

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.

2

3

Encl  
nc



REPLY TO  
ATTENTION OF:

AOPS

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



(4) [REDACTED]  
MEMORANDUM FOR USASOC CHIEF OF STAFF, ATTN: AOC [REDACTED]  
FORT BRAGG, NC 28307-5200

SUJECT: 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) [REDACTED]  
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

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.

87 7  
From: [REDACTED] C - 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

1214  
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 20310-2600



TRANSMITTED INFORMATION IS UNCLASSIFIED

70-21 Jul 20

NO. OF PAGES 9 + Cover

DATE 6/20/95

FROM



PHONE DSN 227-3688

COMM (703) 697-3688

FAX (703) 693-5029

SUBJECT



TO

-2

PHONE

681-0802

681-0808 sep

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  
(IA) performed by [REDACTED] Correspondence Control Division, on June 19, 1995.

[REDACTED] Director  
Correspondence & Directives

*these redactions  
are probably  
unnecessary, right?*

Attachments



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 offices ~~about~~ in 29 Palms California about willingness to enforce firearms law [Transcript #717-6 (CNN)]

Newsweek reported on 5/1/95 <sup>and The Buffalo News on 4/30/95</sup> 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

removed 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  
Granatt*

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  
FOOT HOOD, TEXAS 76544-5000

18 August 1995

AFVB-IB-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: <sup>(1)</sup> [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 <sup>(2)</sup> [REDACTED]  
DSN 367-5020, COM (404)669-5020

Encl <sup>(3)</sup> [REDACTED]

NGB-ARC-M (37-20a)

18 Aug 95

MEMORANDUM FOR BG [REDACTED], DAJA-2B

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, [REDACTED] 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 12 9

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. 13 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

[REDACTED]

DAJA-ZB

18 August 1995

MEMORANDUM FOR Record

SUBJECT: Waco Investigation

1. Worked on the Waco investigation all morning.
  - 1 a. Continued review of the files which have been provided to me.
  - 2 b. Discussion w/ [REDACTED]. He will assist with the investigation.
  - 3 c. Telcall to [REDACTED] a/scheduling interviews during week of 21 August and other administrative matters.
  - 4 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.

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

[REDACTED]



**FORCES COMMAND**

## COUNTERDRUG DIVISION

FROM: <sup>①</sup> [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	<sup>②</sup> [REDACTED]	223-4358
TOTAL PAGES INCLUDING HEADER: 4	PRECEDENCE R	DAY/MONTH/YEAR 18 AUG 95

REMARKS:

<sup>③</sup> [REDACTED]

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

<sup>④</sup> [REDACTED]

I CERTIFY THAT THIS FAX CONTAINS NO CLASSIFIED INFORMATION.

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

\_\_\_\_\_  
(SIGNATURE/NAME/TITLE)

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

<b>TRANSMITTAL/ACTION/CONTROL</b> (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)
	AFOP-OD/5020/[REDACTED]
	NAME: [REDACTED] (2)

THRU: <input type="checkbox"/> SGS <input type="checkbox"/> CofS <input type="checkbox"/> DCG	TO: SJA
---	---------

ACTION REQUIRED:  APPROVAL  SIGNATURE  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.

[REDACTED] (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		
AFCG-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					



08/21/95 15:11

0701 224 5180

ADJUTANT GENERAL

003

08/21/95 09:18

32-

SENT BY: Xerox Telecopier 7020 : 7-18-95 : 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

**UNRECORDED**

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

① ATTN: [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 [REDACTED] State Judge Advocate, or the undersigned at (512) 465-5057 or DSN 954-5057. ②

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

**UNRECORDED**

<b>COVER SHEET</b>		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
		DATE 22 AUG 95
ACTION REQUIRED Provide all information on equipment, personnel, and reimbursable costs in matrix format. Include "sensitive" support.		

MEMORANDUM FOR RECORD. (Describe briefly the requirements, background and action taken or recommended. Must be sufficiently detailed to identify the action without recourse to other sources.)

ORIGIN OF ACTION  
1. Memorandum from [redacted] ASD(SO/LIC), to SECARMY (Red Enclosure 2).

SUMMARY

- Request for this information received after [redacted] testified at Congressional hearings on Waco.
- 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.

RECOMMENDATION

- 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).
- 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"/>
<b>COORDINATIONS</b>							<b>APPROVALS</b>		
OFFICE	NAME	PHONE	INITIALS	DATE					
SAGC	[redacted] -3	697-8029	DIV ODS						
DAMO-ODD	[redacted] -4	693-4358	DIR OD						
ASA (ILE)	[redacted] -5	614-9046	EX						
MOSO-SOD	[redacted] -6	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 clearance) [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

[redacted signature]  
Director of Operations,  
Readiness and Mobilization

3 Enclosures

[REDACTED]

( 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) [REDACTED] /SAFM-FCL/697-0757 (3)  
APPROVED BY: [REDACTED]  
(U N C L A S S I F I E D)

[REDACTED]

①  
MEMORANDUM FOR ██████████, 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 ██████████ 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  
██████████

763183

DOD-A-1



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~~ *Director of the Army Staff*  
~~ASSISTANT SECRETARY OF THE ARMY~~  
(INSTALLATIONS, LOGISTICS AND ENVIRONMENT) *abom 9/4/95* 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 LEAs in Waco operations

(Classified by DCG

Declassify when separated from classified TAB.)

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DATA(L) # 0472 95620780

	<i>No. of pages</i>
<i>Documents from USUHS working files</i> ✓	
Talking points on USUHS involvement in Waco	1
Integrated medical support plan: Waco, Texas (Apr. 12, 1993)	<del>48</del> 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*

*[REDACTED]*  
①



REPLY TO  
ATTENTION OFDEPARTMENT OF THE ARMY  
HEADQUARTERS 2D ARMORED DIVISION  
FORT HOOD, TEXAS 76544-5100*Fik -  
Waco*

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

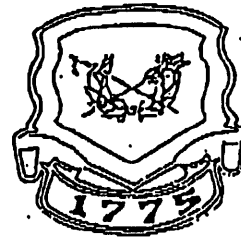
1. I have been directed by the Office of the Chief of Staff of the Army to reply directly to your office in response to your memo of 11 August 1995, requesting information on damage reports for two M1A1 tanks used at Waco, Texas in March and April 1993.
2. 3d Battalion, 67th Armor has no maintenance 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:

[Redacted]

OFFICE: DOJ GC

TELEPHONE #:

FROM:

[Redacted]

OFFICE: 2AD SJA

TELEPHONE:

REMARKS: PER OUR EARLIER CONVERSATION,

VERIFIED W/ UNIT MBR'S THAT SOLDIERS DID

NOT DRIVE TANKS - HAND RECEIPTS WERE

USED AND LATER ROUTINELY DESTROYED

# of Pgs.

Classification

Priority

2

U

R

<b>COVER SHEET</b>		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.)

ORIGIN OF ACTION

1. Memorandum from DOD General Counsel requesting damage reports (Red Enclosure 2).

SUMMARY

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.

RECOMMENDATION

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	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"/>
--------------	-------	------------------------------	-----------------------------	------------	------------------------------	-----------------------------	--------	------------------------------	-----------------------------

COORDINATIONS				APPROVALS	
OFFICE	NAME	PHONE		INITIALS	DATE
SAGC	[REDACTED] ①	697-8029	DIV ODS	[REDACTED]	29 Aug 95
ASA IL&E	[REDACTED] ②	695-3012	DIR OD	[REDACTED]	[REDACTED]
DALO-SMM	[REDACTED] ③	695-4151	EX	[REDACTED]	1 Sep
			DCSOPS	[REDACTED]	
				FILE	DISPATCH

SHOW ADDITIONAL COORDINATION ON REVERSE SIDE

ALT HQ *KB*  AWC

ACTION OFFICER (Name, grade, phone and signature) ④ [REDACTED] 697-4331

07 SEP 1995



SPECIAL OPERATIONS/  
LOW-INTENSITY CONFLICT

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

*File -  
Waco*

*8/30/95*

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,*  


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:

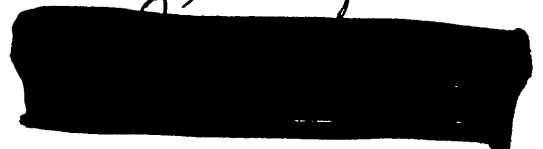
In response to your letter regarding my July 31, 1995 testimony before the House Subcommittee on Crime of the Committee on the Judiciary and the Subcommittee on National Security, International Affairs, and Criminal Justice of the Committee on Governmental Reform and Oversight in the matter of the Branch 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



cc:  
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 No. 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:

[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).

