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Collection: Executive Clerk, Office of The

Series: Saunders, G. Timothy (Tim) – Bill Files

Folder Title: 09/22/2001 [H. R. 2926]

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Statement	[Draft re: H.R. 2926] - From: White House Office of the Press Secretary	1	09/22/2001	P5;
002	Statement	[Draft re: H.R. 2926] - From: White House Office of the Press Secretary	1	09/22/2001	P5;
003	Statement	[Draft re: H.R. 2926] - From: White House Office of the Press Secretary	1	09/22/2001	P5;
004	Memorandum	Enrolled Bill H.R. 2926 - Air Transportation Safety and System Stabilization Act - To: POTUS - From: Sean O'Keefe	1	09/22/2001	P5;
005	Memorandum	Enrolled Bill H.R. 2926 - Air Transportation Safety and System Stabilization Act - To: POTUS - From: Sean O'Keefe	5	09/22/2001	P5;

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09/22/2001 [H. R. 2926]

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 'his document was prepared on Friday, June 28, 2013

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
006	Message	Message to the Congress on Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism - To: Congress - From: POTUS	3	09/2001	P5;
007	Statement	Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism - From: Press Secretary	2	N.D.	P5;

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 This document was prepared on Friday, June 28, 2013

THE WHITE HOUSE
WASHINGTON

September 22, 2001

Mr. President:

Attached is a proposed statement by you in connection with your signing the Airlines Bill. I would appreciate your review of the statement, your approval of it, or comments on it.

Colonel Williams is available to relay to me your decision or comments.

Respectfully,

Harriet Miers

Harriet Miers

Signed 9/22

3:15 - 3:30 pm

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WASHINGTON

September 22, 2001

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

THE DEPUTY DIRECTOR

September 22, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2926 - Air Transportation Safety and System Stabilization Act
Sponsor - Rep. Young (R) Alaska

Last Day for Action

October 3, 2001 - Wednesday. The Department of Transportation has recommended informally that the bill be signed prior to the expiration of certain aviation insurance policies on Monday, September 24, 2001.

Purpose

(1) Provides for disaster relief to air carriers, in the form of grants and loan guarantees, in response to the terrorist attacks of September 11th; (2) facilitates aviation industry access to insurance and provides for prospective assumption by the Federal Government of certain liability of U.S. air carriers; (3) establishes administrative and judicial procedures for compensating victims of the terrorist acts of September 11th, and limits air carriers' liability for those events; (4) amends tax provisions relating to airlines.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval (Informally)
Department of the Treasury	Approval (Informally)
Department of Justice	No objection (Informally)

Discussion

H.R. 2926 is designed to stabilize the air transportation industry and provide compensation to the victims of the terrorist attacks of September 11th. The most significant provisions of the bill are described below.

Disaster Relief for U.S. Air Carriers

H.R. 2926 would require the President to provide grants of $5 billion, and issue Federal credit instruments of up to $10 billion, to air carriers.

Grants. The grants required by the bill are intended to compensate air carriers for direct losses resulting from the September 11th order by the Secretary of Transportation to ground all aircraft, and any similar orders that may be issued in the future. They are also designed to compensate air carriers for any incremental losses between September 11th and December 31st resulting from terrorist attacks. Grants of $5 billion would be allocated to carriers as follows. A grant could not exceed the lesser of a carrier's actual losses, or:

- in the case of passenger (or combined passenger-cargo) transportation, the carrier's share of $4.5 billion, based on its percentage of "available seat miles" during August 2001.

- in the case of cargo transportation, the carrier's share of $500 million, based on its percentage of total "revenue ton miles" (or other auditable measure of cargo) for the latest quarter for which information is available to the Department of Transportation.

Guaranteed Credit. Loans or other credit instruments guaranteed under H.R. 2926 would be subject to any conditions the President deems necessary. Air carriers receiving such credit would also be required to adhere to specified limitations on the salary and severance pay of officers or employees whose total compensation exceeded $300,000 in 2000. The Federal Government would be required to provide the "subsidy amounts" required under the Federal Credit Reform Act of 1990 to cover the costs of these loan guarantees.

The enrolled bill would establish an Air Transportation Stabilization Board to review and approve applications for guaranteed loans. The Board would be chaired by the Chairman of the Board of Governors of the Federal Reserve System (or his designee). The other voting members would be the Secretaries of Transportation and the Treasury, or their designees. The Comptroller General of the United States (or his designee) would be a non-voting member.

Guaranteed loans would not be allocated among air carriers by formula, but would be based on the decisions of the Board. The Office of Management and Budget would be required to issue regulations governing this credit program within 14 days of enactment. The enrolled bill requires the Board, to the extent feasible and practical, to "ensure that the Government is compensated for the risk assumed in making guarantees" under the bill.

The Board is authorized to enter into contracts under which the Government would share in future gains of air carriers receiving loan guarantees. This would take the form of the use of such instruments as warrants, stock options, common or preferred stock, or other appropriate equity instruments. It is expected that the OMB regulations will establish procedures for the use of this authority and its potential applicability for the issuance of grants.

Safety. The enrolled bill states that "Congress affirms the President's decision to spend $3,000,000,000 on airline safety and security . . . to restore public confidence in the airline industry."

