

George W. Bush Presidential Library

Collection: Executive Clerk, Office of the

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

Folder Title: 10/23/2002 [H.R. 5011] [771521] [2]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
002	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
003	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
004	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
005	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
006	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
007	Statement	STATEMENT BY THE PRESIDENT	1	10/21/2002	P5;

COLLECTION TITLE:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

10/23/2002 [H.R. 5011] [771521] [2]

FRC ID:

6361

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]
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- 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)]

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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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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
008	Routing Memo	Signing Statement for H.R. 5011, Military Construction Appropriations Act, FY2003 [with attachment] - To: Staff Secretary - From: Counsel's Office	2	10/21/2002	P5;
009	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
010	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
011	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
012	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
013	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;
014	Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;

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017	Statement	STATEMENT BY THE PRESIDENT	2	N.D.	P5;

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REVISED

SS/ RM NO.

521784

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-18-02

ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOON

SIGNING STATEMENT FOR H.R. 5011, MILITARY CONSTRUCTION

Subject: APPROPRIATIONS ACT, FY2003

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT <i>comment</i>	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT <i>N/C</i>	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY <i>N/C</i>	☒	☐
BOLTEN <i>N/C</i>	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO <i>ok</i>	☒	☐	RICE <i>concurs</i>	☒	☐
CONNAUGHTON	☐	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE <i>N/C</i>	☒	☐
FLEISCHER	☐	☒	SPELLINGS <i>ok</i>	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES <i>comment</i>	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN 12 NOON MONDAY, 10-21-02, WITH COPY TO BETH ROSSMAN, EXT. 54790, FAX 53729. THANK YOU.

RESPONSE:

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

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FRC ID:

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OA Num.:

9468

NARA Num.:

9359

FOIA IDs and Segments:

2016-0005-P

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521784

WHITE HOUSE STAFFING MEMORANDUMDate: 10-18-02ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOON**SIGNING STATEMENT FOR H.R. 5011, MILITARY CONSTRUCTION**Subject: APPROPRIATIONS ACT, FY2003

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☒	☐	RICE	☒	☐
CONNAUGHTON	☐	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☐	☒	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

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RESPONSE:

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

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0824
 CONNECTION TEL 66212
 CONNECTION ID
 ST. TIME 10/18 11:36
 USAGE T 00'57
 PGS. SENT 2
 RESULT OK

REVISED

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Ext. 62702

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0823
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 10/18 11:34
 USAGE T 00'57
 PGS. SENT 2
 RESULT OK

REVISED

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TX/RX NO	0822	
CONNECTION TEL		67090
CONNECTION ID	ADMIN	
ST. TIME	10/18 11:33	
USAGE T	01'01	
PGS. SENT	2	
RESULT	OK	

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

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0827
 CONNECTION TEL 66212
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 ST. TIME 10/18 11:42
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 PGS. SENT 3
 RESULT OK

REVISED SS/ RM NO. 521784

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-18-02 ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOON

ENROLLED BILL H.R. 5011, MILITARY CONSTRUCTION APPROPRIATIONS ACT,
 Subject: FY2003

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
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CALIO	☒	☐	RICE	☒	☐
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DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☐	☒	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO BETH ROSSMAN, EXT. 54790, FAX 53729, NO LATER THAN
 12 NOON MONDAY 10-21-02 WITH COPY TO STAFF SECRETARY. THANK YOU

WHITE HOUSE STAFFING MEMORANDUMDate: 10-18-02 ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOONSubject: ENROLLED BILL H.R. 5011, MILITARY CONSTRUCTION APPROPRIATIONS ACT, FY2003

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

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0826
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 10/18 11:39
 USAGE T 01'09
 PGS. SENT 3
 RESULT OK

REVISED SS/ RM NO. 521784

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Date: 10-18-02 ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOON

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 Subject: FY2003

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RESPONSE:

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

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0825	
CONNECTION TEL		67090
CONNECTION ID	ADMIN	
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PGS. SENT	3	
RESULT	OK	

