

AGENDA -- Waco Meeting 7/6/95, 2:00 PM

I. Interviews

- #71
- A. Terms of the ^① interviews
-- LTC [redacted] participation
 - B. Preparation

II. Requests for additional interviews

III. CS gas issue

- A. Finding CS gas expert(s)
-- AG request for briefing
-- Hill briefing?
- B. Facts re DOD participation in advising Reno/FBI
-- Meet with Dr. [redacted] ②

IV. House request for briefing on procedures for requesting military assistance to law enforcement LA

V. Status of document collection/production

VI. Other issues

- ① 600 pages from USA SOL
- ② Autopsy reports: 40 reports
- ③

COVER SHEET FOR DOCUMENTS PRODUCED FOR REVIEW

AGENCY: HQ Department of Army (ODCSLOG) (DALO-SMM) DATE: 7 Jul 93

Part I: Search Information

PERSON(S) PERFORMING SEARCH (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

① Anna Lee Carter
HQDA, ODCSLOG (ATTN: DALO-SMM)
500 Army Pentagon, Washington D.C. (703) 614-7051

DATE OF SEARCH: 26 Jul 95

LOCATION WHERE FILE WAS FOUND: No Records Found

ORGANIZATION UNDER WHOSE AUTHORITY FILE WAS MAINTAINED: _____

PERSON UNDER WHOSE AUTHORITY FILE WAS MAINTAINED (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

NA (No Records Found)

Part II: Information about Documents with this Cover Sheet

NUMBER OF PAGES ATTACHED: NA (No Records Found)

IS ANY OF THE ATTACHED INFORMATION SUBJECT TO THE PRIVACY ACT? NA

CLASSIFICATION LEVEL OF ATTACHED INFORMATION: NA

PERSON COMPLETING THIS COVER SHEET (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

② Anna Lee Carter
HQDA ODCSLOG (DALO-SMM)
500 Army Pentagon, Washington D.C. 20310-0500
(703) 614-7051

COVER SHEET FOR DOCUMENTS PRODUCED FOR REVIEW

AGENCY: DALO-PL (HQDA ODCSLOG) DATE: 7 JUL 95

Part I: Search Information

PERSON(S) PERFORMING SEARCH (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

① [REDACTED] 695-3283 DCSLOG PLANS Operations Sec Army Pentagon

② [REDACTED] 695-3283 WASHINGTON DC 20310-5000

DATE OF SEARCH: 29 JUN

LOCATION WHERE FILE WAS FOUND: No Files

ORGANIZATION UNDER WHOSE AUTHORITY FILE WAS MAINTAINED: _____

PERSON UNDER WHOSE AUTHORITY FILE WAS MAINTAINED (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER): _____

Part II: Information about Documents with this Cover Sheet

NUMBER OF PAGES ATTACHED: 1

IS ANY OF THE ATTACHED INFORMATION SUBJECT TO THE PRIVACY ACT? No

CLASSIFICATION LEVEL OF ATTACHED INFORMATION: UNCLAS

PERSON COMPLETING THIS COVER SHEET (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

③ [REDACTED] 695-3283 SAB

HQ, DCSLOG (DALO-PL)
500 Army, PENTAGON
WASHINGTON, D.C. 20310
703-695-3282



REPLY TO
ATTENTION OF

DACS-DMP-SR

7 July 1995

~~SECRET~~
DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
200 ARMY PENTAGON
WASHINGTON, DC 20310-0200
~~SPECIAL ACCESS REQUIRED~~



MEMORANDUM THRU CHIEF, TECHNOLOGY MANAGEMENT OFFICE, 200 ARMY
PENTAGON, ROOM 1C462, WASHINGTON, DC 203100-0200

FOR DEPARTMENT OF THE ARMY, GENERAL COUNSEL, 104 ARMY PENTAGON,
WASHINGTON, DC 20310-0104

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

1. References:

- a. Letter, Congress of the United States, 8 June 1995, no subject.
- b. Memorandum, Department of Defense, 16 June 1995, subject as above.
- c. Memorandum, Under Secretary of Defense, 22 June 1995, subject as above.
- d. Message, HQDA, DACS-DMP-SR, 222100Z June 1995, subject as above.

2. Army elements were tasked to perform a document search to locate documents or any
information regarding the matter of the Branch Davidians near Waco, Texas, and the matter of
Randy Weaver at Ruby Ridge, Idaho.

3. Forwarded are responsive document and indexes received from Army elements in response to
this tasking.

a. U.S. Army Special Operations Command's index and responsive documents are
enclosed (Encl 1); however, the material submitted (over 600 pages) was not provided in
requested format. This office is currently putting material in proper format and will resubmit as
soon as possible.

b. Office of the Surgeon General, Armed Forces Institute of Pathology submitted index
only and will forward documents upon request (Encl 2).

c. U.S. Army Forces Command provided index and three responsive documents. They
are currently retrieving the remaining documents and will send by Federal Express as soon as
possible (Encl 3).

~~SPECIAL ACCESS REQUIRED~~

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DECLASSIFY ON: OADR

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FROM CLASSIFIED ENCLOSURE"

Z 0020225

~~SECRET~~
~~SPECIAL ACCESS REQUIRED~~

DACS-DMP-SR

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

d. U.S. Army Materiel Command, Missile Command, provided index and responsive documents (Encl 4).

4. Deputy Chief of Staff for Operations and National Guard Bureau submitted all responsive documents directly to the Army Legislative Liaison.

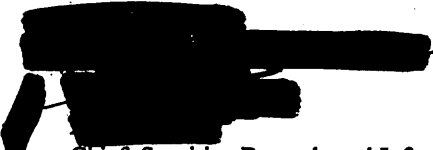
5. Negative replies were received from the following Army agencies and commands:

- a. Sensitive Records and Information Agency
- b. Deputy Chief of Staff for Personnel
- c. Deputy Chief of Staff for Logistics
- d. Deputy Chief of Staff for Intelligence
- e. Criminal Investigation Command
- f. Military Traffic Management Command
- g. Training and Doctrine Command
- h. Intelligence and Security Command
- i. Army Reserves
- j. Chief of Engineers.

4 Encls
as

①

②


Chief, Sensitive Records and Information
Agency

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DECLASSIFY ON: OADR

~~SECRET~~
~~SPECIAL ACCESS REQUIRED~~

"UNCLASSIFIED WHEN SEPARATE
FROM CLASSIFIED ENCLOSURE"

Z 0020226



ACQUISITION AND
TECHNOLOGY

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON DC 20301-3000



July 7, 1995

MEMORANDUM FOR DEPUTY DIRECTOR, CAIR

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

We have conducted the subject search and do not have any
inputs.

①

Military Assistant to DTSE&E
OUSD(A&T)





2E12
1300

DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF FOR PERSONNEL
300 ARMY PENTAGON
WASHINGTON, DC 20310-0300



REPLY TO
ATTENTION OF

DAPE-ZXI-IC

July 6, 1995

MEMORANDUM FOR

(1) [REDACTED]

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

1. Reference DA Washington DC/DACS-DMP-SR, DTG 222100Z JUN 95,
Subject: Same as above, enclosed.
2. A search with in the office of the Deputy Chief of Staff for
Personnel, identified documents with in the CACO office [REDACTED]
(7 pages), documents were previously provided to Secretary
of The Army, Congressional Liaison Office Enclosure 1.
3. DCSPER offices submitting a negative reply, and personnel
within DCSPER, and DCSPER field Operating Agencies, who conducted
the searches are listed at Enclosure 2.
4. The direct and indirect costs of resources expended in
responding to this request is at Enclosure 3.
5. Point of contact for this action is the undersigned,

(3) [REDACTED]

(4) [REDACTED]

Encls



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



REPLY TO
ATTENTION OF
AFCG-JA-ML

6 July 1995

MEMORANDUM FOR ^① [REDACTED]

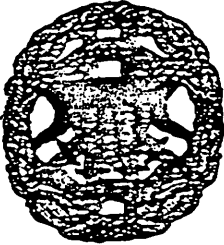
SUBJECT: FORSCOM Response to Congressional Request for Information on Branch Davidian/Waco and Ruby Ridge, ID Incidents

1. Per coordination with ^② [REDACTED] enclosed is the information you have requested. This includes all information available to this office at this time. FYI, this information has already been provided to Legal Counsel, Office of the Chairman, Joint Chiefs of Staff (POC: ^③ [REDACTED] 703-697-1208).

2. POC for this action is ^④ [REDACTED] or the undersigned at ^⑤ [REDACTED]

^⑥ [REDACTED]

CC: ^⑦ [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: (1) [REDACTED]

DATE: 5 JUL 95

SUBJECT: CONGRESSIONAL INVESTIGATION - WACO

TO: (2) [REDACTED] A

DESTINATION FAX NUMBER:

DESTINATION VOICE NUMBER:

NUMBER OF PAGES: COVER + 1

COMMENTS: Copy of Director, Joint Staff, memo to combatant commands tasking production of documents requested by subcommittees. [REDACTED] (3)

FAX TRANSMITTAL SHEET
UNCLASSIFIED



Names, Soc. Sec. #s
and addresses
#s 590-655

TEXAS NATIONAL GUARD PERSONNEL INVOLVED WITH THE MATTER OF THE BRANCH DAVIDIANS

ALPHABETICAL ROSTER W/ADDRESSES

Last Name	First Name	MI	SSN	Rank	Unit	Home Address	City	State	Zip Code
				MAJ	AGTX-CD		Druitwood	TX	78619
				SPC	736th HEMCO		Lampasas	TX	76630
				SGT	CoB(-) 536th SPT BN		Killeen	TX	76541
				CPT	147th FG				
				SSG	AGTX-CD				MEMBER SEPARATED
				SGT	736th HEMCO		Austin	TX	78751
				SPC	TRP B 1-124 CAV		Gatesville	TX	76528
				SGT	AGTX-CD		Waco	TX	76704
				SGM	HQ(-) STARC		Red Rock	TX	78662
				SGT	736th HEMCO		Cedar Park	TX	78613
				SSG	736th HEMCO		Gatesville	TX	76528
				SPC	CoB(-) 249th SPT BN		Gatesville	TX	76528
				SSG	AGTX-CD		Gatesville	TX	76528
				SSG	736th HEMCO		Austin	TX	78756
				SSG	736th HEMCO		Gatesville	TX	76528
				MSG	HHC 49th ARMD DISCOM		Gatesville	TX	76528
				SGT	AGTX-CD		Austin	TX	78725
				SSG	CoB(-) 536th SPT BN		Austin	TX	78745
				SPC	736th HEMCO		Gatesville	TX	76528
				SGT	CoC(-) 249th SPT BN		Gatesville	TX	76528
				SSG	MATES		Waco	TX	76710
				SFC	HHC 111th SPT GP		McGregor	TX	76657
				SSG	AGTX-CD		Round Rock	TX	78681
				CW4	HQ(-) STARC		Round Rock	TX	78664
				SGM	HHC 49th ARMD DISCOM		Austin	TX	78757
				SPC	AGTX-CD		Austin	TX	78758
				ILT	AGTX-CD		Brvan	TX	77801
				CPT	147th FG		Leander	TX	78641
				SSG	AGTX-CD		Houston	TX	77034
				SGT	HHT (-DET) 111-124 CAV		Round Rock	TX	78680
				CW2	AGTX-CD		Waco	TX	76711
				CW3	AGTX-CD		Austin	TX	78734
				SSG	AGTX-CD		Pflugerville	TX	78660
				SFC	CoD 249th SPT BN		Leander	TX	78641
				SGT	CoA 249th SPT BN		Buda	TX	78610
				CPT	HHD 111th SPT BN		Austin	TX	78759
				SSG	TRP B 1-124 CAV		Gatesville	TX	76528
				SPC	AGTX-CD		Waco	TX	76712
				SSG	736th HEMCO		Austin	TX	78757
				SSG	CoD 249th SPT BN		Gatesville	TX	76528
				SGT	HQ(-) STARC		Bastrop	TX	78602
				SSG	AGTX-CD		Austin	TX	78745
				SGT	TRP B 1-124 CAV		San Antonio	TX	78237
				LTC	HHC 111th SPT GP		Irving	TX	75062
				SPC	149th MP Det		Gatesville	TX	76528
				SGT	736th HEMCO		Copperas Cove	TX	76522
				SPC	TRP B 1-124 CAV		Gatesville	TX	76528
				SGT			Waco	TX	76704
				SGT	HQ(-) STARC		Austin	TX	78723
				SPC	CoB(-) 536th SPT BN		Austin	TX	78758
				SGT	736th HEMCO		Flat	TX	76526
				SGT	HQ(-) STARC		Gatesville	TX	76528
				SPC	736th HEMCO		Fort Worth	TX	76120
				SGT	736th HEMCO		Gatesville	TX	76528
				CPT	147th FG		Gatesville	TX	76528
				SPC	AGTX-CD		Pearland	TX	77581
				CW4	AGTX-CD		Austin	TX	78751
				SFC	AGTX-CD		Austin	TX	78736
				SGT	MATES		Austin	TX	78745
				SGT	CoA 249th SPT BN		Killeen	TX	76542
				SGT	SVC BTRY 3-132 FA		Austin	TX	78753
				SPC	CoB(-) 536th SPT BN		Killeen	TX	76543
				CPT	HHT 1-124 CAV		Killeen	TX	76541
				ILT	AGTX-CD		Hewett	TX	76643
				SGT	HHC 2-112 ARMOR		Leander	TX	78641
				SGT			Gatesville	TX	76528
									76541

Confidential

7/6/95

EXHIBIT

Page 1

Z 0000476(R)

Names, Soc. Sec. #s,
 Address #5656-722

TEXAS NATIONAL GUARD

THE BRANCH DAVIDIANS

ALPHABETICAL ROSTER W/ADDRESSES

[REDACTED]	SSG CoF 249th SPT BN	[REDACTED]	Del Valle	TX	78617
[REDACTED]	SGT TRP A 1-124 CAV	[REDACTED]	Killeen	TX	76541
[REDACTED]	SSG Det 2 HHC 3-141 INF	[REDACTED]	Temple	TX	76502
[REDACTED]	SFC HQ(-) STARC	[REDACTED]	Austin	TX	78760
[REDACTED]	SSG 736th HEMCO	[REDACTED]	Gatesville	TX	76528
[REDACTED]	CPT 147th FG	[REDACTED]	Pasadena	TX	77508
[REDACTED]	1LT AGTX-CD	[REDACTED]	Austin	TX	78758
[REDACTED]	SGT CoB(-) 536th SPT BN	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SPC HQ(-) STARC	[REDACTED]	Austin	TX	78745
[REDACTED]	SSG MATES	[REDACTED]	Copperas Cove	TX	76522
[REDACTED]	CPT 147th FG	[REDACTED]	Seabrook	TX	77586
[REDACTED]	SPC Det 2 HHC 3-141 INF	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SPC Det 1 CoB 249th SPT BN	[REDACTED]	Copperas Cove	TX	76522
[REDACTED]	ISG Det 1 CoB 536th SPT BN	[REDACTED]	Temple	TX	76502
[REDACTED]	1LT AGTX-CD	[REDACTED]	Waco	TX	76706
[REDACTED]	SSG HHT (-DET 1) 1-124 CAV	[REDACTED]	Waco	TX	76705
[REDACTED]	SPC AGTX-CD	[REDACTED]	Houston	TX	78729
[REDACTED]	SSG HHC 1-112 ARMOR	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SFC HHD 249th SPT BN	[REDACTED]	Austin	TX	78744
[REDACTED]	SGT AGTX-CD	[REDACTED]	Austin	TX	78745
[REDACTED]	SGT MATES	[REDACTED]	McGregor	TX	76657
[REDACTED]	SGT MATES	[REDACTED]	Belton	TX	76513
[REDACTED]	SPC HHT (-DET 1) 1-124 CAV	[REDACTED]	Waco	TX	76710
[REDACTED]	SPC HHT (-DET 1) 1-124 CAV	[REDACTED]	Waco	TX	76712
[REDACTED]	CW2 CoD 249th SPT BN	[REDACTED]	Pflugerville	TX	78660
[REDACTED]	SGT CoB(-) 536th SPT BN	[REDACTED]	Copperas Cove	TX	76522
[REDACTED]	SPC TRP B 1-124 CAV	[REDACTED]	Temple	TX	76501
[REDACTED]	SGT HHC 3-112 ARMOR	[REDACTED]	Fl. Gates	TX	76528
[REDACTED]	LTC AGTX-CD	[REDACTED]	Arlington, VA.	TX	22206
[REDACTED]	SSG 736th HEMCO	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SGT AGTX-CD	[REDACTED]	Bastrop	TX	78602
[REDACTED]	SGT CoE 249th SPT BN (Main)	[REDACTED]	Temple	TX	76504
[REDACTED]	SSG AGTX-CD	[REDACTED]	Austin	TX	78749
[REDACTED]	SFC AGTX-CD	[REDACTED]	Webster	TX	77598
[REDACTED]	CW1 CoB 111th SPT BN	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SSG	[REDACTED]	Austin	TX	78723
[REDACTED]	SSG AGTX-CD	[REDACTED]	Cedar Park	TX	78613
[REDACTED]	SGT CoB(-) 111th SPT BN	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SSG AGTX-CD	[REDACTED]	Leander	TX	78641
[REDACTED]	SPC CoD 249th SPT BN	[REDACTED]	Austin	TX	78727
[REDACTED]	SPC AGTX-CD	[REDACTED]	Austin	TX	78704
[REDACTED]	SSG 736th HEMCO	[REDACTED]	Killeen	TX	76541
[REDACTED]	SGT TRP B 1-124 CAV	[REDACTED]	Waco	TX	76708
[REDACTED]	LTC USPFO-TX	[REDACTED]	Austin	TX	78737
[REDACTED]	SPC Det 2 HHC 3-141 INF	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SFC HQ(-) STARC	[REDACTED]	Austin	TX	78745
[REDACTED]	1LT AGTX-CD	[REDACTED]	Austin	TX	78758
[REDACTED]	CW4 AGTX-CD	[REDACTED]	Gatesville	TX	76528
[REDACTED]	LTC AGTX-L	[REDACTED]	Austin	TX	78739
[REDACTED]	CPT AGTX-CD	[REDACTED]	Leander	TX	78641
[REDACTED]	SPC AGTX-CD	[REDACTED]	Austin	TX	78757
[REDACTED]	SGT 736th HEMCO	[REDACTED]	Leon Junction	TX	76552
[REDACTED]	SPC CoB(-) 536th SPT BN	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SSG AGTX-CD	[REDACTED]	Cedar Park	TX	78613
[REDACTED]	CW3 AGTX-CD	[REDACTED]	Austin	TX	78734
[REDACTED]	SSG CoA(-) 386th ENGR BN	[REDACTED]	McDade	TX	78650
[REDACTED]	SGT AGTX-CD	[REDACTED]	Austin	TX	78747
[REDACTED]	CW2 HHC(-) 4-112	[REDACTED]	Gatesville	TX	76528
[REDACTED]	MAJ AGTX-CD	[REDACTED]	Austin	TX	78737
[REDACTED]	SRA AGTX-CD	[REDACTED]	MEMBER SEPARATED		
[REDACTED]	SPC CoB(-) 536th SPT BN	[REDACTED]	Killeen	TX	76522
[REDACTED]	SSG 736th HEMCO	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SSG 736th HEMCO	[REDACTED]	Gatesville	TX	76528
[REDACTED]	SGT CoB(-) 536th SPT BN	[REDACTED]	Killeen	TX	76541
[REDACTED]	MAJ 147th FG	[REDACTED]	Kernah	TX	77565
[REDACTED]	SSG AGTX-CD	[REDACTED]	Trov	TX	76579
[REDACTED]	1LT AGTX-CD	[REDACTED]	Bracketville	TX	78832

NAME, Soc. Sec. #5,
+ address #5 773-725

TEXAS NATIONAL GUARD PERSONNEL IN

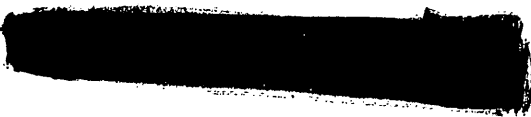


DAVIDIANS

ALPHABETICAL ROSTER W/ADDRESSES

8700000

[REDACTED]	736 HEMCO	Gatesville	TX	76528
[REDACTED]	HHC 49th ARMD DISCOM	Austin	TX	78756
[REDACTED]	HQ-1 STARC	Leander	TX	78641



TEXAS NATIONAL GUARD [REDACTED] [REDACTED] WITH THE MATTER OF THE BRANCH DAVIDIANS

names, SSN's
726-794

ROSTER BY ON-SITE STARTING DATE

Last Name	First Name	MI	SSN	Rank	Unit	Role	Branch	Start Date	End Date
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Air National Guard	2/24/93	3/4/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Camera Operator	Texas Army National Guard	2/24/93	3/16/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Pathfinder	Texas Army National Guard	2/26/93	3/1/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Pathfinder	Texas Army National Guard	2/26/93	3/9/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	OH-58 Crew	Texas Army National Guard	2/27/93	2/28/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	UH-60 Crew Chief	Texas Army National Guard	2/27/93	3/4/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	OH-58 Pilot	Texas Army National Guard	2/27/93	4/19/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	OH-58 Pilot	Texas Army National Guard	2/27/93	2/28/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	OH-58 Pilot	Texas Army National Guard	2/27/93	4/9/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	UH-60 Pilot	Texas Army National Guard	2/27/93	3/4/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Commander	Texas Air National Guard	2/27/93	4/24/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	OH-58 Crew	Texas Army National Guard	2/27/93	2/28/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	UH-60 Pilot	Texas Army National Guard	2/27/93	3/4/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	OH-58 Pilot	Texas Army National Guard	2/27/93	2/28/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Photo Interpreter	Texas Air National Guard	2/27/93	2/28/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	4/11/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoB(-) 249th SPT BN	Maintenance	Texas Army National Guard	2/28/93	3/14/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHC 49th ARMD DISCOM	Equipment Recovery	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHT (-DET 1) 1-124 CAV	Maintenance	Texas Army National Guard	2/28/93	3/21/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	2/28/93	3/6/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoD 249th SPT BN	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHD 111th SPT BN	Equipment Recovery	Texas Army National Guard	2/28/93	3/7/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoD 249th SPT BN	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHC 111th SPT GP	Maintenance	Texas Army National Guard	2/28/93	3/4/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/4/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHC 2-112 ARMOR	Equipment Recovery	Texas Army National Guard	2/28/93	3/7/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoE 249th SPT BN (Main)	Equipment Recovery	Texas Army National Guard	2/28/93	3/7/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoF 249th SPT BN	Equipment Recovery	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Det 2 HHC 3-141 INF	Maintenance	Texas Army National Guard	2/28/93	3/10/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Det 2 HHC 3-141 INF	Maintenance	Texas Army National Guard	2/28/93	3/4/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHC 1-112 ARMOR	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHD 249th SPT BN	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoD 249th SPT BN	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/4/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	2/28/93	3/1/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoB 111th SPT BN	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoB(-) 111th SPT BN	Maintenance	Texas Army National Guard	2/28/93	3/21/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoD 249th SPT BN	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/10/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Det 2 HHC 3-141 INF	Maintenance	Texas Army National Guard	2/28/93	3/13/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoA(-) 386th ENGR BN	Maintenance	Texas Army National Guard	2/28/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736th HEMCO	Maintenance	Texas Army National Guard	2/28/93	3/4/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	736 HEMCO	Maintenance	Texas Army National Guard	2/28/93	4/21/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	2/28/93	4/22/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	OH-58 Recovery Crew	Texas Army National Guard	3/1/93	3/1/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	OH-58 Crew	Texas Army National Guard	3/1/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	OH-58 Recovery Crew	Texas Army National Guard	3/1/93	3/2/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	TRP B 1-124 CAV	Bus Driver	Texas Army National Guard	3/3/93	3/3/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	TRP B 1-124 CAV	Bus Driver	Texas Army National Guard	3/4/93	4/18/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHT (-DET 1) 1-124 CAV	Fueler	Texas Army National Guard	3/4/93	4/27/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHT (-DET 1) 1-124 CAV	Fueler	Texas Army National Guard	3/4/93	3/28/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	3/4/93	3/19/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	3/6/93	3/12/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	3/6/93	4/23/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	3/6/93	4/23/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	3/7/93	3/10/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard	3/8/93	3/21/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	3/8/93	3/8/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	3/10/93	5/8/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard	3/10/93	3/19/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	HHC(-) 4-112	Maintenance	Texas Army National Guard	3/10/93	4/23/93
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	AGTX-CD	Command Post	Texas Army National Guard	3/2/93	3/14/93

