

FOIA Marker

This is not a textual record. This FOIA Marker indicates that material has been removed during FOIA processing by George W. Bush Presidential Library staff.

Counsel's Office, White House

Leitch, David

Stack:	Row:	Sect.:	Shelf:	Pos.:	FRC ID:	Location or Hollinger ID:	NARA Number:	OA Number:
W	20	15	11	2	9944	22807	4000	4165

Folder Title:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Email	RE: FW: Mousoaui opinion from 4th Circuit attached - To: David G. Leitch - From: Theodore W. Ullyot	2	06/26/2003	P5;
002	Email	RE: FW: Mousoaui opinion from 4th Circuit attached - To: Theodore W. Ullyot - From: David G. Leitch	2	06/26/2003	P5;
003	Email	RE: FW: Mousoaui opinion from 4th Circuit attached - To: David G. leitch - From: Theodore W. Ullyot	2	06/26/2003	P5;
004	Email	RE: FW: Terrorism Commission - Moussaoui Issues - To: Jennifer G. Newstead - From: H. Bryan Cunningham	7	06/17/2003	P5;
005	Email	FW: Terrorism Commission - Moussaoui Issues - To: Alberto R. Gonzales, et al - From: Jennifer G. Newstead	6	06/17/2003	P5;

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
006	Email	Ken Karas/EDNY - To: Jennifer G. Newstead - From: Brett M. Kavanaugh	2	04/10/2003	P5;
007	Email	Ken Karas/EDNY - To: David G. Leitch, et al - From: Jennifer G. Newstead	1	04/10/2003	P5;
008	Email	[Email from David G. Leitch] - To: Ashley Snee - From: David G. Leitch	4	09/03/2003	P2; P5; P6/b6;
009	Email	[Email from Karl C. Rove] - To: David G. leitch, et al - From: Karl C. Rove	3	09/03/2003	P2; P5; P6/b6;
010	Email	[Email fro David G. Leitch] - To: Karl C. Rove, et al - From: David G. Leitch	3	09/03/2003	P2; P5; P6/b6;
011	Email	FW: Bush and God - From: David G. Leitch	1	03/06/2003	P6/b6;

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
012	Email	White House Christian Fellowship Meeting - To: Dana Ayers, et al - From: Edmund C. Moy	2	03/12/2003	PRM;
013	Email	Farewell - To: David S. Addington, et al - From: Helgard C. Walker	1	03/28/2003	PRM;
014	Email	[Email from Edmund C. Moy] - To: Vicki S. Weinberg, et al - From: Edmund C. Moy	1	07/31/2003	P6/b6;

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

Leitch, David G.

From: Leitch, David G.
Sent: Thursday, September 18, 2003 8:02 AM
To: Montiel, Charlotte L.
Subject: FW: Invitation

You have a fan in Janet.

-----Original Message-----

From: Janet Tramonte [mailto:mjtramonte@scus.gov]
Sent: Wednesday, September 17, 2003 12:29 PM
To: Leitch, David G.
Subject: RE: Invitation

Whittaker Chambers, what a great name!! The Chief goes to the University of Alabama on October 24th to deliver the Albritton Lecture so he can't do it. Sorry. By the way, Charlotte is so sweet! I like her very much.

-----Original Message-----

From: Leitch, David G. [mailto:David_G_Leitch@who.eop.gov]
Sent: Saturday, September 13, 2003 12:50 PM
To: mjtramonte@scus.gov
Subject: Invitation

Janet -- I have been asked to approach the Chief about speaking here at the White House on 10/24 at a tribute to Russell Kirk. Each of the last two years, we have held ceremonies here to honor major conservative thinkers -- Whittaker Chambers in 2001 and Milton Friedman last year. This is the third in the series. Chief and a few others would be asked to make remarks of not more than 10 minutes to about 200 conservative VIPs. Very friendly group, and entirely off the record.

Information about Russell Kirk is set out below.

Any chance he's free? And if you think he might be willing, how should I go about making the invite? I appreciate any thoughts you might have.

David G. Leitch
Deputy Counsel to the President
The White House
Washington DC 20502
202-456-2632

Biography

For more than forty years, Russell Kirk was in the thick of the intellectual controversies of our time. Both *Time* and *Newsweek* have described him as one of America's leading thinkers. He is the author of some twenty-nine books and of hundreds of periodical essays; also of many short stories.

Dr. Kirk wrote and spoke on modern culture, political thought and practice, educational theory, literary criticism, ethical questions, and social themes. He addressed audiences on nearly five hundred American campuses and also appeared often on television and radio.



He was editor of the educational quarterly journal *The University Bookman* and was founder and first editor of the quarterly *Modern Age*. He contributed to numerous serious periodicals on either side of the Atlantic. For a quarter of a century he wrote a page on education for *National Review*, and for thirteen years published, through the Los Angeles Times Syndicate, a nationally-syndicated newspaper column. Over the years he contributed to more than a hundred serious periodicals in the United States, Britain, Canada, Australia, Austria, Germany, Italy, Spain, Bulgaria, and Poland, among them *Sewanee Review*, *Yale Review*, *Fortune*, *Humanitas*, *The Contemporary Review*, *The Journal of the History of Ideas*, *World Review*, *Crisis*, *History Today*, *Policy Review*, *Commonweal*, *Kenyon Review*, *The Review of Politics*, and *The World and I*.

Dr. Kirk was president of the Wilbur Foundation; president of The Educational Reviewer, Inc.; editor of *The Library of Conservative Thought* for Transaction Books; and from time to time distinguished visiting professor at various universities and liberal-arts colleges in the disciplines of history, political thought, humane letters, and journalism.

He is the only American to hold the highest arts degree (earned) of the senior Scottish university - doctor of letters of St. Andrews. He received his bachelor's degree from Michigan State University and his master's degree from Duke University. Honorary doctorates were conferred upon him by twelve American universities and colleges.

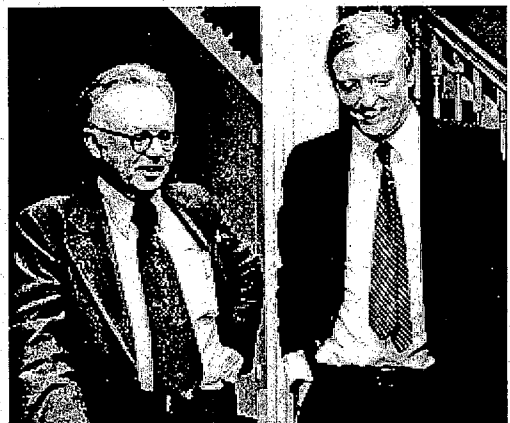


He was a Guggenheim Fellow, a senior fellow of the American Council of Learned Societies, a Constitutional Fellow of the National Endowment for the Humanities, and a Fulbright Lecturer in Scotland. The Christopher Award was conferred upon him for his book *Eliot and His Age*, and he received the Ann Radcliffe Award of the Count Dracula Society for his Gothic Fiction; the Third World Fantasy Convention gave him its award for the best short fiction. In 1984 he received the Weaver Award of the Ingersoll Prizes for his scholarly writing. For several years he has been a Distinguished Scholar of the Heritage Foundation. In 1989, President Reagan conferred on him the Presidential Citizens Medal. In 1991, he was awarded the Salvatori Prize for historical writing.

More than a million copies of his books have been sold, and several have been translated into German, Spanish, Dutch, Korean, and other languages. His second book, *The Conservative Mind* (1953), was one of the most widely reviewed and discussed studies of political ideas in this century and has gone through seven editions. Seventeen of his books are in print at present, and he has written prefaces to many other books, contributed essays to them, or edited them.

Dr. Kirk debated with such well-known speakers as Norman Thomas, Frank Mankiewicz, Carey McWilliams, John Roche, Arthur M. Schlesinger, Jr., Michael Harrington, Max Lerner, Michael Novak, Sidney Lens, William Kunstler, Hubert Humphrey, F. A. Hayek, Karl Hess, Clifford Case, Ayn Rand, Eugene McCarthy, Leonard Weinglass, Louis Lomax, Harold Taylor, Clark Kerr, Saul Alinsky, Staughton Lynd, Malcolm X, Dick Gregory, and Tom Hayden. Several of his public lectures have been broadcast nationally on C-SPAN.

Among Kirk's literary and scholarly friends have been T. S. Eliot, Roy Campbell, Wyndham Lewis, Donald Davidson, George Scott Moncrieff, Richard Weaver, Max Picard, Ray Bradbury, Bernard Iddings Bell, Paul Roche, James McAuley, Thomas Howard, Wilhelm Roepke, Robert Speaight, Anthony Kerrigan, Robert Nisbet, Malcolm Muggeridge, Flannery O'Connor, William F. Buckley, Jr., Andrew Lytle, Henry Regnery, Robert Graves, and Cleanth Brooks.



Born near the railroad yards at Plymouth, Michigan, in 1918, Kirk lived at his ancestral place, named Piety Hill, in Mecosta, Michigan - a little village in the stump-country. There he converted a toy factory into his

library and office. His Italianate house is adorned with sculpture and architectural antiques snatched from the maws of the urban renewers of western Michigan. At home he was a famous narrator of ghostly tales, many of them picked up during his travels (often afoot) in Scotland and Ireland, Mediterranean and Alpine lands, and Africa.



For nearly thirty years he was married to Annette Yvonne Cecile Courtemanche; they have four daughters. Their tall house often was crowded with Asiatic, African, and European refugees and exiles; also with university students, travellers from antique lands, and a congeries of fugitives from Progress. In conjunction with the Intercollegiate Studies Institute and the Wilbur Foundation, Russell and Annette Kirk held frequent seminars at their residence and received several literary interns every year. Annette Kirk was an

active member of the National Commission on Excellence in Education; she organizes the Piety Hill Seminars, and is managing editor of *The University Bookman*.

Additional information about him may be found in *Contemporary Authors*, *Who's Who in the World*, *Who's Who in America*, *Who's Who in the Midwest*, *International Scholars Directory*, *The Directory of American Scholars*, and other biographical directories. Chapters about his writings and his life may be found in Henry Regnery's *Memoirs of a Dissident Publisher*, John East's *The American Conservative Movement*, and M. E. Bradford's *A Better Guide Than Reason*.

The definitive work on Russell Kirk's life can be found in his own autobiography, *The Sword of Imagination*, available now through Eerdsman's Publishing.

Russell Kirk: a Bibliography, 1981; illustrations. Compiled by Charles Brown, with an essay by Henry Regnery. Mount Pleasant, Michigan: Clarke Historical Library, Central Michigan University. Distributed by Intercollegiate Studies Institute. \$5.00 hardcover. Intercollegiate Studies Institute, Bryn Mawr, PA 19010-3275



Leitch, David G.

From: Leitch, David G.
Sent: Wednesday, September 17, 2003 1:30 PM
To: Goeglein, Tim
Subject: FW: Invitation

FYI

-----Original Message-----

From: Janet Tramoto [mailto:mjtramonte@scus.gov]
Sent: Wednesday, September 17, 2003 12:29 PM
To: Leitch, David G.
Subject: RE: Invitation

Whittaker Chambers, what a great name!! The Chief goes to the University of Alabama on October 24th to deliver the Albritton Lecture so he can't do it. Sorry. By the way, Charlotte is so sweet! I like her very much.

-----Original Message-----

From: Leitch, David G. [mailto:David_G_Leitch@who.eop.gov]
Sent: Saturday, September 13, 2003 12:50 PM
To: mjtramonte@scus.gov
Subject: Invitation

Janet -- I have been asked to approach the Chief about speaking here at the White House on 10/24 at a tribute to Russell Kirk. Each of the last two years, we have held ceremonies here to honor major conservative thinkers -- Whittaker Chambers in 2001 and Milton Friedman last year. This is the third in the series. Chief and a few others would be asked to make remarks of not more than 10 minutes to about 200 conservative VIPs. Very friendly group, and entirely off the record.

Information about Russell Kirk is set out below.

Any chance he's free? And if you think he might be willing, how should I go about making the invite? I appreciate any thoughts you might have.

David G. Leitch
Deputy Counsel to the President
The White House
Washington DC 20502
202-456-2632

Biography

For more than forty years, Russell Kirk was in the thick of the intellectual controversies of our time. Both *Time* and *Newsweek* have described him as one of America's leading thinkers. He is the author of some twenty-nine books and of hundreds of periodical essays; also of many short stories.

Dr. Kirk wrote and spoke on modern culture, political thought and practice, educational theory, literary criticism, ethical questions, and social themes. He addressed audiences on nearly five hundred American campuses and also appeared often on television and radio.

