an opportunity to (para 5-8a, AR 15-6):			
a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
b. Examine and object to the introduction of real and documentary evidence, including written statements?			
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
d. Call witnesses and otherwise introduce evidence?			
e. Testify as a witness?			
f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?			
If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses (para 5-8b, AR 15-6)?			
Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it (para 5-11, AR 15-6)?			

FOOTNOTES: 1/ Explain all negative answers on an attached sheet.

2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this

SECTION IV – FINDINGS (para 3-10, AR 15-6)

The (investigating officer) (board), having carefully considered the evidence, finds:

The findings are attached.

SECTION V – RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) (board) recommends:

The recommendations are attached.

NGB-ARC-M

15 Aug 1995

MEMORANDUM FOR (1) [REDACTED]

SUBJECT: Information on Conducting Investigation of Antideficiency Violations

1. Attached is a copy of DOD 7000.14-R. This regulation has not been printed/distributed as yet, however, DOD is operating under these guidelines. There is information in this regulation which should aid you in conducting your investigation and completing your report (particularly Chapter 3, 5, 7 and 9).

2. Also attached is a copy of instructions for investigating officers which I developed prior to DOD 7000.14-R coming out. Although some of these instructions are now OBE, most are still correct, and the sample memorandum may aid you in completing your investigation. We have not as yet received guidance from the Army.

3. I will fax you a copy of a format for a preliminary report just as soon as I receive something. If you have any questions, please feel free to give me a call - [REDACTED] COMM: 703-607-7534, DSN: 327-7534.

(3) [REDACTED]
[REDACTED]
Management Analyst

SECTION VI - AUTHENTICATION (para 3-17, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. (If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)

(Recorder)

(Investigating Officer) ~~(President)~~

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT (para 3-13, AR 15-6)

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board. (In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY (para 2-3, AR 15-6)

Findings and recommendations of the (investigating officer) (board) are (approved) (disapproved) (approved with following exceptions/substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)



DEPARTMENTS OF THE ARMY AND THE AIR FORCE

NATIONAL GUARD BUREAU
2600 ARMY PENTAGON
WASHINGTON, D.C. 20310-2500



NGB-2A (37-20a)

15 JUL 1995

MEMORANDUM FOR CHIEF, OFFICE OF INTERNAL REVIEW AND AUDIT
COMPLIANCE (NGB-IR)

SUBJECT: Request for Assistance - Investigation of Possible
Antideficiency Violation

1. References:

a. Memorandum, ASA(FMC), 22 Dec 94, subject: Change to AR 37-1, Chapter 7, Administrative Control of Appropriations and Financing of Requirements.

b. Memorandum, NGB-ARC, 28 Jul 95, subject: Flash Report, Potential Violation of AR 37-1 (enclosure).

2. Reference 1a states a representative from the financial management community and a lawyer will be appointed to assist an officer investigating a violation of the Antideficiency Act. Request you assign [REDACTED] to assist the Investigating Officer in the conduct of the investigation of a possible antideficiency violation concerning the Texas National Guard. Information on the possible violation is contained in the enclosed memorandum.

3. The preliminary report on this possible violation will be due to the Army Guard Comptroller on 30 Sep 95. Any assistance required by the Investigating Officer should be considered a high priority.

4. The point of contact for information concerning the regulatory requirements of investigations of antideficiency violations is [REDACTED], COMMA(4) 703-607-7534, DSN: 327-7534. [REDACTED] will inform [REDACTED] of the name and number of the Investigating Officer as soon as he has been notified of his appointment.

Encl



DEPARTMENTS OF THE ARMY AND THE AIR FORCE

NATIONAL GUARD BUREAU
2600 ARMY PENTAGON
WASHINGTON, D.C. 20310-2500



NGB-ZA (37-20a)

15 AUG 1995

MEMORANDUM FOR THE ADJUTANT GENERAL NORTH DAKOTA, FRaine BKS,
P.O. BOX 5511, BISMARCK, ND 58502

SUBJECT: Request for Assistance - Investigation of Possible
Antideficiency Violation

1. References:

a. Memorandum, ASA(FMC), 22 Dec 94, subject: Change to AR
37-1, Chapter 7, Administrative Control of Appropriations and
Financing of Requirements.

b. Memorandum, NGB-ARC, 28 Jul 95, subject: Flash Report,
Potential Violation of AR 37-1 (enclosure).

2. Reference 1a states a representative from the financial
management community and a lawyer will be appointed to assist an
officer investigating a violation of the Antideficiency Act.
Request you assign a lawyer to assist the Investigating Officer
in the conduct of the investigation of a possible antideficiency
violation concerning the Texas National Guard. Information on
the possible violation is contained in the enclosed memorandum.

3. The preliminary report on this possible violation will be due
to the Army Guard Comptroller on 30 Sep 95. Any assistance
required by the Investigating Officer should be considered a high
priority.

4. The point of contact for information concerning the
regulatory requirements of investigations of antideficiency
violations is [REDACTED] COMM: 703-607-7534, DSN:
327-7534. Please [REDACTED] to provide the name and
phone number of the lawyer you wish to assign to this
investigation.

③

Encl

CF:
NGB-ARC
NGB-CD
✓USPFO TX
TAG TX

Z 0014844



**DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
111 SOUTH GEORGE MASON DRIVE
ARLINGTON, VA 22204-1382**



NGB-ARC (37-20a)

**MEMORANDUM FOR The Office of the Deputy Assistant Secretary of the Army for
Financial Operations, ATTN: SFFM-FCL, Washington, DC
20310-2500**

SUBJECT: Flash Report, Potential Violation of AR 37-1

1. Reference AR 37-1, 29-16.

a. Alleged Anti-deficiency Violation \ \ FLASH REPORT \ \ :

(1) Accounting classification of funds involved:

2132060 and 2132065

(2) Name and location of organizational unit where the alleged violation occurred:

**DAO FT Sam Houston
Defense Accounting Office - IN
ATTN: DFAS-IN-EM-FM
Stanley Road
FT Sam Houston, TX 78234-5000**

(3) Name and location of the activity issuing the fund authorization:

**Army National Guard Readiness Center
ATTN: Army Comptroller Directorate
111 South George Mason Drive
Arlington, VA 22204-1382**

To:

**U. S. Property and Fiscal Office for Texas
ATTN: AGTX-PFO
PO Box 5218
Austin, TX 78763-5218**

Enclosure

NGB-ARC (37-20a)

SUBJECT: Alleged Anti-deficiency Violation, Flash Report

(4) Amount of fund authorization or limitation that was allegedly exceeded or misapplied: To be determined.

(5) The amount and nature of the alleged violation: An undetermined amount was disbursed by the paying office (DAO FT Sam Houston).

(6) Date alleged violation occurred: 1993

Date of discovery: 14 July 95

(7) A brief description of the facts and circumstances of the case:

(a) The alleged violation may have occurred when funds authorized for the National Guard Counter Narcotics Program (CNP) were used in support of a non-CNP mission.

(b) A final report, if required, will be issued NLT 1 October 95.

2. Information on the incident was derived during a briefing given to the Chief, National Guard Bureau, [REDACTED] on 14 July 1995, at approximately 1530 hrs.

3. The point of contact for this action is the undersigned, DSN 327-7500.

FOR THE CHIEF, NATIONAL GUARD BUREAU:

② [REDACTED]



DEPARTMENTS OF THE ARMY AND THE AIR FORCE

NATIONAL GUARD BUREAU
2500 ARMY PENTAGON
WASHINGTON, D.C. 20310-2500



NGB-ZA (37-20a)

15 AUG 1995

MEMORANDUM FOR [REDACTED]

①
②

SUBJECT: Appointment of AR 15-6 Investigating Officer

1. References:

a. AR 15-6, Procedure for Investigating Officers and Boards of Officers, 11 May 88.

b. DOD 7000.14-R, Financial Management Regulation, Volume 14, Administrative Control of Funds and Antideficiency Act Violations.

c. Memorandum, NGB-ARC, 28 Jul 95, subject: Flash Report, Potential Violation of AR 37-1 (enclosure).

2. You are hereby appointed as an investigating officer under the provisions of AR 15-6 to inquire into the possible violations of AR 37-1, "Army Accounting and Fund Control." Details of the possible violation are provided in the enclosed memorandum.

3. You will conduct an informal investigation IAW AR 15-6 to determine the facts surrounding the alleged violation of regulation and law. You will gather sufficient pertinent facts to render a detailed report with all dates, funds and personnel identified and applicable substantiating documents included. All statements will be taken on a DA Form 2823 and then will be properly sworn. Your findings and recommendations will be reported on a DA Form 1574.

4. You must first conduct a preliminary review to gather all facts concerning this case. A preliminary report must be submitted stating the facts of the case and determining whether a violation has apparently occurred. This report must be submitted to the Army Guard Comptroller (NGB-ARC) by 30 Sep 95.

5. If your preliminary review finds a violation has apparently occurred, then a complete investigation must be accomplished. Information on conducting an investigation of a possible antideficiency act violation and a checklist for investigating officers is included in reference 1b. If a complete investigation is required the report must be submitted by 27 Oct 95 to NGB-ARC.

NGB-ZA

SUBJECT: Appointment of AR 15-6 Investigating Officer

6. Two personnel will be assigned to assist you with your preliminary review and investigation, an auditor and legal counsel. The conduct of this investigation is of high priority and must be started as soon as possible and completed in a timely manner.

7. To obtain information on required elements of the preliminary report and the report of final investigation, contact [REDACTED] (1)
(2) [REDACTED] NGB-ARC, COMM: 703-607-7534, DSN: 327-7534. [REDACTED]
will also put you in contact with the personnel (audit and legal) assigned to assist you with your investigation.

Encl (3) [REDACTED]

CF:
NGB-ARC
NGB-CD
USPFO TX
TAG TX
TAG [REDACTED]
NGB-ZPF

ARMY NATIONAL GUARD READINESS CENTER
111 S. GEORGE MASON DRIVE
ARLINGTON, VA 22204-1382

COMPTROLLER DIRECTORATE
MANAGEMENT DIVISION

ORGANIZATION: ① [REDACTED]
TELEPHONE: 607 - 7534
FAX: COMM: (703) 607-7585, OR DSN 327-7585
NUMBER OF PAGES: 6 + header

FAX TO: ② [REDACTED]
ORGANIZATION: NGB - CD
TELEPHONE: 681 - 0800
FAX NUMBER: 681 - 0808
CLASSIFICATION: U

REMARKS:

- ③ Original will be mailed today
[REDACTED] is planning to be in this
area week of 20 Aug 95
I gave your name as NGB-CD POC.



SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-2500

August 7, 1995

MEMORANDUM FOR SECRETARY OF THE ARMY
SECRETARY OF THE AIR FORCE
ASSISTANT SECRETARY OF DEFENSE FOR
HEALTH AFFAIRS
DIRECTOR, JOINT STAFF
CHIEF, NATIONAL GUARD BUREAU

SUBJECT: Congressional Requests for Information About Military Support to
Law Enforcement Agencies Involved in Activities Against Branch Davidians--
ACTION MEMORANDUM

On July 20 and 31, 1995, I testified before the Subcommittee on Crime, Committee on the Judiciary, and the Subcommittee on National Security, International Affairs, and Criminal Justice, Committee on Government Reform and Oversight of the House of Representatives, in the Joint Committee's continuing investigation into the matter of the Branch Davidians. My testimony was about DoD support to law enforcement in connection with this incident. During the hearing, several members requested further information regarding DoD's support to the Bureau of Alcohol, Tobacco, and Firearms (BATF) and the Federal Bureau of Investigation (FBI).

We prepared the attached matrix listing non-sensitive support in response to the Committee's request and based on the information available to us. We revised the original draft to accommodate Army and National Guard Bureau comments. Using this matrix as a starting point, I ask that you provide the following additional information to this office for our response to the Committee:



A list of all equipment support provided to the BATF and FBI, including the source and date of the request, the DoD approval authority and date of approval;



A list of all personnel support, including military and civilian personnel engaged in training, maintenance, or medical support, provided to the BATF and FBI, including the source and date of the request, the DoD approval authority and date of approval;



For all categories of support, DoD's cost of providing the support, whether DoD was reimbursed by the requesting agency and, if not, the reason DoD was not reimbursed;

* The duration of support, e.g., provide inclusive dates during which equipment or personnel were made available; and

* Whether Active or Reserve Component units provided the support.

According to our information, most support before February 28, 1993, was provided through counterdrug channels--either the Texas or Alabama National Guard or Joint Task Force Six. Support after February 28 was generally provided through Service channels, though the Texas National Guard continued to provide support.

I ask that this request be forwarded through Service or command channels to the level that will provide the most detailed response to the Congress. Responses should be comprehensive and include the requested information about any sensitive support to law enforcement agencies. Information about sensitive support should, of course, be forwarded through appropriate channels.

To provide an expeditious, but complete response to the Joint Committee, I ask that you provide this information no later than Monday, August 21, 1995. If you have any questions about this request or the information we seek, please call (1) [REDACTED] ODASD(DEP&S), 697-5656, (2) [REDACTED] Office of the Deputy General Counsel (Legal Counsel), 695-6710. (3) [REDACTED]

Attachment:
As stated

ROUTING AND TRANSMITTAL SLIP

Date

8 AUG 95

TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

① 1. [REDACTED] DAMO-ODD

② 2. [REDACTED] MOSO-SOD

3.

4.

5.

X	Action	File	Note and Return
	Approval	For Clearance	Per Conversation
	As Requested	For Correction	Prepare Reply
	Circulate	For Your Information	See Me
	Comment	Investigate	Signature
	Coordination	Justify	

REMARKS

③ Received a bootleg copy of attached this AM. It's Waco all over again. Please review the attached. If I haven't heard from you by Friday AM, I'll come by to discuss your contribution to this effort. Since I came in as [REDACTED] was working the first effort on this, I am somewhat familiar with what's in our files. I am clueless on the cost estimate and reimbursement portion. I would appreciate your advice and help. I would like to have this done NLT COB 16 AUG 95.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, office symbol, Agency/Post)

Room No. - Bldg.
BF672

Phone No.
697-4331

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

① [REDACTED] ODS
From: [REDACTED] ODS
To: [REDACTED] ODZ
Subject: FW: WACO -- Redux
Date: Tuesday, August 08, 1995 10:07PM

④ [REDACTED]
FOLLOWING THE INITIAL "WACO" AUDIT FOR THE SECARMY, WE ARE CONTINUING TO RECEIVE REQUESTS FOR INFORMATION FROM OSD (SOLIC). THIS IS AFTER PROVIDING A COPY OF OUR RESEARCH IN AN EFFORT TO SAVE TIME FOR THEM.

⑤ THIS LATEST REQUEST WILL BE TIME AND LABOR INTENSIVE. TO COMPLY I WILL LIKELY HAVE TO PULL [REDACTED] OUT OF THE "EMERGENCY PREPAREDNESS COURSE" NEXT WEEK AT MT WEATHER. HE NEEDS THIS COURSE TO BE TRULY CERTIFIED IN DOMS. I RECOMMEND WE RETAIN [REDACTED] IN AN ASSIST ROLE FOR THIS TASK... HE HELPED IN THE INITIAL COLLECTION EFFORT, AND HAS INSTITUTIONAL KNOWLEDGE.

WE DID NOT RECEIVE INFORMATION LIKE THIS DURING THE COURSE OF EVENTS. WACO WAS NOT A DOMS ACTION. EVENTS PRIMARILY INVOLVED COOPERATION WITH LAW ENFORCEMENT AGENCIES BY LOCAL AUTHORITIES OR TX NG.

⑦ [REDACTED] GENERAL COUNSEL, DOES NOT THINK THAT SECARMY OR ILE WILL FIGHT THIS TASKING.

⑧ From: [REDACTED] ODS
⑨ To: [REDACTED] ODS
⑩ Cc: [REDACTED] ODZ
Subject: WACO -- Redux
Date: Tuesday, August 08, 1995 1:24PM

Sir,

Got a back channel from ASD (SO/LIC) at 0850 today. The requirement is as follows:

"...I ask that you provide the following additional information to this office for our response to the Committee:

A list of all equipment support provided to the BATF and FBI, including the source and date of the request, the DoD approval authority, and date of approval.

A list of all personnel support, including military and civilian personnel engaged in training, maintenance, or medical support, provided to the BATF and FBI, including the source and date of the request, the DoD approval authority and date of approval;

For all categories of support, DoD's cost of providing the support, whether DoD was reimbursed by the requesting agency and, if not the reason DoD was not reimbursed;

The duration of support, e.g., provide the inclusive dates during which equipment of personnel were made available; and

Whether active or reserve components provided the support.

Our response is due NLT Monday, August 21, 1995. I haven't a clue as to where to go for the cost and reimbursement questions. Don't think I'll be attending the EPLO course next week....

cc: ⑫ [REDACTED]

Disapproved _____

Other: _____

(1)

Prepared by: [REDACTED] OASD(SO/LIC)SMA, 695-4133.

Attachments:

As stated



SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-2500

August 7, 1995

MEMORANDUM FOR SECRETARY OF THE ARMY
SECRETARY OF THE AIR FORCE
ASSISTANT SECRETARY OF DEFENSE FOR
HEALTH AFFAIRS
DIRECTOR, JOINT STAFF
CHIEF, NATIONAL GUARD BUREAU

SUBJECT: Congressional Requests for Information About Military Support to
Law Enforcement Agencies Involved in Activities Against Branch Davidians--
ACTION MEMORANDUM

On July 20 and 31, 1995, I testified before the Subcommittee on Crime, Committee on the Judiciary, and the Subcommittee on National Security, International Affairs, and Criminal Justice, Committee on Government Reform and Oversight of the House of Representatives, in the Joint Committee's continuing investigation into the matter of the Branch Davidians. My testimony was about DoD support to law enforcement in connection with this incident. During the hearing, several members requested further information regarding DoD's support to the Bureau of Alcohol, Tobacco, and Firearms (BATF) and the Federal Bureau of Investigation (FBI).

We prepared the attached matrix listing non-sensitive support in response to the Committee's request and based on the information available to us. We revised the original draft to accommodate Army and National Guard Bureau comments. Using this matrix as a starting point, I ask that you provide the following additional information to this office for our response to the Committee:

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A list of all personnel support, including military and civilian personnel engaged in training, maintenance, or medical support, provided to the BATF and FBI, including the source and date of the request, the DoD approval authority and date of approval;

For all categories of support, DoD's cost of providing the support, whether DoD was reimbursed by the requesting agency and, if not, the reason DoD was not reimbursed;

128

The duration of support, e.g., provide inclusive dates during which equipment or personnel were made available; and

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I ask that this request be forwarded through Service or command channels to the level that will provide the most detailed response to the Congress. Responses should be comprehensive and include the requested information about any sensitive support to law enforcement agencies. Information about sensitive support should, of course, be forwarded through appropriate channels.

To provide an expeditious, but complete response to the Joint Committee, I ask that you provide this information no later than Monday, August 21, 1995. If you have any questions about this request or the information we seek, please call (1) [REDACTED] ODASD(DEP&S), 697-5656, or [REDACTED] Office of the Deputy General Counsel (Legal Counsel), 695-6710. (2)

(3) [REDACTED]

Attachment:
As stated



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
FINANCIAL MANAGEMENT
109 ARMY PENTAGON
WASHINGTON DC 20310-0109



11 AUG 1995

MEMORANDUM FOR DIRECTOR, ARMY NATIONAL GUARD

ATTN: NGB-ARC

SUBJECT: Flash Report of Potential Antideficiency Act Violation

Reference your memorandum dated 28 July 1995, subject as above. The potential violation occurred at the U.S. Property and Fiscal Office for Texas. The control number 95-09, has been assigned to this investigation and should be used for subsequent identification and reporting purposes.

In accordance with paragraph 7-7, AR 37-1, the name of the investigating officer, lawyer, and financial management representative assigned to conduct the investigation should be provided to this office by 28 August 1995. If this officer selection suspense cannot be met, provide a status report indicating the expected date of completion and the reason for the delay. A final report (to include MACOM legal review, statements from responsible individuals and all other required documents) is due to the SAFM-FO by 13 ~~October~~ ^{November} 1995, 120 days after the date of discovery.

The point of contact for this action is [REDACTED] He can be reached at (703) 697-0757. Our fax number is (703) 695-2028.

(2) [REDACTED]
Chief, Finance and Accounting
Oversight Division

WACO QUERY

NAME	UNIT	REMARKS
1 [REDACTED]	SOC PAC HAWAII	
2 [REDACTED]	JAPAN	
3 [REDACTED]	USASFC, G3	432-6127
4 [REDACTED]	B Co, 3rd Bn, 3rd SFG(A)	432-2048
5 [REDACTED]	B Co, 3rd Bn, 3rd SFG(A)	432-5416
6 [REDACTED]	B Co, 3rd Bn, 3rd SFG(A)	432-2048
7 [REDACTED]	B Co, 3rd Bn, 3rd SFG(A)	432-4882
8 [REDACTED]	B Co, 3rd Bn, 3rd SFG(A)	432-4087
9 [REDACTED]	USA Combined Tactical Development	
	Detachment Ft Bragg, NC	396-0780
10 [REDACTED]	ETS	
11 [REDACTED]	B Co, 3rd Bn, 3rd SFG(A)	432-4882
12 [REDACTED]	B Co, 3rd Bn, 3rd SFG(A)	432-5416
13 [REDACTED]	USASFC(A)	432-2813
14 [REDACTED]	USASFC(A)	432-6421

Point of contact in this office is [REDACTED] (2)
Comptroller, telephone (512) 465-5104.

Sincerely, (1)
[REDACTED]

Enclosures

Search Conducted By [REDACTED]

Phone: (205)955-7049

How: Files were pulled from individually maintained records.

Where: Building 3221, UGV/SJPO, Redstone Arsenal, AL.

Results: Two folders located with information on hardware and advisory support provided to the Department of Justice related to the Branch Davidian siege in 1993. The folders contain:

a. Folder #1:

1. Letter from the FBI to the Office of the Secretary of Defense, Deputy Director for Tactical Systems, requesting support, with amplifying white paper by the UGV/SJPO Project Manager and hardware specifications.

2. Various notes and internal memorandums documenting status and informal communications.

b. Folder #2:

i. Travel Voucher for one of the persons sent to advise the FBI in Waco, TX.

2. Memorandums documenting the actions taken by all personnel sent to advise the FBI in Waco, TX.

3. Various notes taken during preparations for and support of the FBI.

**** SENATE ARMED SERVICES COMMITTEE ******Fax Cover Sheet**

① Return this receipt to: [REDACTED]

② FAX TO: [REDACTED]

FAX NUMBER: 697-3083

PHONE NUMBER:

③ **COMMENTS:**

Attached are questions that we would like any briefer/presenter to be prepared to answer in the briefing we have requested for Wednesday, 8 September. As I mentioned earlier, we will be discussing this further with SEN Warner this afternoon so more questions are possible and we will certainly get guidance on who will attend. For planning purposes, I would be prepared for Committee Members and staff. Thanks!

④ [REDACTED]

⑤ **FROM:** [REDACTED]

Committee on Armed Services
United States Senate
Room SR-228, Russell Senate Office Building
Washington, D.C. 20510-6050

PHONE: (202) 224 - 9356

*This transmission consists
of 2 pages, including
this cover sheet.*

Names/Telephone Numbers of Individuals Conducting Search:

- 1) [REDACTED] FORSCOM G6, DSN 367-6291
- 2) [REDACTED] FORSCOM Joint Task Force (JTF-6). DSN 978-8758
- 3) [REDACTED] US Army Reserve Command (C) 404-629-8958.
- 4) [REDACTED] HQ Second US Army, DSN 797-5922.
- 5) [REDACTED] Fort Bragg, DSN 236-4206.
- 6) [REDACTED] Fort Campbell, DSN 635-4788.
- 7) [REDACTED] Fort Carson, DSN 691-2381.
- 8) [REDACTED] Fort Devens, DSN 256-2407.
- 9) [REDACTED] Fort Dix, DSN 944-2724.
- 10) [REDACTED] Fort Drum, DSN 347-6371.
- 11) [REDACTED] Fort Lewis, DSN 357-4542
- 12) [REDACTED] Fort McPherson, DSN 362-3175
- 13) [REDACTED] Fort Polk, DSN 863-6112
- 14) [REDACTED] Fort Stewart, DSN 870-7179.

ENC L 1. Doc

Training Waco, Texas ~~3/1~~ - 4/19/93

<u>Subject</u>	<u>Hours</u>
Haz Mat	16
Patient Assessment	20
Triage + Disaster Mgt	20
Breathing Aids + O ₂ Therapy	8
Pediatric Emergencies	14
IV Therapy	16
Environmental Emergencies	10
Special Patients + Behavioral Problems	14
Patient Evacuation	20
Burns	18
Helicopter Ambulance Operations	14
Minor Medical	10
Wound Management	8
Toxicology	14
	<u>202</u> Total

WACO QUERY

<u>NAME</u>	<u>UNIT</u>	<u>REMARKS</u>
1 [REDACTED]	SOCPAC	
2 [REDACTED]	Japan	
3 [REDACTED]	USASFC, G3	
4 [REDACTED]	B Co, 3rd Bn, 3rd SFG (A)	
5 [REDACTED]	B Co, 3rd Bn, 3rd SFG (A)	Deployed
6 [REDACTED]	B Co, 3rd Bn, 3rd SFG (A)	
7 [REDACTED]	B Co, 3rd Bn, 3rd SFG (A)	
8 [REDACTED]	B Co, 3rd Bn, 3rd SFG (A)	Deployed
9 [REDACTED]	C Co, 3rd Bn, 3rd SFG (A)	
10 [REDACTED]	B Co, 3rd Bn, 3rd SFG (A)	
11 [REDACTED]	B Co, 3rd Bn, 3rd SFG (A)	
12 [REDACTED]	B Co, 3rd Bn, 3rd SFG (A)	

07/31/95 11:28 AM TESTIMONY OF H ALAN HOLMES RE WACO 31 JULY 95

Mr. Chairman and Members of the Joint Committee:

I am here before you again to help you and the American people understand fully the role of the Defense Department in supporting civil authorities, in general, and, in particular, the support the Department gave to the Federal Bureau of Investigation near Waco, Texas, in March and April 1993.