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EXHIBIT

Names + SSNs
795-860

TEXAS NATIONAL GUARD
 [REDACTED] MATTER OF THE BRANCH DAVIDIANS
 ROSTER BY ON-SITE STARTING DATE

SGT	TRP B 1-124 CAV	Bus Driver	Texas Army National Guard	3/12/93	3/14/93
PLT	AGTX-CD	Command Post	Texas Army National Guard	3/12/93	3/14/93
SSG	AGTX-CD	Command Post	Texas Army National Guard	3/14/93	4/20/93
SPC	AGTX-CD	Command Post	Texas Army National Guard	3/14/93	3/16/93
SSG	AGTX-CD	Command Post	Texas Army National Guard	3/15/93	4/8/93
SPC	AGTX-CD	Command Post	Texas Army National Guard	3/16/93	4/23/93
SPC	AGTX-CD	Command Post	Texas Army National Guard	3/16/93	3/16/93
ISGT	HHC 3-112 ARMOR	Equipment Recovery	Texas Army National Guard	3/16/93	3/21/93
ISGT	AGTX-CD	Command Post	Texas Army National Guard	3/16/93	3/16/93
MAJ	AGTX-CD	Command Post	Texas Army National Guard	3/20/93	4/16/93
SPC	736th HEMCO	Maintenance	Texas Army National Guard	3/21/93	4/25/93
ISGT	TRP A 1-124 CAV	Maintenance	Texas Army National Guard	3/21/93	3/28/93
SSG	736th HEMCO	Maintenance	Texas Army National Guard	3/21/93	3/28/93
ISGT	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard	3/21/93	3/28/93
ISFC	HHC 111th SPT GP	Public Affairs	Texas Army National Guard	3/26/93	3/26/93
MAJ	AGTX-CD	Command Post	Texas Army National Guard	3/27/93	3/28/93
ISFC	AGTX-CD	Command Post	Texas Army National Guard	3/27/93	4/23/93
SGT	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard	3/28/93	4/4/93
SGM	HQ(-) STARC	Maintenance	Texas Army National Guard	3/28/93	3/28/93
SGT	HQ(-) STARC	Maintenance	Texas Army National Guard	3/28/93	3/28/93
SGT	HQ(-) STARC	Maintenance	Texas Army National Guard	3/28/93	3/28/93
SFC	HQ(-) STARC	Maintenance	Texas Army National Guard	3/28/93	3/28/93
SPC	HQ(-) STARC	Maintenance	Texas Army National Guard	3/28/93	3/28/93
SPC	Det 1 CoB 249th SPT BN	Maintenance	Texas Army National Guard	3/28/93	4/18/93
SPC	TRP B 1-124 CAV	Maintenance	Texas Army National Guard	3/28/93	4/11/93
SGT	TRP B 1-124 CAV	Maintenance	Texas Army National Guard	3/28/93	4/4/93
SFC	HQ(-) STARC	Maintenance	Texas Army National Guard	3/28/93	3/28/93
SFC	HQ(-) STARC	Maintenance	Texas Army National Guard	3/28/93	3/28/93
SSG	HHT (-DET 1) 1-124 CAV	Maintenance	Texas Army National Guard	3/29/93	4/4/93
SPC	736th HEMCO	Maintenance	Texas Army National Guard	4/4/93	4/11/93
SPC	736th HEMCO	Maintenance	Texas Army National Guard	4/4/93	4/11/93
SGT	CoC(-) 249th SPT BN	Equipment Recovery	Texas Army National Guard	4/4/93	4/11/93
SGT	736th HEMCO	Maintenance	Texas Army National Guard	4/6/93	4/6/93
SSG	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard	4/6/93	4/6/93
SGT	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard	4/6/93	4/6/93
SGT	CoE 249th SPT BN (Main)	Equipment Recovery	Texas Army National Guard	4/6/93	4/6/93
SGT	736th HEMCO	Maintenance	Texas Army National Guard	4/6/93	4/6/93
ISG	Det 1 CoB 536th SPT BN	Maintenance	Texas Army National Guard	4/10/93	4/18/93
SPC	149th MP Det	Equipment Recovery	Texas Army National Guard	4/11/93	4/23/93
SPC	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard	4/11/93	4/23/93
SGT	SVC BTRY 3-132 FA	Maintenance	Texas Army National Guard	4/11/93	4/18/93
SPC	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard	4/11/93	4/18/93
SSG	TRP B 1-124 CAV	Bus Driver	Texas Army National Guard	4/18/93	4/23/93
SGT	736th HEMCO	Maintenance	Texas Army National Guard	4/18/93	4/23/93
SPC	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard	4/18/93	4/23/93
SPC	AGTX-CD	Command Post	Texas Army National Guard	4/20/93	4/30/93
SSG	MATES	Equipment Recovery	Texas Army National Guard	4/21/93	4/23/93
SGM	HHC 49th ARMD DISCOM	Equipment Recovery	Texas Army National Guard	4/21/93	4/23/93
SGT	MATES	Equipment Recovery	Texas Army National Guard	4/21/93	4/21/93
SSG	MATES	Equipment Recovery	Texas Army National Guard	4/21/93	4/21/93
SGT	MATES	Equipment Recovery	Texas Army National Guard	4/21/93	4/21/93
SGT	MATES	Equipment Recovery	Texas Army National Guard	4/21/93	4/21/93
SGT	MATES	Equipment Recovery	Texas Army National Guard	4/21/93	4/21/93
PLTC	USPFO-TX	Equipment Recovery	Texas Army National Guard	4/21/93	4/22/93
PLTC	AGTX-L	Equipment Recovery	Texas Army National Guard	4/21/93	4/22/93
ISGT	HQ(-) STARC	Maintenance	Texas Army National Guard	4/21/93	4/23/93
PLT	AGTX-CD	Command Post	Texas Army National Guard	4/29/93	5/3/93
ICPT	147th FG	C-26 Pilot	Texas Army National Guard	5/3/93	5/4/93
ICPT	147th FG	C-26 Pilot	Texas Army National Guard	NOT ON SITE	
ICPT	147th FG	C-26 Pilot	Texas Army National Guard	NOT ON SITE	
ICPT	147th FG	C-26 Pilot	Texas Army National Guard	NOT ON SITE	
ICPT	147th FG	C-26 Pilot	Texas Army National Guard	NOT ON SITE	
ICPT	147th FG	C-26 Pilot	Texas Army National Guard	NOT ON SITE	
MAJ	147th FG	C-26 Pilot	Texas Army National Guard	NOT ON SITE	
ICW4	HQ(-) STARC	Maintenance	Texas Army National Guard		
SGT	CoA 249th SPT BN	Maintenance	Texas Army National Guard		
SGT	CoA 249th SPT BN	Maintenance	Texas Army National Guard		
CPT	HHT 1-124 CAV	Command Post	Texas Army National Guard		
PLTC	HHC 49th ARMD DISCOM	Equipment Recovery	Texas Army National Guard		

names + SSNs
861-917

TEXAS NATIONAL GUARD PERSONNEL



BRANCH DAVIDIANS

ROSTER BY OPERATIONAL ROLE

Last Name	First Name	MI	SSN	Rank	Unit	Role	Branch
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SPC	TRP B 1-124 CAV	Bus Driver	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	TRP B 1-124 CAV	Bus Driver	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	TRP B 1-124 CAV	Bus Driver	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SPC	TRP B 1-124 CAV	Bus Driver	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CPT	147th FG	C-26 Pilot	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CPT	147th FG	C-26 Pilot	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CPT	147th FG	C-26 Pilot	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CPT	147th FG	C-26 Pilot	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CPT	147th FG	C-26 Pilot	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	MAJ	147th FG	C-26 Pilot	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Camera Operator	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	MAJ	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SPC	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SPC	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SPC	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CPT	HHT 1-124 CAV	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	LT	AGTX-CD	Command Post	Texas Air National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	LT	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	LT	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SPC	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	LT	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CPT	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SPC	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	MAJ	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	LT	AGTX-CD	Command Post	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	LTC	AGTX-CD	Commander	Texas Air National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	MSG	HHC 49th ARMD DISCOM	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	CoC(-) 249th SPT BN	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	MATES	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGM	HHC 49th ARMD DISCOM	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	CPT	HHD 111th SPT BN	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SPC	149th MP Det	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	MATES	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	HHC 2-112 ARMOR	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	CoE 249th SPT BN (Main)	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	CoF 249th SPT BN	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SSG	MATES	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	MATES	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	MATES	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	HHC 3-112 ARMOR	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SGT	CoE 249th SPT BN (Main)	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	LTC	USPFO-TX	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	LTC	AGTX-L	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	LTC	HHC 49th ARMD DISCOM	Equipment Recovery	Texas Army National Guard
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	ET 1) 1-124 CAV	Fueler	Texas Army National Guard

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7/6/95



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*Names + SSN's
918-475*

ROSTER BY OPERATIONAL ROLE

SPC	HHT (-DET 1) 1-124 CAV	Fueler	Texas Army National Guard
SPC	736th HEMCO	Maintenance	Texas Army National Guard
SGT	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard
SGT	736th HEMCO	Maintenance	Texas Army National Guard
SGM	HQ(-) STARC	Maintenance	Texas Army National Guard
SGT	736th HEMCO	Maintenance	Texas Army National Guard
SSG	736th HEMCO	Maintenance	Texas Army National Guard
SPC	CoB(-) 249th SPT BN	Maintenance	Texas Army National Guard
SSG	736th HEMCO	Maintenance	Texas Army National Guard
SSG	736th HEMCO	Maintenance	Texas Army National Guard
SSG	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard
SPC	736th HEMCO	Maintenance	Texas Army National Guard
CW4	HQ(-) STARC	Maintenance	Texas Army National Guard
SGT	HHT (-DET 1) 1-124 CAV	Maintenance	Texas Army National Guard
SFC	CoD 249th SPT BN	Maintenance	Texas Army National Guard
SGT	CoA 249th SPT BN	Maintenance	Texas Army National Guard
SSG	736th HEMCO	Maintenance	Texas Army National Guard
SSG	CoD 249th SPT BN	Maintenance	Texas Army National Guard
SGT	HQ(-) STARC	Maintenance	Texas Army National Guard
LTC	HHC 111th SPT GP	Maintenance	Texas Army National Guard
SGT	736th HEMCO	Maintenance	Texas Army National Guard
SGT	HQ(-) STARC	Maintenance	Texas Army National Guard
SPC	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard
SGT	736th HEMCO	Maintenance	Texas Army National Guard
SGT	HQ(-) STARC	Maintenance	Texas Army National Guard
SPC	736th HEMCO	Maintenance	Texas Army National Guard
SGT	736th HEMCO	Maintenance	Texas Army National Guard
SGT	CoA 249th SPT BN	Maintenance	Texas Army National Guard
SGT	SVC BTRY 3-132 FA	Maintenance	Texas Army National Guard
SPC	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard
SGT	TRP A 1-124 CAV	Maintenance	Texas Army National Guard
SSG	Det 2 HHC 3-141 INF	Maintenance	Texas Army National Guard
SFC	HQ(-) STARC	Maintenance	Texas Army National Guard
SSG	736th HEMCO	Maintenance	Texas Army National Guard
SGT	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard
SPC	HQ(-) STARC	Maintenance	Texas Army National Guard
SPC	Det 2 HHC 3-141 INF	Maintenance	Texas Army National Guard
SPC	Det 1 CoB 249th SPT BN	Maintenance	Texas Army National Guard
SG	Det 1 CoB 536th SPT BN	Maintenance	Texas Army National Guard
SG	HHT (-DET 1) 1-124 CAV	Maintenance	Texas Army National Guard
SG	HHC 1-112 ARMOR	Maintenance	Texas Army National Guard
FC	HHD 249th SPT BN	Maintenance	Texas Army National Guard
W2	CoD 249th SPT BN	Maintenance	Texas Army National Guard
GT	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard
PC	TRP B 1-124 CAV	Maintenance	Texas Army National Guard
SG	736th HEMCO	Maintenance	Texas Army National Guard
W1	CoB 111th SPT BN	Maintenance	Texas Army National Guard
GT	CoB(-) 111th SPT BN	Maintenance	Texas Army National Guard
PC	CoD 249th SPT BN	Maintenance	Texas Army National Guard
SG	736th HEMCO	Maintenance	Texas Army National Guard
GT	TRP B 1-124 CAV	Maintenance	Texas Army National Guard
PC	Det 2 HHC 3-141 INF	Maintenance	Texas Army National Guard
FC	HQ(-) STARC	Maintenance	Texas Army National Guard
GT	736th HEMCO	Maintenance	Texas Army National Guard
PC	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard
SG	CoA(-) 386th ENGR BN	Maintenance	Texas Army National Guard
W2	HHC(-) 4-112	Maintenance	Texas Army National Guard
PC	CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard

TEXAS NATIONAL GUARD PERSONNEL INVOLVED WITH THE MATTER OF THE BRANCH DAVIDIANS

NAME + SSN's
976-996

ROSTER BY OPERATIONAL ROLE

[REDACTED]	SSG 736th HEMCO	Maintenance	Texas Army National Guard
[REDACTED]	SSG 736th HEMCO	Maintenance	Texas Army National Guard
[REDACTED]	SGT CoB(-) 536th SPT BN	Maintenance	Texas Army National Guard
[REDACTED]	CW3 736 HEMCO	Maintenance	Texas Army National Guard
[REDACTED]	SFC HQ(-) STARC	Maintenance	Texas Army National Guard
[REDACTED]	SGT AGTX-CD	OH-58 Crew	Texas Army National Guard
[REDACTED]	SFC AGTX-CD	OH-58 Crew	Texas Army National Guard
[REDACTED]	SPC AGTX-CD	OH-58 Crew	Texas Army National Guard
[REDACTED]	1LT AGTX-CD	OH-58 Pilot	Texas Army National Guard
[REDACTED]	CW2 AGTX-CD	OH-58 Pilot	Texas Army National Guard
[REDACTED]	CW3 AGTX-CD	OH-58 Pilot	Texas Army National Guard
[REDACTED]	CW3 AGTX-CD	OH-58 Pilot	Texas Army National Guard
[REDACTED]	SGT	OH-58 Recovery Crew	Texas Army National Guard
[REDACTED]	SSG	OH-58 Recovery Crew	Texas Army National Guard
[REDACTED]	SSG AGTX-CD	Pathfinder	Texas Army National Guard
[REDACTED]	SPC AGTX-CD	Pathfinder	Texas Army National Guard
[REDACTED]	SRA AGTX-CD	Photo Interpreter	Texas Air National Guard
[REDACTED]	SFC HHC 111th SPT GP	Public Affairs	Texas Army National Guard
[REDACTED]	SGT AGTX-CD	UH-60 Crew Chief	Texas Army National Guard
[REDACTED]	CW4 AGTX-CD	UH-60 Pilot	Texas Army National Guard
[REDACTED]	CW4 AGTX-CD	UH-60 Pilot	Texas Army National Guard

July 7, 1995

MEMORANDUM FOR: Distribution
FROM: [REDACTED] (1)
SUBJECT: Waco Hearing Format and Schedule (2)

Based on my discussions with [REDACTED], Chief Counsel, Republican Crime Subcommittee, the following is my understanding of the schedule and format of the hearings on Waco.

Schedule: June 19 through June 23 (Possible "spill-over" days: July 31, August 1)

Format in general: The hearing will consist of 9 basic units: a general opening, 3 "focused inquiries" on events involving the Treasury Department, a summary appearance by Deputy Secretary Noble, 3 "focused inquiries" involving the Department of Justice, and a summary appearance by Attorney General Reno.

Each "focused inquiry" will consist of two panels, of no more than 5 witnesses each. The first panel (Panel A) will be people with "concerns and critiques" on the subject covered by that inquiry. These may not necessarily be persons who have expertise in the events at Waco per se, but may rather be experts in a general area (e.g., law of search and seizure) who will discuss the application of their expertise to the issues peculiar to Waco.

The second panel (Panel B) in each inquiry will be appropriate respondents to the concerns expressed.

We expect to get list of majority witnesses for first three focused inquiries later today.

DETAILED FORMAT

July 19-21

Opening Session

(Opening statements by members may be limited. This issue is not resolved.)

The majority says it wants an "impartial" person with no ax to grind to give a summary overview of the facts involved. [REDACTED] (3) A suggested Richard Reavis, author of The Ashes of Waco, as a candidate for that function. [REDACTED] (3) B was advised that we would strongly oppose that choice, as Reavis was considered by almost everyone on the "government side" to be biased and inaccurate. We would make a very big issue if Reavis is chosen.

[REDACTED] (1) fall back suggestion was one or two of the

"reviewers" responsible for the DOJ and Treasury reports. He was encourage to follow that line, but he noted that his over-riding instruction is "not to make this thing boring," and he fears reviewers would be boring.

This issue remains open.

1. Focused inquiry: Investigation and warrants. All matters leading up to and including the arrest and search warrants. What prompted the investigation and what was the quality of the evidence gathered? Panel A might include attorneys such as [REDACTED] a legal expert on probable cause, a Branch Davidian, etc. Panel B could include investigating and supervising ATF agents, legal experts, etc. (1)

2. Focused Inquiry: Preparation for Raid, including Department of Defense involvement. The decision to conduct a "dynamic entry," the training, military support, etc. This unit will cover all the posse comitatus issues, including the basic question of any military involvement in domestic law enforcement.

⇒
NGB 377

3. Focused inquiry: The Raid itself. The execution of the raid, who shot first, etc.

⇒

July 24

Deputy Secretary Noble. Treasury response, and especially what has Treasury done to implement reforms?

July 25-27

4. Focused inquiry: Negotiations with the Branch Davidians During the 51 days. Issues such as differences between negotiators and tactical operators, consultation with experts, etc.

5. Focused inquiry: The CS gas plan and preparation for it. Technical questions regarding CS gas. Focus on senior level meetings, advice given AG Reno, questions asked by AG Reno, etc.

⇒

6. Focused inquiry: Events of April 19. Implementation of the gas insertion plan, the fire, etc.

July 28

Attorney General Janet Reno. Justice Department perspectives, and what has been done to implement reforms.



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO
Ser N09BL/5U506880

03 JUL 1995

MEMORANDUM FOR GENERAL COUNSEL OF THE NAVY

Subj: SEARCH FOR DOCUMENTS RELATING TO THE MATTER OF THE BRANCH
DAVIDIANS NEAR WACO, TEXAS

Ref: (a) OGC memo of 9 Jun 95

Encl: (1) CNO memo Ser N09BL/5U506853 of 20 Jun 95
(2) NAVSECGRU ltr 5510 Ser N1S/0663 of 22 Jun 95
(3) CNO memo 5800 Ser N2J/5U549249 of 21 Jun 95
(4) CNO N3/N5 Executive Summary of 22 Jun 95 w/attachment
(5) NAVSUPSYSCOM memo of 22 Jun 95
(6) CNO memo 4000 Memo# N4S/190-95 of 30 Jun 95
(7) COMNAVRESFOR memo of 23 Jun 95

1. In response to reference (a), enclosure (1) was forwarded to NAVSECGRU, ONI, NAVSUP, COMNAVRESFOR and cognizant OPNAV Principal Officials. Enclosures (2) through (7) forward their negative responses. Please note that enclosure (3) responds for ONI and CNO (N2).

2. We have not yet received a response from CNO (N097). Their response will be forwarded when received.

①

WACO

PREPARATION FOR WACO HEARINGS

- Two House subcommittees are scheduled to begin joint hearings on Wednesday, July 19. DoD witnesses are expected to be called on Thursday, July 20 (firm), and Wednesday, July 26 (tentative).
- The Majority has named 10 DoD witnesses:
 - 7 Army Special Forces personnel involved in training ATF agents in advance of the February 28 ATF operation, including a JAG officer who questioned the legality of the ATF's initial request for assistance and the then-Commander of JTF-6 who approved the provision of training;
 - an Army civilian CS gas expert who met with the Attorney General and others in advance of the April 19 FBI operation;
 - ① [REDACTED], USA, a senior Army JAG officer whom we identified as knowledgeable about Posse Comitatus and related issues;
 - ② [REDACTED], whom we identified as knowledgeable about military support to law enforcement generally and support for counterdrug matters specifically.
- In addition, we are aware of 3-4 other potential DoD witnesses:
 - An Army Special Forces officer also involved in training ATF agents, whom the Minority wants to testify; and
 - 2-3 Army officers who also met with the Attorney General and others in advance of the April 19 FBI operation.
- Most of the prospective fact witnesses have been interviewed at least once. By Wednesday, we expect to have interviewed/reinterviewed in person and prepared for testimony the 7-8 fact witnesses scheduled to appear at Thursday's hearing.
- ③ [REDACTED] has made an informal presentation to the Majority staff to explain Posse Comitatus and to demonstrate that there was no Posse Comitatus problem with DoD's provision of assistance.
- We will be working with ④ [REDACTED] on his testimony this week.
- We plan to provide the committees with a third installment of DoD documents this week.
- We have been, and will continue to be, in contact with our counterparts at Treasury, Justice and the White House.

0171421



DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
WASHINGTON, DC 20310-0200

17 July 1995

ECC

MEMORANDUM THRU DAS ~~NO~~ 17/3
FOR DAS

DIRECTOR OF THE ARMY STAFF AUG 03 '95

SUBJECT: INFORMATION MEMO (WACO)

1. Reference subject DART tasker #2a, DAMO will brief DAS, 1600 hrs, 17 Jul 95.
2. Attached is a chronology and supporting documentation identifying the request for support and approval authority for all Army support to the BATA & FBI operations directed at WACO.
3. Active Component support is at TAB A. ARNG support is at TAB B. Equipment used in operation is at TAB C. Executive Summary is at TAB D.

(1)

FGS
Assistant to the Director
Executive Communications and
Control

July 13, 1995

I. Investigation Day

A. Opening Panel

1. H. Geoffrey Moulton, Jr.: Project Director of the Treasury Waco Administrative Review; former law clerk to Chief Justice Rehnquist; Professor of Law at Widener University

B. Panel B: Investigation Day

1. Undersecretary Ron Noble
2. Lewis C. Merletti: Assistant Project Director of the Treasury Waco Administrative Review; Deputy Special Agent in Charge of the Presidential Protective Division
3. H. Geoffrey Moulton, Jr.

II. Preparation of Raid Day: Panel B

1. Merletti
2. Wade Y. Ishimoto: Technical Manager, Sandia National Laboratories; expert on tactical planning; former member of Delta Force
3. Two DOD/Military people: one to discuss military support related to Waco; one to discuss military support for law enforcement generally

III. Raid Day: Panel B

1. Merletti
2. Texas Rangers: Captain David Brynes; Lt. Ray Cano
3. John A. Kolman: Captain Los Angeles Sheriffs Department (retired); conducted extensive review of the raid

IV. Monday the 24th

1. Undersecretary Noble
2. ATF Director Magaw

AFZF-JA (27)

14 July 1995

MEMORANDUM FOR Staff Judge Advocate, III Corps and Fort Hood
SUBJECT: Congressional Demand for Information

1. The documents that were found and sent to [REDACTED] (1A) concerning the incidents at Waco are listed below:

a. An outline of information and viewgraphs from the 1st Cavalry Division used by [REDACTED] to instruct soldiers on permissible support. (1)

b. A memorandum from the 2nd Armored Division, G3 detailing the cost of support to civilian law enforcement organizations.

2. The following files were searched with negative results with the exception of the above listed documents:

a. TDY files were searched to determine whether any TDY orders were issued for soldiers who might have participated.

b. G4 at Corps and both divisions searched their files to determine if any information existed on equipment provided to federal law enforcement agencies.

c. G2 at Corps and both divisions checked their files.

d. G3 at Corps and both divisions searched their files.

e. G1 at Corps and both divisions searched their files for attachment orders or tasking rosters.

f. The Provost Marshal searched its files for information.

g. D Co, 3-6 Cav provided limited support during the incident and was later transferred to 2d Armored Div. Files at the company were checked, along with files at the old brigade headquarters.

h. DOIM (the repository for Corps records) searched its files.

(2)

[REDACTED]
JA
Deputy Staff Judge Advocate

BACKGROUND BOOK

on

TEXAS NATIONAL GUARD SUPPORT

to the

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

and the

FEDERAL BUREAU OF INVESTIGATION

Branch Davidian Compound at Mt. Carmel
near Waco, Texas

Prepared for ^① ██████████, Chief, National Guard Bureau
NGB-ARO-OM/█████████/607-7359/19 Jul 95
②

INDEX

- Tab A - NGB-ARO-OM Overview Vignette**
- Tab B - Chronological Summary of Texas National Guard Support**
- Tab C - Requests for National Guard Support**
- Tab D - Texas National Guard Emergency Operation Center Log**
- Tab E - NGB-ARO-OC Journal Entry of Significant Information**
- Tab F - Loans of Equipment to BATF and FBI**
- Tab G - Reimbursement for Expenses by BATF and FBI**
- Tab H - Texas National Guard After Action Report, Waco**
- Tab I - NGB Focal Group Report, Waco**
- Tab J - Chief, National Guard Bureau Response to DA DCSOPS**
- Tab K - Media Extract, Washington Times, 17 July 1995**
- Tab L - Time Magazine, 24 July 1995**
- Tab M - NGB-JA Point Paper on Pending Branch Davidian Litigation**



DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
200 ARMY PENTAGON
WASHINGTON DC 20310-0200



REPLY TO
ATTENTION OF

DACS-DMP-SR

14 July 1995

MEMORANDUM THRU CHIEF, TECHNOLOGY MANAGEMENT OFFICE, 200
ARMY PENTAGON, ROOM 1C462, WASHINGTON, DC
20310-0200

FOR DEPARTMENT OF THE ARMY, CHIEF, LEGISLATIVE LIAISON, 1600
ARMY PENTAGON, WASHINGTON, DC 20310-1600

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

1. References:

- a. Letter, Congress of the United States, 8 June 1995, no subject.
- b. Memorandum, Department of Defense, 16 June 1995, subject as above.
- c. Memorandum, Under Secretary of Defense, 22 June 1995, subject as above.
- d. Message, HQDA, DACS-DMP-SR, 222100Z June 1995, subject as above.
- e. Memorandum, HQDA, DACS-DMP-SR, 7 July 1995, subject as above.

2. Army elements were tasked to perform a document search to locate documents or any information regarding the matter of the Branch Davidians near Waco, Texas, and the matter of Randy Weaver at Ruby Ridge, Idaho. The first packet of responsive documents was forwarded to your office 7 July 1995.

3. Please find enclosed the final responsive documents received from the following agencies/commands:

- a. Headquarters, U.S. Army Forces Command (Encl 1).
- b. Headquarters, Department of the Army, Deputy Chief of Staff for Personnel (Encl 2).

DACS-DMP-SR

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

c. Headquarters, Department of the Army, Deputy Chief of Staff for Operations (Encl 3).

d. U.S. Army Materiel Command, Chemical, Biological Defense Command (Encl 4).

e. Chief, National Guard Bureau (Encl 5).

f. Texas, Army National Guard (Encl 6).

4. Points of contact for this action are [redacted] and [redacted] (703) 681-3873/3876/3878/3879, DSN 7661.

6 Encls
as

①
②
③
for [redacted] GS (4)
Chief, Sensitive Records and Information Agency

1

Sheeran Ed CPT (P) - SJA

From: [redacted] SJA 2
To: [redacted] - SJA 3
Cc: [redacted] 4 - SJA; [redacted] 5 SJA; [redacted] 6 - SJA
Subject: RE: OCLL Request for Waco Chronology
Date: Friday, July 14, 1995 7:00AM

Thanks - keep on truckin'

From: [redacted] SJA 7
To: [redacted] - SJA 8
Cc: [redacted] 9 - SJA; [redacted] 10 - SJA; [redacted] 11 - SJA
Subject: RE: OCLL Request for Waco Chronology
Date: Thursday, July 13, 1995 6:44PM

As of 1840, 46 pages faxed to OCLL (though no one there when I called to verify). 46 pages faxed to XVIII; [redacted] verified receipt, and I went over it with him page by page to ensure it was in right order. SJA, XVIII to return tonight after change of command. Also, ATF counsel Paul Pendley returned call; he has no legal objection to release of the LEA sensitive documents and has given them back to Robert Pritchard, the ATF FOIA guy, saying so. I told Pendley I needed a one-paged faxed memo saying ATF had no objection to release. He said Pritchard should be glad to provide it now. I will secure this tomorrow, as Pritchard is gone now. Old Ed is on a roll now (as long as I don't go over a cliff!)

From: [redacted] SJA 13 15
To: [redacted] 14
Cc: [redacted] G3; [redacted] 16 CMD GP; [redacted] 17 G3; [redacted] 18 G3; [redacted] 19 - SJA; [redacted] 20 - SJA; [redacted] 21 - SJA; [redacted] 22
Subject: OCLL Request for Waco Chronology
Date: Wednesday, July 12, 1995 5:19PM

Sir: Received a telephonic request from OCLL [redacted] 23 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. Suspense to DA OCLL is by COB tomorrow.

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

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

Called [redacted] 24 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] 25

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

①

[REDACTED]



DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF FOR PERSONNEL
300 ARMY PENTAGON
WASHINGTON, DC 20310-0500



DAPE-ZXI-1C

17

July 6, 1995

MEMORANDUM FOR DACS-DMP-SR, ATTN: [REDACTED] ROOM 10642, PENTAGON
WASHINGTON DC 20310-0200

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

1. Reference DA Washington DC/DACS-DMP-SR, DTG 222100Z JUN 95,
Subject: Same as above, enclosed.
2. A search with in the office of the Deputy Chief of Staff for
Personnel, identified documents with in the CACC office LIO
son (7 pages), documents were previously provided to Secretary
of The Army, Congressional Liaison Office Enclosure 1.
3. DCSPER offices submitting a negative reply, and personnel
within DCSPER, and DCSPER field Operating Agencies, who conducted
the searches are listed at Enclosure 2.
4. The direct and indirect costs of resources expended in
responding to this request is at Enclosure 3.
5. Point of contact for this action is the undersigned,
703-695-3596.

Encls

[REDACTED]
18
Records Manager





REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF, ARMY RESERVE
WASHINGTON, DC 20310-2400


18 JUL 1996



DAAR-ZXP-I

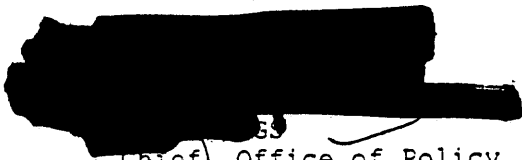
MEMORANDUM FOR Department of the Army, ATTN: DACS-DMP-SR,
Washington, DC 20310

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

1. A member of my staff, , telephone number (703) 695-0877, conducted a physical search of this office and determined that we had no records or information pertaining to subject matter.

2. A DD Form 2096 is enclosed per your request.

FOR THE CHIEF, ARMY RESERVE:


Chief, Office of Policy
and Liaison

Enclosure

17 July received

(14) [redacted]
FYI>

..... Forwarded message follows

(15) [redacted] (16) [redacted]
I finally got back with [redacted]

[redacted] will appear as a witness.

- (2) [redacted] There is no need for a formal statement for the record.
- (3) [redacted] ASD can make an introductory statement. (32)

(3) [redacted] will accompany [redacted] He should also be prepared to be available either in person or by telephone prior to the DoD hearing. [redacted] will let us know).

(4) [redacted] will prepare a short memo that outlines the strategy and will provide it to us after running it by OGC etc.

(5) [redacted] He indicated (as we already knew) that the focus would be on the assistance DoD provides to law enforcement agencies particularly, Counterdrug.

- To the extent that the committee may "beat up" DoD it will be for not being vigilant enough in reviewing the drug nexus.
- Expect blunt questions.

(6) [redacted]



REPLY TO
ATTENTION OF

DAMO-ODS

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



14 July 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 SECRETARY OF THE ARMY

SUBJECT: Audit Trail of Army Support to Law Enforcement Agencies
in Waco, Texas--INFORMATION MEMORANDUM

1. This memorandum captures Army support to the Bureau of Alcohol, Tobacco, and Firearms (BATF) and Federal Bureau of Investigation (FBI) during their operations directed at the Branch Davidians near Waco, Texas. The Texas Army National Guard (TXARNG) initiated Army involvement on December 11, 1992, and support terminated on April 27, 1993. Data presented includes support provided by Active Army including Special Operations Forces supporting Joint Task Force-6 (JTF-6) and the Texas Army National Guard.

2. An overview of Army assistance is detailed below. Special Access support is detailed in a separate classified enclosure.

a. Active component support under Title 10 (TAB A):

- (1) two utility helicopters (UH-1);
- (2) two main battle tanks (M1 Abrams);
- (3) two support vehicles for the main battle tanks (one High Mobility Multi-wheeled Vehicle (HMMWV) and one 2 1/2 ton truck);

DAMO-ODS

SUBJECT: Audit Trail of Army Support to Law Enforcement Agencies
in Waco, Texas--INFORMATION MEMORANDUM

(4) 24 soldiers in liaison and maintenance roles (all were briefed on the legal restrictions when in support of civilian law enforcement agencies);

(5) [REDACTED] (Chief Life Sciences Department, U.S. Army Edgewood Research, Development, and Engineering Center (ERDEC), Aberdeen Proving Ground, Maryland) provided expert advice on the employment of CS gas to Ms. Janet Reno, Attorney General of the United States;

(6) and, miscellaneous night vision goggles, tents, generators, light sets, cots, and sandbags (TAB C).

b. The Texas Army National Guard provided Reserve Component support to the BATF and FBI in Title 32 status, prior to, during, and after the initial assault 28 Feb 1993 in the vicinity of Waco, Texas (TAB B). Of the sixteen approved missions in NGR 500-2, the Texas Army National Guard performed eight. Highlights of support:

(1) support missions performed were: Surface Transportation, Aerial Reconnaissance, Aerial Surveillance, Aerial Transportation, Coordination, Liaison and Management, Photo Processing, Administrative and Logistical Support, and Aerial Interdiction.

(2) ten Bradleys (M2A2 Infantry Fighting Vehicles);

(3) two Combat Engineer Vehicles (M728 Combat Engineer Vehicles);

(4) the following equipment was operated and maintained by the Texas Army National Guard under auspices of an approved Department of Defense/National Guard Bureau counterdrug plan:

- UC-26 Aircraft	1
- OH-58 Helicopters	2
- UH-60 Helicopters	1
- CUCV (M-1009)	12

DAMO-ODS

SUBJECT: Audit Trail of Army Support to Law Enforcement Agencies
in Waco, Texas--INFORMATION MEMORANDUM

(5) Texas National Guard personnel support varied on a day-to-day basis, ranging from a minimum of five to a maximum of 35 for a total expenditure of 896 mandays;

(6) additional state (Title 32) operational support consisting of one fuel truck, three buses, one van, three 1/4 ton trailers, two utility helicopters (UH-60s) on stand-by, and miscellaneous tents, body armor, and night vision goggles, etc at TAB B.

3. Combat vehicles were loaned without operable weapons systems, and all crews were BATF or FBI personnel trained by Army personnel prior to equipment being loaned. FBI crews for utility helicopters were trained and certified to Army standards.

4. The U.S. Army trained agents of the Bureau of Alcohol, Tobacco, and Firearms (BATF) prior to the assault on the Branch Davidian, outside Waco, Texas on 28 February 1993. Their limited training involvement was an authorized counterdrug training mission in support of a law enforcement agency. A ten member Active Component, Special Forces, Rapid Support Unit, in support of Joint Task Force Six, deployed to Fort Hood, Texas, 22 to 28 February 1993. The team's overall mission, number JT002E-93, was to establish a short term training site for BATF. Specific training authorized included tactical (company level) communications net training, PZ/LZ operations training, and tactical vehicle dismount training.



GS

Director, Operations,
Readiness and Mobilization

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ACTIVE COMPONENT

TAB A

JTF 6 Delegation of Authority (9 Mar 92)	A1
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MOUT Site/Driver Training/Main Spt for BFV (22 Jan 93)	A3
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FORSCOM JAG Response to ATF Special SR (3 Feb 93)	A7
JTF 6 Warning Order (4 Feb 93)	A8
ATF Operation Schedule Change (5 Feb 93)	A9
Counter Drug Military Support Description (8 Feb 93)	A10
CJTF 6 Oporder-Counter Drug Training Support Mission (17 Feb 93)	A11
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NATIONAL GUARD

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EXECUTIVE SUMMARY

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Government Reform and Oversight Committee

Subcommittee on National Security,
International Affairs, and
Criminal Justice

B-373 Rayburn House Office Building
Washington, DC 20515
Voice: (202) 225-2577
Fax: (202) 225-2373



FACSIMILE TRANSMISSION

TO: ① [REDACTED]
FROM: Michael Long
DATE: 7/14/95
PHONE: fax: 697-8299 ph: 697-2536

There will be a total of 3 pages, including this page.

Comments: Enclosed is the written request
for witnesses as we discussed. Please
call if you have any questions.

If there are any questions or problems regarding this transmission, please call the sender at (202) 225-2577.

WILLIAM F. CLINGER, JR., PENNSYLVANIA
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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

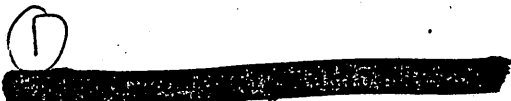
WASHINGTON, DC 20515-6143

July 14, 1995

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BERNARD SANDERS, VERMONT
SEN. PRESIDENT

MAJORITY—(202) 225-3074
MINORITY—(202) 225-6251



Department of Defense
The Pentagon
Washington, D.C. 20301

Dear Mr. Secretary:

The Committee on Government Reform and Oversight is planning to call the attached list of individuals as witnesses during hearings on the Waco matter. These hearings begin on Wednesday, July 19, 1995. Please notify me by Monday, July 17, 1995 to indicate whether the Department of Defense has any concerns with the individuals named on this list. You can FAX a response to me at 202-225-3974. Our Subcommittee on National Security, International Affairs, and Criminal Justice will consider any concerns you have before the scheduled beginning of the hearings.

I thank you for your immediate attention to this request.

Sincerely,

William F. Clinger, Jr.
Chairman

Attachment

Potential Witness List for Department of Defense

- (1) [Redacted] *Huffman*
- Ambassador Holmes
- #49 [Redacted]
- #50 SFC [Redacted]
- #51 SSG [Redacted]
- #52 Major [Redacted]
- Lieutenant Colonel [Redacted]
- #57 Brigadier General [Redacted]
- #51 SSG [Redacted]
- #55 [Redacted]



SENSITIVE RECORDS AND INFORMATION AGENCY (SRIA)

Office of the Chief of Staff, Army

5111 Leesburg Pike
Suite 409, PO Box 46
Falls Church, VA 22041

Suspense:
30 Jun 95

Telephone # - (703) ⁶⁸¹⁻³⁸⁸¹ ~~755-9878~~ / 0879; DSN 289

Fax # - (U) (703) ⁶⁸¹⁻³⁸⁸¹ ~~755-9878~~ ; DSN: 289

(S) (703) ⁶⁸¹⁻³⁸⁸¹ ~~755-9878~~ ; DSN 289

NAME OF:	NO. OF PAGES (INCL. COVER): 11	DATE: 28 Jun 95	TIME: 0730
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TO:	CLASSIFICATION: <input checked="" type="checkbox"/> UNCLASSIFIED <input type="checkbox"/> CONFIDENTIAL <input type="checkbox"/> SECRET <input type="checkbox"/> TOP SECRET <input type="checkbox"/> SPECIAL ACCESS REQUIRED
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ORGANIZATION/OFFICE SYMBOL: NGB-ZA	TELEPHONE #: 693-3422 / 693-6987
---------------------------------------	-------------------------------------

COMMENTS:

Please find enclosed the following documents:

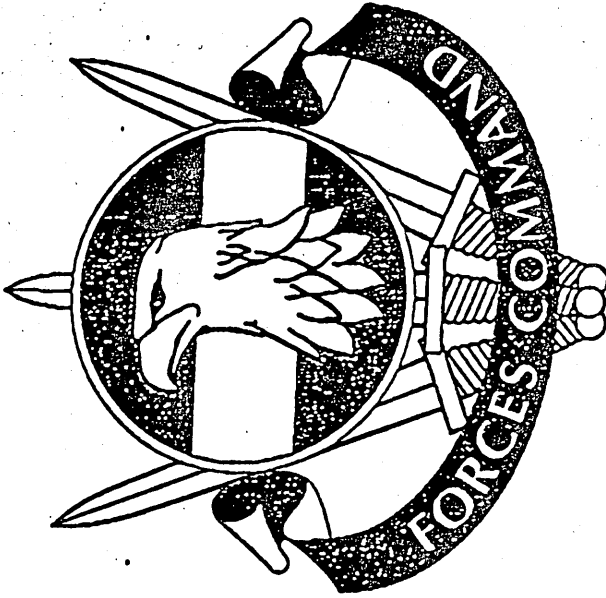
- a. message -- subj: Congressional Request for Records and Information Relating to the Matter of the Branch Davidians Near Waco, Texas
- b. DD Form 2086
- c. Cover sheet for material/documents produced for Review.

Please note suspense dates.

Acknowledgement of this fax is required. (By voice or fax)

Thank you

BS Don't hesitate to call should you have any questions.



① TO: [REDACTED] OFC SYM: S122-12 [REDACTED] Nant #1
 FAX PHONE: [REDACTED] 703-614-3035
 COMMENTS: per your conversations with [REDACTED] enclosed as is [REDACTED] chronology
 + Supporting documents

③ FROM: [REDACTED] X1
 FAX# DSN: 572-2497/COMM: 404-752-2497
 VOICE: DSN: 572-2921/COM: 404-752-2921
 TOTAL PAGES (INCL COVER): 96 4252/2453
 HQs Forces Command, A3CG-JA
 Staff Judge Advocate Office
 Fort McPherson, GA 30330-5000

ISGS Detail

87-17-22

TRANSMITTAL/ACTION/CONTROL (FORSCOM Memo 1-11)	DATE: 13 Jul 95
	OFFICE SYMBOL/PHONE: [REDACTED]

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

THRU: G3 Cofs DCG TO: EG

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 _____

DIRECTOR

COORDINATION/CONCURRENCE				ROUTING/APPROVALS		
OFFICE	NAME/TITLE	DATE	CONCUR		INITIALS	DATE
AFCG-JA	[REDACTED]	13 Jul 95	Concur	BRANCH CHIEF		
JTF-6 COS	[REDACTED]	131500 Jul 95	Concur	DIVISION CHIEF	[Signature]	13 Jul 95
USACOM J3D	[REDACTED]	131505 Jul 95	Concur	EXEC OFFICER		
DA DAMO-OD	[REDACTED]	131707 Jul 95	Concur	DEP DIRECTOR		
				SPELL/ADMIN		

FOR COMMAND GROUP USE

APPROVED BY (Initials/Date)	SGS (Number)	DSGS
RETURNED FOR ACTION	TASKER	IN <i>cej</i>
RETURNED FROM ACTION	LOG 95-30606	OUT <i>7/14</i>

HQ FORSCOM Form 1048, 1 Mar 94 *Returned from SGS on 10 Aug 95, SLD, 1430*

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

MEMORANDUM FOR Commander, United States Army Special Forces
Command (Airborne), ATTN: SJA, [REDACTED] 1)
Ft Bragg, North Carolina 28307-5230

SUBJECT: WACO Files

1. As requested, we have searched our files and have found no records of the incident. 2)
2. POC this HQs is [REDACTED] at 432-9923.

3) [REDACTED]
S3



**UNITED STATES
SPECIAL OPERATIONS COMMAND
LEGISLATIVE LIAISON
MACDILL AFB, FL 33608-6001**

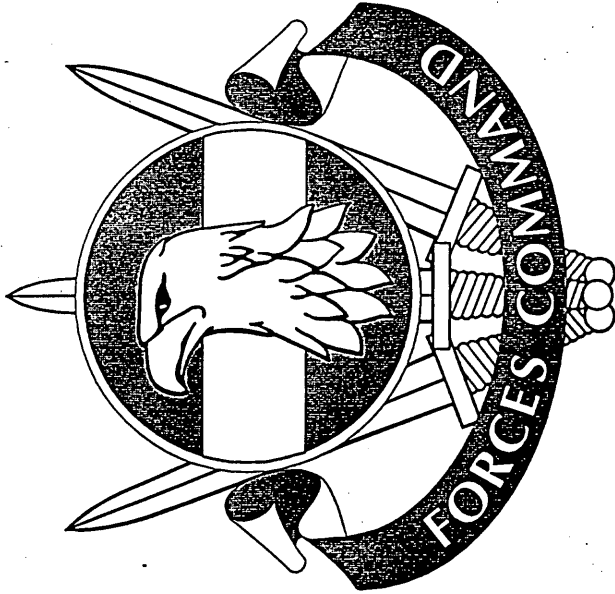
FAX HEADER

TO - NAME: [REDACTED] (1)
OFFICE: **SO/LIC**
PHONE:
FAX #: **703-693-6335**

FROM - NAME: [REDACTED] (2)
USSOCOM / SOLL
VOICE: (813) 840-5147 / DSN 299-5147
FAX #: (813) 840-5146 / DSN 299-5146

REMARKS - AS REQUESTED.
cc (3) [REDACTED] / SOLA-AC

**UNCLASSIFIED Transmission Only
Page 1 of 5 Pages**



PAO

OFC SYM:

① TO: [REDACTED]

FAX PHONE: 669-5628

COMMENTS:

Just Received From BATT. For THE PACKET and/or Your Records

②

FROM: [REDACTED]

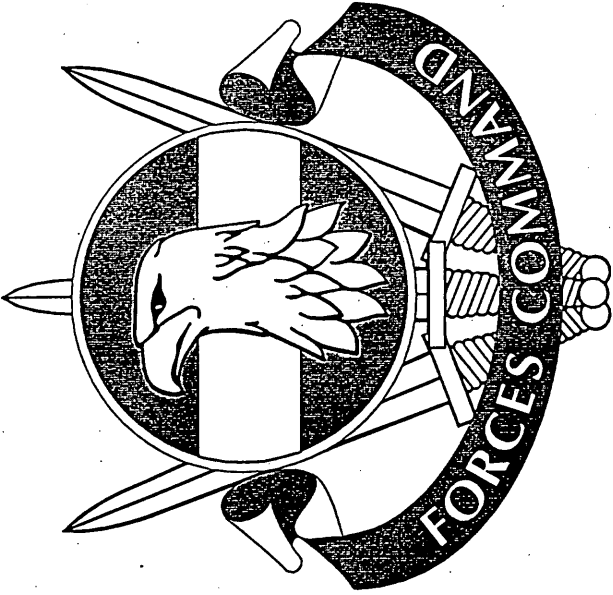
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VOICE: DSN: 572-2921/COM: 404-752-2921

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



640/TEMP

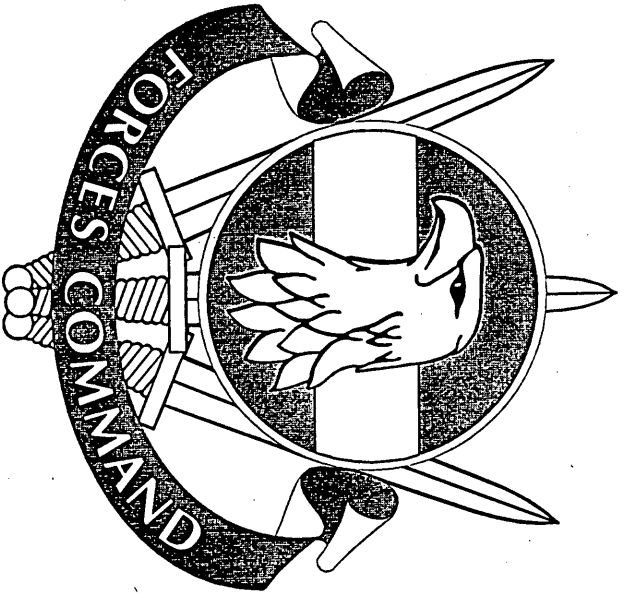
TO: [REDACTED] OFC SYM:

FAX PHONE: 703-681-8366

COMMENTS: *per conversation*

FROM: [REDACTED]
FAX# DSN: 572-2497/COMM: 404-752-2497
VOICE: DSN: 572-2921/COM: 404-752-2921
TOTAL PAGES (INCL COVER): 16 ^{4252/2953}

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



① TO: [REDACTED]

OFC SYM: SCTCS-2C

FAX PHONE: DSN 224-223-1619

② COMMENTS: S/P. There are the "unsigned, internal working documents" that the Counterdrug Division withdrew from its submission - No one knows for sure whose notes they are - But they guess they were made by [REDACTED], of the Counterdrug Division (current whereabouts unknown). 2 copies of each document enclosed -

FROM: [REDACTED]

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

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

TOTAL PAGES (INCL COVER): ⑤ 4252/

2453

HQs Forces Command, A3CG-1A
Staff Judge Advocate Office
Fort McPherson, GA 30330-5000



① *D4 Courseware Div*

OFC SYM: *D4no-000*

TO: [REDACTED]

FAX PHONE: *65N 225-7632*

COMMENTS: *JTF-6 + F2R5Com Submission Reference Conventional TOWS Request for info*

②

FROM: [REDACTED]

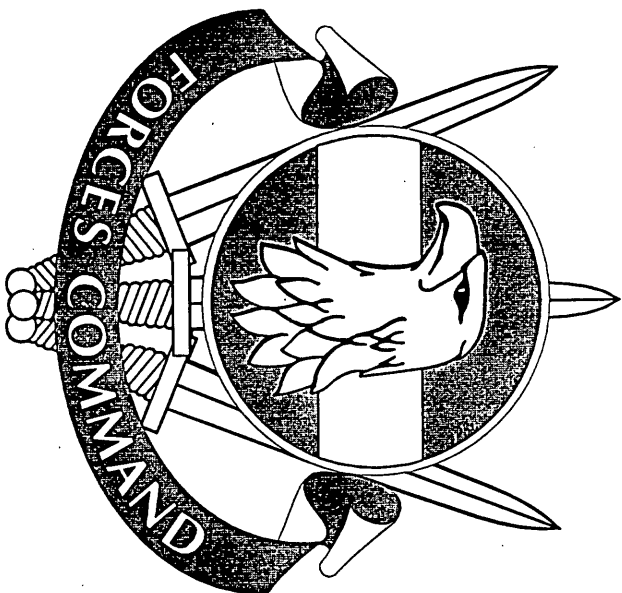
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VOICE: DSN: *572-2921/COM: 404-752-2921*

TOTAL PAGES (INCL COVER): *4252*

④

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



①

ATTN:

TO: D5574, III CAPPS + F-1600

OFC SYM:

FAX PHONE:

②

COMMENTS:

Gentlemen - [redacted] asked me to fax this to you - please survey the appropriate intelligence & operational personnel as to whether they have any information regarding the above. This information is needed at JCS legal ASTP, if any - Thank you - Congressional hearings begin 12 Jul -

FROM:

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

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

TOTAL PAGES (INCL COVER):

4252/2953

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

⑬

③

0038556 Z



ccjcs

Legal Counsel

①

TO: [REDACTED]

FAX PHONE:

OFC SYM: ccjcs-llc

COMMENTS:

SIR - THIS IS EXISTING OF JTF-6 + FRSSEM COURSEWORK DIVISION
SUBMISSION REFERENCE W/CO-RELATED TASKING
SEPARATE RESPONSE INCLUDED TO D4MD-000.

②

FROM: [REDACTED]

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

VOICE: DSN: 572-2921/COM: 404-752-2921-4252

TOTAL PAGES (INCL COVER):

⑤

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



① OSGA III CORPS

TO: [REDACTED]

FAX PHONE:

OFC SYM:

②

Per [REDACTED]

Legal Advisor to
CJCS

COMMENTS: Heads-up! Another data-drag on Waco. No further refinement has yet occurred, but if + when it does, expect Sloger's suspension. Please be prepared this to CORPS G3 or any other appropriate staff element. Not clear if 1ST CAV DIV assisted in this area, but if they did, please ensure they receive this also.

FROM: [REDACTED]

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

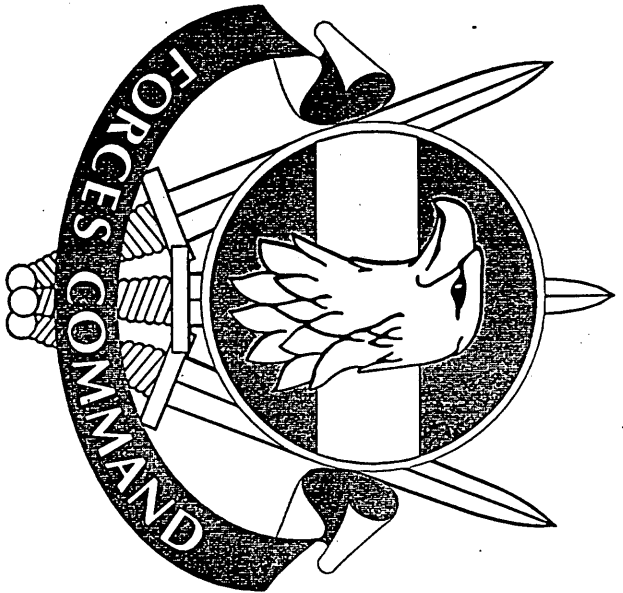
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4252

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

④

Tkay KJ



①

OSJA, HQ, USstem

TO: [REDACTED]

OFC SYM: JØØL

FAX PHONE: 804-445-5959

COMMENTS:

Sir - per your request - materials FedEx'd
From HERE at 1300 TODAY - [REDACTED]

②

③

FROM:

[REDACTED]

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

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

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HQs Forces Command, A3CG-1A
Staff Judge Advocate Office
Fort McPherson, GA 30330-5000



① 05574, I CORPS, FT. Lewis, WA

TO: [REDACTED]

OFC SYM: A424-54

FAX PHONE: DSN 379-5328 8027

COMMENTS: per conversation - Thanks - PLS call Kumpson with info due to our Staff suspension -

②

FROM: [REDACTED]

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

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

TOTAL PAGES (INCL COVER):

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2453

Hqs Forces Command, A3CG-1A
Staff Judge Advocate Office
Fort McPherson, GA 30330-5000



① TO: [REDACTED]
FAX PHONE: 208-422-5976

OFC SYM: 1D4RNG-554

COMMENTS: Complete copy of all we have received - including Lt Gen. Counsel input -

②

FROM: [REDACTED]
FAX# DSN: 572-2497/COMM: 404-752-2497
VOICE: DSN: 572-2921/COM: 404-752-2921
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Hqs Forces Command, A3CG-JA
Staff Judge Advocate Office
Fort McPherson, GA 30330-5000



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



REPLY TO
ATTENTION OF

AFOP-OD (360-5a)

13 July 1995

MEMORANDUM FOR Office Chief Legislative Liaison, ATTN: SALL-IL,
1600 Army Pentagon, Washington, DC 20310-1600

SUBJECT: Response to Office of Congressional Liaison (OCL)
Request for Information

1. Enclosed is the OCL requested focused chronology of events which describes DoD support to BATF for mission JT002E-93 in Waco, Texas. This chronology reflects only the mission planning and approval process and was derived from the enclosed Joint Task Force Six's original detailed chronology.
2. (1) [REDACTED], DSN 367-5014, can provide further information.

Encl

(2) [REDACTED] FA
Chief, Counterdrug Division, G3

CF:
HQDA, DAMO-ODD
USACOM, J3D

Point Paper

Pending Branch Davidian Lawsuit

1. On 27 February 1995, a suit was filed by family members of the deceased and survivors of the Branch Davidian Waco incident in Federal District Court, Southern District of Texas. The named defendants include the Attorney General of the United States, William Sessions, FBI Director, Ann Richards, former Governor of Texas, numerous ATF and FBI officers, and Twelve unknown officers of the Texas National Guard. The Texas Guard was served with process on 20 June. The names of the Guardsmen will presumably be ascertained in the course of pre-trial discovery.

2. The claims of the Plaintiffs are tort, constitutional tort, and Racketeer Influenced and Corrupt Organizations (RICO) claims. (RICO is often cited to cover multiple actors in alleged conspiracies to deprive victims of their rights, property, or lives.)

3. The suit is based on the events at the Branch Davidian Compound in Waco between February 28 and April 19, 1993, which will also be a subject of the upcoming Congressional hearings. Although the two forums are distinct, testimony taken in the Congressional hearings could have an impact on the civil suit.

①
② [6] From: [redacted] at anet6post 7/13/95 10:29AM (2583 bytes: 1 ln)
③ To: [redacted] i, [redacted], [redacted]
④ Subject: WACO Repts

----- Forwarded -----
⑤ From: [redacted] at ANET21POST 7/13/95 9:46AM (2356 bytes: 1 ln)
⑥ To: [redacted] at anet6post
Subject:

----- Forwarded -----
⑦ From: [redacted] at ANET21POST 7/13/95 9:42AM (2123 bytes: 1 ln)
⑧ To: [redacted] at anet6post
⑨ cc: [redacted] at anet6post, [redacted] at anet6post,
⑩ [redacted] at anet6post, [redacted] at anet6post, [redacted]
⑪ at anet6post, [redacted] n
⑫ Subject: [redacted]

----- Message Contents -----

ARNG EXEC Tasker

Sec Army testifies 19 Jul on Army involvement in WACO incident. Sec Army wants an audit trail established for ALL Army involvement to include TXARNG and SOF. TXARNG POMSO [redacted] yesterday released 6 volumes of WACO-related TXARNG after action reports and documents. DAMO-ODS requested NGB support in obtaining the 6 volumes from TXARNG. Intent is for ARO-OM to exclusively coordinate this with TXARNG. Sec Army needs Operational Summary by 1500 tomorrow to prepare testimony. ⑬ Recommend [redacted] (ARO-OM), who will also be acting LNO next week, be appointed the ARO project officer. POC in DAMO-ODS is [redacted] DSN: 225-3848.

⑭ Per directive to DOD from Congress NGB-JA [redacted] has been giving direction to the TXARNG POMSO [redacted] through the JXARNG JAG.

⑮ [redacted] (681-3512) NGB-AD-IS informed me at 0915 that 2 copies of the 6 binder report are now at the local Abn Express loading dock and will arrive in Pentagon mail room by 1200.

ARO and DARNG are on C, NGB Calendar for 1300 tomorrow.

An operational summary must be prepared for Sec Army by ARO-OM and NGB-JA for use in tomorrow's meeting with CNGB. ARO-O provide a project officer to work this aciton with [redacted] and [redacted] this afternoon. Project officer report NLT 1100 ⑯ ⑰

SENT BY: _____

-13-95 ; 1:10PM ;

OUSD-CAIR:# 1



ACQUISITION AND
TECHNOLOGY

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON DC 20301-3000



12 July 1995

MEMORANDUM FOR CAIR

SUBJECT: Branch Dividians

A negative response is provided in reference to your 20 June 1995 memorandum requesting search of records for information on Branch Dividians.

The following personnel conducted the searches:

DUSD/TP	① [REDACTED]	28 June 95
DUSD/MP	② [REDACTED]	22 June 95
DUSD/LBS	③ [REDACTED]	26 June 95
DUSD/MR	④ [REDACTED]	20 June 95
CALS	⑤ [REDACTED]	23 June 95
DUSD/L	⑥ [REDACTED]	23 June 95

⑦ [REDACTED] USAF
Military Assistant
Deputy Under Secretary
of Defense (Logistics)



49524

Z 0018075



DEPARTMENTS OF THE ARMY AND THE AIR FORCE

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



NGB-ADI-P (25)

11 JUL 95

MEMORANDUM FOR SECRETARY OF THE ARMY LEGISLATIVE LIAISON, ATTN:
① [REDACTED]

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

1. Enclosed are all the records pertaining to subject request from the Texas Army National Guard pertaining to loan of equipment to Alcohol, Tobacco and Firearms and the FBI, After Action Report pertaining to Waco, letters of individuals asking for subject records, log of actions pertaining to subject records, etc.
2. The POC is the undersigned at (703) 681-3512 or DSN 761-3512.

FOR THE CHIEF, NATIONAL GUARD BUREAU:

Encl

②

[REDACTED]
Program Manager
Freedom of Information Act
and Privacy Act

COVER SHEET FOR DOCUMENTS PRODUCED FOR REVIEW

AGENCY: TEXAS NATIONAL GUARD

DATE: 11 July 95

Part I: Search Information

PERSON(S) PERFORMING SEARCH (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

① [REDACTED] ② [REDACTED] ③ [REDACTED] ④ [REDACTED]

DATE OF SEARCH: 21 June - 5 July 95

LOCATION WHERE FILE WAS FOUND: Camp Mabry, Austin, Texas

ORGANIZATION UNDER WHOSE AUTHORITY FILE WAS MAINTAINED: _____

TEXAS NATIONAL GUARD

PERSON UNDER WHOSE AUTHORITY FILE WAS MAINTAINED (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER): [REDACTED] ⑤, Adjutant General

P.O. Box 5218

Austin, Texas 78763-5218

Part II: Information about Documents with this Cover Sheet

NUMBER OF PAGES ATTACHED: 2,128

IS ANY OF THE ATTACHED INFORMATION SUBJECT TO THE PRIVACY ACT? Yes

CLASSIFICATION LEVEL OF ATTACHED INFORMATION: FOUO

PERSON COMPLETING THIS COVER SHEET (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER): ⑥ [REDACTED]

AGIX-JA

P.O. Box 5218
Austin, Texas 78763-5218
(512) 465-5057



ADJUTANT GENERAL'S DEPARTMENT

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

AGTX-JA (27)

11 July 1995

MEMORANDUM FOR CHIEF, NATIONAL GUARD BUREAU

① ATTN: NGB-ADI-P [REDACTED], Washington, DC
20310-2500

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

1. Reference is made to memorandum, same subject, dated 19 June 1995 from DOD General Counsel to your office.
2. Enclosed herewith, are two (2) duplicate, tabbed and indexed copies of the requested documents. Please note, each copy consists of five (5) Volumes, for a total of 2,128 pages per copy. Each page is "BATES" stamped on the reverse side.
3. POC is (IA) [REDACTED] at (512) 465-5541 or DSN 954-5541.

② [REDACTED] JA, TXARNG
AGR Judge Advocate

PERMISSIBLE ACTIONS

YOU MAY --

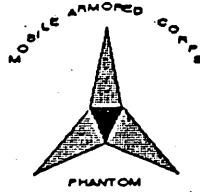
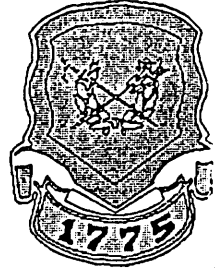
- * *Train* civilian law enforcement officials
- * *Maintain* equipment
- * *Drive* equipment to Waco

YOU MAY NOT --

- * *Operate* the equipment in support of civilian law enforcement operations



OFFICE OF THE STAFF JUDGE ADVOCATE
HQ, III CORPS & FORT HOOD



FACSIMILE HEADER SHEET

①

FROM: [REDACTED] AFZF-JA-AD	TO: [REDACTED] OFC SYMBOL:
DUTY PHONE: 737- FAX #: DSN 737-2925 COM (817)287-2925	DUTY PHONE: FAX PHONE: 223-1619
SUBJECT: WACO	PRECEDENCE: PAGES INCL HEADER: ___
REMARKS: Hard Copy to Follow via U.S. Postal.	

②

③

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL # of pages ▶ 1

To: [REDACTED]	From: III CORPS SSA
Dept./Agency: JSC	Phone #: 817-287-9891
Fax #: 223 1619	Fax #: 287-2925

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

THE INFORMATION CONTA
INDIVIDUAL(S) TO WHOM

THE SOLE USE OF THE NAMED
THE EMPLOYEE OR AGENT

RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU SHOULD REFRAIN FROM EXAMINING THE MATERIALS AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION MAY CONSTITUTE A VIOLATION OF THE PRIVACY ACT, 5 U.S.C. 552a, AND/OR ARMY REGULATION 27-26. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US AT THE ABOVE STATED TELEPHONE NUMBER. THANK YOU FOR YOUR COOPERATION.



OFFICE OF THE STAFF JUDGE ADVOCATE
HQ, III CORPS & FORT HOOD



FACSIMILE HEADER SHEET

FROM: [REDACTED] AFZF-JA-AD (1)	TO: [REDACTED] OFC SYMBOL: (2)
DUTY PHONE: 737- FAX #: DSN 737-2925 COM (817)287-2925	DUTY PHONE: FAX PHONE: 223-1619
SUBJECT: WACO	PRECEDENCE: PAGES INCL HEADER: —
REMARKS: Hard Copy to Follow via U.S. Postal.	

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED FOR THE SOLE USE OF THE NAMED INDIVIDUAL(S) TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE ADDRESSEE, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU SHOULD REFRAIN FROM EXAMINING THE MATERIALS AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION MAY CONSTITUTE A VIOLATION OF THE PRIVACY ACT, 5 U.S.C. 552a, AND/OR ARMY REGULATION 27-26. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US AT THE ABOVE STATED TELEPHONE NUMBER. THANK YOU FOR YOUR COOPERATION.

8 Problems to law enf. agencies
in Mass

Can we do it?

Check 10 USC § 371 ↑

NOB's
Radio

Fimburem?
(Maintenance pt.)

No Crews

11 JUL 95

DACS-DMP-SR

MEMORANDUM THRU CHIEF, TECHNOLOGY MANAGEMENT OFFICE, OFFICE CHIEF
OF STAFF, ARMY, PENTAGON, ROOM 1C462,
WASHINGTON, DC 20310

FOR DEPARTMENT OF THE ARMY, CHIEF, LEGISLATIVE LIAISON, ATTN:
SALL, PENTAGON, WASHINGTON, DC 20310

SUBJECT: Congressional Request for Information Relating to the
Matter of the Branch Davidians Near Waco, Texas.

1. References:

a. Memorandum, General Counsel DoD, Subj: Congressional
Request for Records and Information Relating to the Matter of the
Branch Davidians near Waco, Texas, dtd 16 June 1995, with
attachment.

b. Message, HQDA, DACS-DMP-SR, DTG 222100Z Jun 95, Subj:
Congressional Request for Records and Information Relating to the
Matter of the Branch Davidians near Waco, Texas.

c. Memorandum, AFCG-JA-ML, Subj: FORSCOM Response to
Congressional Request for Information on Branch Davidian/Waco and
Ruby Ridge, ID Incidents, dtd 6 Jul 95, with Index.

2. Forwarded are documents received from United States Army
Forces Command in response to taskings. (Reference c. above, Encl
1).

3. Responsive FORSCOM documents are at Enclosure 2 as follows:

a. Tab A:

1) Memorandum, FCJ3-OD, Subj: Limited Delegation of
Authority for Approving Counterdrug (CD) Operational support to
Drug Law Enforcement Agencies (DLEA), dtd 9 Mar 92,

2) Message, CJCS, Washington, DC, DTG 190050Z Dec 91, subj:
Delegation of Authority for Approving Operational Support to Drug
Law Enforcement Agencies and counterdrug-Related Deployment of DoD
Personnel.

b. Tab B:

Withdrawn by FORSCOM.

c. Tab C:

Withdrawn by FORSCOM.

DACS-DMP-SR

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

d. Tab D:

1) OF 271, Conversation Record, JTF-6, Subj: JT002E-92, No Date.

e. Tab E:

1) Memorandum, Subj: JT002E-93, dtd 4 Feb 93.

f. Tab F:

1) Memorandum, Subj: Issue, Status, Progress, Concerns. No Date.

2) Message, CJTF SIX, Ft Bliss, TX, DTG 0321140Z Feb 93, Subj: Range and Training Area Request - Counterdrug Training Support Mission JT005E-93.

3) Message, JTF6, Ft Bliss, TX, DTG 041603Z Feb 93, Subj: OPNOTE: Warning Order JT002E-93.

g. Tab G:

1) Draft Message, CJTF SIX, Ft Bliss, TX, DTG Unk, Subj: Operation Order - Counterdrug Training Support Mission JT 002E-93.

h. Tab H:

1) Related Notes, etc. Subj: FORSCOM Approval, Counterdrug Training Mission, JT002E-93.

2) Memorandum, FCJT-J3/5, Subj: JT002E-93, Mobile Training Team Support to Bureau of Alcohol, Tobacco, and Firearms (U), dtd. 28 Feb 93, with enclosures.

3) Message, CJTF Six, DTG 121492Z May 93, Subj: Classification Downgrading of Correspondence

4) Memorandum, Operation Alliance, Subj: BATF Request for DOD Assistance (ST), with enclosures.

5) Memorandum, JTF6, Subj: ATF Special SR, dtd 1 Feb 93.

6) Message, CJTF6, DTG 032140Z Feb 93. Subj: Range and Training Area Request - Counterdrug Training Support Mission JT002E-93. With Enclosures

DACS-DMP-SR

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

i. Tab I:

1) Memorandum for Record, FCJT-J3, Subj: Meeting between JTF6 and Representatives of the House Appropriations Committee Surveys and Investigations Staff Regarding JTF-6 Involvement with the ATF Raid at Waco, Texas., dtd 16 Jun 93.

j. Tab J:

1) Memorandum, FCJT-J3, Subj: Summary of Investigative Inquiries to Joint Task Force Six (JTF-6) Support to Bureau of Alcohol, Tobacco and Firearms, Mission 002E-93, dtd 18 August 93, with 1st Endorsement, FCj3-OD, dtd 25 Aug 93, and Encls.



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



July 11, 1995

Mr. Kent Markus
Deputy Assistant Attorney General
Office of Legislative Affairs
U.S. Department of Justice
10th & Constitution Avenue, NW
Washington, DC 20530


Dear Mr. Markus:

Enclosed herewith are copies of documents produced to date by the Department of Defense to the Senate Judiciary Committee and the House subcommittees investigating the incident at Waco.

Please note that some of the enclosed documents are classified "SECRET" under the provisions of EO 12356.

Sincerely,

(1)


Principal Deputy General Counsel





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



July 11, 1995

Mr. Neal Wolin
Deputy General Counsel
Department of Treasury
Room 3000
1500 Pennsylvania Avenue, NW
Washington, DC 20220

Dear Mr. Wolin:

Enclosed herewith are copies of documents produced to date by the Department of Defense to the Senate Judiciary Committee and the House subcommittees investigating the incident at Waco.

Please note that some of the enclosed documents are classified "SECRET" under the provisions of EO 12356.

Sincerely,

(1)


Principal Deputy General Counsel



DOCUMENT SEARCH

As of 11 July 1995

• Chronology

o Letter from House Judiciary Committee: (Subcommittee on Crime)	8 June S: 22 June
o Letter from from DoD, OGC	16 June S: 21 June
o Tasking to TMO (from OCLL)	22 June
o Message from TMO to field	22 June S: 30 June

• Status

FORSCOM (+)
TRADOC (-)
USASOC (+ /INT)
AMC (+/INT)
CID (-)

DCSPER (+)
DCSINT (-)
DCSOPS (+)
DCSLOG (-)
OSG (-)
CAR (-)

NGB (+/INT)
COE (-)
MTMC (-)
AFIP (+/INT)
INSCOM (-/INT)

JUL-11-95 11:54A

07:05:95 16:30

JUL - 5 - 95 WED 16:10 SRIA/OCSA

P.08

011

P. 11

COVER SHEET FOR DOCUMENTS PRODUCED FOR REVIEW

AGENCY: HQ, 1st Cavalry Division

DATE: 10 Jul 95

Part I: Search Information

①
Name
#1513

PERSON(S) PERFORMING SEARCH (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

[REDACTED] SJA, 1ST CAV DIV DSJ. 737-9410
FT Hood, TX 76545

DATE OF SEARCH: 1-10 Jul 95

LOCATION WHERE FILE WAS FOUND: OSSA, 1ST CAV DIV

ORGANIZATION UNDER WHOSE AUTHORITY FILE WAS MAINTAINED: HQ, 1ST CAV DIV

②

PERSON UNDER WHOSE AUTHORITY FILE WAS MAINTAINED (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

[REDACTED] (Same as above) Name #1514

Part II: Information about Documents with this Cover Sheet

NUMBER OF PAGES ATTACHED: 4

IS ANY OF THE ATTACHED INFORMATION SUBJECT TO THE PRIVACY ACT? No

CLASSIFICATION LEVEL OF ATTACHED INFORMATION: UNCLAS

③

PERSON COMPLETING THIS COVER SHEET (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

[REDACTED] (Same as above)

↓
Name #1515

D-1487

HENRY J. HYDE, ILLINOIS, CHAIRMAN
CARLOS J. MOOREHEAD, CALIFORNIA
JAMES BENGUEMUNNER, JR., WISCONSIN
BILL MCCOLLUM, FLORIDA
GEORGE W. CECAS, PENNSYLVANIA
HOWARD COBLE, NORTH CAROLINA
LAMAR S. SMITH, TEXAS
STEVEN SCHIFF, NEW MEXICO
ELTON GALLEGLY, CALIFORNIA
CHARLES T. CANADY, FLORIDA
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ED BRYANT, TENNESSEE
STEVE CHADOT, OHIO
MICHAEL PATRICK FLANAGAN, ILLINOIS
BOB BARR, GEORGIA

GENERAL COUNSEL
ALAN F. 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 20515-6216

(202) 225-3951

MINORITY STAFF DIRECTOR
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XAVIER BECERRA, CALIFORNIA
JOSE E. SERRANO, NEW YORK
ZOE LOFGRIN, CALIFORNIA
SHELIA JACKSON LEE, TEXAS

July 10, 1995

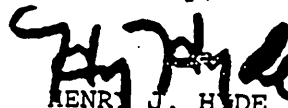
①
[REDACTED]
Secretary of Defense
U.S. Department of Defense
Washington, D.C. 20301

Dear Mr. Secretary:

This is to authorize Glenn Schmitt, a Counsel with the Subcommittee on Crime, to travel on military aircraft to Fort Bragg, North Carolina, with designated staff from the Committee on Government Reform and Oversight. The purpose of their travel is to prepare for upcoming joint hearings on the Waco incident.

The expenditure of funds for the payment of actual and necessary expenses and such transportation as may be required is authorized by Title 31, United States Code, section 1108(g).

Sincerely,


HENRY J. HYDE
Chairman

HJH:acf



Name 103 C

From: COL [redacted] 7/19/95 12:08PM (5560 bytes: 77 ln, 1 fl)

Subject: Request for Information - re: Waco, TX
Draft message

----- Message Contents -----

Text item 1: MESSAGE1.TXT



Message Type: Interpersonal Message
Delivered: Tue Jul 18 13:38:50 1995

----- [X.400 Text Follows] -----

On Friday, 14 Jul 95, LTG Baca reviewed the Spence report which recapped the National Guard's involvement in the Branch Davidian episode in Waco, TX. The Spence report concluded the status of Texas Guardsmen who participated in the Operation should have changed from Counterdrug Support to Military Support to Civil Authorities. To the best of our knowledge, that did not occur.

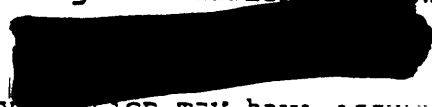
For NGB-ARC:

1. If the funding for the Texas Guardsmen should have changed, would this, in your opinion, have constituted a violation of the Anti-deficiency Act?

If the funding for the Guardsmen should have been other than counter-drug funds then there may be a violation of the purpose statute 31 USC 1301(a) which says funds may only be used for the purpose for which appropriated. This is not an antideficiency violation, but could result in one if the required corrections cause an over-obligation or an over expenditure of the proper account.

In this case the mission was identified as a counter-drug operation and the Guard provided equipment and personnel in support. After the initial ATF raid additional equipment was provided by direction of the SECARMY. The equipment was provided as Military Support to Civilian Authorities (MSCA) SECARMY approval was necessary because the equipment was TOE tactical items. Additional manpower was also provided using counter-drug funding. There was no change to the mission being a counter-drug operation and there was no other status available for these personnel since the state Governor indicated this was a federal mission only. There was sufficient counter-drug appropriated funds for FY 93 and this mission.

Therefore unless higher competent authorities changed the mission from a counter-drug operation, the expenditures are proper for the purpose for which the funds were appropriated and there is not an antideficiency. In the absence of any clear indication of a change in the mission a flash report is not necessary. However, an investigation of the Guard's role can be initiated under AR 15-6 to determine if there was a change in mission or knowledge of that.



2. If we suspect that a [redacted] may have occurred...

(R)

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 NGFA 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.

~~CONFIDENTIAL~~

FAX COVER SHEET

①

FROM: [REDACTED]
Army Legislative Liaison
1600 Army Pentagon
Pentagon, Room 2C634
Wash., D.C. 20310-1600
(703) 697-2106
DSN 227-2106
FAX: (703) 614-3035

②

TO: [REDACTED] SJA, XVIII Airborne Corps
FAX: COM (910) 396-4363

6 page(s) including cover sheet

Date: 14 JUL 95

Message: Sir,

As requested, here is your personal
copy of the now famous [REDACTED] AIRBORNE!

③

④

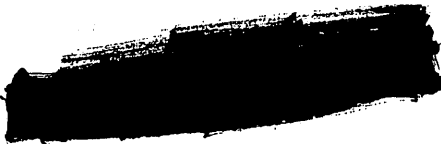
[REDACTED]

Faxed 0925, 14 JUL 95

⑤

[REDACTED]

~~CONFIDENTIAL~~



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
 NATIONAL GUARD BUREAU
 2500 ARMY PENTAGON
 WASHINGTON, D.C. 20310-2500



NGB-ZA

14 JUL 1995

MEMORANDUM FOR DEPUTY CHIEF OF STAFF FOR OPERATIONS,
 ATTN: DAMO-ODS

SUBJECT: National Guard Bureau Input , Branch Davidian Operation

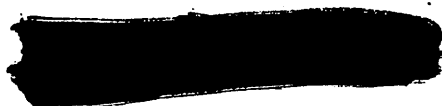
1. Reference your request for information regarding support rendered by the Texas National Guard to the Bureau of Alcohol, Tobacco and Firearms (BATF) and the Federal Bureau of Investigation (FBI) during subject operation in Waco, Texas.

2. Background:

a. The National Guard has been providing support to local, state and federal law enforcement agencies since 1980, initially in the area of marijuana eradication. The program grew in scope over the years, with most of the support in the form of equipment loans, e.g., night vision goggles, to aviation support (aerial surveillance) incidental to scheduled training missions. Starting in 1987 Congress appropriated funds specifically for the National Guard to expand the program to other areas of support. Funding levels for the program continued to grow on an annual basis until recent years.

b. In coordination with the Office of National Drug Control and Policy (ONDCP) and the Office of the Assistant Secretary of Defense (Reserve Affairs), 16 standard missions were developed in which the National Guard could support law enforcement agencies. ~~These missions are promulgated in National Guard Regulation (AR) 500-2/(AF) 55-6, dated 2 Dec 91, and revised 1 Mar 93.~~

c. The general concept is for the National Guard at state level to meet with law enforcement agencies to determine requirements and to verify that the requested support meets the criteria in NGR 500-2. Based on requirements, an annual state plan is prepared and submitted to the National Guard Bureau (NGB) for review and funding determinations. The plans are then submitted through the Army and Air Staffs to DOD for review and approval. On approval by DOD and return to NGB, funding for the approved missions flows from DOD through the Army and Air Staff Comptrollers to the Army and Air National Guard Comptrollers in NGB. NGB then distributes funds to the states in the appropriate personnel and operations and maintenance accounts.



[REDACTED]

NGB-ZA

SUBJECT: National Guard Bureau Input, Branch Davidian Operation

3. Prior to the commencement of the Waco operation, several planning meetings were conducted to coordinate all aspects of the mission with JTF-6, Operation Alliance and the Bureau of Alcohol, Tobacco and Firearms (BATF). Of the 16 approved missions identified in NGR 500-2, the Texas National Guard performed 8 in support of the BATF and the FBI in Texas. Those missions were: Surface Transportation, Aerial Reconnaissance, Aerial Surveillance, Aerial Transportation, Coordination, Liaison and Management, Photo Processing, Administrative and Logistical Support, and Aerial Interdiction.

4. Most ongoing National Guard counterdrug operations at the state level are not monitored at the National Guard Bureau with regards to loans of equipment or operations being conducted. Exceptions are those equipment loans which require HQDA or USAF approval; all others are covered by the approved plans. When Waco became a counterdrug operation, the National Guard Counterdrug Support to it followed established procedures as with other counterdrug operations. During the entire period that the Texas National Guard supported the Waco operation (Dec 92 through 27-Apr 93), only three requests for National Guard equipment were made which required HQDA approval, viz., 2 ea. M-113 APCs (never used), 10 ea. Bradley Fighting Vehicles, 2 ea. Combat Engineer Vehicles (CEV), and 2 ea. 2 1/2 or 5-ton Trucks with tarps. These loans were approved by the Assistant Secretary of the Army (Installations, Logistics, and Environment). Prior to the execution of the loan agreements, the Texas Army National Guard provided driver training to the BATF agents on the Bradleys and the CEVs. The two OH-58s and the UH-60 were flown by the Texas Army National Guard as part of the ongoing operation, and the UC-26 aircraft was flown by the Texas Air National Guard. The Alabama Air National Guard also flew one RF-4C aerial photography mission at the request of the BATF. A matrix showing major equipment used by the Texas National Guard in this mission is at Encl 1.

5. Upon termination of the mission, the NGB Counterdrug Task Force convened a Process Action Team to review the operation from a "lessons learned" perspective and to determine if any policy and/or procedural changes are required. The group concluded that all Texas National Guard actions associated with the operation were conducted in accordance with applicable statutory and regulatory guidance.

6. All Texas National Guard personnel participating in the support mission were in Title 32 status, with funds provided under 32 U.S.C. 112 which provides, among other things, funding for the pay, allowances, clothing, subsistence, gratuities.

[REDACTED]

NGB-ZA

SUBJECT: National Guard Bureau Input, Branch Davidian Operation

travel, and related expenses of personnel of the National Guard of that State used for . . . ~~the purpose of drug interdiction and counter-drug activities.~~ It has been suggested that after shots had been fired, the nature of the mission changed from a solely counterdrug support mission to a combination of counterdrug support and military support to civil authorities (MSCA). Although the mission expanded, the National Guard participation continued to be managed and funded as a counterdrug support mission. All equipment was provided in accordance with the approved Texas National Guard Counterdrug Plan and applicable DOD and service regulations.

Enclosure

[REDACTED]

Chief, National Guard Bureau

[REDACTED]


EQUIPMENT UTILIZATION MATRIX

1. The following equipment was operated and maintained by the Texas National Guard in Support of the BATF and the FBI during the Waco Operation:

<u>Equipment</u>	<u>Quantity</u>	<u>Requestor</u>	<u>Approved By</u>
UC-26 Aircraft	1	BATF	State Plan/TAG
OH-58 Helicopters	2	BATF	State Plan/TAG
UH-60 Helicopters	1	BATF	State Plan/TAG
CUCVs (M-1009)	12	FBI	State Plan/TAG
Buses	3	BATF	State Plan/TAG
Photographic Equipment	Variable	BATF	State Plan/TAG
Fuel Trucks	1	BATF/FBI	State Plan/TAG
2 1/2 Ton Trucks	2	BATF	State Plan/TAG
Water Trailers	2	BATF/FBI	State Plan/TAG
Armored Personnel Carriers	2	BATF	State Plan/TAG
Transport Trailers	2	BATF	State Plan/TAG
Power Generators	1	BATF/FBI	State Plan/TAG

2. The following was requested to be loaned by the agencies indicated:

<u>EQUIPMENT</u>	<u>QUANTITY</u>	<u>REQUESTOR</u>	<u>APPROVED BY</u>	<u>REFERENCE</u>
Bradley FV	10	BATF	ASA (IL&E)	Book 2, Tab Q
Combat Eng Veh	2	FBI	ASA (IL&E)	Book 2, Tab Q
Ammo Trailers	3	FBI	State Plan/TAG	Book 2, Tab Q
Protective Masks	50	BATF/FBI	State Plan/TAG	Book 2, Tab Q
Kevlar Helmets	31	BATF	State Plan/TAG	Book 2, Tab Q
AUS Utility Vehicles	Variable	BATF/FBI	State Plan/TAG	Book 2, Tab Q
Night Vision Equip	6	BATF	State Plan/TAG	Book 2, Tab Q
Body Armor	100	FBI	State Plan/TAG	Book 2, Tab Q

3. The following supplies and equipment were loaned to, provided to, or maintained for federal agencies at some period during OPERATION TROJAN HORSE and the subsequent Hostage Rescue Mission:

<u>EQUIPMENT</u>	<u>REQUESTOR</u>	<u>APPROVED BY</u>
Canteens	BATF/FBI	State Plan/TAG
Light Sets	BATF/FBI	State Plan/TAG
Weapon Slings	BATF/FBI	State Plan/TAG
Sandbags	BATF/FBI	State Plan/TAG
Wet Weather Gear	BATF/FBI	State Plan/TAG
Field Rations	BATF/FBI	State Plan/TAG
Tentage	BATF/FBI	State Plan/TAG
Litters	BATF/FBI	State Plan/TAG
Ammo Magazines	BATF/FBI	State Plan/TAG
Tables/Chairs	BATF/FBI	State Plan/TAG



NOTES:

1. The FBI operated a Tracked Recovery Vehicle (M-88) to recover a disabled Texas National Guard CEV (M-728).
2. The FBI operated an AN/MSS-1 (search light mounted on 1/4 ton jeep) on an immediate need basis with approval of TAG Texas.
3. Texas National Guard personnel support varied on a day-to-day basis, ranging from a minimum of five to maximum of 35, for a total expenditure of 896 mandays.

Enclosure 1



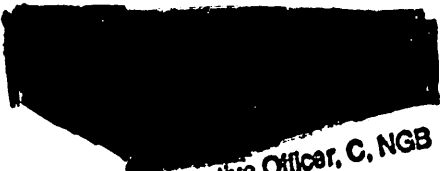
HAND RECEIPT

THE UNDERSIGNED AGREES TO TAKE RESPONSIBILITY FOR CUSTODY OF THE FOLLOWING DOCUMENTS AND FURTHER AGREES TO RETURN SUCH DOCUMENTS TO ARO-OM NLT 25JUL95.

THE UNDERSIGNED FURTHER AGREES TO MAKE SURE THE DOCUMENTS ARE ACCOUNTED FOR AT ALL TIMES.

SIX (6) VOLUMES OF DATA THAT WAS FURNISHED BY THE TEXAS NATIONAL GUARD IN REFERENCE TO OPERATION TROJAN HORSE AND HOSTAGE RESCUE MISSION IN WACO, TX.

①



18 Jul 95
DATE

Executive Officer, C, NGB

NGB-JAK (27-1a)

19 July 1995

MEMORANDUM FOR [REDACTED]

Subject: Request for Information - WACO, TX

1. It is the opinion of this office that there is sufficient evidence to suspect that an Antideficiency Act violation may have occurred. This is based upon a reading of the after action report submitted by Texas, and the so called [REDACTED] report.

2. For purposes of this discussion, the entire operation is split into three phases. The initial planning and coordination of a drug plan (11 December 1992 - 27 February 1993); this operation was named "Trojan Horse". The second phase, from 28 February 1993 to 19 April, 1993, was known as the "Hostage Rescue Mission". The third phase was the recovery plan implementation during the period 20-27 April 1993.

3. A review of both files indicates there is sufficient evidence to justify the expenditure of 32 U.S.C. 112 funds to support the drug related operation known as Trojan Horse. The Texas National Guard received an initial request to support the Bureau of Alcohol, Tobacco and Firearms (ATF). The request asked for aerial photography, aerial thermal imagery, and general operation support. The primary equipment used was aircraft. On the day of the assault, Texas National Guard helicopters were to be used as decoys to divert the attention of the individuals in the building. All of these actions appear to be within the purview of 32 U.S.C. 112 and the implementing DOD and NGB regulations.

4. On 28 February 1995, the situation changed. The ATF requested Bradley fighting vehicles, night vision equipment, fuel, field rations and personal protective equipment. The Texas National Guard provided training to the ATF on the use of said vehicles. It also provided fuel, and daily maintenance. This equipment was requested through appropriate ARNG channels, and the equipment was provided in accordance with the regulations. Usually, in this type of situation, the National Guard personnel used to support the equipment and train the ATF personnel would be placed in a State Active Duty Status, and the agency (ATF) would reimburse the State for the personnel cost. However, in this case, the personnel were placed in 32 U.S.C. 112 status. Both the [REDACTED] report and the after action report question the use of counter drug funds to support the rescue mission. Neither report provides enough information for a legal determination. Thus, we need to conduct an investigation, and arrive at a definite closure on this subject. The appropriate vehicle would be the flash report and an AR 15-6 investigation.



Law/Policy/Procedure

Second Day (July 20)

*"Military Expert
on Posse Comitatus Act"

- ① [REDACTED]
- ② [REDACTED]
- ③ * [REDACTED]
- ④ * [REDACTED]
- ⑤ [REDACTED]

*"Military Expert
on Military Assistance to LEAs"

- ⑥ [REDACTED]

*"Military Expert
on Military Assistance to LEAs
in counter-drug matters"

- ⑦ [REDACTED]
- ⑧ [REDACTED]
- ⑨ [REDACTED]
- ⑩ Commander, JTF-6
[REDACTED]

Sixth Day (July 26?)

"CS gas experts"

*"DoD Chemical Warfare Corps"???

- ⑪ [REDACTED]

NGB-ZA

19 JUL 1995

EXECUTIVE SUMMARY**BRANCH DAVIDIAN OPERATION**

After a review of the written record and extensive conversations among the various staff elements of NGB, as well as the ARSTAF and OSD, the following key points are provided for your review.

The role of the NGB and state National Guard organizations in support of the Bureau of Alcohol, Tobacco and Firearms (BATF) and the Federal Bureau of Investigation (FBI) has been examined employing current regulations, laws, log books, and written statement of participants.

CHRONOLOGICAL SUMMARY:

- DEC 11, 1992 Initial conversation with BATF.
- DEC 14, 1992 Formal request from BATF for aerial photography .
- DEC 18, 1992 Additional aerial photograph request from BATF.
- JAN 6, 1993 Aerial photographs taken.
- JAN 14, 1993 Oblique aerial photographs taken.
- FEB 2, 1993 Additional BATF requests received by TAG TXNG through Operation Alliance.
- FEB 3, 1993 Additional aerial photography and I.R. Video requested by BATF.
- FEB 4, 1993 JTF-6 Liaison Officer and Mr. ^①██████████, TXNG, meet with BATF to deconflict mission requirements.
- FEB 6, 1993 I.R. Video mission flown.
- FEB 17, 1993 BATF briefed Texas Governor's representative.
- FEB 24, 1993 Final BATF support request received by TAG TXNG.
- FEB 24, 1993 Initial support package moved into position for BATF.
- FEB 25, 1993 Additional aerial photographs taken.

FEB 26, 1993	Pathfinders report to Fort Hood, TX.
FEB 27, 1993	Mission training rehearsal .
FEB 27, 1993	Final elements of support pack age arrive.
FEB 27, 1993	Final Mission Briefing, 1900 HRS.
FEB 28, 1993	Mission Execution. (See TAB A)
FEB 28, 1993 until APR 19, 1993	The NG operated in support of the BATF and the FBI. (See Page 4-5 of TAB)
APR 20, 1993 until APR 27, 1993	The NG supported the BATF and FBI in the Recovery Plan Implementation. (See Page 6 of TAB)

SUPPORTING DOCUMENTS:

TAB A	Detailed chronology of events on 28 FEB 93.
TAB B	Formal correspondence from the BATF and Operation Alliance requesting support.
TAB C	Listing of Military Support requested and given during the course of the Operation.
TAB D	The Adjutant General of Texas after action report.
TAB E	The cost figures for Operation Trojan Horse and the follow on hostage rescue mission.



NGB-ARO-OM
**MILITARY SUPPORT
 SECTION**



111 SOUTH GEORGE MASON DRIVE
 ARLINGTON, VIRGINIA 22204-1382

7352

COMM PHONE: (703) 607-XXXX
 DSN PREFIX: 327
 SECURE FAX PHONE: (703) 607-9350
 FAX PHONE: (703) 607-7386
 ELECTRONIC MESSAGE ADDRESS: ARO @
 ARNGRC-EMH2. ARMY. MIL

TO: *CNGB / EXEC* ① / *[REDACTED]* ②
 ATTN: *[REDACTED]*
 PHONE: FAX:
 COMM:

EXPEDITE

DATE/TIME MONTH/YEAR
19/12/40R JUL 95

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

ROUTINE () PRIORITY () URGENT DOCUMENTS

THIS HEADER SHEET WILL BE FOLLOWED BY 2 PAGE(S).
 FOR YOUR INFORMATION *& COMMENTS*
 YOUR RESPONSE IS REQUESTED

REMARKS: *COVER & INDEX FOR CNGB BOOK* ACKNOWLEDGE:
ANYTHING ELSE
CAUTION PLEASE!

PILOT STATEMENTS
INDICATING EVENTS OF
28 FEB 95. NO ~~ARMS~~
WEAPONS CARRIER BY
NG PERSONNEL.

FORMAL RECORDS OF
REQUEST FOR ASSISTANCE
~~TO~~

EQUIPMENT REQUESTS
TO SUPPORT WACO.

* EOC LOG - REFLECT FULL
COORDINATION WITH NGB
~~AND~~ AND REFLECTS ^{ONLY} A
SUPPORT ROLE TO
~~BE~~ OTHER FEDERAL
AGENCIES

700
BIG
/

* ~~STATE LOG~~ SUPPORT
↑ EOC LOGS.
COMMAND POST LOGS

* RUN AS A COUNTER DRILL
OPS -

JTY
TAB

TEXAS A&R - SITES
COUNTEIL ~~SEE~~ DRUG
OPS - VIEW FROM
LEADERSHIP LEVEL.

PAGE 4 SITES FEDERAL
MONITORING OF CASES
INVOLVING TXNG

PAGE 9 ^① ~~██████████~~
~~██████████~~ RAISES A
DEFENSE FOR HIS
ACTIONS -

TAB

COST OF OPERATION.

CHRONOLOGICAL SUMMARY OF NATIONAL GUARD
INVOLVEMENT IN THE BRANCH DAVIDIAN
OPERATION IN WACO, TEXAS.

TAB A

~~DETA~~ PRE-OPERATIONS
ACTIVITIES

TAB B

EVENTS OF 28 FEB



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST CAVALRY DIVISION
FORT HOOD, TEXAS 76545-5101



REPLY TO
ATTENTION OF

AFVA-JA

10 July 1995

MEMORANDUM FOR Commander, III Corps and Fort Hood, ATTN:
Staff Judge Advocate, Fort Hood, Texas
76544

SUBJECT: Request for Information Concerning Waco Incident

1. I enclose the only documents found within the 1st Cavalry Division concerning the Waco, Texas incident involving the Branch Davidian complex. ⑦

2. The documents are an outline of information and viewgraphs used by the Staff Judge Advocate [redacted] ④ and his assistant [redacted] to instruct participating soldiers about the limitations of permissible support under the Posse Comitatus Act, 18 U.S.C. Sec. 1385. ④ [redacted] is now assigned to the Office of the Legal Counsel to the Chairman, Joint Chiefs of Staff, Washington, D.C. 20318-0001. [redacted] is still assigned to the Office of the Staff Judge Advocate, 1st Cavalry Division, Fort Hood, Texas 76545 [he deploys to CAS3 on 6 August 1995 for 10 weeks]. ⑦

3. Division personnel searched the following files:

a. The Comptroller searched TDY files to determine whether the Division published TDY orders for participating soldiers. He found no files.

b. The ACofS, G4 searched their files to determine whether there were any after action reports, reports of equipment provided to federal law enforcement agencies, or reports of damaged equipment (reports of survey). They found no files.

c. The ACofS, G2 found no files pertaining to this mission.

d. The ACofS, G3 found no after action report files, planning or execution orders, or files reflecting official taskings from higher headquarters.

e. The ACof S, G1 found no deployment or temporary attachment orders, or any tasking roster.

D-1489

AFVA-JA

SUBJECT: Request for Information Concerning Waco Incident

f. The Provost Marshal found no files concerning this incident.

g. Because the battalion that provided limited support (D Co, 3-67 CAV) has since transferred to the 2d Armored Division, we contacted their SJA and asked for help in attempting to discover any documents or other evidence in their files. None was found.

h. When it was a part of the 1st Cavalry Division, D Company, 3-67 Cavalry Regiment was assigned to the 3d Brigade. We asked that Brigade Headquarters to search their files, but they found no files concerning this incident.

4. POC in this Headquarters is [REDACTED] SJA, 287-9410. (6)

FOR THE COMMANDER:

2 Encls
as

[REDACTED]
COL, GS (8)
[REDACTED]

RESUME OF SERVICE CAREER

of

 Brigadier General

DATE AND PLACE OF BIRTH 8 October 1944, Biloxi, Mississippi

YEARS OF ACTIVE COMMISSIONED SERVICE Over 28

PRESENT ASSIGNMENT Assistant Judge Advocate General for Civil Law and Litigation,
Office of The Judge Advocate General, United States Army, 2200 Army Pentagon,
Washington, DC 20310, since July 1995

MILITARY SCHOOLS ATTENDED

The Field Artillery Officer Basic Course
The Judge Advocate General Officer Basic Course
The Judge Advocate General Graduate Course
Armed Forces Staff College
National War College

EDUCATIONAL DEGREES

Texas Tech University - BS Degree - Physical Education
Texas Tech University - M.Ed. Degree - Physical Education
Texas Tech University - JD Degree - General Law

FOREIGN LANGUAGE(S) None Recorded

MAJOR DUTY ASSIGNMENTS

<u>FROM</u>	<u>TO</u>	<u>ASSIGNMENT</u>
Aug 68	May 69	Executive Officer, Battery A, 8th Howitzer Battalion, 17th Artillery, Fort Sill, Oklahoma
May 69	Mar 70	Commander, Battery A, 8th Howitzer Battalion, 17th Artillery, Fort Sill, Oklahoma
Mar 70	Jan 71	S-3 (Operations), 8th Howitzer Battalion, 17th Artillery, Fort Sill, Oklahoma
Jan 71	Jul 71	Commander, Battery C, 5th Battalion, 4th Artillery, 5th Infantry Division (Mechanized), United States Army, Vietnam
Jul 71	Jan 72	Assistant Secretary of the General Staff, XXIV Corps, United States Army, Vietnam
Jan 72	Jul 72	Assistant G-1 (Personnel), III Corps and Fort Hood, Fort Hood, Texas
Jul 72	Jul 74	Assistant G-1 (Corps Officer Assignments), III Corps and Fort Hood, Texas
Jul 74	Aug 77	Student, Judge Advocate General's Funded Legal Education Program
Aug 77	Oct 77	Student, Judge Advocate General's Officer Basic Course, Charlottesville, Virginia
Oct 77	Jun 79	Trial Counsel, later Chief Defense Counsel, Headquarters Battalion, Fort Ord, California

1



Brigadier General

Jun 79	May 80	Student, The Judge Advocate General's Officer Graduate Course, Charlottesville, Virginia
May 80	Jan 83	Instructor, Administrative and Civil Law Division, later Senior Instructor, Administrative and Civil Law Division, later Special Assistant to the Director, Academic Department, The Judge Advocate General's School, Charlottesville, Virginia
Jan 83	Jul 83	Student, Armed Forces Staff College, Norfolk, Virginia
Jul 83	Jun 85	Staff Judge Advocate, 2d Armored Division (Forward), United States Army Europe, Germany
Jun 85	Jun 88	Assistant Chief, later Chief, Personnel, Plans and Training, Office of The Judge Advocate General, Washington, DC
Jun 88	Jun 89	Student, National War College, Fort McNair, Washington, DC
Jun 89	Mar 91	Staff Judge Advocate, VII Corps, United States Army Europe and Seventh Army, Germany
Mar 91	Jul 93	Staff Judge Advocate, United States Central Command, MacDill Air Force Base, Florida
Jul 93	Oct 93	Executive Officer to The Judge Advocate General, Office of The Judge Advocate General, Washington, DC
Oct 93	Jul 95	The Assistant Judge Advocate General for Military Law and Operations, Office of The Judge Advocate General, United States Army, Washington, DC

PROMOTIONS

DATES OF APPOINTMENT

	<u>Temporary</u>	<u>Permanent</u>
2LT	24 Oct 65	24 Oct 65
1LT	24 Oct 68	24 May 71
CPT	24 Oct 69	24 May 75
MAJ		9 May 78
LTC		1 Mar 83
COL		1 Jan 88
BG		1 Nov 93

US DECORATIONS AND BADGES

Defense Superior Service Medal
 Legion of Merit (with Oak Leaf Cluster)
 Bronze Star Medal (with 2 Oak Leaf Clusters)
 Meritorious Service Medal (with 2 Oak Leaf Clusters)
 Army Commendation Medal
 Army Staff Identification Badge

SOURCE OF COMMISSION OCS

SUMMARY OF JOINT ASSIGNMENTS Joint duty tour requirement waived due to general officer promotion selection as a Professional branch officer.

As of 10 July 1995

NATIONAL GUARD BUREAU



INDEX NO. 1

ADMINISTRATIVE SERVICES NGB-AD (PC IV)

FACSIMILE TRANSMITTAL HEADER SHEET

COMMAND	NAME OFFICE SYMBOL	TELEPHONE NUMBER	AUTHORIZED RELEASER'S SIGNATURE		
FROM: NGB-AD @ PC IV	[REDACTED]	DSN 761-3572 703 881-3579 FAX 761-3719 703 881-3719	[REDACTED]		
TO: NGB ZA	[REDACTED]		DATE / TIME	MONTH	YEAR
			14/1425	JUL	1995
CLASSIFICATION Unclass	NO. PAGES 18	PRECEDENCE Routine	REMARKS (COMMENTS):		

2 requests - 107 pages

UNCLASSIFIED

JOINT STAFF
INFO SERVICE CENTER



PRIORITY

ZYUW RUEADWDO582 1942022

P 131654Z JUL 95

FM DA WASH DC//DACS-ZD//

TO CDRUSASOC FT BRAGG NC

CDRUSARJ-IX CORPS CP ZAMA JA

CDRUSAEHM HQ PACOM HONOLULU HI

USCINCPAC HONOLULU HI

INFO CDRFORSCOM LNO DA WASHINGTON DC

CDRUSARPAC FT SHAFTER HI

USCINCPAC LO WASHINGTON DC

CDRFORSCOM FT MCPHERSON GA

CJTF SIX FT BLISS TX

USCINCSOC MACDILL AFB FL

COMSOPAC HONOLULU HI

CJCS WASH DC

USSOCOM LNO WASHINGTON DC

OSD WASHDC //LA//

DA WASH DC//SASA/SAFM-BUL/DAPE/DALO/DAMI/DAIO/DCSOPS//

UNCLAS

SUBJECT: WITNESSES FOR WACO INCIDENT HEARINGS

1. THE NATIONAL SECURITY SUBCOMMITTEE, HOUSE GOVERNMENT REFORM AND OVERSIGHT COMMITTEE, AND THE CRIME SUBCOMMITTEE, HOUSE JUDICIARY COMMITTEE, WILL HOLD A SERIES OF HEARINGS ON THE WACO INCIDENT STARTING ON 19 JULY 1995. BASED ON SUBCOMMITTEE STAFF ADVICE, THE SUBCOMMITTEES PROBABLY WILL REQUEST THE DEPARTMENT OF THE ARMY TO PROVIDE THE FOLLOWING WITNESSES WHO ARE FORMER OR CURRENT MEMBERS OF THE U. S. ARMY SPECIAL FORCES COMMAND: [REDACTED]

2. THE FOLLOWING COMMANDS ARE RESPONSIBLE FOR PRODUCING THE WITNESSES AS FOLLOWS:

USASOC: [REDACTED]

USARJ: [REDACTED]

U. S. ARMY ELEMENT PACOM: [REDACTED]

3. THESE WITNESSES WILL REPORT TO THE OFFICE OF THE CHIEF, LEGISLATIVE LIAISON, OFFICE OF THE SECRETARY OF THE ARMY, THE PENTAGON, ROOM 2C634, WASHINGTON, DC, ON MONDAY, 17 JULY, TO PREPARE FOR THEIR TESTIMONY. THEY SHOULD PLAN TO REMAIN IN WASHINGTON THROUGH FRIDAY, 21 JULY. TRANSPORTATION, BILLETING AND PER DIEM IS THE RESPONSIBILITY OF THE RESPECTIVE COMMANDS.

4. THE OCLL POINT OF CONTACT IS [REDACTED] DEPUTY CHIEF LEGISLATIVE COUNSEL, WHO CAN BE REACHED AT (703) 697-2106; DSN: 227-2106; FAX: (703) 614-3035; [REDACTED] BT

MCN 95194/17278

USCINCPACLO...INFO

SECDEF V2

ACTION

INFO

CHAIRS (1) SECDEF-C (1) NCCS SUPPORT (1) GC (1)
USDP:DSAA (1) USDP:FSUNA (1) USDP:NAC (1) USDP:SCC (1)
USDP:EP (1) USDP:SO-LIC (1) USDP:PP (1) USDP:ACQ (1)

CJCS V6

ACTION

INFO

USSOCOMWO (1)
CHAIRMAN DISTRIBUTION REQUIRED (1) SJS-C (1)
NMCC:CWO (1) CMAS (1) J4:LRC-J (1) JSAMS (1)

MCN=95194/17278 TOR=95194/2154Z TAD=95194/2232Z

CDSN=MAK527

PAGE 1 OF 1
131654Z JUL 95

UNCLASSIFIED

Z 0035372

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. (2)

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

FROM: (Name, org. symbol, Agency/Post) [Redacted] (3)	Room No.—Bldg.
	Phone No.

5041-102

GPO : 1987 0 - 192-783

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



DEPARTMENT OF THE ARMY
U.S. ARMY EDGEWOOD RESEARCH, DEVELOPMENT AND ENGINEERING CENTER
ABERDEEN PROVING GROUND, MARYLAND 21010-5423



REPLY TO
ATTENTION OF

13 July 1995

Research and Technology Directorate

(1)
[Redacted]
Office of Technology Management
Chief of Staff
Pentagon, Room 1C462
Washington, DC 20301

Dear (2) [Redacted]:

(3) As requested in your telephone conversation with
[Redacted], 13 July 1995, regarding CS information
(4) provided by [Redacted] Scientist for Life
Sciences, Research and Technology Directorate, of U.S. Army
Edgewood Research, Development and Engineering Center, to
the Justice Department is included in documents provided
as an enclosure.

Sincerely,

[Redacted Signature]

Enclosure

(5) [Redacted]
Chief Scientist for Chemical/Physics
Research and Technology Directorate



DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
200 ARMY PENTAGON
WASHINGTON DC 20310-0200



REPLY TO
ATTENTION OF

DAEC-CA

17 July 1995

MEMORANDUM FOR OFFICE OF CHIEF LEGISLATIVE LIAISON

SUBJECT: DART--Army Participation in the Waco Incident

1. General:

a. Meeting was held on 12 July 1995 from 1330-1430 in room 3E635 (Pershing Room). Purpose of the meeting was to discuss subject.

b. Attendees were (1) [redacted] (DAS), (2) [redacted] ASA (M&RA), (3) [redacted] ASA (MRA), (4) [redacted] (OCSA), (5) [redacted] (OTJAG), (6) [redacted] (CIDG), (7) [redacted] (ODCSOPS), (8) [redacted] (OTIG), (9) [redacted] (OCLL), (10) [redacted] (OCPA), Mr. (11) [redacted] (OCLL), (12) [redacted] (ILE), (13) [redacted] (OSA), (14) [redacted] (TMO), (15) [redacted] (ODAS), (16) [redacted] (TMO), (17) [redacted] (OGC), and (18) [redacted] (ADECC).

2. DAS Guidance and Taskers:

a. DAS directed OCLL to provide (19) [redacted] official title and a backbrief of his discussion with the Staffers. (Action: OCLL)

b. DAS directed OCLL to make arrangements to ensure that requested witnesses are in town for the hearings. (Action: OCLL)

c. DAS directed OCLL to provide daily updates concerning the hearings. (OCLL)

3. POC for this action is the undersigned, ext. X73623.

(20) [redacted signature]
(21) LTC, GS
Assistant to the Director
Executive Communications and
Control

0171421



DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
WASHINGTON, DC 20310-0200

17 July 1995

MEMORANDUM THRU [REDACTED] 17/7
FOR [REDACTED] 2

SUBJECT: INFORMATION MEMO (WACO) AUG 03 '95

1. Reference subject DART tasker #2a, DAMO will brief DAS, 1600 hrs, 17 Jul 95.
2. Attached is a chronology and supporting documentation identifying the request for support and approval authority for all Army support to the BATA & FBI operations directed at WACO.
3. Active Component support is at TAB A. ARNG support is at TAB B. Equipment used in operation is at TAB C. Executive Summary is at TAB D.

[REDACTED] 3
LTC, GS
Assistant to the Director
Executive Communications and
Control

DRAFT

SAPA-PCD/18 July 1995

697-7589

RESPONSE TO QUERY

SUBJECT: Military Support Provided to ATF at Waco, TX

Congress will be holding hearings 19-29 July 1995 into activities conducted by federal government agencies at the Branch Davidian compound in Waco, TX, during 1993. The following response to query is authorized for use at HQDA:

- All assistance provided by the Army was legal.
- Army Special Forces facilitated ATF training, but provided no operational planning, training or support. The SF element attached to JTF-6:
 - set up and ran two firing ranges at Fort Hood for ATF use -- one of which was a MOUT (Military Operations in Urban Terrain) site, the other was a known distance range
 - provided medical training (basic first aid and mass evacuation procedures)
 - training in vehicle mount/dismount for use of the armor vehicles provided by the Army and Army National Guard
 - and provided assistance in developing a communications plan.
- Support requests were reviewed and approved by the chain of command (JTF-6 commander had approval authority; FORSCOM was kept informed)
- The USASFC legal advisor raised concerns over the scope of the initial ATF request, and the initial request was never approved by JTF-6 (it included a request for direct medical support). The revised ATF request was entirely legal and within the Army's charter to support. This demonstrates that the system used by the Army to consider such requests and then provide support works.
- The ATF request was submitted through civilian law enforcement channels (Operation Alliance) to JTF-6. Operation Alliance, collocated with JTF-6 in El Paso, TX, reviews all requests for military support to counterdrug operations along the Southwestern border of the U. S., coordinates the efforts of federal, state and local agencies, and determines the appropriate military agency to provide the support. The JTF-6 commander, as a matter of caution, dispatched his deputy operations officer to examine the ATF allegations of illegal drug production at the Waco compound, who then supported the ATF's assessment.

-END-

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
(SPECIAL OPERATIONS/LOW-INTENSITY CONFLICT)

DATE 18 July 95

MEMO FOR THE RECORD

I spoke with a Ms. Michelle Lang of the National Security Subcommittee, after learning that she called the office demanding certain documents. Following are the key points of this conversation.

ASI (SO/LIC) heading
Study. How to avoid.
during question?

(1) They want "all information regarding the Task Force [redacted] convened to look at military support to law enforcement." (She reports OSD LA told them about this Task Force.)

What are the channels for law enforcement agencies to obtain military assistance?

They are trying to get rid of the rumor that because there isn't a drug nexus, the ATF could still receive military assistance.

She repeatedly stated that [redacted] will be put on the hot seat, under oath, as the DoD expert on providing military support to law enforcement." (2)

They want to know where the ATF got the Bradleys. TXNG

They want to know about the training ATF requested, including the Close Quarters Battle training. No CQB

She referred to DoD "reviewing, scrubbing, and rewriting the plan." No CQB

They want to know what the channels were for requesting support. Duplication

They want to know what the approval authorities were for all support provided by DoD. Working

They want to know how the requests for CEVs, Bradleys, and helos were processed? Did they go through proper channels? TXNG - Yes

They want to know if anyone was keeping count on the number of reserve and active duty personnel involved in providing support.

She repeatedly stated they "still don't have a full accounting of all the support provided by DoD."

They want to know if there were other channels through which they could have gotten the military support.

Does JTF-6 deal only with drug law enforcement agencies? If so, is ATF a DLEA?

They want all documents on the SecDef Task Force, to include: what was the scope of the review? what was its genesis?

} Give me a FOIA request

She ended with, "if you help us we can help you."

I didn't answer any of your questions, indicating I'd have to check with my superiors. After speaking to [redacted] I called her back and referred her to [redacted]

[redacted] (1)
[redacted] (2)

[redacted] (3)

Colonel, U.S. Marine Corps
Senior Military Assistant

cc:

(3b) [redacted]

PD
DASD DEPS
EA

(4) [redacted]

(5) [redacted]

Per ASD's guidance



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



REPLY TO
ATTENTION OF

AFOP-OD (360-5a)

13 July 1995

MEMORANDUM FOR Office Chief Legislative Liaison, ATTN: SALL-IL,
1600 Army Pentagon, Washington, DC 20310-1600

SUBJECT: Response to Office of Congressional Liaison (OCL)
Request for Information

1. Enclosed is the OCL requested focused chronology of events which describes DoD support to BATF for mission JT002E-93 in Waco, Texas. This chronology reflects only the mission planning and approval process and was derived from the enclosed Joint Task Force Six's original detailed chronology.

2. [REDACTED] DSN 367-5014, can provide further information.

Encl

[REDACTED] FA
Chief, Counterdrug Division, G3

CF:
HQDA, DAMO-ODD
USACOM, J3D



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



18 JUL 1995

DAMO-ODS

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 SECRETARY OF THE ARMY

SUBJECT: Army Support to Federal Law Enforcement Agencies in
Waco, Texas -- INFORMATION MEMORANDUM

1. In the aftermath of the March 1, 1993, confrontation between Bureau of Alcohol, Tobacco, and Firearms (BATF) agents and cult members in Waco, Texas Federal law enforcement agencies requested Department of Defense equipment support. The support furnished by the Army was tasked by and/or coordinated with the Office of the Secretary of Defense Executive Secretariat.

2. Active and Reserve components provided assistance to the BATF and the Federal Bureau of Investigation (FBI).

a. Active component support includes:

- (1) two utility helicopters (UH-1);
- (2) two main battle tanks (M1 Abrams);
- (3) two support vehicles for the main battle tanks (one High Mobility Multi-wheeled Vehicle (HMMWV) and one 2 1/2 ton truck);
- (4) miscellaneous night vision goggles, tents, generators, light sets, cots, and sandbags;
- (5) and 23 soldiers in liaison/ maintenance roles (All active component personnel were briefed on the legal restrictions on direct law enforcement support).

DAMO-ODS

SUBJECT: Army Support to Federal Law Enforcement Agencies in Waco,
Texas -- INFORMATION MEMORANDUM

b. Reserve Component support provided by the Texas
Army National Guard includes:

- (1) ten Bradleys (M2A1 Infantry Fighting
Vehicles);
- (2) two Combat Engineer Vehicles (M728 Combat Engineer
Vehicles);
- (3) additional state (Title 32) operational support
consisting of one fuel truck, two buses, one van, three 1 1/2 ton
trailers, two utility helicopters (UH-60s) on stand-by, and
miscellaneous tents, body armor, and night vision goggles;
- (4) and 15 Army National Guard personnel in liaison,
maintenance, and other support roles.

3. Combat vehicles were loaned without operable weapons systems and with Army markings obscured. The vehicles operated by FBI and BATF personnel. The FBI and BATF crew for the main battle tanks, infantry fighting vehicles, and combat engineer vehicles were trained by Army personnel prior to the loan of the equipment. The FBI crews for the utility helicopters were already trained and certified to Army standards. Approval authority for loans of tanks and other armored vehicles was withheld by OSD.

4. All support furnished was reimbursable under the provisions of the Economy Act and in accordance with DODD 5525.5, DoD Cooperation with Civilian Law Enforcement Officials, Jan 15, 1986.

5. This is the extent of support provided under the Department of the Army's command responsibility. Other Army support may

DAMO-ODS

SUBJECT: Army Support to Federal Law Enforcement Agencies in
Waco, Texas -- INFORMATION MEMORANDUM

have been provided outside the scope of this responsibility (e.g.
special operations).

[REDACTED]

①

GS

Deputy Director, Operations,
Readiness and Mobilization



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

10 JUL 1995

DAMO-ODS

MEMORANDUM THRU ~~DEPUTY CHIEF OF STAFF FOR OPERATIONS AND PLANS~~
~~DIRECTOR OF THE ARMY STAFF~~ 197
~~ASSISTANT SECRETARY OF THE ARMY (INSTALLATIONS~~
~~LOGISTICS AND ENVIRONMENT)~~

FOR SECRETARY OF THE ARMY

SUBJECT: Army Support to Federal Law Enforcement Agencies in
 Waco, Texas -- INFORMATION MEMORANDUM

1. In the aftermath of the March 1, 1993, confrontation between Bureau of Alcohol, Tobacco, and Firearms (BATF) agents and cult members in Waco, Texas Federal law enforcement agencies requested Department of Defense equipment support. The support furnished by the Army was tasked by and/or coordinated with the Office of the Secretary of Defense Executive Secretariat.

*data
 of
 requests*

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a. Active component support includes:

- (1) two utility helicopters (UH-1);
- (2) two main battle tanks (M1 Abrams);
- (3) two support vehicles for the main battle tanks (one High Mobility Multi-wheeled Vehicle (HMMWV) and one 2 1/2 ton truck);
- (4) miscellaneous night vision goggles, tents, generators, light sets, cots, and sandbags;
- (5) and 23 soldiers in liaison/ maintenance roles (All active component personnel were briefed on the legal restrictions on direct law enforcement support).



95490530

DAMO-ODS

SUBJECT: Army Support to Federal Law Enforcement Agencies in Waco,
Texas -- INFORMATION MEMORANDUM

b. Reserve Component support provided by the Texas Army National Guard includes:

- (1) ten Bradleys (M2A1 Infantry Fighting Vehicles);
- (2) two Combat Engineer Vehicles (M728 Combat Engineer Vehicles);
- (3) additional state (Title 32) operational support consisting of one fuel truck, two buses, one van, three 1 1/2 ton trailers, two utility helicopters (UH-60s) on stand-by, and miscellaneous tents, body armor, and night vision goggles;
- (4) and 15 Army National Guard personnel in liaison, maintenance, and other support roles.

3. Combat vehicles were loaned without operable weapons systems and with Army markings obscured. The vehicles operated by FBI and BATF personnel. The FBI and BATF crew for the main battle tanks, infantry fighting vehicles, and combat engineer vehicles were trained by Army personnel prior to the loan of the equipment. The FBI crews for the utility helicopters were already trained and certified to Army standards. Approval authority for loans of tanks and other armored vehicles was withheld by OSD.

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DAMO-ODS

SUBJECT: Army Support to Federal Law Enforcement Agencies in
Waco, Texas -- INFORMATION MEMORANDUM

have been provided outside the scope of this responsibility (e.g.
special operations).

①

[REDACTED]

GS

Deputy Director, Operations,
Readiness and Mobilization

*Army Support to
JTF-6*

②

[REDACTED]

74331

DEPS

ATTN



①



sir, USSOCOM provided PD attached.

Copy FYI.



②

17 July



①

**Defense Nuclear Agency
Washington, DC**

**Commanding General, Joint Task Force 6,
United States Forces Command,
Fort Bliss, Texas**

Oct 91-Sep 93

Brigadier General

As of 14 July 1995

2E538

Equipment Provided by U.S. Army to BATF/FBI
(result of cross-check with OSD figures as of 14 Jul 95)

Support to ATF:

Equipment provided by active components:

	<u>OSD Qty¹</u>	<u>HQDA Verified</u>
2.5 ton truck	1	1
Cots	50	50
Water Buffalo (400 gallon water trailer)	1	1
Sleeping Bags	90	90
Herman Nelson Heaters (tent warmers)	5	5
Immersion heaters	4	4
MREs (Meals Ready to-Eat)	100 cases	100 ✓
Field phones (w/6 miles of wire)	12	12
Switchboard (w/operator)	1	1
Light sets (for tents)	unspecified	...
Smoke generators (w/operators)	to cover 2 km ²	...
Loud speakers w/amps (w/operators)	unspecified	...
GP small and medium tents	5	25 ✓
Field tables w/chairs	12	12
Flood lights	unspecified	...
Generators (w/operators)	unspecified	...
Drivers' goggles	50	50
Night Vision Goggles (NVGs)	15	21 ✓
Gas masks	100	100
Sandbags	500	500

Support to FBI

Equipment provided by active components:

UH-1 utility helicopters	3	3
M1 Abrams tanks (OSD approved) ²	2	2
M88 tank retrieval vehicle	1	1
High Mobility Multi-purpose Wheeled Vehicle (HMMWW)	1	1
2.5 ton truck	1	1
CH-47 Helicopters on medical stand-by (w/crews)	3	3
UH-1 Helicopters on medical stand-by (w/crews)	3	3
Concertina wire	unspecified	...

80 rolls

Equipment Provided by U.S. Army to BATF/FBI
 (result of cross-check with OSD figures as of 14 Jul 95)

Support to ATF:

Equipment provided by active components:

	<u>Quantity¹</u>	<u>Verified</u>
2.5 ton truck	1	1
Cots	50	50
Water Buffalo (400 gallon water trailer)	1	1
Sleeping Bags	90	90
Herman Nelson Heaters (tent warmers)	5	5
Immersion heaters	4	4
MREs (Meals Ready to-Eat)	100 cases	...
Field phones (w/6 miles of wire)	12	12
Switchboard (w/operator)	1	1
Light sets (for tents)	unspecified	...
Smoke generators (w/operators)	to cover 2 km ²	...
Loud speakers w/amps (w/operators)	unspecified	...
GP small and medium tents	5	25
Field tables w/chairs	12	12
Flood lights	unspecified	...
Generators (w/operators)	unspecified	...
Drivers' goggles	50	50
Night Vision Goggles (NVGs)	15	21
Gas masks	100	100
Sandbags	500	500

Support to FBI

Equipment provided by active components:

UH-1 utility helicopters	3	3
M1 Abrams tanks (OSD approved) ²	2	2
M88 tank retrieval vehicle	1	1
High Mobility Multi-purpose Wheeled Vehicle (HMMWV)	1	1
2.5 ton truck	1	1
CH-47 Helicopters on medical stand-by (w/crews)	3	3
UH-1 Helicopters on medical stand-by (w/crews)	3	3
Concertina wire	unspecified	...

C1

Night Vision Goggles (NVGs)	100	...
PSS-11 Hand-held mine detectors	2	2
3KW Generators	2	...
15KW Generators	1	1
Portable Spotlights	2	...
VSS Xenon Searchlights (w/vehicles & crews)	2	2
M17 Gas Masks	34	24
M25 Gas masks	22	15

Equipment provided by the Texas National Guard:

Bradley Fighting Vehicles	10	10
M728 Combat Engineer Vehicles (CEV)	5	2
HMMWVs	12	...
Utility cargo trucks	2	...
UH-60 Helicopter	1	1
OH-58 Helicopters	2	2
UH-60 Helicopters (on stand-by)	2	1
Fuel trucks	1	1
Buses	2	3
Van	1	...
1.5 Ton Trailers	3	3
GP Small Tents	unspecified	...
NVGs	unspecified	6
Body Armor	unspecified	100

Notes:

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

100100

ATF -

ITEM	QUANTITY	AGENCY
600mm LENS	04 /	ATF
AVIATOR KIT BAGS	02	ATF
DUFFY BAG	01	ATF
50mm LENS (ONTVS-5	01	ATF
PARKA, WET WE, (LG)	12	ATF
PARKA, WET WE, (MED)	09	ATF
PARKA, WET WE, (XLG)	04	ATF
TROUSERS, W.W. (LG)	09	ATF
TROUSERS, W.W. (MED)	27	ATF
HEL, KEVLAR (MED)	25	ATF
HEL, KEVLAR (LG)	25	ATF
LITTER STAND	04	ATF
CANTEEN WATER PLS.	100	ATF

FBI

ITEM	QUANTITY	AGENCY
6 30 RD CLIP	20	FBI
SHOVEL	06	FBI
CVC HELMETS	12	FBI
TENT GP (SM)	01	FBI
30rd 556mm (MAG)	30	FBI
SLING M-16A1	12	FBI
COVER HELMETS KEL.	90	FBI
COT FOLDING ALUM.	04	FBI
SAND BAGS	2000	FBI

CST ENG VEH M728 5 EA

IUF M2 9 EA

LUL VEH M88A1 1 EA

TRK, AMMO M332 3 EA

TRK, 5TON W/TR 4 EA

TRK, UTILITY Y47M 2 EA

TRK, UTILITY M1009 12 EA

2 1/2 TDW M85A2 3 EA

44 PASSENGER BUS 1 EA



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



July 18, 1995

①
The Honorable [REDACTED]
Chairman, Subcommittee on Crime
Committee on the Judiciary
U. S. House Representatives
Washington, DC 20515-0908

②
The Honorable [REDACTED]
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 several components of the Department of Defense, in response to your letter of June 8, 1995, to Secretary [REDACTED] ③. These documents comprise a third response following the documents transmitted with my previous letters. We are continuing to collect documents, and they will be provided to you as they are collected and prepared for delivery. This response contains documents provided by the organizations listed at Attachment A. 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. However, in contrast to the first two groups of documents, we have not included duplicates of many items previously provided.



3. Documents created by other Executive Branch agencies are being referred to their respective agencies of origin for a response to your request. This is a standard practice in the Executive Branch, and is being followed by other agencies in this matter.
4. 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. There is only one series of numbers throughout the response; each component's package is not separately numbered.
5. Each package of documents has an index listing the documents identified by the component in response to your request. In some cases, the index includes a reference to the paragraph of your request to which the document responds.
6. Some of the documents provided contain classified national security information. These documents are properly marked and identified by cover sheets. They are included with documents containing unclassified information in the compilations from two offices. Executive Order 12356, paragraph 4.1(c) prohibits the release of classified information outside the Executive Branch "except under conditions that ensure that the information will be given protection equivalent to that afforded within the executive branch." The classified documents are provided to you on the understanding that they will receive protection equivalent to that afforded within the Executive Branch.

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.

Finally, you should be aware that these documents, like the first two groups, 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.

Sincerely,

[REDACTED]

①

cc: The Honorable [REDACTED]
The Honorable [REDACTED]

②

③

July 18, 1995

ATTACHMENT A

This response contains documents provided by the following organizations or individuals:

1. Army units at Fort Hood
2. U.S. Army Missile Command
3. U.S. Army Special Operations Command
4. Armed Forces Institute of Pathology

AFIP has provided an index of their records related to autopsies performed by AFIP personnel. The records themselves are not provided for reasons of privacy. They will be made available for review at AFIP on request.

5. National Security Agency
6. Additional documents from U.S. Forces Command
7. Additional documents from U.S. Special Operations Command
8. Documents referred to the Defense Department from the Treasury Department

The Treasury Department obtained these documents from two sources: ① [REDACTED] and the Texas National Guard

9. Travel records provided by ② [REDACTED]

12 July 1995

MEMORANDUM FOR RECORD
SUBJECT: WACO HEARINGS
FROM: [REDACTED] DASD-LA(H)

① [REDACTED]
+72536

To be done:

Interview probable witnesses (includes returning them to D.C.)
All below appear in draft hearing schedules.

- ③ [REDACTED] USA
- ④ [REDACTED] USA
- [REDACTED] USA
- ⑤ [REDACTED]

SA Yet to be named legal expert

Interview and prepare possible witnesses

- ⑥ [REDACTED] SOLIC
- ⑦ [REDACTED] SOLIC legal

*Probably
20 July 95*

Classified Program personnel (consider off-line interview with Chairmen and Ranking members if necessary)

Produce subject matter expert for committee staff interview re: Request for DOD Assistance -- Counterdrug Operations

- ⑧ [REDACTED] SOLIC legal is probable candidate



Re-create Assistance Request Chronology/Record of Waco Operation
(Consider side-by-side format: left side as legal/policy requirement, right side as actual)



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)

Ms. Michelle Lang, Special Counsel, House Government Reform and Oversight
 Committee (HGRO), SSN 225-78-4270
 Mr. Glenn R. Schmitt, Professional Staff Member, HGRO, SSN 315-76-5353
 Mr. Donald F. Goldberg, Professional Staff Member, HGRO, SSN 278-42-7252
 Mr. Gregory T. Diaz, Minority Staff Counsel, HGRO, SSN 266-56-8247
 Mr. Jim Lariviere, Legislative Asst., National Security for Rep Buyer (R-IN)

1. The Secretary of the Army authorizes the above named individuals to depart Washington, DC on or about 11 July 1995 via military aircraft for travel to Ft Bragg, NC and upon completion of this official mission return to Washington, DC on or about 11 July 1995. Variation in itinerary is authorized.
2. Travel via commercial air or ground transportation is authorized for the duration of this official travel. Use of military billets, PX/BX, Commissary, and U.S. medical facilities (at own expense) is authorized. Payment of actual and necessary expenses authorized.
3. DOD security clearance is as follows:
 - a. Ms. Lang (N/A)
 - b. Mr. Schmitt (Secret)
 - c. Mr. Goldberg (Top Secret)
 - d. Mr. Diaz (Confidential)
 - e. Mr. Lariviere (Top Secret)

By Order of the Secretary of the Army:

Joel B. Hudson

① [Redacted] Deputy Administrative Assistant

2152020.0000 0 22-2010 435212.OOCEA 211A - \$150.00 FASS 00
 LAN4270ZJW3063/W3AC00 023185 214A - \$ 75.00
 CIC: 2 05 2020 022 023185
 DSSN: 6344
 OBLIG:
 TDY: \$150.00 (T)
 TVL: \$75.00 (T)

② [Redacted] Travel Assistant, OSA

DIRECTORATE FOR DEFENSE INFORMATION

DATE: July 17, 1995

TIME: 10:11 AM

PA REP: [REDACTED] ¹

QUESTION:

On David Brinkley on July 16, was [REDACTED] ⁽²⁾ incorrect when he indicated that DoD provided assistance to the February 28 ATF operation at Waco, but did not provide assistance during the April 19 FBI operation there. Can you provide more details?

ANSWER:

Yes. [REDACTED] ⁽³⁾ misspoke in a part of his answer since DoD did provide some assistance to both operations.

In advance of the February 28 ATF operation, DoD personnel from an Army Special Forces unit, became aware of the ATF plan while providing communications, medical and other training to ATF agents in anticipation of that operation. They advised on the communications and medical evacuation elements of the ATF plan. They were not otherwise involved in developing the plan, nor did they approve or reject the ATF plan.

In advance of the FBI's operation of April 19, DoD personnel, including a CS gas expert, met with the Attorney General and others to discuss the FBI's plan. At that point, the DoD personnel did not approve or reject the plan, but merely offered technical advice on CS gas and comments on the plan for the Attorney General and others to consider.

DoD personnel did not approve or reject either plan, nor did they directly participate in execution of either plan. National Guard personnel, acting in their State capacity, did participate in the February ATF operation.

DIRECTORATE FOR DEFENSE INFORMATION

DATE: July 17, 1995

TIME: 10:11 AM

PA REP: DDI

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ANSWER:

Yes. [redacted] misspoke in a part of his answer since DoD did provide some assistance to both operations.

In advance of the February 28 ATF operation, DoD personnel from an Army Special Forces unit, became aware of the ATF plan while providing communications, medical and other training to ATF agents in anticipation of that operation. They advised on the communications and medical evacuation elements of the ATF plan. They were not otherwise involved in developing the plan, nor did they approve or reject the ATF plan.

In advance of the FBI's operation of April 19, DoD personnel, including a CS gas expert, met with the Attorney General and others to discuss the FBI's plan. At that point, the DoD personnel did not approve or reject the plan, but merely offered technical advice on CS gas and comments on the plan for the Attorney General and others to consider.

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OPTIONAL FORM 99 (7-93)

FAX TRANSMITTAL # of pages ▶ 1

To: [redacted] From: [redacted]

Phone #: [redacted]

Fax #: 6C Fax #: [redacted]

NSN 7540-01-317-7388 5093-101 GENERAL SERVICES ADMINISTRATION

(3) (4)

DOD INVOLVEMENT IN WACO INCIDENT

- DoD's involvement consisted principally of providing training, providing equipment and personnel to maintain it (and, in the case of certain specialized equipment, to operate it), and providing advice (to a limited extent, as noted below) -- all at the request of the law enforcement agencies. DoD personnel did not personally participate in any actual law enforcement operations. (National Guard personnel, acting in their State capacity, did participate in the February 28 ATF operation.)
- In advance of the ATF operation on February 28, 1993, DoD personnel (from an Army Special Forces unit) became aware of portions of the ATF's plan in the context of providing communications, medical and other training to ATF agents in anticipation of that operation. They advised on the communications and medical evacuation elements of the ATF's plan. They were not otherwise involved in developing the ATF's plan and at no time did they approve or reject that plan.
- In advance of the FBI's operation on April 19, 1993, DoD personnel (an Army civilian CS gas expert, two Army Special Forces officers and another Army officer) met with the Attorney General and others to discuss the FBI's plan. At that meeting, the DoD personnel did not approve or reject the plan, but merely offered technical advice on CS gas and comments on the plan for the AG and others to consider. As one of the Special Forces officers put it, because the FBI's plan was not a military one, "we can't grade your paper."
- In sum, DoD involvement in reviewing the plans for the ATF operation on February 28 and the FBI operation on April 19 was very limited. At no time did DoD personnel approve or reject either plan, nor did any DoD personnel directly participate in the execution of either plan. (Again, National Guard personnel, acting in their State capacity, did participate in the February 28 ATF operation.)

XG

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

B ✓ 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

C ✓ 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)

D ✓ TAB F Emergency Operations Center Log - Camp Mabry, Austin, Texas

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.

- 2. Helicopters - Flight Records
- 3. Helicopters - Aircraft Inspection Records

- F ✓ 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
- G ✓ 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
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

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

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

To: [redacted] ① @JA, [redacted] ②, NGBX4@ESO6@SERVERS[/S=[redacted] ③ /G=[redacted] ④ /I=M/Q=CO
RD/P=NGB/O=CCMAIL/OU1=ARNGRC] ⑤
Cc: NGBX4@ESO6@SERVERS[/S=[redacted] ⑥ /G=[redacted] ⑦ /I=E/Q=COL/C=US/A=NATLGU
IL/OU1=ARNGRC] ⑧ [redacted] ⑨ @JA, [redacted] ⑩
Bcc: [redacted] ⑪ @CC@NGBP
From: [redacted] ⑫ @CC@NGBP
Subject: Request for Information - re: Waco, TX
Date: Tuesday, July 18, 1995 11:08:15 EDT
Attach: ATTRIBS.BND
Certify: Y
Forwarded by:

On Friday, 14 Jul 95, [redacted] ⑩ reviewed the [redacted] ⑪ report which recapped the National Guard's involvement in the Branch Davidian episode in Waco, TX. The [redacted] ⑫ report concluded the status of Texas Guardsmen who participated in the Operation should have changed from Counterdrug Support to Military Support to Civil Authorities. To the best of our knowledge, that did not occur.

For NGB-ARC:

1. If the funding for the Texas Guardsmen should have changed, would this, in your opinion, have constituted a violation of the Anti-dificiency Act?
2. If we suspect that a violation may have occurred, who should report the violation?
3. When should the suspected violation be reported?

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.

To: [redacted] ① @CSG, [redacted] ② @SGS, [redacted] ③
Cc: [redacted] ④ @JA, NGBX4@ESO6@SERVERS [/S=[redacted] ⑤ /G=[redacted] ⑥ /I=C/Q=COL/C=US
/O=CCMAIL/OU1=ARNGRC], NGBX4@ESO6@SERVERS [/S=[redacted] ⑦ /G=[redacted] ⑧ /I=E/
UARD/P=NGB/O=CCMAIL/OU1=ARNGRC] ⑨, [redacted] ⑩ @CD@AHSZ, [redacted] ⑪ @cf,
⑫ [/S=[redacted] ⑬ /G=[redacted] ⑭ /I=P/Q=COL/C=US/A=NATLGUARD/P=NGB/O=CCMAIL/
Bcc: [redacted] ⑬ @CC@NGBP ⑭
From: [redacted] @CC@NGBP
Subject: Waco Summary - CNGB Tasker
Date: Tuesday, July 18, 1995 17:32:43 EDT
Attach: ATTRIBS.BND
Certify: N
Forwarded by:

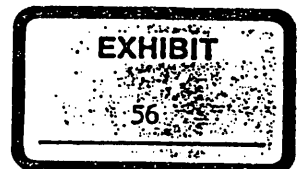
This is to confirm a tasker from the CNGB to the Chief's group.

The CNGB would like to have you prepare a background book for him on the National Guard involvement in the Branch Davidian operation in Waco, Tx. The background book should contain a chronological summary of National Guard participation at both state and federal National Guard involvement, copies of pertinent correspondence between other federal and state agencies and the National Guard Bureau, a copy of any after action reports including the [redacted] ④ report, and any other pertinent information including media reports. Limit to one notebook.

Please provide the background book to the Chief by COB Wednesday, 19 Jul. If unable by COB we will need to arrange to get the paper to the Chief before he goes TDY on Thursday.

Please contact NGB-CD, JA, and / or any other NGB offices directly if you need assistance.

Thanks
⑮ [redacted]





U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

FAX COVER SHEET

TO: Waco Group

FAX NO. _____

FROM: (1)
~~_____~~

PHONE NO. _____

FAX NO. _____

DATE: 7/18/95

NO. OF PAGES: 10 (EXCLUDING COVER)

COMMENTS: _____

①
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 ⑱
 ⑲
 ⑳

NAME

LOCATION/STATUS

FBI / ATE TRAINING

3-67 ARMOR PARTICIPANTS - INCLUDING DRIVERS, MAINT, ETC.

FT. KNOX, KY
 DLI, MONTERREY, CA
 DLI, MONTERREY, CA
 FT. BRAGG, NC
 HHC, 3-67 AR
 ISG, C CO, 3-67AR
 D CO, 3-67 AR
 HHS
 HHS
 D CO, 3-67 AR
 HHS
 HHS
 HHS
 HHS
 D CO, 3-67 AR
 PCS/MILITARY INTELLIGENCE
 FT. KNOX
 C CO, 3-67 AR
 FTS-TEMPLE, TX?
 FTS-CALIFORNIA
 PCS/FT. LEWIS
 FTS

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
WASHINGTON

dlc

DAEC-CA


19 July 1995

MEMORANDUM FOR CSA *DL* 20 Jul 95

SUBJECT: The Weekly Report

Attached copy of the Army's weekly report to the SECDEF. Also attached copies of the USAF and USN weekly report.

*to have
oversee
work this
copy and
give me
feed back.
May be
potential
here for
us.*

for

_____, GS
ADECC

*VCSA - see blank
on priority mail folder -
We should follow up w/
NAVY and see if applicable
to us.*

Classification: _____



**Office of the Assistant Secretary
of Defense for Special Operations
and Low-Intensity Conflict**

FAX TRANSMITTAL SHEET

From: _____
①

To: MR. _____
②

Subject: MISC

Number of Pages (including cover page): 9

Note: _____

Telephone: (703) 693-2895/DSN 223-2895
FAX: (703) 693-6335 UNCLAS/693-6334 CLASSIFIED

Classification: _____

**OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
(SPECIAL OPERATIONS/LOW-INTENSITY CONFLICT)**

DATE 18 July 95

MEMO FOR MR. ^① [REDACTED]

Sir,

^② [REDACTED] asked that I provide the attached to you.

The first is a Memorandum for the Record of a conversation I had with a Ms. ^③ [REDACTED] from the National Security Subcommittee. This MFR is provided for your information.

The second is Mr. ^④ [REDACTED] draft statement, with which is currently satisfied. He asks for your review and comments.

If there are any questions, please feel free to contact me at x54133.

^⑤ [REDACTED]
[REDACTED] U.S. Marine Corps
Senior Military Assistant

Attachments:
As stated.

DIRECTORATE FOR DEFENSE INFORMATION

DATE: July 17, 1995

TIME: 12:00 PM

PA REP: DDI

QUESTION:

On ⁽¹⁾ [redacted] on July 16, was ^(1A) [redacted] incorrect when he indicated that DoD provided assistance to the February 28 ATF operation at Waco, but did not provide assistance during the April 19 FBI operation there. Can you provide more details?

ANSWER:

Yes. ⁽²⁾ [redacted] misspoke in a part of his answer since DoD did provide some assistance to both operations.

In advance of the February 28 ATF operation, DoD personnel from an Army Special Forces unit, became aware of the ATF plan while providing communications, medical and other training to ATF agents in anticipation of that operation. They advised on the communications and medical evacuation elements of the ATF plan. They were not otherwise involved in developing the plan, nor did they approve or reject the ATF plan.

In advance of the FBI's operation of April 19, DoD personnel, including a CS gas expert, met with the Attorney General and others to discuss the FBI's plan. At that point, the DoD personnel did not approve or reject the plan, but merely offered technical advice on CS gas and comments on the plan for the Attorney General and others to consider.

DoD personnel did not approve or reject either plan, nor did they directly participate in execution of either plan. National Guard personnel, acting in their State capacity, did participate in the February ATF operation.

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL # of pages > 1

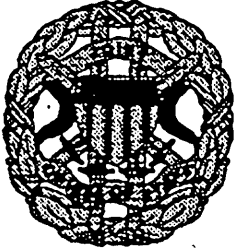
216 [redacted] (3)

Origin [redacted] Phone # [redacted]

Destination [redacted] Fax # [redacted]

Fax # 3-7278

NSN 7540-01-317 7388 5099-101 GENERAL SERVICES ADMINISTRATION



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: 17 JUL 95

SUBJECT: WACO - TANK/BRADLEY CREWS INVOLVED IN FBI/ATF TRAINING

TO: MR. [REDACTED] ②

DESTINATION FAX NUMBER:

DESTINATION VOICE NUMBER:

NUMBER OF PAGES: COVER + 1

COMMENTS: ②A - Copy of list I received Friday evening from [REDACTED] ③ SJA, 2d Armored Division. [REDACTED] ④

FAX TRANSMITTAL SHEET
UNCLASSIFIED

JUL-18-1995 08:51 FROM ASD (SO-LIC)

TO

*7#54299 P.06

07-14-95 05:36PM FROM GOVT. MANAGEMENT S/C TO 917036978299

P003/003

Potential Witness List for Department of Defense

- ① [REDACTED]
- ② [REDACTED]
- ③ [REDACTED] ASD (SO/LIC) ✓
- ④ [REDACTED]
- ⑤ [REDACTED]
- ⑥ [REDACTED]
- ⑦ [REDACTED]
- ⑧ [REDACTED]
- ⑨ [REDACTED]
- ⑩ [REDACTED]

WILLIAM F. CLINGER, JR., PENNSYLVANIA
 CONGRESS
 DEMOCRAT, SEANAM, NEW YORK
 DAN BERTON, INDIANA
 J. DODD, CONNECTICUT, ILLINOIS
 CHRISTOPHER D. SMITH, CONNECTICUT
 STEVEN ROSEN, NEW JERSEY
 ELAINE ROS-LEHTINEN, FLORIDA
 WILLIAM M. COHEN, NEW HAMPSHIRE
 JOHN E. SCHLES, NEW YORK
 STEPHEN THORN, CALIFORNIA
 JOHN L. ROSEN, PENNSYLVANIA
 PETER B. RAYNE, MASSACHUSETTS
 THOMAS H. DAVIS, VIRGINIA
 DAVID M. BONIOR, MICHIGAN
 JOE B. ROSEN, PENNSYLVANIA
 RAMPY TATE, VIRGINIA
 DICK DURBIN, IOWA
 CL. DUTCHER, MISSISSIPPI
 MARK E. SOUDER, MISSISSIPPI
 WILLIAM J. WALTER, NEW JERSEY
 JOE BARTON, TEXAS
 JOHN BARNES, ARIZONA
 MICHAEL PATRICK FLANNERY, ALABAMA
 CHARLES F. BASS, MISSISSIPPI
 STEVE C. LACROIX, OHIO
 MICHAEL BAKER, SOUTH CAROLINA
 ROBERT L. DODD, JR., MISSISSIPPI

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

July 14, 1995

ROBERT C. COLLINS, CALIFORNIA
 ROBERT C. BOGGS, MISSISSIPPI
 TERRY A. RYAN, CALIFORNIA
 THE LAYTON, CALIFORNIA
 ROBERT E. WISE, JR., WEST VIRGINIA
 MALCOLM W. CRANE, NEW YORK
 JOHN W. BRADLEY, MISSISSIPPI
 JOHN W. SPRATT, JR., SOUTH CAROLINA
 LOUIS L. BENTON, MISSISSIPPI
 PAUL E. HANCOCK, PENNSYLVANIA
 BARRY A. COHEN, CALIFORNIA
 COLLIN C. PETERSON, MISSISSIPPI
 RICHARD L. TRUMPER, FLORIDA
 CAROLYN B. MALONEY, NEW YORK
 THOMAS G. BARNETT, MISSISSIPPI
 GENE TAYLOR, MISSISSIPPI
 CHRISTOPHER DOLANS, MISSISSIPPI
 BLAKE FLETCHER, MISSISSIPPI
 JAMES P. MORAN, MISSISSIPPI
 JOHN GORDON, TEXAS
 DAVID P. MEEB, FLORIDA
 FRANK BRADY, MISSISSIPPI
 CHARLES FLETCHER, MISSISSIPPI
 BILL E. BREWSTER, CALIFORNIA

BERNARD SANDERS, VERMONT
 INDEPENDENT

MAURICE - 800 855-3036
 BROWNE - 800 855-3036

The Honorable ¹ [Redacted]
 Department of Defense
 The Pentagon
 Washington, D.C. 20301

Dear Mr. Secretary:

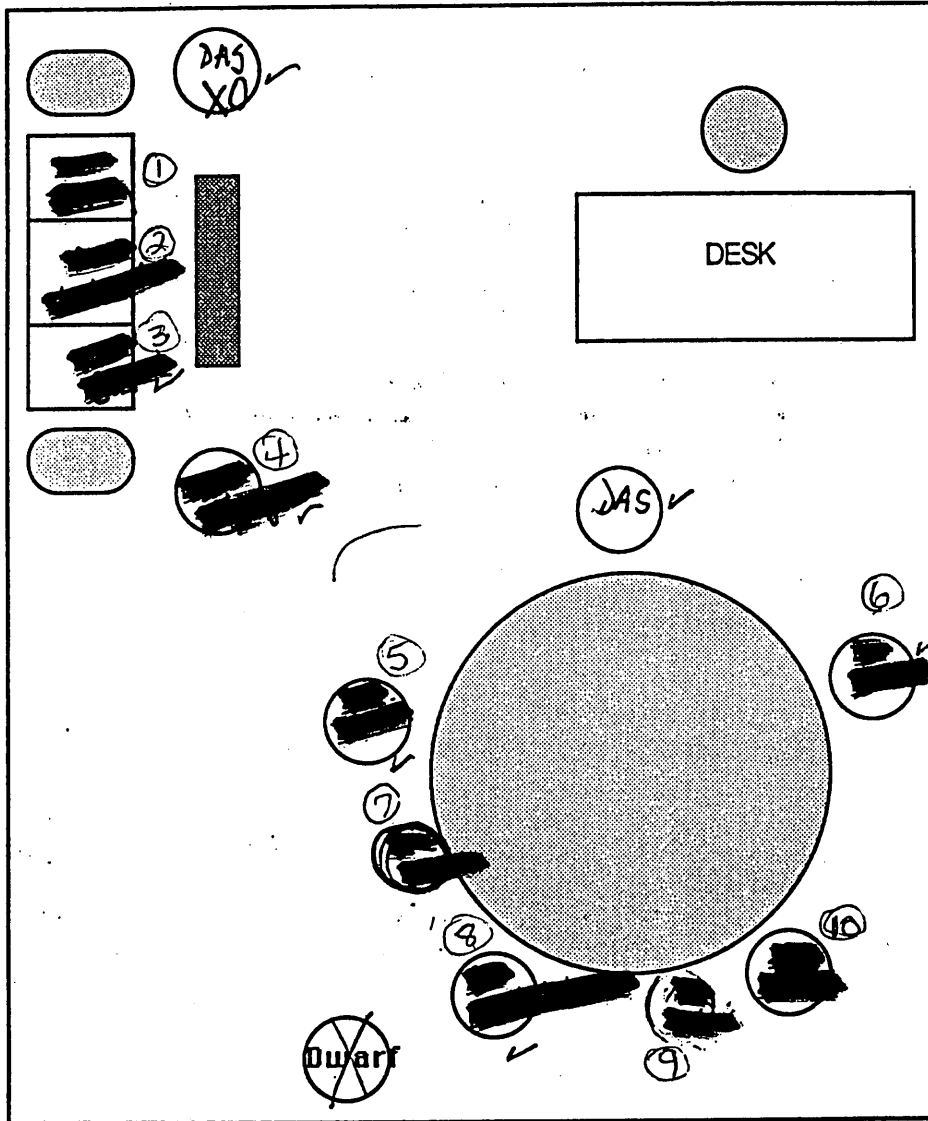
The Committee on Government Reform and Oversight is planning to call the attached list of individuals as witnesses during hearings on the Waco matter. These hearings begin on Wednesday, July 19, 1995. Please notify me by Monday, July 17, 1995 to indicate whether the Department of Defense has any concerns with the individuals named on this list. You can FAX a response to me at 202-225-3974. Our Subcommittee on National Security, International Affairs, and Criminal Justice will consider any concerns you have before the scheduled beginning of the hearings.

I thank you for your immediate attention to this request.

Sincerely,
 [Redacted Signature] ²
 [Redacted Title] ³
 Chairman

Attachment

DAS OFFICE



- 11 [Redacted]
- 12 [Redacted]
- 13 [Redacted]
- 14 [Redacted]
- 15 [Redacted]
- 16 [Redacted]
- 17 [Redacted]

SUBJECT: WACO
DATE: 17 JUL 75
TIME: 1600.

MEMORANDUM FOR RECORD

SUBJECT: DART--Army Participation in the Waco Incident
(Follow-up meeting)

1. General:

a. Meeting was held on 17 July 1995 from 1600-1630 in the DAS' office, room 3E665. Purpose of the meeting was to discuss subject incident.

b. Attendees were (1) [redacted] (DAS), (2) [redacted] (OCSA),
(3) [redacted] (CPA), (4) [redacted] (OGC), (5) [redacted] (ODCSOPS),
(6) [redacted] (OCLL), (7) [redacted] (OCLL), (8) [redacted] (TMO), (9) [redacted]
(10) [redacted] (ODAS), (11) [redacted] (ODCSOPS), (12) [redacted] ODCSOPS,
(12) [redacted] (ADECC).

2. DAS Guidance and Taskers:

a. DAS directed CPA to prepare Public Affairs responses to the major questions regarding the Army's involvement in the WACO operation. (Action: CPA)

b. DAS directed CPA, OCLL, OGC, and DCSOPS to keep him informed on subject issues. (Action: ALL)

APPROVED BY: [Signature] 8/7

Prepared by [redacted] (13)



DIRECTOR OF THE ARMY STAFF JUL 18 '95 *JK*
DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF STAFF
WASHINGTON, DC 20310-0200

18 July 1995

MEMORANDUM FOR XO, DAS

SUBJECT: DART--Follow-up (Waco)

^①
[REDACTED] recommend we go with attached MFR. CPA
is close to finishing tasker 2(a).

¹
[REDACTED] ^②

GS
Assistant to the Director
Executive Communications and
Control



ACQUISITION AND TECHNOLOGY

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON DC 20301-3000



July 10, 1995

MEMORANDUM FOR THE DIRECTOR, API CAIR

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

In your memorandum of June 20, 1995, you requested assistance in furnishing to General Counsel information relating to the Branch Davidians. The below listed persons of the Strategic and Tactical Systems Directorate performed a search of its records on July 5-6, 1995:

<u>SEARCHER</u>	<u>ORGANIZATION</u>	<u>LOCATION</u>
① [REDACTED]	Missile Warfare	3D136
② [REDACTED]	Land Warfare	3B1060
③ [REDACTED]	Naval Warfare	3D1048
④ [REDACTED]	Air Warfare	3E1081
⑤ [REDACTED]	Arms Control Implementation & Compliance	3E121
⑥ [REDACTED]	Munitions	3B1060
⑦ [REDACTED]	Electronic Warfare	2D252
⑧ [REDACTED]	S&TS, Front Office	3E130

Information is provided at attachment.

⑨ [REDACTED]
Executive Assistant to
Director, Strategic and Tactical Systems

Attachment



07-25-95 16:30

JUL - 5 - 95 WED 16:10 SRIA/OCSA

P. 11

COVER SHEET FOR DOCUMENTS PRODUCED FOR REVIEW

AGENCY: HQ, 1st Cavalry Division DATE: 10 Jul 95

Part I: Search Information

PERSON(S) PERFORMING SEARCH (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

① [Redacted] SJA, 1st Cav Div DSO. 737-9410
FT Hood, TX 76345

DATE OF SEARCH: 1-10 Jul 95

LOCATION WHERE FILE WAS FOUND: OSSA, 1st Cav Div

ORGANIZATION UNDER WHOSE AUTHORITY FILE WAS MAINTAINED: HQ, 1st Cav Div

PERSON UNDER WHOSE AUTHORITY FILE WAS MAINTAINED (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

② [Redacted] (Same as above)

Part II: Information about Documents with this Cover Sheet

NUMBER OF PAGES ATTACHED: 4

IS ANY OF THE ATTACHED INFORMATION SUBJECT TO THE PRIVACY ACT? no

CLASSIFICATION LEVEL OF ATTACHED INFORMATION: UNCLAS

PERSON COMPLETING THIS COVER SHEET (INCLUDE NAME, ADDRESS, AND TELEPHONE NUMBER):

③ [Redacted] (Same as above)

EXPEDITE

ACTION ROUTING SLIP

CLASSIFICATION:

UNCLASSIFIED

CONTROL NUMBER:

95490530

SUBJECT: ARMY SUPPORT TO FEDERAL LAW ENFORCEMENT AGENCIES IN
WACO, TEXAS

<input type="checkbox"/> PRIORITY	CALENDAR IMPACT: YES NO	ACTION AND RETURN	
<input type="checkbox"/> ROUTINE	TRACK _____ (CIRCLE)	<input type="checkbox"/> FD <input type="checkbox"/> ZJ	
<u>3</u> DCSOPS	<input type="checkbox"/> EDIT CNTL	<u>2</u> ODS <input type="checkbox"/> ZQ	
<u>2</u> ADCSOPS	<u>4</u> SACO	<input type="checkbox"/> SS <input type="checkbox"/> ZXA	
<u>1</u> XO <i>Wk 10 July</i>	<input type="checkbox"/> DSACO	<input type="checkbox"/> TR <input type="checkbox"/> ZXG	
<input type="checkbox"/> AXO	<input type="checkbox"/> FILE	<input type="checkbox"/> ZD <input type="checkbox"/> ZM	
<input type="checkbox"/> AXO		<input type="checkbox"/> ZR	

_____ next under, forwards NRWUO for
(approval) (decision) (signature) (initial) under marker at orange marker

BRIEFING:

FOR: _____ DATE: _____ LOCATION: _____

ACTION: _____ TIME: _____

REMARKS:

FOR SACO USE:

SUSPENSE:

OCSA SUSP:

OTHER: diag

BY: _____

CLASSIFICATION:

UNCLASSIFIED

SACO TIME SIGNED:

101415 Jul 95

RESUBMIT TIME:

OPS FORM 79A-R
31 Oct 83

EXPEDITE

OSD DD1150		DATE Required	474 No. 953133	1150 No. 95 4375
FROM: WAREHOUSE Room: WHSE PENTAGON OSD Subc:		ENTERED BY FD	FILLED BY <i>S. W.</i>	
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 95/07/21		Requested By [REDACTED]	Date: 8/7/95	Received By (PLEASE PRINT) [REDACTED]

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO
AND FIREARMS
WASHINGTON, D.C. 20226
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$100

20:50 07/20/95 DCR#5 159#5 731

WASH., D.C. QNF

JUL 20 95
DCR#7 07/20/95
FOR PRIVATE USE \$100
PB METER
7250310

OFFICIAL MAIL
3032
U.S. POSTAGE
17:40

E 1335.20

mm mm

|||||

ROUTING AND TRANSMITTAL SLIP

Date

31 JUL 95

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

Initials

Date

1.	[Redacted] (1)	JW	31 Jul 95
2.	[Redacted] (2)		
3.			
4.			
5.			

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	<input checked="" type="checkbox"/> For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

3 Sir,
 This packet formulates our answer to the ASD(SO/LIC)'s request that we review his proposed matrix showing military support at Waco. From coordinating this action with [Redacted] my sensing is that ASD(SO/LIC) has requested our review simply as a way of assuring themselves that data was accurately transposed from our Audit Trail document.

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.
BF 762

Phone No.
74331

4 [Redacted]

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

PETER T. KING
Member of Congress
Third District, New York
224 CANNON BUILDING
WASHINGTON, DC 20515-3203
(202) 225-7898
1003 PARK BOULEVARD
MASSAPEQUA PARK, NY 11762
(516) 541-4225

OFFICE OF THE
SECRETARY OF DEFENSE

95 AUG 7 AM 10:55
Congress of the United States
House of Representatives
Washington, DC 20515-3203

COMMITTEE ON BANKING
AND FINANCIAL SERVICES
COMMITTEE ON INTERNATIONAL
RELATIONS
VICE CHAIRMAN
SUBCOMMITTEE ON INTERNATIONAL
OPERATIONS AND HUMAN RIGHTS
CONGRESSIONAL HUMAN
RIGHTS CAUCUS
WHIP, NEW YORK STATE
REPUBLICAN DELEGATION

July 31, 1995

[REDACTED]

The Pentagon
Washington, D.C. 20301-1155

Dear Mr. Secretary:

In this afternoon's Waco hearings Assistant Secretary of Defense (Special Operations and Low-Intensity Conflict) H. Allen Holmes testified that the British SAS was involved in the Waco operation.

Considering the fact that the SAS is a foreign military unit and has a disgraceful human rights record, I would ask you to detail for me the extent to which the SAS was involved in Waco. Further, I would ask the extent to which the Defense Department works with the SAS in the United States.

I ask that you give this matter your highest priority both because of the domestic implication of the Waco incident and the impact this could have on the Irish peace process.

Very truly yours,


PETER T. KING
Member of Congress

PTK/cr

PRINTED ON RECYCLED PAPER

U 38356 / 95

Z 0019806

RECEIVED
OFC. ASST SECY ARMY
(I.L&E)

95 JUL 31 PM 2:55



1

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

Control # 050728Z 7 Agency Date of Entry 050728 Document Date 050728
Originator (NSA/ASST SECY ARMY) Source Classification U
Subject RESPONSE TO CONGRESSIONAL REQUEST FOR INFORMATION--MILITARY SERVICE TO
LAW ENFORCEMENT AGENCIES RELATIVE TO ACTIVITIES AGAINST BRANCH BANKING

Agency OSA Suspense Dates 050728-050728

Action Officer Telephone

Action Office
Assisting Office
Inspection Office (I.L&E)
End Disposition Date Action Further Assigned

- 1) Appropriate Action
 - 2) Comply with direction under
 - 3) Expedite Reply
 - 4) Reply subject
 - 5) Other Remarks
- Signature of
with copy to

Coordinate with
Remarks

Tasking Official (To be filled in) Telephone 74268 Clerk (To be filled in)
Tasking Official (2nd Disposition) Telephone

ASA -
LOG

EXPEDITE

ACTION ROUTING SLIP		CLASSIFICATION: UNCLASSIFIED	CONTROL NUMBER: 9507228Z
SUBJECT: <u>Matrix Review Request from ASB (SO/EC)</u>			
PRIORITY _____ ROUTINE _____		CALENDAR IMPACT: YES NO TRACK _____ (CIRCLE)	ACTION AND RETURN _____ FD _____ ZJ _____ ODs _____ ZQ _____ SS _____ ZXA _____ TR _____ ZXG _____ ZD _____ ZM _____ ZR _____
_____ DCSOPS <u>3</u> ADCSOPS <u>31/7</u> <u>2</u> XO <u>31 Jul</u> <u>1</u> AXO <u>31 Jul</u> _____ AXO _____	_____ EDIT CNTL _____ _____ SACO _____ _____ DSACO _____ _____ FILE _____		
<u>ops 28</u> , next under, forwards <u>NRUO</u> for (approval) (decision) (signature) (initial) under marker at <u>and not number</u>			
BRIEFING:			
FOR: _____		DATE: _____	LOCATION: _____
ACTION: _____		TIME: _____	
REMARKS:			
FOR SACO USE:			
SUSPENSE: <u>950731 by 1600</u>	BY: <u>[REDACTED]</u>	SACO TIME SIGNED: <u>21315 Jul 95</u>	
OCSA SUSP: _____	CLASSIFICATION: UNCLASSIFIED	RESUBMIT TIME: _____	
OTHER: <u>[REDACTED]</u>			

OPS FORM 79A-R
31 Oct 83

EXPEDITE



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

31 July 1995

MEMORANDUM FOR [Redacted] ¹

SUBJECT: Congressional Requests for Information About Military Support to Law Enforcement Agencies Involved in Activities Against Branch Davidians dated 7 AUG 95

1. The information you requested is not readily available from our records and must be retrieved from other sources.
2. The suspense date on this action must be adjusted to 30 AUG 95 to accommodate the necessary coordination.
3. POC for this action is [Redacted] at 697-4331.

2

3

[Redacted]
GS

Division Chief

4

I called on 14 Aug to tell [Redacted] could have until 24th no longer ✓

5

[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

31 July 1995

MEMORANDUM FOR ^① [REDACTED]

SUBJECT: Congressional Requests for Information About Military Support to Law Enforcement Agencies Involved in Activities Against Branch Davidians dated 7 AUG 95

1. The information you requested is not readily available from our records and must be retrieved from other sources.
2. The suspense date on this action must be adjusted to 30 AUG 95 to accommodate the necessary coordination.
3. POC for this action is ^② [REDACTED] 697-4331.

^③ [REDACTED]
Division Chief

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

July 31, 1995

TO: [REDACTED] AMO-ODS

TELECOPIER PHONE #: x73147

OFFICE PHONE #: x74331

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

COMMENTS:

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

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

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

COVER SHEET		CONTROL NUMBER 9507228Z
SUBJECT Matrix Review Request from ASD(SO/LIC)		OFFICE SYMBOL DAMO-ODS
		DATE 31 JUL 95

ACTION REQUIRED Provide comments, additions, or corrections to matrix prepared by ASD(SO/LIC) summarizing military support to law enforcement agencies during their actions against the Branch Davidians.

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 ASD(SO/LIC) to SECARMY. (Encl 2)

SUMMARY

2. The matrix presents a synopsis of DOD support. Army data it contains was extracted from Audit Trail submitted by this office on 14 JUL 95. There is one minor discrepancy. There is no need for additional comments.
3. TAB A is the memo from ASD(SO/LIC).

RECOMMENDATION

4. Director OD sign the action memo at ~~Encl~~ Encl and forward thru the DCSOPS, DAS, and ASA(IL&E) to the ASD(SO/LIC).
5. DCSOPS line thru Action Memo at ~~Encl~~ Encl 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 checked="" type="checkbox"/>	PRIM PROGS	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	BUDGET	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
COORDINATIONS				APPROVALS		
OFFICE	NAME	PHONE	INITIALS	DATE		
SAGC	[REDACTED] (1)	78029	DIV ODS [REDACTED] (2)	31 Jul 95		
DAMO-ODD	[REDACTED] (3)	34358	DIR OD [REDACTED] (3)	31 Jul 95		
ASA(ILE)	[REDACTED] (5)	49046	EX [REDACTED] (4)			
			DCSOPS [REDACTED]			
			FILE	DISPATCH		
SHOW ADDITIONAL COORDINATION ON REVERSE SIDE				<input type="checkbox"/> ALT HQ	<input type="checkbox"/> AWC	

ACTION OFFICER (Name, grade, office and signature)

GS/74331



DEPARTMENTS OF THE ARMY AND THE AIR FORCE

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



NGB-ZA

31 JUL 1995

MEMORANDUM FOR ASSISTANT SECRETARY OF DEFENSE (SPECIAL OPERATIONS/LOW INTENSITY CONFLICT)

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

1. Reference memorandum, ASD(Special Operations/Low Intensity Conflict), 27 July 1995, subject as above.
2. The National Guard Bureau has reviewed the matrix attached to cited reference and offers the following comments:
 - a. The support and equipment shown on the "Waco #1" chart as being provided by the National Guard is essentially correct. The two Combat Engineer Vehicles (CEVs) initially loaned to the FBI developed maintenance problems, and an additional three CEVs were requested. Although a total of five CEVs from the Texas Army National Guard were involved, the FBI was only responsible for two CEVs at any one time.
 - b. All loan requests for tactical vehicles were processed in accordance with AR 700-131, "Loan and Lease of Army Materiel", dated 4 September 1987, and under the authority of the Economy Act on a reimbursable basis. The driver training and maintenance support provided by the Texas National Guard on the Bradley Fighting Vehicles and the CEVs was accomplished using funds provided under 32 U.S.C. 112 as a continuation of an ongoing counterdrug support mission.
 - c. On the "Waco #1" chart, in all cases where State Plan/TAG is shown as the approval authority, 32 U.S.C. 112 should be added as the statutory authority for the State plans.
3. The National Guard Bureau stands ready to provide any further assistance.



USA

Chief, National Guard Bureau



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

31 July 1995

1A

MEMORANDUM THRU DEPUTY CHIEF OF STAFF FOR OPERATIONS AND
PLANS [REDACTED] 31 July 95
DIRECTOR OF THE ARMY STAFF [REDACTED] 11/01/95
ASSISTANT SECRETARY OF THE ARMY
(INSTALLATIONS, LOGISTICS, AND
ENVIRONMENT)

FOR ASSISTANT SECRETARY OF DEFENSE (SO/LIC)

SUBJECT: Matrix Review Request from ASD (SO/LIC) -- INFORMATION
MEMORANDUM

1. This memorandum responds to a request from Mr. Holmes, ASD (SO/LIC), for "comments, corrections, and additions" to a matrix his office composed. The matrix shows DOD support to federal law enforcement agencies during their actions against the Branch Davidians. It will be submitted to Congress. The Army data it contains came from the Audit trail this office provided on 14 JUL 95.

2. There is one minor discrepancy in the matrix. The 7 MAR 93 entry for two CEVs indicates the ASA (IL&E) approved the request. While that is true, the SECDEF reserved authority for approval of heavy armor on the same day. On 16 MAR 93 OSD approved an increase of three CEVs and approved all five. Recommend the 15 MAR 93 entry reflect OSD approval which included the original 2 CEVs. Relevant documents are attached. (TABS A&B)

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

1B

[REDACTED]

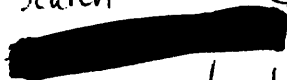
2

Brigadier General, GS
Director of Operations,
Readiness and Mobilization

Attachments:
As Stated

Search

①



International/Operational
Law Files

- Office of the JTA

- originals -

New materials/original documents
Relate to the GAO Investigation and
the Hearing July 20, 95 (pg 5, 1st bold
faced document)

BACKGROUND PAPER

SUBJECT: "Specialized" Support to FBI during Waco Operations

Purpose: To provide information about specialized equipment to ASD(SO/LIC) for use during Waco Hearing Testimony.

Discussion: Prepared remarks refer to "special video equipment" and "prototype robotic surveillance equipment." The following provides details of the capabilities of the equipment, the number of units provided to the FBI, and other relevant information.

1. "Special Video Equipment"--This refers to sensitive support provided at the approval of the Secretary of Defense. Details are contained in separate messages.
2. "Prototype Robotic Surveillance Equipment" (aka "STV"--Surrogate Teleoperated Vehicle):
 - **Number:** 3 units sent by U.S. Army Materiel Command (Unmanned Ground Vehicle Joint Project Office): one from Redstone Arsenal, AL; two from Robotic Systems Technology, Inc., Westminster, MD (the contractor).
 - **Capabilities:** Remotely controlled ground vehicle designed for battlefield reconnaissance/surveillance operations. Possesses day and night cameras, FLIR, imaging sensors, acoustic sensors, video recorder and two-way voice communications.
 - **Personnel support:** Two active duty military personnel (USMC major and Army captain) from the Joint Project Office deployed to Waco on March 8; redeployed March 23. DoD civilians arrived March 22; redeployed April 1.
 - *Restrictions on DoD personnel:* No contractors were allowed forward of staging area; DoD personnel allowed forward only with FBI escort. DoD personnel not to participate in maintenance in operation: DoD personnel were not allowed to even touch the equipment.
 - **Other considerations:** FBI personnel trained in operation of the STVs and operated them. After-action reports by DoD personnel question the STVs' value to the FBI--there were numerous equipment failures and it is not clear what they were able to add, if anything, to the FBI effort.

6. Video systems--capabilities:

- Generally, systems were asked for and provided because they had:
 - day-night capability;
 - infrared capability;
 - remote operation capability.
- The could not see through walls or other obstructions.

7. Other equipment issues:

- FBI did not request, and DoD did not provide, incendiaries such as flame-throwers.
- FBI requested, and DoD provided, training in use of 40mm grenade launchers.
Training, at Fort Hood, included:
 - Provision of 200 training/practice rounds and 50 rounds of illumination ammunition.
 - FBI was authorized to keep any unexpended ammunition.



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



July 20, 1995

①
The Honorable [REDACTED]
Chairman, Subcommittee on Crime
Committee on the Judiciary
U. S. House Representatives
Washington, DC 20515-0908

②
The Honorable [REDACTED]
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 provided by Army Materiel Command in response to your letter of June 8, 1995, to [REDACTED] ③. These documents comprise a fourth response following the documents transmitted with my previous letters. We are continuing to collect documents, and they will be provided to you as they are collected and prepared for delivery. These documents relate to [REDACTED] ④, and are provided under the following terms:

1. There are two batches of documents provided. One batch consists of materials created or compiled by [REDACTED] ⑤, and two pages from the Justice Department report he used. The second batch consists of published reports, manuals and other materials concerning CS gas, all of which are in the public domain. They were contained in [REDACTED] ⑥ files.
2. We have redacted names of individuals other than [REDACTED] ⑦ 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. Names of authors of published materials have not been redacted.



3. Each page of the first batch 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 because they are not responsive to this request. The documents in the second batch have not been bates-stamped.
4. One of the documents provided contains classified national security information. This document is properly marked and identified by a cover sheet. It is included with documents containing unclassified information. Executive Order 12356, paragraph 4.1(c) prohibits the release of classified information outside the Executive Branch "except under conditions that ensure that the information will be given protection equivalent to that afforded within the executive branch." The classified document is provided to you on the understanding that it will receive protection equivalent to that afforded within the Executive Branch.

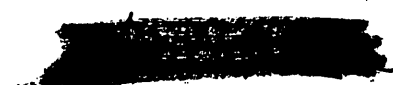
We are producing one copy of these documents with the understanding that they will be made available to both the majority and minority members and staffs of the Subcommittees on equal terms. In addition, we are providing a copy of the same documents to the Senate Judiciary Committee in response to its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

We have already provided a copy of one document, beginning at bates stamp number D1303, to the majority staff of your subcommittees at their interview of [REDACTED] on July 12. Another copy is included herewith.

Finally, you should be aware that the documents in the first batch 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. The documents in the second batch, those

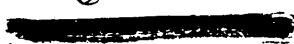
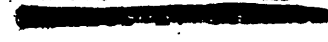
that have no bates stamp, are in the public domain and may be released to the public, subject to any applicable copyright restrictions.

Sincerely,



①



cc: The Honorable 
The Honorable 

②

③

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

July 24, 1995

The Honorable Janet Reno
Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear General Reno:

It has come to our attention that Congressman Charles E. Schumer has written your Department asking that a large portion of the evidence seized in the raid on the Branch Davidian compound near Waco, Texas be transported to Washington. As the chairmen of the joint subcommittees currently investigating the Waco matter, we respectfully request that the Department reject Mr. Schumer's request.

In response to a similar request we made, Principal Deputy Assistant Attorney General Kent Markus advised the joint subcommittees of the difficulties associated with the transportation and further testing of this evidence. Mr. Markus stated, ". . . the Texas Rangers have agreed to transport the firearms by secure motor vehicle to Washington and we will produce the FBI expert. This will cost the taxpayers of the State of Texas and the United States many thousands of dollars." (Emphasis added)

Furthermore, when the joint subcommittees sought to review this evidence in Austin, Texas, your Department requested that we coordinate our visit with the Senate as a way of reducing the costs associated with making the evidence available for inspection.

Based on this, and out of concern for the taxpayers of the State of Texas, we made the decision not to request the evidence be transported to Washington at this time. Notwithstanding this, Mr. Schumer produced a number of these weapons as a prop at the subcommittees' ongoing hearings, forcing the delay of a murder trial in Austin while the Texas Ranger with custody of the firearms traveled to Washington. Unfortunately, your Department did not, as a matter of curtesy, inform us that a limited number of these weapons had been transported to Washington.

In light of the information provided to the joint subcommittees by Mr. Markus, we believe it would be a mistake to

Hon. Janet Reno
Page Two


ask the taxpayers of Texas to finance the transportation of these weapons simply so they can be used as a prop at our hearings. If you chose to go forward with Mr. Schumer's request, we ask that you provide us with detailed information on what costs were associated with the production of this evidence in Washington.

We appreciate the general cooperation provided by the Department.

Sincerely,



Bill McCollum
Chairman
Subcommittee on Crime



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

cc: Hon. Karen Thurman
Hon. Charles Schumer



NGB-ARC (37-20a)

28 July 1995

MEMORANDUM FOR Chief, National Guard Bureau

1. As required by AR 37-20a and AR 15-6, request an investigating officer be appointed to determine the facts of an alleged violation of AR 37-20.

2. Recommend the following officers be considered for this duty:

COL [redacted] [redacted] Director, Army Information Systems Name 201
SSN 202

COL [redacted] [redacted] Chief, Program & Budget Division, Army Comptroller Directorate Name 203
SSN 204

COL [redacted] [redacted] Director, Army Personnel Name 205
SSN 206

3. The investigation should be initiated as soon as possible to have the report of investigation submitted to ASA(FMC) within 120 days of the discovery of the violation, 14 Jul 95.

4. Point of contact is Ms. [redacted] 607-7534. Name 207

[redacted] Name 208
Colonel, GS
Director, Army Comptroller



NATIONAL GUARD BUREAU
Executive Support
Rm, 2E383, Pentagon - Phone (703) 697-5780

Document #: E895-0858-ES
Date Recv'd: 07/28/95
Suspense Date: 07/31/95
Date Due: 07/31/95

Lead/Action Office: ZA
Priority:
Originator

1A

Cross-Reference:

ASST SEC DEC/SPEC OPS

SUBJECT
RESPONSE TO CONGRESSIONAL REQUEST FOR INFORMATION -- MILITARY SUPPORT TO
LAW ENFORCEMENT AGENCIES RELATING TO ACTIVITIES AGAINST BRANCH
DAVIDIANS

ACTION

1B

ASSIGNED	DATE	ACTION	SUSPENSE	RETURNED
ARZ	07/28/95	ACTION	07/31/95	
NGB/CF		[REDACTED]	07/20/95	

Comments/Recommendations

HAYES - 07/28/95
ARZ - YOUR ACTION. PLEASE REVIEW AS REQUESTED AND PREPARE
RESPONSE FOR CNGB SIGNATURE.

2. COORD RESPONSE WITH NGB-CD, ANG/CD, NGB-JA, AND
[REDACTED]

SUSPENSE TO CNGB: NOON MONDAY, 31 JULY. WE WILL NOT BE
ABLE TO EXTEND THIS SUSPENSE.

3. [REDACTED] This is correct as far as ANG is concern. POL
[REDACTED] - 225-1129

For more information, please contact the Correspondence Manager:

NGB-ES DATABASE

CNGB-FAX

Date 28/07/95

Number of pages including cover sheet

TO: JA
NGB-CD
ANGRC/CD
NGB/CF
[Redacted] (2)
[Redacted] (3)

Phone
Fax Phone

FROM: [Redacted] (1)
Chief of Staff, National
Guard Bureau

Phone (703) 695-6987
Fax Phone (703) 693-3422

CC:

REMARKS: Urgent For your review Reply ASAP Please Comment

HOTI EXPEDITE! HOTI EXPEDITE! HOTI EXPEDITE! HOTI

Attached has been tasked to NGB-ARZ for action.

Suspense to ASD SOLIC is Monday, 31 Jul. Extension of suspense cannot be approved.

Please expedite coordination thru your organization.

This action has the personal interest of the Chief.

Thanks

[Redacted] (4) A

(4B)
[Redacted] (4C)
[Redacted] (4D)

IF you have questions call

[Redacted] (5) A [Redacted] (5B)



ARMY NATIONAL GUARD

OFFICE OF THE DIRECTOR

FACSIMILE HEADER SHEET



TO: AOE

ATTN: [REDACTED]

NUMBER OF PAGES: 3
(INCL HEADER)

FAX NUMBER: [REDACTED]

REMARKS: NGM-CF's copy on WAOE

Copies of

[REDACTED] (3)

[REDACTED] (4)



VOICE: DSN 225-3778/COMM (703) 695-3778 - FAX: DSN 227-8067/COMM (703) 697-8067

Responce
NGBCF



ADVANCED COPY
DUE 31 JULY

NATIONAL GUARD BUREAU

Executive Support

Rm, 2K383, Pentagon - Phone (703) 697-5780

AR-0

Document #: ES95-0858-ES
Date Recv'd: 07/28/95
Suspense Date: 07/31/95
Date Due: 07/31/95

Lead/Action Office: ZA
Priority:
Originator

ASST SFC DEC/SPEC OPS

Cross-Reference:

SUBJECT
RESPONSE TO CONGRESSIONAL REQUEST FOR INFORMATION -- MILITARY SUPPORT TO
LAW ENFORCEMENT AGENCIES RELATING TO ACTIVITIES AGAINST BRANCH
DAVIDIANS

ACTION

ASSIGNED	DATE	ACTION	SUSPENSE	RETURNED
ARZ	07/28/95	ACTION	07/31/95	

W/tes L

Comments/Recommendations

HAYES - 07/28/95
ARZ - YOUR ACTION. PLEASE REVIEW AND PREPARE
RESPONSE FOR CNGB SIGNATURE.

2 - COORD RESPONSE WITH NCB-CD, ANG/CD, NGB-JA, AND

SUSPENSE TO CNGB: NOON MONDAY, 31 JULY. WE WILL NOT BE
ABLE TO EXTEND THIS SUSPENSE.

For more information, please contact the Correspondence Manager:

NSG-23 DR28A09



SPECIAL OPERATIONS/
LOW-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.

[redacted]

Attachment:
As stated





SPECIAL OPERATIONS/
LOW-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

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[redacted]

Attachment:
As stated

TRNG
NOTE
31 July 95
1468-1A
1468-11G
ARZ-31 July 95
COORDINATION
3



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



NGB-ARC (37-20a)

28 JUL 1995

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

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

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

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

(1) Accounting classification of funds involved:

2132060 and 2132065

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

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

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

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

To:

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

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:

for [REDACTED] (2)
[REDACTED] (3)
GS
Director, Army Comptroller

25 JULY 1995

MEMORANDUM FOR RECORD

SUBJECT: WACO HEARINGS

prepared by [REDACTED]

One of the main DOD issues in the Waco hearings is the support rendered during the second phase, or the FBI seige phase.

DOD support can be separated into four categories:

o Classified program/personnel

*Not today
and not right.*

o Jamming —

o Ft.Hood/equipment/personnel support

o USUHS :

Equipment list later

Two officers and ASD Holmes will meet in executive session this afternoon with hearing Members and cleared staff. The two officers should be prepared to answer questions related to at least the following areas:

o Why unit supported FBI? Who authorized? What support? What foreign personnel were there?

o Who met with Gov. Richards? Outcome? Who went to Waco? When? Outcome? Who met with AG Reno? Outcome?

ASD Holmes should be prepared to speak to the three remaining issue areas listed above.

STATEMENT BY

BRIGADIER GENERAL WALTER B. HUFFMAN

ASSISTANT JUDGE ADVOCATE GENERAL
FOR MILITARY LAW AND OPERATIONS

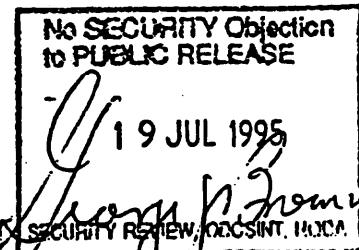
BEFORE THE
SUBCOMMITTEE ON CRIME
OF THE COMMITTEE ON THE JUDICIARY
AND
SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL
AFFAIRS AND CRIMINAL JUSTICE
OF THE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

HOUSE OF REPRESENTATIVES

FIRST SESSION, 104TH CONGRESS

MATTER OF THE BRANCH DIVIDIANS NEAR WACO, TEXAS

20 JULY 1995



NOT FOR PUBLICATION UNTIL
RELEASED BY THE HOUSE

JUDICIARY COMMITTEE AND GOVERNMENT REFORM AND OVERSIGHT COMMITTEE

SAPA-OSR

DATE: 19 JUL 1995

INITIALS: *WB*

Thank you for the opportunity to appear at this joint hearing on behalf of the Department of Defense. My role, and my goal today, is to answer your questions on the Posse Comitatus Act. To assist in this regard, I would like to begin by providing a framework of the Act and its general application to the incident at issue.

The Posse Comitatus Act (18 U.S.C. § 1385) was enacted in 1878 to prevent the use of soldiers in civilian law enforcement roles in the South during the post-Civil War Reconstruction Period. In order to preserve the American tradition of military subordination to a strong civil authority, the Act created a general prohibition against use of military personnel to execute the civil laws.

The Act states that "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years, or both." This Act prohibits the execution of all civil law -- federal, state, and local.

The Act only prohibits the use of military personnel. It prohibits use of the following personnel to execute civil law:

Active duty personnel in the Army and Air Force. The Act does not apply to off-duty military personnel acting in a private capacity.

Reservists on active duty, active duty for training, or inactive duty for training. The Act does not apply to Reservists if they are not in one of these statuses.

National Guard personnel in Federal Service (Title 10 status). The Act does not apply to National Guard in Title 32 or state active-duty status. At Waco, the Guard personnel involved were in a Title 32 status under state command and control.

In 1981, in 10 U.S.C. §§ 371-381, Congress specified the types of military support that may be provided to civilian law enforcement agencies (CLEA) without violating the Posse Comitatus Act. These statutory provisions include:

Allowing the Secretary of Defense to provide equipment and facilities to any Federal, state, or local civilian law enforcement official for law enforcement purposes (10 U.S.C. § 372);

Allowing military personnel to train civilian law

enforcement personnel in the operation and maintenance of any equipment, including equipment made available for law enforcement purposes (10 U.S.C. § 373);

Allowing military personnel to provide expert advice to civilian law enforcement personnel (advice must be relevant to the purposes of the provisions of 10 U.S.C. §§ 371-380) (10 U.S.C. § 373);

Allowing military personnel to provide maintenance support to Federal, state, and local civilian law enforcement authorities for equipment, to include equipment provided under 10 U.S.C. § 372 (10 U.S.C. § 374(a));

Allowing military personnel to be made available to any Federal, state, or local law enforcement agency to operate equipment, but only to the extent that such support does not involve direct participation by such personnel in civilian law enforcement operations unless otherwise authorized by law (10 U.S.C. § 374(c)); and

Prohibiting use of members of the Army, Navy, Air Force, or Marine Corps to search, seize, arrest, or perform other similar activities (10 U.S.C. § 375). (None of the preceding sections limit support to CLEAs to support for counterdrug operations.)

Additionally, in interpreting the Posse Comitatus Act, courts have applied three separate tests over the years:

Did civilian law enforcement officials make direct active use of military personnel to execute the laws?

Did use of the armed forces pervade the activities of civilian law enforcement agencies?

Did military personnel subject citizens to the exercise of military power that was regulatory (controls or directs), proscriptive (prohibits or condemns), or compulsory (exerts some coercive force)?


Congress addressed the direct active use test in the enactment of the Military Support for Civilian Law Enforcement Agencies statutes by prohibiting search, seizure, arrest, or similar activities (e.g., stop and frisk) by military personnel. 10 U.S.C. § 375. The other two court-developed tests for Posse Comitatus Act violations focus on control. If the military is only providing indirect support to a CLEA-controlled

action, there is no control and no violation. United States v. Yunis, 681 F.Supp. 891 (D.D.C. 1988); Hayes v. Hayes, 921 F.2d 100 (7th Cir. 1990); United States v. Kahn, 35 F.3d 426 (9th Cir. 1994).

In light of current law, based on my review of the events in question, and the fact that the National Guard was operating in a Title 32 status under state command and control, I find no violation of the Posse Comitatus Act. Also, I would note that my view concerning the legality of the support provided does not depend on a drug nexus underlying those events.

Thank you for your attention. I would be happy to answer your questions.

STATEMENT BY

 (1)
SPECIAL ASSISTANT FOR LAW OF WAR MATTERS
OFFICE OF THE JUDGE ADVOCATE GENERAL OF THE ARMY

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 GOVERNMENTAL REFORM AND OVERSIGHT

HOUSE OF REPRESENTATIVES
FIRST SESSION, 104TH CONGRESS

MATTER OF THE BRANCH DAVIDIANS NEAR WACO, TEXAS

26 JULY 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:

Thank you for this opportunity to speak to you today. My purpose is to explain to the Committees and the American public the rationale for the legal distinction between domestic and battlefield use of riot control agents.

Chemical weapons first were prohibited in an 1899 treaty, but without success, as their use in World War I established. Subsequently, in 1925, the international community promulgated a new treaty that prohibits the use in war of biological weapons and "asphyxiating, poisonous or other" chemical weapons.

That treaty did not prohibit the possession of chemical weapons, but instead depended upon national possession as a deterrent against first use by another nation. In furtherance of that philosophy, some nations reserved the right to respond with chemical weapons to first use of chemical weapons by another nation. The deterrent philosophy proved effective in conflicts where both sides possessed chemical weapons.

Less-lethal chemical weapons were developed in the process of developing an effective chemical weapon deterrent. As they could be used either on the battlefield or domestically, and were used first for the latter, they were referred to as "riot control agents" to denote their primary use. Even prior to negotiation of the 1993 Chemical Weapons Convention, which as you know has not entered into force and has not been ratified by the U.S., the United States consistently regarded riot control agents as a less-lethal option that may be employed lawfully for defensive purposes to save lives in peace or war.

Let me make several critical points:

- The Chemical Weapons Convention is not yet in force;
- The United States is not a party to it;
- The United States does not consider riot control agents to be chemical weapons; and
- The Chemical Weapons Convention does not apply to law enforcement at all.

Use of riot control agents by U.S. forces during the Vietnam War brought some criticism of their use. It also established a concern that use of a riot control agent on the battlefield might be misperceived by an opponent as use of a lethal chemical weapon, resulting in an escalation in the chemical weapons environment. Hence U.S. restrictions were placed on when riot

control agents could be employed on the battlefield, and release authority.

At the time the United States ratified the 1925 Geneva Protocol (1975), President Gerald R. Ford promulgated Executive Order 11850², which renounces first use of riot control agents in war except in defensive military modes to save lives such as:

(a) Use of riot control agents in riot control situations in areas under direct and distinct U.S. military control, to include controlling rioting enemy prisoners of war;

(b) Use of riot control agents in situations in which civilians are used to mask or screen attacks and civilian casualties can be reduced or avoided;

(c) Use of riot control agents in rescue missions in remotely isolated areas, of downed aircrews and passengers, and escaping U.S. or allied prisoners of war; or

(d) Use of riot control agents in rear echeloned areas outside the zone of immediate combat to protect convoys from civil disturbances, terrorists and paramilitary organizations.

Executive Order 11850 remains in effect.

Subsequently the international community, including the United States, negotiated the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (the official title for the 1993 Chemical Weapons Convention). Opened for signature and signed by the United States on January 13, 1993, this treaty abandons the deterrence philosophy of its predecessor to prohibit development, procurement, acquisition, stockpiling, retention or use of chemical weapons, or their transfer, directly or indirectly, to another party.

The treaty's prohibitions do not apply to riot control agents *per se*. However, Article I, paragraph 5 prohibits use of riot control agents as a method of warfare, while paragraph 9(d) of Article II makes clear that law enforcement use, including for domestic riot control purposes, is not otherwise affected by the treaty.

The Chemical Weapons Convention was forwarded by President Clinton to the United States Senate for its advice and consent as to ratification on November 23, 1993. On June 23, 1994, President Clinton advised the Senate of two interpretations of the treaty germane to these hearings:

(a) The Chemical Weapons Convention applies only to the use of riot control agents in international or internal armed conflict. Other peacetime uses of riot control agents, such as normal peacekeeping operations, law enforcement operations,

humanitarian and disaster relief operations, counterterrorist and hostage rescue operations, and noncombatant rescue operations conducted outside such conflicts are unaffected by the treaty.

(b) The treaty does not apply to all uses of riot control agents in time of armed conflict. Use of riot control agents solely against noncombatants for law enforcement, riot control, or other noncombat purposes would not be considered as a "method of warfare" and therefore would not be prohibited. Accordingly, the treaty does not prohibit the use of riot control agents in riot control situations in areas under direct U.S. military control, including to quell rioting enemy prisoners of war, and to protect convoys from civil disturbances, terrorists, and paramilitary organizations in rear areas outside the zone of immediate combat.

President Clinton has indicated that a new Executive Order outlining U.S. policy on the use of riot control agents under the treaty will be promulgated upon receiving the advice and consent of the Senate to ratification of the Chemical Weapons Convention.

In summary, riot control agents are a less-lethal alternative that may be used in war for certain defensive purposes to save lives and domestically for law enforcement purposes. Their prohibition as a "method of warfare" in the 1993 Chemical Weapons Convention is tied to the concern for their potentially escalatory effect on the battlefield rather than to international condemnation of riot control agents as such.

I am ready for your questions.

¹ Geneva Convention for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare of June 17, 1925 (26 UST 571, TIAS 8061, 94 LNTS 65).

² 40 Fed. Reg. 16187 (1975)