

George W. Bush Presidential Library

Collection: Executive Clerk, Office of the

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

Folder Title: 11/28/2001 [H. R. 2500] [1]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Memorandum	Enrolled Bill H.R. 2500 - Departments of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr.	5	11/27/2001	P5;
002	Memorandum	Enrolled Bill H.R. 2500 - Departments of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr.	5	11/20/2001	P5; Transferred
003	Statement	Statement by the President - From: POTUS	2	N.D.	P5;
004	Memorandum	Enrolled Bill H.R. 2500 - Departments of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr.	4	11/20/2001	P5;
005	Statement	Statement by the President - From: POTUS	2	N.D.	P5;

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Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/28/2001 [H. R. 2500] [1]

FRC ID:

780

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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007	Memorandum	[Enrolled Bill H.R. 2500 -- 2 copies of Page 3] - To: POTUS - From: Mitchell E. Daniels, Jr.	2	N.D.	P5;
008	Memorandum	Enrolled Bill H.R. 2500 - Departments of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr.	4	11/27/2001	P5;
009	Memorandum	Enrolled Bill H.R. 2500 - Departments of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr.	4	N.D.	P5;

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013	Statement	Statement by the President - From: POTUS	2	N.D.	P5;
014	Statement	[Re: H. R. 2500]	1	11/28/2001	Transferred
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018	Memorandum	[Enrolled Bill H.R. 2500 Memorandum pages 2 and 3] - To: POTUS - From: Mitchell E. Daniels, Jr.	2	N.D.	P5;
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STATEMENT BY THE PRESIDENT

Today I have signed into law H.R. 2500, the "Department of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, 2002."

I appreciate the bipartisan effort that has gone into producing this Act. The bill abides by the agreed upon aggregate funding level for Fiscal Year 2002 of \$686 billion and supports several of my Administration's key initiatives including:

- \$100 million to support a backlog elimination initiative to achieve a universal six-month processing standard for all immigration applications;
- 570 additional Immigration and Naturalization Service agents to protect our Northern and Southern borders;
- \$50 million grant program in the Office of Justice Programs to aid counties along the Southwestern border with their costs of detaining and prosecuting drug cases referred to them by Federal law enforcement agents;
- \$50 million for drug courts, which provide a supervised treatment alternative to prison sentences for non-violent drug possession offenders, to enable Federal assistance to over 120 new or existing drug court programs. To date, over 57,000 offenders have completed drug court programs, and their recidivism rate is much lower than that of comparable offenders;
- \$15 million for grants to create community-based task forces for reducing youth violence and to assist State and local prosecution of firearms offenses, and \$9 million for the U.S. Attorneys to hire dedicated prosecutors who will appropriately prosecute juvenile gun offenders and those who supply them with guns;
- \$20 million to assist State and local law enforcement agencies with the costs associated with methamphetamine laboratory clean-up; and,
- \$5 million for a faith-based prison pre-release pilot project to reduce the rate at which ex-offenders are returned to prison through intensive counseling and family and community transition instruction.

In addition, at this critical time, when we are mounting a world-wide effort to defeat terrorism, I appreciate that this bill provides significant new funding for our Federal law enforcement agencies in the Department of Justice, our diplomatic operations overseas, and for enhanced embassy security.

I note that Section 612 of the bill sets forth certain requirements regarding the organization of the Department of Justice's efforts to combat domestic terrorism. This provision raises separation of powers concerns by improperly and unnecessarily impinging upon my authority as President to direct the actions of the Executive Branch and its employees. I therefore will construe the provision to avoid constitutional difficulties and preserve the separation of powers required by the Constitution.

Section 626 would require the President to submit a legislative proposal to establish a program for the compensation of victims of international terrorism. I will apply this provision consistent with my constitutional responsibilities. In addition, subsection (c) of that section purports to remove Iran's immunity from suit in a case brought by the 1979 Tehran hostages in the District Court for the District of Columbia. To the maximum extent permitted by applicable law, the Executive Branch will act, and encourage the courts to act, with regard to Subsection 626(c) of the bill 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.