He was editor of the educational quarterly journal *The University Bookman*



and was founder and first editor of the quarterly *Modern Age*. He contributed to numerous serious periodicals on either side of the Atlantic. For a quarter of a century he wrote a page on education for *National Review*, and for thirteen years published, through the Los Angeles Times Syndicate, a nationally-syndicated newspaper column. Over the years he contributed to more than a hundred serious periodicals in the United States, Britain, Canada, Australia, Austria, Germany, Italy, Spain, Bulgaria, and Poland, among them *Sewanee Review*, *Yale Review*, *Fortune*, *Humanitas*, *The Contemporary Review*, *The Journal of the History of Ideas*, *World Review*, *Crisis*, *History Today*, *Policy Review*, *Commonweal*, *Kenyon Review*, *The Review of Politics*, and *The World and I*.

Dr. Kirk was president of the Wilbur Foundation; president of The Educational Reviewer, Inc.; editor of *The Library of Conservative Thought* for Transaction Books; and from time to time distinguished visiting professor at various universities and liberal-arts colleges in the disciplines of history, political thought, humane letters, and journalism.

He is the only American to hold the highest arts degree (earned) of the senior Scottish university - doctor of letters of St. Andrews. He received his bachelor's degree from Michigan State University and his master's degree from Duke University. Honorary doctorates were conferred upon him by twelve American universities and colleges.



He was a Guggenheim Fellow, a senior fellow of the American Council of Learned Societies, a Constitutional Fellow of the National Endowment for the Humanities, and a Fulbright Lecturer in Scotland. The Christopher Award was conferred upon him for his book *Eliot and His Age*, and he received the Ann Radcliffe Award of the Count Dracula Society for his Gothic Fiction; the Third World Fantasy Convention gave him its award for the best short fiction. In 1984 he received the Weaver Award of the Ingersoll Prizes for his scholarly writing. For several years he has been a Distinguished Scholar of the Heritage Foundation. In 1989, President Reagan conferred on him the Presidential Citizens Medal. In 1991, he was awarded the Salvatori Prize for historical writing.

More than a million copies of his books have been sold, and several have been translated into German, Spanish, Dutch, Korean, and other languages. His second book, *The Conservative Mind* (1953), was one of the most widely reviewed and discussed studies of political ideas in this century and has gone through seven editions. Seventeen of his books are in print at present, and he has written prefaces to many other books, contributed essays to them, or edited them.

Dr. Kirk debated with such well-known speakers as Norman Thomas, Frank Mankiewicz, Carey McWilliams, John Roche, Arthur M. Schlesinger, Jr., Michael Harrington, Max Lerner, Michael Novak, Sidney Lens, William Kunstler, Hubert Humphrey, F. A. Hayek, Karl Hess, Clifford Case, Ayn Rand, Eugene McCarthy, Leonard Weinglass, Louis Lomax, Harold Taylor, Clark Kerr, Saul Alinsky, Staughton Lynd, Malcolm X, Dick Gregory, and Tom Hayden. Several of his public lectures have been broadcast nationally on C-SPAN.

Among Kirk's literary and scholarly friends have been T. S. Eliot, Roy Campbell, Wyndham Lewis, Donald Davidson, George Scott Moncrieff, Richard Weaver, Max Picard, Ray Bradbury, Bernard Iddings Bell, Paul Roche, James McAuley, Thomas Howard, Wilhelm Roepke, Robert Speaight, Anthony Kerrigan, Robert Nisbet, Malcolm Muggeridge, Flannery O'Connor, William F. Buckley, Jr., Andrew Lytle, Henry Regnery, Robert Graves, and Cleanth Brooks.

Born near the railroad yards at Plymouth, Michigan, in 1918, Kirk lived at his ancestral place, named Piety Hill, in Mecosta, Michigan - a little village in the stump-country. There he converted a toy factory into his library and office. His Italianate house is adorned with sculpture and architectural antiques snatched from



the maws of the urban renewers of western Michigan. At home he was a famous narrator of ghostly tales, many of them picked up during his travels (often afoot) in Scotland and Ireland, Mediterranean and Alpine lands, and Africa.



For nearly thirty years he was married to Annette Yvonne Cecile Courtemanche; they have four daughters. Their tall house often was crowded with Asiatic, African, and European refugees and exiles; also with university students, travellers from antique lands, and a congeries of fugitives from Progress. In conjunction with the Intercollegiate Studies Institute and the Wilbur Foundation, Russell and Annette Kirk held frequent seminars at their residence and received several literary interns every year. Annette Kirk was an

active member of the National Commission on Excellence in Education; she organizes the Piety Hill Seminars, and is managing editor of *The University Bookman*.

Additional information about him may be found in *Contemporary Authors*, *Who's Who in the World*, *Who's Who in America*, *Who's Who in the Midwest*, *International Scholars Directory*, *The Directory of American Scholars*, and other biographical directories. Chapters about his writings and his life may be found in Henry Regnery's *Memoirs of a Dissident Publisher*, John East's *The American Conservative Movement*, and M. E. Bradford's *A Better Guide Than Reason*.

The definitive work on Russell Kirk's life can be found in his own autobiography, *The Sword of Imagination*, available now through Eerdsman's Publishing.

Russell Kirk: a Bibliography, 1981; illustrations. Compiled by Charles Brown, with an essay by Henry Regnery. Mount Pleasant, Michigan: Clarke Historical Library, Central Michigan University. Distributed by Intercollegiate Studies Institute. \$5.00 hardcover. Intercollegiate Studies Institute, Bryn Mawr, PA 19010-3275



Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	RE: FW: Moussoai opinion from 4th Circuit attached - To: David G. Leitch - From: Theodore W. Ullyot	2	06/26/2003	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	RE: FW: Moussoai opinion from 4th Circuit attached - To: Theodore W. Ulyot - From: David G. Leitch	2	06/26/2003	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Leitch, David G.

From: Leitch, David G.
Sent: Saturday, September 13, 2003 12:50 PM
To: 'mjtramonte@scus.gov'
Subject: Invitation

Janet -- I have been asked to approach the Chief about speaking here at the White House on 10/24 at a tribute to Russell Kirk. Each of the last two years, we have held ceremonies here to honor major conservative thinkers -- Whittaker Chambers in 2001 and Milton Friedman last year. This is the third in the series. Chief and a few others would be asked to make remarks of not more than 10 minutes to about 200 conservative VIPs. Very friendly group, and entirely off the record.

Information about Russell Kirk is set out below.

Any chance he's free? And if you think he might be willing, how should I go about making the invite? I appreciate any thoughts you might have.

David G. Leitch
Deputy Counsel to the President
The White House
Washington DC 20502
202-456-2632

Biography

For more than forty years, Russell Kirk was in the thick of the intellectual controversies of our time. Both *Time* and *Newsweek* have described him as one of America's leading thinkers. He is the author of some twenty-nine books and of hundreds of periodical essays; also of many short stories.

Dr. Kirk wrote and spoke on modern culture, political thought and practice, educational theory, literary criticism, ethical questions, and social themes. He addressed audiences on nearly five hundred American campuses and also appeared often on television and radio.

He was editor of the educational quarterly journal *The University Bookman* and was founder and first editor of the quarterly *Modern Age*. He contributed to numerous serious periodicals on either side of the Atlantic. For a quarter of a century he wrote a page on education for *National Review*, and for thirteen years published, through the Los Angeles Times Syndicate, a nationally-syndicated newspaper column. Over the years he contributed to more than a hundred serious periodicals in the United States, Britain, Canada, Australia, Austria, Germany, Italy, Spain, Bulgaria, and Poland, among them *Sewanee Review*, *Yale Review*, *Fortune*, *Humanitas*, *The Contemporary Review*, *The Journal of the History of Ideas*, *World Review*, *Crisis*, *History Today*, *Policy Review*, *Commonweal*, *Kenyon Review*, *The Review of Politics*, and *The World and I*.

Dr. Kirk was president of the Wilbur Foundation; president of The Educational Reviewer, Inc.; editor of *The Library of Conservative Thought* for Transaction Books; and from time to time distinguished visiting professor at various universities and liberal-arts colleges in the disciplines of history, political thought, humane letters, and journalism.

He is the only American to hold the highest arts degree (earned) of the senior Scottish university - doctor of letters of St. Andrews. He received his bachelor's degree from Michigan State University and his master's degree from



Duke University. Honorary doctorates were conferred upon him by twelve American universities and colleges.



He was a Guggenheim Fellow, a senior fellow of the American Council of Learned Societies, a Constitutional Fellow of the National Endowment for the Humanities, and a Fulbright Lecturer in Scotland. The Christopher Award was conferred upon him for his book *Eliot and His Age*, and he received the Ann Radcliffe Award of the Count Dracula Society for his Gothic Fiction; the Third World Fantasy Convention gave him its award for the best short fiction. In 1984 he received the Weaver Award of the Ingersoll Prizes for his scholarly writing. For several years he has been a Distinguished Scholar of the Heritage Foundation. In 1989, President Reagan conferred on him the Presidential Citizens Medal. In 1991, he was awarded the Salvatori Prize for historical writing.

More than a million copies of his books have been sold, and several have been translated into German, Spanish, Dutch, Korean, and other languages. His second book, *The Conservative Mind* (1953), was one of the most widely reviewed and discussed studies of political ideas in this century and has gone through seven editions. Seventeen of his books are in print at present, and he has written prefaces to many other books, contributed essays to them, or edited them.

Dr. Kirk debated with such well-known speakers as Norman Thomas, Frank Mankiewicz, Carey McWilliams, John Roche, Arthur M. Schlesinger, Jr., Michael Harrington, Max Lerner, Michael Novak, Sidney Lens, William Kunstler, Hubert Humphrey, F. A. Hayek, Karl Hess, Clifford Case, Ayn Rand, Eugene McCarthy, Leonard Weinglass, Louis Lomax, Harold Taylor, Clark Kerr, Saul Alinsky, Staughton Lynd, Malcolm X, Dick Gregory, and Tom Hayden. Several of his public lectures have been broadcast nationally on C-SPAN.



Among Kirk's literary and scholarly friends have been T. S. Eliot, Roy Campbell, Wyndham Lewis, Donald Davidson, George Scott Moncrieff, Richard Weaver, Max Picard, Ray Bradbury, Bernard Iddings Bell, Paul Roche, James McAuley, Thomas Howard, Wilhelm Roepke, Robert Speaight, Anthony Kerrigan, Robert Nisbet, Malcolm Muggeridge, Flannery O'Connor, William F. Buckley, Jr., Andrew Lytle, Henry Regnery, Robert Graves, and Cleanth Brooks.

Born near the railroad yards at Plymouth, Michigan, in 1918, Kirk lived at his ancestral place, named Piety Hill, in Mecosta, Michigan - a little village in the stump-country. There he converted a toy factory into his library and office. His Italianate house is adorned with sculpture and architectural antiques snatched from the maws of the urban renewers of western Michigan. At home he was a famous narrator of ghostly tales, many of them picked up during his travels (often afoot) in Scotland and Ireland, Mediterranean and Alpine lands, and Africa.



For nearly thirty years he was married to Annette Yvonne Cecile Courtemanche; they have four daughters. Their tall house often was crowded with Asiatic, African, and European refugees and exiles; also with university students, travellers from antique lands, and a congeries of fugitives from Progress. In conjunction with the Intercollegiate Studies Institute and the Wilbur Foundation, Russell and Annette Kirk held frequent seminars at their residence and received several literary interns every year. Annette Kirk was an active member of the National Commission on Excellence in

Education; she organizes the Piety Hill Seminars, and is managing editor of *The University Bookman*.

Additional information about him may be found in *Contemporary Authors*, *Who's Who in the World*, *Who's Who in America*, *Who's Who in the Midwest*, *International Scholars Directory*, *The Directory of American Scholars*, and other biographical directories. Chapters about his writings and his life may be found in Henry Regnery's *Memoirs of a Dissident Publisher*, John East's *The American Conservative Movement*, and M. E.



Bradford's *A Better Guide Than Reason*.

The definitive work on Russell Kirk's life can be found in his own autobiography, *The Sword of Imagination*, available now through Eerdsman Publishing.

Russell Kirk: a Bibliography, 1981; illustrations. Compiled by Charles Brown, with an essay by Henry Regnery. Mount Pleasant, Michigan: Clarke Historical Library, Central Michigan University. Distributed by Intercollegiate Studies Institute. \$5.00 hardcover. Intercollegiate Studies Institute, Bryn Mawr, PA 19010-3275

Leitch, David G.

From: Janet Tramonte [mjtramonte@scus.gov]
Sent: Wednesday, September 17, 2003 12:29 PM
To: Leitch, David G.
Subject: RE: Invitation

Whittaker Chambers, what a great name!! The Chief goes to the University of Alabama on October 24th to deliver the Albritton Lecture so he can't do it. Sorry. By the way, Charlotte is so sweet! I like her very much.

-----Original Message-----

From: Leitch, David G. [mailto:David_G_Leitch@who.eop.gov]
Sent: Saturday, September 13, 2003 12:50 PM
To: mjtramonte@scus.gov
Subject: Invitation

Janet -- I have been asked to approach the Chief about speaking here at the White House on 10/24 at a tribute to Russell Kirk. Each of the last two years, we have held ceremonies here to honor major conservative thinkers -- Whittaker Chambers in 2001 and Milton Friedman last year. This is the third in the series. Chief and a few others would be asked to make remarks of not more than 10 minutes to about 200 conservative VIPs. Very friendly group, and entirely off the record.

