

George W. Bush Presidential Library

Collection: Executive Clerk, Office of The

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

Folder Title: 10/26/2001 [H. R. 3162] [2]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Memorandum	Enrolled Bill H.R. 3162 - Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 - To: POTUS - From: Sean O'Keefe	11	10/25/2001	P5;
002	Memorandum	Enrolled Bill H.R. 3162 - Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 - To: POTUS - From: Sean O'Keefe	11	10/25/2001	P5;
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Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

10/26/2001 [H. R. 3162] [2]

FRC ID:

779

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]
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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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- 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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Other Provisions of H.R. 3162

Provisions to Assist Victims of Terrorism

Public Safety Officers' Benefit Program. The enrolled bill would require payments under the Public Safety Officers' Benefit Program to be made within 30 days of certification of death or disability for any firefighter, law enforcement officer, or emergency personnel involved in prevention, investigation, rescue or recovery efforts related to any future terrorist attack. The enrolled bill would raise the Public Safety Officers' Benefit Program payment from its current level of \$151,635 to \$250,000 (adjusted annually for inflation) effective January 1, 2001.

Victims of Crime Act. The enrolled bill would amend the Victims of Crime Act to: (1) replenish the antiterrorism emergency reserve with up to \$50 million; (2) replace the annual cap on the Crime Victims Fund with a system that would allow more money to be distributed in years when deposits to the Fund are high; (3) authorize private gift-giving to the Fund; and (4) authorize the Office for Victims of Crime to work directly with service providers (as opposed to governments) to expedite assistance to victims of domestic terrorism.

Regional Information Sharing Systems Grants

The enrolled bill would expand the purpose of regional information sharing systems grants administered by the Bureau of Justice Assistance to include establishing and operating secure information sharing systems to enhance the investigation and prosecution abilities of participating enforcement agencies in addressing multi-jurisdictional terrorist conspiracies and activities. To carry out this purpose, the bill would authorize appropriations to the Bureau of Justice Assistance of \$50 million for FY 2002 and \$100 million for fiscal year 2003.

Other Anti-Money Laundering Provisions

H.R. 3162 includes additional "money-laundering" provisions that would:

- require Federal banking regulators to take into account a bank's effectiveness in combating money laundering when considering whether to approve bank mergers.
- create a public-private task force, under the Bank Secrecy Act Advisory Group, to examine terrorist financing and how terrorist funds are distributed globally, as well as within the United States;
- require informal money transferring systems to register with the Treasury Department as a money-transmitting business and to file suspicious-activity reports. The bill would require Treasury to report to Congress on any further legislation needed to oversee such systems;

- authorize the Federal government to deny entry into the United States of any foreign individual (or immediate relative of an individual) who is believed to have engaged in money laundering or similar criminal activities in a foreign nation. The bill also allows denial of entry to immediate relatives of those believed to have engaged in money-laundering or similar criminal activities in a foreign nation;
- authorize U.S. courts to order convicted criminals to return to the United States any funds they may have placed in bank accounts overseas and expands the ability of U.S. courts to enforce foreign judgments; and
- clarify that civil and criminal penalties may be imposed on financial institutions that fail to comply with special record-keeping and reporting requirements imposed by the Treasury Department through geographic targeting orders.

Immigration-Related Provisions

The enrolled bill would require the Secretary of State to perform annual audits and report to Congress on the implementation of the machine-readable passport program until September 30, 2007, and would advance the deadline for implementing this program from October 1, 2007, to October 1, 2003.

The bill would also require the Secretary of State to review how U.S. consular offices issue visas to determine whether "consular shopping" (i.e. when visa applicants who are rejected at one consular office reapply at other offices until they are approved) is a problem. If the Secretary determines that this is a problem, the Secretary would have to take steps to address it and report to Congress on what action was taken.