REVISED

SS/ RM NO. 521784

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-18-02 ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOON

Subject: ENROLLED BILL H.R. 5011, MILITARY CONSTRUCTION APPROPRIATIONS ACT, FY2003

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



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

THE DEPUTY DIRECTOR

October 18, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5011 -- Military Construction Appropriations Act, FY 2003

Sponsors: Representative Hobson (R), Ohio
Senator Feinstein (D), California

Last Day for Action

October 30, 2002 -- Wednesday

Funding for the accounts covered by the enrolled bill is currently provided under H.J. Res. 123, the fourth FY 2003 Continuing Resolution, which will expire at midnight on Friday, November 22nd.

Purpose

Provides FY 2003 appropriations for military construction, family housing, and base closure programs of the Department of Defense (DOD).

Agency Recommendation

Office of Management and Budget
Department of Defense
National Security Council

Approval (Signing Statement attached)
Approval
Approval

Summary

H.R. 5011 provides \$10.5 billion, \$1.0 billion above your request, in discretionary budget authority for FY 2003 and is largely in line with the Administration's defense priorities. Of the total provided, the enrolled bill includes \$6.3 billion for military construction and \$4.2 billion for family housing. While this enrolled bill exceeds your request (the Defense Appropriations bill is below your request by \$11.8 billion, including the War Reserve), our objective is to ensure that the total of the thirteen appropriations bills does not exceed the House-passed Budget Resolution level of \$759 billion. The bill largely supports your housing initiative, the protection of military installations against terrorism, the continuation of clean-up at prior base closure sites, and the construction of facilities to destroy chemical weapons at several locations.

Most of the \$1.0 billion increase is for unrequested military construction projects in various locations across the United States. The bill includes over 125 unrequested military construction projects. In addition, the bill excludes or reduces the scope of about 15 projects requested in the budget, totaling about \$0.1 billion.

At this time, the Defense authorization bill has not been enacted. Without authorizing legislation, DOD cannot begin many of the new major construction projects appropriated in H.R. 5011, and it is unclear when the Congress will pass the required authorizing language.

The conference report on H.R. 5011 passed the House by a vote of 419 to 0 on October 10th and passed the Senate by unanimous consent the same day.

Recommendation

On balance, H.R. 5011 provides acceptable levels of funding for military construction, family housing, and base closure activities. I join the Secretary of Defense and your National Security Advisor in recommending approval of the enrolled bill. A signing statement is attached for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy P. Dorn", written in a cursive style.

Nancy P. Dorn
Deputy Director

Attachment

REVISED

SS/ RM NO.

521784

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-18-02

ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOON

SIGNING STATEMENT FOR H.R. 5011, MILITARY CONSTRUCTION

Subject: APPROPRIATIONS ACT, FY2003

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
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OK - No Comment

RESPONSE:

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

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	STATEMENT BY THE PRESIDENT	1	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.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

10/23/2002 [H.R. 5011] [771521] [2]

FRC ID:

6361

OA Num.:

9468

NARA Num.:

9359

FOIA IDs and Segments:

2016-0005-P

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]
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- 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]
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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.

REVISED

SS/ RM NO.

521784

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Date: 10-18-02

ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOON

SIGNING STATEMENT FOR H.R. 5011, MILITARY CONSTRUCTIONSubject: **APPROPRIATIONS ACT, FY2003**

10/21/02 12:43 PM

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
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RESPONSE:

OKTT

Harriet E. Miers
Assistant to the President
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10/23/2002 [H.R. 5011] [771521] [2]

FRC ID:

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Date: 10-18-02

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no comment

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Harriet E. Miers
Assistant to the President
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OFFICE OF THE VICE PRESIDENT
WASHINGTON

OZ UCI 21 012 06

October 21, 2002

MEMORANDUM FOR HARRIET MIERS
STAFF SECRETARY

FROM: **JONATHAN BURKS** 
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: **Signing Statement for H.R. 5011, Military
Construction Appropriations Act, FY 2003**

The Office of the Vice President has reviewed the above-referenced draft and recommends the changes marked on the attached copy to make clear the President's interpretation of the Constitutional issue and to conform the language to a previous signing statement on the same issue.