As I explained during my testimony on July 20th, the Congress has vested the Secretary of Defense with several means of providing assistance to civil authorities and law enforcement agencies. You will recall that, during the session on the 20th, the focus was on the so-called "drug nexus" and the fact that certain types of the Department's support may be available on a non-reimbursable basis. I noted at the time, though, that much of the day-to-day support that the Department gives to Federal, state, and local law enforcement agencies is provided pursuant to statutes that require agencies to reimburse the Department for their use of our equipment and the services of our personnel. As is the case with many departments of the Federal Government, DoD has well-defined authority, for example in chapter 18 of title 10 of the U.S. Code or under the Economy Act in title 31 of the Code, to provide support to other agencies on a reimbursable basis.

On February 28th, 1993, and during the weeks that followed, the Department received numerous requests for support from the Department of Justice, specifically from the FBI, for assistance at Waco. We responded to these requests by providing equipment and expert advice, pursuant to the Secretary's statutory authority. The

07/31/95 11:28 AM

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support included two M-1 Abrams tanks, five Combat Engineer Vehicles, and ten Bradley Fighting Vehicles that were operated by FBI personnel. While DoD personnel were present at Waco, they did not perform law enforcement functions. The support provided was totally consistent with our statutory authority and with the Congressional intent that DoD's equipment be used in a manner that ensures its return to DoD in a combat-ready status.

We are still working on a response to the Chairman's request for a list of the equipment provided by DoD to law enforcement, but I can give you the following general summary. As I mentioned, DoD support to the FBI included tanks, CEV's and Bradleys. Additionally, we provided about twelve HMMWV's ("HUM-V's"), helicopters for both observation and possible medical evacuation, and some heavy trucks. They were either loaned to the FBI under the Economy Act and operated by FBI personnel or, in the case of standby medical equipment, offered with the understanding that DoD's costs would be reimbursed. Although DoD personnel provided maintenance and training with respect to these vehicles, no DoD personnel operated these vehicles as part of the FBI's law enforcement activities during this period, including April 19th. In fact the Department was meticulous in advising the military personnel who provided support as to the legal limitations on that support.

We also provided some specialized support. The FBI asked for and we provided certain specialized equipment. We provided special video equipment and prototype automated reconnaissance equipment--again, operated by FBI personnel--to assist the FBI in its operations. Although throughout the period as many as 10

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DoD technicians—active military or civilians—advised the FBI on the installation, capabilities or use of this equipment, no DoD personnel directly participated in any law enforcement operations involving the use of this equipment. In addition, from March 10 to 17, we provided equipment to interfere with television reception within the compound, and we provided civilian personnel support to operate that equipment. The equipment was removed from Waco on March 18.

Finally, at the FBI's request, recognizing the potential for injuries resulting from the FBI operations, the Department, as it does in other civilian operations ranging from natural disasters to crisis situations, provided medical support to the FBI. Under a 1991 memorandum of agreement between the Uniformed Services University for Health Sciences--DoD's medical school--and the FBI's Hostage Rescue Team, we provided a team of medical specialists who would be ready to provide emergency medical care to any casualties of the law enforcement operations. These medical professionals were located in the vicinity of the Branch Davidian Compound, but did not directly participate in the law enforcement operations. As an added precaution, the FBI requested and we made available three medical evacuation helicopters and medical personnel on standby at Fort Hood, Texas, should they be needed. They never left Fort Hood.

The Department provided other support to the FBI during March and April of 1993, such as gas masks, night vision devices, and training. I reiterate, though, that no DoD personnel performed any law enforcement functions. For example, we provided essentially "driver training" to ensure that the FBI personnel were properly

07/31/95 11:28 AM

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qualified to operate the vehicles we provided, maintenance support, and emergency medical support. Our support to the FBI was within Congressionally-directed limits and in keeping with Congress' intent that we share our specialized expertise and resources with civilian authorities.

Finally, I know there are questions among members of the Joint Committee concerning a meeting of four DoD personnel with the Attorney General and others on April 14, 1993, and particularly the role of two Army officers consulted by the Attorney General. The Department of Justice requested that the two Army officers attend the meeting, and DoD approved the request. Before coming to Washington, one of the officers flew to Waco, visited the area adjacent to the Compound, and met with an FBI representative. They then overflew the Compound in a helicopter before boarding an FBI aircraft to fly to Washington.

At the meeting the Attorney General's questions centered on two general areas: the effects and risks associated with CS gas and the plan that the FBI had prepared. You have received testimony from one of the four DoD participants in that meeting, Dr. Harry Salem, a civilian employee of the Army, as to the information he provided about CS gas. As for the two Army officers, they related that they had experience with CS as a result of their military training. They advised the Attorney General that people's reactions to CS will vary: some may panic; others may try to continue to function normally by using expedients such as wet cloths to overcome the effects of the gas. When asked by the Attorney General about the FBI's plan, one of them pointed out that they were not qualified to pass

07/31/95 11:28 AM

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judgment on law enforcement operations. They were not authorized to, and they did not approve nor disapprove the plan.

The two officers did point out that the plan differed from what they would plan if this had been a military operation. They emphasized that military operations would call for the application of surprise, speed and violence of action. In that light, they pointed out that in a military operation, CS would be inserted into the whole compound at once, not incrementally as planned by the FBI. With respect to these Army officers, I am convinced that they acted professionally and appropriately at all times.

I will conclude by stressing that the Department takes its statutory authority seriously: we are fully aware of the special charge given us by the Congress and the American people to support civilian authorities. In this case, our support complied with that charge, and none of the DoD personnel who assisted law enforcement agencies during this difficult episode participated directly in any law enforcement operations. I am ready to answer your questions.

TOTAL P.06

Z 0020093



UNCLASSIFIED

**THE JOINT STAFF
WASHINGTON, DC**

Reply ZIP Code:
20318-0300

MEMORANDUM FOR [REDACTED]

Subject: Declassification Review - SOF Assistance in WACO, Texas

1. As requested, the attached document has been reviewed by the Special Operations Division and we concur with the OSD declassification proposal, with one exception.
2. Recommend portions of page 4, paragraph 3, line 15 and 16 of Tab A be retained as classified. Specific portions of Tab A have been bracketed in yellow highlighter for your review. Adoption of this recommendation will maintain consistency with page 1, paragraph 5 of Tab A.
2. Without enclosure, this memorandum is UNCLASSIFIED.

1 a [REDACTED]
2 [REDACTED]

Enclosure

SECRET
UNCLASSIFIED

Z 0032652

From [REDACTED]
To [REDACTED]
Subject : Re: REQ FOR WACO INFO
Date : 10/05/95 08:57

10 May 93

I called [REDACTED] and apparently the reporter has spoken to USASOC PAO and they are the ones who told him to call her. The word she got was that the reporter feels he's getting the run-around. I told her to tell the reporter to submit the FOIA request to her office and she could then FAX it to us. [REDACTED]

[REDACTED] Suggest you advise USASOC FOIA Officer to have reporter call USASOC PAO. They know what is and is not releaseable on this subject (from PA standpoint). In fact they have had public affairs guidance on hand for some time now. vr. [REDACTED]

CLASSIFICATION

(Revised 5/16/95)

JASD(SO/LIC)TASKING SHEET

FO SUSPENSE: _____

ACTION OFFICE

DATE IN: 23 DATE OUT: _____

OSD CONTROL # _____

ACTION COORD INFO

ACTION _____

INFO _____

CMD CONTROL # _____

DEP&S _____

F&R _____

H&RA _____

P&M _____

FROM: DEPOS

SUBJECT: Letter to Honorable Zelt

INCOMING

RETURN ACTIONS

REQUIREMENT:

Date Received: _____

ACTION INFO

ACTION INFO

ASD

ASD SECY

PDASD

PD SECY

EXEC

SR MA

MA

SA

SECY/ADMIN

FILE _____

FO NOTES:

REPLY DIRECT/INFO FO

ACTION FOR ASD/PD SIGNATURE

REVIEW/COMMENT TO _____

ASD Has Seen

3 JAN 23 1993

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DASD NOTES:

*1 [REDACTED] A HAVE
ORIGINAL PACKAGE
TO GO TO MILL.*

2 [REDACTED] 1/24

DIRECTOR NOTES:

ACTION OFFICER: _____

ACTION TAKEN: _____

ATTACH THIS SHEET TO OUTSIDE OF PACKAGE WHEN RETURNING TO FO

CLASSIFICATION

WILLIAM F. CLINGER, JR., PENNSYLVANIA
Chairman

BENJAMIN A. GILMAN, NEW YORK
DAN BURTON, INDIANA
CLYDE LARKE, A. MICHAEL, MARYLAND
CHRISTOPHER SHAYS, CONNECTICUT
STEVEN SCOTT, NEW MEXICO
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WILLIAM R. ZELF, JR., NEW HAMPSHIRE
JOHN M. MURRAY, NEW YORK
STEPHEN HORN, CALIFORNIA
JOHN L. MICA, FLORIDA
PETER BLUTE, MASSACHUSETTS
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GAIL GUTENKUNTZ, MINNESOTA
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JOE SCARBOROUGH, FLORIDA
JOHN BRADEN, ARIZONA
MICHAEL PATRICK FLANNAGAN, ILLINOIS
CHARLES F. BASS, NEW HAMPSHIRE
STEVE C. LAJOURNETTE, OHIO
MAREK J. "MARK" SANKO, SOUTH CAROLINA
ROBERT L. EHRICH, JR., MARYLAND

ONE HUNDRED FOURTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

19 June 1995

CHARLES COLLIER, KANSAS
RANKING MEMBER
NORM A. WAZEMER, CALIFORNIA
TOM LANTOS, CALIFORNIA
ROBERT E. WISE, JR., WEST VIRGINIA
BARRY A. DUNCAN, NEW YORK
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CAROL P. MEYER, FLORIDA
FRANK BRADY, PENNSYLVANIA
CHARRA FATTAM, PENNSYLVANIA

BERNARD SANDERS, VERMONT
Representative

MAJORITY - 223-4076
MINORITY - 223-4081

VIA FACSIMILE

[REDACTED]
Department of Defense
The Pentagon
Washington, D.C. 20815

RE: Attention [REDACTED] - Subcommittee
Investigation of the Waco Matter

3 -
Dear [REDACTED]:

Pursuant to our oversight responsibilities under Rules X and XI of the Rules of the U.S. House of Representatives, the Subcommittee on Crime of the Committee on the Judiciary and the Subcommittee on National Security, International Affairs and Criminal Justice of the Committee on Government Reform and Oversight are investigating the adequacy and effectiveness of the overall management of government operations and activities and general execution of the laws of the United States. See House Rules X(1)(g) and (j); X(2)(b)(2); X(4)(c)(2).

In support of our oversight responsibilities, the Subcommittee request of the Department of Defense a meeting at your earliest convenience to discuss our document production request.

The Subcommittee also believes that in order assure a comprehensive review of the events of early 1993 at Waco that it must interview several DoD personnel. Please make available at Fort. Hood on June 26, 1995, the persons listed below who were involved in the training (JT002E-93 mission) of the BATF agents for the raid on the Branch Davidian Compound, including the commanding officer:

- 4 - 1. [REDACTED]
- 5 - 2. [REDACTED]
- 6 - 3. [REDACTED]
- 7 - 4. [REDACTED]
- 8 - 5. [REDACTED]
- 9 - 6. [REDACTED]



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS
3rd SPECIAL FORCES GROUP (AIRBORNE)
FORT BRAGG, NORTH CAROLINA 28307-5230



AOSO-SFT-SC

23 June 1995

MEMORANDUM FOR Commander, United States Army Special Forces
Command (Airborne), ATTN: G-3, Fort Bragg,
North Carolina 28307

SUBJECT: Waco Incident Document Search

1. Reference: Memo, USASFC(A), dated 22 June 95, SUBJ: SAB.

— 2. IAW the above reference, Headquarters, 3rd Special Forces
Group (Airborne) conducted a negative search for
information/files dealing with the ATF and Branch Davidian
incident.

3. POC, this issue, is ⁽¹⁾ [REDACTED] at 432-3740.

FOR THE COMMANDER:

⁽²⁾
[REDACTED]

EXPEDITE

ACTION ROUTING SLIP		CLASSIFICATION: UNCLASSIFIED	CONTROL NUMBER: 95490530
SUBJECT: ARMY SUPPORT TO FEDERAL LAW ENFORCEMENT AGENCIES IN WACO, TEXAS			
PRIORITY ROUTINE		CALENDAR IMPACT: YES NO TRACK (CIRCLE)	ACTION AND RETURN
<u>3</u> DCSOPS <u>18</u>		EDIT CNTL <u>KA</u>	<u>2</u> FD <u>2</u> ZJ
<u>2</u> ADCSOPS		<u>4</u> SACO <u>008</u>	ODS <u>2</u> ZQ
<u>1</u> XO <u>10 July</u>		DSACO	SS <u>2</u> ZXA
AXO		FILE	TR <u>2</u> ZXG
AXO			ZD <u>2</u> ZM
			ZR <u>2</u>
next under, forwards <u>10000</u> for			
(approval) (decision) (signature) (initial) under marker at <u>ORANGE NUMBER</u>			
BRIEFING:			
FOR: _____ DATE: _____ LOCATION: _____			
ACTION: _____ TIME: _____			
REMARKS:			
FOR SACO USE:			
SUSPENSE:	BY: <u>[REDACTED]</u>	SACO TIME SIGNED: <u>101415 Jul 95</u>	
OCSA SUSP: _____	CLASSIFICATION: UNCLASSIFIED	RESUBMIT TIME:	
OTHER: <u>diag</u>			

OPS FORM 79A-R
31 Oct 83

EXPEDITE

Z 0041708

**OFFICE OF THE DEPARTMENT OF DEFENSE
COORDINATOR FOR DRUG ENFORCEMENT
POLICY AND SUPPORT**

July 31, 1995

TO: ^① [REDACTED] AMO-ODS

TELECOPIER PHONE #: x73147

OFFICE PHONE #: x74331

FROM: ^② [REDACTED] Legal Policy Coordinator
(703) 693-1920. Unclassified FAX: (703) 697-8176
Classified FAX: (703) 693-5304

COMMENTS:

As requested, here are documents related to the "STV" support provided by AMC (MICOM) to the FBI during "Waco II". The first document came from the Army compilation of documents; the others from documents I got from DoD General Counsel's office.

Let me know if you need anything else. Thanks for the fast turn-around.

This FAX consists of 5 pages, including this cover sheet.

STATEMENT BY

 (1)

ASSISTANT SECRETARY OF DEFENSE
FOR SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT

BEFORE THE
SUBCOMMITTEE ON CRIME
OF THE COMMITTEE ON THE JUDICIARY
AND
SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL
AFFAIRS, AND CRIMINAL JUSTICE
OF THE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
HOUSE OF REPRESENTATIVES
FIRST SESSION, 104TH CONGRESS

MATTER OF THE BRANCH DAVIDIANS NEAR WACO, TEXAS

JULY 31, 1995

NOT FOR PUBLICATION UNTIL
RELEASED BY THE HOUSE
JUDICIARY COMMITTEE AND
GOVERNMENT REFORM AND OVERSIGHT COMMITTEE

Mr. Chairman and Members of the Joint Committee:

I am here before you again to help you and the American people understand fully the role of the Defense Department in supporting civil authorities, in general, and, in particular, the support the Department gave to the Federal Bureau of Investigation near Waco, Texas, in March and April 1993.

As I explained during my testimony on July 20th, the Congress has vested the Secretary of Defense with several means of providing assistance to civilian authorities and law enforcement agencies. You will recall that, during the session on the 20th, the focus was on the so-called "drug nexus" and the fact that certain types of the Department's support may be available on a non-reimbursable basis. I noted at the time, though, that much of the day-to-day support that the Department gives to Federal, state, and local law enforcement agencies is provided pursuant to statutes that require agencies to reimburse the Department for their use of our equipment and the services of our personnel. As is the case with many departments of the Federal Government, DoD has well-defined authority, for example in chapter 18 of title 10 of the U.S. Code or under the Economy Act in title 31 of the Code, to provide support to other agencies on a reimbursable basis.

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reconnaissance equipment -- again, operated by FBI personnel -- to assist the FBI in its operations. Although throughout the period as many as 10 DoD technicians--active military or civilians--advised the FBI on the installation, capabilities or use of this equipment, no DoD personnel directly participated in any law enforcement operations involving the use of this equipment. In addition, from March 10 to 17, we provided equipment to interfere with television reception within the compound, and we provided civilian personnel support to operate that equipment. The equipment was removed from Waco on March 18.

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effects of the gas. When asked by the Attorney General about the FBI's plan, one of them pointed out that they were not qualified to pass judgment on law enforcement operations. They were not authorized to, and they did not, approve or disapprove the plan.

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I will conclude by stressing that the Department takes its statutory authority seriously: we are fully aware of the special charge given us by the Congress and the American people to support civilian authorities. In this case, our support complied with that charge, and none of the DoD personnel who assisted law enforcement agencies during this difficult episode participated directly in any law enforcement operations. I am ready to answer your questions.

JUL-22-95 SAT 0:32

P.01


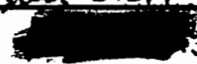
OSD DD1150			DATE Required / /		474 No. 953133		1150 No. 95 4375	
FROM: WAREHOUSE Room: WHSE PENTAGON OSD Subc:			ENTERED BY FD		FILLED BY [REDACTED]			
TO: 2601A Room: 3C962 PENTAGON GC Subc: [REDACTED] 703-695-6804			Barcoded by		Completed by			
BARCODE NSN/Serial No. Cond			NOMENCLATURE			MFG MODEL No.		UI QTY
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	7110011956414		TABLE, OFFICE EXECUTIVE, END,			1	✓	ea 1
	7110011956414		TABLE, OFFICE EXECUTIVE, END,			1	✓	ea 1
JUL-22-	7110011956414		TABLE, OFFICE EXECUTIVE, END,			1	✓	ea 1
Date 95/07/21	Requested By [REDACTED]		Date: 8/7/95		Received By (PLEASE PRINT) [REDACTED]			



DEPARTMENT OF THE ARMY
OFFICE OF
THE JUDGE ADVOCATE GENERAL

TO:  1

(701) 223 - 9679

FROM:  2COMMENTS: Sir: There were no writtenstatements provided to the Congress for the WACOhearings.  has more info on WACO.Perhaps you can chat with him when you visit
 3

No. Pages
after header:

DAJA-ZX (COMM 703-695-4384/DSN 225)

FAX: COMM (703) 695-8370 (DSN 225)

④

NGB-ADI-P (16 JUN 95) (25-55) 1st End [REDACTED] DSN 227-2395
SUBJECT: Congressional Request for Records and Information Relating
to the Matter of the Branch Davidians near Waco, Texas

HQs, Departments of the Army and the Air Force, National Guard
Bureau, ATTN: NGB-ADI-P, Chief, National Guard Bureau, 2500 Army
Pentagon, Washington, DC 20310-2500
21 JUN 1995

FOR General Counsel of the Department of Defense, 1600 Defense
Pentagon, Washington, D.C. 20301-1600

1. Enclosed are the documents relating to the Branch Davidian near
Waco, Texas, as requested in your 16 Jun 95, memorandum in response
to a congressional request. Listed below are the titles of the
information the National Guard Bureau is providing as of
21 Jun 95:

- a. After Action Report of Texas National Guard Counterdrug
Support in Waco, Texas,
- b. Aircraft Technical Inspection Worksheet,
- c. Memorandum of Instruction (MOI) for Mt Carmel Recovery Plan,
- d. Ltr dtd 8 Jun 93, to ATF for reimbursement of supplies and
services provided,
- e. Ltr dtd 27 May 93, to FBI for reimbursement of supplies and
services provided,
- f. Mission 93-6 After Action report dtd 28 Feb 93,
- g. Aircraft Inspection and Maintenance Record,
- h. Operations Detail Report on three Helicopters,
- i. TXNG Support Costs,
- j. Supporting personnel, orders, and Army Aviator's Flight
Records,
- k. ~~Focal Group Report~~ on the Texas National Guard support to
the Bureau of Alcohol, Tobacco and Firearms,

1. Idaho Army National Guard Response to Congressional request
for document, Re: ① The Matter of Randy Weaver, Ruby Ridge Idaho.

2. The POC is ① [REDACTED] at (703) 681-3758.

FOR THE CHIEF, NATIONAL GUARD BUREAU:

12 Encls
as

②

[REDACTED]

③

Program Manager
Freedom of Information Act

Z 0014699

BOOK 1 - Congressional Request for Records and Information Relating to the Matter of the Branch Davidians near Waco, Texas.

TAB A	Responses of the Adjutant General of Texas to the Congressional Request for Records and Information Relating to the Matter of the Branch Davidians near Waco, Texas
TAB B	Chronological Summary of Texas National Guard Support <ol style="list-style-type: none"> 1. Events Prior to February 28, 1993 2. Events of February 28, 1993 3. Statement of events - Helicopter Pilots
TAB C	Texas National Guard Personnel Involved in the Matter of the Branch Davidians <ol style="list-style-type: none"> 1. Alphabetical Roster, with current addresses 2. Roster by Operational Role 3. Roster by Operational Start Date
TAB D	National Guard Support Requests <ol style="list-style-type: none"> 1. Bureau of Alcohol, Tobacco and Firearms 2. Operation Alliance
TAB E	Mission Documents relating to Aerial Photograph support missions <ol style="list-style-type: none"> 1. C-26 Crew Notes/Photo Interpreter Notes 2. Maps of Photo Locations 3. Copies of nine pictures (All film and photos property of ATF)
TAB F	Emergency Operations Center Log - Camp Mabry, Austin, Texas
TAB G	Command Post Log - Texas State Technical College, Waco, Texas
TAB H	AGTX-CD Operations Reports
TAB I	AGTX-CD FY93 Drug Interdiction and Counterdrug Support Plan
TAB J	After Action Report of Texas National Guard Counterdrug Support in Waco, Texas
TAB K	Texas National Guard FY93 Drug Interdiction and Counterdrug Support Plan
TAB L	Freedom of Information Act Requests
TAB M	Bureau of Alcohol, Tobacco, and Firearms support by the Texas National Guard (TXNG) Focal Group
TAB N	Request for interviews of Texas National Guard personnel regarding the Secretary of the Treasury and the Attorney General investigation.

THIS BOOK CONTAINS INFORMATION WHICH IS SUBJECT TO THE PRIVACY ACT OF 1974

ALL DOCUMENTS ARE FOR OFFICIAL USE ONLY

BOOK 2 - Congressional Request for Records and Information Relating to the
Matter of the Branch Davidians near Waco, Texas.

TAB O Texas National Guard Operation Cost Summary

TAB P Aviation Records
1. UC-26
2. Helicopters - Flight Records
3. Helicopters - Aircraft Inspection Records

TAB Q

Loan of Equipment to the Federal Bureau of Investigation and the Bureau of Alcohol,
Tobacco and Firearms

TAB R

Memorandum of Instruction (MOI) for Mt Carmel Recovery Plan

TAB S Equipment Inspection and Maintenance Records

TAB T Fuel Usage Documents

TAB U Reimbursement of Expenses by the Federal Bureau of Investigation and the Bureau of
Alcohol, Tobacco, and Firearms

TAB V Report of Surveys

THIS BOOK CONTAINS INFORMATION WHICH IS SUBJECT TO THE PRIVACY ACT OF 1974

ALL DOCUMENTS ARE FOR OFFICIAL USE ONLY

**BOOK 3 - Congressional Request for Records and Information Relating to the
Matter of the Branch Davidians near Waco, Texas.**

PERTINENT REGULATIONS

TAB 1

NATIONAL GUARD REGULATION (AR) 500-2/ (AF) 55-6 DATED 1 OCT 92

NATIONAL GUARD COUNTERDRUG SUPPORT TO LAW ENFORCEMENT
AGENCIES

TAB 2

NATIONAL GUARD REGULATION (AR) 500-2/ (AF) 55-6 DATED 1 MAR 93

NATIONAL GUARD COUNTERDRUG SUPPORT TO LAW ENFORCEMENT
AGENCIES

TAB 3

NATIONAL GUARD COUNTERDRUG COORDINATOR'S HANDBOOK
DATED 1 OCT 92

TAB 4

ARMY REGULATION 500-50 DATED 21 APR 72

EMERGENCY EMPLOYMENT OF ARMY AND OTHER RESOURCES
CIVIL DISTURBANCES

TAB 5

NATIONAL GUARD REGULATION (AR) 500-1/ (AF) 55-5

EMPLOYMENT OF ARMY AND OTHER RESOURCES
MILITARY SUPPORT TO CIVIL AUTHORITIES

TAB 6

TEXAS NATIONAL GUARD COUNTERDRUG PROGRAM HANDBOOK

TAB 7

TEXAS ARMY NATIONAL GUARD REGULATION 350-3 DATED 1 AUG 92

TRAINING FOR CONTROL OF CIVIL DISTURBANCE

TAB 8

CHAPTER 3 MILITARY ASSISTANCE TO CIVIL AUTHORITIES

TAB 9

ADJUTANT GENERAL'S DEPARTMENT OPLAN DATED 13 JUL 92

MILITARY SUPPORT TO CIVIL AUTHORITIES

**BOOK 4 - Congressional Request for Records and Information Relating to the
Matter of the Branch Davidians near Waco, Texas.**

PERTINENT REGULATIONS

TAB 1	FIELD MANUAL 19-15	DATED NOV 85
	CIVIL DISTURBANCES	
TAB 2	FIELD MANUAL 100-19 / FLEET MARINE FORCE MANUAL 7-10	
	DATED 1 JUL 93	
	DOMESTIC SUPPORT OPERATIONS	

**BOOK 5 - Congressional Request for Records and Information Relating to the
Matter of the Branch Davidians near Waco, Texas.**

PERSONNEL DOCUMENTS

THIS BOOK CONTAINS COPIES OF TOUR ORDERS, TRAVEL ORDERS, AND
SUBMITTED TRAVEL DOCUMENTS OF ALL PERSONNEL OPERATING IN THE
AREA OF THE BRANCH DAVIDIAN COMPOUND NEAR WACO, TEXAS FOR THE
PERIOD OF 28 FEBRUARY 93 THROUGH 19 APRIL 93. A ROSTER OF
PERSONNEL IS ENCLOSED IN BOOK 1, TAB C.