Preservation of Immigration Benefits for Victims of Terrorism

The enrolled bill includes several provisions that would preserve the immigration benefits of victims of the September 11 attacks and their families. Specifically, the bill would:

- (1) create a new special immigrant status for people who were in the process of securing permanent residence through a family member who died, was disabled, or lost employment as a result of the terrorist activities of September 11, 2001;
- (2) provide a temporary extension of status to people who are present in the United States on a "derivative status" (the spouse or minor child) of a non-immigrant who was killed or injured on September 11, 2001;

- (3) provide remedies for people who will be adversely affected or will lose their right to apply for benefits such as visa waivers, visa attainment through the diversity lottery, advance parole, and voluntary departure, because of their inability to meet certain deadlines through no fault of their own and as a result of the September 11, 2001 terrorist attacks;
- (4) provide immigration relief to the widows or widowers and orphan children of citizens and legal permanent residents who were killed in the September 11 attacks by allowing applications for permanent resident status to be adjudicated;
- (5) prevent children from aging out of eligibility for immigration benefits where the delay was the result of the September 11 attacks;
- (6) provide for temporary administrative relief to allow the family of people who were killed or seriously injured in the terrorist attacks who are not otherwise covered by this subtitle; and
- (7) prohibit any benefits from being provided to anyone culpable for the terrorist attacks on September 11 or any family member of such person.

Provisions Removing Obstacles to Investigating Terrorism

The enrolled bill would enhance the authorities of the Attorney General and the Secretary of State to pay rewards to combat terrorism. H.R. 3162 would authorize the Attorney General to pay rewards to combat terrorism and ensure that non-terrorism rewards are subject to budgetary caps.

Under current law, DNA samples may be collected from persons convicted of certain Federal crimes. The enrolled bill would expand the list of crimes to include all persons convicted of certain crimes of terrorism, crimes of violence, and conspiracies to commit these offenses.

The enrolled bill would require an application to a court to obtain information on private student records in the possession of the National Center for Education Statistics or any educational agency or institution, upon the Attorney General's determination that such information was necessary for the prosecution or investigation of terrorism. The enrolled bill would limit the immunity of persons producing such information in good faith and would direct the Attorney General, in consultation with the Secretary of Education, to issue guidelines to protect confidentiality.

Intelligence Agency Provisions

The enrolled bill would clarify the role of the CIA Director to set overall strategy for collection of information through court-ordered FISA surveillance, but the Director would have no operational authority. H.R. 3162 would provide for the inclusion of "international terrorist activities" in the definition of "foreign intelligence" under the National Security Act in order to clarify the authorities of the CIA. The enrolled bill would state the sense of Congress that the CIA should make efforts to recruit informants to fight terrorism.

The enrolled bill would require the Attorney General to develop guidelines for expeditious disclosure to the CIA of foreign intelligence information obtained in criminal investigations. When the CIA seeks to recruit a criminal suspect, the Attorney General would be required to notify the CIA within a reasonable period of time whether a criminal case will be pursued. The enrolled bill would require Justice, the CIA, and Treasury to report to Congress on the feasibility of using the Foreign Terrorist Asset Tracking Center to compile, analyze and disseminate information on the finances of international terrorist organizations.

The enrolled bill would require the CIA, in consultation with the FBI, to report to Congress on the feasibility of establishing a National Virtual Translation Center to provide accurate and timely translations of foreign intelligence for use by the intelligence community. The enrolled bill would require the Attorney General, in consultation with the CIA Director, to provide training to Federal, State and local government officials in identifying foreign intelligence information obtained in the course of their duties.

Other Enhancements to Security Efforts Against Terrorism

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The enrolled bill would establish in the Department of the Treasury a Counterterrorism Fund, amounts in which would be available without fiscal year limitation, to reimburse the Department of Justice for costs related to: (1) reestablishing an office damaged or destroyed by a domestic or international terrorism incident, (2) investigating and prosecuting domestic or international terrorism, and (3) conducting terrorism threat assessments of Federal facilities. The fund would also be available to reimburse any Federal agency for costs incurred in detaining individuals in foreign countries accused of acts of terrorism in violation of U.S. laws.