Information about Russell Kirk is set out below.

Any chance he's free? And if you think he might be willing, how should I go about making the invite? I appreciate any thoughts you might have.

David G. Leitch
Deputy Counsel to the President
The White House
Washington DC 20502
202-456-2632

Biography

For more than forty years, Russell Kirk was in the thick of the intellectual controversies of our time. Both *Time* and *Newsweek* have described him as one of America's leading thinkers. He is the author of some twenty-nine books and of hundreds of periodical essays; also of many short stories.

Dr. Kirk wrote and spoke on modern culture, political thought and practice, educational theory, literary criticism, ethical questions, and social themes. He addressed audiences on nearly five hundred American campuses and also appeared often on television and radio.

He was editor of the educational quarterly journal *The University Bookman* and was founder and first editor of the quarterly *Modern Age*. He contributed to numerous serious periodicals on either side of the Atlantic. For a quarter of a century he wrote a page on education for *National Review*, and for thirteen years published, through the Los Angeles Times Syndicate, a nationally-syndicated newspaper column. Over the years he contributed to more than a hundred serious periodicals in the United States, Britain, Canada, Australia, Austria, Germany, Italy, Spain, Bulgaria, and Poland,



among them *Sewanee Review*, *Yale Review*, *Fortune*, *Humanitas*, *The Contemporary Review*, *The Journal of the History of Ideas*, *World Review*, *Crisis*, *History Today*, *Policy Review*, *Commonweal*, *Kenyon Review*, *The Review of Politics*, and *The World and I*.

Dr. Kirk was president of the Wilbur Foundation; president of The Educational Reviewer, Inc.; editor of *The Library of Conservative Thought* for Transaction Books; and from time to time distinguished visiting professor at various universities and liberal-arts colleges in the disciplines of history, political thought, humane letters, and journalism.

He is the only American to hold the highest arts degree (earned) of the senior Scottish university - doctor of letters of St. Andrews. He received his bachelor's degree from Michigan State University and his master's degree from Duke University. Honorary doctorates were conferred upon him by twelve American universities and colleges.

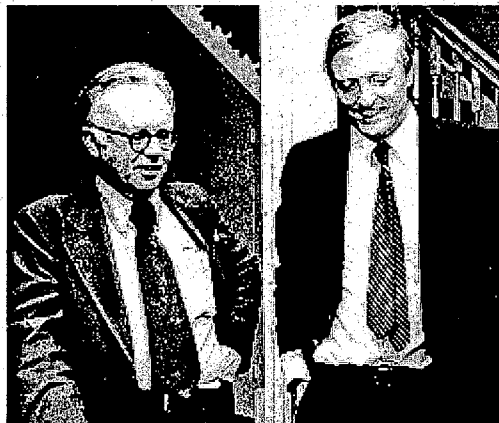


He was a Guggenheim Fellow, a senior fellow of the American Council of Learned Societies, a Constitutional Fellow of the National Endowment for the Humanities, and a Fulbright Lecturer in Scotland. The Christopher Award was conferred upon him for his book *Eliot and His Age*, and he received the Ann Radcliffe Award of the Count Dracula Society for his Gothic Fiction; the Third World Fantasy Convention gave him its award for the best short fiction. In 1984 he received the Weaver Award of the Ingersoll Prizes for his scholarly writing. For several years he has been a Distinguished Scholar of the Heritage Foundation. In 1989, President Reagan conferred on him the Presidential Citizens Medal. In 1991, he was awarded the Salvatori Prize for historical writing.

More than a million copies of his books have been sold, and several have been translated into German, Spanish, Dutch, Korean, and other languages. His second book, *The Conservative Mind* (1953), was one of the most widely reviewed and discussed studies of political ideas in this century and has gone through seven editions. Seventeen of his books are in print at present, and he has written prefaces to many other books, contributed essays to them, or edited them.

Dr. Kirk debated with such well-known speakers as Norman Thomas, Frank Mankiewicz, Carey McWilliams, John Roche, Arthur M. Schlesinger, Jr., Michael Harrington, Max Lerner, Michael Novak, Sidney Lens, William Kunstler, Hubert Humphrey, F. A. Hayek, Karl Hess, Clifford Case, Ayn Rand, Eugene McCarthy, Leonard Weinglass, Louis Lomax, Harold Taylor, Clark Kerr, Saul Alinsky, Staughton Lynd, Malcolm X, Dick Gregory, and Tom Hayden. Several of his public lectures have been broadcast nationally on C-SPAN.

Among Kirk's literary and scholarly friends have been T. S. Eliot, Roy Campbell, Wyndham Lewis, Donald Davidson, George Scott Moncrieff, Richard Weaver, Max Picard, Ray Bradbury, Bernard Iddings Bell, Paul Roche, James McAuley, Thomas Howard, Wilhelm Roepke, Robert Speaight, Anthony Kerrigan, Robert Nisbet, Malcolm Muggeridge, Flannery O'Connor, William F. Buckley, Jr., Andrew Lytle, Henry Regnery, Robert Graves, and Cleanth Brooks.



Born near the railroad yards at Plymouth, Michigan, in 1918, Kirk lived at his ancestral place, named Piety Hill, in Mecosta, Michigan - a little village in the stump-country. There he converted a toy factory into his library and office. His Italianate house is adorned with sculpture and architectural antiques snatched from the maws of the urban renewers of western Michigan. At home he was a famous narrator of ghostly tales, many of them picked up during his travels (often afoot) in Scotland and Ireland, Mediterranean and Alpine lands, and Africa.



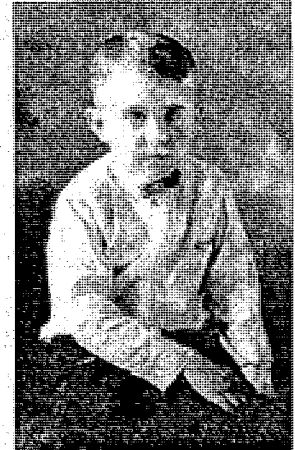
For nearly thirty years he was married to Annette

Yvonne Cecile Courtemanche; they have four daughters. Their tall house often was crowded with Asiatic, African, and European refugees and exiles; also with university students, travellers from antique lands, and a congeries of fugitives from Progress. In conjunction with the Intercollegiate Studies Institute and the Wilbur Foundation, Russell and Annette Kirk held frequent seminars at their residence and received several literary interns every year. Annette Kirk was an active member of the National Commission on Excellence in Education; she organizes the Piety Hill Seminars, and is managing editor of *The University Bookman*.

Additional information about him may be found in *Contemporary Authors*, *Who's Who in the World*, *Who's Who in America*, *Who's Who in the Midwest*, *International Scholars Directory*, *The Directory of American Scholars*, and other biographical directories. Chapters about his writings and his life may be found in Henry Regnery's *Memoirs of a Dissident Publisher*, John East's *The American Conservative Movement*, and M. E. Bradford's *A Better Guide Than Reason*.

The definitive work on Russell Kirk's life can be found in his own autobiography, *The Sword of Imagination*, available now through Eerdsmans Publishing.

Russell Kirk: a Bibliography, 1981; illustrations: Compiled by Charles Brown, with an essay by Henry Regnery. Mount Pleasant, Michigan: Clarke Historical Library, Central Michigan University. Distributed by Intercollegiate Studies Institute. \$5.00 hardcover. Intercollegiate Studies Institute, Bryn Mawr, PA 19010-3275



Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	RE: FW: Moussoai opinion from 4th Circuit attached - To: David G. leitch - From: Theodore W. Ullyot	2	06/26/2003	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Leitch, David G.

From: Leitch, David G.
Sent: Thursday, June 26, 2003 9:36 AM
To: 'Patrick.Philbin@usdoj.gov'
Subject: RE: Moussoaui opinion from 4th Cir. attached

On the assumption that nothing will happen between now and then (and correct me if I'm wrong) we're setting up a meeting to talk about this on Monday. Besides you, Alice, Chris, who else should attend (DOD, CIA, etc)?

-----Original Message-----

From: Patrick.Philbin@usdoj.gov [mailto:Patrick.Philbin@usdoj.gov]
Sent: Thursday, June 26, 2003 8:59 AM
To: Leitch, David G.
Subject: FW: Moussoaui opinion from 4th Cir. attached

fyi

-----Original Message-----

From: Novak, David
Sent: Thursday, June 26, 2003 8:50 AM
To: Spencer, Rob; McNulty, Paul; Elston, Michael; Karas, Ken; Karas, Kenneth; Fisher, Alice; Fisher, Alice; Philbin, Patrick; Nahmias, David
Subject: FW: Moussoaui opinion from 4th Cir. attached

-----Original Message-----

From: Lisa_Jernigan@ca4.uscourts.gov [mailto:Lisa_Jernigan@ca4.uscourts.gov]
Sent: Thursday, June 26, 2003 8:41 AM
To: Novak, David
Subject: Moussoaui opinion

Leitch, David G.

From: Leitch, David G.
Sent: Thursday, June 26, 2003 9:30 AM
To: Addington, David S.
Subject: FW: Moussoaui opinion from 4th Cir. attached



034162opn.pdf (30 KB)

-----Original Message-----

From: Patrick.Philbin@usdoj.gov [mailto:Patrick.Philbin@usdoj.gov]
Sent: Thursday, June 26, 2003 8:59 AM
To: Leitch, David G.
Subject: FW: Moussoaui opinion from 4th Cir. attached

fyi

-----Original Message-----

From: Novak, David
Sent: Thursday, June 26, 2003 8:50 AM
To: Spencer, Rob; McNulty, Paul; Elston, Michael; Karas, Ken; Karas, Kenneth; Fisher, Alice; Fisher, Alice; Philbin, Patrick; Nahmias, David
Subject: FW: Moussoaui opinion from 4th Cir. attached

-----Original Message-----

From: Lisa_Jernigan@ca4.uscourts.gov [mailto:Lisa_Jernigan@ca4.uscourts.gov]
Sent: Thursday, June 26, 2003 8:41 AM
To: Novak, David
Subject: Moussoaui opinion

Leitch, David G.

From: Leitch, David G.
Sent: Thursday, June 26, 2003 9:26 AM
To: Ulliyot, Theodore W.
Subject: FW: Moussoaui opinion from 4th Cir. attached



034162opn.pdf (30 KB)

-----Original Message-----

From: Patrick.Philbin@usdoj.gov [mailto:Patrick.Philbin@usdoj.gov]
Sent: Thursday, June 26, 2003 8:59 AM
To: Leitch, David G.
Subject: FW: Moussoaui opinion from 4th Cir. attached

fyi

-----Original Message-----

From: Novak, David
Sent: Thursday, June 26, 2003 8:50 AM
To: Spencer, Rob; McNulty, Paul; Elston, Michael; Karas, Ken; Karas, Kenneth; Fisher, Alice; Fisher, Alice; Philbin, Patrick; Nahmias, David
Subject: FW: Moussoaui opinion from 4th Cir. attached

-----Original Message-----

From: Lisa_Jernigan@ca4.uscourts.gov [mailto:Lisa_Jernigan@ca4.uscourts.gov]
Sent: Thursday, June 26, 2003 8:41 AM
To: Novak, David
Subject: Moussoaui opinion

Leitch, David G.

From: Patrick.Philbin@usdoj.gov
Sent: Thursday, June 26, 2003 8:59 AM
To: Leitch, David G.
Subject: FW: Moussoaui opinion from 4th Cir. attached



034162opn.pdf (30 KB)

fyi

-----Original Message-----

From: Novak, David
Sent: Thursday, June 26, 2003 8:50 AM
To: Spencer, Rob; McNulty, Paul; Elston, Michael; Karas, Ken; Karas, Kenneth; Fisher, Alice; Fisher, Alice; Philbin, Patrick; Nahmias, David
Subject: FW: Moussoaui opinion from 4th Cir. attached

-----Original Message-----

From: Lisa_Jernigan@ca4.uscourts.gov [mailto:Lisa_Jernigan@ca4.uscourts.gov]
Sent: Thursday, June 26, 2003 8:41 AM
To: Novak, David
Subject: Moussoaui opinion

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	RE: FW: Terrorism Commission - Moussaoui Issues - To: Jennifer G. Newstead - From: H. Bryan Cunningham	7	06/17/2003	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	FW: Terrorism Commission - Moussaoui Issues - To: Alberto R. Gonzales, et al - From: Jennifer G. Newstead	6	06/17/2003	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Leitch, David G.

From: Leitch, David G.
Sent: Sunday, May 18, 2003 9:15 PM
To: Gonzales, Alberto R.; Addington, David S.; Kavanaugh, Brett M.
Subject: Fw:

Here's the Time article on "unassuming Al."

