

**Original FOIA Number:** 1998-0099-F

**2nd FOIA Number:**

**3rd FOIA Number:**

**4th FOIA Number:**

**5th FOIA Number:**

# FOIA MARKER

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<b>WHORM Category Code:</b>	ND005
<b>WHORM Category Name:</b>	Health - Medical, Military

<b>Document Number:</b>	212539SS
<b>Alpha File Name:</b>	

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PT

212 53955

ND005

THE WHITE HOUSE  
WASHINGTON

February 14, 1991

MR. PRESIDENT:

Attached for your signature is a proposed Executive Order entitled "Health Care Services for Operation Desert Storm."

#12751

This Order was submitted by Veterans Affairs and is concurred in by OMB, Justice, NSC, WHMO, and the Offices of Cabinet Affairs, Communications, Legislative Affairs, and Policy Development. Counsel has no legal objection.

Thank you.

Phillip D. Brady



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

February 7, 1991

THE PRESIDENT HAS SEEN

2/14/91

91 FEB 12 PM 6:27

MEMORANDUM FOR THE PRESIDENT

FROM: Richard Darman *Richard Darman*  
SUBJECT: Proposed Executive Order Entitled "Health Care Services for Operation Desert Storm"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order prepared by the Department of Veterans Affairs (VA). This proposed order would permit VA to contract with private facilities to help provide health care services for veterans and Armed Forces personnel on active duty in Operation Desert Storm.

BACKGROUND: Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

By contracting out with private facilities, VA could free bed space for treatment of Armed Forces personnel during and following Operation Desert Storm and continue treatment for other veterans.

The proposed Executive order would invoke the provisions of section 5011A, permitting VA to enter into contracts with private facilities for the provisions of hospital care and medical services for veterans, in the event the Department is requested to provide services for Desert Storm personnel.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment

FILED IN 64 5:12

Announced: 2/14/91  
To Archives: 2/15/91.

Noted:  
Wm. S. G. H.

THE PRESIDENT HAS SEEN

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

FILED 15 PM 6:51



THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM:

ADMINISTRATIVE

SUBJECT:

Proposed Executive Order regarding...

SUMMARY: This memorandum is for the President's information regarding a proposed Executive Order. The proposed order is intended to...

BACKGROUND: The proposed order is based on the findings of a study conducted by the Office of Management and Budget. The study...

ANALYSIS: The proposed order is consistent with the President's policy on... It is also consistent with the recommendations of the...

RECOMMENDATION: It is recommended that the President sign the proposed order. This will ensure that the policy is implemented...

ADMINISTRATIVE: The proposed order is being prepared for the President's signature. It will be signed by the President on...

ADMINISTRATIVE: The proposed order is being prepared for the President's signature. It will be signed by the President on...

91 FEB 14 PM 2:46

685512



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

MEMORANDUM

Re: Proposed Executive Order entitled "Health  
Care Services for Operation Desert Storm"

The attached proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review with respect to its form and legality.

The proposed Order will permit the Department of Veterans Affairs, pursuant to section 5011A of title 38, United States Code, and upon request from the Department of Defense, to provide health care services for Armed Forces personnel on active duty in Operation Desert Storm, and to contract with private facilities to provide health care services for veterans.

The proposed Order is approved with respect to its form and legality.

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

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Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order entitled "Health Care Services for Operation Desert Storm." This proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel

EXECUTIVE ORDER

# 12751

HEALTH CARE SERVICES FOR OPERATION DESERT STORM

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5011A of title 38 of the United States Code, and pursuant to the national emergency declared with respect to Iraq in Executive Order No. 12722 of August 2, 1990, it is hereby ordered that, in the event that the Department of Veterans Affairs is requested by the Department of Defense to furnish care and services to members of the United States Armed Forces on active duty in Operation Desert Storm, the Secretary of Veterans Affairs may, pursuant to this order, enter into contracts with private facilities for the provision of hospital care and medical services for veterans to the fullest extent authorized by section 5011A(b)(1)-(2) of title 38 of the United States Code.



THE WHITE HOUSE,

February 14, 1991.

Clerk -

Pls. prepare final.