THIS BOOK CONTAINS INFORMATION WHICH IS
SUBJECT TO THE PRIVACY ACT OF 1974

ALL DOCUMENTS ARE FOR OFFICIAL USE ONLY

**BOOK 6 - Congressional Request for Records and Information Relating to the
Matter of the Branch Davidians near Waco, Texas.**

PERSONNEL DOCUMENTS

THIS BOOK CONTAINS COPIES OF TOUR ORDERS, TRAVEL ORDERS, AND
SUBMITTED TRAVEL DOCUMENTS OF ALL PERSONNEL OPERATING IN THE
AREA OF THE BRANCH DAVIDIAN COMPOUND NEAR WACO, TEXAS FOR THE
PERIOD OF 28 FEBRUARY 93 THROUGH 19 APRIL 93. A ROSTER OF
PERSONNEL IS ENCLOSED IN BOOK 1, TAB C.

THIS BOOK CONTAINS INFORMATION WHICH IS
SUBJECT TO THE PRIVACY ACT OF 1974

ALL DOCUMENTS ARE FOR OFFICIAL USE ONLY

DEPARTMENT OF THE ARMY
Headquarters, 1st Special Forces Group (Airborne)
Fort Lewis, Washington 98433

AOSO-SFI-SC

27 June 1995

MEMORANDUM FOR Commander, USASFC(A), ATTN: G3, FT Bragg NC 28307

SUBJECT: Document Search Requirement for Information Related to the Matter of
Branch Davidians/Waco and Ruby Ridge

1. Reference(s): Memorandum, USASFC, dtd 231505 June 95, SUBJ: SAB.
2. 1st SFG(A) has interviewed all available soldiers and reviewed all files and can find no one with any knowledge of either the Branch Davidians/Waco or the Ruby Ridge incidents.
- 1- 3. POC is [REDACTED] Group XO, DSN 357-8600.

2- [REDACTED]
MAJ(P), SF
Group S3

A
ENCL 1

Z 0035072

DAPE-ZX

27 JUN 1995

MEMORANDUM FOR CHIEF, LEGISLATIVE LIAISON, ATTN: [REDACTED] (1)

SUBJECT: Addresses for Hearing

1. The following soldiers are currently assigned to 3rd Special Forces Group, Fort Bragg NC 28307:

(2) [REDACTED]

(12) 2. [REDACTED] is assigned to U.S. Army Element, SOCPAC, Camp Smith HI 96861.

(4) 3. [REDACTED] is assigned to U.S. Army Special Forces Command, Fort Bragg NC 28307.

(5) 4. [REDACTED] has left active duty and resides at [REDACTED] (SA)

(16) (7) 5. There is no record of [REDACTED] or [REDACTED] on active duty. The U.S. Army Reserve Personnel Records Center can not find either soldier with the limited data provided. Request middle name and SSAN be provided.

(8) [REDACTED]
LTC, GS
CACO

DISPER

Z 0028417



OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON DC 20301-3000
June 20, 1995



MEMORANDUM FOR DIRECTOR, DEFENSE RESEARCH & ENGINEERING
ASSISTANT SECRETARY OF DEFENSE (ECONOMIC SECURITY)
ASSISTANT TO THE SECRETARY OF DEFENSE (ATOMIC ENERGY)
DEPUTY UNDER SECRETARY OF DEFENSE (ACQUISITION REFORM)
DEPUTY UNDER SECRETARY OF DEFENSE (ADVANCED TECHNOLOGY)
DEPUTY UNDER SECRETARY OF DEFENSE (ENVIRONMENTAL SECURITY)
DEPUTY UNDER SECRETARY OF DEFENSE (LOGISTICS)
DIRECTOR, DEFENSE PROCUREMENT
DIRECTOR, SMALL & DISADVANTAGED BUSINESS UTILIZATION
DIRECTOR, SPECIAL PROGRAMS
DIRECTOR, STRATEGIC & TACTICAL SYSTEMS
DIRECTOR, TEST, SYSTEM ENGINEERING & EVALUATION
DIRECTOR, ADVANCED RESEARCH PROJECTS AGENCY
DIRECTOR, BALLISTIC MISSILE DEFENSE ORGANIZATION
DIRECTOR, DEFENSE LOGISTICS AGENCY
DIRECTOR, ON-SITE INSPECTION AGENCY

SUBJECT: Congressional Request for Records and Information Relating
to the Matter of the Branch Davidians near Waco, Texas

The General Counsel received the attached request for records from the Chairman, Subcommittee on Crime of the Committee on the Judiciary and from the Chairman, Subcommittee on National Security, International Affairs and Criminal Justice of the Committee on Government Reform and Oversight of the House of Representatives. Please search your files for any documents responsive to this request.

Provide documents found to the Congressional Actions & Internal Reports office, Room 3D765, by 11:00 a.m., June 23, 1995. Negative replies are required in writing to include the name of the individuals who conducted the search, locations searched and dates of the search. Further questions may be directed to [REDACTED], x73459. (2)

[REDACTED]
Deputy Director
Congressional Actions &
Internal Reports

Attachment



TOTAL P.02

Z 0020236



1/e
Waco
OFFICE OF THE
SECRETARY OF DEFENSE

95 AUG 14 PM 12:57

⑪
[REDACTED]

8 August, 1993

②
The Honorable [REDACTED]
Secretary of Defense
The Pentagon
Washington, D.C. 20301-1155

Dear Secretary [REDACTED] ③

It has been brought to my attention that a unit of the British army, the SAS, was present and actively adding the FBI in the incident at Waco Texas.

I have always been under the impression that our own military would not be used against Americans in law enforcement operations. The use of a foreign military unit especially one with such a documented human rights record as the SAS is intolerable. I ask that you furnish details of just how involved the SAS was in the Waco debacle. I would also like to know just how involved the Department of defense is with the British in the U.S.

This has very scary implications for we Americans who are active in promoting the Irish peace process. Thank you for your consideration. I remain,

Sincerely
④ [REDACTED]

U 39092 L95

Z 0018342

AUG 15 1995



(1) [REDACTED]

August 9, 1995

(2) Honorable [REDACTED]
United States House of Representatives
Washington D.C.
Via Fax.

(3) Dear Congressman [REDACTED]

During the Waco hearings on July 31st, Assistant Secretary of Defense, [REDACTED] (4) testified that the British Army Commando Unit, the SAS, was involved in the operation.

I am appalled that a foreign army unit especially one with an atrocious human rights record as the SAS has, would be involved in what was essentially a U.S. law enforcement operation. Were they (SAS) also involved at Ruby Ridge? Neither the terrible carnage at Waco nor the murder of an innocent woman at Ruby Ridge was consistent with the Standard Operational Procedure (SOP) of the FBI -- it did however appear consistent with the SOP of the SAS.

I request that you demand full details of the extent of the involvement of the FBI and the SAS in the United States from Director Froeh and Attorney General [REDACTED] (5)

I would appreciate your giving this top priority because of the domestic impact of foreign troops being used against American citizens on our soil and the adverse impact this could have on the Irish peace process.

I will look forward to your reply.

Sincerely,

(6) [REDACTED]



NGB-ARO-OM
MILITARY SUPPORT
SECTION



111 SOUTH GEORGE MASON DRIVE
ARLINGTON, VIRGINIA 22204-1382

COMM PHONE: (703) 607-xxxx

DSN PREFIX: 327

SECURE FAX PHONE: (703) 607-9350

FAX PHONE: (703) 607-7388

ELECTRONIC MESSAGE ADDRESS: ARO @
ARNGRC-EMH2. ARMY. MIL

TO: TAG TX (1)
ATTN: [REDACTED] (2)
PHONE: FAX: DATE/TIME MONTH/YEAR
COMM: 091346R AUG 95

FROM: [REDACTED] SEC LDR: 9334 (3)
[REDACTED] PRGM ANALYST: 7359 (4)
[REDACTED] OPNS OFF: 9315 (5)
[REDACTED] OPNS OFF: 9311 (6)
[REDACTED] OPNS OFF: 7327 (7)

() ROUTINE (X) PRIORITY () URGENT DOCUMENTS

THIS HEADER SHEET WILL BE FOLLOWED BY 5 PAGE(S).

(X) FOR YOUR INFORMATION & HELP!!!

() YOUR RESPONSE IS REQUESTED

REMARKS: HEADS-UP IN ANOTHER LINK ACKNOWLEDGE:
TASKER! NEED SOME ADD'L INFO AS INDICATED BY
UNDERLINED WORDS - MOST INFO IS ALREADY IN THE MATRIX,
BUT NEED TO EXPAND - HELP!! AS REPLY SOONEST! TNX N.

Aug 28 '95 14:07

P.02

THK waco

HERBERT H. BATEMAN
1st DISTRICT, VIRGINIACOMMITTEES:
NATIONAL SECURITY

CHAIRMAN, SUBCOMMITTEES ON MILITARY READINESS

CHAIRMAN, MERCHANT MARINE PANEL

MEMBER, SUBCOMMITTEE ON
RESEARCH AND DEVELOPMENTMEMBER, MORALE, WELFARE
AND RECREATION PANEL

TRANSPORTATION AND INFRASTRUCTURE

MEMBER, SUBCOMMITTEE ON
SURFACE TRANSPORTATIONMEMBER, SUBCOMMITTEE ON
WATER RESOURCES AND ENVIRONMENTCO-CHAIRMAN, CONGRESSIONAL
AVIATION AND SPACE CAUCUSOFFICE OF THE
SECRETARY OF DEFENSE
5 AUG 24 PM 2: 102350 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4501
(202) 225-4361

DISTRICT OFFICES:

739 THURSTON SQUARE BLVD.
NEWPORT NEWS, VA 23606-2545
(804) 873-11324712 SOUTHPOINT PARKWAY
FREDERICKSBURG, VA 22407
(703) 888-2978

Box 447

ACCOMAC, VA 22301-0447
(804) 787-7836IN VA CALL TOLL FREE
1-800-364-6637Congress of the United States
House of Representatives
Washington, DC 20515-4601

August 23, 1995

Honorables (1)
Assistant Secretary of Defense
Legislative Affairs
The Pentagon, Room 3E966
Washington, DC 20301

Dear (2) (3)

A constituent has contacted my office regarding testimony allegedly made by Assistant Secretary (1) to the effect that the British Special Air Service (SAS) was used in the assault on the Branch Davidian compound in Waco, Texas. A copy of that constituent's letter is enclosed. As I am not familiar with the full content of Secretary Holmes' testimony on the Waco incident, I would appreciate your providing me an explanation for any such involvement by foreign military personnel.

I understand that the U.S. and the British have long maintained a close cooperative relationship in the area of counterterrorism training and fully support such efforts. For the purpose of responding to my constituents who contact me on this issue, however, I need confirmation as to whether there was any foreign military involvement at Waco and, if so, an explanation as to its nature and the reasons for it.

I look forward to receiving the department's response.

With kind regards, I am

Sincerely,

Herbert H. Bateman
Member of CongressHHB/wef
Enclosure

U39669 / 95

CASH COLLECTION VOUCHER

DISBURSING OFFICE COLLECTION VOUCHER NO.

RECEIVING OFFICE COLLECTION VOUCHER NO.

280218

RECEIVING OFFICE	ACTIVITY (Name and location) (Include ZIP Code)	USPPO FOR TEXAS, PO BOX 5229, AUSTIN TX 78762-5218	
	RECEIVED AND FORWARDED BY (Printed name and signature)	DATE	
	(1) [REDACTED] (3)	25 AUG 93	

DISBURSING OFFICE	ACTIVITY (Name and location) (Include ZIP Code)	DEAS IN TX - POST, FORT SAM HOUSTON TX 78234-5000	
	DISBURSING OFFICER (Printed name and signature)	DISBURSING STATION SYMBOL NO.	DATE RECEIVED SUBJECT TO COLLECTION
	(2) [REDACTED] DHO	5086	

PERIOD:

FROM

TO

DATE REC'D	NAME OF REMITTER DESCRIPTION OF REMITTANCE	DETAILED DESCRIPTION OF PURPOSE FOR WHICH COLLECTIONS WERE RECEIVED	AMOUNT	ACCOUNTING CLASSIFICATION
AUG93	BUREAU OF ALCOHOL, TOBACCO & FIREARMS PO BOX 154 WASHINGTON, DC 20044	REIMBURSEMENT FOR REPAIR PARTS ON MIPR# MIPR201009346P BILL# 18250	6,857.61	2132065 18-C8820 P519892.41-26FA S41292 SM 3AHV
AUG93	FEDERAL BUREAU OF INVESTIGATION 10th ST & PENN. AVE. WASHINGTON, DC	REIMBURSEMENT FOR SUPPLIES & SERVICES PROVIDED DURING MT. carnel operations	174,313.13 24,323.16	2132065 18-1041 P519892.41-26FA S41292 SM 3AHV 2132065 18-1041 P519892.30-26FB S41292 LG 3AHV
TOTAL			205,493.90	

DD FORM 1131

REPLACES EDITION OF 1 APR 56 WHICH IS OBSOLETE.

Form approved by Comptroller General, U.S.
24 January 1972

Z 0034253



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-2500

August 30, 1995

SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

(2)

[REDACTED]

(3)

Dear [REDACTED]

In response to your August 8 letter, there were no foreign military personnel at Waco as a result of any association with the Department of Defense. Regarding the Defense Department involvement with British forces, US forces routinely train with foreign military forces at home and abroad. For several years, we have trained with British forces in the United Kingdom as well as hosted them in the United States. Such training with foreign military forces provides significant benefits to US forces in terms of training, equipment familiarity, language proficiency, and cultural awareness. Conduct of this training has been, and will continue to be, fully coordinated with appropriate US government agencies and directly supports US national objectives.

I trust this answers your questions in this matter.

(1)

[REDACTED]



DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF FOR OPERATIONS AND PLANS
400 ARMY PENTAGON
WASHINGTON DC 20310-0400



REPLY TO
ATTENTION OF

DAMO-ODS

30 August 1995

MEMORANDUM THRU DEPUTY CHIEF OF STAFF FOR OPERATIONS AND
PLANS- [REDACTED] 1 Sep (3)
DIRECTOR OF THE ARMY STAFF
ASSISTANT SECRETARY OF THE ARMY
(INSTALLATIONS, LOGISTICS AND
ENVIRONMENT)

FOR GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

SUBJECT: Request for Damage Reports on (2) M1A1 Tanks Damaged During
Support to Law Enforcement During Operations in Waco --
Information Memorandum

1. This memorandum responds to a request for assistance from the Department of Defense General Counsel in locating documents subject as above. Coordination with the Office of the Chief, Legislative Liaison indicated they also wanted property accountability paperwork documenting the loan of these tanks to the FBI.
2. At TAB A is a letter from the company commander who loaned the equipment to the Federal Bureau of Investigation during the time in question. The only damage he reports is a one inch scratch to one of the tank's hulls. In accordance with AR 735-5, paragraph 13-2 this damage would not be sufficient to warrant the commander producing any report.
3. All documents on file related to Waco were already surrendered. Reexamination of files produced no new information related to this issue.

Enclosure

(1)



(2)

/697-4331

NGB-CD

17 November 1995

MEMORANDUM FOR [REDACTED]

SUBJECT: Waco

1. I have reviewed the available documentation from the 1993 Waco period and it appears the Texas CD program was provided \$250,000 in P&A (Army) and \$100,000 in O&M (Army) on the April FAD's in response to my 12 January 1993 and 8 March 1993 request. There is not any documentation available at NGB to indicate how this figure was arrived at or in what increments the requests were approved. At the time in question, [REDACTED] worked all issues involving the distribution of funds to the states and specifically designated the amounts issued. Since I did not request any O&M dollars in my 12 January 1993 memo, I assume the \$100,000 O&M was in response to the 8 March 1993 request relating to the on-going Waco operation.

2. I do recall that there were additional fallout dollars issued to Texas in the third and fourth quarter. This money was not related to any additional written request on our part.

3. Please contact me if I can provide additional information. I can be reached at (703) 681-0811.

[REDACTED]
Lt Col, USAF
Deputy Director, Counterdrug
Directorate

EXHIBIT

Index of Waco Documents Submitted by PAO

1. Hand-written notes on location of personnel providing training to ATF based on media query.
2. List of personnel involved in Waco Query.
3. 14 May 95 article from Pensacola News Journal entitled "Reviewer deploras Special Forces training of Waco agents."
4. 12 May 95 draft news article entitled "Army Special Forces Trained Waco Agents" from OCPA-PCD.
5. 16 May 95 fax from OCPA-PCD of Gannett News Service Article entitled "Military Role in Waco Raids Should Be Looked At, Senator Says."
6. Fax from USSOCOM PAO. Transcript of ^① [REDACTED] testimony before the U.S. Senate on 21 Apr 93.
7. 28 Apr 93 Public Affairs Guidance from USSOCOM PAO.
8. Print-out of E-Mail message from USSOCOM PAO on ^② [REDACTED] testimony before congress on 21 Apr 93.
9. 28 Apr 93 fax from SOCOM-Washington Office which is an excerpt from Attorney General ^③ [REDACTED] prepared press statement.
10. May 95 article from Soldier of Fortune entitled "No Peace Without Justice; Documented Proof That ATF Commandos - Aided by U.S. Special Forces -- Planned "Attack" on Branch Davidians."

Names # 305-318
Social Security #s

Active Duty
Personnel

MEMORANDUM FROM



S-3
1ST SQUADRON, 124TH CAVALRY
49TH ARMORED DIVISION
TEXAS ARMY NATIONAL GUARD



PERSONNEL FROM TASK FORCE WACO

[REDACTED] 96th TRANS CO.
[REDACTED] 96th TRANS CO.
[REDACTED] 96th TRANS CO.
[REDACTED] 96th TRANS CO.
[REDACTED] 96th TRANS CO.
[REDACTED] 96th TRANS CO.
[REDACTED] 96th TRANS CO.
[REDACTED] 96th TRANS CO.
[REDACTED] 628th TRANS CO.
[REDACTED] 628th TRANS CO.
[REDACTED] 628th TRANS CO.
[REDACTED] 628th TRANS CO.
[REDACTED] 96th TRANS CO.
[REDACTED] 96th TRANS CO.

~~13th~~ 13th CUSCOM



Thur Chief
To [REDACTED]

[REDACTED] the only question I
have is related to how we got involved.
Was the "metaphor" lab a subterfuge
to get our (military) (SOF) (?) involvement?
Seems to me we need to be sure what
the ground rules are. Reasonable man
rule applies.

LN
[REDACTED] (3)

00021646

INVENTORY

- ①-① [redacted] flight helmet
- ②-② [redacted] sleeping bag
- ③ Gas meter + charger
- ④ 4 MTV vests + 3 strike plates — 3 helmets 3 vests 2 strike plates
- ⑤ 4 HELMETS (3 green + 1 black)
- ⑥ ~~1 MESH Equipment vest~~
- ③-⑦ [redacted] M-5 bag + 2 spares (not incl John's + John's)
- ? ⑧ 5 Gas Masks (not incl John's + John's)
- ✓ ⑦ 2 Pulse Oximeters (Pedi Bag + Evidence Collection Bag)
- ✓ ⑧ Decm kit
- ✓ ⑨ 4 encrypted portable radios, 5 spare batteries, 4 chargers
- ✓ ⑩ Hot Dog + 2 cigarette lighter extension cords
- ✓ ⑪ Sick Call chest
- ✓ ⑫ M-15 bag
- ④-⑬ [redacted] flight helmet
- ⑭ 2 Rope kits
- ⑤-⑮ [redacted] high vest (blue mesh in med black bag)
- Mr. Amb ⑯ Medical Support Team Banner
- Mr. ⑰ Evidence collection kit
- ⑱ 1100 Toshiba computers
- ✓ ⑲ Case battle dressings
- ✓ ⑳ Coffee Maker
- ⑳ Medical records black pouch + manilla folder
- ✓ ㉑ Suture/lac trays
- ㉒ ~~Thoracotomy tray to Ft. Hood (chest wall)~~
- ㉓ Thoracotomy Tray to Providence (chest tube)
- ✓ ㉔ 10 Nano Litters to Hillcrest
- ✓ ㉕ CN Antidote kits

②⑦ Pedi 1+3 4 Adults Per Trail

TELEFAX COVER SHEET

REGIONAL LOGISTICS SUPPORT OFFICE III

P.O. BOX 8051

EL PASO, TX 79908-8051

DATE: 27 Apr 95

(915) 568-9088
AV PREFIX: 978



TO: [REDACTED]

FROM: [REDACTED]

FAX: _____

FAX: (915) 568-9091
AV PREFIX: 978

NUMBER OF PAGES TRANSMITTED
(INCLUDING COVER PAGE)

1

CLASSIFICATION

- ☐ IMMEDIATE DELIVERY
- ☐ FOR OFFICIAL USE ONLY
- ☒ ROUTINE
- ☒ UNCLASSIFIED

COMMENTS:

SUBJ: RLSD SUPPORT PROVIDED TO ATF IN 1993 FOR 'MT. CARMEL' / WACO, TX.

1. JUSTIFICATION: [REDACTED] (ATF AGENT WHO WAS ASSIGNED TO OPERATION ALLIANCE, 713 449-2073) STATED THAT IT WAS BELIEVED THAT A DRUG LAB WAS ON THE WACO, TX. COMPOUND.
2. SUPPORT REQUESTED CONSISTED OF MAINLY OF UNIFORMS, RAIN GEAR, AND A LOAN OF NIGHT VISION GOGGLES FOR LAW ENFORCEMENT.
3. NOTE, THIS OFFICE HAD NO KNOWLEDGE OF THE ATF OPERATION UNTIL AFTER THE RAID.

INCL# 7

Z 0033955



CIAL OPERATIONS/
NTENSITY CONFLICT

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-2500

July 27, 1995

MEMORANDUM FOR SECRETARY OF THE ARMY
DIRECTOR, NATIONAL GUARD BUREAU

SUBJECT: Response to Congressional Request for Information--Military Support to Law Enforcement Agencies Relating to Activities Against Branch Davidians

As you know, the Subcommittee on Crime, Committee on the Judiciary, and the Subcommittee on National Security, International Affairs, and Criminal Justice, Committee on Government Reform and Oversight of the House of Representatives are holding joint hearings into the actions of law enforcement agencies relating to the Branch Davidian Compound near Waco, Texas, in late 1992 and early 1993. During testimony by DoD representatives on Thursday, July 20, the Chairman of the Joint Committee asked the Department to provide a list of support that DoD had provided to the Bureau of Alcohol, Tobacco, and Firearms and the Federal Bureau of Investigation during those operations. The Joint Committee is particularly interested in the approval authority for the support DoD provided.

The attached matrix is our preliminary draft to be used to respond to the Joint Committee. We prepared it on the basis of our review of documents collected by the DoD General Counsel and summaries prepared by both the Army and the National Guard. It addresses only "conventional support" to law enforcement agencies. I understand that, with the exception of some support provided during "Waco I," equipment and training was provided on a reimbursable basis under the authority of the Economy Act.

Please review the matrix and provide comments, additions, or corrections no later than Monday, July 31, 1995. If you have any questions, please contact [REDACTED] at x31920. (13)

Attachment:
As stated

1 [REDACTED]
2 [REDACTED]
RECEIVED

28 JUL 95 15 12

CORRES & RECORDS CTR

9507228Z

ADV COPY

Z 0024013



DEPARTMENT OF THE NAVY
COMMANDER NAVAL RESERVE FORCE
NEW ORLEANS, LOUISIANA 70146-5000

IN REPLY REFER TO
23 Jun 95

MEMORANDUM

From: Force Judge Advocate, Commander, Naval Reserve Force
To: CNO Assistant for Legal and Legislative Matters
Subj: DOCUMENTS RELATING TO THE MATTER OF THE BRANCH DIVIDIANS
NEAR WACO, TEXAS
Ref: (a) Navy OGC memo of 19 June 95

1. As requested by reference (a) a search was conducted for documents responsive to reference (a). The searches were conducted at three locations.

Naval Reserve Readiness Command Region 11

Naval Air Station Dallas TX

Naval Reserve Intelligence Command, Dallas TX

① [REDACTED] conducted the search at REDCOM 11 on 21 June.
② [REDACTED] conducted the search at NAS Dallas on 21 June. ③ [REDACTED]
[REDACTED] conducted the search at the Reserve Intelligence
Command also on 21 June. No documents responsive to reference
(a) were located. This information has been previously relayed
by telephone. Point of contact for the this command (i.e.,
Commander, Naval Reserve Force, New Orleans, LA), is ④ [REDACTED]
[REDACTED], JAGC, USN, Force Judge Advocate. I may be reached via
the letterhead address or by telephoning: [REDACTED] ⑤ [REDACTED]
⑥ [REDACTED]

⑦

Post-It™ brand fax transmittal memo 7671		# of pages ▶
To	[REDACTED]	[REDACTED]
Co.	[REDACTED]	[REDACTED]
Dept.	[REDACTED]	Phone #

Z 0018096



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600



August 1, 1995

(2)

[REDACTED]
Deputy Assistant Attorney General
Office of Legislative Affairs
U.S. Department of Justice
10th & Constitution Avenue, NW
Washington, DC 20530

(3)

Dear [REDACTED]

Enclosed for your information are copies of additional documents produced by the Department of Defense for the Senate Judiciary Committee and the House subcommittees investigating the incident at Waco.

Sincerely,

(1)

[REDACTED]





DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600



August 1, 1995

(2)

[REDACTED]
Deputy General Counsel
Department of Treasury
Room 3000
1500 Pennsylvania Avenue, NW
Washington, DC 20220

(3)

Dear [REDACTED]

Enclosed for your information are copies of additional documents produced by the Department of Defense for the Senate Judiciary Committee and the House subcommittees investigating the incident at Waco.