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

CF:

[REDACTED]

Handwritten notes: "The report was not sent as the final report. It was sent to ARJ on 2/25/95." (Note: The date in the image appears to be 2/25/95, which may be a typo for 8/25/95 based on the document date.)



DEPARTMENTS OF THE ARMY AND THE AIR FORCE  
NATIONAL GUARD BUREAU  
2500 ARMY PENTAGON  
WASHINGTON, D.C. 2031 0-2500



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]

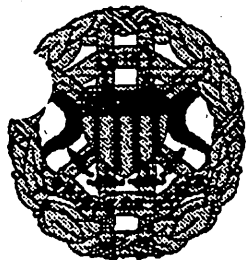
BG, JA, ARNGUS  
ARNG Special Assistant to  
The Judge Advocate General

Name 189

CF:

③ [REDACTED]  
Lt. Col. [REDACTED]





**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**

[REDACTED]

- Copy of Ambassador Holmes' memo.

[REDACTED]

FAX TRANSMITTAL SHEET  
**UNCLASSIFIED**

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: Forescom 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]	

REMARKS

DC, THIS IS THE MEMO REQUESTING INPUT. THE DATA REQUESTED WILL BE CONSOLIDATED AT DA LEVEL. JTF6 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 NET 18 AUG FRI, 1200 HRS THAT WOULD BE GREAT. THANKS,

[REDACTED]



United States Army  
Special Operations Agency  
Washington DC 20310-0440

S: 18 Aug 95  
16 Aug 95

16 AUG

17 AUG

320

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 reimbursable 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/ODS & 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)

(5) [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  
Fraire 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 1:25pm.

1

Z 0015673



REPLY TO  
ATTENTION OF

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



[REDACTED]

DAJA-ZB

16 August 1995

MEMORANDUM FOR [REDACTED] TAG-TX

SUBJECT: AR 15-6 Investigation

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.
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.

[REDACTED]

5 [REDACTED]

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

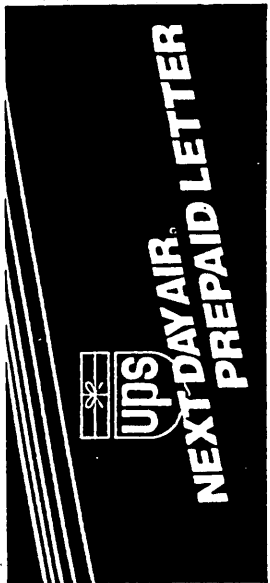
[REDACTED]

S: 16 AUGUST

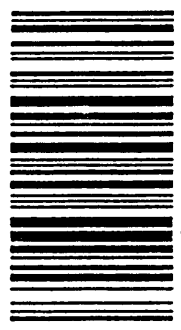
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⑪

ROUTING SLIP (AR 340-15)		NEVER USE FOR APPROVALS, DISAPPROVALS, CONCURRENCES, OR SIMILAR ACTIONS	
TO	INITIALS	DATE	
1 [redacted]	[redacted]	8 AUG 63	
[redacted]	ASSIST		
[redacted]			
[redacted]			
[redacted]			
[redacted]			
[redacted]			
[redacted]	LEAD		
[redacted]			
[redacted]			
[redacted]			
[redacted]			
[redacted]			
[redacted]			
[redacted]			
USE DATA FROM FILES TO COMPLETE THE LIST TO INCLUDE SMALL CONTRIBUTIONS - SEE ME			
[redacted]			
[redacted]			
CHECK ACTION DESIRED			
<input checked="" type="checkbox"/> INFORMATION	SIGNATURE	<input checked="" type="checkbox"/> NOTE AND RETURN	
<input checked="" type="checkbox"/> CIRCULATE	NECESSARY ACTION	SEE ME	
FROM		TELEPHONE	DATE
		S-8484	- -
ORGANIZATION MOSO-80D			

DA FORM 1 NOV 64 1222



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

1

SHIPPERS COPY

2 REFERENCE NUMBER [REDACTED]

3 NAME TELEPHONE

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

TO  
 NAME Chief National Guard Bureau  
 COMPANY NGB-ARO-OM  
 STREET ADDRESS 111 So. Geo. Mason Drive  
 CITY Arlington VA STATE VA ZIP CODE 22204-3138



( 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 )

DoD Component    Date (s)    Requesting LEA    Equip/Services Provided    Approval Authority/Date

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.



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


15 Aug 95

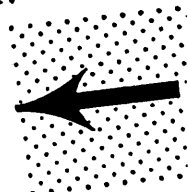
MEMORANDUM FOR ASD/SO-LIC  
THRU DTUSD (P)/SAS

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 (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
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
	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
<b>2 Exhibits (para 3-16, AR 15-6)</b>			
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>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6) N/A</b>			
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)?			
<b>C. COMPLETE ONLY IF A RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6) N/A</b>			
<b>9 Notice to respondents (para 5-5, AR 15-6):</b>			
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?			
<b>10 If any respondent was designated after the proceedings began (or otherwise was absent during part of the proceedings):</b>			
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)?			
<b>11 Counsel (para 5-6, AR 15-6):</b>			
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)?			
<b>12 If the respondent challenged the legal advisor or any voting member for lack of impartiality (para 5-7, AR 15-6):</b>			
a. Was the challenge properly denied and by the appropriate officer?			
b. Did each member successfully challenged cease to participate in the proceedings?			
<b>13 Was the respondent given an opportunity to (para 5-8a, AR 15-6):</b>			
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]

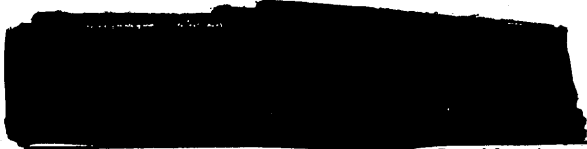
SUBJECT: Information on Conducting Investigation of Antideficiency Violations

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).

① 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.

② 4. The point of contact for information concerning the regulatory requirements of investigations of antideficiency violations is [REDACTED], COM: (4) 703-607-7534, DSN: ③ 327-7534. [REDACTED] will inform [REDACTED] of the name and number of the Investigating Officer as soon as he has been notified of his appointment.

⑤ [REDACTED]

Encl



DEPARTMENTS OF THE ARMY AND THE AIR FORCE

NATIONAL GUARD BUREAU  
2500 ARMY PENTAGON  
WASHINGTON, D.C. 20316-2500



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 ~~XXXXXXXXXX~~ COMM: 703-607-7534, DSN:  
327-7534. Please ~~XXXXXXXXXX~~ 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



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, 29-18.

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) [REDACTED] NGB-ARC, COMM: 703-607-7534, DSN: 327-7534. [REDACTED] (2) 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 (1)  
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.			

<input checked="" type="checkbox"/>	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)

④ [REDACTED]

Room No. - Bldg.  
BF672

Phone No.  
697-4331

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

OK  
execute

1

[Redacted]

ODS

From:  
To:  
Subject:  
Date:

2  
3

[Redacted] ODS  
[Redacted] ODZ  
FW: WACO -- Redux  
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 HELD IN THE INITIAL COLLECTION EFFORT, AND HAS INSTITUTIONAL KNOWLEDGE.

6

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  
9  
10

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

11

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....

