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Counselor's Office

Gillespie, Edward (Ed) - Confidential Files

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V	6	4	4	2	39235	1000008951	851	CF 0841

Folder Title:

[Global War on Terror, September 2008]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Agenda	Agenda	3	09/18/2008	P1/b1; P5;
002	Chart	Matrix	2	09/18/2008	P1/b1; P5;
003	Draft	Plan	4	09/18/2008	P1/b1; P5;
004	Report	Overview	5	09/09/2008	P1/b1; P5;
005	Memorandum	Memorandum for Record	6	09/11/2008	P1/b1; P5;
006	Email	[Request] - To: Mark Pfeifle, et al. - From: MaryAnn Cummings	2	09/18/2008	P1/b1; P5;
008	List	Recommendations...	1	N.D.	P5;

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
009	Talking Points	Sons of Iraq	2	N.D.	P5;
010	Talking Points	Voter Registration	1	N.D.	P5;
011	Talking Points	Talking Points	7	N.D.	P1/b1; P5;

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Draft	Plan	4	09/18/2008	P1/b1; P5;

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Report	Overview	5	09/09/2008	P1/b1; P5;

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Memorandum	Memorandum for Record	6	09/11/2008	P1/b1; P5;

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Gates: US reviewing its Afghanistan war strategy (Updated)

By ROBERT BURNS

LONDON (AP) - The Bush administration is looking at possible changes in its war strategy in Afghanistan in light of rising levels of violence and an increasingly complex insurgent threat, Defense Secretary Robert Gates acknowledged Thursday.

"You have an overall approach, an overall strategy, but you adjust it continually based on the circumstances that you find," Gates said in an interview with a group of reporters at a London hotel. "We did that in Iraq. We made a change in strategy in Iraq and we are going to continue to look at the situation in Afghanistan."

Pressed for more details about the review of Afghan strategy, Gates would say only, "We're looking at it."

Gates visited Afghanistan on Wednesday and flew to London for NATO consultations.

He did not reveal whether the White House has launched a formal review of its war strategy. But his remarks indicated that the administration sees a need to make some adjustments as progress there remains slow.

The Joint Chiefs chairman, Adm. Mike Mullen, told a House committee last week that he had commissioned a study of Afghan strategy to incorporate the complexities presented by rising unrest and insurgent activity in Pakistan. Mullen also publicly questioned whether the United States is winning in Afghanistan.

Gates also said that at a NATO meeting here Thursday and Friday he would raise the issue of how to share the cost of a planned doubling in the size of the Afghan national army. He said building up the capacity and effectiveness of Afghanistan's own security forces is "ultimately the exit strategy for all of us."

The United States has about 33,000 troops in Afghanistan, and President Bush has ordered an Army brigade of about 3,700 soldiers that had been preparing to deploy to Iraq to instead go to Afghanistan in January.

Bush also announced last April at a NATO summit meeting in Bucharest, Romania, that the United States would send even more troops to Afghanistan later in 2009, beyond his term in office, when ends in January.

Gates mentioned that Bush pledge on Thursday and said, "I expect his successor will meet that commitment."

Gates noted that violence has been on the rise in Afghanistan for the past two years, in part because of cross-border attacks from al-Qaida, Taliban and other extremist elements that find refuge in neighboring Pakistan. And he said the nature of the insurgency in Afghanistan has changed, with a wider variety of extremist groups that, while not centrally coordinated, pose an evolving challenge.

"We see some lessons to be learned from Iraq in terms of the need to establish security as a precondition or economic development and better governance. That means more forces," he said. "But I think we are in complete accord with our European allies that the military side of this is only one piece of the solution."

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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.
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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]
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- 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

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Talking Points	Talking Points	7	N.D.	P1/b1; P5;

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COLLECTION:
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SERIES:
Gillespie, Edward (Ed) - Confidential Files

FOLDER TITLE:
[Global War on Terror, September 2008]

FRC ID:
39235

FOIA IDs and Segments:

2014-0301-F

OA Num.:
CF 0841

NARA Num.:
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RESTRICTION CODES

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

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

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

September 15, 2008
(House)

STATEMENT OF ADMINISTRATION POLICY

H.R. 5167 – Justice for Victims of Torture and Terrorism Act (Representative Braley (D-IA) and 37 cosponsors)

While the Administration shares the profound concern reflected in H.R. 5167 for U.S. national claimants, it strongly opposes the counterproductive provisions contained in the bill. H.R. 5167 would threaten the economic security, successful reconstruction, and political progress in Iraq that is critically important to bringing U.S. troops home. The bill would do so by effectively terminating the President's waiver of the application to Iraq of provisions of the National Defense Authorization Act for Fiscal Year 2008, P.L. 110-181, thereby removing Iraq's sovereign immunity and exposing it to potential new liability for billions of dollars in lawsuits seeking compensation for offenses committed by the former Saddam Hussein regime. If H.R. 5167 is presented to the President, he will veto it.

H.R. 5167 raises the same concerns that led the President to veto H.R. 1585 in December 2007. Section 1083 of the prior bill, H.R. 1585, risked imposing staggering liability upon Iraq by reinstating cases once dismissed from court, stripping Iraq of common litigation defenses, and exposing Iraq both to punitive damages and expansive pre-judgment liens. Following the President's veto of H.R. 1585, Congress and the Administration conferred and reached agreement on an amendment to the bill to authorize the President to waive application of section 1083 to Iraq. On January 28, 2008, the President exercised that waiver authority, ensuring that Iraq's economic and political progress could proceed – a common goal of both the Congress and the Administration.

The certification provisions of H.R. 5167 would not be effective to permit the President's existing waiver to continue. Iraq has, and continues to, provide payment for certain claims through the United Nations Compensation Commission — a circumstance that would preclude the first certification. Furthermore, even if the President could make the second certification, litigation to challenge the President's certification would almost certainly ensue, encumbering Iraq's assets and creating ongoing uncertainty and risk that would be intolerable to Iraq.

The mere risk of enactment of H.R. 5167 would almost certainly result in Iraq taking protective measures, including the precipitous withdrawal of all of its assets from the United States. This is not in the interest of either Iraq or the United States. In addition, this legislation is being considered at a critical time in U.S.-Iraqi relations and therefore must be viewed in light of ongoing negotiations over the scope of protections and authorities for U.S. troops that will apply following the anticipated termination of United Nations Security Council Resolution 1790 on December 31, 2008. H.R. 5167 sends a threatening message to the Iraqis that risks harming the negotiating environment.

The Administration remains committed to working with the Iraqis to ensure fair and just compensation for victims of Saddam-era terrorism. H.R. 5167 is not the way to accelerate that process, however. The proposed bill threatens extraordinary harm upon Iraq, risks damaging U.S. relations with Iraq, and would not assist American victims in receiving compensation. The Administration has, and will continue, discussing these issues with Iraq and the importance of its fairly compensating victims of Saddam-era atrocities.

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