Sincerely,

(1)

[REDACTED]



ISGS @ 1711

87-17-22

TRANSMITTAL/ACTION/CONTROL (FORSCOM Memo 1-11)				DATE: 13 Jul 95	
SUBJECT: Response to Congressional Request for Information on CD Mission JT002E-93, Waco, TX				OFFICE SYMBOL/PHONE: (i)	
				AFOP-OD/5014 [REDACTED]	
THRU: <input checked="" type="checkbox"/> G3 <input checked="" type="checkbox"/> CofS <input checked="" type="checkbox"/> DCG TO: <input checked="" type="checkbox"/> JG <input checked="" type="checkbox"/> JN				NAME: [REDACTED] (2)	
ACTION REQUIRED: <input type="checkbox"/> APPROVAL <input type="checkbox"/> SIGNATURE <input checked="" type="checkbox"/> INFORMATION					
BACKGROUND/DISCUSSION: TAB A is the Tasking Message from the Office of Congressional Liaison, Department of the Army. TAB B is the FORSCOM response to the Office of Congressional Liaison request for information for a focused chronology of events which describes DoD support to Bureau of Alcohol, Tobacco, and Firearms (BATF) for mission JT002E-93 in Waco, Texas. This chronology reflects only the mission planning and approval process and was derived from the enclosed JTF-6's original detailed chronology.					
RECOMMENDATION: FORSCOM Position: FORSCOM provided counterdrug support to a law enforcement agency in accordance with the law. <i>This is FYI only. This is the info provided in response to OCL request. [REDACTED] will also FAX copy to [REDACTED] There is no new info here - just repackaged for OCL request.</i>					
ACTION: APPROVED _____ NOTED _____ COMMENT _____					
DIRECTOR					
COORDINATION/CONCURRENCE					
OFFICE	NAME/TITLE	DATE	CONCUR	ROUTING/APPROVALS	
AFCG-JA	[REDACTED]	13 Jul 95	Concur	BRANCH CHIEF	[REDACTED] (18)
JTF-6 COS	[REDACTED]	131500 Jul 95	Concur	DIVISION CHIEF	[REDACTED] 13 Jul 95
USACOM J3D	[REDACTED]	131505 Jul 95	Concur	EXEC OFFICER	
DA DAMO-OD	[REDACTED]	131707 Jul 95	Concur	DEP DIRECTOR	
				SPELL/ADMIN	
FOR COMMAND GROUP USE					
APPROVED BY (Initials/Date)	SGS (Number)		DSGS		
RETURNED FOR ACTION	TASKER	LOG	IN	OUT	
RETURNED FROM ACTION		95-30606	cei 7/14		

HQ FORSCOM Form 1648, 1 Mar 94

Returned from SGS on 18 Jul 95, SKA, 1430



TO: ^① [REDACTED] ^{①A} [REDACTED] OFC SYM: SALL-1L
 FAX PHONE: DSN 703-614-3035 ^② Name #1

COMMENTS: FOR YOUR CONVERSATIONS WITH ^② [REDACTED] enclosed as is tailored chronology
 + supporting documents

FROM: ^③ [REDACTED] X2
 FAX# DSN: 572-2497/COMM: 404-752-2497
 VOICE: DSN: 572-2921/COM: 404-752-2921
 TOTAL PAGES (INCL COVER): ^④ 96 4252/2453

HQs Forces Command, A3CG-JA
 Staff Judge Advocate Office
 Fort McPherson, GA 30330-5000

JUL 13 '95 17:11 FORSCOM SJA



1715- #13
[REDACTED] #12
From DAMO-ODD
HAS "Chopped"

TO: (1A) [REDACTED] (1B) [REDACTED] OFC SYM: SALL-12

FAX PHONE: DSN 703-614-3035

COMMENTS: per your conversations with (2) [REDACTED] #12 enclosed as is tailored chronology
+ supporting documents

#11
FROM: (3) [REDACTED]

FAX# DSN: 572-2497/COMM: 404-752-2497

VOICE: DSN: 572-2921/COM: 404-752-2921

TOTAL PAGES (INCL COVER): (96) 4252/2453

HQs Forces Command, AFCE-JA
Staff Judge Advocate Office
Fort McPherson, GA 30330-5000

JUL 13 '95 17:15 FORSCOM SJH

8 0002598 Z

P.11/10

① [REDACTED] - G3

From: ② [REDACTED] - SJA
To: ③ [REDACTED]
Cc: ⑤ [REDACTED] - G3
Subject: RE: OCLL Request for Waco Chronology
Date: Wednesday, July 12, 1995 5:56PM ⑦

WILCO

⑧ From: [REDACTED]
⑨ To: [REDACTED] ⑩
Subject: RE: OCLL Request for Waco Chronology
Date: Wednesday, July 12, 1995 5:33PM

Before we send to OCLL we should get DAMO to review and chop.jht

⑪ From: [REDACTED] SJA ⑬
⑫ To: [REDACTED] ⑭
⑬ Cc: [REDACTED] ⑮
⑭ SJA CPT (P): [REDACTED] - SJA ⑯
Subject: OCLL Request for Waco Chronology
Date: Wednesday, July 12, 1995 5:19PM ⑰

Sir: Received a telephonic request from OCLL [REDACTED] FORSCOM to prepare a chronology of the request and approval of the DoD support to BATF for the Waco incident. The chronology will be provided by DA to OSD for use in the hearings on 19 Jul. Suspense to DA OCLL is by COB tomorrow.

The detailed request is for a chronology of events starting with the original contact by BATF with OPALLIANCE and ending with the issuance of the mission approval message. They do not want the chronology to deal with the actual support provided, mission execution, etc. Purpose of the chronology is so they can crosswalk what happened in the mission request/consideration/approval process with the procedural requirements laid out for the program during the hearings.

Got OCLL to promise that they would bounce our chronology off DAMO and get OSD to promise to bounce it off BATF prior to the hearing to ensure that all concerned agree with the dates. Also told Karl that we would attach any documents referred to in the chronology to the copy we send to him, but would not use "incl 1" etc on the chronology itself so it could be used in a "stand alone" mode.

⑱ Called [REDACTED] in CD and passed on the above; he is already working it and will bounce the chronology off his counterparts at ACOM and JTF-6 to ensure they agree with our dates. He told me that he thought he could have it done by 1200 tomorrow, since we already have all the info, just a matter of laying it out.

I reminded all that a chronology has already been released to the media and that we needed to be very sensitive to the need for consistency or clear explanation of any inconsistencies between that chronology and the one we prepare.

When the chronology is finished, plan is to fax directly to OCLL with a cover memo signed by [REDACTED] ⑲ or whoever is deemed appropriate. OCLL will coord with DOMS. No need for CofS or CG to sign cover memo.

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310-2200

DAJA-ZB

19 August 1995

MEMORANDUM FOR Ms. [REDACTED] NGB-ARC-M

name 130

SUBJECT: Week of 21 August

1. Thank you for the 18 August memorandum.

2. The schedule of interviews is fine. It appears that my schedule will now include at least the following:

21 August

0800-1200

1200-1300

1330

Army Reserve Forces Policy Committee briefing

Possible lunch with ARFPC

[REDACTED] ARNGRC - 607-7534

name 131

name 132

22 August

am

1330

[REDACTED] NGB-CCG 695-5149

BG [REDACTED] and/or BG [REDACTED] OTJAG

LTC [REDACTED] Pentagon 2E425 693-3814

name 133

name 134, 135

name 136

23 August

0830

1430

1530

LTC [REDACTED] Park Center, Rm 460

691-0971

name 137

COL [REDACTED] NGB-ARP

607-7100

name 138

COL [REDACTED] ARNGRC

607-7040

name 139

24 August

0730

1330

[REDACTED] Pentagon 2E725

[REDACTED] Pentagon 2E725

BG [REDACTED] BG [REDACTED] COL [REDACTED] and LTC [REDACTED]

name 140

name 141

name 142,

name 143

name 144

name 145

25 August

0800-1700

TJAG

26 August

0800-1200

TJAG

DAJA-ZB

SUBJECT: Week of 21 August

3. If possible, I will also attempt to meet with the following persons sometime during the week:

BG [REDACTED], Deputy Director, ARNG 607-7000

COL [REDACTED] and/or COL [REDACTED], NGB-ZA

General Counsel, FEMA

3-339-724

[REDACTED] or COL [REDACTED], Deputy Director, NGB-CD 631-0300

LTC [REDACTED] (Ret.)

[REDACTED] NGB-JAK — must be a [REDACTED] Mon/Tue

693-3714

name 146

name 147

name 148

name 149

name 150

name 151

name 152

4. I would prefer to work out of a private office at the ARNGRC — e.g., in the DARNG's suite, if one is available. However, I will be satisfied with arrangements that you can make at the ARNGRC. As you can see, I will be traveling between the ARNGRC, the Pentagon, Park Center, etc., so my briefcase will be my office.

5. Enclosed is a memorandum which provided to my secretary.

6. Don't be surprised if NDARNG officers working at the ARNGRC try to locate me — to exchange information about ND:

Father (COL) [REDACTED]

LTC [REDACTED], NGB-ARL-

LTC [REDACTED], NGB-ARO-

name 153

name 154

name 155

156

BG, JA, ARNGUS
ARNG Special Assistant to
The Judge Advocate General

P. S.

7. Request you obtain an appropriate supply of DA 2B23 and DA 1574 forms.

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310-2200

DAJA-ZB

17 August 1995

MEMORANDUM FOR Ms. [REDACTED] NGB-ARC-M

Name 172

SUBJECT: Informal AR 15-6 Investigation Concerning Counterdrug Operation TX-0502-VAR-14 (Plus Up) at Waco, TX

1. My preliminary review suggests that I interview at least the following persons:

Texas

Lt. Col. [REDACTED] Task Force Commander (may be working at NGB-CD)

Name 173

Major [REDACTED]

Name 174

Lt. [REDACTED]

Name 175

[REDACTED] Inter-Agency Coordinator

Name 176

Washington, D.C.

COL [REDACTED] Senior NG Liaison Officer to DEA

Name 177

[REDACTED] NGB-CD

Name 178

LTC [REDACTED] NGB-JAS

Name 179

Unknown location

LTC [REDACTED] former liaison officer, BATF

Name 180

2. Could you locate LTC [REDACTED]?

Name 181

3. Could you arrange appointments with Mr. [REDACTED] LTC [REDACTED] and Lt. Col. [REDACTED] sometime during the afternoon of 22 August or during 23 August. I also want to review their files concerning the operation.

Names 182,
183, 184

4. I would like to meet with you at 1330 on 21 August in your office at the ARNG Readiness Center.

5. Could you provide an office for me to work on Monday through Thursday?

[REDACTED] 185
BG, JA, ARNGUS
ARNG Special Assistant to
The Judge Advocate General

Picket Drivers
 Night Vision Goggles (NVGs)
 PSS-11 Hand-held mine detectors
 3KW Generators
 15KW Generators
 Portable Spotlights
 VSS Xenon Searchlights
 (w/vehicles & crews)
 M17 Gas Masks
 M25 Gas masks
 Pickets

6		
100	...	2
2	...	2
2	...	1
1	...	2
2	...	2
2	2	2
34	24	OK... I see when this comes from
22	15	
200		

Equipment provided by the Texas National Guard:

Bradley Fighting Vehicles
 M728 Combat Engineer Vehicles (CEV)
 HMMWVs
 Utility cargo trucks
 UH-60 Helicopter
 OH-58 Helicopters
 UH-60 Helicopters (on stand-by)
 Fuel trucks
 Buses
 Van
 1.5 Ton Trailers
 GP Small Tents
 NVGs
 Body Armor

10	10	see forscam - they
5	2	see on track
12	...	
2	...	
1	1	
2	2	
2	1	
1	1	
2	3	forscam says 2 vans
1	...	
3	3	
unspecified	...	
unspecified	6	
unspecified	100	

Notes:

1. List compiled by OSD-GC in response to Congressional request. Verification indicates applicable quantities found in available documentation available to DAMO-ODS.
2. Tanks, CEVs, and BFVs were provided without weapons and with military markings obscured.

11
 NAME ENDS
 TAC: [REDACTED]
 74234

DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL

7/31/95

[REDACTED] (1)

(2) [REDACTED] and I both would like to have the most recent version. The last one you sent me was, as you pointed out, incomplete and to be supplemented.

Thanks

[REDACTED] (3)



UNCLASSIFIED

DRAFT

DOD SUPPORT FOR WACO #1 (DEC 92 - 28 FEB 93)

<u>DoD Component</u>	<u>Date(s)</u>	<u>Requesting LEA</u>	<u>Equipment/Services Provided</u>	<u>Approval Authority</u>
TEXAS NG	DEC - FEB	ATF	VARIOUS SURV/RECONN/TRANSP MISSIONS BY TEXAS NG USING C-26, OH-58, UH-60	State Plan/TAG
	JAN-FEB	ATF	VARIOUS LOGISTIC/ADMIN/GROUND EQUIP	State Plan/TAG
ALABAMA NG	14 JAN	ATF	AERIAL PHOTO MISSION W/ RF-4C	State Plan
JTF-6	17 FEB	ATF	CD TRNG MISSION TO PREP ATF FOR WACO #1	JTF-6

(11)
I would like to see
most up to date
draft

DASDC/DEPRS/P&S

F-X-7036978176

Jul 21 '95 15:44

P.05

Z 0003980

UNCLASSIFIED

DRAFT

8 Aug 95 Wico -

1. Dec'd call for AF Spt in ASD (SC/LIC)'S office about incriminating.
Get report at 0840.
2. Wrote boss an email (0940) + discussed while returning from KC
briefing w/ [redacted]; 0920 Sent w/order to [redacted] (3)
3. 1126-1315: drafted format + filled in (2)
4. 1400: V.I.T.H.R.I.G. ([redacted] 695-1580/1578)
5. Plan:
 - draw-up draft
 - pursue follow up next week (← (6) fix)
 - FIND OTHER reports
 - a. call IC

(6) b. [redacted] 697-5656

c.

d.

• FRANK Details

(7) a. [redacted] 697-8217

(8) b. [redacted] (Gen Counsel) 697-1137

(9) c. [redacted] - nothing on file

(10) d. [redacted] - 1015 - not in log. wing

(11) e. [redacted] - 1110 - comp; I call back

f. [redacted] Corp IC - 1011 - in file → corp 63 (737-2283)
7203

g. Calculator company - LV until 31 Aug.

(12) h. [redacted] (NG-MIS) 607-7352 [sent fax] not full

i. FORSCUM TO Bldg W. giv. ticket DSN 307-6085

(13)

091642 Aug 95. spoke w/ [redacted]. Run my list by FORSCUM, Lick

(14) then down the st.

071710 Aug 95 [redacted] Corp, 63 (DSN 737-7203/FAX 737-0112)
(817) 2d7

Forced equipment list + tasker. Will call Friday.

11 Aug 95

(15)

• ASSED request for surprise extension to [redacted] to 30 Aug,

(16) • ASSED [redacted] Dir (only checks + noted)

• email to wife Durren, more so on CWS picked up draft + checks

(17)

LEADY Phon call [redacted] → no records kept @ time all over. SJA did AAR.

(SJA phone # 737-3421) (18) collected request'd data: copy to SJA

(Admin 737-7404 Admin Law) DSN 737-2125 [redacted] (2D)

Phon call to SJA → said they'd call

21 Aug 95: call [redacted] SJA. Will call back. Call advised by DIA C 1106 re being 17

understand as if you want me to call person (Chen, more legal than) 697-1263 / 11

in hand in info either.

23 Aug 95: SARA SHOP w/ issue - NO ACTION TO GET REIMBURSED

(19) (20) [redacted] (AFA(ILL'S)): Asked for copy of reimbursement



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-2884

JUL - 3 1995

Waco
Response
E-15



MEMORANDUM FOR GENERAL COUNSEL, DEPARTMENT OF DEFENSE

SUBJECT: Congressional Request for Records and Information
Relating to the Matter of the Branch Davidians near
Waco, Texas

In reply to your memorandum of June 16, 1995 this office found no records or media on the above referenced subject based on the limited information provided.

On June 28, 1995, (1)

(1) conducted two computer based records searches and one telephonic based interview. They were as follows:

a. Investigative Data System (IDS)--maintained solely by the DCIS. Searches were conducted based on individual names and possible titles of cases.

b. Defense Clearance and Investigations Index (DCII)--maintained by the Defense Investigative Service (with other Defense Agencies as contributors to and users of the system; the search was limited to DCIS cases only). Searches were conducted based on individual names and possible titles of cases.

c. (2) contacted (3) to determine if the San Antonio or Houston Resident Agencies or the Dallas Field Office had any involvement with the above subject and was given a negative response.

d. On June 30, 1995, (4)

(4) searched the Hotline Database and received negative results.

(5) If we may provide further information, please contact Ms. (5)

Sincerely,

(6) (7)

Date: Fri, 23 Jun 1995 08:07:57
From: usasoc@soc.mil (USASOC message traffic)
To: aoim@soc.mil
Subject: Re: [O] CONGRESSIONAL REQUEST FOR RECORDS AND INFORMATION
RELATING
Cc: aoop@soc.mil, asocread@soc.mil

Forwarded message follows:

date: THU, 22 JUN 1995, 22:32:08 LOCAL
from: "DA WASHINGTON DC//DACS-DMP-SR//"@ams.com
to: tccfile@ams.com, usasoc@usasoc.soc.mil
subject: [O] CONGRESSIONAL REQUEST FOR RECORDS AND INFORMATION RELATING

OTAUZYUW RUEADWD0386 1732127-UUUU--RUEHNB.
ZNR UUUUU
O R 222100Z JUN 95
FM DA WASHINGTON DC//DACS-DMP-SR//
TO RUEASRB/CDRFORSCOM FT MCPHERSON GA//AFCG/AFIS-RPP//
RUEAAIA/CDRTRADOC FT MONROE VA//ATCS-Z/ATDO-YL//
RUEHNB/CDRUSASOC FT BRAGG NC//AOCG/AOIM-ISR//
RUEAAMC/CDRAMC ALEXANDRIA VA//AMXMI-D//
RUEANBA/CDRUSACIDC WASHINGTON DC//CIOP-CO-PF/CICR-CR//
RUEADWD/DCSPER WASHINGTON DC//DAPE-ZXI-SP//
RUEADWD/DCSINT WASHINGTON DC//DAMI-ZA/DAMI-CIS-L//
RUEADWD/DCSOPS WASHINGTON DC//DAMO-ZA/MOSO-SOD//
RUEADWD/DCSLOG WASHINGTON DC//DALO-ZA/DALO-SAA//
RUEADWD/SG WASHINGTON DC//DASG-AO/AFIP-JA//
RUEADWD/CAR WASHINGTON DC//DAAR-ZX/DAAR-ZXA//
RUEAUSA/CNGB WASHINGTON DC//NGB-ZA/NGBARO-OM//
RUEANEC/COE WASHINGTON DC//DAEN-ZA/DAEN-ZC//
RUEAMTC/CDRMTMC FALLS CHURCH VA//MTMC-CS//
RUEAUSA/ARMED FORCES INSTITUTE OF PATHOLOGY WASHINGTON
DC//AFIP-JA//
RUDHAAA/CDRINSCOM FT BELVOIR VA//IACS-IO//
INFO RUEAUSA/TMO WASHINGTON DC//DACS-DMP//

PAGE 02 RUEADWD0386 UNCLAS
RUEADWD/DAS WASHINGTON DC//DACS-ZD//
RUEAUSA/SAIG WASHINGTON DC//SAIG-ZA/SAIG-IO//
RUEADWD/DA WASHINGTON DC//SALL-IL//
BT

UNCLAS SECTION 01 OF 02

SUBJECT: CONGRESSIONAL REQUEST FOR RECORDS AND INFORMATION RELATING
TO THE MATTER OF THE BRANCH DAVIDIANS NEAR WACO, TEXAS

1. THE PURPOSE OF THIS MESSAGE IS TO LOCATE ANY INFORMATION FROM THE
DEPARTMENT OF DEFENSE REGARDING THE MATTER OF THE BRANCH DAVIDIANS
NEAR WACO, TEXAS, AND THE MATTER OF RANDY WEAVER AT RUBY RIDGE,
IDAHO. THIS SEARCH IS BEING INITIATED PURSUANT TO A REQUEST BY THE
U.S. HOUSE OF REPRESENTATIVES SUBCOMMITTEE ON CRIME OF THE COMMITTEE
ON THE JUDICIARY AND THE SUBCOMMITTEE ON NATIONAL SECURITY,
INTERNATIONAL AFFAIRS AND CRIMINAL JUSTICE OF THE COMMITTEE ON
GOVERNMENT REFORM AND OVERSIGHT.

2 PROVIDE SRIA WITH TELEPHONIC ACKNOWLEDGEMENT OF RECEIPT OF THIS
3KING MESSAGE.

3. THE SUSPENSE FOR REPORTING THAT ALL PERTINENT FILES,
INCLUDING HISTORICAL FILES AND ARCHIVED MATERIALS, HAVE BEEN SEARCHED
AND FOR SUBMISSION OF DOCUMENTS TO SRIA (FINAL REPORTING) IS 30 JUNE



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1600



11 AUG 1995

MEMORANDUM TO THE SECRETARY OF THE ARMY

SUBJECT: Congressional Request for Documents Relating to
the Matter of the Branch Davidians at Waco, Texas

As you know, the Subcommittee on Crime of the Committee on the Judiciary and the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform and Oversight of the House of Representatives have recently concluded hearings on the law enforcement operations at the Branch Davidian Compound in Waco, Texas in early 1993. We have already provided the Subcommittees with approximately 2,000 pages of DoD documents related to the Waco matter, in response to the Subcommittees' request for documents dated June 8. I forwarded this request to you with my memorandum dated June 16.

In response to this request, the Texas National Guard has provided relevant documents to your Office of Legislative Liaison. I request that the Army undertake the task of preparing them for transmission to the Congress.

The National Guard compiled the documents into six numbered "books." Two (2) copies each of books 3, 4, 5, and 6, which will be made available to the Subcommittees upon request, should be delivered to the Office of the Deputy General Counsel (Legal Counsel), Room 3C975, as soon as possible.

Books 1 and 2, which contain the most pertinent information, will be produced to the Subcommittees and require more extensive processing. In accordance with the Subcommittees' request and due to privacy concerns, we have redacted most names from the documents previously provided and assigned a code number to each redacted name. I request that you redact the names from Books 1 and 2 in accordance with the redaction instructions below and compile a list of redacted names and corresponding code numbers, which we will provide to the Subcommittees' staffs separately.



In addition, please redact all Social Security numbers, home telephone numbers, home addresses, and other similar personal identifiers.

Furthermore, each page needs to be bates-stamped with a number preceded by the letter D. The first page should begin with number 2014.

Please provide one (1) bates-stamped unredacted copy and eight (8) bates-stamped redacted copies of Books 1 and 2 to the Office of the Deputy General Counsel (Legal Counsel) no later than 21 August.

The documents are currently located in the Army Legislative Liaison office, 2C634. Please contact [REDACTED] at (703) 695-6804 with any questions or comments. (1)

(12) [REDACTED]

Redaction Instructions:

Military Personnel -- Redact the names of all military personnel below the rank of general or admiral (except (3) [REDACTED] whose name should be redacted).

Civilians -- Redact the names of all civilians below the level of Deputy Assistant Secretary (except David Koresh, whose name should not be redacted).

Facsimile Cover Sheet

① To: [REDACTED]

[REDACTED]

[REDACTED]

② From: [REDACTED]

[REDACTED]

Date: 5 July 95

Pages including this
cover page: 1/

Sir, here is the message that went out concerning request for documents on Waco.
JCS asked me to send this to you.

[REDACTED] ③



OFFICE OF THE DIRECTOR OF
DEFENSE RESEARCH AND ENGINEERING

WASHINGTON, DC 20301-3030

7 JUL 1995

MEMORANDUM FOR DEPUTY DIRECTOR, CONGRESSIONAL ACTIONS AND
INTERNAL REPORTS

SUBJECT: Congressional Request for Records and Information
Relating to the Matter of the Branch Davidians near
Waco, Texas

The office the Director of Defense Research and
Engineering has conducted a thorough search for documents
relating to the subject above and found no records. The
individuals involved with the search were [REDACTED] and [REDACTED]

① [REDACTED]
MI to DDR&E



STAFF JUDGE ADVOCATE USACOM

FROM (Command/Code): J02L7
 NAME OF SENDER: [REDACTED]
 SENDER'S PHONE NUMBER:
 (DSN) 836-5955
 (Commercial) (804) 322-5953 / 5954 / 5955 / 5957
 (FAX) DSN 836-5959 COMM (804) 322-5959 (secure, call first)
 DATE/TIME: 16 June 1995 / 1754 Hours
 NUMBER OF PAGES TRANSMITTED: 8, PLUS COVERSHEET

SUBJECT: CONGRESSIONAL INQUIRY INTO WACO

TO (Command/Code) : FORCES COMMAND
 * * ATTENTION * * : 2 [REDACTED]
 OFFICE PHONE No.: (404) 752-12497 FAX(unclass)

SPECIAL

INSTRUCTIONS: *Here is the advance copy that I talked with you about earlier. Please get it out to the folks who need it as soon as possible. We expect the formal tasking early next week, and the response will have a short fuse. You have DIRLOTH to [REDACTED] to get an answer on the National Guard piece of this.* 2a

Regards, 2b

TRANSMITTAL SHEET

OPTIONAL FORM 89 (7-90) PER General Order - Tham

FAX TRANSMITTAL		# of pages <u>8</u>
To <u>[REDACTED]</u>	From <u>[REDACTED]</u>	
Supl/Agency <u>IDAPNG-SJA</u>	Phone # <u>DSN 572-2453/4252</u>	
Fax # <u>DSN 422-5976</u>	Fax # <u>DSN 572-2497</u>	
NSN 7540-01-317-7368	5099-101	GENERAL SERVICES ADMINISTRATION

REQUEST AND AUTHORIZATION FOR TDY TRAVEL OF DOD PERSONNEL (Reference: Joint Travel Regulations) Travel Authorized as Indicated in Items 2 through 21.						1. DATE OF REQUEST 7 JULY 1995	
REQUEST FOR OFFICIAL TRAVEL							
2. NAME (Last, First, Middle Initial) [REDACTED]			SSN [REDACTED]		3. POSITION TITLE AND GRADE OR RATING [REDACTED]		
4. OFFICIAL STATION [REDACTED]				5. ORGANIZATIONAL ELEMENT [REDACTED]		6. PHONE NO. [REDACTED]	
7. TYPE OF ORDERS TDY			8. SECURITY CLEARANCE TS		9. PURPOSE OF TDY CONGRESSIONAL ESCORT TO [REDACTED]		
10a. APPROX NO. OF DAYS OF TDY (Including travel time) 1			b. PROCEED O/A (Date) 11 JUL 95		CATEGORY: [REDACTED]		
11. ITINERARY <input checked="" type="checkbox"/> VARIATION AUTHORIZED DEPART WASHINGTON, DC TO FT BRAGG, NC AND RETURN							
12. MODE OF TRANSPORTATION							
COMMERCIAL				GOVERNMENT		PRIVATELY OWNED CONVEYANCE (Check one)	
RAIL	AIR	BUS	SHIP	AIR	VEHICLE	SHIP	RATE PER MILE:
X	X	X		X	X		<input checked="" type="checkbox"/> MORE ADVANTAGEOUS TO GOVERNMENT
<input checked="" type="checkbox"/> AS DETERMINED BY APPROPRIATE TRANSPORTATION OFFICER (Overseas Travel Only)				<input checked="" type="checkbox"/> MILEAGE REIMBURSEMENT AND PER DIEM LIMITED TO CONSTRUCTIVE COST OF COMMON CARRIER TRANSPORTATION & RELATED PER DIEM AS DETERMINED IN JTR. TRAVEL TIME LIMITED AS INDICATED IN JTR.			
13. <input checked="" type="checkbox"/> PER DIEM AUTHORIZED IN ACCORDANCE WITH JTR. <input checked="" type="checkbox"/> OTHER RATE OF PER DIEM (Specify)							
14. ESTIMATED COST						15. ADVANCE AUTHORIZED	
PER DIEM		TRAVEL		OTHER		TOTAL	
\$ 26.00		\$		\$		\$ 26.00	
16. REMARKS (Use this space for special requirements, leave, superior or 1st-class accommodations, excess baggage, registration fees, etc.) GOVT QTRS AND MESS FACILITIES DEEMED IMPRACTICABLE AND WOULD ADVERSELY AFFECT ASSIGNED DUTIES AS ESCORT. UTILIZATION OF A RENTAL CAR IS AUTHORIZED. COMMERCIAL CONTRACT CARRIERS DO NOT MEET MISSION REQUIREMENTS. AUTHORIZED TO WITHDRAW CLASS "A" OF \$500.00.							
TRAVEL ADVANCE CITE:							
17. REQUESTING OFFICIAL (Title and signature) [REDACTED]				18. APPROVING OFFICIAL (Title and signature) [REDACTED] CHIEF, CONGRESSIONAL OPNS DIV			
AUTHORIZATION							
19. ACCOUNTING CITATION 2152020.0000 0 22-2010 435212.OOCEA 211A - \$26.00 SCH0417TGW3064/W3AD00 023185 214A - \$ 0 CIC: 2 05 2020 022 023185 DSSN: 6344						FASS O [REDACTED] Travel Assistan, OSA	
20. ORDER AUTHORIZING OFFICIAL (Title and signature) OR AUTHENTICATION By Order of the Secretary of the Army: [REDACTED] Deputy Administrative Assistant						21. DATE ISSUED 10 July 1995	
						22. TRAVEL ORDER NUMBER 07-RS 064	

DD FORM 1610, 1 JUN 67

Z 0023519



DEPARTMENT OF THE ARMY
OFFICE OF THE ADMINISTRATIVE ASSISTANT TO THE SECRETARY
105 ARMY PENTAGON
WASHINGTON DC 20310-0105

10 Jult 1995



Authority No. 07-RS 063

JDRSW

SUBJECT: Travel Orders (CONUS)(#95-250M)

③ [REDACTED] Special Counsel, House Government Reform and Oversight
Committee (HGRO), [REDACTED]
④ [REDACTED] Professional Staff Member, HGRO, [REDACTED]
⑤ [REDACTED] Professional Staff Member, HGRO, [REDACTED]
⑥ [REDACTED] Minority Staff Counsel, HGRO, SSN [REDACTED]
⑦ [REDACTED] Legislative Asst., National Security for Rep Buyer (R-IN)

1. The Secretary of the Army authorizes the above named individuals to depart Washington, DC on or about 11 July 1995 via military aircraft for travel to Ft Bragg, NC and upon completion of this official mission return to Washington, DC on or about 11 July 1995. Variation in itinerary is authorized.