Miscellaneous Provisions

The enrolled bill would require the Inspector General of the Department of Justice to designate one official to review complaints of civil liberties and civil rights abuses and to report semi-annually to Congress on any abuses.

The enrolled bill would require Justice to make terrorism prevention grants to State and local governments to improve the ability of State and local law enforcement, fire department, and first responders to respond to and prevent acts of terrorism. The enrolled bill would authorize appropriations of \$25 million for each of fiscal years 2003 through 2007 for this purpose.

The enrolled bill would authorize appropriations to the President of not less than \$5 million for FY 2002 for regional anti-drug training in Turkey and in South and Central Asia.

The enrolled bill would require Justice to make grants to States and units of local government to improve State and local jurisdictions' ability to respond to terrorist acts, including events of terrorism involving weapons of mass destruction and biological, nuclear, radiological, incendiary, chemical, and explosive devices. The enrolled bill would authorize appropriations of such sums as may be necessary for each of fiscal years 2002 through 2007 for this purpose.

The enrolled bill would expand and re-authorize the Crime Identification Technology Act for anti-terrorism grants to States and units of local government. The enrolled bill would authorize appropriations of \$250 million for each of fiscal years 2002 through 2007 for this purpose.

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The George W. Bush Library

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**This marker identifies the original location of the withdrawn item listed above.
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Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

10/26/2001 [H. R. 3162] [2]

FRC ID:

779

OA Num.:

730

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WHITE HOUSE STAFFING MEMORANDUM

Date: 10-25-01ACTION / CONCURRENCE / COMMENT DUE BY: 10-26-01 9:00 AM

ENROLLED BILL H.R. 3162 -- UNITING AND STRENGTHENING AMERICA BY
 PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCT

Subject: TERRORISM ACT OF 2001

OCT 26 AM 11:42

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

REMARKS:

PLEASE SEND COMMENTS TO THE STAFF SECRETARY'S OFFICE, NO LATER THAN 9:00 AM
 TOMORROW, OCTOBER 26, 2001, AND CC: JIM JUKES, X53458. THANKS.

RESPONSE:

[Handwritten signature]

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

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The enrolled bill would expand and re-authorize the Crime Identification Technology Act for anti-terrorism grants to States and units of local government. The enrolled bill would authorize appropriations of \$250 million for each of fiscal years 2002 through 2007 for this purpose.



OFFICE OF THE VICE PRESIDENT
WASHINGTON

01 OCT 26 AM 9:03

October 26, 2001

MEMORANDUM FOR HARRIET MIERS

STAFF SECRETARY

FROM:

JONATHAN BURKS
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT:

**Enrolled Bill H.R. 3162 – Uniting and Strengthening
America by Providing Appropriate Tools Required to
Intercept and Obstruct Terrorism Act of 2001**

The Office of the Vice President has reviewed the above-referenced draft and concurs in the recommendation to sign the enrolled bill.

cc: James Jukes

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-25-01ACTION / CONCURRENCE / COMMENT DUE BY: 10-26-01 9:00 AM

ENROLLED BILL H.R. 3162 -- UNITING AND STRENGTHENING AMERICA BY
PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCT

Subject: TERRORISM ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
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HAGIN	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO THE STAFF SECRETARY'S OFFICE, NO LATER THAN 9:00 AM
TOMORROW, OCTOBER 26, 2001, AND CC: JIM JUKES, X53458. THANKS.

RESPONSE:

Legation Affair (Planned) - sh

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)
Memorandum	Enrolled Bill H.R. 3162 - Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA . TERRORISM ACT) Act of 2001 - To: POTUS - From: Sean O'Keefe	11	10/25/2001	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:

10/26/2001 [H. R. 3162] [2]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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The enrolled bill would expand the purpose of regional information sharing systems grants administered by the Bureau of Justice Assistance to include establishing and operating secure information sharing systems to enhance the investigation and prosecution abilities of participating enforcement agencies in addressing multi-jurisdictional terrorist conspiracies and activities. To carry out this purpose, the bill would authorize appropriations to the Bureau of Justice Assistance of \$50 million for FY 2002 and \$100 million for fiscal year 2003.

Other Anti-Money Laundering Provisions

H.R. 3162 includes additional "money-laundering" provisions that would:

- require Federal banking regulators to take into account a bank's effectiveness in combating money laundering when considering whether to approve bank mergers.
- create a public-private task force, under the Bank Secrecy Act Advisory Group, to examine terrorist financing and how terrorist funds are distributed globally, as well as within the United States;
- require informal money transferring systems to register with the Treasury Department as a money-transmitting business and to file suspicious-activity reports. The bill would require Treasury to report to Congress on any further legislation needed to oversee such systems;

- authorize the Federal government to deny entry into the United States of any foreign individual (or immediate relative of an individual) who is believed to have engaged in money laundering or similar criminal activities in a foreign nation. The bill also allows denial of entry to immediate relatives of those believed to have engaged in money-laundering or similar criminal activities in a foreign nation;
- authorize U.S. courts to order convicted criminals to return to the United States any funds they may have placed in bank accounts overseas and expands the ability of U.S. courts to enforce foreign judgments; and
- clarify that civil and criminal penalties may be imposed on financial institutions that fail to comply with special record-keeping and reporting requirements imposed by the Treasury Department through geographic targeting orders.

Immigration-Related Provisions

The enrolled bill would require the Secretary of State to perform annual audits and report to Congress on the implementation of the machine-readable passport program until September 30, 2007, and would advance the deadline for implementing this program from October 1, 2007, to October 1, 2003.

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- (1) create a new special immigrant status for people who were in the process of securing permanent residence through a family member who died, was disabled, or lost employment as a result of the terrorist activities of September 11, 2001;
- (2) provide a temporary extension of status to people who are present in the United States on a "derivative status" (the spouse or minor child) of a non-immigrant who was killed or injured on September 11, 2001;

- (3) provide remedies for people who will be adversely affected or will lose their right to apply for benefits such as visa waivers, visa attainment through the diversity lottery, advance parole, and voluntary departure, because of their inability to meet certain deadlines through no fault of their own and as a result of the September 11, 2001 terrorist attacks;
- (4) provide immigration relief to the widows or widowers and orphan children of citizens and legal permanent residents who were killed in the September 11 attacks by allowing applications for permanent resident status to be adjudicated;
- (5) prevent children from aging out of eligibility for immigration benefits where the delay was the result of the September 11 attacks;
- (6) provide for temporary administrative relief to allow the family of people who were killed or seriously injured in the terrorist attacks who are not otherwise covered by this subtitle; and
- (7) prohibit any benefits from being provided to anyone culpable for the terrorist attacks on September 11 or any family member of such person.

Provisions Removing Obstacles to Investigating Terrorism

The enrolled bill would enhance the authorities of the Attorney General and the Secretary of State to pay rewards to combat terrorism. H.R. 3162 would authorize the Attorney General to pay rewards to combat terrorism and ensure that non-terrorism rewards are subject to budgetary caps.