Cc: Beth Rossman
Deputy Associate Director, OMB

Attachment

REVISED

SS/ RM NO.

521784

WHITE HOUSE STAFFING MEMORANDUMDate: 10-18-02 ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOON

SIGNING STATEMENT FOR H.R. 5011, MILITARY CONSTRUCTION

Subject: APPROPRIATIONS ACT, FY2003

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HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN 12 NOON MONDAY, 10-21-02, WITH COPY TO BETH ROSSMAN, EXT. 54790, FAX 53729. THANK YOU.

RESPONSE:

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

Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	STATEMENT BY THE PRESIDENT	1	10/21/2002	P5;

**This marker identifies the original location of the withdrawn item listed above.
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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

10/23/2002 [H.R. 5011] [771521] [2]

FRC ID:

6361

FOIA IDs and Segments:

OA Num.:

9468

NARA Num.:

9359

RESTRICTION CODES

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

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

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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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For Immediate Release
Office of the Press Secretary
January 10, 2002

Defense Bill Signing Statement

Statement by the President

Today I have signed into law H.R. 3338, the "Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002," which provides \$317.2 billion for national security programs administered by the Department of Defense.

It also provides \$20 billion in emergency supplemental funding for the consequences of the September 11th attacks, including \$3.5 billion for the Department of Defense that is urgently needed to prosecute the war on terrorism.

The Act provides appropriations for the Nation's defense and supplemental appropriations for many agencies for recovery from and response to terrorist attacks on the United States.

In particular, the Act provides the resources needed to continue the war against global terrorism, pursue an effective missile defense, properly support members of the Armed Forces and their families, and begin to transform our Armed Forces to meet the military requirements of the 21st century.

I appreciate the bipartisan effort that has gone into producing this Act. It abides by the agreed-upon aggregate funding level for Fiscal Year 2002 of \$686 billion and the agreed-upon level enacted in Public Law 107-38, the "2001 Emergency Supplemental Appropriations Act for Recovery from and Response to the Terrorists Attacks on the United States" that occurred on September 11, 2001.

Public Law 107-38 -- legislation crafted and enacted with strong bipartisan cooperation -- provided a total of \$40 billion in emergency funding to the Emergency Response Fund.

The \$40 billion in emergency expenses was provided to assist victims of the attacks and to deal with other consequences of the attacks, including the costs of:

(1) providing Federal, State, and local preparedness for mitigating and responding to the attacks; (2) providing support to counter, investigate, or prosecute domestic or international terrorism; (3) providing increased transportation security; (4) repairing public facilities and transportation systems damaged by the attacks; and (5) supporting national security. As required by Public Law 107-38, I designated the entire \$40 billion as an emergency funding requirement. To date, my Administration has transferred \$19.7 billion of the first \$20 billion, which was made available to agencies, without requiring any further congressional action, to address the immediate needs and consequences of the attacks.

The second \$20 billion provided in this Act will continue those efforts. The funds in this Act include: \$3.5 billion for Department of Defense operations; \$8.2 billion for New York, Virginia, Maryland, the District of Columbia, and Pennsylvania, to help those areas recover from the terrorist attacks; and \$8.4 billion for homeland security activities.

I am proud that we worked together with such bipartisan spirit in the weeks following the despicable attacks on our Nation. My Administration will work together with the Congress to address additional needs as they become known during the second session of the 107th Congress.

The Act funds the vast majority of my request for critical pay raises and other quality of life programs.

It supports my commitment to improving the quality of life of our military personnel and their families by including pay raises of 5 to 15 percent.

The Act also funds many of my modernization priorities, including conversion of Trident submarines to sub-marines that can carry cruise missiles.