12

[Redacted]

cc:

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

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, 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~~ <sup>November</sup> 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



(2)

Point of contact in this office is [REDACTED]  
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: [REDACTED]  
 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 Reserce 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 <sub>2</sub> 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>14</u>
	202 Total

WACO QUERY

<u>NAME</u>	<u>UNIT</u>	<u>REMARKS</u>
1 [REDACTED]	SOC PAC	
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 ALLEN 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

2

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



07/31/95 11:28 AM

3

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

4

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

5

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] (1)  
To [redacted]  
Subject : Re: REQ FOR WACO INFO  
Date : 10/05/95 08:57

10 May 93 (2)

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] (3)

(4) [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] (5)

CLASSIFICATION

(Revised 5/16/95)

DASD(SO/LIC)TASKING SHEET

FO SUSPENSE: \_\_\_\_\_

ACTION OFFICE

DATE IN: 23 5 95 DATE OUT: \_\_\_\_\_

OSD CONTROL # \_\_\_\_\_

ACTION COORD INFO

ACTION  INFO \_\_\_\_\_

CMD CONTROL # \_\_\_\_\_

DEP&S \_\_\_\_\_

F&R \_\_\_\_\_

H&RA \_\_\_\_\_

P&M \_\_\_\_\_

FROM: DEP&S

SUBJECT: Letter to Honorable Zelt

INCOMING

RETURN ACTIONS

REQUIREMENT:

- ASD
- ASD SECY
- PDASD
- PD SECY
- EXEC
- SR MA
- MA
- SA
- SECY/ADMIN
- FILE

ACTION INFO

Date Received: \_\_\_\_\_

ACTION INFO

ASD	
ASD SECY	
PDASD	
PD SECY	
EXEC	
SR MA	
MA	
SA	
SECY/ADMIN	
FILE	

ASD Has Seen 3 JAN 23 1995


- REPLY DIRECT/INFO FO
- ACTION FOR ASD/PD SIGNATURE
- REVIEW/COMMENT TO \_\_\_\_\_

FO NOTES:

ACTION COORD INFO

REVIEWED/DATE

DASD NOTES:

- DASD(DEP&S)
- PRIN DIR
- DIR(P&S)
- DIR(P&B)
- DIR(D&S)
- ADMIN



1 [REDACTED] A NEW ORIGINAL PACKAGE TO GO TO MILL. 2 [REDACTED] 1/24

DASD(F&R)



DIRECTOR NOTES:

DASD(H&RA)



DASD(P&M)



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  
CLIFF LARSEN, ALASKA  
CHRISTOPHER SMYTH, CONNECTICUT  
STEVEN SCHIFF, NEW MEXICO  
LEAH R. ROSEN, FLORIDA  
WILLIAM H. CLAY, JR., NEW HAMPSHIRE  
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JOHN L. MICA, FLORIDA  
PETER BLUTE, MASSACHUSETTS  
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JOHN SHADDEG, ARIZONA  
MICHAEL PATRICK FLEMING, ILLINOIS  
CHARLES F. BASS, NEW HAMPSHIRE  
STEVE CLAYTON, OHIO  
MARSHALL "MARK" BARNES, SOUTH CAROLINA  
ROBERT L. EHLICH, 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

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QUAKA FATTAH, PENNSYLVANIA

BERNARD SANDERS, VERMONT

MAJORITY - (205) 225-4070  
MINORITY - (202) 225-4081

VIA FACSIMILE

[Redacted]

Department of Defense  
The Pentagon  
Washington, D.C. 20315

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]
- 7 - 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 <sup>(i)</sup> [REDACTED] at 432-3740. <sup>(2)</sup>

FOR THE COMMANDER:

[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)

**3** DCSOPS  
**2** ADCSOPS  
**1** XO *4/10 July*  
 AXO \_\_\_\_\_  
 AXO \_\_\_\_\_

EDIT CNTL \_\_\_\_\_  
**4** SACO \_\_\_\_\_  
 DSACO \_\_\_\_\_  
 FILE \_\_\_\_\_

ACTION AND RETURN

FD  ZJ  
 ODS  ZQ  
 SS  ZXA  
 TR  ZXG  
 ZD  ZM  
 ZR \_\_\_\_\_

\_\_\_\_\_ next under, forwards **ALPWO** for

(approval)  (decision)  (signature)  (initial) under marker at **Orange Marker**

BRIEFING:

FOR: \_\_\_\_\_ DATE: \_\_\_\_\_ LOCATION: \_\_\_\_\_

ACTION: \_\_\_\_\_ TIME: \_\_\_\_\_

REMARKS:

FOR SACO USE:

SUSPENSE:	BY: _____	SACO TIME SIGNED: <b>101415 Jul 95</b>
OCSA SUSP: _____	CLASSIFICATION: <b>UNCLASSIFIED</b>	RESUBMIT TIME: _____
OTHER: <i>diag</i>		

OPS FORM 79A-R  
31 Oct 83

**EXPEDITE**

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

July 31, 1995

TO: <sup>①</sup> ██████████ AMO-ODS

TELECOPIER PHONE #: x73147

OFFICE PHONE #: x74331

FROM: <sup>②</sup> ██████████ 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



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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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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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
	7110011956414	TABLE, OFFICE EXECUTIVE, END,	1 /	ea 1
	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	Requested By	Date:	Received By (PLEASE PRINT)	
95/07/21	[REDACTED]	8/7/95	[REDACTED]	

3

4



DEPARTMENT OF THE ARMY  
OFFICE OF  
THE JUDGE ADVOCATE GENERAL



TO: [REDACTED] 1  
(701) 223 - 9679

FROM: [REDACTED] 2

COMMENTS: Sir: There were no written  
statements provided to the Congress for the WACO  
hearings. [REDACTED] has more info on WACO.  
Perhaps you can chat with him when you visit

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:

(2)  
[redacted signature block]

12 Encls  
as

(3)  
Program Manager  
Freedom of Information Act

**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
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
1. Alphabetical Roster, with current addresses
  2. Roster by Operational Role
  3. Roster by Operational Start Date
- TAB D** National Guard Support Requests
1. Bureau of Alcohol, Tobacco and Firearms
  2. Operation Alliance
- TAB E** Mission Documents relating to Aerial Photograph support missions
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 93433**

**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 Brach Davidians/Waco or the Ruby Ridge incidents.
3. POC is [REDACTED] Group XO, DSN 357-8600.

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

A  
ENCL 1



27 JUN 1995

DAPE-ZX

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]

(3) 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)

(6) 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. (7)

[REDACTED] (8)

LTC, GS  
CACO

*DISPER*



ACQUISITION AND TECHNOLOGY

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. (h)



Deputy Director  
Congressional Actions &  
Internal Reports

Attachment



TOTAL P.02

Z 0020236



He  
Waco

OFFICE OF THE  
SECRETARY OF DEFENSE

95 AUG 14 PM 12: 57

(1)

[REDACTED]

8 August, 1995

The Honorable  
Secretary of Defense  
The Pentagon  
Washington, D.C, 20301-1155

(2)

Dear Secretary

(3)

It has been brought to my attention that a unit of the British army, the SAS, was present and actively aiding 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 195

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.

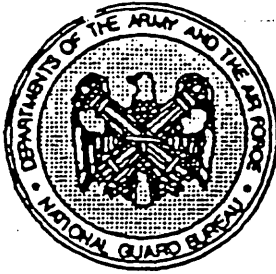
I request that you demand full details of the extent of the involvement of the FBI and the SAS in the United States from Director Froeh and Attorney General [Redacted] ⑤

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] / [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 (  ) PRIORITY ( ) URGENT DOCUMENTS

THIS HEADER SHEET WILL BE FOLLOWED BY 5 PAGE(S).  
 (  ) FOR YOUR INFORMATION & HELP!!!  
 ( ) YOUR RESPONSE IS REQUESTED

REMARKS: HEADS-UP IN ANOTHER WING 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 REQS SUBJECT! THX N.

DASD(DEP&S)/P&S

Fax: 7036978176

Aug 28 '95 14:07

P.02 *TK Waco*

OFFICE OF THE  
SECRETARY OF DEFENSE



15 AUG 24 PM 2:10

2500 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-4501  
(202) 225-4381

DISTRICT OFFICES:

739 THIMBLE SHOALS BLVD.  
NEWPORT NEWS, VA 23606-2645  
(804) 873-1132

4712 SOUTHPOINT PARKWAY  
FREDERICKSBURG, VA 22407  
(703) 888-2878

Box 447  
Accomac, VA 22021-0447  
(804) 787-7638

IN VA CALL TOLL FREE  
1-800-364-6527

**HERBERT H. BATEMAN**  
1st DISTRICT, VIRGINIA

COMMITTEES:  
NATIONAL SECURITY

CHAIRMAN, SUBCOMMITTEE ON MILITARY READINESS

CHAIRMAN, MERCHANT MARINE PANEL

MEMBER, SUBCOMMITTEE ON  
RESEARCH AND DEVELOPMENT

MEMBER, MEDICAL, WELFARE  
AND RECREATION PANEL

TRANSPORTATION AND INFRASTRUCTURE

MEMBER, SUBCOMMITTEE ON  
SURFACE TRANSPORTATION

MEMBER, SUBCOMMITTEE ON  
WATER RESOURCES AND ENVIRONMENT

CO-CHAIRMAN, CONGRESSIONAL  
AVIATION AND SPACE CAUCUS

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-4601**

August 23, 1995

Honorable [redacted] (1)  
Assistant Secretary of Defense  
Legislative Affairs  
The Pentagon, Room 3E966  
Washington, DC 20301

Dear [redacted] (2) (3)

A constituent has contacted my office regarding testimony allegedly made by Assistant Secretary [redacted] 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 Congress

HHB/wef  
Enclosure

U39669 / 95

THIS STATIONERY PRINTED ON PAPER MADE OF RECYCLED FIBERS

Z 0018327

# CASH COLLECTION VOUCHER

DISBURSING OFFICE COLLECTION VOUCHER NO.