Section 630 prohibits the use of appropriated funds for cooperation with, or assistance or other support to, the International Criminal Court or its Preparatory Commission. I will apply this provision consistent with my constitutional authority in the area of foreign affairs.

In addition, several other provisions of the bill unconstitutionally constrain my authority regarding the conduct of diplomacy and my authority as Commander-in-Chief. I will apply these provisions consistent with my constitutional responsibilities.

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Country
Forwarded to
(Beth Rossman)
*54790
→ left message 6:00pm.
Counsel's office
comments included
May not be
final but
this is
most current
at May
commit!

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-- \$5 million for a faith-based prison pre-release pilot project to reduce the rate at which ex-offenders are returned to prison through intensive counseling and family and community transition instruction.

In addition, at this critical time when we are mounting a worldwide effort to defeat terrorism, I appreciate that this Act provides significant new funding for our Federal law enforcement agencies in the Department of Justice, our diplomatic operations overseas, and for enhanced embassy security.

I note that section 612 of the Act sets forth certain requirements regarding the organization of the Department of Justice's efforts to combat domestic terrorism. This provision raises separation of powers concerns by improperly and unnecessarily impinging upon my authority as President to direct the actions of the executive branch and its employees. I therefore will construe the provision to avoid constitutional difficulties and preserve the separation of powers required by the Constitution.

Section 626 would require the President to submit a legislative proposal to establish a program for the compensation of victims of international terrorism. I will apply this provision consistent with my constitutional responsibilities. In addition, subsection (c) of that section purports to remove Iran's immunity from suit in a case brought by the 1979 Tehran hostages in the District Court for the District of Columbia. To the maximum extent permitted by applicable law, the executive branch will act, and encourage the courts to act, with regard to subsection 626(c) of the 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.

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X

THE WHITE HOUSE,

11/28

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-20-01

ACTION / CONCURRENCE / COMMENT DUE BY: 11-21-01 4:00 PM

ENROLLED BILL H.R. 2500 - DEPARTMENTS OF COMMERCE, JUSTICE, STATE,
 Subject: THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, FY 2002

	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 forward comments directly to Staff Secretary, x62702, no later than 4:00 p.m.,
 Wednesday, November 21, 2001. Thanks.

RESPONSE:

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

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FOLDER TITLE:

11/28/2001 [H. R. 2500] [1]

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In addition, at this critical time, when we are mounting a world-wide effort to defeat terrorism, I appreciate that this bill provides significant new funding for our Federal law enforcement agencies in the Department of Justice, our diplomatic operations overseas, and for enhanced embassy security.

I note that Section 612 of the bill sets forth certain requirements regarding the organization of the Department of Justice's efforts to combat terrorism. This provision raises separation of powers concerns by improperly and unnecessarily impinging upon my authority as President to direct the actions of the Executive Branch and its employees. I therefore will construe the provision to avoid constitutional difficulties and preserve the separation of powers required by the Constitution.

Section 626 would require the President to submit a legislative proposal to establish a program for the compensation of victims of international terrorism. I will apply this provision consistent with my constitutional responsibilities. In addition, subsection (c) of that section purports to remove Iran's immunity from suit in a case brought by the 1979 Tehran hostages in the District Court for the District of Columbia. To the maximum extent permitted by applicable law, the Executive Branch will act, and encourage the courts to act, with regard to Subsection 626(c) of the bill 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.

Section 630 prohibits the use of appropriated funds for cooperation with, or assistance or other support to, the International Criminal Court (ICC) or its Preparatory Commission. While Section 630 clearly reflects that 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.

In addition, several other provisions of the bill unconstitutionally constrain my authority regarding the conduct of diplomacy and my authority as Commander-in-Chief. I will apply these provisions consistent with my constitutional responsibilities.

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STATEMENT BY THE PRESIDENT

Today I have signed into law H.R. 2500, the "Department of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, 2002."

