

# **George W. Bush Presidential Library**

**Collection:** Executive Clerk, Office of the

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

**Folder Title:** 12/28/2001 [H.R. 2883] [2]

# Withdrawn/Redacted Material

## The George W. Bush Library

| DOCUMENT NO. | FORM       | SUBJECT/TITLE                                                                                                           | PAGES | DATE       | RESTRICTION(S) |
|--------------|------------|-------------------------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| 001          | Memorandum | Intelligence Authorization Act for FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr.                                 | 4     | 12/21/2001 | P5;            |
| 002          | Statement  | [Draft re: H.R. 2883]                                                                                                   | 1     | N.D.       | P5;            |
| 003          | Letter     | [Views of the National Security Council] - To: James J. Jukes - From: Stephen E. Biegun                                 | 1     | 12/19/2001 | P5;            |
| 004          | Letter     | [Views of the General Counsel of the Department of Defense] - To: Mitchell E. Daniels, Jr. - From: William J. Haynes II | 1     | 12/29/2001 | P5;            |
| 005          | Letter     | [Views of the U.S. Department of Justice] - To: Mitchell E. Daniels, Jr. - From: Daniel J. Bryant                       | 4     | 12/20/2001 | P5;            |
| 006          | Letter     | [Views of the U.S. Department of Transportation] - To: Mitchell E. Daniels, Jr. - From: Kirk K. Van Tine                | 1     | 12/17/2001 | P5;            |

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Saunders, G. Timothy (Tim) - Bill Files

### FOLDER TITLE:

12/28/2001 [H. R. 2883] [2]

### FRC ID:

781

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

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- 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).

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| 007          | Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: David S. Addington | 1     | 12/22/2001 | P5;            |
| 008          | Statement    | [Draft re: H.R. 2883]                                                                        | 1     | N.D.       | P5;            |
| 009          | Statement    | [Draft re: H.R. 2883]                                                                        | 1     | N.D.       | P5;            |
| 010          | Memorandum   | Intelligence Authorization Act for FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr.      | 4     | 12/21/2001 | P5;            |
| 011          | Statement    | [Draft re: H.R. 2883]                                                                        | 1     | N.D.       | P5;            |
| 012          | Letter       | [Views of the National Security Council] - To: James J. Jukes - From: Stephen E. Biegun      | 1     | 12/19/2001 | P5;            |

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| 016          | Statement    | [Draft re: H.R. 2883]                                                                                                   | 1     | N.D.       | P5;            |
| 017          | Statement    | [Draft re: H.R. 2883]                                                                                                   | 1     | N.D.       | P5;            |
| 018          | Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: Karl Rove                                     | 1     | 12/22/2001 | P5;            |

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| 021          | Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: David S. Addington | 1     | 12/22/2001 | P5;            |
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| 028          | Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: Andy Card                                     | 1     | 12/22/2001 | P5;            |
| 029          | Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: David S. Addington                            | 1     | 12/22/2001 | P5;            |
| 030          | Statement    | [Draft re: H.R. 2883]                                                                                                   | 1     | 12/26/2001 | P5;            |

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| 038          | Statement  | [Draft re: H.R. 2883]                                                                   | 1     | 12/26/2001 | P5;            |
| 039          | Statement  | Intelligence Authorization Act for FY 2002                                              | 1     | 12/28/2001 | Transferred    |

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## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-21-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-26-01, COB

Subject: H.R. 2883 -- INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

DEC 26 PM 1:15

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input type="checkbox"/>            | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |           | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN COB WEDNESDAY, 12-26-01. THANK YOU.

December 26, 2001

## RESPONSE:

The NSC concurs with the attached documentation.

*Condoleezza Rice*  
Condoleezza Rice

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

# Withdrawal Marker

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### **FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

### **FRC ID:**

781

### **OA Num.:**

732

### **NARA Num.:**

1458

### **RESTRICTION CODES**

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

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

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Other Provisions of H.R. 2883

Report on Implementing Recommendations of Several Commissions. H.R. 2883 would require a Director of Central Intelligence (DCI) report to Congress within 120 days after enactment of the enrolled bill concerning whether and to what extent the Intelligence Community has implemented the recommendations contained in the reports of: (1) the U.S. Commission on National Security for the 21st Century; (2) the Gilmore Commission (which assesses domestic response capabilities for terrorism involving weapons of mass destruction); and (3) the National Commission on Terrorism (Bremer Commission). The enrolled bill would require that the DCI provide a "detailed explanation" of the reasons why any such recommendations have not been implemented.

Report on Alien Terrorist Removal Proceedings. The enrolled bill would require the Attorney General to report to Congress within three months on the effect and efficacy of alien terrorist removal proceedings as required in section 504 of the Immigration and Nationality Act. The report shall include the reasons why proceedings pursuant to that section have not been used by the Attorney General in the past and the effect on the use of those proceedings after the enactment of the USA PATRIOT Act.

Coast Guard as a Member of the Intelligence Community. H.R. 2883 would add the Coast Guard as an element of the Intelligence Community by amending the relevant provisions of the National Security Act of 1947.