RECEIVING OFFICE COLLECTION VOUCHER NO.

280213

ACTIVITY (Name and location) (Include ZIP Code)

USPPO FOR TEXAS, PO BOX 5228, AUSTIN TX 78762-5218

RECEIVED AND FORWARDED BY (Print name and title and signature)

(1) [Redacted Signature] COL, RGB  
USPPO FOR TEXAS

DATE

25 AUG 93

ACTIVITY (Name and location) (Include ZIP Code)

DEACON/EN-DET, FORT SAM HOUSTON TX 78234-5000

DISBURSING OFFICER (Print name, title and signature)

(2) [Redacted Signature] DPO  
FT SAM HOUSTON TX

DISBURSING STATION SYMBOL NO.

5086

DATE RECEIVED SUBJECT TO COLLECTION

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 18-08820 P519892.41-26FA S41292 SMO 3AJV
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 SMO 3AHV  2132065 18-1041 P519892.30-26FB S41292 LGO 3AHV
<b>TOTAL</b>			<b>205,493.90</b>	

DD FORM 1131  
1 APR 57

REPLACES EDITION OF 1 APR 56 WHICH IS OBSOLETE. Form approved by Comptroller General, U.S. 24 January 1955

Z 0034253



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-2500

August 30, 1995

SPECIAL OPERATIONS/  
LOW-INTENSITY CONFLICT

(2)

[REDACTED]

(B)

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)

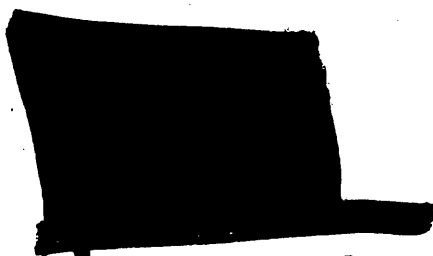
FOR GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

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)

[REDACTED] /697-4331

[REDACTED]

NGB-ARC (37-20a)

21 AUG 1995

MEMORANDUM FOR OFFICE OF THE DEPUTY ASSISTANT SECRETARY OF THE  
ARMY FOR FINANCIAL OPERATIONS, ATTN: SAFM-FCL

① [REDACTED]

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

1. Reference memorandum, SAFM-FO, 1 Aug 95, subject: Flash Report of Potential Antideficiency Act Violation.

2. Per referenced memorandum the names of the investigating officer, lawyer and financial management representative assigned to conduct the investigation of Case No. 95-09 are listed below:

②  
③  
④  
⑤

Investigating Officer: [REDACTED] 701-223-9619  
Lawyer: [REDACTED] 701-224-5242  
Auditor: [REDACTED] 703-681-5996

3. The point of contact for the Army National Guard for this case is [REDACTED] NGB-ARC-M, 703-607-7534.

FOR THE CHIEF, NATIONAL GUARD BUREAU:

[REDACTED]  
⑥ [REDACTED]  
Colonel, GS  
Director, Army Comptroller

COORDINATION  
OFFICE  
Symbol Name  
ARC-MR OAC  
ARC-M OAC  
[REDACTED]  
6/18/95

[REDACTED]

1  
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

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.

3

[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 deplores 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 <sup>①</sup> [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 <sup>②</sup> [REDACTED] testimony before congress on 21 Apr 93.
9. 28 Apr 93 fax from SOCOM-Washington Office which is an excerpt from Attorney General <sup>③</sup> [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

3 Social Security #s

Active Duty Personnel

MEMORANDUM FROM



[Redacted Name]

S-3

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



1A

PERSONNEL FROM TASK FORCE WACO

[Redacted] Co.  
 [Redacted] 6th 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.

~~30~~ 13th COSCOM



Thru Chief  
TO [redacted] (1)

[redacted] (2) the only question I  
have is related to how we got involved.  
Was the "metamorphosium" 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.

VP  
[redacted] (3)

00021646

INVENTORY

- ~~XXXXXXXXXX~~
- 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)
  - ✓ ⑨ 2 Pulse Oximeters (Pedi Bag + Evidence Collection Bag)
  - ✓ ⑩ Decm kit
  - ✓ ⑪ 4 encrypted portable radios, 5 spare batteries, 4 chargers
  - ✓ ⑫ Hot Dog + 2 cigarette lighter extension cords
  - ✓ ⑬ Side Call chest
  - ✓ ⑭ M-15 bag
  - ④ ⑮ [redacted] flight helmet
  - ⑯ 2 Rope kits
  - ⑤ ⑰ [redacted] high vest (blue mesh in med black bag)
  - HR's Arms ⑱ Medical Support Team Banner
  - KIT ⑲ Evidence collection kit
  - ⑳ 1100 Toshiba computer
  - ㉑ Case battle dressings
  - ✓ ㉒ Coffee Maker
  - ㉓ Medical records black pouch + manilla folder
  - ✓ ㉔ Suture/lac trays
  - ㉕ ~~Thoracotomy tray to Ft. Hood (chest wall)~~
  - ㉖ Thoracotomy Tray to Providence (chest tube)
  - ✓ ㉗ 10 Nano Litters to Hillcrest
  - ✓ ㉘ CN Antidote kits
- ②⑦ Pedi 1+3 4 Adults Per Tract

# TELEFAX COVER SHEET

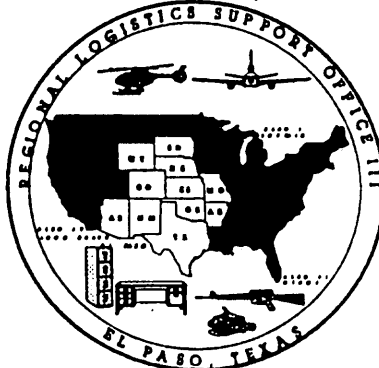
## REGIONAL LOGISTICS SUPPORT OFFICE III

P.O. BOX 8051

EL PASO, TX 79908-8051

DATE: 27 Apr 95

(915) 568-9088  
AV PREFIX: 978



①

TO: [REDACTED]

②

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: ALSO 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





Special Operations/  
High Intensity 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)

1 [redacted]  
2 [redacted]

Attachment:  
As stated

RECEIVED

CORRES & RECORDS CTR

28 JUL 95 15 12

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 1

To	[redacted]	Fr	[redacted]
Co.	[redacted]	Co.	[redacted]
Dept.	[redacted]	Phone #	[redacted]



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 Detail

87-17-22

<b>TRANSMITTAL/ACTION/CONTROL</b> (FORSCOM Memo 1-11)	DATE: 13 Jul 95
	OFFICE SYMBOL/PHONE: AFOP-OD/5014

SUBJECT: Response to Congressional Request for Information on CD Mission JT002E-93, Waco, TX

THRU:  G3  Cofs  DCG TO: SG

ACTION REQUIRED:  APPROVAL  SIGNATURE  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.  
*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.*