2. Travel via commercial air or ground transportation is authorized for the duration of this official travel. Use of military billets, PX/BX, Commissary, and U.S. medical facilities (at own expense) is authorized. Payment of actual and necessary expenses authorized.

3. DOD security clearance is as follows:

④ a. [REDACTED] (N/A)
b. [REDACTED] (Secret)
c. [REDACTED] (Top Secret)
d. [REDACTED] (Confidential)
e. [REDACTED] (Top Secret)

By Order of the Secretary of the Army:

③ [REDACTED]

① [REDACTED]
Deputy Administrative Assistant

2152020.0000 0 22-2010 435212.OOCEA 211A - \$150.00 FASS 00

LAN4270ZJW3063/W3AC00 023185

214A - \$ 75.00

CIC: 2 05 2020 022 023185

DSSN: 6344

OBLIG: 6344

TDY: \$150.00 (T)

TVL: \$75.00 (T)

② [REDACTED]
Travel Assistant, OSA





ADJUTANT GENERAL'S DEPARTMENT

Post Office Box 5218
Austin, Texas 78763-5218
512-465-5001

AGTX-OTM

16 August 1995

MEMORANDUM THRU Chief, National Guard Bureau, ATTN: NGB-ARO-OM,
111 South George Mason Dr, Arlington, VA
22204-1382

FOR The Assistant Secretary of Defense, ATTN: [REDACTED]
Washington, D.C. 20301-2500

SUBJECT: Congressional Requests for Information About Military
Support to Law Enforcement Agencies Involved in Activities
Against Branch Davidians--ACTION MEMORANDUM

1. Reference, Assistant Secretary of Defense Memorandum, Subject
as above, dated 7 Aug 95.

2. As requested, we are providing information on Texas National
Guard equipment and personnel support, as well as reimbursement
or lack of it from the FBI and BATF. This information was
extracted and consolidated from the six books entitled "Matter of
the Branch Davidians", already furnished by this headquarters,
and in the Committee's possession. Please note the sequence
numbers on the reverse side of those documents, as they
correspond exactly to those in the six books. The only new items
are the reimbursement documents referred to in paragraph 3c
below.

3. Listed below in the sequence requested, is the information
you seek:

a. At Tab A is a list of all major end item equipment
provided to the FBI and BATF. Written approvals and copies of
daily log reports reflecting verbal approvals are also included,
as well as duration of support.

b. At Tab B are consolidated rosters of all Texas National
Guard support personnel, including category, status and duration
of support. Also enclosed is a copy of the State Counterdrug
Support Plan, that includes Memorandums of Understanding with FBI
and BATF. This plan (OPLAN 2-93, Operation Plus Up) outlines
Texas National Guard counterdrug parameters, including the
authorized usage of personnel in support roles.

c. At Tab C are records of support cost to the Texas National Guard and reimbursements by the FBI and BATF. Our records indicate that all reimbursements have been made. Additional reimbursement documents were obtained from USPFO this date, and reflect payment by BATF for supplies in the amount of \$22,037.20, and have been added to this Tab.

4. POC at this office is [REDACTED], DSN 954-5119.

Encl

[REDACTED]
COL, GS, TXARNG
Plans, Opns & Tng Off

① [REDACTED] - G3

From: ② [REDACTED] - SJA
To: ③ [REDACTED]
Cc: ⑤ [REDACTED] - G3
Subject: RE: OCLL Request for Waco Chronology
Date: Wednesday, July 12, 1995 5:56PM

WILCO

⑧ From: [REDACTED]
⑨ To: [REDACTED] ⑩
Subject: RE: OCLL Request for Waco Chronology
Date: Wednesday, July 12, 1995 5:33PM

Before we send to OCLL we should get DAMO to review and chop.jht

⑪ From: [REDACTED] SJA ⑫
⑬ To: [REDACTED] ⑭
⑮ Cc: [REDACTED] ⑯
⑰ SJA CPT (P); [REDACTED] - SJA ⑱
⑲ Subject: OCLL Request for Waco Chronology
Date: Wednesday, July 12, 1995 5:19PM

②③ Sir. Received a telephonic request from OCLL [REDACTED] for FORSCOM to prepare a chronology of the request and approval of the DoD support to BATF for the waco incident. The chronology will be provided by DA to OSD for use in the hearings on 19 Jul. Susupense to DA OCLL is by COB tomorrow.

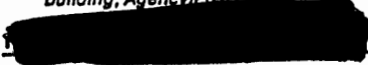
The detailed request is for a chronology of events starting with the original contact by BATF with OPALLIANCE and ending with the issuance of the mission approval message. They do not want the chronology to deal with the actual support provided, mission execution, etc. Purpose of the chronology is so they can crosswalk what happened in the mission request/consideration/approval process with the procedural requirements laid out for the program during the hearings.

②④ Got OCLL to promise that they would bounce our chronology off DAMO and get OSD to promise to bounce it off BATF prior to the hearing to ensure that all concerned agree with the dates. Also told [REDACTED] that we would attach any documents referred to in the chronology to the copy we send to him, but would not use "incl 1" etc on the chronology itself so it could be used in a "stand alone" mode.

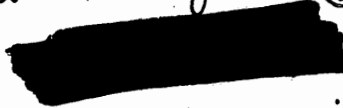
②⑤ Called [REDACTED] CD and passed on the above; he is already working it and will bounce the chronology off his counterparts at ACOM and JTF-6 to ensure they agree with our dates. He told me that he thought he could have it done by 1200 tomorrow, since we already have all the info, just a matter of laying it out.

I reminded all that a chronology has already been released to the media and that we needed to be very sensitive to the need for consistency or clear explanation of any inconsistencies between that chronology and the one we prepare.


②⑦ When the chronology is finished, plan is to fax directly to OCLL with a cover memo signed by [REDACTED] or whoever is deemed appropriate. OCLL will coord with DOMS. No need for CofS or CG to sign cover memo.

ROUTING AND TRANSMITTAL SLIP		Date <i>12 July 95</i>	
TO: (Name, office symbol, room number, building, Agency/Post)		Initials	Date
1.  (1)			
2.			
3.			
4.			
5.			
Action	File	Note and Return	
Approval	For Clearance	Per Conversation	
As Requested	For Correction	Prepare Reply	
Circulate	For Your Information	See Me	
Comment	Investigate	Signature	
Coordination	Justify		

REMARKS

Documents were forwarded to me from  & just for you.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
(2) 	Phone No.

GPO : 1987 O - 192-783

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

17 AUGUST 1995

RECEIVED FROM OFFICE OF GENERAL COUNSEL, LEGAL COUNSEL,
one (1) Bates Stamp - to be returned Wednesday, 23 August 1995.

17 AUG 95
DATE

(V) [REDACTED]
SIGNATURE
NATIONAL GUARD BUREAU, Room 2C357

2C357 [REDACTED] (6)
(H) Take To [REDACTED] (5)
[REDACTED] or
Billings in 2E374 [REDACTED] (6)
For
(5) [REDACTED] 681-3112

V01:

From:

To:

--FOR3083

Note

Date and time

06/26/95 11:13:57

FROM:

OFFICE DAPC-ALS PHONE 202-325-8811 AV

SUBJECT: SF Addresses

1.

CDR, 3d Special Forces Group
Fort Bragg, NC 28307

2.

USA ELA [REDACTED] GMD
Camp Smith, HI 96833

3.

USA Special Forces CMD
Fort Bragg, NC 28307

4.

No record, check [REDACTED]

5.

Name does not exist on microfiche
No record, check [REDACTED]

6.

Hope this helps.

10
cc:

END OF NOTE

Command ==>

F1=Help F2=File F3=Keep F4=Discard F5=Route F6=Reply F7=Resend F8=Print
F9=Newnote F10=Forward F11=Backward F12=Cancel

USAR Unit

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310-2200

DAJA-ZB

19 August 1995

MEMORANDUM FOR (1) [REDACTED], NGB-ZPF

SUBJECT: Alleged Antideficiency Violation — Case №. 95-09

1. Reference AR 37-1, Army Accounting and Fund Control, 30 April 91.
2. Paragraph 29-16c(13), AR 37-1, states that the investigation report concerning an alleged antideficiency violation must include an evaluation of the performance of the fund control responsibilities of the holder of the appropriate fund subdivision. The Chief, National Guard Bureau, has appointed me to conduct an informal AR 15-6 investigation concerning Counterdrug Operation TX-0502-VAR-14 (Plus Up) at Waco, TX, during FY93, and I must include your evaluation of the holder of the fund subdivision, (2) [REDACTED], in the report. The evaluation should only address his performance of fund control responsibilities.

3. Request you provide the evaluation by 22 September 1995 to the following address:

(3) [REDACTED]
NGB-ARC-M
Army National Guard Readiness Center
111 South George Mason Drive
Arlington, VA 22204-1382

4. If you have any questions, request that you call (4) [REDACTED] at 607-7534 or call me at 701-223-2711 (fax: 701-223-9619).

(5) [REDACTED]
BG, JA, ARNGUS
ARNG Special Assistant to
The Judge Advocate General

(6) CF:
(7) [REDACTED]



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1600

8 SEP 1995



Honorable Bill McCollum
Chairman, Subcommittee on Crime
Committee on the Judiciary
U. S. House of Representatives
Washington, DC 20515-0908

Honorable William H. Zeliff
Chairman, Subcommittee on National Security,
International Affairs and Criminal Justice
Committee on Government Reform and Oversight
U. S. House of Representatives
Washington, DC 20515-2901

Dear Mr. Chairman:

Attached to this letter are documents collected by the National Guard Bureau in response to your letter of June 8, 1995, to Secretary Perry. This is our final response to your request.

These documents are provided under the following terms:

1. We have redacted names of individuals from the documents, and have prepared lists of those names, which we can provide to the staff separately. This is in accordance with your request. We have also redacted Social Security numbers.
2. We have organized the documents as they were provided to us by the components that compiled them. There are duplicates of some items in the various compilations because copies of the same document were collected by different offices. We have not removed the duplicates.
3. Each page has been bates-stamped with a number preceded by the letter D, at the request of the Senate Judiciary Committee. The numbers are not necessarily sequential within each component's package because some documents may have been removed for referral to another agency or because



they are not responsive to this request (we have not included drafts of responses to previous congressional requests). There is only one series of numbers throughout the response; each component's package is not separately numbered.

We are producing one copy of these documents with the understanding that they will be made available to both the majority and minority members and staffs of the Subcommittees on equal terms. In addition, we are providing a copy of the same documents to the Senate Judiciary Committee in response to its letter of June 15.

These documents have not been cleared for release to the public. We request that you clear with us prior to any determination to release to the public or otherwise make public use of these documents or any information not already in the public domain contained therein.

In addition to the documents provided to you with this and my previous letters, we have received materials that we have not provided to you. These materials fall into three categories, as follows:

1. Four volumes of additional material from the National Guard Bureau, which includes two volumes of travel orders and travel vouchers for members of the National Guard who were deployed to Waco and two volumes of regulations and manuals. Copies of these materials are available for review in the office of the Deputy General Counsel (Legal Counsel), Department of Defense.
2. Additional classified material subject to special access restriction. Information contained in this material has been addressed in discussions with your staff and in a closed briefing with you and other members of your subcommittees. The documents will be made available to appropriately cleared personnel on request.
3. Three videocassettes, provided to us by DoD components. One, a copy of Waco, The Big Lie, we have not provided to you pursuant to discussions with your staff. The second

cassette contains video recordings made by Secret Service personnel; it has been provided to you by the Treasury Department. The third videocassette, containing remarks by an FBI employee about public affairs matters relating in part to the matter of the Branch Davidians, has been referred to the FBI for a response to your request. This is a standard practice of the Executive Branch and is being followed by other agencies in this matter.

I would like to address one other matter. Congressman Coble asked why the Subcommittees had not received copies of damage reports for the tanks used at Waco on April 19, 1993. We have made inquiries into this matter and understand that no such documents exist. The Army has informed us that the two tanks in question were released to the FBI on hand receipts. The tanks were inspected for damage upon their return to Army control. There was no evidence of recordable damage and, in accordance with the normal procedures, the hand receipts were destroyed. A search of the records of the unit to which the tanks were assigned has turned up no documents reflecting the use of the tanks by the FBI.

Sincerely,

A redacted signature block consisting of two horizontal black bars. The top bar is longer and has a small mark above it. The bottom bar is shorter and is positioned directly below the top bar.

cc: Honorable Karen L. Thurman
Honorable Charles E. Schumer



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1600

8 SEP 1995



Honorable Orrin Hatch
Chairman, Committee on the Judiciary
United States Senate
Washington, DC 20501-4402

Dear Mr. Chairman:

Attached to this letter are documents collected by the National Guard Bureau in response to your letter of June 15, 1995, to Secretary Perry. This is our final response to your request.

These documents are provided under the following terms:

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2. We have organized the documents as they were provided to us by the components that compiled them. There are duplicates of some items in the various compilations because copies of the same document were collected by different offices. We have not removed the duplicates.
3. Each page has been bates-stamped with a number preceded by the letter D, at your request. The numbers are not necessarily sequential within each component's package because some documents may have been removed for referral to another agency or because they are not responsive to this request (we have not included drafts of responses to previous congressional requests). There is only one series of numbers throughout the response; each component's package is not separately numbered.



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In addition to the documents provided to you with this and my previous letters, we have received materials that we have not provided to you. These materials fall into three categories, as follows:

1. Four volumes of additional material from the National Guard Bureau, which includes two volumes of travel orders and travel vouchers for members of the National Guard who were deployed to Waco and two volumes of regulations and manuals. Copies of these materials are available for review in the office of the Deputy General Counsel (Legal Counsel), Department of Defense.
2. Additional classified material subject to special access restriction. Information contained in this material has been addressed in discussions with staff members for the House Subcommittees in connection with their hearings on this subject, and in a closed briefing with members of the House Subcommittees. The documents will be made available to appropriately cleared personnel on request.
3. Three videocassettes, provided to us by DoD components. One is a copy of Waco, The Big Lie. This video was prepared by an outside organization and is in DoD's possession only because of a Congressional inquiry about its contents. It is available to you from other sources; House Subcommittee staffers already have the videotape and have not asked DoD to provide a copy. The second cassette contains video

recordings made by Service personnel; it has been provided to you by the Treasury Department. The third videocassette, containing remarks by an FBI employee about public affairs matters relating in part to the matter of the Branch Davidians, has been referred to the FBI for a response to your request. This is a standard practice of the Executive Branch and is being followed by other agencies in this matter.

Sincerely,

[REDACTED]

cc: Honorable Joseph R. Biden

**OFFICE OF THE DEPARTMENT OF DEFENSE
COORDINATOR FOR DRUG ENFORCEMENT
POLICY AND SUPPORT**

September 29, 1995

TO: [REDACTED] ODGC(LC) (1)

TELECOPIER PHONE #: 614-6745

OFFICE PHONE #: 695-6710

FROM: [REDACTED] (2), Legal Policy Coordinator
(703) 693-1920. Unclassified FAX: (703) 697-8176
Classified FAX: (703) 693-5304

COMMENTS:

(1)
[REDACTED] (3)
As requested, here's a copy of [REDACTED] August 7 memo asking for Waco info.

me

This FAX consists of 6 pages, including this cover sheet.

ACTION ROUTING SLIP		CLASSIFICATION: UNCLASSIFIED	CONTROL NUMBER: 9507138Z
SUBJECT: Request for Damage Reports on (2) M1A1 Tanks Damaged During Support to Law Enforcement Agencies			
PRIORITY ROUTINE		CALENDAR IMPACT: YES NO TRACK (CIRCLE)	ACTION AND RETURN FD ZJ X ODS ZQ SS ZXA TR ZXG ZD ZM ZR
DCSOPS 3 ADCSOPS 11 SEP 2 XO 11 SEP 1 AXO 11 SEP AXO		EDIT CNTL XS SACO DSACO FILE	
022 AB, next under, forwards MEMO for (approval) (decision) (signature) (initial) under marker at top marker			
BRIEFING:			
FOR:		DATE:	LOCATION:
ACTION:		TIME:	
REMARKS:			
FOR SACO USE:			
SUSPENSE: 95090p		BY: [REDACTED] LTC GS	SACO TIME SIGNED: 011136 Sep 15
OCSA SUSP: Call Ao		CLASSIFICATION: UNCLASSIFIED	RESUBMIT TIME:
OTHER: [REDACTED]			

OPS FORM 79A-R
31 Oct 83

Z 0022310



UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

4301 JONES BRIDGE ROAD
BETHESDA, MARYLAND 20814-4700



October 26, 1995

DEPARTMENT OF
MILITARY AND EMERGENCY MEDICINE
CASUALTY CARE RESEARCH CENTER
(301)289-9200

MEMORANDUM FOR (4) [REDACTED] ODGC(LC)

SUBJECT: Request for Information About Military Support to Law Enforcement

(2) [REDACTED] USUHS General Counsel, has asked me to transmit the following information to you regarding USUHS support to the FBI during the Branch Davidian matter.

No equipment was provided to the FBI.

Your office has been previously provided with the original records identifying personnel giving medical support to the FBI and the dates of their participation. I do not have those records. Between 1 March and 21 April, I estimate that 133 man days were expended by USUHS personnel in providing medical support. These personnel were both active duty military and DOD civilian medical practitioners, including physicians and paramedics. This support was provided under a standing Memorandum of Understanding, copies of which were transmitted to Mr. Stewart Aly on 19 July 95. The FBI's request for assistance under this MOU was received from [REDACTED] medical coordinator for the Hostage Rescue Team, on 28 February 93 at 1600 hours. (3)

There was no direct expenditure of funds by USUHS to support this effort, unless you wish to consider the personnel cost for the man-day estimate cited above. Under the MOU with the FBI, all TDY vouchers are filed directly with the FBI and paid by them. I do not have those records. Additionally, the FBI paid directly for all expendable medical supplies. I am not aware of any other categories of support costs which USUHS might have funded. USUHS is reimbursed by the FBI on a fiscal year basis under the MOU.

ation you require. Please call me if you need any further

uncomfortable
w/ turning
this over
+ calling it
a "report"

[REDACTED] (1)

Research Assistant Professor
Director
Casualty Care Research Center

Printed on Recycled Paper

TOTAL P.02
TOTAL P.02

Z 0034174



DEPARTMENTS OF THE ARMY AND THE AIR FORCE

NATIONAL GUARD BUREAU
2500 ARMY PENTAGON
WASHINGTON, D.C. 20310-2500



NGB-ARC (37-20a)

13 OCT 1995

MEMORANDUM FOR PRINCIPAL DEPUTY ASSISTANT SECRETARY OF THE ARMY
(FINANCIAL MANAGEMENT AND COMPTROLLER), ATTN:
SAFM-FO

SUBJECT: Potential Antideficiency Act Violation - Case No. 95-09

1. The Army National Guard has appointed an Investigating Officer, as well as a legal advisor and an auditor to conduct the preliminary review of Case No. 95-09. The report on the preliminary review is due to ASA(FMC) 13 Oct 95. The Investigating Officer is nearing completion of his investigation and finalization of his report but is requesting additional information from the Bureau of Alcohol, Tobacco, and Firearms (BATF) as well as Congressional committee reports on the Waco hearings. The final hearings will be 31 Oct through 1 Nov 95. He believes this information is necessary in order to make a determination on whether a potential violation exists.

2. Request an extension be given on the suspense for submitting the Preliminary Review Report; an additional 60 days (new suspense of 12 Dec 95) is required.

3. The point of contact for this action is [REDACTED] NGB-ARC-M, 607-7534.

FOR THE CHIEF, NATIONAL GUARD BUREAU:

(3)

[REDACTED]
Colonel, GS
Director, Army Comptroller

CF:
NGB-ZA
NGGB-ARZ

PRIVILEGED



REPLY TO
ATTENTION OF

FINANCIAL MANAGEMENT
109 ARMY PENTAGON
WASHINGTON DC 20310-0109

October 26, 1995



MEMORANDUM FOR DIRECTOR, ARMY COMPTROLLER, ARMY NATIONAL GUARD

SUBJECT: Potential Antideficiency Act Violation - Case No. 95-09

Reference your memorandum, date 13 October 1995 (attached). Your request for extension is approved. The due date for the preliminary report is now 12 December 1995.

Due to the sensitive nature of this case, we request that you keep us apprised of the status, findings, and conclusions of the preliminary investigation. Also, if the 12 December 1995 due date can not be met, we request that the investigating officer schedule a meeting with the Principal Deputy Assistant Secretary of the Army (Financial Management & Comptroller) to inform him of the issues and circumstances involved in this case. The purpose of the meeting is to apprise senior management of the issues involving the potential ADA violation and any other facts which may adversely effect the Army.

My point of contact for this action is [REDACTED] He can be reached at (703) 697-0757. Our fax number is (703) 695-2028.

(2) [REDACTED]
Deputy Assistant Secretary of the Army
(Financial Operations)

Attachment

*new date is critical.
Please do all possible to
meet it! Thanks.*
(3)

**OFFICE OF THE DEPARTMENT OF DEFENSE
COORDINATOR FOR DRUG ENFORCEMENT
POLICY AND SUPPORT**

October 26, 1995

①
TO: [REDACTED] HQ, FORSCOM (AF CG-JA)

TELECOPIER PHONE #: (404) 752-2497 (DSN: 572)

OFFICE PHONE #: (404) 752-2971

②
FROM: [REDACTED]
(703) 693-1920. Unclassified FAX: (703) 697-8176
Classified FAX: (703) 693-5304

COMMENTS:

③
[REDACTED]
I just received this last evening. I'll try to get an extension past Monday's deadline, but can't guarantee anything yet. Can your folks please work to assist in drafting a response? I could give a theoretical response based on DOA messages, DoDDs, and other nebulous documents from my files, but I don't want to be inventing things or putting things into the minds and mouths of those who really do the approvals (and other real work). I'm taking the liberty of faxing a copy to Doug Fletcher too so he has a chance to get cracking on his piece. I'll get back to you soonest with any new info--and, I hope, with work that we got an extension.

This FAX consists of 2 pages, including this cover sheet.

27 October 1995

MEMORANDUM FOR SJA, HQ, FORSCOM, Fort McPherson, GA 30330-6000

SUBJECT: Response to Congressional Inquiry

1. Reference Letter, Chairman, Subcommittee on National Security, International Affairs, and Criminal Justice, October 17 1995, No Subject.

2. The following information is provided in response to questions raised in the referenced letter:

a. Department of Defense (DOD) policies, procedures and regulations in force at the time of the Waco siege were:

(1) Secretary of Defense Delegation of Authority, 19 DEC 91, TAB A.

(2) CINC FORSCOM Delegation of Authority, 9 MAR 92, TAB B.

(3) FORSCOM Execute Order for counterdrug mission JT001-93/JT002-93 dtg 012208ZOCT92.

b. Three criteria are used to evaluate support requests from civilian law enforcement agencies. They are:

(1) Is the activity requested authorized under law? (Sec 1004, PL 101-510; Sec 1206, PL 101-189; 10 USC 373, et al).

(2) Is there a clear drug nexus?