Diplomatic Telecommunications Service Program Office. The enrolled bill would suspend the effective date of the provisions concerning the reorganization of the Diplomatic Telecommunications Service Program Office (DTS-PO) until October 1, 2002, as requested by the Administration. This would allow the Administration to implement changes to DTS-PO in accordance with a Memorandum of Agreement reached by the interested agencies. DTS-PO manages the global secure and non-secure telecommunications systems and communications network used by the Department of State and other Federal agencies.

Personnel Provisions. H.R. 2883 contains a number of provisions relating to personnel and benefits, including: (1) providing a lodging allowance to an employee who leaves his/her immediate family at the permanent duty station to participate in a rotation or detail for training under the Intelligence Community Assignment Program; (2) extending CIA's authority to offer voluntary separation incentives through September 30, 2003; (3) establishing an undergraduate training program for civilian employees at the National Imagery and Mapping Agency; (4) allowing the CIA to reimburse employees for 100 percent of their professional liability insurance costs (currently the CIA may only reimburse 50 percent of the costs); and (5) providing the Secretary of Defense (largely for the National Security Agency) authority to purchase items of nominal value (e.g., mugs) for use in recruitment.

Enhancement of Security Authorities of the National Security Agency. The enrolled bill authorizes National Security Agency (NSA) security protective officers to exercise their law enforcement functions to 500 feet beyond the territorial bounds of NSA facilities. (This authority would parallel the authorities available to similar security officers at the CIA.)

Protection of Employees Who Report Urgent Concerns to Congress. The enrolled bill would require that all complaints or information obtained by the inspectors general of the intelligence agencies be forwarded to the appropriate agency head, and then to the intelligence committees. (Currently only complaints that the inspectors general found to be "credible" are forwarded to the agency head and onward to the intelligence committees.)

# Withdrawal Marker

## The George W. Bush Library

| FORM   | SUBJECT/TITLE                                                                           | PAGES | DATE       | RESTRICTION(S) |
|--------|-----------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the National Security Council] - To: James J. Jukes - From: Stephen E. Biegun | 1     | 12/19/2001 | P5;            |

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Executive Clerk, Office Of the

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| FORM   | SUBJECT/TITLE                                                                                                              | PAGES | DATE       | RESTRICTION(S) |
|--------|----------------------------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the General Counsel of the Department of Defense] - To:<br>Mitchell E. Daniels, Jr. - From: William J. Haynes II | 1     | 12/29/2001 | P5;            |

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|--------|------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the U.S. Department of Justice] - To: Mitchell E. Daniels, Jr. -<br>From: Daniel J. Bryant | 4     | 12/20/2001 | P5;            |

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| Letter | [Views of the U.S. Department of Transportation] - To: Mitchell E. Daniels, Jr. - From: Kirk K. Van Tine | 1     | 12/17/2001 | P5;            |

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|--------------|----------------------------------------------------------------------------------------------|-------|------------|----------------|
| Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: David S. Addington | 1     | 12/22/2001 | P5;            |

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| Statement | [Draft re: H.R. 2883] | 1     | N.D. | P5;            |

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STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

Section 305 of the Act amends Section 502 of the National Security Act of 1947, which relates to executive branch reports to Congress under the intelligence oversight provisions of the National Security Act. Section 305 purports to require that reports submitted to the congressional intelligence committees by the executive branch on significant anticipated intelligence activities or significant intelligence failures always be in written form, with a concise statement of facts pertinent to the report and an explanation of the significance of the activity or failure.

Section 502 of the National Security Act as amended by Section 305 of the Act shall be construed for all purposes, specifically including for the purpose of the establishment of standards and procedures under Section 502(c) of the National Security Act by the Director of Central Intelligence, in a manner consistent with the President's constitutional authority to withhold information the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties. Section 502 shall also be construed in a manner consistent with the statutory responsibility of the Director of Central Intelligence to protect intelligence sources and methods and other exceptionally sensitive matters.

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-22-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-26-01 COBSubject: SAP FOR H.R. 2883 -- INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

|                             | ACTION                              | FYI                                 |                      | ACTION                              | FYI                                 |
|-----------------------------|-------------------------------------|-------------------------------------|----------------------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD              | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD <i>see comment</i>     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN                    | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN <i>NC</i>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON              | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON                 | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE <i>concur</i>   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE <i>✓</i>       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON                      | <input type="checkbox"/>            | <input type="checkbox"/>            | ROVE <i>see note</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES <i>see comment</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS <i>ok</i>  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN                       | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____                | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN COB WEDNESDAY, 12-26-01, WITH A COPY TO BETH ROSSMAN, X54790. THANK YOU.

## RESPONSE: \_\_\_\_\_

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

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## WHITE HOUSE STAFFING MEMORANDUM

01 DEC 26 AM 11:26

Date: 12-21-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-26-01, COB

Subject: H.R. 2883 -- INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD →         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input type="checkbox"/>            | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN COB WEDNESDAY, 12-26-01. THANK YOU.