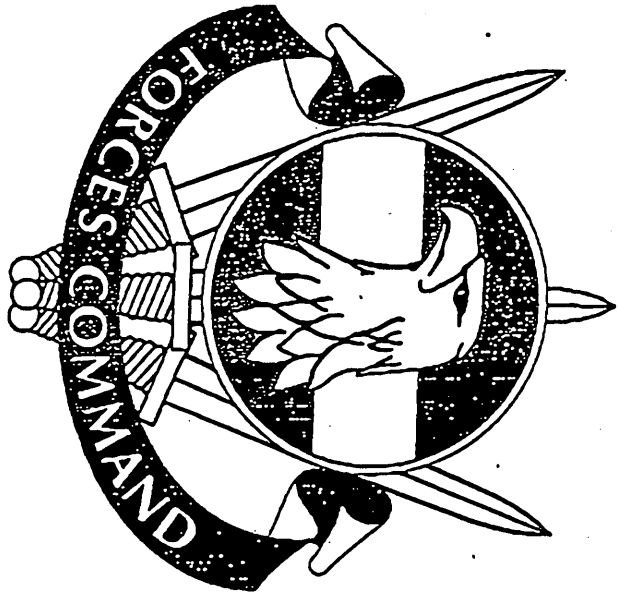
ACTION: APPROVED \_\_\_\_\_ NOTED \_\_\_\_\_ COMMENT \_\_\_\_\_

COORDINATION/CONCURRENCE				ROUTING/APPROVALS	
OFFICE	NAME/TITLE	DATE	CONCUR	INITIALS	DATE
AFCG-JA	[redacted]	13 Jul 95	Concur	[redacted]	
JTF-6 COS	[redacted]	131500 Jul 95	Concur		13 Jul 95
USACOM J3D	[redacted]	131505 Jul 95	Concur		
DA DAMO-OD	[redacted]	131707 Jul 95	Concur		

FOR COMMAND GROUP USE

PROOFED BY (Initials/Date)	SGS (Number)	DSGS
RETURNED FOR ACTION	TASKER	IN 7/14
RETURNED FROM ACTION	LOG 95-30606	OUT

HQ FORSCOM Form 1048, 1 Mar 94  
 Returned from SGS on 18 Jul 95, 55, SKK, 1430



FROM: [REDACTED] (3) X V  
 FAX# DSN: 572-2497/COMM: 404-752-2497  
 VOICE: DSN: 572-2921/COM: 404-752-2921  
 TOTAL PAGES (INCL COVER): (96) 4352/2453

TO: [REDACTED] (1)  
 FAX PHONE: Area 703-614-3035 (1A)  
 COMMENTS: Per your conversations with [REDACTED] (2) \* Supporting documents  
 OFC SYM: 5446-12  
 Name # 1  
 Enclosed as 15 folders chronology

HQs Forces Command, A5CG-1A  
 Staff Judge Advocate Office  
 Fort McPherson, GA 30330-5000



1715-# [redacted] (12)  
From DAmo-odd  
HHS "Chopped"

JUL 13 '95 17:15 FORSCOM SJH

Z 0002598

TO: [redacted] (1A) OFC SYM: 5422-12

FAX PHONE: 404 703-614-3035

COMMENTS: *Per your conversations with [redacted] #12  
+ supporting documents*

FROM: [redacted] #11 (3)

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

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

TOTAL PAGES (INCL COVER): (96) 9252/2453

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

P.11/10

① [REDACTED] - G3

From: ② [REDACTED] - SJA ④  
To: ③ [REDACTED] ④  
Cc: ⑤ [REDACTED] - G3 ④  
Subject: RE: OCLL Request for Waco Chronology ⑦  
Date: Wednesday, July 12, 1995 5:56PM

WILCO

⑧ From: [REDACTED] ⑩  
⑨ To: [REDACTED]  
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 ⑭ ⑮  
⑬ To: [REDACTED]  
⑯ Cc: [REDACTED] ⑰ ⑱  
⑲ SJA CPT (P); [REDACTED] - SJA ⑳  
Subject: OCLL Request for Waco Chronology  
Date: Wednesday, July 12, 1995 5:19PM

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. 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.

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.

⑲ 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] ⑳ or whoever is deemed appropriate. OCLL will coord with DOMS. No need for CofS or CG to sign cover memo.

⑳ [REDACTED]



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

19 August 1995

DAJA-ZB

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  
[REDACTED]

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 460 681-0971  
COL [REDACTED] NGB-ARP 607-7100  
COL [REDACTED] ARNGRC 607-7040

Name 137  
Name 138  
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 [redacted] wed/Tr. 146  
COL [redacted] and/or COL [redacted], NGB-ZA [redacted] 147  
General Counsel, FEMA [redacted] 148  
3-339- [redacted] or COL [redacted], Deputy Director, NGB-CD 631-0300 149  
LTC [redacted] (Ret.) 150  
[redacted] NGB-JAK — must be at [redacted] Mon/Tue 151  
693-3214 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] 153  
LTC [redacted], NGB-ARL- [redacted] 154  
LTC [redacted], NGB-ARO- [redacted] 155

[redacted] 156  
BG, JA, ARNGUS  
ARNG Special Assistant to  
The Judge Advocate General

P. S.

7. Request you obtain an appropriate supply of DA 2823 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 175

Major [REDACTED] Name 176

Lt. [REDACTED] Name 177

[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	1
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 FORSCOM - they don't have on track
5	2	
12	...	
2	...	
1	1	
2	2	
2	1	
1	1	
2	3	FORSCOM says 2 vans
1	...	
3	3	
unspecified	...	
unspecified	6	
unspecified	100	

**Notes:**

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

REC-13416-0115  
 11/17/11  
 2/1/11

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)

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

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

UNCLASSIFIED

**DRAFT**



8 Aug 95

Waco -

- 1. Rec'd call fr AF Sgt in ASD (SO/LIC)'s office about increasing. got report at 0840.
- 2. Wrote Boss an email (0940) + discussed while returning fr KC brief + [redacted]; 0920 sent w/order to [redacted] (3)
- 3. 1120-1315: drafted report + filled in (2)
- 4. 1400: VI. TECH RPTG ([redacted] 695-1580/1578)
- 5. Plan:

- draw-up draft
- pursue followups next week (← (5) fix)
- FIND OTHER reports
  - a. call IC
  - (6) b. [redacted] 677-5656
  - c.
  - d.

PROSCOM 63  
no military reports

FISCAL Details

- (7) a. [redacted] 677-8217
- (8) b. [redacted] (also counsel) 677-1137
- (9) c. [redacted] - working on file
- (10) d. [redacted] - 1015 - not in log copy
- (11) e. [redacted] - 1010 - copy; 2 call back
- f. [redacted] copy IC - 1011 - in file → copy 63 (737-2203) 7203
- g. [redacted] - LV until 31 Aug.
- (12) h. [redacted] (NG - MS) 607-7352 [sent fax] not bill them
- i. PURSUE TU B. w. gov. track DSN 307-6055

8/9 1011 left msg w/ [redacted]

091642 Aug 95. spoke w/ [redacted]. Run my list by PROSCOM, bill

071710 Aug 95 (14) [redacted] copy, 63 (DSN 737-7203/FAX 737-0112) (817) 207

Fixed equipment list 2 tasks - will call Friday.

11 Aug 95

- (15) • PASSED request for suspension extension to [redacted] to 30 Aug.
- (16) • PASSED [redacted] DUE (orig + change + protest)
- Email to wife Dianne, msg: SJA CWS picked up draft + change

18 Aug

Phon call [redacted] + no records kept @ time call voc. SJA did AAR.  
 (SJA phone # 737-3421) (18) [redacted] collected request'd data: copy to SJA  
 (Admin 737-7464 Admin law) DSN 737-2125 [redacted] (20)

21 Aug 95. call [redacted] SJA. would call back. Call which by DITA C/100 no longer in  
 vehicle to see if could one to get reason (char, moral legal, etc) 697-2263 [redacted]  
 in need of info either.

23 Aug 95. SARA STOP w/ issues - NO ACTION TO GET REIMBURSED

(19) [redacted] (ARA (IL'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. J. S.



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, <sup>1</sup> [REDACTED]

[REDACTED] 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. <sup>2</sup> [REDACTED] <sup>3</sup> contacted [REDACTED]  
[REDACTED] 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, <sup>4</sup> [REDACTED]  
[REDACTED] searched the Hotline Database and  
received negative results.