(3) Does the mission contribute to the training readiness of the unit?

c. Support requests are received at JTF-6, evaluated to ensure they meet the criteria in paragraph b and approved/disapproved by the Commanding General, JTF-6 or forwarded to the appropriate headquarters (FORSCOM or SECDEF) for action. The vast majority of missions are executed by volunteer units with the concurrence of their MACOM headquarters. On rare occasions it has been necessary to task an aviation unit to provide MEDEVAC support. When necessary, FORSCOM has tasked one of its subordinate units to provide the support.

AFOP-OD

SUBJECT: Response to Congressional Inquiry

3. ⁽¹⁾ [REDACTED] / ⁽²⁾ [REDACTED] at ext. 5020/5014 can provide further information.

3 Encls

⁽³⁾ [REDACTED]
Colonel, FA
Chief, Counterdrug Division, G3

WILLIAM F. CLINGER, JR., PENNSYLVANIA
CHAIRMAN

BENJAMIN A. GILMAN, NEW YORK
DAN BURTON, INDIANA
J. DENNIS MASTERT, ILLINOIS
CONSTANCE A. MORELLA, MARYLAND
CHRISTOPHER SHAYS, CONNECTICUT
STEVEN SCHIFF, NEW MEXICO
LEANA ROS-LEHTINEN, FLORIDA
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JOHN M. MACRUGH, NEW YORK
STEPHEN HORN, CALIFORNIA
JOHN L. MICA, FLORIDA
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MARSHALL "MARK" SANFORD, SOUTH CAROLINA
ROBERT L. EHRLICH, JR., MARYLAND

ONE HUNDRED FOURTH CONGRESS

Congress of the United States House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

October 17, 1995

CARDISS COLLINS, ILLINOIS
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TIM HOLDEX, PENNSYLVANIA

BERNARD SANDERS, VERMONT
INDEPENDENT

MAJORITY—(202) 225-6074
MINORITY—(202) 225-6061

The Honorable H. Allen Holmes
Assistant Secretary of Defense for SOLIC
1300 Defense, Pentagon
Washington, D.C. 20301-1300

Dear Ambassador Holmes:

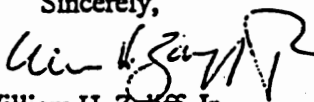
Upon reviewing the documents relating to this subcommittee's recent Waco hearings, my staff has encountered some difficulty ascertaining direct answers to the following questions. I would be grateful if you would provide such answers in writing to the subcommittee at the earliest possible time.

What were the Department of Defense policies, procedures and regulations in force at the time of the Waco siege with respect to the process by which civilian law enforcement agencies were permitted to request and receive military assistance? What criteria were regularly applied, as a matter of policy, by the military in evaluating such requests? Who was, within the military, and as a matter of policy, responsible for (a) receiving such requests from law enforcement for military assistance, (b) approving or denying such requests, and (c) designating that part of the military which would provide the requested and approved assistance?

With regard to military assistance to civilian law enforcement counter-drug activities, precisely what standard and what policies, procedures and regulations were in place at the time of the Waco siege for establishing a bona fide drug nexus? Who specifically was required, under this policy, to conclude that a sufficient drug nexus had been established to warrant military aid from JTF-6? What was the policy in place at that time governing when and how JTF-6 was permitted to become involved in training law enforcement personnel and otherwise offering assistance to law enforcement?

Thank you for your continuing assistance, and I look forward to receiving answers to these questions by Monday, October 30.

Sincerely,


William H. Zeff, Jr.

Chairman

Subcommittee on National Security,
International Affairs, and Criminal Justice

WILLIAM F. CLINGER, JR., PENNSYLVANIA
CHAIRMAN

BENJAMIN A. GILMAN, NEW YORK
DAN BURTON, INDIANA
J. DENNIS HASTERT, ILLINOIS
CONSTANCE A. MCFEEL, MARYLAND
CHRISTOPHER SHAYS, CONNECTICUT
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ROBERT L. EHRlich, JR., MARYLAND

ONE HUNDRED FOURTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

October 25, 1995

CARDISS COLLINS, ILLINOIS
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PAUL E. KANJORSKI, PENNSYLVANIA
CARRY A. CONDT, CALIFORNIA
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BILL K. BREWSTER, OKLAHOMA
TIM HOLDEN, PENNSYLVANIA

BERNARD SANDERS, VERMONT
INDEPENDENT

MAJORITY—(202) 225-5074
MINORITY—(202) 225-5051

The Honorable H. Allen Holmes
Assistant Secretary of Defense for SOLIC
1300 Defense, Pentagon
Washington, D.C. 20301-1300

Dear Ambassador Holmes:

Thank you for your continuing effort in assisting the subcommittee to get elusive answers as we draft our Waco report. A number of specific questions concerning military policy and procedure remain unanswered, and I would like again to put these questions to you directly.

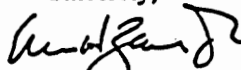
In addition to the questions posed in my October 17 letter to you, I would appreciate your responses to the following:

With respect to the Posse Comitatus Act, we would like to know what policies the military has in place to assure that the Act is not violated? Do you believe that these policies, or the Act itself, require review? Are there military regulations which should be replaced or supplemented by legislation? Does the National Guard's Title XXXII status, which is outside the scope of the Posse Comitatus Act, cause problems? Specifically, who in the military approves Memoranda of Agreements between Governors regarding the use of the National Guard in law enforcement activities?

Do we need to take a closer look at Operation Alliance and or JTF-6 and what policies and regulations define the extent and scope of their use in law enforcement activities? To your knowledge, have troops ever been placed in a questionable situation in providing military assistance due to a tenuous drug nexus? Are there types of training that the Department of Defense is currently teaching or has taught in the past to civilian law enforcement with which you are uncomfortable? And, finally, Could you recommend a technical expert on Bradley tanks to my staff to answer some questions about their capabilities?

Again, thank you again for your assistance, and I would be grateful for your views and assistance on these questions at the earliest possible time.

Sincerely,


William H. Zeff, Jr.

Chairman

Subcommittee on National Security,
International Affairs, and Criminal Justice

Casualty Care Reser Arch Center



Department of Military and Emergency Medicine
 Uniformed Services University of the Health Sciences
 4301 Jones Bridge Road
 Bethesda, MD 20814-4799

Phone: (301) 295-6263
 DSN: 295-6263
 FAX: (301) 295-6718
 FAX DSN: 295-6718

Facsimile Transmittal Header Sheet

① To: [REDACTED]		Phone: 703/695-6710 FAX: 703/614-6745	
Date: 10/26/95		Number of pages: 2 (Including this header sheet)	
② From: [REDACTED] Administrative Assistant		Phone: (301) 295- 6263 FAX: (301) 295-6718	
Remarks: FAX FROM ③ [REDACTED] ④ [REDACTED]			

697-8176

***** -COMM. JOURNAL- ***** DATE OCT-30-1997 *** TIME 09:46 *** P.01

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DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1600



TELECOPIER MEMORANDUM

DATE: 10/30/95

To: [REDACTED] FAX: 697-8176

FROM: [REDACTED]

We are submitting 2 pages, including this Telecopier Memorandum.

If you do not receive all pages, please call _____
at (703) 695-6710 or (703) 697-2714.

REMARKS:

As discussed.





DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1600



TELECOPIER MEMORANDUM

DATE: 10/30/95

To: [REDACTED] **FAX:** 697-8176

FROM: (2) [REDACTED]

We are submitting 2 pages, including this Telecopier Memorandum.

*If you do not receive all pages, please call _____
at (703) 695-6710 or (703) 697-2714.*

REMARKS:

As discussed.



OFFICE OF GENERAL COUNSEL - CORRESPONDENCE ROUTING AND ACTION

1. Client DOD DRUG ENFORCEMENT/COL MCATAMNEY/693-1920		2. Date 11/06/95	3. Suspense 11/15/95	4. OGC Control# 9511060036
5. Subject COORDINATION OF REPORT TO JOINT HOUSE WACO COMMITTEE				
6. PDGC/GC Review	7. Action Office LC		8. Suspense to PDGC/GC 11/13/95	
9. Instructions				
10. Action Attorney Comments [REDACTED] (2)				11. Date / /
12. DGC Clearance/Comments				13. Date / /
14. PDGC/GC Clearance/Comments				15. Date / /
16. Further Action				17. Date / /
18. Final Disposition				19. Date / /

Client: DOD DRUG ENFORCEMENT/COL MCATAMNEY/693-1920

Subject: COORDINATION OF REPORT TO JOINT HOUSE WACO

SECRETARY OF DEFENSE ROUTING SLIP		ACT COPY	INFO COPY		ACT COPY	INFO COPY
	OFFICE OF THE SECRETARY OF DEFENSE			MILITARY DEPARTMENTS		
	SECRETARY OF DEFENSE		X	SECRETARY OF THE ARMY		X
	DEPUTY SECRETARY OF DEFENSE		X	SECRETARY OF THE NAVY		X
	THE SPECIAL ASSISTANT		X	SECRETARY OF THE AIR FORCE		X
	EXECUTIVE SECRETARY		X	JOINT CHIEFS OF STAFF		
	UNDER SEC FOR ACQUISITION & TECHNOLOGY			CHAIRMAN		X
	Director, Defense Research & Engineering			Director, Joint Staff		
	ASD (Economic Security)			DEFENSE AGENCIES		
	UNDER SECRETARY FOR POLICY		X	ADVANCED RESEARCH PROJECT AGENCY		
	ASD (International Security Affairs)			BALLISTIC MISSILE DEFENSE		
	ASD (International Security Policy)			CENTRAL IMAGERY OFFICE		
	ASD (Special Operations/LIC)			DEFENSE COMMISSARY AGENCY		
	ASD (Strategy & Requirements)			DEFENSE CONTRACT AUDIT AGENCY		
	UNDER SEC FOR PERSONNEL & READINESS			DEFENSE FINANCE & ACCOUNTING SERVICE		
	ASD (Force Management)			DEFENSE INFORMATION SYSTEMS AGENCY		
	ASD (Health Affairs)			DEFENSE INTELLIGENCE AGENCY		
	ASD (Reserve Affairs)			DEFENSE INVESTIGATIVE SERVICE		
	COMPTROLLER			DEFENSE LEGAL SERVICES AGENCY		
	Director, Program Analysis and Evaluation			DEFENSE LOGISTICS AGENCY		
	ASD (C3I)			DEFENSE MAPPING AGENCY		
	ASD (Legislative Affairs)		X	DEFENSE NUCLEAR AGENCY		
1	GENERAL COUNSEL	X		DEFENSE SECURITY ASSISTANCE AGENCY		
	INSPECTOR GENERAL			NSA/CENTRAL SECURITY SERVICE		
	DIR, OPERATIONAL TEST & EVALUATION			ON-SITE INSPECTION AGENCY		
	DIR, ADMINISTRATION & MANAGEMENT					
	ATSD (Public Affairs)		X			
TYPE OF ACTION REQUIRED						
	PREPARE REPLY FOR SEC OF DEF SIGNATURE			COMMENTS AND/OR RECOMMENDATIONS		
	PREPARE REPLY FOR DEP SEC OF DEF SIGNATURE			INFORMATION AND RETENTION		
1	REPLY DIRECT. (Forward copy of reply to CCD, Room 3A948)		X	COORDINATE REPLY WITH LA		
	APPROPRIATE ACTION					
REMARKS						
<p style="text-align: center;">CONFIDENTIAL</p>						
ACTION DUE DATE (YYMMDD) 951205		ROUTING DATE (YYMMDD) 951121		OSD CONTROL NUMBER U43883-95		

SJS 95-06321

8 November 1995

DISTRIBUTION C PLUS J-3,
J-5, OCJCS/LA/LC

SECRETARY, JOINT STAFF DIRECTIVE

on

COORDINATION OF RESPONSE TO CONGRESSIONAL INQUIRY RELATED TO
HOUSE WACO HEARINGS

1. The attached is referred to J-3 for DJS REPLY in collaboration with J-5, OCJCS/LA/LC and the Services.
2. The suspense for this action is 15 November 1995, unless an extension is coordinated with the Secretary, Joint Staff.

Joint Secretariat

11/13/95

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SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-2500

November 8, 1995

MEMORANDUM FOR SECRETARY OF THE ARMY
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE
AFFAIRS
GENERAL COUNSEL, DEPARTMENT OF DEFENSE
DIRECTOR, JOINT STAFF
CHIEF, NATIONAL GUARD BUREAU

SUBJECT: Coordination of Response to Congressional Inquiry Related to House Waco Hearings

Attached are two letters (Tabs B and C) from Representative William H. Zeliff, Jr., Chairman of the Subcommittee on National Security, International Affairs, and Criminal Justice, House Committee on Government Reform and Oversight. He was one of the co-chairs of the hearings that the House held this summer into the siege at Waco. Also attached is a proposed response to the two letters (Tab A).

I would like to answer Congressman Zeliff as soon as possible. Please review the proposed response and provide your comments no later than Monday, November 13, 1995. The point of contact for this action is [redacted] Office of the Deputy Assistant Secretary for Drug Enforcement Policy and Support, Room 2E539, 693-1920.

Attachments:
As stated

Note: Suspense extended to 951117, per [redacted]

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ENCLOSURE 2 PK 5137
FIGURE # 1 IMAGE # 729



SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-2500

November 8, 1995

MEMORANDUM FOR SECRETARY OF THE ARMY
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE
AFFAIRS
GENERAL COUNSEL, DEPARTMENT OF DEFENSE
DIRECTOR, JOINT STAFF
CHIEF, NATIONAL GUARD BUREAU

SUBJECT: Coordination of Response to Congressional Inquiry Related to House Waco
Hearings

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② [REDACTED]

Attachments:
As stated

WILLIAM F. CLINGER, JR., PENNSYLVANIA
CHAIRMAN

BENJAMIN A. GILMAN, NEW YORK
DAN BURTON, INDIANA
J. DENNIS HASTERT, ILLINOIS
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ROBERT L. EHRLICH, JR., MARYLAND

ONE HUNDRED FOURTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

16 November 1995

CARDISS COLLINS, ILLINOIS
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TIM HOLDEN, PENNSYLVANIA

BERNARD SANDERS, VERMONT
INDEPENDENT

MAJORITY—(202) 225-5074
MINORITY—(202) 225-5051

The Honorable William Perry
Secretary of Defense
Department of Defense
The Pentagon
Room 3E966
Washington, D.C.

Dear Secretary Perry:

As part of the Subcommittee on National Security, International Affairs, and Criminal Justice's ongoing investigation of the events of early 1993 near Waco, Texas, we have several additional document requests. These are made pursuant to our oversight responsibilities under Rules X and XI of the Rules of the U.S. House of Representatives and concern the adequacy and effectiveness of the overall management of government operations and activities and general execution of the laws of the United States. See House Rules X(1)(g) and (j); X(2)(b)(2); X(4)(c)(2). We are anxious that these final requests be completed by December 5, 1995.

The Subcommittee is now well into our investigation of the Matter of the Branch Davidians near Waco, Texas. In our exhaustive analysis of approximately 100,000 documents, we have found that many of the documents we initially requested from the Department of Defense are not among those documents within our custody. In an attempt to assure that our records include all documents necessary to provide the most comprehensive study of this tragic episode, I would like to ask that you deliver the following documents as designated by Department of Defense Bates numbers:

3-8, 15-16, 19-21, 26-27, 29, 31-32, 35-40, 42-46, 49-50, 52, 58-64, 90-91, 171-172, 175, 177, 179, 182, 184, 186, 188, 191, 198-200, 253, 255-257, 259-266, 276, 356, 396-491, 597, 626, 628-630, 632-633, 637-638, 649-653, 656-657, 660-662, 664, 667-668, 671, 673, 676-677, 684, 721, 772, 779-780, 782-784, 786-794, 801, 808, 810-818, 846-852, 854-865, 882, 919-920, 925-929, 933, 937-938, 955-985, 992-994, 1004, 1059, 1111, 1123-1124, 1140-1141, 1186-1187, 1189, 1218-1219, 1289-1313, 1323-1329, 1349-1350, 1368-1375, 1386-1394, 1397, 1400-1401, 1407-1410, 1423-1427, 1429-1430,

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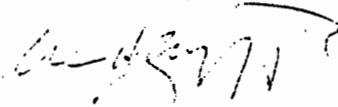
1435-1436, 1438-1446, 1461, 1536-1550, 1552, 1593-1600, 1603-1606, 1608, 1667-1668, 1676-1677, 1679-1680, 1682, 1690-1694, 1794, 1796-1801, 1809-1813.

If there is a reason why any of these documents were excluded and will continue to be excluded, please provide the basis for such exclusion. These documents should be delivered to the Subcommittee on National Security, International Affairs, and Criminal Justice located at B-373 Rayburn House Office Building. Any classified material will be handled appropriately by the Subcommittee or by the full Government Reform and Oversight Committee. Should you have any questions regarding this request please contact Robert Charles or March Bell at (202) 225-2577.

These documents are crucial to a thorough and complete investigation into the Matter of the Branch Davidians near Waco, Texas. No such investigation would be complete without full and complete disclosure. In light of the Subcommittee's commitment to fulfilling its oversight responsibility to the American people, I trust there will be no delay in the fulfillment of this request.

Thank you for your time and cooperation. The Subcommittee looks forward to your reply.

Sincerely yours,



William H. Zeff, Jr., Chairman
Subcommittee on National Security, International Affairs
and Criminal Justice

SECRETARY OF DEFENSE ROUTING SLIP		ACT COPY	INFO COPY		ACT COPY	INFO COPY
OFFICE OF THE SECRETARY OF DEFENSE				MILITARY DEPARTMENTS		
	SECRETARY OF DEFENSE		X		SECRETARY OF THE ARMY	X
	DEPUTY SECRETARY OF DEFENSE		X		SECRETARY OF THE NAVY	X
	THE SPECIAL ASSISTANT		X		SECRETARY OF THE AIR FORCE	X
	EXECUTIVE SECRETARY		X		JOINT CHIEFS OF STAFF	
	UNDER SEC FOR ACQUISITION & TECHNOLOGY				CHAIRMAN	X
	Director, Defense Research & Engineering				Director, Joint Staff	
	ASD (Economic Security)				DEFENSE AGENCIES	
	UNDER SECRETARY FOR POLICY		X		ADVANCED RESEARCH PROJECT AGENCY	
	ASD (International Security Affairs)				BALLISTIC MISSILE DEFENSE	
	ASD (International Security Policy)				CENTRAL IMAGERY OFFICE	
	ASD (Special Operations/LIC)				DEFENSE COMMISSARY AGENCY	
	ASD (Strategy & Requirements)				DEFENSE CONTRACT AUDIT AGENCY	
	UNDER SEC FOR PERSONNEL & READINESS				DEFENSE FINANCE & ACCOUNTING SERVICE	
	ASD (Force Management)				DEFENSE INFORMATION SYSTEMS AGENCY	
	ASD (Health Affairs)				DEFENSE INTELLIGENCE AGENCY	
	ASD (Reserve Affairs)				DEFENSE INVESTIGATIVE SERVICE	
	COMPTROLLER				DEFENSE LEGAL SERVICES AGENCY	
	Director, Program Analysis and Evaluation				DEFENSE LOGISTICS AGENCY	
	ASD (C3I)				DEFENSE MAPPING AGENCY	
	ASD (Legislative Affairs)		X		DEFENSE NUCLEAR AGENCY	
1	GENERAL COUNSEL	X			DEFENSE SECURITY ASSISTANCE AGENCY	
	INSPECTOR GENERAL				NSA/CENTRAL SECURITY SERVICE	
	DIR, OPERATIONAL TEST & EVALUATION				ON-SITE INSPECTION AGENCY	
	DIR, ADMINISTRATION & MANAGEMENT					
	ATSD (Public Affairs)		X			
TYPE OF ACTION REQUIRED						
	PREPARE REPLY FOR SEC OF DEF SIGNATURE			COMMENTS AND/OR RECOMMENDATIONS		
	PREPARE REPLY FOR DEP SEC OF DEF SIGNATURE			INFORMATION AND RETENTION		
1	REPLY DIRECT (Forward copy of reply to CCD, Room 3A948)		X	COORDINATE REPLY WITH LA		
	APPROPRIATE ACTION					
REMARKS						
ACTION DUE DATE (YYMMDD) 951205		ROUTING DATE (YYMMDD) 951121		OSD CONTROL NUMBER U43883-95		

SD FORM 14, MAY 94

PREVIOUS EDITIONS ARE OBSOLETE.

Designed using Perform Pro, WHS/DIOR, May 94
Overprint approved by OSD/WHS/DIOR, May 94

Z 0018285

SWORN STATEMENT

For use of this form, see AR 190-43; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION [REDACTED]	DATE 20 NOV 95	TIME 1500	FILE NUMBER [REDACTED]
SOCIAL SECURITY NUMBER [REDACTED]		GRADE/STATUS [REDACTED]	
ORGANIZATION OR ADDRESS NGB-CD			

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

1. I was the Texas Counterdrug Task Force Commander during Fiscal Year (FY) 1993.

2. I worked with [REDACTED] the Texas Interagency Coordinator. He was employed by the governor's office, located in the Counterdrug Task Force office, and funded with Department of Justice and state funds.

3. We received a letter from the Bureau of Alcohol, Tobacco and Firearms (BATF) on 14 December 1992. Exhibit 15 is a copy of the letter. I noted "OK" on the letter on 14 December 1992, and initialed [REDACTED]

4. Exhibit 16 is a copy of the letter which we received several days later. This letter specifically mentioned that narcotics were possibly involved in the BATF investigation.

5. I did not consider Exhibit 16 to be unusual. Most federal law enforcement officials understand that there must be a drug nexus before counterdrug funds can be used. However, federal law enforcement officials sometimes fail to mention the drug nexus in the initial written request for assistance.

6. We never suggested to federal law enforcement officials that they should assert a drug nexus in their investigation if there was none. Instead, I usually reminded federal officials that the Texas Counterdrug Task Force could not support federal agencies if there was no drug nexus.

7. Exhibit 17 is a copy of the request for aerial photo support from Operation Alliance. This request mentioned a "possible meth lab."

8. We received additional requests for support in December 1992 and January - February 1993. Exhibits 19, 20, and 21 are examples of the written requests.

9. I am aware of questions which have been raised about the "drug nexus" concerning the BATF investigation during December 1992 through February 1993. I had absolutely no suspicion that the BATF operation was not, in some manner, a counterdrug investigation.

10. I did not separately investigate whether the BATF was actually conducting a counterdrug investigation. The Texas Counterdrug Task Force is not authorized to conduct its own counterdrug investigations. In addition, we accept the information provided by the federal law enforcement agencies. However, I recall asking local law enforcement officials about a

EXHIBIT 10	INITIALS [REDACTED]	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE [REDACTED] OF [REDACTED] PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER

DA FORM 2823

SUPERSEDES DA FORM 3823, 1 JAN 68, WHICH WILL BE USED.

Attachment 5

EXHIBIT

10

Z 0015867

Statement of [REDACTED] taken at Washington, D.C., dated 20 November 1995, continued.

possible methamphetamine lab and was informed that the local officials had been informed about a possible lab at the site before Koresh arrived.

11. I knew that the BATF had also requested counterdrug support from JTF-6, and JTF-6 provided the requested support.

12. The Texas Counterdrug Task Force provided six aerial photography flights for the BATF during December 1992 and January - February 1993. The flights are listed in our after action report, Exhibit 39.

13. The BATF requested additional helicopter support for the "dynamic entry" on 28 February 1993. We were informed about the BATF plans for the "dynamic entry" during a training meeting on 27 February 1993 at Fort Hood, TX.

14. I was a passenger on one of the three helicopters involved in the 28 February "dynamic entry" in order to ensure that National Guard personnel complied with all applicable laws and regulations. The helicopters were assigned three key tasks: to provide a command and control platform for the BATF, to divert attention during the "dynamic entry" by BATF agents on the ground, and to provide transportation for a martialing party.

15. All three helicopters were hit by ground fire during the operation. No National Guard personnel were armed and there was no air to ground fire during the operation.

16. It was my understanding that BATF agents were available to enter the Compound and seize a methamphetamine lab on 28 February.

17. During the days after 28 February, I believed that David Koresh would surrender to BATF or FBI agents and that the BATF would enter the Compound and seize a methamphetamine lab.

18. During the first week of March 1993, a question arose as to how to proceed with the funding of the counterdrug personnel supporting the BATF, and the FBI. It is my understanding that [REDACTED] and [REDACTED] decided to continue the Texas Counterdrug Task Force support with counterdrug funding - to not make a change because the hostage situation could be over at any time. [REDACTED] relayed that decision to me.

19. They [REDACTED] and [REDACTED] also decided to handle the large equipment loaned to the FBI under MSCA regulations.

20. It was my understanding that providing personnel support under MSCA regulations was out of the question because the governor would not have authorized state active duty in support of the federal agencies at the Branch Davidian Compound.

21. I coordinated, from Waco, the federal agencies' requests for support after 28 February. The TXARNG provided the equipment listed in Exhibit 39.

Initialed by [REDACTED]

1
Statement of [REDACTED], taken at Washington, D.C., dated 20 November 1995, continued.

22. [REDACTED] 2 attended a meeting with [REDACTED] 3 and others on 23-24 March 1993 in Washington, D.C. I was never informed, after the meeting, that the meeting participants were concerned about using counterdrug funding because the BATF operation had become a FBI hostage rescue mission. 4

23. I did not obtain a copy of the [REDACTED] the April 1993 Focal Group report (Exhibit 36), until July 1995.

24. 5 The [REDACTED] Report was well done. It raised issues that should have been promptly addressed.

25. I requested additional funds from NGB-CD in March 1993 (Exhibit 33). I did not learn, until July 1995, about the correspondence between NGB-CD and NGB-JA (i.e., Exhibits 34 and 37) until July 1995. NGB-CD provided the requested funds.

26. I believed in 1993, and continue to believe today, that counterdrug funds were properly used for the Waco operation:

a. Federal officials told us that they were investigating the Branch Davidians for unauthorized automatic weapons, explosives, and a possible methamphetamine lab. I had no reason to doubt the information.

b. The BATF requested aerial flights which would normally be used to search for methamphetamine labs.

c. I was informed by local law enforcement officials that there had been a methamphetamine lab at the Compound.

d. It was my understanding that the BATF was prepared to seize a lab on 28 February 1993.

e. We believed that Koresh would surrender at any time after 28 February so the BATF could enter the Compound and seize the methamphetamine lab.

f. I was advised to continue counterdrug support to the FBI and the BATF after 28 February 1993.

g. I requested additional counterdrug funds from NGB-CD in March 1993, and additional funds were provided.

h. I was unaware of the [REDACTED] Report and the April 1993 NGB-JA opinion in 1993.