RESPONSE:

*5/45 a/c  
5/1438  
on AKC*

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 | Intelligence Authorization Act for FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr. | 4     | 12/21/2001 | P5;            |

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### **COLLECTION:**

Executive Clerk, Office Of the

### **SERIES:**

Saunders, G. Timothy (Tim) - Bill Files

### **FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

### **FRC ID:**

781

### **OA Num.:**

732

### **NARA Num.:**

1458

### **RESTRICTION CODES**

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| FORM      | SUBJECT/TITLE         | PAGES | DATE | RESTRICTION(S) |
|-----------|-----------------------|-------|------|----------------|
| Statement | [Draft re: H.R. 2883] | 1     | N.D. | P5;            |

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Other Provisions of H.R. 2883

Report on Implementing Recommendations of Several Commissions. H.R. 2883 would require a Director of Central Intelligence (DCI) report to Congress within 120 days after enactment of the enrolled bill concerning whether and to what extent the Intelligence Community has implemented the recommendations contained in the reports of: (1) the U.S. Commission on National Security for the 21st Century; (2) the Gilmore Commission (which assesses domestic response capabilities for terrorism involving weapons of mass destruction); and (3) the National Commission on Terrorism (Bremer Commission). The enrolled bill would require that the DCI provide a "detailed explanation" of the reasons why any such recommendations have not been implemented.

Report on Alien Terrorist Removal Proceedings. The enrolled bill would require the Attorney General to report to Congress within three months on the effect and efficacy of alien terrorist removal proceedings as required in section 504 of the Immigration and Nationality Act. The report shall include the reasons why proceedings pursuant to that section have not been used by the Attorney General in the past and the effect on the use of those proceedings after the enactment of the USA PATRIOT Act.

Coast Guard as a Member of the Intelligence Community. H.R. 2883 would add the Coast Guard as an element of the Intelligence Community by amending the relevant provisions of the National Security Act of 1947.

Diplomatic Telecommunications Service Program Office. The enrolled bill would suspend the effective date of the provisions concerning the reorganization of the Diplomatic Telecommunications Service Program Office (DTS-PO) until October 1, 2002, as requested by the Administration. This would allow the Administration to implement changes to DTS-PO in accordance with a Memorandum of Agreement reached by the interested agencies. DTS-PO manages the global secure and non-secure telecommunications systems and communications network used by the Department of State and other Federal agencies.

Personnel Provisions. H.R. 2883 contains a number of provisions relating to personnel and benefits, including: (1) providing a lodging allowance to an employee who leaves his/her immediate family at the permanent duty station to participate in a rotation or detail for training under the Intelligence Community Assignment Program; (2) extending CIA's authority to offer voluntary separation incentives through September 30, 2003; (3) establishing an undergraduate training program for civilian employees at the National Imagery and Mapping Agency; (4) allowing the CIA to reimburse employees for 100 percent of their professional liability insurance costs (currently the CIA may only reimburse 50 percent of the costs); and (5) providing the Secretary of Defense (largely for the National Security Agency) authority to purchase items of nominal value (e.g., mugs) for use in recruitment.

Enhancement of Security Authorities of the National Security Agency. The enrolled bill authorizes National Security Agency (NSA) security protective officers to exercise their law enforcement functions to 500 feet beyond the territorial bounds of NSA facilities. (This authority would parallel the authorities available to similar security officers at the CIA.)

Protection of Employees Who Report Urgent Concerns to Congress. The enrolled bill would require that all complaints or information obtained by the inspectors general of the intelligence agencies be forwarded to the appropriate agency head, and then to the intelligence committees. (Currently only complaints that the inspectors general found to be "credible" are forwarded to the agency head and onward to the intelligence committees.)

# Withdrawal Marker

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| FORM   | SUBJECT/TITLE                                                                           | PAGES | DATE       | RESTRICTION(S) |
|--------|-----------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the National Security Council] - To: James J. Jukes - From: Stephen E. Biegun | 1     | 12/19/2001 | P5;            |

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**FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

**FRC ID:**

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**OA Num.:**

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| FORM   | SUBJECT/TITLE                                                                                                           | PAGES | DATE       | RESTRICTION(S) |
|--------|-------------------------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the General Counsel of the Department of Defense] - To: Mitchell E. Daniels, Jr. - From: William J. Haynes II | 1     | 12/19/2001 | P5;            |

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| FORM   | SUBJECT/TITLE                                                                                        | PAGES | DATE       | RESTRICTION(S) |
|--------|------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the U.S. Department of Justice] - To: Mitchell E. Daniels, Jr. -<br>From: Daniel J. Bryant | 4     | 12/20/2001 | P5;            |

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|--------|----------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the U.S. Department of Transportation] - To: Mitchell E. Daniels, Jr. - From: Kirk K. Van Tine | 1     | 12/17/2001 | P5;            |

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## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-22-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-26-01 COB

01 DEC 26 AM 8:26

Subject: SAP FOR H.R. 2883 -- INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
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## REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN COB WEDNESDAY, 12-26-01, WITH A COPY TO BETH ROSSMAN, X54790. THANK YOU.