I appreciate the bipartisan effort that has gone into producing this Act. The bill abides by the agreed upon aggregate funding level for Fiscal Year 2002 of \$686 billion and supports several of my Administration's key initiatives including:

- \$100 million to support a backlog elimination initiative to achieve a universal six-month processing standard for all immigration applications;

- 570 additional Immigration Service
orders;

- ice
border
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it

Good Version

- revised

- ~~offenders, to enable~~
federal assistance to over 120 new or existing drug court programs. To date, over 57,000 offenders have completed drug court programs, and their recidivism rate is much lower than that of comparable offenders;
- \$15 million for grants to create community-based task forces for reducing youth violence and to assist State and local prosecution of firearms offenses, and \$9 million for the U.S. Attorneys to hire dedicated prosecutors who will appropriately prosecute drug-related

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- \$100 million to support a backlog elimination initiative to achieve a universal six-month processing standard for all immigration applications;
- 570 additional Immigration and Naturalization Service agents to protect our Northern and Southern borders;
- \$50 million grant program in the Office of Justice Programs to aid counties along the Southwestern border with their costs of detaining and prosecuting drug cases referred to them by Federal law enforcement agents;
- \$50 million for drug courts, which provide a supervised treatment alternative to prison sentences for non-violent drug possession offenders, to enable Federal assistance to over 120 new or existing drug court programs. To date, over 57,000 offenders have completed drug court programs, and their recidivism rate is much lower than that of comparable offenders;
- \$15 million for grants to create community-based task forces for reducing youth violence and to assist State and local prosecution of firearms offenses, and \$9 million for the U.S. Attorneys to hire dedicated prosecutors who will appropriately prosecute juvenile gun offenders and those who supply them with guns;
- \$20 million to assist State and local law enforcement agencies with the costs associated with methamphetamine laboratory clean-up; and,

-- \$5 million for a faith-based prison pre-release pilot project to reduce the rate at which ex-offenders are returned to prison through intensive counseling and family and community transition instruction.

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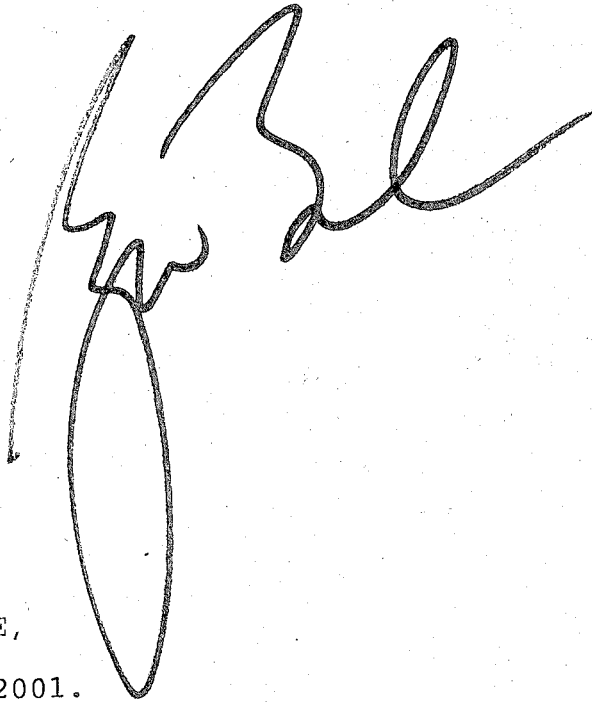
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In addition, several other provisions of the bill unconstitutionally constrain my authority regarding the conduct of diplomacy and my authority as Commander-in-Chief. I will apply these provisions consistent with my constitutional responsibilities.

A large, stylized handwritten signature in dark ink, likely belonging to George W. Bush, positioned over the typed text of the letter.

THE WHITE HOUSE,
November 28, 2001.

Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	4	11/28/2001	P5;

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COLLECTION:

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SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/28/2001 [H. R. 2500] [1]

FRC ID:

780

OA Num.:

731

NARA Num.:

1457

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11/28
5:55 P

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- \$50 million for drug courts, which provide a supervised treatment alternative to prison sentences for non-violent drug possession offenders, to enable Federal assistance to over 120 new or existing drug court programs. To date, over 57,000 offenders have completed drug court programs, and their recidivism rate is much lower than that of comparable offenders;
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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	[Enrolled Bill H.R. 2500 Memorandum pages 2 and 3] - To: POTUS - From: Mitchell E. Daniels, Jr.	2	N.D.	P5;

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