Initialed by [REDACTED] 7

Page 3 of 4 Pages

STATEMENT (Continued)

NOTHING
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FOLLOWS

AFFIDAVIT

I, [REDACTED] HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

2

[REDACTED] (Signature of Person Administering Oath)
Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20th day of Nov 1995
at Alexandria, VA

ORGANIZATION OR ADDRESS

3

[REDACTED] (Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

4

[REDACTED] (Typed Name of Person Administering Oath)

UCMS Article 13p

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

5

PAGE 4 OF 4 PAGES



THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-2500

SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

December 14, 1995

Honorable [REDACTED] -1
Chairman
Subcommittee on National Security, International
Affairs, and Criminal Justice
Committee on Government Reform and Oversight
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515-6143

Dear Mr. Chairman:

This is an interim response to your letters of October 17 and 25, 1995, requesting further information on Department of Defense policies and procedures relating to the support provided to law enforcement agencies involved in the Waco siege. As I am sure you understand, the questions you asked raise many technical issues, and I wish to ensure that our answers are comprehensive and fully coordinated with all interested agencies within the Department.

I anticipate the coordination process will be completed shortly, and hope to provide a final response no later than early January.

Best regards
Sincerely,

[REDACTED] -2
[REDACTED]

[REDACTED] -3
" copy

[REDACTED] -4
12-15

①
[REDACTED]
Who should
get "heads up"
copies of this.
[REDACTED] ②

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515-6216

One Hundred Fourth Congress

TELEFAX MESSAGE

**SUBCOMMITTEE ON CRIME
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES
207 CANNON HOUSE OFFICE BUILDING**

Date:

12/15

To:

[REDACTED] ③

Fax No.:

(703) 697-8299

From: Glenn R. Schmitt

Counsel

Telephone (202) 225-3926

Telefax (202) 225-3737

Comments:

FUR

Hand copy has been mailed

Number of Pages (including cover sheet): _____

- Waco Issue

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ONE HUNDRED FOURTH CONGRESS

Congress of the United States House of Representatives

COMMITTEE ON THE JUDICIARY

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December 13, 1995

The Honorable William Perry
 Secretary of Defense
 The Pentagon
 Washington, D.C. 20301

Dear Secretary Perry:

As part of the joint investigation of the Subcommittee on Crime of the Committee on the Judiciary and the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Government Reform and Oversight concerning the events involving the Branch Davidians near Waco, Texas in early 1993, I submit additional questions and document requests to your department. This request is made pursuant to the Subcommittees' oversight responsibilities under Rules X and XI of the Rules of the House of Representatives and concerns the adequacy and effectiveness of the overall management of government operations and activities and general execution of the laws of the United States. See House Rules X(1), (g), and (j); X(2)(b)(2); X(4)(c)(2).

Please answer in writing the questions set forth below. For the purposes of these questions: "CEV" means any or all of the combat engineering vehicles at the Mt. Carmel Compound on April 19, 1995; "DoD" includes any of the military departments or civilian offices of the Department of Defense and also includes the National Guard; "Mt. Carmel Compound" means the premises near Waco, Texas occupied by members of the Branch Davidian sect in early 1993.

Please also produce the documents requested. Some of these documents may have been produced previously, however, as over 100,000 documents have been produced to the subcommittees, we request that they be produced again so that the Subcommittees' report on this matter can be issued to the American public as soon as possible.

huh?

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95 DEC 18 PM 1:29

Please respond to the following:

1. State the statutory authority for all types of military assistance provided by DoD to law enforcement agencies and which is in any way related to the events that took place at the Mt. Carmel Compound in 1993.
2. State the name, rank, service affiliation, and military occupational specialty of each military officer or enlisted person, or DoD civilian employee present at the Mt. Carmel Compound on any day between February 28, 1993 and April 19, 1993, inclusive of those dates. For each person, state the date or dates each was present, where each person was housed, and a summary of duties he or she performed while present at the Mt. Carmel Compound.
3. State the name, rank, service affiliation, and military occupational specialty of each military officer or enlisted person, or DoD civilian employee present at the Mt. Carmel Compound on any day after April 19, 1993 through June 1, 1993. For each person, state the date or dates each was present, where each person was housed, and a summary of the duties he or she performed while present at the Mt. Carmel Compound.
4. State the number and describe the types of DoD vehicles present at the Mt. Carmel Compound on each day between February 28, 1993 and April 19, 1993, inclusive of those dates.
5. State the number and type of delivery systems on each CEV present at the Mt. Carmel Compound on April 19, 1993.
6. State the capacity (in volume of CS agent) of each CS delivery system on each CEV present at the Mt. Carmel Compound on April 19, 1993.
7. State the disbursant or disbursants used to disburse CS agent from each type of delivery system on each CEV present at the Mt. Carmel Compound on April 19, 1993.
8. State whether DoD has established definitions of the terms "SOT," "CQB," or "drug nexus" as those terms are used in the DoD documents previously produced to the Subcommittees and, if so, state the definitions of those terms.
9. State whether DoD has adopted a policy on the provision of SOT or CQB training to law enforcement agencies. If so, state when the current policy was adopted; summarize that policy, including under what circumstances such training may be provided and what DoD personnel are authorized to provide such training; and state the manner in which current policy differs from any such policy in effect as of December 1, 1992.

10. State whether DoD recognizes as binding on the National Guard any of the compacts or memoranda of understanding that have been entered into between certain of the governors of separate States relating to the training, deployment, or other use of the National Guard located in such State or States.

11. State whether military personnel of any foreign government were present at the Mt. Carmel Compound on any day between February 28, 1993 and April 19, 1993, inclusive of those dates; whether such personnel were present at the request, invitation, or acquiescence of the Department of Defense; and the activities, if any, in which such personnel participated.

Please produce the following documents:

1. All test results or studies conducted by or on behalf of DoD on the toxicity and/or lethality of CS agent, including the effects on human adults and/or children of prolonged exposure to CS agent; the respective concentrations of CS agent that will induce unconsciousness in humans adults and children; and the respective concentrations of CS agent that will cause death to human adults and children.

2. All reports or memoranda, including any legal opinions or analysis prepared by the DoD Office of General Counsel, prepared on or after December 1, 1992, concerning the provision of support to law enforcement agencies.

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5. All reports or memoranda, including audit reports and records of payments to DoD by other federal agencies, concerning the cost to DoD of all DoD activities related to the events that took place at the Mt. Carmel Compound in 1993.

Your response should be delivered to the Subcommittee on Crime located at 207 Cannon House Office Building. Please endeavor to deliver your response on or before January 4, 1996. Any classified material will be handled appropriately by the Subcommittee on Crime. Should you have any question regarding this request you may contact Glenn R. Schmitt, Counsel to the Subcommittee on Crime, at (202) 225-3926.

This information is crucial to a thorough and complete investigation into this matter. Thank you for your prompt attention to this request.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Bill McCollum', with a long horizontal flourish extending to the right.

BILL MCCOLLUM
Chairman
Subcommittee on Crime

BMCC\grs.

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December 13, 1995

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 Secretary of Defense
 The Pentagon
 Washington, D.C. 20301

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This information is crucial to a thorough and complete investigation into this matter. Thank you for your prompt attention to this request.

Very truly yours,



BILL MCCOLLUM
Chairman
Subcommittee on Crime

BMCC\grs



THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

12 DEC 1995

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION & MANAGEMENT
CHIEF, NATIONAL GUARD BUREAU
EXECUTIVE SECRETARY

SUBJECT: Military Assistance to Civil Authorities

On May 17, 1995, I directed the Under Secretary of Defense for Policy (USD[P]) to establish a working group to review how the Department of Defense provides military assistance to outside agencies. They were charged to examine current procedures, identify deficiencies, and provide recommendations to improve the system. The group reports that our system of providing support is sound but needs modification in some areas, particularly those dealing with emergency responses to natural or man-made disasters or civil disturbances and support to law enforcement.

Approval Criteria. Any request for DoD military support will be evaluated by DoD authorizing authorities against certain fundamental criteria: legality (compliance with laws); lethality (potential use of lethal force by or against DoD forces); risk (safety of DoD forces); cost (who pays, impact on DoD budget); appropriateness (whether the requested mission is in DoD's interest to conduct); and readiness (impact on DoD's ability to perform its primary mission).

Request Procedures. To improve visibility and coordination over outside agency requests, the DoD Executive Secretary will be the principal office charged to keep senior OSD leadership informed of emergency support requests and to be the repository of information on all DoD support to outside agencies. Agencies that receive requests for emergency support may informally coordinate with the requesting agency, but they must immediately notify the Executive Secretary. Outside agencies will be informed that verbal requests for support must be followed by a written request. Non-emergency support requests from federal agency headquarters will be in writing. The Executive Secretary will establish notification procedures within 60 days of this memorandum and advise me as to necessary changes and staff expansion.

Approval Authority - Execution Procedures.

Emergency Support. When DoD responds to acts of terrorism whether overseas or domestically, I will personally oversee such matters. For such responses, the CJCS will assist me to

U 44815 / 95

operationally manage these crises using the Joint Staff, assisted in domestic incidents by the Army's Director of Military Support (DOMS) in managing the consequences of a terrorist incident (WMD, Oklahoma City, etc.). The USD(P) and the CJCS, in coordination with the DoD GC, will ensure that our policies and operational procedures are consistent and comply with applicable federal laws and Presidential directives, whether responding to traditional terrorist incidents or ones dealing with weapons of mass destruction (nuclear, chemical, or biological).

All emergency support to civil disturbances (MACDIS) because they may lead to the use of lethal force, will be approved by me. In particular, I will approve the rules of engagement for our forces in responding to a civil disturbance. For emergency support to a natural or man-made disaster (MSCA), support approval is delegated to the SECARMY, unless a CINC's assets are involved. In such MSCA actions, the DOMS staff will develop the courses of action for submission with the request through the Joint Staff to the Chairman prior to obtaining my decision. Following my decision, the CJCS will transmit orders through DOMS to the appropriate CINC for execution and management by the SECARMY. When CINC assets are not involved, the SECARMY, as my Executive Agent, may task the Services or DoD agencies directly to provide emergency support.

The Executive Agent (SECARMY) will retain his dedicated staff, currently established under the Director of Military Support (DOMS), to respond to domestic emergency support requests. The CJCS will assist the SECARMY in ensuring that the DOMS staff has adequate Joint Staff expertise by identifying select full time positions as joint critical and pre-designating Joint Staff members to augment DOMS during a crisis.

As an example, an outside agency, such as the FBI/DOJ (civil disturbance emergencies) or FEMA (emergency disasters), seeking assistance in a domestic emergency, will go to the DOMS staff, who will immediately notify the Executive Secretary and Joint Staff of the request and begin staffing the action. For a civil disturbance emergency, because of its potential for use of lethal force, the DOMS staff will always forward the support request with recommended courses of actions through the Joint Staff and Chairman to me for a decision. For FEMA requests dealing with emergency disasters, the DOMS staff will review the request to determine if the request can be handled by a Service's assets alone or if CINC assets are required.

If the former is the case, the DOMS staff will submit the request with recommended courses of action to the SECARMY for approval and subsequent tasking of the appropriate Service(s). In the event that a CINC's assets are required to deal with an emergency disaster, the DOMS staff will submit the support request with recommended courses of actions through the Joint Staff and the CJCS to me for a decision. Following my decision, in either a civil disturbance emergency or emergency disaster requiring CINC assets, the Chairman will send the order through DOMS to the appropriate CINC for execution and management by the Secretary of the Army.

Non-Emergency Support. Overall, our non-emergency support system is satisfactory. Procedural and approval authorities for sensitive support to outside agencies will remain as presently constituted and comply, as necessary, with the guidelines defined below. Requests for support from civilian law enforcement agencies must be carefully examined prior to approval. No request will be approved without a legal review. Such requests must be approved or under oversight by a general officer or senior civilian equivalent. All law enforcement requests must be evaluated against the intended purpose of the support. Any requests to assist law enforcement agencies that will result in a

planned event with the potential for confrontation with named individuals /groups or use of lethal force must be forwarded to my office for approval

Overall. Any support provided by my Executive Agent in emergency matters, or by Service Secretaries for non-emergency matters, that impacts on readiness, must be brought to the attention of the CJCS. As part of revised reporting procedures, I want the Executive Secretary to be notified of any engineer support provided by the Services to outside agencies pursuant to the Stafford Act or other legislative authority that is not covered by other emergency support reporting means.

Implementation. The USD(P) will lead an effort to identify for formulation, revision, or cancellation those DoD directives, memorandums of understanding/agreement (MOU/MOA), policies, CONPLANS, and regulations, which impact on military assistance to outside agencies. In particular, clear definitions should be developed for MOUs/MOAs and procedures delineated on how the Executive Secretary's office can maintain for my review all MOUs/MOAs agreed to by DoD. The working group will oversee the updating of directives, regulations, etc. to ensure they meet the intent of this memorandum. The USD(P) will provide me periodic updates and a final report no later than six months from today. Supporting CONPLANS will be updated or established by the CJCS within eight months from the date of this memorandum.

I applaud the efforts of the work done to date. I expect the same thoroughness and cooperation in completing this very important undertaking for DoD and the many outside agencies we support. Our goal is to streamline our procedures and ensure accountability, without degrading our responsiveness to the needs of the nation.

William G. Kemp

NGB-JAK (27-1a)

7 December 1995

MEMORANDUM FOR NGB-ARC

Subject: Report of Preliminary Investigation of Antideficiency Act Violation (Case # 95-09), WACO, TX

1. At your request, we have reviewed the above captioned case. Our compliments to the investigating officer (IO). He has performed a herculean task in a scholarly manner. His in-depth analysis of the facts form the basis of his conclusions which are generally correct.
2. The investigation concerns the use of counterdrug funds by the Texas National Guard (TXNG) in support of Operation Trojan Horse, an operation initiated by the Bureau of Alcohol, Tobacco, and Firearms (BATF) at Waco, Texas. The Secretary of Defense was authorized during FY 1993 pursuant to 32 U.S.C. 112, to provide funds to the Governors of States who submitted an acceptable plan concerning the State's drug interdiction and counter-drug program. The issue presented in this case is: "Was the purpose statute (31 U.S.C. 1301 (a) violated in this case which resulted in an antideficiency violation (31 U.S.C. 1341 (a))?"
3. For the purposes of this investigation, he has divided the operation into three phases. Phase 1-TX-CD Support to the BATF investigation (11 December 1992 through 24 February 1993). Phase 11-Service of the Search Warrant (25-28 February 1993). Phase 111-The hostage rescue efforts (29 February 1993 through equipment recovery).
4. The IO found no violation of either the purpose statute nor the antideficiency Act in Phase 1. We concur. The facts clearly indicate a valid drug nexus existed during this phase of the operation. Therefore, the use of 32 U.S.C. 112 funds for this purpose was proper.
5. The IO found a violation of the purpose statute in phase 11. We concur. The evidence indicates that the special agent in charge of BATF was the highest ranking official who knew about the search warrant, and could have taken corrective action by notifying the TX National Guard, and they could have taken appropriate action to change the mission to a military support mission.
6. The IO found a violation of the purpose statute in Phase 111. Again, he found that the violation was continuing. Thus, BATF was

NGB-JA

SUBJECT: Antideficiency Violation Investigation, Case # 95-09,
WACO, TX

found responsible. He also indicates that NGB-CD had knowledge and could have corrected the problem during FY 93. We believe he should have pursued this aspect of the investigation. The file indicates that NGB-CD had knowledge that the extra equipment (Bradleys, night goggles, etc) were provided to both BATF, and the FBI under the military support program. The issue was directly addressed during the NGB "focal group" meeting, and [REDACTED] summary of the meeting states: "All evidence points to the fact that this has now become a hostage rescue situation, and the support request clearly fit, and in fact are being handled under the MSCA rules." The spence report continued: "The focal group feels that pending legal interpretation, those personnel supporting and maintaining the equipment that is being provided under MSCA rules should be in State active duty status". The legal opinion issued by NGB-JA found that drug law enforcement ceased to be a substantial portion of the activity. All of this information points to the fact that NGB-CD had knowledge and advise concerning the use of 32 U.S.C 112 funds for National Guard personnel. If NGB-CD had knowledge and did not take corrective action, an antideficiency violation may have occurred on the part of NGB-CD. This needs to be further explored by the IO.

7. It is the recommendation of this office that the following action be taken:

a. The file should be returned to the IO for a determination concerning an antideficiency violation on the part of NGB-CD

b. The amount of \$86,430 and \$32,455 for pay and allowances and travel and per diem, as found in exhibit No 62, is the total amount due for the entire operation from 25 February 1993 to Cessation of NG participation. Since this amount involves equipment provided to both BATF and the FBI, a breakout of amount owed by BATF, and an amount owed by FBI should be provided.

8. After the IO has completed his report, the documents should be returned to this office for further legal review.

[REDACTED] 2
Chief, Contract Law

NATIONAL GUARD BUREAU
FACSIMILE DOCUMENT

① TO: (701) 223-9818
NAME: [REDACTED]
OFFICE SYMBOL: [REDACTED]

② FROM: [REDACTED]
NGB-ARC-MR
ARNG Readiness Center
111 S. George Mason Dr.
Arlington, VA 22204-1382

TELEPHONE: DSN 327-7529 or (703) 607-7529
FAX: DSN 327-7585 or (703) 607-7585

DATE: 5 Dec 95

NO. OF PAGES: Header with message and 1 page.
CLASSIFICATION: Unclassified
PRECEDENCE: Routine

MESSAGE:

Sir,

While ③ [REDACTED] is on leave and TDY, she ask me to continue to work the Waco issue. ④ [REDACTED] (NGB-IR) hand delivered the attached document (Exhibit No. 62) to our office a few moments ago. At ⑤ [REDACTED]'s request, I am faxing it to you.

If this office may be of further assistance, please advise.

⑥ [REDACTED]
Management Review Officer

~~CONFIDENTIAL~~

SECRETARY OF DEFENSE CORRESPONDENCE ACTION REPORT		1. DATE (YYMMDD)	
This form must be completed and delivered to the Correspondence Control Division (CCD), WHS Room 3A948, not later than (YYMMDD) 951205 ('GC')		12/8/95	
2. ACTION TAKEN (X one)			
<input type="checkbox"/> a. ACTION HAS BEEN COMPLETED (Copy attached)			
<input checked="" type="checkbox"/> b. REQUEST CANCELLATION / EXTENSION OF SUSPENSE DATE TO <u>December 19, 1995</u> (Justify below)			
<input type="checkbox"/> c. INTERIM REPLY HAS BEEN SENT (Copy attached)			
3. JUSTIFICATION			
Action Attorney must review all documents requested			
4. REPORTING AGENCY			
a. ACTION AGENCY ODGC (Legal Counsel)		c. TELEPHONE NO. 697-2714	
b. NAME OF ACTION OFFICER [REDACTED] (1)		e. APPROVING MILITARY / EXECUTIVE ASSISTANT (Service Secretary / Under Secretary / ASD Level)	
		Signature	
		Date Signed	
d. DATE (YYMMDD) 12/8/95			
5. CCD CONTROL U43883-95		6. ACTION TAKEN (For Correspondence Control Division Use Only)	
		a. EXTENSION / CANCELLATION	
		Approved	
		Disapproved	
		b. OTHER (Specify)	

SD FORM 391, AUG 87

Previous editions are obsolete.

ELECTRONIC FORM EXCEPTION APPROVED BY WHS/DIOR, MAR 90

~~CONFIDENTIAL~~

Z 0018290



SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-2500

December 14, 1995

Honorable [REDACTED] 1
Chairman
Subcommittee on National Security, International
Affairs, and Criminal Justice
Committee on Government Reform and Oversight
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515-6143

Dear Mr. Chairman:

This is an interim response to your letters of October 17 and 25, 1995, requesting further information on Department of Defense policies and procedures relating to the support provided to law enforcement agencies involved in the Waco siege. As I am sure you understand, the questions you asked raise many technical issues, and I wish to ensure that our answers are comprehensive and fully coordinated with all interested agencies within the Department.

I anticipate the coordination process will be completed shortly, and hope to provide a final response no later than early January.

Best regards
Sincerely,

[REDACTED] 2
[REDACTED]

[REDACTED] 3
" copy

[REDACTED] 4
12-15

SECRETARY OF DEFENSE ROUTING SLIP		ACT COPY	INFO COPY		ACT COPY	INFO COPY
OFFICE OF THE SECRETARY OF DEFENSE				MILITARY DEPARTMENTS		
SECRETARY OF DEFENSE		X		SECRETARY OF THE ARMY		X
DEPUTY SECRETARY OF DEFENSE		X		SECRETARY OF THE NAVY		X
THE SPECIAL ASSISTANT		X		SECRETARY OF THE AIR FORCE		X
EXECUTIVE SECRETARY		X		JOINT CHIEFS OF STAFF		
UNDER SEC FOR ACQUISITION & TECHNOLOGY				CHAIRMAN		X
Director, Defense Research & Engineering				Director, Joint Staff		
ASD (Economic Security)				DEFENSE AGENCIES		
UNDER SECRETARY FOR POLICY		X		ADVANCED RESEARCH PROJECT AGENCY		
ASD (International Security Affairs)				BALLISTIC MISSILE DEFENSE		
ASD (International Security Policy)				CENTRAL IMAGERY OFFICE		
ASD (Special Operations/LIC)				DEFENSE COMMISSARY AGENCY		
ASD (Strategy & Requirements)				DEFENSE CONTRACT AUDIT AGENCY		
UNDER SEC FOR PERSONNEL & READINESS				DEFENSE FINANCE & ACCOUNTING SERVICE		
ASD (Force Management)				DEFENSE INFORMATION SYSTEMS AGENCY		
ASD (Health Affairs)				DEFENSE INTELLIGENCE AGENCY		
ASD (Reserve Affairs)				DEFENSE INVESTIGATIVE SERVICE		
COMPTROLLER				DEFENSE LEGAL SERVICES AGENCY		
Director, Program Analysis and Evaluation				DEFENSE LOGISTICS AGENCY		
ASD (C3I)				DEFENSE MAPPING AGENCY		
ASD (Legislative Affairs)		X		DEFENSE NUCLEAR AGENCY		
1 GENERAL COUNSEL	X			DEFENSE SECURITY ASSISTANCE AGENCY		
INSPECTOR GENERAL				NSA/CENTRAL SECURITY SERVICE		
DIR, OPERATIONAL TEST & EVALUATION				ON-SITE INSPECTION AGENCY		
DIR, ADMINISTRATION & MANAGEMENT						
ATSD (Public Affairs)		X				
TYPE OF ACTION REQUIRED						
PREPARE REPLY FOR SEC OF DEF SIGNATURE				COMMENTS AND/OR RECOMMENDATIONS		
PREPARE REPLY FOR DEP SEC OF DEF SIGNATURE				INFORMATION AND RETENTION		
1	REPLY DIRECT (Forward copy of reply to CCD, Room 3A948)	X		COORDINATE REPLY WITH LA		
APPROPRIATE ACTION						
REMARKS						
ACTION DUE DATE (YYMMDD)		ROUTING DATE (YYMMDD)		OSD CONTROL NUMBER		
960103		951218		U45015-95		95/57187

CLASSIFICATION

(Revised 5/16/95)

OASD(SO/LIC)TASKING SHEET

DATE IN: 19 1995 DATE OUT: _____

ACTION _____ INFO ☒

FO SUSPENSE:

OSD CONTROL # 45015-95

CMD CONTROL # 95/57187

ACTION OFFICE

ACTION COORD INFO ☒

DEP&S	<u>col me</u>	<input checked="" type="checkbox"/>
F&R		
H&RA		
P&M		

FROM: H.O.R. McCollum

SUBJECT: Request for Documents

INCOMING

RETURN ACTIONS

REQUIREMENT:

Date Received: _____

REPLY DIRECT/INFO FO
ACTION FOR ASD/PD SIGNATURE
REVIEW/COMMENT TO _____

FO NOTES:

ASD

ASD SECY

PDASD

PD SECY

EXEC

SR MA

MA

SA

SECY/ADMIN

FILE _____

ACTION INFO

20 12/19
3

17/12/19

ACTION INFO

ACTION COORD INFO

REVIEWED/DATE

DASD NOTES:

DASD(DEP&S)

① PRIN DIR

DIR(P&S)

DIR(P&B)

DIR(D&S)

ADMIN

② LPC

DASD(F&R)

DIR(R&P)

DIR(ACQ)

DIR(B&E)

ADMIN

DASD(H&RA)

EA

SA(P&B)

DIR(POLICY)

DIR(L&O)

ADMIN

DASD(P&M)

EA

DIR(PP)

DIR(SS)

DIR(CT)

ADMIN

DIRECTOR NOTES:

ACTION OFFICER: _____

ACTION TAKEN: _____

ATTACH THIS SHEET TO OUTSIDE OF PACKAGE WHEN RETURNING TO FO

Congressional

Policy Correspondence Item

I-Number: 95/57187
OSD-Number: 45015-95
OCN-Number:
REF-Number:
Originator Office: H.O.R.
Originator Name: MCCOLLUM
Received: 12/19/95
Security Classification: U
Date Of Document: 12/13/95
Subject: REQUEST FOR DOCUMENTS

Description Of Document:

Correspondence Type: Information
Action To:
Informational Copies Sent To: USDP, PDUSDP, SOLIC

Action Required: Information and Retention
Coordinate Reply With:
Suspense Date:
Revised Suspense Date:
Status: Completed
Date To OSD:
Remarks:

Final Action:

Date Final Action Completed: 12/19/95

Congressional

UPON REMOVAL OF ATTACHMENTS, THIS PAGE BECOMES UNCLASSIFIED

B

Rep. McCollum's Letter of Dec. 13, 1995, to SecDef

INFORMATION SHEET
(Revised 12/95)

DoD PROCEDURES FOR PROCESSING, MONITORING, AND MANAGING
GENERAL ACCOUNTING OFFICE (GAO) SURVEYS AND REVIEWS
(References: DoD Directives 7650.1, 7650.2)

1. GAO Notification Letters of Surveys and Reviews

Before contacting DoD officials to initiate new survey/review work, the GAO has agreed to issue a notification letter to the Secretary of Defense, attention OIG, DoD, Deputy Director for GAO Affairs. The notification letter includes the objectives of the planned work and a six digit GAO assignment code. When the GAO staffs contact DoD personnel, they should be asked if they have properly announced their work with a notification letter through the OIG, DoD. The GAO staffs should be prepared to provide a copy of the notification letter on request. The DoD personnel should verify that the GAO work has been announced within the Department. They can contact the appropriate component audit liaison, collateral action office, or this office. If the GAO work has been announced, this office can telefax a copy of the GAO notification letter along with the DoD official announcement. Meetings should not be scheduled nor information released until the GAO work is properly announced. All questions or special arrangements on GAO surveys and reviews should be coordinated with the Deputy Director for GAO Affairs--the address, phone number and telefax number is as follows:

Office of the Inspector General, DoD
Deputy Director for GAO Affairs
400 Army Navy Drive, Room 539
Arlington, VA 22202-2884

Commercial:	703-604-9637	DSN: 664-9637
Telefax:	703-604-9608	DSN: 664-9608

2. GAO Notices of Visit and Security Clearances

Besides the GAO notification letter, the GAO should notify appropriate agency officials about 10 days before any proposed visit using the "Notice of GAO Visit" form. The GAO should provide a copy of that form to the Deputy Director for GAO Affairs. In cases of unusual urgency, the GAO should make arrangements with the agency officials by phone. The responsibility for assuring that a GAO representative has the proper clearance to review/receive classified information rests with the DoD individual providing the information.