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Date: 10-25-01ACTION / CONCURRENCE / COMMENT DUE BY: 10-26-01 9:00 AM

ENROLLED BILL H.R. 3162 -- UNITING AND STRENGTHENING AMERICA BY
 PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCT

Subject: TERRORISM ACT OF 2001

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

File by NEC- EI

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

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The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Enrolled Bill H.R. 3162 - Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA TERRORISM ACT) Act of 2001 - To: POTUS - From: Sean O'Keefe	11	10/25/2001	P5;

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

10/26/2001 [H. R. 3162] [2]

FRC ID:

779

OA Num.:

730

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1456

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● Rachael L. Sunbarger

10/26/2001 11:54:12 AM

Record Type: Record

To:

cc:

Subject: REMARKS BY THE PRESIDENT AT THE SIGNING OF THE PATRIOT ACT, ANTI-TERRORISM
LEGISLATION

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

October 26, 2001

REMARKS BY THE PRESIDENT
AT SIGNING OF THE PATRIOT ACT, ANTI-TERRORISM LEGISLATION

The East Room

9:49 A.M. EDT

THE PRESIDENT: Good morning and welcome to the White House. Today, we take an essential step in defeating terrorism, while protecting the constitutional rights of all Americans. With my signature, this law will give intelligence and law enforcement officials important new tools to fight a present danger.

I commend the House and Senate for the hard work they put into this legislation. Members of Congress and their staffs spent long nights and weekends to get this important bill to my desk. I appreciate their efforts, and bipartisanship, in passing this new law.

I want to thank the Vice President and his staff for working hard to make sure this law was passed. I want to thank the Secretary of State and the Secretary of Treasury for being here, both of whom lead important parts of our war against terrorism. I want to thank Attorney General John Ashcroft for spending a lot of time on the Hill to make the case for a balanced piece of legislation. I want to thank the Director of the FBI and the Director of the CIA for waging an incredibly important part on the two-front war -- one overseas, and a front here at home.

I want to thank Governor Tom Ridge for his leadership. I want to thank the members of Congress who are here on the stage,

the Leaders, on this impressive effort. Senator Hatch and Senator Leahy and Senator Sarbanes and Senator Graham and Senator Reid.

I also want to thank Representative Porter Goss, LaFalce, Oxley, and Sensenbrenner for their hard work. And I want to welcome the men and women of law enforcement who are here in the White House with us today, as well.

The changes, effective today, will help counter a threat like no other our nation has ever faced. We've seen the enemy, and the murder of thousands of innocent, unsuspecting people. They recognize no barrier of morality. They have no conscience. The terrorists cannot be reasoned with. Witness the recent anthrax attacks through our Postal Service.

Our country is grateful for the courage the Postal Service has shown during these difficult times. We mourn the loss of the lives of Thomas Morris and Joseph Curseen; postal workers who died in the line of duty. And our prayers go to their loved ones.

I want to assure postal workers that our government is testing more than 200 postal facilities along the entire Eastern corridor that may have been impacted. And we will move quickly to treat and protect workers where positive exposures are found.

But one thing is for certain: These terrorists must be pursued, they must be defeated, and they must be brought to justice. (Applause.) And that is the purpose of this legislation. Since the 11th of September, the men and women of our intelligence and law enforcement agencies have been relentless in their response to new and sudden challenges.

We have seen the horrors terrorists can inflict. We may never know what horrors our country was spared by the diligent and determined work of our police forces, the FBI, ATF agents, federal marshals, Custom officers, Secret Service, intelligence professionals and local law enforcement officials, under the most trying conditions. They are serving this country with excellence, and often with bravery.

They deserve our full support and every means of help that we can provide. We're dealing with terrorists who operate by highly sophisticated methods and technologies, some of which were not even available when our existing laws were written. The bill before me takes account of the new realities and dangers posed by modern terrorists. It will help law enforcement to identify, to dismantle, to disrupt, and to punish terrorists before they strike.

For example, this legislation gives law enforcement officials better tools to put an end to financial counterfeiting, smuggling and money-laundering. Secondly, it gives intelligence

operations and criminal operations the chance to operate not on separate tracks, but to share vital information so necessary to disrupt a terrorist attack before it occurs.

As of today, we're changing the laws governing information-sharing. And as importantly, we're changing the culture of our various agencies that fight terrorism. Countering and investigating terrorist activity is the number one priority for both law enforcement and intelligence agencies.