no comments

## 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 | [Draft re: H.R. 2883] | 1     | N.D. | P5;            |

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**WHITE HOUSE STAFFING MEMORANDUM**Date: 12-22-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-26-01 COBSubject: SAP FOR H.R. 2883 -- INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

|                | ACTION                              | FYI                                 |             | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-------------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD     | <input type="checkbox"/>            | <input type="checkbox"/>            |
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RESPONSE: \_\_\_\_\_

OK

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

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| FORM      | SUBJECT/TITLE         | PAGES | DATE | RESTRICTION(S) |
|-----------|-----------------------|-------|------|----------------|
| Statement | [Draft re: H.R. 2883] | 1     | N.D. | P5;            |

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Saunders, G. Timothy (Tim) - Bill Files

### **FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

### **FRC ID:**

781

### **OA Num.:**

732

### **NARA Num.:**

1458

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| FORM         | SUBJECT/TITLE                                                                       | PAGES | DATE       | RESTRICTION(S) |
|--------------|-------------------------------------------------------------------------------------|-------|------------|----------------|
| Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: Karl Rove | 1     | 12/22/2001 | P5;            |

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| Statement | [Draft re: H.R. 2883] | 1     | N.D. | P5;            |

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## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-22-01

ACTION / CONCURRENCE / COMMENT DUE BY: 12-26-01 COB

01 DEC 26 PM 6:13

Subject: SAP FOR H.R. 2883 -- INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input type="checkbox"/>            | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |           | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN COB WEDNESDAY, 12-26-01, WITH A COPY TO BETH ROSSMAN, X54790. THANK YOU.

December 26, 2001

## RESPONSE:

The NSC concurs with the attached documentation.

*Mary A. Danvers*  
 Condoleezza Rice

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 | [Draft re: H.R. 2883] | 1     | N.D. | P5;            |

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| Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: David S. Addington | 1     | 12/22/2001 | P5;            |

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| FORM       | SUBJECT/TITLE                                                                           | PAGES | DATE       | RESTRICTION(S) |
|------------|-----------------------------------------------------------------------------------------|-------|------------|----------------|
| Memorandum | Intelligence Authorization Act for FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr. | 4     | 12/21/2001 | P5;            |

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Other Provisions of H.R. 2883

Report on Implementing Recommendations of Several Commissions. H.R. 2883 would require a Director of Central Intelligence (DCI) report to Congress within 120 days after enactment of the enrolled bill concerning whether and to what extent the Intelligence Community has implemented the recommendations contained in the reports of: (1) the U.S. Commission on National Security for the 21st Century; (2) the Gilmore Commission (which assesses domestic response capabilities for terrorism involving weapons of mass destruction); and (3) the National Commission on Terrorism (Bremer Commission). The enrolled bill would require that the DCI provide a "detailed explanation" of the reasons why any such recommendations have not been implemented.

Report on Alien Terrorist Removal Proceedings. The enrolled bill would require the Attorney General to report to Congress within three months on the effect and efficacy of alien terrorist removal proceedings as required in section 504 of the Immigration and Nationality Act. The report shall include the reasons why proceedings pursuant to that section have not been used by the Attorney General in the past and the effect on the use of those proceedings after the enactment of the USA PATRIOT Act.

Coast Guard as a Member of the Intelligence Community. H.R. 2883 would add the Coast Guard as an element of the Intelligence Community by amending the relevant provisions of the National Security Act of 1947.

Diplomatic Telecommunications Service Program Office. The enrolled bill would suspend the effective date of the provisions concerning the reorganization of the Diplomatic Telecommunications Service Program Office (DTS-PO) until October 1, 2002, as requested by the Administration. This would allow the Administration to implement changes to DTS-PO in accordance with a Memorandum of Agreement reached by the interested agencies. DTS-PO manages the global secure and non-secure telecommunications systems and communications network used by the Department of State and other Federal agencies.

Personnel Provisions. H.R. 2883 contains a number of provisions relating to personnel and benefits, including: (1) providing a lodging allowance to an employee who leaves his/her immediate family at the permanent duty station to participate in a rotation or detail for training under the Intelligence Community Assignment Program; (2) extending CIA's authority to offer voluntary separation incentives through September 30, 2003; (3) establishing an undergraduate training program for civilian employees at the National Imagery and Mapping Agency; (4) allowing the CIA to reimburse employees for 100 percent of their professional liability insurance costs (currently the CIA may only reimburse 50 percent of the costs); and (5) providing the Secretary of Defense (largely for the National Security Agency) authority to purchase items of nominal value (e.g., mugs) for use in recruitment.

Enhancement of Security Authorities of the National Security Agency. The enrolled bill authorizes National Security Agency (NSA) security protective officers to exercise their law enforcement functions to 500 feet beyond the territorial bounds of NSA facilities. (This authority would parallel the authorities available to similar security officers at the CIA.)

Protection of Employees Who Report Urgent Concerns to Congress. The enrolled bill would require that all complaints or information obtained by the inspectors general of the intelligence agencies be forwarded to the appropriate agency head, and then to the intelligence committees. (Currently only complaints that the inspectors general found to be "credible" are forwarded to the agency head and onward to the intelligence committees.)