However, because it provides approximately \$2 billion less than requested, the Act does not adequately fund all my critical priorities, specifically the readiness of our forces. The \$2 billion reduction is largely achieved by cuts to operation and maintenance programs.

While a small portion of that reduction is offset in dollar terms by congressional increases, those increases are for programs of a much lower priority. As a result, these cuts will place our military forces in the all too familiar predicament of having to choose either to sacrifice near-term readiness or to forego critical repair of family housing, defer important depot maintenance of our weapon systems, and reduce base operations.

Section 8007 of the Act prohibits use of funds to initiate a special access program until 30 calendar days of congressional session have elapsed after the executive branch has notified the congressional defense committees of initiation of the program.

The U.S. Supreme Court has stated that the President's authority to classify and control access to information bearing on national security flows from the Constitution and does not depend upon a legislative grant of authority.

Although 30-day advance notice can be provided in most situations as a matter of comity, situations may arise, especially in wartime, in which the President must promptly establish special access controls on classified national security information under his constitutional grants of the executive power and authority as Commander in Chief of the Armed Forces.

The executive branch shall construe section 8007 in a manner consistent with the constitutional authority of the President.

Section 8072 of the Act provides that, notwithstanding any other provision of law, no funds available to the Department of Defense for fiscal year 2002 may be used to transfer defense articles or services, other than intelligence services, to another nation or international organization for international peacekeeping, peace-enforcement, or humanitarian assistance operations, until 15 days after the executive branch notifies six committees of Congress of the planned transfer.

The provision does not affect transfers using funds available to the Department of Defense if the recipient is other than a nation or an international organization or if the transfer is of intelligence services, such as provision of or accommodation procurements for imagery intelligence, geospatial information, or cryptological support.

The provision also does not affect transfers of defense articles or services using funds contained in the Act that are available to the Central Intelligence Agency rather than the Department of Defense.

To the extent that protection of the U.S. Armed Forces deployed for international peacekeeping, peace-enforcement, or humanitarian assistance operations might require action of a kind covered by section 8072 sooner than 15 days after notification, section 8072 shall be construed in a manner consistent with my constitutional duty as Commander in Chief of the Armed Forces.

Provisos in section 8098 of the Act purport to limit during fiscal year 2002 the number of Department of Defense military and civilian personnel assigned to legislative affairs or legislative liaison functions and to mandate the percentage distribution of such personnel among various offices of the Department. In particular, section 8098 cannot constitutionally restrict the authority of the President to control the activities of members of the armed forces, including whether and how many members of the Armed Forces assigned to the office of the Chairman of the Joint Chiefs of Staff, the combatant commands, or

any other element of the Department of Defense shall perform legislative affairs or legislative liaison functions.

Section 8173 prohibits the use of appropriated funds for assistance or other support to the International Criminal Court (ICC). While section 8173 clearly reflects that the Congress agrees with my Administration that it is not in the interests of the United States to become a party to the ICC treaty, I must note that this provision must be applied consistent with my constitutional authority in the area of foreign affairs, which, among other things, will enable me to take actions to protect U.S. nationals from the purported jurisdiction of the treaty.

Sections 911 and 912 in Division B of the Act provide for assistance by executive departments and agencies, including the Armed Forces, to the U.S. Capitol Police in the performance of its duties.

Safeguarding the Congress and its ability to carry out its constitutional role is vital to the continuity of our constitutional Government, and the executive branch will assist as needed and appropriate. In carrying out these sections, it is important to ensure proper respect for the separate constitutional roles and authorities of the executive and legislative branches.

With the aim of ensuring that respect within the executive branch, the Attorney General shall serve as the single point of contact within the executive branch for requests from the legislative branch, including the U.S. Capitol Police, for assistance under sections 911 and 912, and the District of Columbia National Guard and Federal law enforcement authorities shall enter into an agreement under section 912 only with the prior approval of the Attorney General.