Aviation Insurance

H.R. 2926 expands the Transportation Department's aviation insurance program, known as the "war risk" program, to allow the Department to provide coverage with respect to domestic flights. Under current law, coverage may be provided only with respect to flights outside the United States.

The enrolled bill would authorize the Secretary of Transportation to reimburse U.S. air carriers for increases in insurance costs involving coverage ending before October 1, 2002, and to prescribe any requirements for such reimbursements that the Secretary deems appropriate, for a period of up to 180 days following enactment.

Regarding acts of terrorism occurring within 180 days of the enrolled bill's enactment, the Secretary would also be authorized to certify that air carriers were the victims of terrorists. Where the Secretary issues such a certification, an air carrier would not be liable for damages to third parties resulting from the terrorist act which exceed a total of $100 million, and no punitive damages could be assessed against the carrier for claims arising from the terrorist act. The Federal Government would assume responsibility for any liability in excess of $100 million.

Victim Compensation Procedures

The enrolled bill establishes administrative and judicial procedures for the disposition of claims associated with the September 11th attacks.

Administrative Determinations. The enrolled bill would establish a program to evaluate claims by victims of the terrorist acts of September 11th for compensation. To be eligible to file a claim, an individual would have to have been: (1) present at the World Trade Center, the Pentagon, or the site of the aircraft crash at Shanksville, Pennsylvania, during or in the immediate aftermath of the terrorist attacks; (2) a passenger or member of the flight crew of one of the four flights seized by terrorists; or (3) the personal representative of a deceased member of one of the first two groups.

Compensation claims would be evaluated under the supervision of a Special Master appointed by the Attorney General, who would determine the amounts of compensation owed to each eligible victim. The claims may include all economic losses allowable under state law and all non-economic losses. Payments would be offset by related compensation from life insurance, death benefits, and other government programs, but the enrolled bill prescribes no "caps" for either total compensation or the amounts of compensation which may be awarded to any individual. Persons submitting claims under this procedure would be required to waive the right to be parties in any civil action for damages resulting from the terrorist-related aircraft crashes of September 11, 2001.

The enrolled bill would specifically provide "budget authority in advance of appropriations Acts", to assure payment of all compensation ordered by the Special Master. This effectively commits the Government to pay the claims. The Attorney General would also be authorized to accept private donations to support the payment of claims to victims. The Attorney General would be required to issue regulations governing the program within 90 days of enactment.

Civil Suits. The enrolled bill would provide that all claims resulting from the terrorist hijackings and terrorist related crashes of September 11th shall be Federal causes of action, and that Federal suits shall be the exclusive civil remedy for claims arising from the hijackings and subsequent crashes. The U.S. District Court for the Southern District of New York would have exclusive jurisdiction over all such claims.

The enrolled bill would provide that no air carrier's total liability for claims resulting from the terrorist-related aircraft crashes of September 11th, whether for compensatory or punitive damages, shall be greater than the limits of the carrier's liability coverage. However, it specifies that nothing in the bill is intended to limit the liability of any person who was a knowing participant in a conspiracy to hijack aircraft or commit other terrorist acts.

Tax Provisions

H.R. 2926 would permit air carriers to pay excise taxes due between September 10, 2001, and November 15, 2001 on any date up to November 15th without penalty. The Secretary of the Treasury may, at his option, further extend this date to a date no later than January 15, 2002.

Any grants received by an air carrier pursuant to the enrolled bill would be considered part of the carrier's gross income.

Pay-As-You-Go Scoring

With respect to the disaster relief (grant and loan guarantee) provisions of H.R. 2926, the enrolled bill contains a congressional emergency designation, which has the practical effect of exempting these costs from certain "pay-as-you-go" requirements of the Budget Enforcement Act. The enrolled bill conditions the availability of funding for grants and loan guarantees on a Presidential request to Congress that also includes an emergency designation.

The congressional emergency designation does not apply to the costs of the bill's insurance and claims provisions. This Office is developing an estimate of the enrolled bill's pay-as-you-go costs which may arise as a consequence of the limitations of this provision.

Conclusion and Recommendations

We join the Departments of Transportation and the Treasury in recommending that you approve H.R. 2926, which passed the House by a vote of 356-54 and the Senate by 96-1.

Sean O'Keefe
Deputy Director

DRAFT

THE WHITE HOUSE

WASHINGTON

THE WHITE HOUSE

Office of the Press Secretary

September 22, 2001

STATEMENT OF THE PRESIDENT

Today I signed the Airline Transportation and Systems Stabilization Act, which will provide urgently needed tools to assure the safety and immediate stability of our Nation's commercial airline system. This important legislation also establishes a process for compensating victims of the terrorist attacks.

The terrorists who attacked our country on September 11th will not shut down our vital businesses or thwart our way of life. I commend the Congress for their cooperation and quick action in passing responsible legislation that will improve passenger safety, help the victims and their loved ones, and keep America's airplanes flying while the airlines develop long-term viability plans.

###

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H. R. 2926

One Hundred Seventh Congress of the United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Wednesday, the third day of January, two thousand and one

An Act

To preserve the continued viability of the United States air transportation system.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Air Transportation Safety and System Stabilization Act".