Thanks  
JG



**WHITE HOUSE STAFFING MEMORANDUM**

DATE: 02/12/91 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 02/13/91

PROPOSED EXECUTIVE ORDER ENTITLED --

SUBJECT: "HEALTH CARE SERVICES FOR OPERATION DESERT STORM"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE <i>N/C</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT <i>Concur</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER <i>Concur</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNTERMAYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TREFRY <i>see note</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST <i>N/C</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY <i>no leg obj</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY <i>N/C</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

**REMARKS:**

Please forward your comments directly to this office no later than close of business on Wednesday, 02/13. Thanks

**RESPONSE:**

**PHILLIP D. BRADY**  
 Assistant to the President  
 and Staff Secretary  
 Ext. 2702

THE WHITE HOUSE  
Office of the Press Secretary

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For Immediate Release

February 14, 1991

EXECUTIVE ORDER

# 12751  
- - - - -

HEALTH CARE SERVICES FOR OPERATION DESERT STORM

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5011A of title 38 of the United States Code, and pursuant to the national emergency declared with respect to Iraq in Executive Order No. 12722 of August 2, 1990, it is hereby ordered that, in the event that the Department of Veterans Affairs is requested by the Department of Defense to furnish care and services to members of the United States Armed Forces on active duty in Operation Desert Storm, the Secretary of Veterans Affairs may, pursuant to this order, enter into contracts with private facilities for the provision of hospital care and medical services for veterans to the fullest extent authorized by section 5011A(b)(1)-(2) of title 38 of the United States Code.

GEORGE BUSH

THE WHITE HOUSE,  
February 14, 1991.

# # #

#90067

OFFICE OF THE EXECUTIVE CLERK  
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE: Health Care Services for Operation Desert Storm

TYPE DOCUMENT:

- PROCLAMATION
- EXECUTIVE ORDER
- MEMORANDUM
- DECISION MEMORANDUM
- DETERMINATION (numbered)
- LETTER(S)
- MESSAGE TO THE CONGRESS/SENATE
- STATEMENT BY THE PRESIDENT
- SIGNING STATEMENT
- TREATY/CONVENTION/AGREEMENT, etc.

OTHER: \_\_\_\_\_

RECEIVED: (Advance: 2/13/91 Time: 9:30 a.m./p.m.)  
 In final: ~~2/13/91~~ Time: ~~10:30~~ a.m./p.m.  
2/14/91 8:45 AM

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: 2/13/91 Time: 9:45 a.m./p.m.) HOLD  
 In final: 2/14/91 Time: 9:10 a.m./p.m.

TO PHILLIP D. BRADY'S OFFICE:

(For staffing: 1/91 Time: \_\_\_\_\_ a.m./p.m.)  
 In final: 2/14/91 Time: 9:25 a.m./p.m.

INFO, INCLUDING STENCIL, TO PRESS OFFICE:

Date: 2/14/91 Time: 5:08 a.m./p.m.  
 POSTED: 2/14/91 Time: 5:39 a.m./p.m.

NOTIFICATIONS:

\_\_\_\_\_  
 (Person/time) Each time a message, report, etc., is xmitted to the Congress, call OLA -- x2230.

\_\_\_\_\_  
 (Person/time) NSC, when appropriate -- Brenda Hilliard; Ex. Sec's. Office -- x6534.

Mac. 1:55 P. \_\_\_\_\_  
 (Person/time) MAC REED, x5600  
 (Other)

\_\_\_\_\_  
 (Person/time) \_\_\_\_\_  
 (Other)

OTHER INFORMATION:

THE WHITE HOUSE

WASHINGTON

ORM OPTICAL DISK NETWORK

ID# 212539SS

- Hardcopy pages are in poor condition (too light or too dark).
- Remainder of case not scanned.
- Oversize attachment not scanned.
- Report not scanned.
- Enclosure(s) not scanned.
- Proclamation not scanned.
- Incoming letters(s) not scanned.
- Proposal not scanned.
- Statement not scanned.
- Duplicate letters attached - not scanned.
- Only table of contents scanned.
- No incoming letter attached.
- Only tracking sheet scanned.
- Photo(s) not scanned.
- Bill not scanned.
- 
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Comments:

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EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 7, 1991

Honorable Dick Thornburgh  
United States Attorney General  
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order entitled "Health Care Services for Operation Desert Storm." The proposed order, which was prepared by Department of Veterans Affairs, would permit the Department of Veterans Affairs to contract out services to private facilities to help provide health care services for Armed Forces personnel during and following Operation Desert Storm.

Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

By contracting out services to private facilities, the Department of Veterans Affairs could free bed space for treatment of Armed Forces personnel during and following Operation Desert Storm and continue treatment for other veterans.

The proposed Executive order, therefore, would permit the Department of Veterans Affairs to contract out services to private facilities to permit treatment of Desert Storm personnel and to continue care for other veterans.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (202-395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

A handwritten signature in cursive script, reading "Robert G. Damus", is written over the typed name.

Robert G. Damus  
Acting General Counsel

Enclosure

EXECUTIVE ORDER

- - - - -

HEALTH CARE SERVICES FOR OPERATION DESERT STORM

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5011A of title 38 of the United States Code, and pursuant to the national emergency declared with respect to Iraq in Executive Order No. 12722 of August 2, 1990, it is hereby ordered that, in the event that the Department of Veterans Affairs is requested by the Department of Defense to furnish care and services to members of the United States Armed Forces on active duty in Operation Desert Storm, the Secretary of Veterans Affairs may, pursuant to this order, enter into contracts with private facilities for the provision of hospital care and medical services for veterans to the fullest extent authorized by section 5011A(b)(1)-(2) of title 38 of the United States Code.

THE WHITE HOUSE,

January 30, 1991

MEMORANDUM FOR THE FILE

FROM: Mac Reed  
Assistant General Counsel

SUBJECT: Proposed Executive Order Entitled "Health Care  
Services for Operation Desert Storm"

The following Executive departments and agencies do not  
object to the proposed Executive order.

1. White House Counsel's Office .....S. Rademaker (395-5026)
2. White House Office of  
Policy Development .....C. Kolb (456-6515)
3. Department of Justice .....M. Wysocki (514-4487)
4. Department of Defense .....S. Brick (697-1305)
5. National Security Council .....S. Rademaker (395-5026)
6. Department of the Treasury .....R. Carro (566-2523)



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

January 25, 1991

MEMORANDUM FOR DESIGNATED AGENCY HEADS  
(SEE ATTACHED DISTRIBUTION LIST)

FROM: Robert G. Damus <sup>RGD</sup>  
Acting General Counsel

SUBJECT: Proposed Executive Order Entitled "Health Care  
Services for Operation Desert Storm"

Attached is a proposed Executive order entitled "Health Care Services for Operation Desert Storm."

It was prepared by the Department of Veterans Affairs in accordance with the provisions of Executive Order No. 11030, as amended.

On behalf of the Director of the Office of Management and Budget, I would appreciate receiving any comments you may have concerning this proposal. If you have any comments or objections, they should be received no later than noon Tuesday, January 29, 1991. Please be advised that agencies that do not respond by the January 29, 1991 deadline will be recorded as not objecting to the proposal.

Comments or inquiries may be submitted by telephone to Mr. Mac Reed or Ms. Bess Weaver of this office (Phone: 395-5600; Fax: 395-7289).

Thank you.

Attachments - Distribution List  
Transmittal letter  
Proposed Executive Order

cc: Bob Grady  
Jim MacRae  
Jim Murr  
Tom Scully  
Kim Gibson  
Janet Hale  
Frank Hodson  
Bob Howard



**DISTRIBUTION LIST**

Honorable Dick Thornburgh  
United States Attorney General

Honorable Richard B. Cheney  
Secretary  
Department of Defense

Honorable Nicholas F. Brady  
Secretary  
Department of the Treasury

Honorable Louis W. Sullivan  
Secretary  
Department of Health and Human Services

Honorable C. Boyden Gray  
Counsel to the President

Honorable Charles Kolb  
Deputy Assistant to the President  
for Domestic Policy

Honorable LTG Brent Scowcroft (Ret.)  
Assistant to the President  
for National Security Affairs



THE SECRETARY OF VETERANS AFFAIRS

WASHINGTON

JAN 18 1988

The Honorable Richard G. Darman  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

Dear Mr. Darman:

Enclosed please find seven copies of a proposed draft executive order authorizing the Secretaries of Veterans Affairs and of Defense to cooperate in furnishing health-care services to members of the United States Armed Forces during and following the hostilities in the Middle East, associated with Operation Desert Storm.