-----Original Message-----

From: dgleitch@cox.net <dgleitch@cox.net>
To: Leitch, David G. <David_G_Leitch@who.eop.gov>
Sent: Sun May 18 21:09:36 2003
Subject:

Monday, May. 26, 2003

Bush's Supreme Challenge

With a court retirement likely, Al Gonzales is a Bush favorite. But is that enough? By JOHN F. DICKERSON AND VIVECA NOVAK Even for a White House in which staff members pride themselves on being low-key, Alberto Gonzales is inconspicuous. The flashiest thing he has done recently is briefly regrow his mustache. And yet the modest, Harvard-educated lawyer has a riveting story. The son of migrant workers in Texas, he grew up in a house his dad built, sharing two bedrooms with seven siblings. With no running hot water, the family boiled their bathwater on the stove. No phone meant that Gonzales had to walk to the corner pay phone to call his friends. Even the town's name was Humble. Gonzales, 47, has all the traits of the people George W. Bush brought up from Austin — loyalty, discretion and self-effacement — but his personal history is what really captures the President. "It isn't that Waspy 'Isn't that lovely?' kind of thing," says a source close to Gonzales, "but something the President feels in his heart and soul. He gets emotional about it."

Bush has an almost mystical faith in his ability to take the measure of people by looking them in the eye. Within the next few months, he may be measuring some candidates for a long black robe. It is almost certain that by the end of June, when the Supreme Court adjourns for summer recess, at least one Justice will have announced his or her retirement. Chief Justice William H. Rehnquist, 79, and Justice Sandra Day O'Connor, 73, have expressed a desire to leave. Rehnquist has serious back trouble, and O'Connor would like to return to Arizona with her husband. Both want a Republican President to name their replacement, and they know that retiring in 2004, an election year, would provoke a confirmation storm that could keep the court in limbo for months. Then there's the wild card, John Paul Stevens, 83, a liberal who is likely to stay but is the court's oldest member.

Among the many names floated for the post, no candidate has the President's trust like Gonzales. But the irony is that Bush may have a harder time selling his first choice to his allies than to his antagonists. Democrats, who are locked in a pitched battle with the White House over lower-court nominations, would find it tough to block the first Hispanic nominee to the high court, who has a short and unrevealing record on the bench. They might give him a hard time as payback for his treatment of them while he was White House counsel, but a rejection would play badly with Hispanic voters, whom the Democrats are eager to court.

For conservative Republicans, however, Gonzales is not even on the top10 list. They crave a Justice who is strict and outspoken on core conservative issues, namely abortion and affirmative action, and for them Gonzales is too much of a cipher, perhaps too moderate. "To Bush's core constituency," says Phyllis Schlafly, president of the conservative action group the Eagle Forum, "the appointment to the Supreme Court ranks as the No. 1 issue that

they care about. Bush went through the campaign saying his favorite Justices were [Antonin] Scalia and [Clarence] Thomas. We are not going to put up with another [David] Souter." Bush the elder's first Supreme Court pick was Souter, and the fact that he has turned out to be a more liberal Justice than anyone expected deeply upsets conservatives.

The fuss may seem a little curious, given that Bush's nominations to the lower courts have been so solidly planted on the right. In fact, some skeptical conservatives believe that Bush has been true blue on the lower courts in order to pave the way for nominating the more moderate Gonzales. And perhaps to burnish his conservative credentials, Gonzales has helped select and then sell these judicial nominees. He has personally met nearly all the candidates for district and appellate seats and says they are never asked their opinions on any hot-button issues.

Overall, 124 of Bush's judicial nominations have been approved, and the judiciary has its lowest vacancy rate in 13 years. But those numbers belie the intensity of the struggle over the White House selections. Senate Democrats have in recent months filibustered two nominees for appellate-court seats: Priscilla Owen, who is fiercely antiabortion, and Miguel Estrada, who has given Senators too little information about how or what he thinks. Republicans are irate and are considering trying to bar filibusters of judicial nominations.

Despite the laurels Bush wins from his base for seeding the lower courts with judges it considers ideologically correct, the Supreme Court pick is seen in a different league. "It doesn't do any good to pick good lower-court guys and throw the Supreme Court" to a moderate, says conservative activist Grover Norquist. The Supreme Court is the Holy Grail for the right and not to be bargained or traded away. The firmness of conservatives on the high court casts some doubt on one option that White House strategists are considering: elevating Scalia to Chief Justice if Rehnquist leaves, thereby earning enough credit with the right to put Gonzales in the vacancy.

So what's the problem with unassuming Al? Pro-life advocates believe that if the right jurist replaces either O'Connor or Stevens, the court will finally have a chance to overturn Roe v. Wade, the 1973 ruling that established the right to have an abortion. Though Gonzales' views on the matter are not known, opponents cite his vote — and the concurring opinion he wrote — as a Texas Supreme Court judge allowing a girl to use a bypass provision of a state parental notification to get an abortion. "Pro-life conservatives will oppose him for that," says Terry Jeffrey, editor of Human Events, a conservative magazine.

Gonzales opponents also see the White House counsel as having a hidden hand in what they regard as the President's too soft position on the Michigan affirmative-action case. For that case, the White House filed a Supreme Court brief opposing the University of Michigan's admissions program but did not push to end affirmative action outright. And Gonzales did not help himself with a speech to a group of Evangelical leaders last year in which he did not strongly call for reversing Roe. The rock ribbed just find him squishy. "He is the counsel to a conservative President rather than a conservative counsel to the President," says Clint Bolick, vicepresident of the libertarian Institute for Justice.

The judge's defenders argue that he has had a strong hand in many issues that have pleased the Republican base: the order setting up military tribunals to try suspected terrorists, the fight with Congress over releasing information about Dick Cheney's energy task force and ending the American Bar Association's role in rating potential judicial nominees. More important, they point out, he's not a legal activist but a strict constructionist — one of the sacred judicial tenets of conservatives. "He was ruling on the existing statute, not legislating," a conservative Washington lawyer says of the Texas abortion ruling. "We've complained about legislating from the bench for years. We can't now start doing it ourselves." On affirmative action, top White House aides say Gonzales was not pushing his own views but finding the legal rationale for what the President believes, which is that race should be a factor in hiring but not the deciding one. It's a rule Bush believes he applied to Gonzales back in 1995 for the first of four jobs that Bush has given him. "Of course it mattered what his ethnicity is," said Bush when he appointed Gonzales to the Texas Supreme Court, "but first and foremost, what mattered is, I've got great confidence in Al. I know him well. He's a good friend."

Gonzales' resume isn't going to provide much fodder for conservatives — or liberals, for that matter — looking to deep-six Bush's close ally. He was a pro-business

jurist in Texas for two years but no ideologue on social issues. He spent 13 years at Enron's law firm, Vinson & Elkins, doing deals in the go-go Houston of the 1980s but before the controversial Enron transactions took place. He was generally known as a stick-to-the-law kind of attorney in Bush's office. "Very seldom, if ever, did I hear his personal views on issues," said Terral Smith, who worked with Gonzales in Austin. "He was very careful in staff meetings to stay within the law."

Why should conservative dissent worry a President who is so wildly popular with members of his party? If the President isn't good enough for them, what are they going to do — sign on with Howard Dean? The answer is simple — and plenty scary for the White House. "We'll stay home," says Schlafly.

That is not an idle threat. Since arriving in Washington, political adviser Karl Rove has pointed out that 4 million Evangelicals who voted for Republicans in the G.O.P. congressional rout of 1994 stayed home in 2000, contributing to the closest election in modern history. Bush's displays of faith have brought many of those voters back into the fold, but they are still alert for an apostasy. Rove also wants to attract Hispanic voters. In the case of a Gonzales nomination, his two aims could clash.

Ultimately, what Gonzales has going for him is that Bush has looked him in the eye for years and liked what he has seen. He also seems to like what his support for Gonzales seems to say about himself: that the aristocratic President is an egalitarian guy capable of rewarding up-by-the-bootstraps achievement. All this may be important enough to Bush that he's willing to take some political heat for his loyal pal, whose life story he cited in his second inaugural address as Governor of Texas. "I think of my friend Al Gonzales, recently sworn in as a supreme-court justice," Bush said back in 1999. "His parents reared eight children in a two-bedroom house in Houston. They sacrificed so that their children would have a chance to succeed. Al Gonzales has realized their dream." They are words one can imagine hearing again this summer in the Rose Garden if Bush decides to make another dream come true.

With reporting by Cathy Booth Thomas/Houston

Copyright © 2003 Time Inc. All rights reserved.

Reproduction in whole or in part without permission is prohibited. Privacy Policy

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	Ken Karas/EDNY - To: Jennifer G. Newstead - From: Brett M. Kavanaugh	2	04/10/2003	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	Ken Karas/EDNY - To: David G. Leitch, et al - From: Jennifer G. Newstead	1	04/10/2003	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)].

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	[Email from David G. Leitch] - To: Ashley Snee - From: David G. Leitch	4	09/03/2003	P2; P5; P6/b6;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	[Email from Karl C. Rove] - To: David G. Leitch, et al - From: Karl C. Rove	3	09/03/2003	P2; P5; P6/b6;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	[Email fro David G. Leitch] - To: Karl C. Rove, et al - From: David G. Leitch	3	09/03/2003	P2; P5; P6/b6;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Leitch, David G.

From: Leitch, David G.

Sent: Thursday, March 06, 2003 4:47 PM

To:

(b)(6)

Subject: FW: Bush and God

-----Original Message-----

From: Montiel, Charlotte L.

Sent: Monday, March 03, 2003 1:26 PM

To: Leitch, David G.

Subject: Bush and God

This was in the March 10th Newsweek and I thought you might want to see it.

Here is the website if you would like to look at some pictures included in the article.
<http://www.msnbc.com/news/878520.asp?cp1=1>

Bush and God

A higher calling: It is his defining journey—from reveler to revelation. A biography of his faith, and how he wields it as he leads a nation on the brink of war

By Howard Fineman NEWSWEEK

March 10 issue — George W. Bush rises ahead of the dawn most days, when the loudest sound outside the White House is the dull, distant roar of F-16s patrolling the skies. Even before he brings his wife, Laura, a morning cup of coffee, he goes off to a quiet place to read alone.

×

HIS TEXT ISN'T news summaries or the overnight intelligence dispatches. Those are for later, downstairs, in the Oval Office. It's not recreational reading (recently, a biography of Sandy Koufax). Instead, he's told friends, it's a book of evangelical mini-sermons, "My Utmost for His Highest." The author is Oswald Chambers, and, under the circumstances, the historical echoes are loud.

10/4/2003

A Scotsman and itinerant Baptist preacher, Chambers died in November 1917 as he was bringing the Gospel to Australian and New Zealand soldiers massed in Egypt. By Christmas they had helped to wrest Palestine from the Turks, and captured Jerusalem for the British Empire at the end of World War I.

Now there is talk of a new war in the Near East, this time in a land once called Babylon. One morning last month, as the United Nations argued and Washingtonians raced to hardware stores for duct tape amid a new Orange alert, the daily homily in "My Utmost" was about Isaiah's reminder that God is the author of all life and history. "Lift up your eyes on high," the prophet of the Old Testament said, "and behold who hath created these things." Chambers's explication: "When you are up against difficulties, you have no power, you can only endure in darkness" unless you "go right out of yourself, and deliberately turn your imagination to God."

Later that day, the president did so. At Opryland in Nashville—the old "Buckle of the Bible Belt"—Bush told religious broadcasters that "the terrorists hate the fact that ... we can worship Almighty God the way we see fit," and that the United States was called to bring God's gift of liberty to "every human being in the world." In his view, the chances of success were better than good. (After all, at the National Prayer Breakfast a few days before, he'd declared that "behind all of life and all history there is a dedication and purpose, set by the hand of a just and faithful God." If that's so, America couldn't fail.)

After his speech in Nashville, Bush met privately with pastoral social workers and bore witness to his own faith in Jesus Christ. "I would not be president today," he said, "if I hadn't stopped drinking 17 years ago. And I could only do that with the grace of God." The prospect of war with Iraq was "weighing heavy" on him, he admitted. He knew that many people—including some at the table—saw the conflict as pre-emptive and unjust. ("I couldn't imagine Jesus delivering a message of war to a cheering crowd, as I just heard the president do," one participant, Charles Strobel, said later.) But, the president said, America had to see that it is "encountering evil" in the form of Saddam Hussein. The country had no choice but to confront it, by war if necessary. "If anyone can be at peace," Bush said, "I am at peace about this."

Every president invokes God and asks his blessing. Every president promises, though not always in so many words, to lead according to moral principles rooted in Biblical tradition. The English writer G. K. Chesterton called America a "nation with the soul of a church," and every president, at times, is the pastor in the bully pulpit. But it has taken a war, and the prospect of more, to highlight a central fact: this president—this presidency—is the most resolutely "faith-based" in modern times, an enterprise founded, supported and guided by trust in the temporal and spiritual power of God. Money matters, as does military might. But the Bush administration is dedicated to the idea that there is an answer to societal problems here and to terrorism abroad: give everyone, everywhere, the freedom to find God, too.