TITLE I—AIRLINE STABILIZATION

SEC. 101. AVIATION DISASTER RELIEF.

(a) IN GENERAL.—Notwithstanding any other provision of law, the President shall take the following actions to compensate air carriers for losses incurred by the air carriers as a result of the terrorist attacks on the United States that occurred on September 11, 2001:

(1) Subject to such terms and conditions as the President deems necessary, issue Federal credit instruments to air carriers that do not, in the aggregate, exceed $10,000,000,000 and provide the subsidy amounts necessary for such instruments in accordance with the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) Compensate air carriers in an aggregate amount equal to $5,000,000,000 for—

(A) direct losses incurred beginning on September 11, 2001, by air carriers as a result of any Federal ground stop order issued by the Secretary of Transportation or any subsequent order which continues or renews such a stoppage; and

(B) the incremental losses incurred beginning September 11, 2001, and ending December 31, 2001, by air carriers as a direct result of such attacks.

(b) EMERGENCY DESIGNATION.—Congress designates the amount of new budget authority and outlays in all fiscal years resulting from this title as an emergency requirement pursuant to section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(e)). Such amount shall be available only to the extent that a request, that includes designation of such amount as an emergency requirement as defined in such Act, is transmitted by the President to Congress.

made by this Act) and the application thereof to other persons or circumstances shall not be affected thereby.

Speaker of the House of Representatives.

~~*Vice President of the United States and*~~
President of the Senate. pro tempore

One Hundred Seventh Congress of the United States of America

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~~*Vice President of the United States and*~~
President of the Senate. pro tempore

APPROVED
SEP 2 2 2001

'01 SEP 25 AM9:16

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Route Slip

To: Carol Cleveland	Take necessary action	X
Staff Secretary's Office	Approval or signature	
Ground Floor/West Wing/WH	Comment	
	Prepare reply	
	Discuss with me	
	For your information	
	See remarks below	
From: Dianne Wells, LRD	Date: 9/24/01	

Remarks:

FOR YOUR RECORDS -- attached is the Department of Jutice's views letter on:

Enrolled Bill H.R. 2926 - Air Transportation Safety and System Stabilization Act

U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

September 22, 2001

The Honorable Mitchell E. Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

In compliance with your request, the Department of Justice has examined a copy of enrolled bill H.R. 2926, the "Air Transportation Safety and System Stabilization Act." This bill would preserve the continued viability of the United States air transportation system. Title IV provides for compensation to victims.

The Department of Justice has no objection to Executive approval of this enrolled bill, and recommends that the President sign it.

Sincerely,

Daniel J. Bryant
Assistant Attorney General

Rachael L. Sunbarger 09/22/2001 03:42 PM

Record Type: Record

To:

cc:

Subject: STATEMENT BY THE PRESIDENT

THE WHITE HOUSE

Office of the Press Secretary

FOR IMMEDIATE RELEASE September 22, 2001

STATEMENT BY THE PRESIDENT

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The terrorists who attacked our country on September 11th will not shut down our vital businesses or thwart our way of life. I commend the Congress for their cooperation and quick action in passing responsible legislation that will improve passenger safety, help the victims and their loved ones, and keep America's airplanes flying while the airlines develop long-term viability plans.

###

Document No. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: September 22, 2001 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP--URGENT

Subject: Enrolled Bill H.R. 2926

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓	☐	HUBBARD ok	✓	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	✓	☐	JOHNSON	✓	☐
ROVE	✓	☐	LINDSEY ok	✓	☐
BOLTEN comment	✓	☐	SPELLINGS	✓	☐
HAGIN	☐	☐	MIERS	☐	✓
DANIELS	✓	☐	RICE	✓	☐
BLAKEMAN	☐	☐	CONNAUGHTON	✓	☐
CALIO	✓	☐	~~CHIULIO~~	☐	☐
FLEISCHER	☐	✓	GERSON	☐	☐
GONZALES ok by phone	✓	☐	CLERK	☐	☐
HAWKINS	✓	☐	______________	☐	☐

REMARKS:
Please let the Staff Secretary's office have your comments asap. Ext. 62702.

RESPONSE: Airlines →
Ok: Lindsey

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

September 22, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2926 - Air Transportation Safety and System Stabilization Act
Sponsor - Rep. Young (R) Alaska

Last Day for Action

October 3, 2001 - Wednesday. The Department of Transportation has recommended informally that the bill be signed prior to the expiration of certain aviation insurance policies on Monday, September 24, 2001.

Purpose

(1) Provides for disaster relief to air carriers, in the form of grants and loan guarantees, in response to the terrorist attacks of September 11th; (2) facilitates aviation industry access to insurance and provides for assumption by the Federal Government of certain liability of U.S. air carriers for the events of September 11th; (3) establishes administrative and judicial procedures for compensating victims of the terrorist acts of September 11th; (4) amends tax provisions relating to airlines.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval (Informally)
Department of the Treasury	Approval (Informally)
Department of Justice	No objection and No Need for Signing Statement

Discussion

H.R. 2926 is designed to stabilize the air transportation industry and provide compensation to the victims of the terrorist attacks of September 11th. The most significant provisions of the bill are described below.

Disaster Relief for U.S. Air Carriers

H.R. 2926 would require the President to provide grants of $5 billion, and issue Federal credit instruments of up to $10 billion, to air carriers.

Grants. The grants required by the bill are intended to compensate air carriers for direct losses resulting from the September 11th order by the Secretary of Transportation to ground all aircraft, and any similar orders that may be issued in the future. They are also designed to compensate air carriers for any incremental losses between September 11th and December 31st resulting from terrorist attacks. Grants of $5 billion would be allocated to carriers as follows. A grant could not exceed the lesser of a carrier's actual losses, or:

– in the case of passenger (or combined passenger-cargo) transportation, the carrier's share of $4.5 billion, based on its percentage of "available seat miles" during August 2001.

– in the case of cargo transportation, the carrier's share of $500 million, based on its percentage of total "revenue ton miles" (or other auditable measure of cargo) for the latest quarter for which information is available to the Department of Transportation.

Guaranteed Credit. Loans or other credit instruments guaranteed under H.R. 2926 would be subject to any conditions the President deems necessary. Air carriers receiving such credit would also be required to adhere to specified limitations on the salary and severance pay of officers or employees whose total compensation exceeded $300,000 in 2000. The Federal Government would be required to provide the "subsidy amounts" required under the Federal Credit Reform Act of 1990 to cover the costs of these loan guarantees.

The enrolled bill would establish an Air Transportation Stabilization Board to review and approve applications for guaranteed loans. The Board would be chaired by the Chairman of the Board of Governors of the Federal Reserve System (or his designee). The other voting members would be the Secretaries of Transportation and the Treasury, or their designees. The Comptroller General of the United States (or his designee) would be a non-voting member.

Guaranteed loans would not be allocated among air carriers by formula, but would be based on the decisions of the Board. The Office of Management and Budget would be required to issue regulations governing this credit program within 14 days of enactment. The enrolled bill requires the Board, to the extent feasible and practical, to "ensure that the Government is compensated for the risk assumed in making guarantees" under the bill. The Board is authorized to enter into contracts under which the Government would share in future gains of air carriers receiving loan guarantees.

Safety. The enrolled bill states that "Congress affirms the President's decision to spend $3,000,000,000 on airline safety and security . . . to restore public confidence in the airline industry."

Aviation Insurance

H.R. 2926 expands the Transportation Department's aviation insurance program, known as the "war risk" program, to allow the Department to provide coverage with respect to domestic flights. Under current law, coverage may be provided only with respect to flights outside the United States.

The enrolled bill would authorize the Secretary of Transportation to reimburse U.S. air carriers for increases in insurance costs involving coverage ending before October 1, 2002, and to prescribe any requirements for such reimbursements that the Secretary deems appropriate, for a period of up to 180 days following enactment.

Regarding acts of terrorism occurring within 180 days of the enrolled bill's enactment, the Secretary would also be authorized to certify that air carriers were the victims of terrorists. Where the Secretary issues such a certification, an air carrier would not be liable for damages to third parties resulting from the terrorist act which exceed a total of $100 million, and no punitive damages could be assessed against the carrier for claims arising from the terrorist act. The Federal Government would assume responsibility for any liability in excess of $100 million.

Victim Compensation Procedures

The enrolled bill establishes administrative and judicial procedures for the disposition of claims associated with the September 11th attacks.

Administrative Determinations. The enrolled bill would establish a program to evaluate claims by victims of the terrorist acts of September 11th for compensation. To be eligible to file a claim, an individual would have to have been: (1) present at the World Trade Center, the Pentagon, or the site of the aircraft crash at Shanksville, Pennsylvania, during or in the immediate aftermath of the terrorist attacks; (2) a passenger or member of the flight crew of one of the four flights seized by terrorists; or (3) the personal representative of a deceased member of one of the first two groups.

Compensation claims would be evaluated under the supervision of a Special Master appointed by the Attorney General, who would determine the amounts of compensation owed to each eligible victim. The claims may include all economic losses allowable under state law and all non-economic losses. Payments would be offset by related compensation from life insurance, death benefits, and other government programs, but the enrolled bill prescribes no "caps" for either total compensation or the amounts of compensation which may be awarded to any individual. Persons submitting claims under

this procedure would be required to waive the right to be parties in any civil action for damages resulting from the terrorist-related aircraft crashes of September 11, 2001.

The enrolled bill would specifically provide "budget authority in advance of appropriations Acts", to assure payment of all compensation ordered by the Special Master. This effectively commits the Government to pay the claims. The Attorney General would also be authorized to accept private donations to support the payment of claims to victims. The Attorney General would be required to issue regulations governing the program within 90 days of enactment.

Civil Suits. The enrolled bill would provide that all claims resulting from the terrorist hijackings and terrorist related crashes of September 11th shall be Federal causes of action, and that Federal suits shall be the exclusive civil remedy for claims arising from the hijackings and subsequent crashes. The U.S. District Court for the Southern District of New York would have exclusive jurisdiction over all such claims.

The enrolled bill would provide that no air carrier's total liability for claims resulting from the terrorist-related aircraft crashes of September 11th, whether for compensatory or punitive damages, shall be greater than the limits of the carrier's liability coverage. However, it specifies that nothing in the bill is intended to limit the liability of any person who was a knowing participant in a conspiracy to hijack aircraft or commit other terrorist acts.