This executive order would require the Secretaries of Veterans Affairs and of Defense to cooperate to the fullest extent possible to furnish care to members of the United States Armed Forces during and following the hostilities in the Middle East, associated with Operation Desert Storm. In addition, the executive order would authorize the Secretary of Veterans Affairs to enter into contracts with private facilities for hospital care and medical services for veterans to the fullest extent authorized by 38 U.S.C. § 5011A(b)(1)-(2) in the event that the Department of Veterans Affairs furnishes care and services to members of the United States Armed Forces pursuant to the executive order. VA's role set forth in the enclosed 1982 Memorandum of Understanding between VA and DoD requires VA to find outside facilities to continue care to veterans. This executive order would enable VA to contract for such care. Section 5011A(b)(1) requires Presidential authorization for VA to enter into these contracts.

Please process this proposed draft executive order in accordance with the instructions for preparing, presenting, filing, and publishing executive orders in Executive Order 11030, as amended.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Edward J. Derwinski".

Edward J. Derwinski

Enclosures (8)  
EJD/er



# WHITE HOUSE STAFFING MEMORANDUM

DATE: 02/12/91 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 02/13/91

PROPOSED EXECUTIVE ORDER ENTITLED --

SUBJECT: "HEALTH CARE SERVICES FOR OPERATION DESERT STORM"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNTERMEYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TREFRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to this office no later than close of business on Wednesday, 02/13. Thanks

RESPONSE:

PHILLIP D. BRADY  
Assistant to the President  
and Staff Secretary  
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 7, 1991

91 FEB 12 PM 6:27

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard Darman *Richard Darman*

SUBJECT: Proposed Executive Order Entitled "Health Care Services for Operation Desert Storm"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order prepared by the Department of Veterans Affairs (VA). This proposed order would permit VA to contract with private facilities to help provide health care services for veterans and Armed Forces personnel on active duty in Operation Desert Storm.

BACKGROUND: Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

By contracting out with private facilities, VA could free bed space for treatment of Armed Forces personnel during and following Operation Desert Storm and continue treatment for other veterans.

The proposed Executive order would invoke the provisions of section 5011A, permitting VA to enter into contracts with private facilities for the provisions of hospital care and medical services for veterans, in the event the Department is requested to provide services for Desert Storm personnel.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

MEMORANDUM

Re: Proposed Executive Order entitled "Health  
Care Services for Operation Desert Storm"

The attached proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review with respect to its form and legality.

The proposed Order will permit the Department of Veterans Affairs, pursuant to section 5011A of title 38, United States Code, and upon request from the Department of Defense, to provide health care services for Armed Forces personnel on active duty in Operation Desert Storm, and to contract with private facilities to provide health care services for veterans.

The proposed Order is approved with respect to its form and legality.

A handwritten signature in cursive script, reading "J. Michael Luttig", is positioned above the typed name.

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order entitled "Health Care Services for Operation Desert Storm." This proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

February 7, 1991

Honorable Dick Thornburgh  
United States Attorney General  
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order entitled "Health Care Services for Operation Desert Storm." The proposed order, which was prepared by Department of Veterans Affairs, would permit the Department of Veterans Affairs to contract out services to private facilities to help provide health care services for Armed Forces personnel during and following Operation Desert Storm.

Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

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The proposed Executive order, therefore, would permit the Department of Veterans Affairs to contract out services to private facilities to permit treatment of Desert Storm personnel and to continue care for other veterans.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (202-395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus  
Acting General Counsel

Enclosure

EXECUTIVE ORDER

- - - - -

HEALTH CARE SERVICES FOR OPERATION DESERT STORM

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5011A of title 38 of the United States Code, and pursuant to the national emergency declared with respect to Iraq in Executive Order No. 12722 of August 2, 1990, it is hereby ordered that, in the event that the Department of Veterans Affairs is requested by the Department of Defense to furnish care and services to members of the United States Armed Forces on active duty in Operation Desert Storm, the Secretary of Veterans Affairs may, pursuant to this order, enter into contracts with private facilities for the provision of hospital care and medical services for veterans to the fullest extent authorized by section 5011A(b)(1)-(2) of title 38 of the United States Code.