Bush believes in God's will—and in winning elections with the backing of those who agree with him. As a subaltern in his father's 1988 campaign, George Bush the Younger assembled his career through contacts with ministers of the then emerging evangelical movement in political life. Now they form the core of the Republican Party, which controls all of the capital for the first time in a half century. Bible-believing Christians are Bush's strongest backers, and turning them out next year in even greater numbers is the top priority of the president's political adviser Karl Rove. He is busy tending to the base with pro-life judicial appointments, a proposed ban on human cloning (approved by the House last week) and a \$15 billion plan to fight AIDS in Africa, a favorite project of Christian missionaries who want the chance to save souls there as well as beleaguered lives. The base is returning the favor. They are, by far, the strongest supporters of a war—unilateral if need be—to remove Saddam.

Now comes the time of testing. The war is controversial, more so every day, and the nuclear crisis in North Korea intensifies. The president hasn't played his diplomatic hand well, and is tied down by the likes of Hans Blix, the Philippine military and the Turkish Parliament, which late last week denied American troops transport rights through the country. Bush advisers know that many Americans—and much of the world—see him as a man blinded by his beliefs (and those of his most active supporters) to

the complexities of the world as it is. He makes a point of praising Islam as “a religion of peace.” But to many Muslims, especially Arabs, he looks sinister: a new Crusader, bent on retaking the East for Christendom.

Aides say the president’s quiet but fervent Christian faith gives him strength but does not dictate policy. He’s only seemed like preacher in chief, they say, because of what one called “a confluence of events”: the horrors of 9-11, the terror alerts and the Columbia shuttle explosion. Still, belief gives him something more than confidence, says his closest friend, Commerce Secretary Don Evans: “It gives him a desire to serve others and a very clear sense of what is good and what is evil..”

How did he get that way? Consider this a “faith portrait” of the president, the story of the power of belief to save a life and a family—and to shape a political career and a national government.

GROWING UP—‘God’s Frozen People’

The story begins in Connecticut. Protestants there long ago were a fiery breed, with Jonathan Edwards’s (Yale ’21—as in 1721) warning sinners to avoid the wrath of an “angry God.” But by 1946, when George W. Bush was born there, the old-line Episcopalians—Bushes among them—spoke in quieter voices. His dad was a “duty, honor, country” guy, a World War II hero and a punctilious churchgoer. But he was uncomfortable with public testimonies of faith, especially his own. The hoary joke among Episcopalians seemed apt: we’re “God’s Frozen People..”

The Bible belt was another story, but not for the Bushes. Moving in 1948 to the oil patch of west Texas, they joined other Ivy League immigrants from back East at the Presbyterian church in Midland.. (Barbara Bush had been reared in the denomination.) It was staid compared with other churches there, more madras than denim. Dad raised money for the building fund, and taught in Sunday school. “Georgie” was a dutiful son and churchgoer. Years later, in an excess of spin, his mother claimed that he’d always shown an interest in reading the Bible. George smilingly said he was unable to remember such a fact. Sent back East to prep at Andover, he became a school “deacon.” But that role had long since lost any true religious significance; Bush used it to engineer pranks, not minister to the student flock

Come-to-Jesus stories are more dramatic if the sinner is a pro. Bush was a semipro, a hardy partyer—his Triumph convertible was famous in Houston—until he married Laura in 1977. They joined her Methodist church. In most respects, he became what his father was, a respected member of the congregation. But he was a drinker, and a serious one. Only after work and at night, he told himself. But sometimes the nights were long. He could be famously obnoxious at parties, and, worse, a bore to his patient wife. The birth of his twin daughters in 1982 brought him joy. But, friends say, Laura grew increasingly fed up with his drinking. By 1985, as he approached 40, he needed to fix his relationship with the women in his life. “Nothing was broken,” Evans said. “But he wanted it to be better.” Mostly, he had to leave alcohol behind.

BORN AGAIN—Walking ‘The Walk’

In campaign biographies, ghostwriters highlight the role that Billy Graham played in launching Bush on what he and Evans call his “Walk.” The truth is more prosaic, and explains far more about Bush’s evolving views, not only of faith but of government. Evans, married to a Bush elementary-school chum, was the key. He had been the golden boy of Midland, a handsome straight arrow, a “Cowboy” at the University of Texas (the Skull and Bones of Austin). He had gone home to climb the ladder of Tom Brown Oil Co., a booming concern in a booming economy. But in 1984 the oil business caved in. “It was the worst industrial collapse in the history of the American economy,” says Evans, who was left with the task of plowing through piles of corporate debt. Personal life was hard, too. By that time, he’d learned that a daughter, born severely handicapped, would need lifetime care.

As a west Texan, Evans did what came naturally in a storm: he joined a nondenominational Bible-study group. He coaxed his friend George to come along. The program was called Community Bible Study—started, ironically, in the Washington, D.C., area in 1975 by a group of suburban women. By the time it got to Midland, it was a scriptural boot camp: an intensive, yearlong study of a single book of the New Testament, each week a new chapter, with detailed read-ing and discussion in a group of 10 men. For two years Bush and Evans and their partners read the clear writings of the Gentile physician Luke—Acts and then his Gospel. Two themes stood out, one spiritual, one more political: Paul's conversion on the road to Damascus, and the founding of the church. Bush, who cares little for the abstract and a great deal for people, responded to the conversion story. He liked the idea of knowing Jesus as a friend.

The CBS program was a turning point for the future president in several ways. It gave him, for the first time, an intellectual focus. Here was the product of elite secular education—Andover, Yale and Harvard—who, for the first time, was reading a book line by line with rapt attention. And it was ... the Bible. In that sense, Bush is a more unalloyed product of the Bible belt than his friends, who may have deeply studied something else in earlier days. A jogger and marathoner for years, Bush found in Bible study an equivalent mental and spiritual discipline, which he would soon need to steel himself for his main challenge in life to that point: to quit drinking.

Bush says he never considered himself to be an alcoholic, and never attended an AA meeting. But it turned out he didn't have to. CBS was something akin to the same thing, part of what has since come to be called the "small group" faith movement. It's a baby-boomerish mix of self-help, self-discipline, group therapy (without using what, for Bush, is a dreaded word) and worship. Whatever, it worked. As the world knows, Bush did quit drinking in the summer of 1986, after his and Evans's 40th birthday. "It was 'goodbye Jack Daniels, hello Jesus'," said one friend from those days.

THE POLITICS—Making New Friends

Bush turned to the bible to save his marriage and his family. But was he also thinking of smoothing his path to elective office? We'll never know for sure. But he knew the political landscape of his near-native Texas. He knew that, by 1985, the South had risen to take control of the GOP, and that evangelical activism and clout was rising with it—indeed had been instrumental in making it possible. He also knew that his father's way—Episcopalian reserve, moderation on cultural issues, close ties to back East—was a tough sell, to say the least. Bush the Younger had experienced it firsthand, in 1978, when he impetuously ran for Congress in Midland. He was a proud alumnus of Sam Houston Elementary and San Jacinto Junior High. But he had been clobbered as an Ivy League interloper nonetheless.

When Bush moved to Washington in 1987 to help run his father's campaign, he seized the main chance: to take over the job of being the "liaison" to the religious right. He quickly saw that he could talk the talk as well as walk the walk. "His father wasn't comfortable dealing with religious types," recalled Doug Wead, who worked with him on evangelical outreach. "George knew exactly what to say, what to do." He and Wead bombarded campaign higher-ups with novel ways to reach out. Wead slipped Biblical phrases—signals to the base—into the Old Man's speeches. Dubya, typically, favored a direct approach. He wanted to feature Billy Graham in a campaign video. Dad nixed the idea.

Bush and Rove built their joint careers on that new base. Faith and ambition became one, with Bush doing the talking and Rove doing the thinking on policy and spin. In 1993—the year before he ran for governor—Bush caused a small tempest by telling an Austin reporter (who happened to be Jewish) that only believers in Jesus go to heaven. It was a theologically unremarkable statement, at least in Texas. But the fact that he had been brazen enough to say it produced a stir. While the editorial writers huffed, Rove quietly expressed satisfaction. The story would help establish his client's Bible-belt bona fides in rural (and, until then, primarily Democratic) Texas. As a candidate, Bush sought, and got, advice from pastors, especially leaders of new, nondenominational "megachurches" in the suburbs. His ideas for governing were congenial to his faith, and dreamed up in his faith circles. The ideas were designed to draw evangelicals to the polls without sounding too church-made. "Compassionate conservatism"—mentoring, tough love on crime, faith-based welfare—was in many ways just a CBS Bible study writ

large. The discipline of faith can save lives—Bush knew it from personal experience—and undercut the stale answers of the left.

The presidential campaign was Texas on a grander scale. As he prepared to run, in 1999, Bush assembled leading pastors at the governor's mansion for a "laying-on of hands," and told them he'd been "called" to seek higher office. In the GOP primaries, he outmaneuvered the field by practicing what one rival, Gary Bauer, called "identity politics." Others tried to woo evangelicals by pledging strict allegiance on issues such as abortion and gay rights. "Bush talked about his faith," said Bauer, "and people just believed him—and believed in him." There was genius in this. The son of Bush One was widely, logically, believed by secular voters to be a closet moderate. Suddenly, the father's burden was a gift: Bush Two could reach the base without threatening the rest. "He was and is 'one of us'," said Charles Colson, who sold the then Governor Bush on a faith-based prison program.

For his public speeches, he hired Michael Gerson, a gifted writer recommended to him by Colson, among others. A graduate of Wheaton College in Illinois ("the Evangelical Harvard"), Gerson understood Bush's compassionate conservatism. More important, he had a gift for expressing it in stately, lilting language that could appeal, simultaneously, to born-again and to secular boomers searching for a lost sense of uplift in public life.

The Bush campaign conducted its more-controversial outreach below radar, via letters and e-mail. Only once was it forced to reach out in a raw public way. After John McCain won the New Hampshire primary, Bush made his infamous visit to South Carolina's Bob Jones University, the ultrafundamentalist and officially anti-Roman Catholic school. Strategists were opaque in public, unapologetic behind the scenes. "We had to send a message—fast—and sending him there was the only way to do it," said one top Bush operative at the time. "It was a risk we had to take." Bush won.

THE RECKONING—Forged in the Fire

Faith didn't make Bush a decisive person. He's always been one. His birthright as a Bush gives him a sense of obligation to serve, and a sense of an entitlement to lead. West Texas, where dust storms and the gyrating economy buffeted the locals, left him with a love of straight shooters and a come-what-may view of life. A frat man at Yale in an increasingly radical time—the late 1960s—he came to loathe intellectual avatars of complexity and doubt—especially when they disparaged his dad. He is a Pierce, too: a quick-to-judge son of a quick-to-judge mother.

Still, faith helps Bush pick a course and not look back. He talks regularly to pastors, and loves to hear that people are praying for him. As he describes it, his faith is not complex. In recent weeks he has added a new note to his theme of the personal uses of faith, drawn from CBS. Now there is a sense of destiny that approaches the Calvinistic. "There is a fatalistic element," said David Frum, the author and former Bush speechwriter. "You do your best and accept that everything is in God's hands." The result is unflappability. "If you are confident that there is a God that rules the world," said Frum, "you do your best, and things will work out." But what some see as solidity, others view as a flammable mix of stubbornness and arrogance. "No one's allowed to second-guess, even when you should," said another former staffer.

The atmosphere inside the White House, insiders say, is suffused with an aura of prayerfulness. There have always been Bible-study groups there; even the Clintonites had one. But the groups are everywhere now. Lead players set the tone. There is Gerson, whose office keeps being moved closer to the Oval. Chief of staff Andrew Card's wife is a Methodist minister. National-security adviser Condi Rice's father was a preacher in Alabama.

The president is known to welcome questions about faith that staffers sometimes have the nerve to share with him. But he's not the kind to initiate granular debates about theology. Would Iraq be a "just war" in Christian terms, as laid out by Augustine in the fourth century and amplified by Aquinas, Luther and others? Bush has satisfied himself that it would be—indeed, it seems he did so many months ago. But he didn't do it by combing through texts or presiding over a disputation. He decided that Saddam was evil, and everything flowed from that.

The language of good and evil—central to the war on terrorism—came about naturally, said Frum. From the first, he said, the president used the term “evildoers” to describe the terrorists because some commentators were wondering aloud whether the United States in some way deserved the attack visited upon it on September 11, 2001. “He wanted to cut that off right away,” said Frum, “and make it clear that he saw absolutely *no* moral equivalence. So he reached right into the Psalms for that word.” He continued to stress the idea. Osama bin Laden and his cohorts were “evil.” In November 2001, in an interview with NEWSWEEK, he first declared—blurted out, actually—that Saddam Hussein in Iraq was “evil,” too.