If a GAO representative does not provide the notice of visit or if the DoD contact needs additional information, the assigned GAO Affairs action officer should be contacted for assistance.

3. Tasking of GAO Surveys and Reviews

On receipt of a GAO notification letter, the Deputy Director for GAO Affairs identifies the primary action office (PAO) and a PAO point of contact through discussions with DoD component audit liaison offices and DoD officials. For most surveys/reviews, the PAO is at the Office of the Secretary of Defense (OSD) staff level. The OIG issues a tasking memorandum assigning responsibility for the GAO effort to the PAO with copies to identified collateral action offices (CAO).

The DoD component audit liaisons receive action or information copies of the Deputy Director for GAO Affairs tasking memorandum for further distribution to the appropriate offices. The memorandum is given wide distribution to help identify action offices and inform them of the GAO review. This is important so that the correct DoD components attend the GAO entrance, interim status, and exit meetings.

4. GAO Entrance, Interim Status, and Exit Meetings

The Deputy Director for GAO Affairs will work with the PAO and the CAO to arrange a joint, headquarters level entrance meeting. The purpose of the entrance meeting is to provide the PAO, CAOs and other DoD components with details about the GAO review. It is an opportunity to ask questions, and to give the GAO the names of DoD points of contact.

Before any interim status or exit meeting at the headquarters level, the GAO usually holds separate meetings at the field activity level. Action officers at the field level should advise the PAO of such meetings through the component CAO or the component audit liaison.

The PAO, CAO, and Deputy Director for GAO Affairs should work together to make sure that (1) the GAO holds appropriate interim status and exit meetings, (2) the PAO, CAO, and OIG action officers attend such meetings, and (3) the meetings include all key DoD offices. The PAO and CAO action officers, through their ongoing contacts with the GAO, should be alert to the need for interim status and exit meetings, and should advise the Deputy Director for GAO Affairs in advance so that he/she can arrange the meeting.

The purpose of interim status and exit meetings with the GAO is to provide the DoD an opportunity to discuss the accuracy and completeness of the GAO work results and to avoid surprises to the DoD. The Deputy Director for GAO Affairs will ask for an interim status meeting with the GAO before any GAO congressional briefing or testimony, and a exit meeting before the GAO issues a draft or final report.

The interim status and exit meetings are particularly important because these meetings may be the only DoD opportunity to comment on GAO work that could result in budget reductions or program direction decisions by the Congress. The Deputy Director for GAO Affairs will ask the GAO to provide work products (fact sheets, draft reports, advance testimony, or other written documents not officially issued) before the meetings to better prepare DoD officials in providing accurate and complete comments.

The DoD officials' comments provided at interim status and exit meetings are unofficial. The only official DoD comments (whether oral or written) are those that are properly coordinated with all the appropriate DoD offices through the OIG, DoD.

5. Access to Records

Under 31 U.S.C. 716(a), the GAO has broad access rights. The DoD Directives 7650.1 and 7650.2 provide the DoD policy and procedures regarding GAO access to records. Both oral and written requests from GAO representatives should be handled informally. Efforts should be made to accommodate the GAO needs at the lowest organization level possible.

The DoD components and action officers should not deny the GAO access without further checking through the appropriate channels. Depending on the document(s) requested, that could include: officials in the chain of command, the component legal office, the audit liaison office, the PAO, the appropriate OSD general counsel's office, and the Deputy Director for GAO Affairs. Actions should proceed promptly toward a quick decision or resolution. Discussions should normally be held by phone. If necessary, an internal DoD meeting can be arranged by the Deputy Director for GAO Affairs.

If it is unclear what information the GAO is requesting orally, it may be appropriate to ask the GAO to put its request in writing, listing the specific documents requested and explaining the need in connection with the survey or review. While oral requests should be acceptable, written requests can help clarify the information desired.

If oral or informal written requests are unsuccessful, the GAO may write a letter to the Deputy Director for GAO Affairs to request the documents citing the informal attempts made to obtain access. The Deputy Director for GAO Affairs will task the PAO to coordinate the GAO request with the CAOs and provide to the GAO, through the OIG, a written response within 15 days from the date of the OIG tasking memorandum. The DoD response to the GAO must be coordinated through the OIG. This action is necessary to document informal actions taken by the DoD in the event the GAO Comptroller General later decides to send a formal demand letter to the Secretary of Defense.

If informal attempts fail and the GAO decides to pursue its request, the Comptroller General, by law, may issue a formal demand letter to the Secretary of Defense. By law, the DoD has 20 days to respond to the GAO. If after 20 days full access has not been granted, the Comptroller General may file a written report with the President of the United States, the Director of the Office of Management and Budget, and the Attorney General. Following that, the Comptroller General may seek a court order to compel the release of federal records or subpoena nonfederal records.

The Deputy Director for GAO Affairs should be notified at the first sign of potential access problems. Many access issues, particularly those involving budget, planning, or acquisition documents occur repeatedly in the course of GAO reviews. The Deputy Director for GAO Affairs can provide examples and assistance in interpreting DoD policies and procedures.

6. GAO Questionnaires and other Data Collection Instruments

All questionnaires and other data collection instruments should be coordinated with the Deputy Director for GAO Affairs before distribution within the DoD. Any DoD component or official receiving GAO questionnaires or other data collection instruments should ask the GAO staff if they have properly coordinated the instrument through the OIG. Responses should not be provided nor information released until the GAO has properly coordinated its work.

7. Termination of Surveys/Reviews

The GAO should notify the DoD through the Deputy Director for GAO Affairs when it decides to terminate a survey or review without issuing an external report. The GAO sometimes overlooks issuing a termination letter to the DoD. If the PAO or CAO action officers learn that GAO work is terminated, they should alert the Deputy Director for GAO Affairs.



DEPARTMENT OF THE ARMY
OFFICE, ASSISTANT SECRETARY
WASHINGTON, DC 20310-0109

MEMORANDUM FOR: UNDER SECRETARY OF DEFENSE
(COMPTROLLER)

SUBJECT: Army Investigation of a Potential Antideficiency Act
(ADA) Violation

This note is to inform you of a preliminary investigation being conducted by the Army. The potential ADA violation involves the Army National Guard's support of the assault on the Branch Davidian's compound in Waco, Texas. A preliminary investigation was initiated to determine if National Guard Counter Narcotics Program (32 USC 112) funds were misused.

A preliminary investigation is being conducted in accordance with DOD FMR vol. 14 to determine if an ADA violation occurred. This investigation was started in August 1995 and is still in the preliminary stage. We have not yet determined whether an ADA violation occurred, thus we have not included this case in our monthly status report to you.

Due to the sensitive nature of the incident, I wanted to apprise you of the Army's actions and will ensure that you are kept abreast of the outcome of our preliminary investigation.

[Handwritten signature]
Principal Deputy Assistant Secretary of the Army
(Financial Management and Comptroller)



DEPARTMENT OF THE ARMY
OFFICE, ASSISTANT SECRETARY
WASHINGTON, DC 20310-0109

24 OCT 1995

MEMORANDUM FOR SECRETARY OF THE ARMY

SUBJECT: Army Investigation of a Potential Antideficiency Act
(ADA) Violation

This note is to provide you with additional information concerning the investigation of the Army National Guard's support of the assault on the Branch Davidian's compound in Waco, Texas. A preliminary investigation was initiated to determine if National Guard Counter Narcotics Program (32 USC 112) funds were misused and whether or not an ADA violation has occurred.

This investigation was started in August 1995 and is still in the preliminary stage. The investigating officer has requested additional time in order to obtain information from the Bureau of Alcohol, Tobacco and Firearms as well as Congressional committee reports on the Waco hearings. The investigating officer believes that this information is necessary to determine whether an ADA violation has occurred.

Since we have not yet determined whether an ADA violation has occurred, we have not formally reported this case to the Under Secretary of Defense (Comptroller) (USD(C)). However, due to the sensitive nature of the incident, we have sent a note to the USD(C) to apprise him of the Army's investigation. We will keep you informed.

[Handwritten signature]
Assistant Secretary of the Army
(Financial Management and Comptroller)

Z
0041018



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600



August 17, 1995

MEMORANDUM FOR GENERAL COUNSEL, USUHS

SUBJECT: Return of Documents Related to the Matter of the
Branch Davidians near Waco, Texas

With this memorandum I am returning to you three sets of original documents you transmitted to us. These originals should be retained against the possibility that the Senate Judiciary Committee will hold hearings later this year.

The documents with this memorandum are:

(1) A green ledger book containing the sick call roster from the USUHS medical facility. This document was not provided in response to the request for documents, but the Committees were informed of its existence.

(2) Original pages of notes made by USUHS personnel in the medical facility. This document was copied and provided in response to the request for documents.

(3) A compilation of records relating to David Koresh. This document was copied and referred to the Department of Justice for review, as it is apparently an FBI document. We have not retained a copy of this document, so if there is further inquiry, we will need to obtain it from you again.


In addition to these documents, we have already returned to [REDACTED] the package of medical records showing treatment of various persons by USUHS. These documents were not provided in response to the request for documents.

Thank you for your assistance in this matter. [REDACTED] was extremely helpful in responding to our questions and ensuring that the information we provided was correct. I appreciate that attitude and the efforts made in this matter.

2



If you have any questions, please contact me at (703) 695-6804.

 (1)
Acting Deputy General Counsel
(Legal Counsel)

21 September 1995

Statement

① [REDACTED]

② [REDACTED] wish to make the following statement. Consideration must be afforded the fact that over two years have passed since subject events took place and that I have not reviewed any records in preparation of the following.

I was the Director, National Guard Bureau Counterdrug Task Force in 1993.
I am now retired.

When I learned, on national television news, that the Bureau of Alcohol, Tobacco, and Firearms (BATF) agents were killed near Waco, Texas, on 28 February 1993, I immediately called [REDACTED] Commander, Texas Counterdrug Task Force (AGTX-CD). He advised me that AGTX-CD support was based upon a BATF request in consideration of a possible methamphetamine lab at the Branch Davidian Compound. I relied on information from AGTX-CD concerning the operation.

By joint agreement between myself and ④ [REDACTED] and ⑤ [REDACTED] of Military Support to Civil Authorities (MSCA), it was decided that MSCA would be in a better position to administer this support because they had established processing channels for loan of equipment (other than CD equipment) and they also had an operation center to monitor on a 24 hour basis to keep the senior leadership informed. NGB-CD did not have similar channels for loan of equipment nor 24 hour day monitoring capability.

When the monitoring of the support transferred to MSCA, to the best of my recollection, I authorized AGTX-CD to continue counterdrug funding of the initial CD personnel who were on duty from the start of the support because AGTX-CD Office verified that it was still a CD type mission based on information provided them by BATF. Also, NGB-JA concurred on this action.

Shortly after the 28 February deaths, I called a meeting of key players to assess NGB-CD and AGTX-CD support of the BATF and FBI operations. I recall that we decided to review the Waco situation after the mission and follow-up investigations were completed.

The Waco situation was only one of about 150 on going support operations at the time and we were extremely busy.

I designated ⑥ [REDACTED] to chair a Focal Group and he prepared a written report following his meeting (Exhibit 36). I do not recall if I reviewed the report in 1993.



Z 0015871

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①

[REDACTED] 6
I do not specifically recall who received copies of the [REDACTED] report. The Focal Group meeting was an in-house evaluation, as I recall, of our own procedures. However, I do recall providing a copy to the CD Support Division to include in any recommendations on the rewrite of our regulation which was on going at the time. Also, a copy was later sent to AGTX-CD, based on a request from [REDACTED] to support a Texas investigation. ②

I do not recall any review of the funding issue after the Compound burned in April 1993 and support of the BATF and FBI in Waco ceased. ③

I do not recall receiving an April 1993 opinion from [REDACTED] (Exhibit 37).

I do vaguely recall discussing the Waco support mission with the Director, Army National Guard and the Chief, National Guard Bureau on separate occasions.

It was my opinion and still is my opinion, based on information provided by AGTX-CD Office, that the operation remained a counterdrug support mission until the Compound burned in April 1993 for those personnel who were on CD orders when the mission monitorship transferred to MSCA and possibly for any other personnel who provided counterdrug support later. I am not aware that the initial CD support mission changed from start to finish even though other factors may have changed as the operation progressed.

It was my judgment call to continue counterdrug funding support throughout the entire operation for those personnel on orders at the time the monitorship transferred to MSCA. If funding has recently become an issue for those personnel it is because of "Monday morning quarterbacking."

④

[REDACTED]



UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

4301 JONES BRIDGE ROAD
BETHESDA, MARYLAND 20814-4799DEPARTMENT OF
MILITARY AND EMERGENCY MEDICINE
CASUALTY CARE RESEARCH CENTER
(301)295-8283

October 26, 1995

MEMORANDUM FOR [REDACTED] ODGC(LC)

SUBJECT: Request for Information About Military Support to Law Enforcement

① [REDACTED] USUHS General Counsel, has asked me to transmit the following information to you regarding USUHS support to the FBI during the Branch Davidian matter.

No equipment was provided to the FBI.

② Your office has been previously provided with the original records identifying personnel giving medical support to the FBI and the dates of their participation. I do not have those records. Between 1 March and 21 April, I estimate that 133 man days were expended by USUHS personnel in providing medical support. These personnel were both active duty military and DOD civilian medical practitioners, including physicians and paramedics. This support was provided under a standing Memorandum of Understanding, copies of which were transmitted to [REDACTED] on 19 July 95. The FBI's request for assistance under this MOU was received from [REDACTED] medical coordinator for the Hostage Rescue Team, on 28 February 93 at 1600 hours. ③

There was no direct expenditure of funds by USUHS to support this effort, unless you wish to consider the personnel cost for the man-day estimate cited above. Under the MOU with the FBI, all TDY vouchers are filed directly with the FBI and paid by them. I do not have those records. Additionally, the FBI paid directly for all expendable medical supplies. I am not aware of any other categories of support costs which USUHS might have funded. USUHS is reimbursed by the FBI on a fiscal year basis under the MOU.

I hope this provides the information you require. Please call me if you need any further clarification.

④ [REDACTED]
Director
Casualty Care Research Center



SPECIAL OPERATIONS/
LOW-INTENSITY CONFLICT

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-2500

November 8, 1995

MEMORANDUM FOR SECRETARY OF THE ARMY
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE
AFFAIRS
GENERAL COUNSEL, DEPARTMENT OF DEFENSE
✓ DIRECTOR, JOINT STAFF
CHIEF, NATIONAL GUARD BUREAU

SUBJECT: Coordination of Response to Congressional Inquiry Related to House Waco Hearings

Attached are two letters (Tabs B and C) from Representative William H. Zeff, Jr., Chairman of the Subcommittee on National Security, International Affairs, and Criminal Justice, House Committee on Government Reform and Oversight. He was one of the co-chairs of the hearings that the House held this summer into the siege at Waco. Also attached is a proposed response to the two letters (Tab A).

I would like to answer Congressman Zeff as soon as possible. Please review the proposed response and provide your comments no later than ~~Monday~~ ^{Friday} November 13, 1995. The point of contact for this action is [redacted] Office of the Deputy Assistant Secretary for Drug Enforcement Policy and Support, Room 2E539, 693-1920.

change approved ②

③ [redacted]

68 NOV 95

4.
DJS COORDINATION [redacted]

Attachments:
As stated

8 NOV 95 1: 4

Z 0025489

TASKING CONTROL DOCUMENT

JOINT STAFF ACTION PROCESSING FORM

TO DJS	CLASSIFICATION UNCLASSIFIED	ACTION NUMBER 95-06321								
THRU VDJS <i>ant</i>		ORIG SUSPENSE 11/17/95								
SUBJECT Concurrence with ASD SO-LIC Response to Congressional Inquiry Related to Waco Hearings		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">ACTION</th> </tr> <tr> <td style="text-align: center;">X</td> <td>APPROVAL</td> </tr> <tr> <td></td> <td>SIGNATURE</td> </tr> <tr> <td></td> <td>INFORMATION</td> </tr> </table>	ACTION		X	APPROVAL		SIGNATURE		INFORMATION
ACTION										
X	APPROVAL									
	SIGNATURE									
	INFORMATION									
		SJS SUSPENSE 11/15/95								
		J SUSPENSE 11/15/95								

ACTION SUMMARY

1. Purpose. To respond to ASD/SOLIC request* to comment on proposed answer to Representative William H. Zeliff's questions regarding DOD support to civilian law enforcement agencies.

2. Background

a. Representative William H. Zeliff, Jr., Chairman of the Subcommittee on National Security, International Affairs, and Criminal Justice, House Committee on Government Reform and Oversight, requested information on DOD policies and procedures regarding the support provided to law enforcement agencies involved in the Waco siege.

b. Ambassador Holmes has drafted a proposed response and is requesting review and comments.

c. Ambassador Holmes' draft letter adequately and correctly responds to Representative Zeliff's questions.

3. Recommendation. DJS approve Ambassador Holmes' letter to Representative Zeliff by initialing at Tab.

Attachment

Reference:

* SJS 95-06321

COORDINATION/APPROVAL					
OFFICE	NAME & DATE	EXT	OFFICE	NAME & DATE	EXT
J-3 (9)	[REDACTED]		LC (2)	[REDACTED] 15 NOV	71137
J-31	[REDACTED]		LA (3)	[REDACTED] 16 NOV	41777
J-33 (12)	[REDACTED] 17 NOV	695-0483	ARMY (4)	[REDACTED] 16 NOV	76609
J-38 (17)	[REDACTED]		NAVY (5)	[REDACTED] 16 NOV	52323
CH-SOD	[REDACTED] 17 NOV 95	55805	USAF (6)	[REDACTED] 17 NOV	75424
CH-SOF	[REDACTED] 16 NOV 95	49575	MARINE (7)	[REDACTED] 15 NOV	32071
J-5 (1)	[REDACTED] 15 NOV	32748			
<p>ACTION OFFICER/DIV/PHONE (2) [REDACTED] USA, 695-8122 SOD/SOF</p>					
DATE PREPARED 14 November 1995		CLASSIFICATION UNCLASSIFIED		Classified by Declassify on	

JS FORM 138 Aug 94 (EF)

INTERNAL STAFF PAPER, RELEASE COVERED BY CJCSI 5714.01
PREVIOUS EDITIONS OF THIS FORM MAY BE USED

Z 0025875

ROUTING COVER SHEET

CLASSIFICATION UNCLASSIFIED	DATE RECEIVED 11/17/95	ACTION NUMBER 95-06321
SUBJECT		

COORDINATION OF RESPONSE TO CONGRESSIONAL INQUIRY RELATED TO HOUSE WACO HEARINGS

DJS APPROVAL

CIRCULATION OF THIS DOCUMENT WILL BE TO INDIVIDUALS BELOW. THE DOCUMENT WILL BE RETURNED TO THE ADMINISTRATIVE OFFICE FOR DISPATCH OR FILING. **THIS FORM SHOULD NOT BE REMOVED FROM ATTACHED DOCUMENT.**

TO	NAME	INITIAL	COMMENTS
	CHAIRMAN OF THE JCS		SJS ASB SCANNED
	EXECUTIVE ASSISTANT		
	DEPUTY EXECUTIVE ASSISTANT		
	VICE CHAIRMAN OF THE JCS		
	EXECUTIVE ASSISTANT		
	ASSISTANT TO THE JCS		
	EXECUTIVE ASSISTANT		
	SPECIAL ASSISTANTS		
	LEGAL COUNSEL		
	LEGISLATIVE AFFAIRS		
	PROTOCOL		
	JOINT HISTORY OFFICE		
	PUBLIC AFFAIRS		
	COMMUNICATIONS ADVISOR		
3	DIRECTOR, JT STAFF	Q. [REDACTED]	
	EXECUTIVE ASSISTANT		
2	VICE DIRECTOR, JT STAFF	3. [REDACTED] 1/2	
	EXECUTIVE ASSISTANT		
1	SECRETARY, JT STAFF	4. [REDACTED] n/E	
	CHIEF, ACTIONS DIVISION		
	RETURN ADM SUPPORT BR		
CLASSIFICATION			
UNCLASSIFIED			

NGB-CD

17 November 1995

MEMORANDUM FOR [REDACTED] 1A

SUBJECT: Waco

1. I have reviewed the available documentation from the 1993 Waco period and it appears the Texas CD program was provided \$250,000 in P&A (Army) and \$100,000 in O&M (Army) on the April FAD's in response to my 12 January 1993 and 8 March 1993 request. There is not any documentation available at NGB to indicate how this figure was arrived at or in what increments the requests were approved. At the time in question, [REDACTED] worked all issues involving the distribution of funds to the states and specifically designated the amounts issued. Since I did not request any O&M dollars in my 12 January 1993 memo, I assume the \$100,000 O&M was in response to the 8 March 1993 request relating to the on-going Waco operation.
2. I do recall that there were additional fallout dollars issued to Texas in the third and fourth quarter. This money was not related to any additional written request on our part.
3. Please contact me if I can provide additional information. I can be reached at (703) 681-0811.

[REDACTED]
Lt Col, USAF
Deputy Director, Counterdrug
Directorate

EXHIBIT

64

DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C. 20310-2200

~~CONFIDENTIAL~~

DAJA-ZB

21 November 1995

MEMORANDUM FOR ⁽¹⁾ [REDACTED] NGB-ARC-M

SUBJECT: Waco Investigation

1. Enclosed is the preliminary investigation report.
2. Please call me concerning any "loose ends" which must be promptly addressed.

⁽¹²⁾ [REDACTED]
BG, JA, ARNGUS
ARNG Special Assistant to
The Judge Advocate General

~~CONFIDENTIAL~~

TASKING CONTROL DOCUMENT

Control # 95112707 2 Agency Date of Entry 951219 Document Date 951213
Originator MCCOLLUM, BILL Source Classification U
Subject REQ ANSWERS TO QUESTIONS PERTAINING TO EVENTS INVOLVING THE BRANCH
DAVIDIANS NEAR WACO, TEXAS.

Agency	OSA	Suspense Dates	OSD
Action Officer		Telephone	

Disposition	
Action Office	
Assisting Office	
Information Copies	SASA SAMR SALL SAGC DACS-ZD DAMO NGB
2nd Disposition Date	Action Further Assigned

		Action Required
()	Appropriate Action	() Advance Copy
()	Comply with direction under	(X) Information Copy
()	Prepare Reply	Signature of
()	Reply Direct	with copy to
()	Other/Remarks	

**Coordinate with
Remarks**

Tasking Official [REDACTED]
Tasking Official (2nd Disposition)

Telephone 56410 Clerk
Telephone

SECRETARY OF DEFENSE CORRESPONDENCE ACTION REPORT This form must be completed and delivered to the Correspondence Control Division (CCD), WHS, Room 3A948, not later than (YYMMDD)		1. DATE (YYMMDD) 12/21/95	
2. ACTION TAKEN (X one) <input type="checkbox"/> a. ACTION HAS BEEN COMPLETED (Copy attached) <input checked="" type="checkbox"/> b. REQUEST CANCELLATION EXTENSION OF SUSPENSE DATE TO <u>January 5, 1996</u> (Justify below) <input type="checkbox"/> c. INTERIM REPLY HAS BEEN SENT (Copy attached)			
3. JUSTIFICATION (Second Request) Action Attorney continues to review all documents requested			
4. REPORTING AGENCY			
a. ACTION AGENCY ODGC (Legal Counsel)		c. TELEPHONE NO. 695-5710	
b. NAME OF ACTION OFFICER [REDACTED]		e. APPROVING MILITARY/EXECUTIVE ASSISTANT (Service Secretary/Under Secretary/ASD Level) Signature: _____ Date Signed: _____	
5. CCD CONTROL NUMBER U43883-95		6. ACTION TAKEN (For Correspondence Control Division Use Only)	
		a. EXTENSION / CANCELLATION	
		<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	
		b. OTHER (Specify)	

SD Form 391, AUG 87

Previous editions are obsolete.

OFFICE OF GENERAL COUNSEL – CORRESPONDENCE ROUTING AND ACTION

1. Client US CONGRESS, WILLIAM ZELIFF		2. Date 11/21/95	3. Suspension 12/05/95	4. OGC Control# 9511210025
5. Subject REQUEST FOR ADDITIONAL DOCUMENTS PERTAINING TO THE MATTER OF THE BRANCH DAVIDIANS NEAR WACO, TEXAS				
6. PDGC/GC Review	7. Action Office LC <i>m 11/21/95</i>		8. Suspension to PDGC/GC 12/01/95	
9. Instructions				
10. Action Attorney Comments TBD <i>1.</i> <i>Drafted response to letter from Chunn [redacted]. Discussed with ARMY, SOLIC. Telephone coordination for [redacted] in LA. Received PDGC sign + transmittal to [redacted] in LA. [redacted] 14 Feb 96</i>				11. Date 11/21/95
12. DGC Clearance/Comments <i>concur [redacted] 2/14/96</i>				13. Date 11
14. PDGC/GC Clearance/Comments <i>cleared 2/14/96</i> <i>[redacted]</i>				15. Date 11
16. Further Action				17. Date 11
18. Final Disposition <i>2/14/96 [redacted]</i>				19. Date 11

2/14/96 *8.*
[redacted]