Surveillance of communications is another essential tool to pursue and stop terrorists. The existing law was written in the era of rotary telephones. This new law that I sign today will allow surveillance of all communications used by terrorists, including e-mails, the Internet, and cell phones.

As of today, we'll be able to better meet the technological challenges posed by this proliferation of communications technology. Investigations are often slowed by limit on the reach of federal search warrants.

Law enforcement agencies have to get a new warrant for each new district they investigate, even when they're after the same suspect. Under this new law, warrants are valid across all districts and across all states. And, finally, the new legislation greatly enhances the penalties that will fall on terrorists or anyone who helps them.

Current statutes deal more severely with drug-traffickers than with terrorists. That changes today. We are enacting new and harsh penalties for possession of biological weapons. We're making it easier to seize the assets of groups and individuals involved in terrorism. The government will have wider latitude in deporting known terrorists and their supporters. The statute of limitations on terrorist acts will be lengthened, as will prison sentences for terrorists.

This bill was carefully drafted and considered. Led by the members of Congress on this stage, and those seated in the audience, it was crafted with skill and care, determination and a spirit of bipartisanship for which the entire nation is grateful. This bill met with an overwhelming -- overwhelming agreement in Congress, because it upholds and respects the civil liberties guaranteed by our Constitution.

This legislation is essential not only to pursuing and punishing terrorists, but also preventing more atrocities in the hands of the evil ones. This government will enforce this law with all the urgency of a nation at war. The elected branches of our government, and both political parties, are united in our resolve to fight and stop and punish those who would do harm to the American people.

It is now my honor to sign into law the USA Patriot Act of

2001. (Applause.)

(The bill is signed.) (Applause.)

END

10:57 A.M. EDT

10/26

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-25-01 ACTION / CONCURRENCE / COMMENT DUE BY: 10-26-01 9:00 AMENROLLED BILL H.R. 3162 -- UNITING AND STRENGTHENING AMERICA BY
PROVIDING APPROPRIATE TOOLS REQUIRED TO INTERCEPT AND OBSTRUCTSubject: TERRORISM ACT OF 2001

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

REMARKS:

PLEASE SEND COMMENTS TO THE STAFF SECRETARY'S OFFICE, NO LATER THAN 9:00 AM
TOMORROW, OCTOBER 26, 2001, AND CC: JIM JUKES, X53458. THANKS.

RESPONSE:

Clerks

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)
Memorandum	Enrolled Bill H.R. 3162 - Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA TERRORISM ACT) Act of 2001 - To: POTUS - From: Sean O'Keefe	11	10/25/2001	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:

10/26/2001 [H. R. 3162] [2]

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]

Other Provisions of H.R. 3162

Provisions to Assist Victims of Terrorism

Public Safety Officers' Benefit Program. The enrolled bill would require payments under the Public Safety Officers' Benefit Program to be made within 30 days of certification of death or disability for any firefighter, law enforcement officer, or emergency personnel involved in prevention, investigation, rescue or recovery efforts related to any future terrorist attack. The enrolled bill would raise the Public Safety Officers' Benefit Program payment from its current level of \$151,635 to \$250,000 (adjusted annually for inflation) effective January 1, 2001.

Victims of Crime Act. The enrolled bill would amend the Victims of Crime Act to: (1) replenish the antiterrorism emergency reserve with up to \$50 million; (2) replace the annual cap on the Crime Victims Fund with a system that would allow more money to be distributed in years when deposits to the Fund are high; (3) authorize private gift-giving to the Fund; and (4) authorize the Office for Victims of Crime to work directly with service providers (as opposed to governments) to expedite assistance to victims of domestic terrorism.

Regional Information Sharing Systems Grants

The enrolled bill would expand the purpose of regional information sharing systems grants administered by the Bureau of Justice Assistance to include establishing and operating secure information sharing systems to enhance the investigation and prosecution abilities of participating enforcement agencies in addressing multi-jurisdictional terrorist conspiracies and activities. To carry out this purpose, the bill would authorize appropriations to the Bureau of Justice Assistance of \$50 million for FY 2002 and \$100 million for fiscal year 2003.