The world, and the Bush administration, are focused on Iraq. But as a matter of politics and principle, the president knows that he needs to deliver on his faith-based domestic agenda, especially since his party controls Congress. The wish list compiled by Rove is a long one. It includes conservative, pro-life judicial nominations; new HUD regulations that allow federal grants for construction of “social service” facilities at religious institutions; a ban on human cloning and “partial birth” abortion; a sweeping program to allow churches, synagogues and mosques to use federal funds to administer social-welfare programs; strengthened limits on stem-cell research; increased funding to teach sexual abstinence in schools, rather than safer sex and pregnancy prevention; foreign-aid policies that stress right-to-life themes, and federal money for prison programs (like the one in Texas) that use Christian tough love in an effort to lower recidivism rates among convicts.

While Rove and Hill leaders work the domestic side, Bush is dwelling on faith-based foreign policy of the most explosive kind: a potential war in the name of civil freedom—including religious freedom—in the ancient heart of Arab Islam. In the just-war debate, he has strong support from his base. Leading advocates for the moral virtue of his position include Richard Land, the key leader of the Southern Baptist Convention’s political arm. Another supporter is Michael Novak, the conservative Catholic theologian. Novak recently journeyed to Rome to make his case at the invitation of the U.S. ambassador to the Vatican, Jim Nicholson, a former chairman of the Republican National Committee. All politics is local.

But the president is facing a mighty force of religious leaders on the other side. They include the pope (Bush will meet with a papal envoy this week, NEWSWEEK has learned), the Council of Bishops, the National Council of Churches, many Jewish groups and most Muslim leaders. “People appreciate his devotion to faith, but, in the context of war, there is a fine line, and he is starting to make people nervous,” says Steve Waldman, the editor and CEO of Beliefnet, a popular and authoritative Web site on religion and society. “They appreciate his moral clarity and decisiveness. But they wonder if he is ignoring nuances in what sounds like a messianic mission.”

Muslims are especially wary. Bush has gone to great lengths to reassure them that he admires their religion. He has hosted Ramadan dinners, and periodically criticized evangelicals, including Franklin Graham, who denounce Islam as a corrupt, violent faith. Still, evangelical missionaries don’t hide their desire to convert Muslims to Christianity, even—if not especially—in Baghdad. If one of the goals of ousting Saddam Hussein is to bring freedom of worship to an oppressed people, how can the president object?

For Bush, that’s a nettlesome question for another time. If he’s worried about it or other such weighty matters, it wasn’t obvious at dinner upstairs in the private quarters of the White House the other week. He and Laura had invited close friends and allies such as Secretary of Defense Donald Rumsfeld. Bush, as usual, was a genial, joshing host. Also, as usual, he didn’t want the evening to last too long. “He tends to rush through cocktail hour,” says a friend. “One quick Coke and he wants to eat.” The president asked Rumsfeld to say grace. (“Can you help us out here, Mr. Secretary?”) As 10:30 p.m. approached, the commander in chief seemed eager to turn in. Knowledgeable guests understood that he wanted to catch at least a few minutes of his beloved “SportsCenter” on ESPN. But he also needed to get up early, very early. He had some reading to do.

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	White House Christian Fellowship Meeting - To: Dana Ayers, et al - From: Edmund C. Moy	2	03/12/2003	PRM;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Leitch, David G.

From: Leitch, David G.
Sent: Thursday, June 26, 2003 9:31 AM
To: Powell, Benjamin A.; Gonzales, Alberto R.; Kavanaugh, Brett M.
Cc: Stanzel, Scott
Subject: RE: Wisconsin Commn Story

It's always the headlines that kill you.

-----Original Message-----

From: Powell, Benjamin A.
Sent: Thursday, June 26, 2003 9:02 AM
To: Gonzales, Alberto R.; Leitch, David G.; Kavanaugh, Brett M.
Cc: Stanzel, Scott
Subject: Wisconsin Commn Story

The article is not as bad as the headline.

Original URL: <http://www.jsonline.com/news/gen/jun03/150748.asp>

Board will name judicial candidates

Senators reactivate panel in light of appeals vacancy

By CRAIG GILBERT

Last Updated: June 25, 2003

Washington - After discussions with the White House and House Republican F. James Sensenbrenner Jr., Senate Democrats Herb Kohl and Russ Feingold have reactivated a bipartisan Wisconsin commission to recommend finalists for an important vacancy on the federal appeals court.

The move appears to avert for now a political collision over the sensitive judicial post, though a fight is certainly possible down the road.

The vacancy, on the Seventh Circuit Court of Appeals in Chicago, results from Judge John Coffey's decision to assume senior status and a reduced workload.

Over White House resistance, Kohl and Feingold have insisted on the commission process, which has been used over the past 20 years to vet most Wisconsin candidates for federal judge and prosecutor.

The two senators enjoy considerable leverage on the issue, because both sit on the Judiciary Committee, which approves new judges.

Kohl said he believed the White House concluded that fighting the commission process would lead to a "very, very difficult" nomination battle.

"They've got two senators on the Judiciary Committee, both senators taking the same position . . . It would be a bad idea to just say, 'We're going to wreck the commission.' They made a smart decision."

Kohl said that in recent talks, the White House had signaled its willingness to send its preferred candidate through the commission.

"We're confident the nominee chosen by the president will receive the full support of senators Feingold and Kohl," said White House spokesman Scott Stanzel.

But Stanzel said the use of a nominating commission "is not up to the White House because this is the process the senators are using to help them in their duty to advise the president."

The White House has also said in recent weeks that when it comes to appellate vacancies, it would not be bound by the list of finalists coming out of a nominating commission.

So while Wednesday's announcement makes a smooth nomination possible, it does not guarantee one. The two senators could still find the president's preferred choice objectionable. The White House could choose to press ahead over those objections.

Much at stake

What makes either scenario possible is the high political stakes involved.

Appellate vacancies have provoked the sharpest battles between the Republican president and Senate Democrats, due to the crucial role appellate judges play in shaping law. The Court of Appeals is just one tier down in the federal judiciary from the Supreme Court.

Kohl and Feingold have defended the commissions as a bipartisan mechanism for recommending nominees. In practice, it also has given the senators a direct role in winnowing the names that are passed along to the White House.

Sensenbrenner said the White House is "willing to go through the (commission) process" but reserves the right to nominate whom it wants when it wants.

"That's why it is important for the commission to get down to work quickly," he said.

The 12-member commission will start taking applications immediately for the vacancy and hopes to produce a list of five or so finalists in as little as 30 days, said Jason Westphal of the State Bar of Wisconsin. The bar staffs the commission.

The nominating commission will be chaired by the incoming dean of Marquette University Law School, Joe Kearney, and the dean of the University of Wisconsin Law School, Ken Davis.

Two of its members were named by Kohl: Steve Glynn and Greg Conway.

Two were named by Feingold: Charles Curtis and James H. Hall Jr.

Four were named by Sensenbrenner: Rick Graber, Mark Neumann, William Curran and John Savage.

Two were named by the State Bar: James Brennan and John Knuteson.

From the June 26, 2003 editions of the Milwaukee Journal Sentinel

Leitch, David G.

From: Powell, Benjamin A.
Sent: Thursday, June 26, 2003 9:02 AM
To: Gonzales, Alberto R.; Leitch, David G.; Kavanaugh, Brett M.
Cc: Stanzel, Scott
Subject: Wisconsin Commn Story

The article is not as bad as the headline.

Original URL: <http://www.jsonline.com/news/gen/jun03/150748.asp>

Board will name judicial candidates

Senators reactivate panel in light of appeals vacancy

By CRAIG GILBERT
Last Updated: June 25, 2003

Washington - After discussions with the White House and House Republican F. James Sensenbrenner Jr., Senate Democrats Herb Kohl and Russ Feingold have reactivated a bipartisan Wisconsin commission to recommend finalists for an important vacancy on the federal appeals court.

The move appears to avert for now a political collision over the sensitive judicial post, though a fight is certainly possible down the road.

The vacancy, on the Seventh Circuit Court of Appeals in Chicago, results from Judge John Coffey's decision to assume senior status and a reduced workload.

Over White House resistance, Kohl and Feingold have insisted on the commission process, which has been used over the past 20 years to vet most Wisconsin candidates for federal judge and prosecutor.

The two senators enjoy considerable leverage on the issue, because both sit on the Judiciary Committee, which approves new judges.

Kohl said he believed the White House concluded that fighting the commission process would lead to a "very, very difficult" nomination battle.

"They've got two senators on the Judiciary Committee, both senators taking the same position . . . It would be a bad idea to just say, 'We're going to wreck the commission.' They made a smart decision."

Kohl said that in recent talks, the White House had signaled its willingness to send its preferred candidate through the commission.

"We're confident the nominee chosen by the president will receive the full support of senators Feingold and Kohl," said White House spokesman Scott Stanzel.

But Stanzel said the use of a nominating commission "is not up to the White House because this is the process the senators are using to help them in their duty to advise the president."

The White House has also said in recent weeks that when it comes to appellate vacancies, it would not be bound by the list of finalists coming out of a nominating commission.

So while Wednesday's announcement makes a smooth nomination possible, it does not guarantee one. The two senators could still find the president's preferred choice objectionable. The White House could choose to press ahead over those objections.

Much at stake

What makes either scenario possible is the high political stakes involved.

Appellate vacancies have provoked the sharpest battles between the Republican president and Senate Democrats, due to the crucial role appellate judges play in shaping law. The Court of Appeals is just one tier down in the federal judiciary from the Supreme Court.

Kohl and Feingold have defended the commissions as a bipartisan mechanism for recommending nominees. In practice, it also has given the senators a direct role in winnowing the names that are passed along to the White House.

Sensenbrenner said the White House is "willing to go through the (commission) process" but reserves the right to nominate whom it wants when it wants.

"That's why it is important for the commission to get down to work quickly," he said.

The 12-member commission will start taking applications immediately for the vacancy and hopes to produce a list of five or so finalists in as little as 30 days, said Jason Westphal of the State Bar of Wisconsin. The bar staffs the commission.

The nominating commission will be chaired by the incoming dean of Marquette University Law School, Joe Kearney, and the dean of the University of Wisconsin Law School, Ken Davis.

Two of its members were named by Kohl: Steve Glynn and Greg Conway.

Two were named by Feingold: Charles Curtis and James H. Hall Jr.

Four were named by Sensenbrenner: Rick Graber, Mark Neumann, William Curran and John Savage.

Two were named by the State Bar: James Brennan and John Knuteson.

From the June 26, 2003 editions of the Milwaukee Journal Sentinel

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	Farewell - To: David S. Addington, et al - From: Helgard C. Walker	1	03/28/2003	PRM;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Counsel's Office, White House

SERIES:

Leitch, David

FOLDER TITLE:

Wilson Leak Investigation - DGL (David G. Leitch) Production [Folder 6]

FRC ID:

9944

FOIA IDs and Segments:

2014-0234-F

OA Num.:

4165

NARA Num.:

4000

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Leitch, David G.

From: Moy, Edmund C.

Sent: Thursday, July 31, 2003 6:13 PM

To: Weinberg, Vicki S.; Ahaev, Victoria; Barrales, Ruben S.; Biegun, Stephen E.; Brown, Tillie;

(b)(6)

10/4/2003

Subject: Update on David Kuo

David is doing fine. After this type of surgery, it is not uncommon to have seizures for maybe 6 months. Dr. Tubb tells me that the seizures can be scary and discouraging, and they should be less and less common as he physically recovers from the surgery. Pray that David continues to heal and that the seizures come with less or no frequency and that he learn to slow down a bit during this recovery time!

Leitch, David G.

From: Douglas, R (Intelligence) [R_Douglas@ssci.senate.gov]
Sent: Friday, July 11, 2003 3:55 PM
Subject: FW: News Release

Thought you might be interested in this.

Rich

-----Original Message-----

From: Hensler, J (Intelligence)
Sent: Friday, July 11, 2003 3:18 PM
To: Douglas, R (Intelligence)
Subject: FW: News Release

-----Original Message-----

From: Ward, Maggie (Roberts)
Sent: Friday, July 11, 2003 12:02 PM
To: Hensler, J (Intelligence)
Subject: FW: News Release

FOR IMMEDIATE RELEASE

For More Information Contact:

July 11, 2003

Bill Duhnke (202) 224-1700

Senator Roberts' Statement on the Niger Documents

WASHINGTON, DC - U.S. Senator Pat Roberts, Chairman of the Senate Select Committee on Intelligence today issued the following statement:

"Senator Rockefeller and I are committed to continue our close examination of all of the issues surrounding the Niger documents.

"So far, I am very disturbed by what appears to be extremely sloppy handling of the issue from the outset by the CIA.

"What now concerns me most, however, is what appears to be a campaign of press leaks by the CIA in an effort to discredit the President.

"Unnamed 'intelligence officials' are now claiming that they told the White House that attempts by Iraq to acquire uranium from countries in Africa were unfounded. I understand, however, that as late as

mid-January, 2003, approximately ten days before the State of the Union speech, the CIA was still asserting that Iraq was seeking to acquire uranium from Africa and that those attempts were further evidence of Saddam's efforts to reconstitute his nuclear program.