<sup>5</sup> If we may provide further information, please contact  
Ms. [REDACTED]

Sincerely,

<sup>6</sup> [REDACTED]  
[REDACTED] <sup>7</sup>



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--RUERHNB.  
ZNR UUUUU  
O R 222100Z JUN 95  
FM DA WASHINGTON DC//DACS-DMP-SR//  
TO RUEASRB/CDRFORS COM FT MCPHERSON GA//AFCG/AFIS-RPP//  
RUEAAIA/CDRTRADOC FT MONROE VA//ATCS-Z/ATDO-YL//  
RUERHNB/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//  
JANEC/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 SKING 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

*cf - This is original text.*

*(2) [redacted] (3)*

*11/10/01  
we are probably wondering  
this was 11/10/01  
no chance. Re sure  
we are sending the  
same data to both.  
I don't want to miss  
either of our bases.*



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) [REDACTED] 695-6804 with any questions or comments.

(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] (2)  
and [REDACTED]

(1) [REDACTED]  
MI to DDR&E

15



# 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) : 2 FORCES COMMAND  
\* \* ATTENTION \* \* : [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, [REDACTED] 2b

### TRANSMITTAL SHEET

OPTIONAL FORM 99 (7-90) PER GMSR Section - THANK

<b>FAX TRANSMITTAL</b>		# of pages ▶ <u>8</u>
To	From	
Dept./Agency <u>1DAPNG-SJA</u>	Phone # <u>DSN 572-245314252</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)		SSN		3. POSITION TITLE AND GRADE OR RATING			
4. OFFICIAL STATION		5. ORGANIZATIONAL ELEMENT			6. PHONE NO.		
7. TYPE OF ORDERS TDY		8. SECURITY CLEARANCE TS		9. PURPOSE OF TDY CONGRESSIONAL ESCORT TO			
10a. APPROX NO. OF DAYS OF TDY (Including travel time) 1		b. PROCEED O/A (Date) 11 JUL 95		CATEGORY:			
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)				18. APPROVING OFFICIAL (Title and signature)			
				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						PASS O 9 Travel Assistan, OSA	
20. ORDER AUTHORIZING OFFICIAL (Title and signature) OR AUTHENTICATION By Order of the Secretary of the Army: 10 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]  
 ② [Redacted] Professional Staff Member, HGRO, [Redacted]  
 ① [Redacted] Professional Staff Member, HGRO,  
 [Redacted] Minority Staff Counsel, HGRO, SSN [Redacted]  
 [Redacted] Legislative Asst., National Security for Rep Buyer (K-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)
- ③ b. [Redacted] (Secret)
- ② c. [Redacted] (Top Secret)
- ① d. [Redacted] (Confidential)
- ② e. [Redacted] (Top Secret)

By Order of the Secretary of the Army:

[Redacted Signature] ③

① [Redacted Title] 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  
 TDY: \$150.00 (T)  
 TVL: \$75.00 (T)

② [Redacted Title] 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 ④  
To: ③ [REDACTED] ④  
Cc: ⑤ [REDACTED] - G3 ④  
Subject: RE: OCLL Request for Waco Chronology ⑤ ⑦  
Date: Wednesday, July 12, 1995 5:56PM

WILCO

⑧ From: [REDACTED] ⑩  
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 ⑭ ⑮  
⑬ To: [REDACTED] ⑮  
⑯ Cc: [REDACTED] ⑮  
⑰ SJA CPT (P); [REDACTED] - SJA ⑱  
⑲ Subject: OCLL Request for Waco Chronology  
Date: Wednesday, July 12, 1995 5:19PM

⑲ 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.

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.

⑲ 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.

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.

⑲ [REDACTED]

**ROUTING AND TRANSMITTAL SLIP**

Date

12 July 95

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
[Redacted] (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 [Redacted] & quest 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.
	Phone No.

(2)

50

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

(4) [REDACTED]

SIGNATURE  
NATIONAL GUARD BUREAU, Room 2C357

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

V01:  
From: [REDACTED] 14)  
To: [REDACTED] 15) --FOR3083

Note  
Date and time 06/26/95 11:13:57

(20)

FROM: [REDACTED] OFFICE DAPC-ALS PHONE 202-325-8811 AV  
SUBJECT: SF Addresses

1. [REDACTED] 2) 3) 4) 5) CDR, 3d Special Forces Group  
Fort Bragg, NC 28307

2. [REDACTED] 16) USA EL [REDACTED] GMD  
Camp Smith, HI 96833

3. [REDACTED] 17) USA Special Forces CMD  
Fort Bragg, NC 28307

4. [REDACTED] 6) No record, check [REDACTED] 7)

5. [REDACTED] 8) Name does not exist on microfiche  
9) No record, check [REDACTED] 18)

6. Hope this helps.

10)  
cc: [REDACTED]

[REDACTED] 11)  
[REDACTED] 19)  
[REDACTED]  
[REDACTED]

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

12) [REDACTED] USAR Unit

13) [REDACTED]

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

**UNRECORDED**

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]

**UNRECORDED**



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. Zeff  
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 large black rectangular redaction box covers the signature area. Below it, a smaller black rectangular redaction box covers the name of the sender.

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:

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 the request of the House staffers. 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 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.



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 Committee on equal terms. In addition, we are providing a copy of the same documents to the House Subcommittees in response to their letter of June 8.

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 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,

A large black rectangular redaction box covers the signature and name of the sender. Below it, a smaller black rectangular redaction box covers the title or position of the sender.

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: <b>UNCLASSIFIED</b>	CONTROL NUMBER: 9507730Z
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	ADCSOPS	EDIT CNTL	
3	ADCSOPS	ADCSOPS	
2	XO	SACO	
1	AXO	DSACO	
	AXO	FILE	
<p>OP3 AB, next under, forwards NAWO for</p> <p>(approval) (decision) (signature) (initial) under marker at <u>FOR AUTO REP</u></p>			
BRIEFING:			
FOR: _____		DATE: _____	LOCATION: _____
ACTION: _____		TIME: _____	
REMARKS:			
FOR SACO USE:			
SUSPENSE: 950906	BY: [Redacted] LTC GS	SACO TIME SIGNED: 011136 Sep 95	
OCSA SUSP: _____	CLASSIFICATION: <b>UNCLASSIFIED</b>	RESUBMIT TIME: _____	
OTHER: <u>Call A0</u>			

OPS FORM 79A-R  
31 Oct 83



UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

4301 JONES BRIDGE ROAD  
BETHESDA, MARYLAND 20814-4780



October 26, 1995

DEPARTMENT OF  
MILITARY AND EMERGENCY MEDICINE  
CASUALTY CARE RESEARCH CENTER  
(301)289-6283

MEMORANDUM FOR [REDACTED] ODGC(LC)

SUBJECT: Request for Information About Military Support to Law Enforcement

[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.

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.

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

*Uncomfortable w/ turning this over + calling it a "report"*

[REDACTED]

Research Assistant Professor  
Director  
Casualty Care Research Center





**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! Truly,  
[redacted]* (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 012208Z OCT 92.

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

3 Encls

<sup>(3)</sup>

[REDACTED]  
Colonel, FA  
Chief, Counterdrug Division, G3

WILLIAM F. CLINGER, JR., PENNSYLVANIA  
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BENJAMIN A. GILMAN, NEW YORK  
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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

CAROLIS COLLINS, ILLINOIS  
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BILL K. BREWSTER, OKLAHOMA  
TIM HOLDEN, PENNSYLVANIA

BERNARD SANDERS, VERMONT  
INDEPENDENT

MAJORITY—(201) 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:

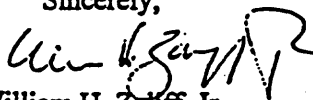
Upon reviewing the documents relating to this subcommittee's recent Waco hearings, my staff has encountered some difficulty ascertaining direct answers to the following questions. I would be grateful if you would provide such answers in writing to the subcommittee at the earliest possible time.

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. GOLMAN, NEW YORK  
DAN BURTON, INDIANA  
J. DENNIS HASTERT, ILLINOIS  
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MARSHALL "MARK" SANFORD, SOUTH CAROLINA  
ROBERT L. ENRICH, 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

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CHAKA FATTAH, PENNSYLVANIA  
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TIM HOLDEN, PENNSYLVANIA

BERNARD SANDERS, VERMONT  
INDEPENDENT

MAJORITY—(202) 225-5074  
MINORITY—(202) 225-6051

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

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

697-8176



MODE = MEMORY TRANSMISSION

START=OCT-30 09:44

END=OCT-30 09:45

FILE NO.= 103

NO.	COM	ABBR/NTWK	STATION NAME/ TELEPHONE NO.	PAGES	PRG.NO.	PROGRAM NAME
001	OK		6978176	002/002		

-OSD-DGC

\*\*\*\*\* - \*\*\*\*\* - 703 614 6745- \*\*\*\*\*



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: [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.