THE WHITE HOUSE,



**WHITE HOUSE STAFFING MEMORANDUM**

DATE: 02/12/91 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 02/13/91

PROPOSED EXECUTIVE ORDER ENTITLED --

SUBJECT: "HEALTH CARE SERVICES FOR OPERATION DESERT STORM"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNTERMEYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TREFRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to this office no later than close of business on Wednesday, 02/13. Thanks

RESPONSE:

PHILLIP D. BRADY  
 Assistant to the President  
 and Staff Secretary  
 Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 7, 1991

91 FEB 12 PM 6:27

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard Darman *Richard Darman*

SUBJECT: Proposed Executive Order Entitled "Health Care Services for Operation Desert Storm"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order prepared by the Department of Veterans Affairs (VA). This proposed order would permit VA to contract with private facilities to help provide health care services for veterans and Armed Forces personnel on active duty in Operation Desert Storm.

BACKGROUND: Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

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None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

MEMORANDUM

Re: Proposed Executive Order entitled "Health  
Care Services for Operation Desert Storm"

The attached proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review with respect to its form and legality.

The proposed Order will permit the Department of Veterans Affairs, pursuant to section 5011A of title 38, United States Code, and upon request from the Department of Defense, to provide health care services for Armed Forces personnel on active duty in Operation Desert Storm, and to contract with private facilities to provide health care services for veterans.

The proposed Order is approved with respect to its form and legality.

A handwritten signature in cursive script, reading "J. Michael Luttig", is positioned above the typed name.

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order entitled "Health Care Services for Operation Desert Storm." This proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 7, 1991

Honorable Dick Thornburgh  
United States Attorney General  
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order entitled "Health Care Services for Operation Desert Storm." The proposed order, which was prepared by Department of Veterans Affairs, would permit the Department of Veterans Affairs to contract out services to private facilities to help provide health care services for Armed Forces personnel during and following Operation Desert Storm.

Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

By contracting out services to private facilities, the Department of Veterans Affairs could free bed space for treatment of Armed Forces personnel during and following Operation Desert Storm and continue treatment for other veterans.

The proposed Executive order, therefore, would permit the Department of Veterans Affairs to contract out services to private facilities to permit treatment of Desert Storm personnel and to continue care for other veterans.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (202-395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert G. Damus".

Robert G. Damus  
Acting General Counsel

Enclosure

EXECUTIVE ORDER

HEALTH CARE SERVICES FOR OPERATION DESERT STORM

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5011A of title 38 of the United States Code, and pursuant to the national emergency declared with respect to Iraq in Executive Order No. 12722 of August 2, 1990, it is hereby ordered that, in the event that the Department of Veterans Affairs is requested by the Department of Defense to furnish care and services to members of the United States Armed Forces on active duty in Operation Desert Storm, the Secretary of Veterans Affairs may, pursuant to this order, enter into contracts with private facilities for the provision of hospital care and medical services for veterans to the fullest extent authorized by section 5011A(b)(1)-(2) of title 38 of the United States Code.

THE WHITE HOUSE,

91 FEB 13 PM 2:52 **WHITE HOUSE STAFFING MEMORANDUM**

DATE: 02/12/91 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 02/13/91  
PROPOSED EXECUTIVE ORDER ENTITLED --  
SUBJECT: "HEALTH CARE SERVICES FOR OPERATION DESERT STORM"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNTERMEYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TREFRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to this office no later than close of business on Wednesday, 02/13. Thanks

RESPONSE:

NC AA

PHILLIP D. BRADY  
Assistant to the President  
and Staff Secretary  
Ext. 2702

WHITE HOUSE STAFFING MEMORANDUM

91 FEB 13 PM 3:30

DATE: 02/12/91 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 02/13/91

PROPOSED EXECUTIVE ORDER ENTITLED --

SUBJECT: "HEALTH CARE SERVICES FOR OPERATION DESERT STORM"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNTERMEYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<del>TREFRY</del>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to this office no later than close of business on Wednesday, 02/13. Thanks

RESPONSE:

*Concur with text as written  
Richard D Trefry  
LTG USA - MW  
MAP*

PHILLIP D. BRADY  
Assistant to the President  
and Staff Secretary  
Ext. 2702





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 7, 1991

91 FEB 12 PM 6:27

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard Darman *Richard Darman*

SUBJECT: Proposed Executive Order Entitled "Health Care Services for Operation Desert Storm"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order prepared by the Department of Veterans Affairs (VA). This proposed order would permit VA to contract with private facilities to help provide health care services for veterans and Armed Forces personnel on active duty in Operation Desert Storm.