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| FORM   | SUBJECT/TITLE                                                                           | PAGES | DATE       | RESTRICTION(S) |
|--------|-----------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the National Security Council] - To: James J. Jukes - From: Stephen E. Biegun | 1     | 12/19/2001 | P5;            |

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| Letter | [Views of the General Counsel of the Department of Defense] - To: Mitchell E. Daniels, Jr. - From: William J. Haynes II | 1     | 12/19/2001 | P5;            |

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| FORM   | SUBJECT/TITLE                                                                                        | PAGES | DATE       | RESTRICTION(S) |
|--------|------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the U.S. Department of Justice] - To: Mitchell E. Daniels, Jr. -<br>From: Daniel J. Bryant | 4     | 12/20/2001 | 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:**

12/28/2001 [H. R. 2883] [2]

### **FRC ID:**

781

### **OA Num.:**

732

### **NARA Num.:**

1458

### **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]

# Withdrawal Marker

## The George W. Bush Library

| FORM   | SUBJECT/TITLE                                                                                            | PAGES | DATE       | RESTRICTION(S) |
|--------|----------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the U.S. Department of Transportation] - To: Mitchell E. Daniels, Jr. - From: Kirk K. Van Tine | 1     | 12/17/2001 | 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:**

12/28/2001 [H. R. 2883] [2]

**FRC ID:**

781

**OA Num.:**

732

**NARA Num.:**

1458

**RESTRICTION CODES**

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

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- 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]

# REVISED

SS/ RM NO. \_\_\_\_\_

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 noonREVISED Signing Statement on H.R. 2883, Intelligence Authorization Act for  
Subject: Fiscal Year 2002

|                                     | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|-------------------------------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT <i>see alternate</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD <i>see comment</i>             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN                            | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON                         | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE ✓   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN                               | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT 62702, FAX 62215, NO LATER THAN  
12 NOON, THURSDAY, 12-27-01, WITH COPY TO BETH ROSSMAN, EXT. 54790. THANK YOU.

## RESPONSE: \_\_\_\_\_

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

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

Section 305 of the Act amends Section 502 of the National Security Act of 1947, which relates to executive branch reports to Congress under the intelligence oversight provisions of the National Security Act. Section 305 purports to require that reports submitted to the congressional intelligence committees by the executive branch on significant anticipated intelligence activities or significant intelligence failures always be in written form, with a concise statement of facts pertinent to the report and an explanation of the significance of the activity or failure.

Section 502 of the National Security Act as amended by Section 305 of the Act shall be construed for all purposes, specifically including for the purpose of the establishment of standards and procedures under Section 502(c) of the National Security Act by the Director of Central Intelligence, in a manner consistent with the President's constitutional authority to withhold information the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties. Section 502 shall also be construed in a manner consistent with the statutory responsibility of the Director of Central Intelligence to protect intelligence sources and methods and other exceptionally sensitive matters.

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOON

REVISED STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR  
 Subject: FISCAL YEAR 2002

|                                     | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|-------------------------------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT <i>See alternate</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN                            | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON                         | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN                               | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

RESPONSE: \_\_\_\_\_

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

STATEMENT BY THE PRESIDENT

Today I have signed H.R. 2883, the "Intelligence Authorization Act for Fiscal Year 2002." The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

Section 305 of the Act amends section 502 of the National Security Act of 1947, which relates to executive branch reports to the Congress under the intelligence oversight provisions of the National Security Act. Section 305 purports to require that reports submitted to the congressional intelligence committees by the executive branch on significant anticipated intelligence activities or significant intelligence failures always be in written form, with a concise statement of facts pertinent to the report and an explanation of the significance of the activity or failure.

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\*\*\*\*\*  
 \*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 1338  
 CONNECTION TEL 66212  
 CONNECTION ID  
 ST. TIME 12/26 18:12  
 USAGE T 00'50  
 PGS. SENT 2  
 RESULT OK

SS/ RM NO. \_\_\_\_\_

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOON

REVISED STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR  
 Subject: FISCAL YEAR 2002

|                  | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|------------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT → | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN         | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON      | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN            | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

**WHITE HOUSE STAFFING MEMORANDUM**Date: 12-26-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOON

REVISED STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR  
 Subject: FISCAL YEAR 2002

|                  | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|------------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT → | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN         | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON      | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN            | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

RESPONSE: \_\_\_\_\_

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

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

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\*\*\*\*\*  
 \*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 1339  
 CONNECTION TEL 51005  
 CONNECTION ID  
 ST. TIME 12/26 18:13  
 USAGE T 00'49  
 PGS. SENT 2  
 RESULT OK

SS/ RM NO. \_\_\_\_\_

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOON

REVISED STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR  
 Subject: FISCAL YEAR 2002

|                                                                                             | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|---------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN                                                                                    | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON                                                                                 | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER                                                                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON                                                                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN                                                                                       | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