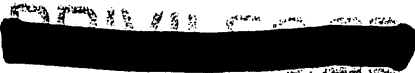
**REMARKS:**

As discussed.



**OFFICE OF GENERAL COUNSEL - CORRESPONDENCE ROUTING AND ACTION**

<b>1. Client</b> DOD DRUG ENFORCEMENT/ [REDACTED] 93-1920		<b>2. Date</b> 11/06/95	<b>3. Suspense</b> 11/15/95	<b>4. OGC Control#</b> 9511060036
<b>5. Subject</b> COORDINATION OF REPORT TO JOINT HOUSE WACO COMMITTEE				
<b>6. PDGC/GC Review</b>	<b>7. Action Office</b> LC		<b>8. Suspense to PDGC/GC</b> 11/13/95	
<b>9. Instructions</b>				
<b>10. Action Attorney Comments</b> [REDACTED] (2)				<b>11. Date</b> / /
<b>12. DGC Clearance/Comments</b>				<b>13. Date</b> / /
<b>14. PDGC/GC Clearance/Comments</b>				<b>15. Date</b> / /
<b>16. Further Action</b>				<b>17. Date</b> / /
<b>18. Final Disposition</b>				<b>19. Date</b> / /



CLASSIFICATION

(Revised 5/16)

**OASD(SO/LIC) TASKING SHEET**

DATE IN NOV 6 1995 DATE OUT: \_\_\_\_\_

FO SUSPENSE: \_\_\_\_\_

OSD CONTROL # \_\_\_\_\_

CMD CONTROL # \_\_\_\_\_

**ACTION OFFICE**

ACTION COORD INFO

DEP&S	_____
F&R	_____
H&RA	_____
P&M	_____
_____	_____
_____	_____

FROM: DEP&S

SUBJECT: Coordination of Response to Congressional Inquiry

INCOMING

RETURN ACTIONS

REQUIREMENT:

- ASD
- ASD SECY
- PDASD
- PD SECY
- EXEC
- SR MA
- MA
- SA
- SECY/ADMIN
- FILE

ACTION INFO

Date Received: \_\_\_\_\_

ACTION INFO

ASD	_____
ASD SECY	12/3/11/6
PDASD	_____
PD SECY	_____
EXEC	2/11/7
SR MA	_____
MA	_____
SA	_____
SECY/ADMIN	12/11/6
FILE	_____

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REPLY DIRECT/INFO FO  
 ACTION FOR ASD/PD SIGNATURE  
 REVIEW/COMMENT TO \_\_\_\_\_

FO NOTES:

	<u>ACTION COORD INFO</u>	<u>REVIEWED/DATE</u>
DASD(D&S)	_____	_____
PRIN DIR	_____	_____
DIR(P&S)	_____	_____
DIR(P&B)	_____	_____
DIR(D&S)	_____	_____
ADMIN	_____	_____
DASD(F&R)	_____	_____
DIR(R&P)	_____	_____
DIR(ACO)	_____	_____
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	_____	_____

DASD NOTES:

DIRECTOR NOTES:

ACTION OFFICER: \_\_\_\_\_

ACTION TAKEN: \_\_\_\_\_

ATTACH THIS SHEET TO OUTSIDE OF BACK OF \_\_\_\_\_

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			
<b>TYPE OF ACTION REQUIRED</b>						
	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 <b>LA</b>		
	APPROPRIATE ACTION					
REMARKS						
<del>CONFIDENTIAL</del>						
ACTION DUE DATE (YYMMDD) <b>951205</b>		ROUTING DATE (YYMMDD) <b>951121</b>		OSD CONTROL NUMBER <b>U43883-95</b>		

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

A.B. DICK COMPANY  
TOTAL QUALITY SERVICE



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, 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.

(1)

(2)

[redacted]

Attachments:  
As stated

(3)

Note: Suspense extended to 95117, per [redacted]

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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. 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).

① I would like to answer Congressman Zeff 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.

② [REDACTED]

Attachments:  
As stated



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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

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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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OFFICE OF THE  
SECRETARY OF DEFENSE

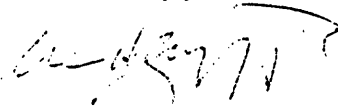
1435-1436, 1438-1446, 1461, 1536-1550, 1552, 1593-1600, 1603-1606, 1608, 1667-1668, 1676-1677, 1679-1680, 1682, 1690-1694, 1794, 1796-1801, 1809-1813.

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		
	COMPTRROLLER			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		
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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 preparatory agency is Office of The Deputy Chief of Staff for Personnel.

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

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

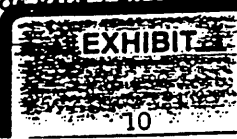
EXHIBIT 10	INITIALS [REDACTED]	MAKING STATEMENT -5	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED] CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE 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 JUL 72

SUPERSEDES DA FORM 2823, 1 JAN 68, WHICH WILL BE USED.

Attachment 5



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]

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

22. [REDACTED] attended a meeting with [REDACTED] 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.

23. I did not obtain a copy of the [REDACTED] the April 1993 Focal Group report (Exhibit 36), until July 1995.

24. 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]

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 [REDACTED]

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



Who should get "heads up" copies of this.

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515-6216

One Hundred Fourth Congress

[Redacted] 2

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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GENERAL COUNSEL  
 ALAN D. COFFEY, JR.

ONE HUNDRED FOURTH CONGRESS

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

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 BRYAN JACKSON, TEXAS

December 13, 1995

95 DEC 18 PM 1:29

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?

U45015 / 95

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, 1995.
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.

3. Any reports or memoranda prepared by DoD personnel and which were delivered to employees of the Bureau of Alcohol, Tobacco and Firearms in any way related to the events that took place at the Mt. Carmel Compound in 1993.

4. All reports or memoranda concerning damage to DoD property present at Mt. Carmel on April 19, 1995.

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,



BILL MCCOLLUM  
Chairman  
Subcommittee on Crime

BMCC\grs.

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GENERAL COUNSEL  
 ALAN P. COPPEY, JR.

ONE HUNDRED FOURTH CONGRESS

## Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6218

(202) 225-3951

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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.

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, 1995.
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.

3. Any reports or memoranda prepared by DoD personnel and which were delivered to employees of the Bureau of Alcohol, Tobacco and Firearms in any way related to the events that took place at the Mt. Carmel Compound in 1993.

4. All reports or memoranda concerning damage to DoD property present at Mt. Carmel on April 19, 1995.

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,



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. Perry*

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 dept 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.

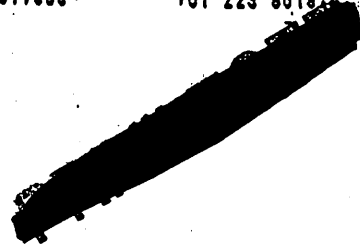
7. It is the recommendation of this office that the following action be taken:

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) 223-9619  
NAME: [REDACTED]  
OFFICE SYMBOL:

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 is on leave and TDY, she ask me to continue to work the Waco issue. ④ (NGB-IR) hand delivered the attached document (Exhibit No. 62) to our office a few moments ago. At ⑤'s request, I am faxing it to you.

If this office may be of further assistance, please advise.

⑥ [REDACTED]

Management Review Officer



~~CONFIDENTIAL~~

<b>SECRETARY OF DEFENSE CORRESPONDENCE ACTION REPORT</b> This form must be completed and delivered to the Correspondence Control Division (CCD), WHS Room 3A948, not later than (YYMMDD) <b>951205 ('GC')</b>		<b>1. DATE (YYMMDD)</b> 12/8/95	
<b>2. ACTION TAKEN (X one)</b> <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)			
<b>3. JUSTIFICATION</b> Action Attorney must review all documents requested			
<b>4. REPORTING AGENCY</b>			
<b>a. ACTION AGENCY</b> ODGC (Legal Counsel)		<b>c. TELEPHONE NO.</b> 697-2714	<b>e. APPROVING MILITARY / EXECUTIVE ASSISTANT</b> (Service Secretary / Under Secretary / ASD Level) Signature
<b>b. NAME OF ACTION OFFICER</b> [Redacted] (1)		<b>d. DATE (YYMMDD)</b> 12/8/95	Date Signed
<b>5. CCD CONTROL</b> U43883-95		<b>6. ACTION TAKEN (For Correspondence Control Division Use Only)</b>	
		<b>a. EXTENSION / CANCELLATION</b>	Approved
		<b>b. OTHER (Specify)</b>	Disapproved

SD FORM 391, AUG 87

Previous editions are obsolete.