Other Anti-Money Laundering Provisions

H.R. 3162 includes additional "money-laundering" provisions that would:

- require Federal banking regulators to take into account a bank's effectiveness in combating money laundering when considering whether to approve bank mergers.
- create a public-private task force, under the Bank Secrecy Act Advisory Group, to examine terrorist financing and how terrorist funds are distributed globally, as well as within the United States;
- require informal money transferring systems to register with the Treasury Department as a money-transmitting business and to file suspicious-activity reports. The bill would require Treasury to report to Congress on any further legislation needed to oversee such systems;

- authorize the Federal government to deny entry into the United States of any foreign individual (or immediate relative of an individual) who is believed to have engaged in money laundering or similar criminal activities in a foreign nation. The bill also allows denial of entry to immediate relatives of those believed to have engaged in money-laundering or similar criminal activities in a foreign nation;
- authorize U.S. courts to order convicted criminals to return to the United States any funds they may have placed in bank accounts overseas and expands the ability of U.S. courts to enforce foreign judgments; and
- clarify that civil and criminal penalties may be imposed on financial institutions that fail to comply with special record-keeping and reporting requirements imposed by the Treasury Department through geographic targeting orders.

Immigration-Related Provisions

The enrolled bill would require the Secretary of State to perform annual audits and report to Congress on the implementation of the machine-readable passport program until September 30, 2007, and would advance the deadline for implementing this program from October 1, 2007, to October 1, 2003.

The bill would also require the Secretary of State to review how U.S. consular offices issue visas to determine whether "consular shopping" (i.e. when visa applicants who are rejected at one consular office reapply at other offices until they are approved) is a problem. If the Secretary determines that this is a problem, the Secretary would have to take steps to address it and report to Congress on what action was taken.

Preservation of Immigration Benefits for Victims of Terrorism

The enrolled bill includes several provisions that would preserve the immigration benefits of victims of the September 11 attacks and their families. Specifically, the bill would:

- (1) create a new special immigrant status for people who were in the process of securing permanent residence through a family member who died, was disabled, or lost employment as a result of the terrorist activities of September 11, 2001;
- (2) provide a temporary extension of status to people who are present in the United States on a "derivative status" (the spouse or minor child) of a non-immigrant who was killed or injured on September 11, 2001;

- (3) provide remedies for people who will be adversely affected or will lose their right to apply for benefits such as visa waivers, visa attainment through the diversity lottery, advance parole, and voluntary departure, because of their inability to meet certain deadlines through no fault of their own and as a result of the September 11, 2001 terrorist attacks;
- (4) provide immigration relief to the widows or widowers and orphan children of citizens and legal permanent residents who were killed in the September 11 attacks by allowing applications for permanent resident status to be adjudicated;
- (5) prevent children from aging out of eligibility for immigration benefits where the delay was the result of the September 11 attacks;
- (6) provide for temporary administrative relief to allow the family of people who were killed or seriously injured in the terrorist attacks who are not otherwise covered by this subtitle; and
- (7) prohibit any benefits from being provided to anyone culpable for the terrorist attacks on September 11 or any family member of such person.

Provisions Removing Obstacles to Investigating Terrorism

The enrolled bill would enhance the authorities of the Attorney General and the Secretary of State to pay rewards to combat terrorism. H.R. 3162 would authorize the Attorney General to pay rewards to combat terrorism and ensure that non-terrorism rewards are subject to budgetary caps.

Under current law, DNA samples may be collected from persons convicted of certain Federal crimes. The enrolled bill would expand the list of crimes to include all persons convicted of certain crimes of terrorism, crimes of violence, and conspiracies to commit these offenses.