**WHITE HOUSE STAFFING MEMORANDUM**Date: 12-26-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOON

REVISID STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR  
 Subject: FISCAL YEAR 2002

|                                                                                           | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|-------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN                                                                                  | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON                                                                               | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER                                                                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON                                                                                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN                                                                                     | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

RESPONSE:

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

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

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 \*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 1340  
 CONNECTION TEL 912544860295  
 CONNECTION ID  
 ST. TIME 12/26 18:15  
 USAGE T 01'01  
 PGS. SENT 2  
 RESULT OK

SS/ RM NO. \_\_\_\_\_

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOON

REVISED STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR  
 Subject: FISCAL YEAR 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

**WHITE HOUSE STAFFING MEMORANDUM**Date: 12-26-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOON

REVISÉD STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR  
 Subject: FISCAL YEAR 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

RESPONSE:

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

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

Section 305 of the Act amends Section 502 of the National Security Act of 1947, which relates to executive branch reports to Congress under the intelligence oversight provisions of the National Security Act. Section 305 purports to require that reports submitted to the congressional intelligence committees by the executive branch on significant anticipated intelligence activities or significant intelligence failures always be in written form, with a concise statement of facts pertinent to the report and an explanation of the significance of the activity or failure.

Section 502 of the National Security Act as amended by Section 305 of the Act shall be construed for all purposes, specifically including for the purpose of the establishment of standards and procedures under Section 502(c) of the National Security Act by the Director of Central Intelligence, in a matter consistent with the President's constitutional authority to withhold information the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties. Section 502 shall also be construed in a manner consistent with the statutory responsibility of the Director of Central Intelligence to protect intelligence sources and methods and other exceptionally sensitive matters.



OFFICE OF THE VICE PRESIDENT  
WASHINGTON

December 26, 2001

**MEMORANDUM FOR HARRIET MIERS**  
**STAFF SECRETARY**

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

**SUBJECT:** **Signing Statement for H.R. 2883 – Intelligence  
Authorization Act**

The Office of the Vice President has reviewed the above-referenced draft and recommends the attached alternate statement, which is identical to the signing statement recommended by the White House counsel.

**Attachment**

[REVISED]

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002.

The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

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WASHINGTON

December 26, 2001

**MEMORANDUM FOR HARRIET MIERS**  
**STAFF SECRETARY**

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

**SUBJECT:** **Signing Statement for H.R. 2883 – Intelligence  
Authorization Act**

The Office of the Vice President has reviewed the above-referenced draft and recommends the attached alternate statement, which is identical to the signing statement recommended by the White House counsel.

**cc:** **Beth Rossman**  
**Deputy Associate Director, OMB**

**Attachment**

SS/ RM NO. \_\_\_\_\_

**WHITE HOUSE STAFFING MEMORANDUM**Date: 12-22-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-26-01 COBSubject: SAP FOR H.R. 2883 - INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input type="checkbox"/>            | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

**REMARKS:**

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN COB WEDNESDAY, 12-26-01, WITH A COPY TO BETH ROSSMAN, X54790. THANK YOU.

**RESPONSE:**

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

[REVISED]

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

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 \*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 1342  
 CONNECTION TEL 912544860295  
 CONNECTION ID  
 ST. TIME 12/26 19:34  
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 RESULT OK

**REVISED**

SS/ RM NO. \_\_\_\_\_

**WHITE HOUSE STAFFING MEMORANDUM**Date: 12-26-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 noon

REVISED Signing Statement on H.R. 2883, Intelligence Authorization Act for  
 Subject: Fiscal Year 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |           | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT 62702, FAX 62215, NO LATER THAN  
 12 NOON, THURSDAY, 12-27-01, WITH COPY TO BETH ROSSMAN, EXT. 54790. THANK YOU.

# REVISED

SS/ RM NO. \_\_\_\_\_

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 noon

REVISED Signing Statement on H.R. 2883, Intelligence Authorization Act for  
Subject: Fiscal Year 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

**REMARKS:**

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT 62702, FAX 62215, NO LATER THAN 12 NOON, THURSDAY, 12-27-01, WITH COPY TO BETH ROSSMAN, EXT. 54790. THANK YOU.

**RESPONSE:**

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

STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

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 CONNECTION ID  
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 RESULT OK

**REVISED**

SS/ RM NO. \_\_\_\_\_

**WHITE HOUSE STAFFING MEMORANDUM**Date: 12-26-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 noon

REVISED Signing Statement on H.R. 2883, Intelligence Authorization Act for  
 Subject: Fiscal Year 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
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| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

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## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 noon

REVISED Signing Statement on H.R. 2883, Intelligence Authorization Act for  
Subject: Fiscal Year 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
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| GERSON         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

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**RESPONSE:** \_\_\_\_\_

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

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

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# Withdrawal Marker

## The George W. Bush Library

| FORM         | SUBJECT/TITLE                                                                       | PAGES | DATE       | RESTRICTION(S) |
|--------------|-------------------------------------------------------------------------------------|-------|------------|----------------|
| Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: Andy Card | 1     | 12/22/2001 | P5;            |