Tax Provisions

H.R. 2926 would permit air carriers to pay excise taxes due between September 10, 2001, and November 15, 2001 on any date up to November 15th without penalty. The Secretary of the Treasury may, at his option, further extend this date to a date no later than January 15, 2002.

Any grants received by an air carrier pursuant to the enrolled bill would be considered part of the carrier's gross income.

Pay-As-You-Go Scoring

With respect to the disaster relief (grant and loan guarantee) provisions of H.R. 2926, the enrolled bill contains a congressional emergency designation, which has the practical effect of exempting these costs from certain "pay-as-you-go" requirements of the Budget Enforcement Act. The enrolled bill conditions the availability of funding for grants and loan guarantees on a Presidential request to Congress that also includes an emergency designation.

The congressional emergency designation does not apply to the costs of the bill's insurance and claims provisions. These costs are not included in the previously-enacted

$40 billion disaster relief package, and they are subject to pay-as-you-go procedures. This Office is developing an estimate of the enrolled bill's pay-as-you-go costs.

Conclusion and Recommendations

We join the Departments of Transportation and the Treasury in recommending that you approve H.R. 2926, which passed the House by a vote of 356-54 and the Senate by 96-1.

Sean O'Keefe
Deputy Director

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

THE DEPUTY DIRECTOR

September 22, 2001

MEMORANDUM FOR THE PRESID

SUBJECT: Enrolled Bill
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Sponsor - Rep

Last Day for Action

October 3, 2001 - Wedı
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Front Page needs Decision

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Office of Management and Budget	Approval
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EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

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Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: September 22, 2001 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP--URGENT

Subject: Enrolled Bill H.R. 2926

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	[x]	[ ]	HUBBARD	[x]	[ ]
CARD	[ ]	[ ]	IRASTORZA	[ ]	[ ]
HUGHES	[x]	[ ]	JOHNSON	[ ]	[ ]
ROVE	[x]	[ ]	LINDSEY	[x]	[ ]
BOLTEN	[x]	[ ]	SPELLINGS	[x]	[ ]
HAGIN	[ ]	[ ]	MIERS	[ ]	[x]
DANIELS	[x]	[ ]	RICE	[x]	[ ]
BLAKEMAN	[ ]	[ ]	CONNAUGHTON	[x]	[ ]
CALIO	[x]	[ ]	~~DIIULIO~~	[ ]	[ ]
FLEISCHER	[ ]	[x]	GERSON	[ ]	[ ]
GONZALES	[x]		CLERK		
HAWKINS	[x]				

'01 SEP 24 AM 9:01

H.R. 2926

OMB Summary

REMARKS:
Please let the Staff Secretary's office have your comments asap.

RESPONSE:
Legislative Affairs - on - Hand

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

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Sean O'Keefe
Deputy Director

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*** TX REPORT ***
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TRANSMISSION OK

TX/RX NO	0142
CONNECTION TEL	51005
CONNECTION ID	
ST. TIME	09/22 13:13
USAGE T	02'38
PGS. SENT	6
RESULT	OK

Document No. ______

WHITE HOUSE STAFFING MEMORANDUM

Date: September 22, 2001 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP--URGENT

Subject: Enrolled Bill H.R. 2926

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☑	☐	JOHNSON	☐	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	SPELLINGS	☑	☐
HAGIN	☐	☐	MIERS	☐	☑
DANIELS	☑	☐	RICE	☑	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☑	☐
CALIO	☑	☐	~~DIIULIO~~	☐	☐
FLEISCHER	☐	☑	GERSON	☐	☐
GONZALES	☑	☐	CLERK	☐	☐
HAWKINS	☑	☐	______	☐	☐

REMARKS:
Please let the Staff Secretary's office have your comments asap. Ext. 62702.

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***   TX REPORT   ***
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TRANSMISSION OK

TX/RX NO	0143
CONNECTION TEL	66212
CONNECTION ID	
ST. TIME	09/22 13:16
USAGE T	02'40
PGS. SENT	6
RESULT	OK

Document No. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: September 22, 2001 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP--URGENT

Subject: Enrolled Bill H.R. 2926

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓	☐	HUBBARD	✓	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	✓	☐	JOHNSON	☐	☐
ROVE	✓	☐	LINDSEY	✓	☐
BOLTEN	✓	☐	SPELLINGS	✓	☐
HAGIN	☐	☐	MIERS	☐	✓
DANIELS	✓	☐	RICE	✓	☐
BLAKEMAN	☐	☐	CONNAUGHTON	✓	☐
CALIO	✓	☐	~~DIIULIO~~	☐	☐
FLEISCHER	☐	✓	GERSON	☐	☐
GONZALES	✓	☐	CLERK	☐	☐
HAWKINS	✓	☐	______________	☐	☐

REMARKS:
Please let the Staff Secretary's office have your comments asap. Ext. 62702.

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*** ERROR TX REPORT ***
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TX FUNCTION WAS NOT COMPLETED

TX/RX NO	0140	
CONNECTION TEL		62710
CONNECTION ID		
ST. TIME	09/22 13:19	
USAGE T	00'00	
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RESULT	NG	#018

Document No. __________

WHITE HOUSE STAFFING MEMORANDUM

Date: September 22, 2001 ACTION / CONCERNENCE / COMMENT DUE BY: ASAP--URGENT

Subject: Enrolled Bill H.R. 2926

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☑	☐	JOHNSON	☐	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	SPELLINGS	☑	☐
HAGIN	☐	☐	MIERS	☐	☑
DANIELS	☑	☐	RICE	☑	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☑	☐
CALIO	☑	☐	~~DIIULIO~~	☐	☐
FLEISCHER	☐	☑	GERSON	☐	☐
GONZALES	☑	☐	CLERK	☐	☐
HAWKINS	☑	☐	________	☐	☐

REMARKS:
Please let the Staff Secretary's office have your comments asap. Ext. 62702.

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*** TX REPORT ***
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TRANSMISSION OK

TX/RX NO	0145
CONNECTION TEL	51005
CONNECTION ID	
ST. TIME	09/22 13:34
USAGE T	01'18
PGS. SENT	3
RESULT	OK

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

Date: September 22, 2001 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP--URGENT

Subject: Memo from the Secretary of Transportaiton re Aviation Insurance Coverage

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☑	☐	JOHNSON	☐	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	SPELLINGS	☑	☐
HAGIN	☐	☐	MIERS	☐	☐
DANIELS	☑	☐	RICE	☑	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☑	☐
CALIO	☑	☐	DIIULIO	☐	☐
FLEISCHER	☐	☑	GERSON	☐	☐
GONZALES	☑	☐	CLERK	☐	☐
HAWKINS	☑	☐	____________	☐	☐

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CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☑	☐	JOHNSON	☐	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOL~~TEN~~	☑	☐	SPELLINGS	☑	☐
HAGIN	☐	☐	MIERS	☐	☑
DANIELS	☑	☐	RICE	☑	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☑	☐
CALIO	☑	☐	~~DIIULIO~~	☐	☐
FLEISCHER	☐	☑	GERSON	☐	☐
GONZALES	☑	☐	CLERK	☐	☐
HAWKINS	☑	☐	____________	☐	☐

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see comment

RESPONSE:

Harriet E. Miers
Assistant to the President
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Ext. 62702

Withdrawal Marker
The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Enrolled Bill H.R. 2926 - Air Transportation Safety and System Stabilization Act - To: POTUS - From: Sean O'Keefe	1	09/22/2001	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:
Executive Clerk, Office Of the
SERIES:
Saunders, G. Timothy (Tim) - Bill Files
FOLDER TITLE:
09/22/2001 [H. R. 2926]
FRC ID:
779
OA Num.:
730
NARA Num.:
1456

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]

This Document was withdrawn on 5/15/2013 by AW

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The enrolled bill would establish an Air Transportation Stabilization Board to review and approve applications for guaranteed loans. The Board would be chaired by the Chairman of the Board of Governors of the Federal Reserve System (or his designee). The other voting members would be the Secretaries of Transportation and the Treasury, or their designees. The Comptroller General of the United States (or his designee) would be a non-voting member.

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Regarding acts of terrorism occurring within 180 days of the enrolled bill's enactment, the Secretary would also be authorized to certify that air carriers were the victims of terrorists. Where the Secretary issues such a certification, an air carrier would not be liable for damages to third parties resulting from the terrorist act which exceed a total of $100 million, and no punitive damages could be assessed against the carrier for claims arising from the terrorist act. The Federal Government would assume responsibility for any liability in excess of $100 million.

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Compensation claims would be evaluated under the supervision of a Special Master appointed by the Attorney General, who would determine the amounts of compensation owed to each eligible victim. The claims may include all economic losses allowable under state law and all non-economic losses. Payments would be offset by related compensation from life insurance, death benefits, and other government programs, but the enrolled bill prescribes no "caps" for either total compensation or the amounts of compensation which may be awarded to any individual. Persons submitting claims under

this procedure would be required to waive the right to be parties in any civil action for damages resulting from the terrorist-related aircraft crashes of September 11, 2001.

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Any grants received by an air carrier pursuant to the enrolled bill would be considered part of the carrier's gross income.

Pay-As-You-Go Scoring

With respect to the disaster relief (grant and loan guarantee) provisions of H.R. 2926, the enrolled bill contains a congressional emergency designation, which has the practical effect of exempting these costs from certain "pay-as-you-go" requirements of the Budget Enforcement Act. The enrolled bill conditions the availability of funding for grants and loan guarantees on a Presidential request to Congress that also includes an emergency designation.

The congressional emergency designation does not apply to the costs of the bill's insurance and claims provisions. These costs are not included in the previously-enacted

$40 billion disaster relief package, and they are subject to pay-as-you-go procedures. This Office is developing an estimate of the enrolled bill's pay-as-you-go costs.

<u>Conclusion and Recommendations</u>

We join the Departments of Transportation and the Treasury in recommending that you approve H.R. 2926, which passed the House by a vote of 356-54 and the Senate by 96-1.

Sean O'Keefe
Deputy Director

Document No. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: September 22, 2001 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP--URGENT

Subject: Enrolled Bill H.R. 2926

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☑	☐	HUBBARD	☑	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☑	☐	JOHNSON	☐	☐
ROVE	☑	☐	LINDSEY	☑	☐
BOLTEN	☑	☐	SPELLINGS	☑	☐
HAGIN	☐	☐	MIERS	☐	☑
DANIELS	☑	☐	RICE	☑	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☑	☐
CALIO	☑	☐	~~DIIULIO~~	☐	☐
FLEISCHER	☐	☑	GERSON	☐	☐
GONZALES	☑	☐	CLERK	☐	☐
HAWKINS	☑	☐	______________	☐	☐

REMARKS:

Please let the Staff Secretary's office have your comments asap. Ext. 62702.

RESPONSE:

Approve.
Brett Kavanaugh
6-7984
Counsel's Office

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

September 22, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2926 - Air Transportation Safety and System Stabilization Act
Sponsor - Rep. Young (R) Alaska

Last Day for Action

October 3, 2001 - Wednesday. The Department of Transportation has recommended informally that the bill be signed prior to the expiration of certain aviation insurance policies on Monday, September 24, 2001.

Purpose

(1) Provides for disaster relief to air carriers, in the form of grants and loan guarantees, in response to the terrorist attacks of September 11th; (2) facilitates aviation industry access to insurance and provides for assumption by the Federal Government of certain liability of U.S. air carriers for the events of September 11th; (3) establishes administrative and judicial procedures for compensating victims of the terrorist acts of September 11th; (4) amends tax provisions relating to airlines.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval (Informally)
Department of the Treasury	Approval (Informally)
Department of Justice	No objection and No Need for Signing Statement

Discussion

H.R. 2926 is designed to stabilize the air transportation industry and provide compensation to the victims of the terrorist attacks of September 11th. The most significant provisions of the bill are described below.

Disaster Relief for U.S. Air Carriers

H.R. 2926 would require the President to provide grants of $5 billion, and issue Federal credit instruments of up to $10 billion, to air carriers.

Grants. The grants required by the bill are intended to compensate air carriers for direct losses resulting from the September 11th order by the Secretary of Transportation to ground all aircraft, and any similar orders that may be issued in the future. They are also designed to compensate air carriers for any incremental losses between September 11th and December 31st resulting from terrorist attacks. Grants of $5 billion would be allocated to carriers as follows. A grant could not exceed the lesser of a carrier's actual losses, or:

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- in the case of cargo transportation, the carrier's share of $500 million, based on its percentage of total "revenue ton miles" (or other auditable measure of cargo) for the latest quarter for which information is available to the Department of Transportation.

Guaranteed Credit. Loans or other credit instruments guaranteed under H.R. 2926 would be subject to any conditions the President deems necessary. Air carriers receiving such credit would also be required to adhere to specified limitations on the salary and severance pay of officers or employees whose total compensation exceeded $300,000 in 2000. The Federal Government would be required to provide the "subsidy amounts" required under the Federal Credit Reform Act of 1990 to cover the costs of these loan guarantees.

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Deputy Director

Document No. ______________

WHITE HOUSE STAFFING MEMORANDUM

Date: September 22, 2001 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP--URGENT

Subject: Enrolled Bill H.R. 2926

'01 SEP 24 AM 10:27

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓	☐	HUBBARD	✓	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	✓	☐	JOHNSON	☐	☐
ROVE	✓	☐	LINDSEY	✓	☐
BOLTEN	✓	☐	SPELLINGS	✓	☐
HAGIN	☐	☐	MIERS	☐	✓
DANIELS	✓	☐	RICE	✓	☐
BLAKEMAN	☐	☐	CONNAUGHTON	✓	☐
CALIO	✓	☐	~~DIULIO~~	☐	☐
FLEISCHER	☐	✓	GERSON	☐	☐
GONZALES	✓	☐	CLERK	☐	☐
HAWKINS	✓	☐	______________	☐	☐

REMARKS:
Please let the Staff Secretary's office have your comments asap. Ext. 62702.

OK

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

September 22, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2926 - Air Transportation Safety and System Stabilization Act
Sponsor - Rep. Young (R) Alaska

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Sean O'Keefe
Deputy Director

Withdrawal Marker
The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Enrolled Bill H.R. 2926 - Air Transportation Safety and System Stabilization Act - To: POTUS - From: Sean O'Keefe	5	09/22/2001	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:
Executive Clerk, Office Of the
SERIES:
Saunders, G. Timothy (Tim) - Bill Files
FOLDER TITLE:
09/22/2001 [H. R. 2926]
FRC ID:
779
OA Num.:
730
NARA Num.:
1456

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]

This Document was withdrawn on 5/15/2013 by AW

Executive Order

Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism

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By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*)("IEEPA"), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c) ("UNPA"), and section 301 of title 3, United States Code, and in view of United Nations Security Council Resolution ("UNSCR")1214 of December 8, 1998, UNSCR 1267 of October 15, 1999, UNSCR 1333 of December 19, 2000, and the multilateral sanctions contained therein, and UNSCR 1363 of July 30, 2001, establishing a mechanism to monitor the implementation of UNSCR 1333,

I, GEORGE W. BUSH, President of the United States of America, find that grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks in New York, Pennsylvania, and the Pentagon committed on September 11, 2001, acts recognized and condemned in UNSCR 1368 of September 12, 2001 and UNSCR 1269 of October 19, 1999, and the continuing and immediate threat of further attacks on United States nationals or the United States constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and in furtherance of my proclamation of September 14, 2001, Declaration of National Emergency by Reason of Certain Terrorist Attacks, hereby declare a national emergency to deal with that threat. I also find that because of the pervasiveness and expansiveness of the financial foundation of foreign terrorists, financial sanctions may be appropriate for those foreign persons that support or otherwise associate with these foreign terrorists. I also find that a need exists for further consultation and cooperation with, and sharing of information by, United States and foreign financial institutions as an additional tool to enable the United States to combat terrorist financing.

I hereby order:

Section 1. Except to the extent required by section 203(b) of IEEPA (50 U.S.C. 1702(b)), or provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date, all property and interests in property of the following persons that are in the United States or that hereafter come within the United States, or that hereafter come within the possession or control of United States persons are blocked:

(a) foreign persons listed in the Annex to this order **[this annex to be determined in a process coordinated by the NSC with input from appropriate agencies]**;

(b) foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, to have committed, or to pose a significant risk of committing, acts of terrorism that threaten the security of United States nationals or the national security, foreign policy, or economy of the United States;

(c) persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, to be owned or controlled by, or to act for or on behalf of those persons listed in the Annex to this order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of this order;

(d) except as provided in section 5 of this order and after such consultation, if any, with foreign authorities as the Secretary of the Treasury, in consultation with the Secretary of State, deems appropriate in the exercise of his discretion, persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General,

(i) to assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism or those persons listed in the Annex to this order or determined to be subject to this order; or

(ii) to be otherwise associated with those persons listed in the Annex to this order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of this order.

Sec. 2. Except to the extent required by section 203(b) of IEEPA (50 U.S.C. 1702(b)), or provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date:

(a) any transaction or dealing by United States persons or within the United States in property or interests in property blocked pursuant to this order is prohibited, including but not limited to the making or receiving of any contribution of funds, goods, or services to or for the benefit of those persons listed in the Annex to this order or determined to be subject to this order;

(b) any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order is prohibited; and

(c) any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 3. For purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, corporation, or other organization, group, or subgroup;

(c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States; and

(d) the term "terrorism" means an activity that --

(i) involves a violent act or an act dangerous to human life, property, or infrastructure; and

(ii) appears to be intended --

(A) to intimidate or coerce a civilian population;

(B) to influence the policy of a government by intimidation or coercion; or

(C) to affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking.

Sec. 4. I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by United States persons to persons determined to be subject to this Order would seriously impair my ability to deal with the national emergency declared in this order, and would endanger Armed Forces of the United States that are in a situation where imminent involvement in hostilities is clearly indicated by the circumstances, and hereby prohibit such donation as provided by section 1 of this order. Furthermore, I hereby determine that the Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX, Public Law 106-387) shall not affect the imposition or the continuation of the imposition of any unilateral agricultural sanction or unilateral medical sanction on any person determined to be subject to this Order because imminent involvement of the Armed Forces of the United States in hostilities is clearly indicated by the circumstances.

Sec. 5. With respect to those persons designated pursuant to subsection 1(d) of this order, the Secretary of the Treasury, in the exercise of his discretion and in consultation with the Secretary of State and the Attorney General, may take such other actions than the complete blocking of property or interests in property as the President is authorized to take under IEEPA and UNPA if the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, deems such other actions to be consistent with the national interests of the United States, considering such factors as he deems appropriate.

Sec. 6. The Secretary of State, the Secretary of the Treasury, and other appropriate agencies shall make all relevant efforts to cooperate and coordinate with other countries, including through technical assistance, as well as bilateral and multilateral agreements and arrangements, to achieve the objectives of this order, including the prevention and suppression of acts of terrorism, the denial of financing and financial services to terrorists and terrorist organizations, and the sharing of intelligence about funding activities in support of terrorism.

Sec. 7. The Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and the UNPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 8. Nothing in this order is intended to affect the continued effectiveness of any rules, regulations, orders, licenses, or other forms of administrative action issued, taken, or continued in effect heretofore or hereafter under 31 C.F.R. chapter V, except as expressly terminated, modified, or suspended by or pursuant to this order.

Sec. 9. Nothing contained in this order is intended to create, nor does it create, any right, benefit, or privilege, substantive or procedural, enforceable at law by a party against the United States, its agencies, officers, employees or any other person.

Sec. 10. For those persons listed in the Annex to this order or determined to be subject to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to this order.

Sec. 11. (a) This order is effective at 12:01 a.m. eastern daylight time on September __, 2001.

(b) This order shall be transmitted to the Congress and published in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,
September __, 2001

Withdrawal Marker
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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Message	Message to the Congress on Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism - To: Congress - From: POTUS	3	09/2001	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:
Executive Clerk, Office Of the

SERIES:
Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:
09/22/2001 [H. R. 2926]

FRC ID:
779

OA Num.:
730

NARA Num.:
1456

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]

This Document was withdrawn on 5/15/2013 by AW

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism - From: Press Secretary	2	N.D.	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.

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