The enrolled bill would require an application to a court to obtain information on private student records in the possession of the National Center for Education Statistics or any educational agency or institution, upon the Attorney General's determination that such information was necessary for the prosecution or investigation of terrorism. The enrolled bill would limit the immunity of persons producing such information in good faith and would direct the Attorney General, in consultation with the Secretary of Education, to issue guidelines to protect confidentiality.

Intelligence Agency Provisions

The enrolled bill would clarify the role of the CIA Director to set overall strategy for collection of information through court-ordered FISA surveillance, but the Director would have no operational authority. H.R. 3162 would provide for the inclusion of "international terrorist activities" in the definition of "foreign intelligence" under the National Security Act in order to clarify the authorities of the CIA. The enrolled bill would state the sense of Congress that the CIA should make efforts to recruit informants to fight terrorism.

The enrolled bill would require the Attorney General to develop guidelines for expeditious disclosure to the CIA of foreign intelligence information obtained in criminal investigations. When the CIA seeks to recruit a criminal suspect, the Attorney General would be required to notify the CIA within a reasonable period of time whether a criminal case will be pursued. The enrolled bill would require Justice, the CIA, and Treasury to report to Congress on the feasibility of using the Foreign Terrorist Asset Tracking Center to compile, analyze and disseminate information on the finances of international terrorist organizations.

The enrolled bill would require the CIA, in consultation with the FBI, to report to Congress on the feasibility of establishing a National Virtual Translation Center to provide accurate and timely translations of foreign intelligence for use by the intelligence community. The enrolled bill would require the Attorney General, in consultation with the CIA Director, to provide training to Federal, State and local government officials in identifying foreign intelligence information obtained in the course of their duties.

Other Enhancements to Security Efforts Against Terrorism

The enrolled bill would authorize appropriations of \$200 million in each of fiscal years 2002 through 2004 for the FBI's Technical Support Center. H.R. 3162 would also require the Director of the Secret Service to develop a national network of electronic crime task forces for purposes of preventing, detecting, and investigating various forms of electronic crimes, including potential terrorist attacks against critical infrastructure and financial payment systems. The enrolled bill would allow the Department of Justice to ask the Department of Defense to provide assistance during emergencies involving weapons of mass destruction.

The enrolled bill would establish in the Department of the Treasury a Counterterrorism Fund, amounts in which would be available without fiscal year limitation, to reimburse the Department of Justice for costs related to: (1) reestablishing an office damaged or destroyed by a domestic or international terrorism incident, (2) investigating and prosecuting domestic or international terrorism, and (3) conducting terrorism threat assessments of Federal facilities. The fund would also be available to reimburse any Federal agency for costs incurred in detaining individuals in foreign countries accused of acts of terrorism in violation of U.S. laws.

Miscellaneous Provisions

The enrolled bill would require the Inspector General of the Department of Justice to designate one official to review complaints of civil liberties and civil rights abuses and to report semi-annually to Congress on any abuses.

The enrolled bill would require Justice to make terrorism prevention grants to State and local governments to improve the ability of State and local law enforcement, fire department, and first responders to respond to and prevent acts of terrorism. The enrolled bill would authorize appropriations of \$25 million for each of fiscal years 2003 through 2007 for this purpose.

The enrolled bill would authorize appropriations to the President of not less than \$5 million for FY 2002 for regional anti-drug training in Turkey and in South and Central Asia.

The enrolled bill would require Justice to make grants to States and units of local government to improve State and local jurisdictions' ability to respond to terrorist acts, including events of terrorism involving weapons of mass destruction and biological, nuclear, radiological, incendiary, chemical, and explosive devices. The enrolled bill would authorize appropriations of such sums as may be necessary for each of fiscal years 2002 through 2007 for this purpose

The enrolled bill would expand and re-authorize the Crime Identification Technology Act for anti-terrorism grants to States and units of local government. The enrolled bill would authorize appropriations of \$250 million for each of fiscal years 2002 through 2007 for this purpose.