"I have seen no documentation that indicates that the CIA had reversed itself after January 17th and prior to the State of the Union. If the CIA had changed its position, it was incumbent on the Director of Central Intelligence to correct the record and bring it to the immediate attention of the President. It appears that he did not.

"This is not the type of responsibility that can be delegated to mid-level officials. The Director of Central Intelligence is the President's principal advisor on intelligence matters. He should have told the President and it appears that he failed to do so."

-30-

S:\Press\News Releases\2003\niger.pr.wpd

Leitch, David G.

From: Leitch, David G.
Sent: Wednesday, July 16, 2003 4:41 PM
To: Donnan, Elizabeth H.
Subject: Re: PRESS BRIEFING BY ARI FLEISCHER

Time to change that subject line!

-----Original Message-----

From: Donnan, Elizabeth H. <EDonnan@WHO.eop.gov>
Sent: Wed Jul 16 15:18:05 2003
Subject: PRESS BRIEFING BY ARI FLEISCHER

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release July 16, 2003

PRESS BRIEFING INDEX

TOPIC PAGE

President's meeting with economists 1

Deficit/Social Security lockbox 1-2; 9-10

Iraq 2-3; 4-8; 10-15

- post-war
- U.S. credibility
- morale
- WMD
- NIE

Liberia 3-4

Middle East 9

Prime Minister Blair 14

Homeland security 15

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release July 16, 2003

PRESS BRIEFING
BY

SCOTT McCLELLAN

The James S. Brady Briefing Room

12:50 P.M. EDT

MR. McCLELLAN: Good afternoon. I apologize for running late, the President's meeting with the economists ran a little longer than expected. They had a very good discussion about the current economic situation and the President was pleased to listen to some of their forecasts and insights into where the economy is headed.

The President also spent a good portion of his time talking about the importance of the steps that we have taken to strengthen the economy, by giving people more money so that they can spend that on a good or service and help create jobs and get this economy growing faster.

If you all will bear with me, the President does have a speech here shortly, so I will go right to questions and we'll get started from there.

John.

Q Scott, has the President completely given up on the idea of debt service? And whatever happened to his campaign promise about a Social Security lockbox?

MR. McCLELLAN: Well, obviously, we want to return to budget. We --

Q Sorry, not "debt service," paying down the debt and whatever happened to this idea of a Social Security lockbox?

MR. McCLELLAN: No, I understand. Obviously, we would like to return to surpluses so that we can pay down the debt. That remains a priority. But we've made clear that our number one -- our highest priorities are winning the war on terror and getting people back to work, so that we can grow our economy.

But the combination of growth and spending discipline will help return our budget to balance and when the country returns to surplus, then we can pay down the debt. So that remains a priority, though.

Q And has he given up on his campaign pledge to the Social Security lockbox, as well?

MR. McCLELLAN: He continues to remain committed to both strengthening and reforming Medicare and Social Security. Those remain priorities. He wants to make sure that people -- and I think some of this was brought up yesterday, in yesterday afternoon's briefing, about Social Security -- he remains committed to strengthening and saving Social Security for future generations.

Q But if you look at the projections in your midsession review yesterday, even if he were to win a second term and stay all the way through 2008, there's not a dime for a Social Security lockbox, there's not a dime to pay down the debt in those projections.

MR. McCLELLAN: Well, keep in mind that when you look at yesterday's briefing, that we're going to cut that deficit in half, by nearly 50 percent over the next few years, and the way, number one way we're doing that is getting the economy growing, strengthening our economy, creating jobs, getting people back to work so we can get more revenues coming in. And once we get back to surpluses, then we can begin paying down that national debt again.

Q That wouldn't be until after he leaves the White House, even after a second term.

MR. McCLELLAN: We're moving as quickly as possible to do everything we can to strengthen our economy. And that's why it's important that across the board tax rate reductions are happening; the withholding tables have been changed so that people are

seeing more money coming into their pockets already; and that the child credits are going to be going out shortly. So that we can get more money back in the economy, more money back into people's pockets, they can spend it on a good or service, and help create jobs and get this economy growing faster, get more revenue coming in.

Q Scott, earlier today, you said you saw steady progress in Iraq. It's been a very bad day. An American soldier killed, a pro-American mayor killed in Iraq, a little kid killed. Where's the progress?

MR. McCLELLAN: We are making some important progress in Iraq. There are obviously -- there are still some difficulties, there are some are there are loyalists to Saddam Hussein and his former regime, Baathists and others from outside the country that are trying to disrupt these successes. They oftentimes will target the success that we are making, so that's why you have seen some of these attacks.

But there are some very important steps announced earlier this week. We are witnessing history being made in Iraq. For the first time in three decades, the Iraqi people have the hope of charting a better future for themselves and controlling what that future will look like. And I'm referring to the governing council of Iraq. It was established on July 13th. It represents a diverse group of 25 political leaders from across the country. And this governing council begins Iraq on the process towards a free and democratic Iraq. And it begins the constitutional process.

So we're focused on the security side of things. That remains a very high priority, stabilizing and securing the country. We're focusing on economic prosperity for the Iraqi people. Ambassador Bremer has taken some strong steps there. And then we're also focused on returning Iraq to the Iraqi people as quickly as possible so that we can leave the country.

But we will stay there as long as it takes to move Iraq to a free and democratic country. And an important aspect of that, too, I might remind you, is that a free and democratic Iraq will help bring peace and stability to the Middle East, which is very important to building a safer country, a safer world.

Q On Liberia, does the President have in hand final assessments from the two teams? And when does he expect final recommendations from Rumsfeld and Powell?

MR. McCLELLAN: He has not received a full assessment of the situation. But I don't want to put any arbitrary time line on things.

Q Not so much make a decision, but when does he expect the recommendations from Powell and Rumsfeld?

MR. McCLELLAN: When we have more to talk about on that, we will do so at that time. But it's important to get the assessment, look at all the facts and make the decision from there. But we're going to do things in close coordination with ECOWAS, the Economic Community of Western Africa States, and the U.N. He had a good discussion with Secretary Annan about that earlier in the week.

Q Scott, can we get back to Iraq? The criticism is coming in hard and fast on the occupation. And this is from Democratic Senator Tim Johnson of South Dakota -- a Democrat, yes, but he also has a boy, a son, who just returned from Iraq and served his country. He says: our men and women in uniform doing courageous work find themselves in a near shooting gallery environment in Iraq with very little contribution from allies and the world.

The President has often said that there would be a coalition of the willing that would disarm Iraq and, in his estimation, ultimately did. Where is that coalition now, when it comes to helping with the occupation and reducing this risk that right now appears to be just in the face of American soldiers?

MR. McCLELLAN: Well, a couple of things. One, you did mention the courage of our troops. Our troops are very courageous and I think they understand the importance of what they are doing -- liberating a country and helping them return to a -- they are bringing freedom to the Iraqi people, bringing democracy to the Iraqi people. It's a very important cause that they are there helping to achieve.

Secondly, there is a coalition provisional authority. We have, I believe it's 19 countries that are now helping out with stabilization and security in Iraq. And we have a number of other countries that we are in discussions with, talking about ways that they can help. Obviously, each country has to make their own decisions about how they contribute or at what level they contribute. But I think that the international community recognizes that whatever the past differences were leading up to the situation is that there are ways that people can contribute and help, because this is important not only to the region and peace and stability in the region, it's important to the world and making the world a safer place.

Q What's the time frame for the President's own priority to get other troops in there, besides U.S. troops, leading this occupation?

MR. McCLELLAN: Well, those discussions are ongoing. We continue to have discussions with a number of other countries. But I mentioned that 19 countries are already helping out. And that's important to point out.

Q But these other countries don't have troops there.

MR. McCLELLAN: Nineteen other countries are helping contribute in a variety of ways. And I think the Department of Defense, we leave those decisions about what types and size of the troop levels that we need to have, and they will continue to do what is necessary to help secure Iraq. But we're going to do everything we can to support our troops and make sure they have all the resources they need. The President is very grateful for what they are doing. This is a very important cause to a safer world.

Q Let me just follow-up on one other thing, hang on a second. You repeated something this morning that the President is fond of saying, and that is, when speaking to critics of both the war and the occupation, you said that they're focused on elections and possibly even revising history or rewriting history. What is it that they're revising or rewriting? What are you referring to?

MR. McCLELLAN: Well, the case against Saddam Hussein and his regime was solid and compelling. There was never any discussion about whether or not Saddam Hussein had weapons of mass destruction or weapons of mass destruction program until recently. That's only recently come into play.

The debate was about how to confront these weapons of mass destruction. It was about how to confront a regime that was willing to use these weapons of mass destruction. And you do have to raise the question about certain members of Congress now who are trying to rewrite history. They're trying to revise history.

The last thing anyone should do is politicize this issue by rewriting history. There are some where the present rhetoric does not match their past record. So look back at past comments. Look back at past voting records. Congress overwhelmingly, in a bipartisan way, passed a resolution supporting the steps that we are taking and approving the use of force if it was necessary, after 12 years of Saddam Hussein's deception and denial to confront that threat.

But let me point out a couple of comments -- these are from 1998. In a letter to President Clinton, one member of Congress talked about -- well, talked about the President -- he urged the President to "take necessary actions to respond effectively to the threat posed by Iraq's refusal to end its weapons of mass destruction programs. By its refusal to abandon its quest for weapons of mass destruction and the means to deliver them, Iraq is directly defying and challenging the international community and directly violating the terms of the cease-fire between itself and the United States-led coalition." That was Senator Levin, back in 1998, well before the attacks of September 11th, which brought to light the new threats of the 21st century.

Let me read one more and then we'll move on. "Saddam Hussein has already used these weapons and has made it clear that he has the intent to continue to try, by virtue of his duplicity and secrecy, to continue to do so. That is a threat to the stability of the Middle East. It is a threat with respect to the potential of terrorist activities on a global basis." Again, this was in 1998, and that was by Senator Kerry.

One other comment. "If we do nothing, I promise you we will face this issue one way or the other again in the Gulf or with respect to Israel or in some form, and I think it is absolutely vital for us to recognize the enormous principle with respect to proliferation and the challenge that this represents in the long term for our country. If we don't face this today, we will face it at some point down the road." This was 1998 and that was Senator Kerry.

Q Do you think that -- the truth is there are facts on the ground right now that -- you can go back to statements from 1998 and such, but there are facts on the ground now that are raising questions about the situation as presented or laid out by the President, what we could expect, what you all believed would happen, what you believed you would find. Now we have facts on the ground that are undermining the quality and the credibility of those comments.

MR. McCLELLAN: I differ. I think we're beginning to learn the truth and we've seen some of the evidence of Saddam Hussein's desire to seek nuclear weapons, going back quite a while. We've seen some of the evidence of his weapons of mass destruction program through two mobile biological weapon labs that have been discovered. And that's in -- we've only been there, what, 120 days.

Q Well, do you think, though, that you have a credibility problem right now?

MR. McCLELLAN: I think that you need to look back at some of the comments that are being made by some in Congress, and ask them --

Q Well, they might have their own credibility problems, but I'm asking about you. Does the White House have a credibility problem now?

MR. McCLELLAN: Absolutely not. The President has been very straightforward about this from the beginning. He laid out a very compelling case, a very clear case. It was based on solid evidence and it was based on a number of factors. It was based on Saddam Hussein's past history of not only having chemical and biological weapons, but being willing to use those chemical and biological weapons. It was based on UNSCOM's report from 1999, it's final report to the United Nations Security Council, saying he has large stockpiles of unaccounted for biological and chemical weapons. It was based on his support for terrorists and his support for -- and his harboring of terrorists.

So there are a number of compelling parts of this evidence that led to us confronting this threat. And the last thing the President wanted to do was go to war. But Saddam Hussein, for 12 years, was defying the international community, he was defying the United Nations and 17 resolutions. The United Nations Security Council Resolution 1441, that final resolution made it very clear, this is a final opportunity to comply, final opportunity to disarm.

And not only is America safer, the region is safer and the Iraqi people free, but the Middle East will be more peaceful and more stable because of the action that we have taken.

Q Well, if you are that confident, then would the White House welcome or participate in an independent investigation of what happened in the pre-war intelligence? If you're as confident as you are of your --

MR. McCLELLAN: It wasn't only the United States. This was the United Nations and intelligence from countries around the world that documented this, and I just read you some of the comments from some of these members. But I think Congress has already --

Q So wouldn't an independent investigation put this to rest?

MR. McCLELLAN: -- Congress is already looking at some of this information. But the facts are very clear.

Q No one doubts the courage of our soldiers, Marines and so forth, in Iraq. The question is the stories, the photographs show that morale is pretty low. And I wonder what is the President's message to the families? And is the White House upset that they're going public, a lot of them going on the air, talking to reporters about they're very unhappy that the date of their going home has been postponed?