BACKGROUND: Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

By contracting out with private facilities, VA could free bed space for treatment of Armed Forces personnel during and following Operation Desert Storm and continue treatment for other veterans.

The proposed Executive order would invoke the provisions of section 5011A, permitting VA to enter into contracts with private facilities for the provisions of hospital care and medical services for veterans, in the event the Department is requested to provide services for Desert Storm personnel.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

MEMORANDUM

Re: Proposed Executive Order entitled "Health  
Care Services for Operation Desert Storm"

The attached proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review with respect to its form and legality.

The proposed Order will permit the Department of Veterans Affairs, pursuant to section 5011A of title 38, United States Code, and upon request from the Department of Defense, to provide health care services for Armed Forces personnel on active duty in Operation Desert Storm, and to contract with private facilities to provide health care services for veterans.

The proposed Order is approved with respect to its form and legality.

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order entitled "Health Care Services for Operation Desert Storm." This proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503  
February 7, 1991

Honorable Dick Thornburgh  
United States Attorney General  
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order entitled "Health Care Services for Operation Desert Storm." The proposed order, which was prepared by Department of Veterans Affairs, would permit the Department of Veterans Affairs to contract out services to private facilities to help provide health care services for Armed Forces personnel during and following Operation Desert Storm.

Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

By contracting out services to private facilities, the Department of Veterans Affairs could free bed space for treatment of Armed Forces personnel during and following Operation Desert Storm and continue treatment for other veterans.

The proposed Executive order, therefore, would permit the Department of Veterans Affairs to contract out services to private facilities to permit treatment of Desert Storm personnel and to continue care for other veterans.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (202-395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus  
Acting General Counsel

Enclosure

EXECUTIVE ORDER

- - - - -

HEALTH CARE SERVICES FOR OPERATION DESERT STORM

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5011A of title 38 of the United States Code, and pursuant to the national emergency declared with respect to Iraq in Executive Order No. 12722 of August 2, 1990, it is hereby ordered that, in the event that the Department of Veterans Affairs is requested by the Department of Defense to furnish care and services to members of the United States Armed Forces on active duty in Operation Desert Storm, the Secretary of Veterans Affairs may, pursuant to this order, enter into contracts with private facilities for the provision of hospital care and medical services for veterans to the fullest extent authorized by section 5011A(b)(1)-(2) of title 38 of the United States Code.

THE WHITE HOUSE,

**WHITE HOUSE STAFFING MEMORANDUM**  
 91 FEB 13 PM 5:31

DATE: 02/12/91 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 02/13/91

PROPOSED EXECUTIVE ORDER ENTITLED --

SUBJECT: "HEALTH CARE SERVICES FOR OPERATION DESERT STORM"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNTERMAYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TREFRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to this office no later than close of business on Wednesday, 02/13. Thanks

RESPONSE:

NO COMMENTS. THANKS.

HOLLY WILLIAMSON *HW*  
 2-13-91

**PHILLIP D. BRADY**  
 Assistant to the President  
 and Staff Secretary  
 Ext. 2702

THE WHITE HOUSE

WASHINGTON

91 FEB 13 PM 5:13



February 13, 1991

MEMORANDUM FOR PHILLIP D. BRADY  
ASSISTANT TO THE PRESIDENT  
AND STAFF SECRETARY

FROM: JAY S. BYBEE *JSB*  
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Executive Order Entitled "Health Care  
Services for Operation Desert Storm"

Counsel's office has reviewed the above-referenced matter. We have no legal objections.

Thank you for the opportunity to comment on this matter.

THE WHITE HOUSE  
WASHINGTON

February 13, 1991

91 FEB 13 PM 5:48

MEMORANDUM FOR THE PRESIDENT

FROM: ROGER B. PORTER *RBP*  
SUBJECT: Proposed Executive Order Entitled "Health Care  
Services for Operation Desert Storm"

We concur with the recommendation that you sign the  
proposed Executive order.



**WHITE HOUSE STAFFING MEMORANDUM**

DATE: 02/12/91 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 02/13/91

PROPOSED EXECUTIVE ORDER ENTITLED --

SUBJECT: "HEALTH CARE SERVICES FOR OPERATION DESERT STORM"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNTERMEYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TREFRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

**REMARKS:**

Please forward your comments directly to this office no later than close of business on Wednesday, 02/13. Thanks

**RESPONSE:**

PHILLIP D. BRADY  
 Assistant to the President  
 and Staff Secretary  
 Ext. 2702

EXECUTIVE ORDER

HEALTH CARE SERVICES FOR OPERATION DESERT STORM

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5011A of title 38 of the United States Code, and pursuant to the national emergency declared with respect to Iraq in Executive Order No. 12722 of August 2, 1990, it is hereby ordered that, in the event that the Department of Veterans Affairs is requested by the Department of Defense to furnish care and services to members of the United States Armed Forces on active duty in Operation Desert Storm, the Secretary of Veterans Affairs may, pursuant to this order, enter into contracts with private facilities for the provision of hospital care and medical services for veterans to the fullest extent authorized by section 5011A(b)(1)-(2) of title 38 of the United States Code.

THE WHITE HOUSE,



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 7, 1991

91 FEB 12 PM 6:27

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard Darman *Richard Darman*

SUBJECT: Proposed Executive Order Entitled "Health Care Services for Operation Desert Storm"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order prepared by the Department of Veterans Affairs (VA). This proposed order would permit VA to contract with private facilities to help provide health care services for veterans and Armed Forces personnel on active duty in Operation Desert Storm.

BACKGROUND: Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

By contracting out with private facilities, VA could free bed space for treatment of Armed Forces personnel during and following Operation Desert Storm and continue treatment for other veterans.

The proposed Executive order would invoke the provisions of section 5011A, permitting VA to enter into contracts with private facilities for the provisions of hospital care and medical services for veterans, in the event the Department is requested to provide services for Desert Storm personnel.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

MEMORANDUM

Re: Proposed Executive Order entitled "Health  
Care Services for Operation Desert Storm"

The attached proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review with respect to its form and legality.

The proposed Order will permit the Department of Veterans Affairs, pursuant to section 5011A of title 38, United States Code, and upon request from the Department of Defense, to provide health care services for Armed Forces personnel on active duty in Operation Desert Storm, and to contract with private facilities to provide health care services for veterans.

The proposed Order is approved with respect to its form and legality.

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order entitled "Health Care Services for Operation Desert Storm." This proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 7, 1991

Honorable Dick Thornburgh  
United States Attorney General  
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order entitled "Health Care Services for Operation Desert Storm." The proposed order, which was prepared by Department of Veterans Affairs, would permit the Department of Veterans Affairs to contract out services to private facilities to help provide health care services for Armed Forces personnel during and following Operation Desert Storm.

Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

By contracting out services to private facilities, the Department of Veterans Affairs could free bed space for treatment of Armed Forces personnel during and following Operation Desert Storm and continue treatment for other veterans.

The proposed Executive order, therefore, would permit the Department of Veterans Affairs to contract out services to private facilities to permit treatment of Desert Storm personnel and to continue care for other veterans.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (202-395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus  
Acting General Counsel

Enclosure

# WHITE HOUSE STAFFING MEMORANDUM

91 FEB 13 PM 7:44

DATE: 02/12/91 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 02/13/91

PROPOSED EXECUTIVE ORDER ENTITLED --

SUBJECT: "HEALTH CARE SERVICES FOR OPERATION DESERT STORM"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNTERMEYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TREFRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

**REMARKS:**

Please forward your comments directly to this office no later than close of business on Wednesday, 02/13. Thanks

February 13, 1991

**RESPONSE:** The National Security Council staff has reviewed and concurs with proposed E.O. "Health Care Services for Operation Desert Storm"

*[Signature]*  
William F. Sittmann  
Executive Secretary

**PHILLIP D. BRADY**  
Assistant to the President  
and Staff Secretary  
Ext. 2702

PE-111

MEMORANDUM

91 FEB 13 PM 7:46

TO: [Faint text]

ACTION	DATE	BY	REMARKS
<input type="checkbox"/>	10/1		
<input type="checkbox"/>	10/2		
<input type="checkbox"/>	10/3		
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<input type="checkbox"/>	10/30		
<input type="checkbox"/>	10/31		

91 FEB 13 AM 8:34

RECEIVED

UNITED STATES DEPARTMENT OF THE ARMY  
WASHINGTON, D. C. 20315





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

February 7, 1991

91 FEB 12 PM 6:27

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard Darman *Richard Darman*

SUBJECT: Proposed Executive Order Entitled "Health Care Services for Operation Desert Storm"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order prepared by the Department of Veterans Affairs (VA). This proposed order would permit VA to contract with private facilities to help provide health care services for veterans and Armed Forces personnel on active duty in Operation Desert Storm.