ELECTRONIC FORM EXCEPTION APPROVED BY WHS/DIOR, MAR 90

~~CONFIDENTIAL~~





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

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			
<b>TYPE OF ACTION REQUIRED</b>						
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: \_\_\_\_\_

**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

ACTION INFO

- ASD
- ASD SECY
- PDASD
- PD SECY
- EXEC
- SR MA
- MA
- SA
- SECY/ADMIN
- FILE

	<u>20</u>
	<u>3</u>
	<u>1/12/19</u>

RETURN ACTIONS

Date Received: \_\_\_\_\_

ACTION INFO


REQUIREMENT:

- \_\_\_\_\_ REPLY DIRECT/INFO FO
- \_\_\_\_\_ ACTION FOR ASD/PD SIGNATURE
- \_\_\_\_\_ REVIEW/COMMENT TO \_\_\_\_\_

FO NOTES:

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: 1

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

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.

 (2)

Assistant Secretary of the Army  
(Financial Management and Comptroller)



DEPARTMENT OF THE ARMY  
OFFICE, ASSISTANT SECRETARY  
WASHINGTON, DC 20310-0109

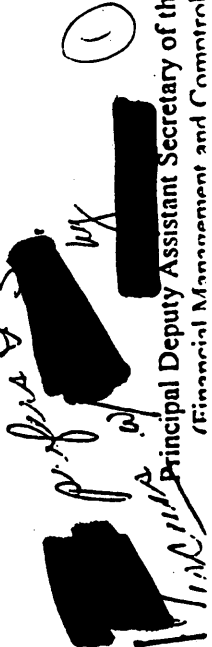
MEMORANDUM FOR: UNDER SECRETARY OF DEFENSE  
(COMPTROLLER)

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.

 (1)

Principal Deputy Assistant Secretary of the Army  
(Financial Management and Comptroller)



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. ③.

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

①

5  
[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]

[REDACTED]



UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

4301 JONES BRIDGE ROAD  
BETHESDA, MARYLAND 20814-4799



*File -  
Waco*

DEPARTMENT OF  
MILITARY AND EMERGENCY MEDICINE  
CASUALTY CARE RESEARCH CENTER  
(301)295-8283

51  
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



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 <sup>Friday</sup> 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.

*change approval* (2)

095

(1)

(3)

68 MS 95

4.

DJS COORDINATION [redacted]

Attachments:  
As stated

8 NOV 95 1: 4

Z 0025489



1. [redacted]  
Note Supreme.  
2. [redacted]  
3. [redacted] + me apis ps.  
ps Make [redacted]

T A S K I N G   C O N T R O L   D O C U M E N T

Control # 9510274Z Z Agency Date of Entry 951109 Document Date 951108  
Originator DD/ASD(SOLIC) Source Classification U  
Subject COORDINATION OF RESPONSE TO CONGRESSIONAL INQUIRY RELATED TO HOUSE WACO  
HEARINGS

Agency OSA 951117 Suspense Dates OSD 951117  
Action Officer Telephone

Action Office SALL Disposition  
Assisting Office  
Information Copies SASA SAUS SAMR (SAGC) DACS-ZD DALO DAMO DAJA NGB \*\*  
2nd Disposition Date Action Further Assigned

Action Required  
 Appropriate Action  Advance Copy  
 Comply with direction under  Information Copy  
 Prepare Reply  
 Reply Direct  
 Other/Remarks  
Signature of  
with copy to

Coordinate with  
Remarks ENCLS \*\* ACTION REQUIRES COORDINATION FROM DA & APPLICABLE COMMENTS.

4.  
Tasking Official [redacted] Telephone 56410 Clerk [redacted]  
Tasking Official (2nd Disposition) Telephone

# JOINT STAFF ACTION PROCESSING FORM

TO <b>DJS</b>	CLASSIFICATION <b>UNCLASSIFIED</b>	ACTION NUMBER <b>95-06321</b>
THRU VDJS <i>ant-</i>		ORIG SUSPENSE <b>11/17/95</b>
SUBJECT Concurrence with ASD SO-LIC Response to Congressional Inquiry Related to Waco Hearings	ACTION	
	<input checked="" type="checkbox"/> X	APPROVAL
		SIGNATURE
		INFORMATION
	SJS SUSPENSE <b>11/15/95</b>	J SUSPENSE <b>11/15/95</b>

**ACTION SUMMARY**

1. Purpose. To respond to ASD/SOLIC request\* to comment on proposed answer to Representative William H. Zeff's questions regarding DOD support to civilian law enforcement agencies.

2. Background

a. Representative William H. Zeff, 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 Zeff's questions.

3. Recommendation. DJS approve Ambassador Holmes' letter to Representative Zeff 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 95	695-0483	ARMY (4)	[REDACTED] 16 NOV	76609
J-38 (11)	[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			

ACTION OFFICER/DIV/PHONE (2) [REDACTED]

USA, 695-8122

SOD/SOF

DATE PREPARED  
14 November 1995

CLASSIFICATION  
**UNCLASSIFIED**

Classified by  
Declassify on

# ROUTING COVER SHEET

1, [REDACTED]

CLASSIFICATION <b>UNCLASSIFIED</b>	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 [REDACTED]	[REDACTED]	
	EXECUTIVE ASSISTANT		
2	VICE DIRECTOR, JT STAFF [REDACTED]	[REDACTED]	
	EXECUTIVE ASSISTANT		
1	SECRETARY, JT STAFF [REDACTED]	[REDACTED]	
	CHIEF, ACTIONS DIVISION		
	RETURN ADM SUPPORT BR		

CLASSIFICATION      **UNCLASSIFIED**

NGB-CD

17 November 1995

MEMORANDUM FOR [REDACTED] CIA

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



Z 0015379

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

~~CONFIDENTIAL~~

DAJA-ZB

21 November 1995

MEMORANDUM FOR <sup>(1)</sup> [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 # 9511270Z Z 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

Action Office Disposition  
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

1

Tasking Official [REDACTED]  
Tasking Official (2nd Disposition)

Telephone 56410 Clerk [REDACTED]  
Telephone [REDACTED]

[REDACTED]

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)		12/21/95	
2. ACTION TAKEN (X one)			
<input checked="" type="checkbox"/>	a. ACTION HAS BEEN COMPLETED (Copy attached)		
<input 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	c. TELEPHONE NO.	e. APPROVING MILITARY /EXECUTIVE ASSISTANT (Service Secretary / Under Secretary / ASD Level)	
ODGC (Legal Counsel)	695-5710	Signature	Date Signed
b. NAME OF ACTION OFFICER	d. DATE (YYMMDD)		
[REDACTED]	12/21/95		
5. CCD CONTROL NUMBER		6. ACTION TAKEN (For Correspondence Control Division Use Only)	
U43883-95		a. EXTENSION / CANCELLATION	Approved Disapproved
		b. OTHER (Specify)	

SD Form 391, AUG 87

Previous editions are obsolete.

[REDACTED]

**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 m 2/11/21/95		8. Suspension to PDGC/GC 12/01/95	
9. Instructions				
10. Action Attorney Comments TBD [redacted] 1. Drafted response to letter from Chun [redacted] 2. ARMY, SOLIC. Telephone coordination for [redacted] 3. Discussed with [redacted] in LA. Recommended PDGC sign + transmittal to [redacted] 4. in LA. [redacted] 14 Feb 4A			11. Date 11/21/95	
12. DGC Clearance/Comments concur [redacted] 2/14/96			13. Date / /	
14. PDGC/GC Clearance/Comments cleared 2/14/96 [redacted]			15. Date / /	
16. Further Action			17. Date / /	
18. Final Disposition 2/14/96 [redacted]			19. Date / /	

2/14/96 [redacted] 8.