Section 208 of Division B makes a technical correction to subsection 626(c) of Public Law 107-77 (the FY 2002 Commerce, Justice, State, the Judiciary and Related Agencies Appropriations Act), but does nothing to alter the effect of that provision or any other provision of law.

Since the enactment of sub-section 626(c) and consistent with it, the executive branch has encouraged the courts to act, and will continue to encourage the courts to act, in a manner consistent with the obligations of the United States under the Algiers Accords that achieved the release of U.S. hostages in 1981.

GEORGE W. BUSH

THE WHITE HOUSE,

January 10, 2002.

#

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REVISED

SS/ RM NO.

521784**WHITE HOUSE STAFFING MEMORANDUM**Date: **10-18-02**ACTION / CONCURRENCE / COMMENT DUE BY: **10-21-02, 12 NOON****SIGNING STATEMENT FOR H.R. 5011, MILITARY CONSTRUCTION**Subject: **APPROPRIATIONS ACT, FY2003**

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☒	☐	RICE	☒	☐
CONNAUGHTON	☐	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☐	☒	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN 12 NOON MONDAY, 10-21-02, WITH COPY TO BETH ROSSMAN, EXT. 54790, FAX 53729. THANK YOU.

RESPONSE:

No comment

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

Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Routing Memo	Signing Statement for H.R. 5011, Military Construction Appropriations Act, FY2003 [with attachment] - To: Staff Secretary - From: Counsel's Office	2	10/21/2002	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:

10/23/2002 [H.R. 5011] [771521] [2]

FRC ID:

6361

FOIA IDs and Segments:

OA Num.:

9468

NARA Num.:

9359

RESTRICTION CODES

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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.

REVISED

SS/ RM NO.

521784

WHITE HOUSE STAFFING MEMORANDUMDate: 10-18-02 ACTION / CONCURRENCE / COMMENT DUE BY: 10-21-02, 12 NOON**SIGNING STATEMENT FOR H.R. 5011, MILITARY CONSTRUCTION**Subject: APPROPRIATIONS ACT, FY2003

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
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GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

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No Comment**RESPONSE:**

NO 9 14 02 10 10 10
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 10/20/02

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

REVISED

SS/ RM NO.

521784

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RESPONSE:

Legislation Affair (Howard) - ab

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

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;

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NARA Num.:

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REVISED

SS/ RM NO.

521784

8952

WHITE HOUSE STAFFING MEMORANDUMDate: **10-18-02**ACTION / CONCURRENCE / COMMENT DUE BY: **10-21-02, 12 NOON****SIGNING STATEMENT FOR H.R. 5011, MILITARY CONSTRUCTION**Subject: **APPROPRIATIONS ACT, FY2003**

10/20/02 12:10:33

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
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GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

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October 22, 2002

RESPONSE:

The NSC concurs with the attached statement.

Condoleezza Rice

Condoleezza Rice

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

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
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SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-22-02 11:30 AM ACTION / CONCURRENCE / COMMENT DUE BY: INFORMATION

SIGNING STATEMENT FOR H.R. 5011, THE MILITARY CONSTRUCTION
 Subject: APPROPRIATIONS ACT, 2003

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
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DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☐	☒	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

THIS SIGNING STATEMENT IS BEING SENT TO YOU FOR YOUR INFORMATION. HOWEVER,

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-22-02 11:30 AM ACTION / CONCURRENCE / COMMENT DUE BY: INFORMATIONSIGNING STATEMENT FOR H.R. 5011, THE MILITARY CONSTRUCTION
Subject: APPROPRIATIONS ACT, 2003

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☒	☐	RICE	☒	☐
CONNAUGHTON	☐	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
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GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

THIS SIGNING STATEMENT IS BEING SENT TO YOU FOR YOUR INFORMATION. HOWEVER, IF YOU SHOULD HAVE ANY COMMENTS, PLEASE CONTACT THE STAFF SECRETARY, EXTENSION 62702/FAX 62215. THANK YOU.

