

Withdrawn/Redacted Material

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Draft	[Letter] [1 PAGE RELEASED IN WHOLE ON PRA REVIEW 09/09/2025 JLS] - From: Nicholas Calio	1	06/2002	

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Kavanaugh, Brett - Subject Files

FOLDER TITLE:

Post-Announcement, Tom Ridge Testimony

FRC ID:

9802

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).

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- B. Closed by statute or by the agency which originated the document.
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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]
- 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.

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SUPERSEDED

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McNally

June __, 2002

Dear Chairman _____:

testify about

Thank you for your invitation to Governor Tom Ridge to provide testimony in support of [Bill number] in his ~~new~~ capacity as _____ [Secretary-designate of the Department of Homeland Security??]. As you know, the President announced on June __, 2002, that, in addition to his ongoing position as Homeland Security Advisor, Governor Ridge will also serve as _____ [Secretary-designate??]. In that capacity, Governor Ridge has been specifically assigned by the President to ~~promote~~ the enactment of the President's ~~landmark~~ legislation to create the Department of Homeland Security ~~before Congress and the American people~~.



Given this, and given the unprecedented attacks of last fall and the continuing threats we face, the President has ~~acted voluntarily to not only authorize but also to direct~~ Governor Ridge to appear before your Committee, ~~and to do so solely~~ in his capacity as _____ [Secretary-designate] and on the subject of the proposed new department and this legislation. As you know, even in his previous capacity, Governor Ridge was already available to you and Congress. In fact, in his position as Homeland Security Advisor, Governor Ridge has provided briefings to Members of Congress and their staffs throughout the past several months. The Governor remains available to continue this prior practice. However, in view of the new [office] [function] that the President has assigned to him, the Governor is now also authorized to appear before Congress on the subject of [bill number] in the kind of formal testimonial setting you have requested.

[Mr. Chairman, we believe that the President's decision to authorize Governor Ridge to testify in support of this historic initiative is ~~fully~~ consistent with the principle, upheld by this and earlier Administrations, that Congress cannot compel members of the President's staff to testify before the legislative branch. That principle is rooted in the Constitution's separation of powers, and remains asserted by the President. In other words, the principle remains applicable to White House advisors and staff, including the Chief of Staff, the Counsel, the National Security Advisor and other immediate advisors to the President. In relation to his current activities as Homeland Security Advisor, it also remains fully applicable to Governor Ridge.]

Thank you for your invitation. Like me, the President and the Governor look forward to working closely with you and your Committee on this critical piece of legislation.

Sincerely,

Nicholas E. Calio
Assistant to the President for Legislative Affairs