BACKGROUND: Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

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The proposed Executive order would invoke the provisions of section 5011A, permitting VA to enter into contracts with private facilities for the provisions of hospital care and medical services for veterans, in the event the Department is requested to provide services for Desert Storm personnel.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

MEMORANDUM

Re: Proposed Executive Order entitled "Health  
Care Services for Operation Desert Storm"

The attached proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review with respect to its form and legality.

The proposed Order will permit the Department of Veterans Affairs, pursuant to section 5011A of title 38, United States Code, and upon request from the Department of Defense, to provide health care services for Armed Forces personnel on active duty in Operation Desert Storm, and to contract with private facilities to provide health care services for veterans.

The proposed Order is approved with respect to its form and legality.

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



U.S. Department of Justice  
Office of Legal Counsel

Office of the  
Assistant Attorney General

Washington, D.C. 20530

February 12, 1991

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order entitled "Health Care Services for Operation Desert Storm." This proposed Executive Order was submitted by the Department of Veterans Affairs. The Office of Management and Budget, with the approval of the Director, forwarded it to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in cursive script that reads "J. Michael Luttig".

J. Michael Luttig  
Assistant Attorney General  
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

February 7, 1991

Honorable Dick Thornburgh  
United States Attorney General  
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order entitled "Health Care Services for Operation Desert Storm." The proposed order, which was prepared by Department of Veterans Affairs, would permit the Department of Veterans Affairs to contract out services to private facilities to help provide health care services for Armed Forces personnel during and following Operation Desert Storm.

Section 5011A of title 38, United States Code, provides that the Department of Veterans Affairs may furnish hospital care and medical services to Armed Forces personnel on active duty during a national emergency declared by the President that involves the use of the Armed Forces in armed conflict. As part of that care, the Secretary of Veterans Affairs may, upon request by the Department of Defense, enter into contracts with private facilities to provide hospital care and medical services for veterans.

By contracting out services to private facilities, the Department of Veterans Affairs could free bed space for treatment of Armed Forces personnel during and following Operation Desert Storm and continue treatment for other veterans.

The proposed Executive order, therefore, would permit the Department of Veterans Affairs to contract out services to private facilities to permit treatment of Desert Storm personnel and to continue care for other veterans.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (202-395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus  
Acting General Counsel

Enclosure

EXECUTIVE ORDER

- - - - -

HEALTH CARE SERVICES FOR OPERATION DESERT STORM

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5011A of title 38 of the United States Code, and pursuant to the national emergency declared with respect to Iraq in Executive Order No. 12722 of August 2, 1990, it is hereby ordered that, in the event that the Department of Veterans Affairs is requested by the Department of Defense to furnish care and services to members of the United States Armed Forces on active duty in Operation Desert Storm, the Secretary of Veterans Affairs may, pursuant to this order, enter into contracts with private facilities for the provision of hospital care and medical services for veterans to the fullest extent authorized by section 5011A(b)(1)-(2) of title 38 of the United States Code.

THE WHITE HOUSE,

**WHITE HOUSE STAFFING MEMORANDUM**

91 FEB 13 PM 8:09

DATE: 02/12/91 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 02/13/91

PROPOSED EXECUTIVE ORDER ENTITLED --

SUBJECT: "HEALTH CARE SERVICES FOR OPERATION DESERT STORM"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCCLURE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUNUNU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NEWMAN	<input type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGICH	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UNTERMAYER	<input type="checkbox"/>	<input type="checkbox"/>
CARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TREFRY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to this office no later than close of business on Wednesday, 02/13. Thanks

RESPONSE:

*No Comment*

*2/13/91*

PHILLIP D. BRADY  
Assistant to the President  
and Staff Secretary  
Ext. 2702