MR. McCLELLAN: It's one of sincere gratitude to the families. They are making a tremendous sacrifice. But the men and women in our military who are over there are involved in a very important cause. It was a just cause from the beginning, and they are doing a superb job and we applaud them for everything that they're doing. We know that there are difficulties over there. We know that they are making significant sacrifices. And it's something no one can ever fully repay. But we --

Q Well, do you mind them going public?

MR. McCLELLAN: But we are going to do everything we can to support them in that, and get them home as soon as we can. But there remains an important mission to complete, and that's getting out -- that's securing Iraq and moving it towards a free and democratic society.

Q Just quickly following up on Iraq, two quick questions. The first is on Iraq. You said that you talked about quotes from 1998, of Democrats saying that there were -- that Saddam Hussein perhaps had these weapons of mass destruction --

MR. McCLELLAN: And I want to point out how long -- how far back this goes. I mean, there is a long, well documented trail of evidence here.

Q But it's definitely fair to say that there was significant debate and a number of questions about how imminent the threat was and if it was imminent enough to actually go to war against Saddam Hussein, right before the war. And what Democrats are saying is that the evidence the President gave at the State of the Union and others gave elsewhere now doesn't really hold up, in terms of how imminent the threat was.

MR. McCLELLAN: No, not at all. And, in fact, I'm glad you brought that up. Because I've talked about the large body of evidence relating to the threat posed by Saddam Hussein and I won't go back through that. But it was something that was well documented by the United States and by the international community. And, remember, there was a congressional resolution passed last year stating very clearly in an overwhelming way the support for the steps that we were taking.

We live in a post-September 11th world now. Those vivid and tragic events of September 11th brought to light the threats that we face in a very real way and we are going to address them. The President will not ignore growing threats, because we cannot afford to wait and see American lives lost because of the threats that exist.

Q That means we could go in anywhere.

MR. McCLELLAN: I'll come back to you later, Helen.

Q Just one more on a different subject. The Palestinians are saying that Mahmoud Abbas is coming here on the 25th of July. Is that correct?

MR. McCLELLAN: We do look forward to Prime Minister Abbas visiting soon. There is no formal announcement that I'm going to make here from the podium today. But we do look forward to Prime Minister Abbas visiting soon.

Q But he's not telling fibs? I mean, they're saying that it's the 25th. That's not wrong, right?

MR. McCLELLAN: There's nothing to announce at this point, from our end.

Q One on the budget, one on weapons of mass destruction. Following up on John's question. The \$2 trillion in debt that has been amassed under this President, you said that one of the things that he wants to do is continue spending restraint. Where's the spending restraint in this administration?

MR. McCLELLAN: Well, look at our budget proposal and look at what was passed by Congress, itself, holding the line on discretionary spending to 4 percent, which matches the income of the growth in average family. That's what the budget guidelines for this past year were set at. Now we're working at the appropriations.

Q The first year it was 6 percent, last year it was 5 percent, that's roughly quadruple the inflation level. I mean, he's a big spender.

MR. McCLELLAN: We're working to slow the growth. Wait a second. Let me stop you right there. We had a recession. We had a war. We had a national emergency in the form of September 11th. We had some corporate scandals. We've addressed -- we've been addressing those issues aggressively with some bold policies.

But the President -- and I think you have to look back at the fact that when you have a recession, when you have war, you're going to do everything that you need to address those issues. And we have a deficit now that exists because of those reasons I just cited. It's something that is very manageable when you look at it in terms of overall percentage of the GDP, 4.2 percent, well below the record.

And it remains a priority. But the best way to address it is to do exactly what the President has been doing over the last few years, and that's to get our economy growing, that's to get people back to work, that's to get more money back into people's hands so we can create jobs and get revenue growing again.

Q And to add a \$400 billion new entitlement.

MR. McCLELLAN: Are you talking about --

Q Prescription drugs.

MR. McCLELLAN: Medicare is an important priority. And it's important to set priorities. And that's why if you look at the way the President outlines his budget, he held the line on spending, on discretionary spending to -- he held the line in his budget proposal to 4 percent. Obviously, this is something you have to work closely with Congress to address.

And we will remind Congress as we're going through this budget process, with the appropriations bills being passed now, that it is very important to combine those economic growth policies with spending restraint. And that's what we're doing to address that issue.

Q Just to shift gears. You just said that the President laid out a clear case for the weapons of mass destruction based on solid evidence and in all the talk about the State of the Union speech. Does the President believe he made a mistake, standing in front of the country, making the case for war, saying that Iraq was trying to get uranium from Africa? Was that a mistake?

MR. McCLELLAN: Well, again, let me go back. We should not have included that in the State of the Union address.

Q So --

MR. McCLELLAN: Well, we said it was a mistake to include it in the State of the Union address. But that was one piece of one part of an overall body of evidence that exists showing why we went --

Q But that's really alarming --

MR. McCLELLAN: -- why we went to war in Iraq, why we addressed that threat.

Q But that's pretty alarming. That may have been the most alarming thing that he said. And does he feel he misled the American people?

MR. McCLELLAN: No, no, let me make clear. No one has shown that that is wrong, that that statement is wrong. The British have additional sources that they base their information on, and they believe very strongly that it is accurate and that they have strong reasons to believe that.

But the bottom line is, we didn't feel, after learning some new information later -- and that's what happens sometimes with intelligence, you learn information later that you didn't know -- and we didn't feel it was specific enough to rise to the level of a

Presidential speech.

Q The national intelligence estimate we now know contained the reference to Niger and the rest of that was published on October 1st.

MR. McCLELLAN: Aptly pointed out in your article today.

Q Right. We now know that the DCI called Mr. Hadley on -- about four days later, to say, don't go ahead with that part of the speech because we're not certain of it.

What did you do at that point to alert Congress, which was getting ready to make a vote that -- take the vote that you referred to before, authorizing war? That, in fact, an element -- just one element, but an element of the classified document that they had received no longer was considered credible by the Director of Central Intelligence?

MR. McCLELLAN: Well, let's back up. Yes, the national intelligence estimate did come out during the drafting of the Cincinnati speech toward -- just days before.

Q A week before.

MR. McCLELLAN: Yes, it's a lengthy document, let's keep that in mind, too; and there's a lot of information to look at.

Now, the specific reference in that Cincinnati speech was relating to a specific amount on a specific source. So it was different from what we're talking about with the State of the Union address.

Q But it was in the NIE.

MR. McCLELLAN: That's correct. But it was different from what was in the State of the Union address. This one statement was by no means the reason we went to war. And I think it's nonsense and ludicrous to suggest otherwise. There was so much evidence there, the case was so strong that that one piece of information didn't change the overlying facts -- whether or not it is accurate. And, again, it hasn't been shown to be wrong.

Q I think my question was what steps did you take to alert the recipients of this classified document that you no longer had confidence in this part of the piece of evidence?

MR. McCLELLAN: Well, I'll let the intelligence community speak to those issues.

Q Did you find the answer to Jeanne's question from yesterday, whether the President knew that this reference was taken out of the October speech?

MR. McCLELLAN: These issues, this statement -- I mean, it's been addressed in a very straightforward way, the statement should not have been put in the State of the Union address. We've made that clear and we've been very straightforward with the American people about why we think that.

Not to say that it's not accurate. And, in fact, again, the British maintain that it is an accurate statement based on the additional sourcing that they had. But you have to come back to the issue here, and the issue here related to the threat posed by Saddam Hussein and his regime. And the case for that was compelling and strong.

Q If I could jump in on this, Scott. Clearly, one of the reasons there is so much talk about this one sentence in the State of the Union speech is that, to date, there obviously have been no significant discoveries of weapons of mass destruction. We have these two mobile trailers, which experts are divided upon. They think that they could have been intended for that, they could have been intended for other things.

In any event, it's certainly not the cache --

MR. McCLELLAN: It sure does closely match what Secretary Powell outlined to the United Nations.

Q Certainly it does, but it's certainly not the volume of weapons that everybody in the administration said we would find. Director Tenet was very clear on that in February, shortly after Secretary Powell's presentation, when he went up before the intelligence --

MR. McCLELLAN: Can I stop you one second and let me just point out something. Saddam Hussein was someone who UNSCOM learned was deceiving and concealing programs, was deceiving them and concealing his weapons of mass destruction program. This was back in the '90s when he was supposed to be complying with everything after the Gulf war.

Q -- answer my question.

MR. McCLELLAN: And then when he kicked those -- when those inspectors were essentially kicked out of the country, you don't think he was taking additional steps to try to even be more deceiving and conceal his programs even more so? He was very sophisticated in what he did. And that's why we've got the Iraq survey group in there now, that's why we've got David Kaye, an expert in this, looking at all these issues, looking at the documents. And he's talked about some of the documents.

But we want to gather the full picture, see the full picture. But we are confident that we will uncover that full picture.

Q But my question is, do we currently have enough human intelligence assets on the ground there, turning that country upside down? Is there talk about sending more? Because --

MR. McCLELLAN: I think those decisions are --

Q How long -- how long is this --

MR. McCLELLAN: I think those specific questions need to be discussed with the team over there and the Department of Defense, I think. But there is a large group over there doing their work and doing it well and continuing to interview people, talk to some of the people that we have captured, talk to scientists and go through a lot of documents. We're confident that we'll learn the full extent of it.

Q It was clear early on, when we began picking up al Qaeda operatives, that useful intelligence was being gathered. There have been statements from the government that potential threats were discovered in advance. You know, there was real, high-quality intelligence there. And in fairly short order, potential attacks were thwarted or intelligence was gathered about other cells that have led to other arrests.

MR. McCLELLAN: Are you talking about Afghanistan?

Q I'm talking about Afghanistan and any other place.

MR. McCLELLAN: I don't think in Afghanistan with the Taliban, they were concealing everything.

Q No, no. The point is there were results, discernable results, pretty early on. But that hasn't been the case. We've talked to lots of Iraqi scientists. We really don't have much yet. I mean, is the President concerned that we don't have more at this point?

MR. McCLELLAN: I just don't know that I can agree with that characterization until we've gathered everything and learned the full extent of this program and then we'll talk about it more then. But we want to see the overall picture.

Q Scott, when the President meets with Prime Minister Blair tomorrow, will he ask Prime Minister Blair for additional information about this allegation and try to substantiate it in any way?

MR. McCLELLAN: Well, one, I don't want to jump ahead of any meeting tomorrow, but let's let that meeting take place. And you will certainly have an opportunity to hear from them after the meeting has taken place. It's not just any specific issue, I just

want to let the meeting take place before getting into specifics about what they may or may not talk about.

Q Scott, talking about Hong Kong, the people of Hong Kong are now crying for democracy and demonstrations are going on in the hundreds of thousands every day. And is -- warning them that it may come back, 1989, or it may repeat, 1989, Tiananmen Square. They may take action like in the 1989 Tiananmen Square. So what action do you think the President or U.S. will take, are they concerned about all these demonstrators?

MR. McCLELLAN: Let me try to come back to that. And I'll get you some information later. Let's try to get a couple more questions. Let's go quick. Ken, I'm sorry.

Q A quick follow on Bob's question.

MR. McCLELLAN: The President is speaking shortly. That's why.

Q Does the President want to know the origins of the evidence at this point, aside from whether or not he's going to ask the Prime Minister directly tomorrow? Does he want to know? Does he think at this point it would make sense to know exactly where the British got the information from?

MR. McCLELLAN: Well, again, this goes back to getting into an issue that I think we had fully addressed, that we've been very straightforward about. That is not something that changes the overall case, or changes the specifics regarding his reconstitution of a nuclear weapons program.

Q Senator Kerry is giving a speech today in which he accuses the President of a dangerous gap in credibility and a dangerous gap in preparedness to deal with any future terrorist attack. Does the White House have any response?

MR. McCLELLAN: Does that sound like the comments I -- I just referred to some of his comments. I know this is a different issue, but you might want to look back at some of his previous comments elsewhere. What was his specific comment?

Q He's talking, in particular, about homeland security, though he's talking about credibility on the broader intelligence issues. And he notes that the recent report commissioned, co-chaired by Senator Rudman, said the country was drastically underfunded and dangerously unprepared, and talks about --

MR. McCLELLAN: I've got to -- let me go, since we're in a rush to get to the President's speech. I recognize there are a number of Democratic candidates trying to gain an advantage in an election. But the bottom line is, America is safer, more secure, and better prepared than we were on September 11th, 2001. We are detaining al Qaeda leaders all over the world, we're freezing and taking away their terrorist assets, our aviation security is stronger, we patrol our ports 24 hours a day, we've deployed more border patrol agents on our northern and southern borders. We inspect more containers before they even get to this country. We provided significant resources -- billions of dollars -- for our nation's first responders, and we're committed to make sure they get the training and equipment they need.

The Department of Homeland Security has made available almost \$4 billion in funding for grants since March 1 of 2003 for first responders in state and local governments to enhance response and preparedness capabilities. And this war on terror, the President has made clear, will not be won overnight, but we will be relentless in pursuing those who would do harm to Americans and we will do everything we can on the home front to better secure the country.

And I apologize to everybody. We've got to go to President's speech.

END 1:20 P.M. EDT