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By WDP NARA Date 5/2/02

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ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

20 SEP 1971

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INTERNATIONAL SECURITY AFFAIRS

In reply refer to:
I-12189/71

HI

Honorable U. Alexis Johnson
Under Secretary of State
Political Affairs
Washington, D. C. 20520

Dear Alex:

Regarding the problem of Major General Twitchell's employment by the Government of Iran, this letter confirms the DOD position and policy on the issue.

DOD responsibilities for MAAGs are prescribed by the Foreign Military Assistance Act of 1961, as amended, and are promulgated by a DOD Directive which delineates OSD, JCS and Military Service responsibilities. Pertinent points in the matter at hand are:

1. MAAGs are assigned to the Military Command of Unified Commands and as such are responsible to OSD and the Joint Chiefs of Staff in policy matters.
2. OSD/ISA is the DOD point of contact with other government agencies in the field of Security Assistance policy.
3. Chiefs of MAAGs are responsible to:
 - a. Represent the Department of Defense to the government to which they are accredited, and establish a relationship of mutual trust and confidence with the Ministry of Defense and the Armed Forces of that country.
 - b. Provide appropriate assistance and advisory services to recipient countries on security assistance.
4. The policy channel of communication is from OSD/ISA, or the Joint Chiefs of Staff through Unified Commands to the MAAGs. The Military Services are not authorized direct communication on matters concerning policy, strategic, or military operational considerations.

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Clearly the individual Military Services have no authority or responsibility for policy decisions of the nature represented by the hiring of Major General Twitchell as a military consultant to the Shah of Iran.

Additionally, the OSD General Counsel's opinion is that it would be illegal for Major General Twitchell to accept such employment and continue on the military retired rolls without enactment of a "private bill" by Congress approving such employment. DOD would oppose enactment of a private bill on a policy basis in that we believe it to be unacceptable to interpose a third party between the Chief, MAAG and the government to which he is accredited. Further, it is undesirable to establish a precedent for situations wherein a MAAG Chief could accrue to himself the opportunity for future financial gain by becoming the host government's proponent rather than that of the USG.

This letter confirms earlier telephone communication requesting that action on Major General Twitchell's employment by the Shah of Iran be stopped. For your further consideration, I recommend that this letter be used as background for policy in any related cases which may arise in the future.

Sincerely,

Warren

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