RESPONSE: _____

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

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	STATEMENT BY THE PRESIDENT	1	N.D.	P5;

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

10/23/2002 [H.R. 5011] [771521] [2]

FRC ID:

6361

OA Num.:

9468

NARA Num.:

9359

FOIA IDs and Segments:

2016-0005-P

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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.

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0866
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 10/21 23:44
 USAGE T 01'00
 PGS. SENT 2
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-22-02 11:30 AM ACTION / CONCURRENCE / COMMENT DUE BY: INFORMATION

SIGNING STATEMENT FOR H.R. 5011, THE MILITARY CONSTRUCTION

Subject: APPROPRIATIONS ACT, 2003

	ACTION	FYI		ACTION	FYI
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BARTLETT	☒	☐	JOHNSON	☐	☐
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RESPONSE: _____

Harriet E. Miers
Assistant to the President
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Ext. 62702

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0861	
CONNECTION TEL		67090
CONNECTION ID	ADMIN	
ST. TIME	10/21 23:36	
USAGE T	00'33	
PGS. SENT	1	
RESULT	OK	

SS/ RM NO. _____

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RESPONSE: _____

Harriet E. Miers
Assistant to the President
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Ext. 62702

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

10/23/2002 [H.R. 5011] [771521] [2]

FRC ID:

6361

OA Num.:

9468

NARA Num.:

9359

FOIA IDs and Segments:

2016-0005-P

RESTRICTION CODES

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

Deed of Gift Restrictions

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Legislative Affairs (Howe) - ek

Harriet E. Miers
Assistant to the President
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RESPONSE:

*I dyle
HHC
10/22 6:40p*

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

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	STATEMENT BY THE PRESIDENT	1	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.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

10/23/2002 [H.R. 5011] [771521] [2]

FRC ID:

6361

OA Num.:

9468

NARA Num.:

9359

FOIA IDs and Segments:

2016-0005-P

RESTRICTION CODES

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

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

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

Deed of Gift Restrictions

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

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

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

Records Not Subject to FOIA

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

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-22-02 11:30 AM ACTION / CONCURRENCE / COMMENT DUE BY: INFORMATIONSubject: SIGNING STATEMENT FOR H.R. 5010, THE DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2003

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☐	☐
CARD ~~_____~~	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☒	☐	RICE	☒	☐
CONNAUGHTON	☐	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☐	☒	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

THIS SIGNING STATEMENT IS BEING SENT TO YOU FOR YOUR INFORMATION. HOWEVER, IF YOU SHOULD HAVE ANY COMMENTS, PLEASE CONTACT THE STAFF SECRETARY, EXTENSION 62702/FAX 62215. THANK YOU.

RESPONSE:

*I defer.
AKC
10/22
6:40*

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

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OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE: HR. 5011 - Military Construction Appropriations Act,
2003

LDA 10/30/2002

TYPE DOCUMENT:

PROCLAMATION

LETTER(S)

EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER: _____

RECEIVED: (Advance: 10/18/02 Time: 6:59 a.m./p.m.)
In final: / /02 Time: a.m./p.m.

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: 10/21/02 Time: 11:15 a.m./p.m.)
In final: 10/23/02 Time: 8 a.m./p.m.

TO HARRIET MIERS' OFFICE:

(For staffing: 10/22/02 Time: 7:30 a.m./p.m.)
In final: 10/22/02 Time: 7:30 a.m./p.m.
10/23 8 am

*INFO, INCLUDING STENCIL AND DISC, TO PRESS OFFICE:

Date: / /02 Time: a.m./p.m.
POSTED: / /02 Time: a.m./p.m.

NOTIFICATIONS:

(Person/time) NSC (#____), when appropriate -- Desk Officer;
W.H. Situation Room -- x6-9425.

(Person/time) Ginger Gregory, x6-2230, Legislative Affairs
(for messages to the Congress)

(Person/time) (Other)

(Person/time) (Other)

OTHER INFORMATION: