

Withdrawn/Redacted Material

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Email	Third Circulation [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/08/2025 JLS] - To: Brett Kavanaugh, et al. - From: James Jukes	2	09/16/2001	
002	Draft	Draft (September 16, 2001, at 6:15 P.M.) [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/08/2025 JLS]	1	09/16/2001	
003	Draft	Draft (September 16, 2001, at 1:15 P.M.) [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/08/2025 JLS]	1	09/16/2001	
004	Draft	Draft (September 16, 2001, at 7:00 P.M.) [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/08/2025 JLS]	1	09/16/2001	

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Kavanaugh, Brett - Subject Files

FOLDER TITLE:

Presidential Signing Statements Regarding Use of Force

FRC ID:

9804

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]
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- 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]
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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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006	Draft	Senate Joint Resolution 23... [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/08/2025 JLS]	1	N.D.	
007	Draft	Senate Joint Resolution 23... [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/08/2025 JLS]	1	N.D.	
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009	Draft	S.J. Res. 23 [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/08/2025 JLS]	1	09/14/2001	

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Records Not Subject to FOIA

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From: James J. Jukes on 09/16/2001 12:36:11 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc: Brett M. Kavanaugh/WHO/EOP@EOP, Harriet Miers/WHO/EOP@EOP

Subject: Third Circulation -- Draft signing statement for S.J.Res. 23 - Use of Force Authorization

This version, prepared by the Office of the Counsel to the President, reflects comments received within the last hour from Defense and State. Comments to me by 1:00, please. Thank you.

DRAFT (September 16, 2001, at 12:30 p.m.)

Today I am signing Senate Joint Resolution 23, the "Authorization for Use of Military Force."

On September 11, 2001, terrorists committed treacherous and horrific acts of violence against innocent Americans. Civilized nations and people around the world have expressed outrage at and unequivocally condemned these attacks. Those who plan, authorize, commit, or aid terrorist attacks -- and those who harbor or provide aid or comfort to such persons or organizations -- threaten the national security and foreign policy of the United States. It is therefore necessary and appropriate that the United States exercise its rights of self-defense and to protect United States citizens both at home and abroad.

In adopting this resolution in response to latest terrorist acts committed against the United States and the continuing threats to the United States and its citizens from terrorist activities, both Houses of Congress have acted wisely, decisively, and in the finest traditions of our country. I thank the leadership of both Houses for their role in passing this historic joint resolution. I have had the benefit of meaningful consultations with the Congress since the attacks of September 11, 2001, and I will continue to consult closely with the Congress.

In signing this resolution, I maintain the long-standing position of the executive branch regarding the President's constitutional authority to use force and to protect the security interests of the United States, and regarding the constitutionality of the War Powers Resolution. Senate Joint Resolution 23 recognizes the seriousness of the terrorist threat to our nation and the authority of the President under the Constitution to take action to deter and prevent acts of terrorism against the United States.

Our nation as a whole is unambiguously committed to responding directly, forcefully, and comprehensively to terrorist attacks and the scourge of terrorism against the United States.

GEORGE W. BUSH

The White House, September __, 2001

Message Sent To:

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bricks@osdgc.osd.mil @ inet
d'amatop@osdgc.osd.mil @ inet
statelrm@state.gov @ inet
rademachpr@state.gov @ inet
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George M. Andricos/NSC/EOP@EOP
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Jay P. Lefkowitz/OMB/EOP@EOP
Robin Cleveland/OMB/EOP@EOP
Sean C. O'Keefe/OMB/EOP@EOP
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David S. Addington/OVP/EOP@EOP
Eric C. Pelletier/OMB/EOP@EOP
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"o'brien, patrick" <patrick.o'brien2@usdoj.gov> (receipt notification requested) (ipm return requested) @ inet
"thorsen, carl" <carl.thorsen@usdoj.gov> (receipt notification requested) (ipm return requested) @ inet
"walter, sheryl l" <sheryl.l.walter@usdoj.gov> (receipt notification requested) (ipm return requested) @ inet
"yoo, john c" <john.c.yoo@usdoj.gov> (receipt notification requested) (ipm return requested) @ inet

Today I am signing Senate Joint Resolution 23, the "Authorization for Use of Military Force."

On September 11, 2001, terrorists committed treacherous and horrific acts of violence against innocent Americans and individuals from other countries. Civilized nations and people around the world have expressed outrage at, and have unequivocally condemned, these attacks. Those who plan, authorize, commit, or aid terrorist attacks against the United States – and those who harbor terrorists ~~them~~ – threaten the national security of the United States. It is therefore necessary and appropriate that the United States exercise its rights to defend itself and to protect United States citizens both at home and abroad.

In adopting this resolution in response to the latest terrorist acts committed against the United States and the continuing threats to the United States and its citizens from terrorist activities, both Houses of Congress have acted wisely, decisively, and in the finest traditions of our country. I thank the leadership of both Houses for their role in passing this historic joint resolution. I have had the benefit of meaningful consultations with the Congress since the attacks of September 11, 2001, and I will continue to consult closely with the Congress as our Nation responds to this threat to our peace and security.

DRAFT (September 16, 2001, at 1:15 p.m.)

Today I am signing Senate Joint Resolution 23, the "Authorization for Use of Military Force."

On September 11, 2001, terrorists committed treacherous and horrific acts of violence against innocent Americans. Civilized nations and people around the world have expressed outrage at and unequivocally condemned these attacks. Those who plan, authorize, commit, or aid terrorist attacks – and those who harbor such persons or organizations – threaten the national security of the United States. It is therefore necessary and appropriate that the United States exercise its rights of self-defense and to protect United States citizens both at home and abroad.

In adopting this resolution in response to the latest terrorist acts committed against the United States and the continuing threats to the United States and its citizens from terrorist activities, both Houses of Congress have acted wisely, decisively, and in the finest traditions of our country. I thank the leadership of both Houses for their role in passing this historic joint resolution. I have had the benefit of meaningful consultations with the Congress since the attacks of September 11, 2001, and I will continue to consult closely with the Congress as our Nation responds to this threat to our peace and security.

In signing this resolution, I maintain the long-standing position of the executive branch regarding the President's constitutional authority to use force, including the Armed Forces of the United States, and to protect the security interests of the United States, and regarding the constitutionality of the War Powers Resolution. Senate Joint Resolution 23 recognizes the seriousness of the terrorist threat to our nation and the authority of the President under the Constitution to take action to deter and prevent acts of terrorism against the United States.

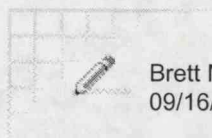
Our nation as a whole is unambiguously committed to responding directly, forcefully, and comprehensively to these terrorist attacks and the scourge of terrorism against the United States.

and its citizens
[STATE]

GEORGE W. BUSH

The White House, September __, 2001

Defense?



Brett M. Kavanaugh
09/16/2001 06:52:11 PM

Record Type: Record

To: James J. Jukes/OMB/EOP
cc:
bcc:
Subject: Re: Text of S.J.Res. 23

From: James J. Jukes on 09/15/2001 03:37:53 PM

1st Session

S. J. RES. 23

JOINT RESOLUTION

To authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

Whereas, on September 11, 2001, acts of treacherous violence were committed against the United States and its citizens; and

Whereas, such acts render it both necessary and appropriate that the United States exercise its rights to self-defense and to protect United States citizens both at home and abroad; and

Whereas, in light of the threat to the national security and foreign policy of the United States posed by these grave acts of violence; and

Whereas, such acts continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States; and

Whereas, the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the 'Authorization for Use of Military Force'.

SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) IN GENERAL- That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to

prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

(b) War Powers Resolution Requirements-

(1) SPECIFIC STATUTORY AUTHORIZATION- Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS- Nothing in this resolution supercedes any requirement of the War Powers Resolution.

Passed the Senate September 14, 2001.

Attest:

Secretary.

DRAFT (September 16, 2001, at 7:00 p.m.)

Today I am signing Senate Joint Resolution 23, the "Authorization for Use of Military Force."

On September 11, 2001, terrorists committed treacherous and horrific acts of violence against innocent Americans and individuals from other countries. Civilized nations and people around the world have expressed outrage at, and have unequivocally condemned, these attacks. Those who plan, authorize, commit, or aid terrorist attacks against the United States and its interests – and those who harbor terrorists – threaten the national security of the United States. It is therefore necessary and appropriate that the United States exercise its rights to defend itself and to protect United States citizens both at home and abroad.

In adopting this resolution in response to the latest terrorist acts committed against the United States and the continuing threats to the United States and its citizens from terrorist activities, both Houses of Congress have acted wisely, decisively, and in the finest traditions of our country. I thank the leadership of both Houses for their role in expeditiously passing this historic joint resolution. I have had the benefit of meaningful consultations with the Congress since the attacks of September 11, 2001, and I will continue to consult closely with the Congress as our Nation responds to this threat to our peace and security.

Senate Joint Resolution 23 recognizes the seriousness of the terrorist threat to our Nation and the authority of the President under the Constitution to take action to deter and prevent acts of terrorism against the United States. In signing this resolution, I maintain the longstanding position of the executive branch regarding the President's constitutional authority to use force, including the Armed Forces of the United States, and the executive branch's position regarding the constitutionality of the War Powers Resolution.

Our whole Nation is unambiguously committed to a direct, forceful, and comprehensive response to terrorism directed against the United States and its interests.

GEORGE W. BUSH

The White House, September __, 2001

DRAFT (September 16, 2001, at 6:15 p.m.)

Today I am signing Senate Joint Resolution 23, the "Authorization for Use of Military Force."

On September 11, 2001, terrorists committed treacherous and horrific acts of violence against innocent Americans and individuals from other countries. Civilized nations and people around the world have expressed outrage at, and have unequivocally condemned, these attacks. Those who plan, authorize, commit, or aid terrorist attacks against the United States and its ~~citizens~~ ^{interests} — and those who harbor terrorists — threaten the national security of the United States. It is therefore necessary and appropriate that the United States exercise its rights to defend itself and to protect United States citizens both at home and abroad.

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Our whole Nation is unambiguously committed to a direct, forceful, and comprehensive response to these terrorist attacks. To protect Americans and freedom-loving peoples around the world, we ~~vow to end the scourge of terrorism that has been~~ directed against the United States.

The White House, September __, 2001

GEORGE W. BUSH

pledge ourselves to
~~the struggle~~ fight
against

will
~~dedicate ourselves~~
~~dedicate ourselves~~
~~dedicate ourselves~~
[combat]

Senate Joint Resolution 23 recognizes the seriousness of the terrorist threat to our nation and the authority of the President under the Constitution to take action to deter and prevent acts of terrorism against the United States. In signing this resolution, I maintain ~~the long-standing position of the executive branch regarding the President's longstanding constitutional authority to use force, including the Armed Forces of the United States, and to protect the security interests of the United States, and the executive branch's position regarding the constitutionality of the War Powers Resolution.~~ ~~Senate Joint Resolution 23 recognizes the seriousness of the terrorist threat to our nation and the authority of the President under the Constitution to take action to deter and prevent acts of terrorism against the United States.~~

Our whole Nation ~~as a whole~~ is unambiguously committed to a direct, forceful, and comprehensive response ~~responding directly, forcefully, and comprehensively~~ to these terrorist attacks. We vow to end and the scourge of terrorism that has been directed against the United States to protect Americans and freedom-loving peoples around the world.

GEORGE W. BUSH

The White House, September __, 2001

Senate Joint Resolution 23 recognizes the seriousness of the terrorist threat to our nation and the authority of the President under the Constitution to take action to deter and prevent acts of terrorism against the United States. In signing this resolution, I maintain the executive branch's long-standing position regarding the President's long-standing constitutional authority to use force and ~~, including the Armed Forces of the United States, to protect the security interests of the United States, and the executive branch's position regarding the constitutionality of the War Powers Resolution.~~

Our whole Nation is unambiguously committed to a direct, forceful, and comprehensive response to these terrorist attacks. To protect Americans and freedom-loving peoples around the world, w~~We~~ vow to end the scourge of terrorism that has been directed against the United States ~~to protect Americans and freedom-loving peoples around the world.~~

GEORGE W. BUSH

The White House, September __, 2001

DRAFT (September 16, 2001, at 7:00 p.m.)

Today I am signing Senate Joint Resolution 23, the "Authorization for Use of Military Force."

On September 11, 2001, terrorists committed treacherous and horrific acts of violence against innocent Americans and individuals from other countries. Civilized nations and people around the world have expressed outrage at, and have unequivocally condemned, these attacks. Those who plan, authorize, commit, or aid terrorist attacks against the United States and its interests – including those who harbor terrorists – threaten the national security of the United States. It is therefore necessary and appropriate that the United States exercise its rights to defend itself and to protect United States citizens both at home and abroad.

In adopting this resolution in response to the latest terrorist acts committed against the United States and the continuing threats to the United States and its citizens from terrorist activities, both Houses of Congress have acted wisely, decisively, and in the finest traditions of our country. I thank the leadership of both Houses for their role in expeditiously passing this historic joint resolution. I have had the benefit of meaningful consultations with the Congress since the attacks of September 11, 2001, and I will continue to consult closely with the Congress as our Nation responds to this threat to our peace and security.

Senate Joint Resolution 23 recognizes the seriousness of the terrorist threat to our Nation and the authority of the President under the Constitution to take action to deter and prevent acts of terrorism against the United States. In signing this resolution, I maintain the longstanding position of the executive branch regarding the President's constitutional authority to use force, including the Armed Forces of the United States, and the executive branch's position regarding the constitutionality of the War Powers Resolution.

Our whole Nation is unambiguously committed to a direct, forceful, and comprehensive response to these terrorist attacks and the scourge of terrorism directed against the United States and its interests.

GEORGE W. BUSH

The White House, September __, 2001

S. J. Res. 23

~~DRAFT - DRAFT - DRAFT - DRAFT~~

Joint Resolution

To authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

Whereas, on September 11, 2001, acts of treacherous violence were committed against the United States and its citizens; and

Whereas, such acts render it both necessary and appropriate that the United States exercise its rights to self-defense and to protect United States citizens both at home and abroad, and

Whereas, in light of the threat to the national security and foreign policy of the United States posed by these grave acts of violence, and

Whereas, such acts continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States,

Whereas the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States.

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE

This joint resolution may be cited as the "Authorization for Use of Military Force"

SECTION 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES

(a) That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

(b) War Powers Resolution Requirements

(1) SPECIFIC STATUTORY AUTHORIZATION - Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS - Nothing in this resolution supercedes any requirement of the War Powers Resolution.

Post-it® Fax Note	7671	Date	9-14-01	# of pages	1
To	White House	From	Rep. Cloakroom		
Co./Depl.		Co.			
Phone #		Phone #			
Fax #	456-6468	Fax #			



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FROM: John Burnim X 57302
LEGISLATIVE REFERENCE DIV.

TO: Brett Kavanaugh

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COMMENT:

ACTION: FYI RESPOND BY:

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

January 14, 1991

STATEMENT BY THE PRESIDENT

Today I am signing H.J. Res. 77, the "Authorization for Use of Military Force Against Iraq Resolution." By passing H.J. Res. 77, the Congress of the United States has expressed its approval of the use of U.S. Armed Forces consistent with U.N. Security Council Resolution 678. I asked the Congress to support implementation of U.N. Security Council Resolution 678 because such action would send the clearest possible message to Saddam Hussein that he must withdraw from Kuwait without condition or delay. I am grateful to those of both political parties who joined in the expression of resolve embodied in this resolution. To all, I emphasize again my conviction that this resolution provides the best hope for peace.

The debate on H.J. Res. 77 reflects the profound strength of our constitutional democracy. In coming to grips with the issues at stake in the Gulf, both Houses of Congress acted in the finest traditions of our country. This resolution provides unmistakable support for the international community's determination that Iraq's ongoing aggression against, and occupation of, Kuwait shall not stand. As I made clear to congressional leaders at the outset, my request for congressional support did not, and my signing this resolution does not, constitute any change in the long-standing positions of the executive branch on either the President's constitutional authority to use the Armed Forces to defend vital U.S. interests or the constitutionality of the War Powers Resolution. I am pleased, however, that differences on these issues between the President and many in the Congress have not prevented us from uniting in a common objective. I have had the benefit of extensive and meaningful consultations with the Congress throughout this crisis, and I shall continue to consult closely with the Congress in the days ahead.

GEORGE BUSH

THE WHITE HOUSE,
January 14, 1991.

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