**This marker identifies the original location of the withdrawn item listed above.  
For a complete list of items withdrawn from this folder, see the  
Withdrawal/Redaction Sheet at the front of the folder.**

**COLLECTION:**

Executive Clerk, Office Of the

**SERIES:**

Saunders, G. Timothy (Tim) - Bill Files

**FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

**FRC ID:**

781

**OA Num.:**

732

**NARA Num.:**

1458

**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]

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

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## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOONSubject: REVISED STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002

|                                                                                        | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN                                                                               | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON                                                                            | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER                                                                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON                                                                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN                                                                                  | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

RESPONSE:

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

[REVISED]

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002. The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

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## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01

ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOON

REVISD STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR  
 Subject: FISCAL YEAR 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |           | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

December 27, 2001

RESPONSE:

The NSC concurs with the attached statement.

*Condoleezza Rice*  
 Condoleezza Rice  
 Assistant to the President  
 for National Security Affairs

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

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# Withdrawal Marker

## The George W. Bush Library

| FORM         | SUBJECT/TITLE                                                                                | PAGES | DATE       | RESTRICTION(S) |
|--------------|----------------------------------------------------------------------------------------------|-------|------------|----------------|
| Routing Memo | Intelligence Authorization Act for FY 2002 - To: Harriet E. Miers - From: David S. Addington | 1     | 12/22/2001 | P5;            |

**This marker identifies the original location of the withdrawn item listed above.  
For a complete list of items withdrawn from this folder, see the  
Withdrawal/Redaction Sheet at the front of the folder.**

**COLLECTION:**

Executive Clerk, Office Of the

**SERIES:**

Saunders, G. Timothy (Tim) - Bill Files

**FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

**FRC ID:**

781

**OA Num.:**

732

**NARA Num.:**

1458

**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]

[REVISED]

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**REVISED**

SS/ RM NO. \_\_\_\_\_

**WHITE HOUSE STAFFING MEMORANDUM**Date: 12-26-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 noon**REVISED** Signing Statement on H.R. 2883, Intelligence Authorization Act forSubject: Fiscal Year 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

01 DEC 27 PM 2:07

**REMARKS:**

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT 62702, FAX 62215, NO LATER THAN 12 NOON, THURSDAY, 12-27-01, WITH COPY TO BETH ROSSMAN, EXT. 54790. THANK YOU.

**RESPONSE:**

*No Comment*

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

THE WHITE HOUSE  
OFFICE OF HOMELAND SECURITY

## FACSIMILE TRANSMITTAL SHEET

TO: *Staff Secretary* FROM: *Carl Buckholz*  
ORGANIZATION: SENDER'S FAX NUMBER *6-1908*  
FAX NUMBER: *6-2215* SENDER'S PHONE NUMBER  
PHONE NUMBER: DATE AND TIME  
RE: TOTAL NO. OF PAGES INCLUDING COVER: 1

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

WASHINGTON, DC

SS/ RM NO. \_\_\_\_\_

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 NOONSubject: REVISED STATEMENT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
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REMARKS:

Typo

RESPONSE:

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

[REVISED]

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002.

The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

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OFFICE OF THE VICE PRESIDENT  
WASHINGTON

01 DEC 27 PM 2:01

December 27, 2001

**MEMORANDUM FOR HARRIET MIERS**  
**STAFF SECRETARY**

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

**SUBJECT:** Revised Statement on H.R. 2883, Intelligence  
Authorization Act for FY 2002

The Office of the Vice President has reviewed the above-referenced draft and recommends the change marked on the attached copy.

**cc:** Beth Rossman  
Deputy Associate Director, OMB

**Attachment**

# REVISED

SS/ RM NO. \_\_\_\_\_

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 noon

REVISED Signing Statement on H.R. 2883, Intelligence Authorization Act for

Subject: Fiscal Year 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
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| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT 62702, FAX 62215, NO LATER THAN 12 NOON, THURSDAY, 12-27-01, WITH COPY TO BETH ROSSMAN, EXT. 54790. THANK YOU.

RESPONSE: \_\_\_\_\_

*for Info*

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

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

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STATEMENT BY THE PRESIDENT

*Printed  
WM&WE* *final 2/27*

Today, I have signed into law H.R. 2883, the "Intelligence Authorization Act for Fiscal Year 2002." The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

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*X*

THE WHITE HOUSE,

[REVISED]

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6/12/01  
edit  
12/26/01

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✓ THE WHITE HOUSE,

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Section 305 of the Act amends Section 502 of the National Security Act of 1947, which relates to executive branch reports to Congress under the intelligence oversight provisions of the National Security Act. Section 305 purports to require that reports submitted to the congressional intelligence committees by the executive branch on significant anticipated intelligence activities or significant intelligence failures always be in written form, with a concise statement of facts pertinent to the report and an explanation of the significance of the activity or failure.

Section 502 of the National Security Act as amended by Section 305 of the Act shall be construed for all purposes, specifically including for the purpose of the establishment of standards and procedures under Section 502(c) of the National Security Act by the Director of Central Intelligence, in a manner consistent with the President's constitutional authority to withhold information the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties. Section 502 shall also be construed in a manner consistent with the statutory responsibility of the Director of Central Intelligence to protect intelligence sources and methods and other exceptionally sensitive matters.

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today, I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002.

The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

Section 305 of the Act amends Section 502 of the National Security Act of 1947, which relates to executive branch reports to Congress under the intelligence oversight provisions of the National Security Act. Section 305 purports to require that reports submitted to the congressional intelligence committees by the executive branch on significant anticipated intelligence activities or significant intelligence failures always be in written form, with a concise statement of facts pertinent to the report and an explanation of the significance of the activity or failure.

Section 502 of the National Security Act as amended by Section 305 of the Act shall be construed for all purposes, specifically including for the purpose of the establishment of standards and procedures under Section 502(c) of the National Security Act by the Director of Central Intelligence, in a manner consistent with the President's constitutional authority to withhold information the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties. Section 502 shall also be construed in a manner consistent with the statutory responsibility of the Director of Central Intelligence to protect intelligence sources and methods and other exceptionally sensitive matters.

# REVISED

SS/ RM NO. \_\_\_\_\_

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-26-01ACTION / CONCURRENCE / COMMENT DUE BY: 12-27-01, 12 noon

REVISED Signing Statement on H.R. 2883, Intelligence Authorization Act for  
Subject: Fiscal Year 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

**REMARKS:**

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT 62702, FAX 62215, NO LATER THAN 12 NOON, THURSDAY, 12-27-01, WITH COPY TO BETH ROSSMAN, EXT. 54790. THANK YOU.

**RESPONSE:**

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

## STATEMENT OF THE PRESIDENT ON SIGNING H.R. 2883

Today I have signed H.R. 2883, the Intelligence Authorization Act for Fiscal Year 2002.

The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

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## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-22-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-26-01 COBSubject: SAP FOR H.R. 2883 -- INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input type="checkbox"/>            | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | _____     | <input type="checkbox"/>            | <input type="checkbox"/>            |

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PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN COB WEDNESDAY, 12-26-01, WITH A COPY TO BETH ROSSMAN, X54790. THANK YOU.

RESPONSE: \_\_\_\_\_

*Old  
Version*

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 | [Draft re: H.R. 2883] | 1     | 12/26/2001 | 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:**

12/28/2001 [H. R. 2883] [2]

### **FRC ID:**

781

### **OA Num.:**

732

### **NARA Num.:**

1458

### **RESTRICTION CODES**

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

## WHITE HOUSE STAFFING MEMORANDUM

Date: 12-21-01 ACTION / CONCURRENCE / COMMENT DUE BY: 12-26-01, COB

Subject: H.R. 2883 -- INTELLIGENCE AUTHORIZATION ACT FOR FY 2002

|                | ACTION                              | FYI                                 |           | ACTION                              | FYI                                 |
|----------------|-------------------------------------|-------------------------------------|-----------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUBBARD   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | HUGHES    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BLAKEMAN       | <input type="checkbox"/>            | <input type="checkbox"/>            | IRASTORZA | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | JOHNSON   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CALIO          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | LINDSEY   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/>            | MIERS     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| DANIELS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | RICE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| FLEISCHER      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | RIDGE     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input type="checkbox"/>            | ROVE      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | SPELLINGS | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/>            | CLERK     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HAWKINS        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |           | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY, EXT. 62702, FAX 62215, NO LATER THAN COB WEDNESDAY, 12-26-01. 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) |
|------------|-----------------------------------------------------------------------------------------|-------|------------|----------------|
| Memorandum | Intelligence Authorization Act for FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr. | 4     | 12/21/2001 | P5;            |

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Withdrawal/Redaction Sheet at the front of the folder.**

**COLLECTION:**

Executive Clerk, Office Of the

**SERIES:**

Saunders, G. Timothy (Tim) - Bill Files

**FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

**FRC ID:**

781

**OA Num.:**

732

**NARA Num.:**

1458

**RESTRICTION CODES**

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

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

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

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## The George W. Bush Library

| FORM      | SUBJECT/TITLE         | PAGES | DATE       | RESTRICTION(S) |
|-----------|-----------------------|-------|------------|----------------|
| Statement | [Draft re: H.R. 2883] | 1     | 12/26/2001 | P5;            |

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### **COLLECTION:**

Executive Clerk, Office Of the

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Saunders, G. Timothy (Tim) - Bill Files

### **FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

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Other Provisions of H.R. 2883

Report on Implementing Recommendations of Several Commissions. H.R. 2883 would require a Director of Central Intelligence (DCI) report to Congress within 120 days after enactment of the enrolled bill concerning whether and to what extent the Intelligence Community has implemented the recommendations contained in the reports of: (1) the U.S. Commission on National Security for the 21st Century; (2) the Gilmore Commission (which assesses domestic response capabilities for terrorism involving weapons of mass destruction); and (3) the National Commission on Terrorism (Bremer Commission). The enrolled bill would require that the DCI provide a "detailed explanation" of the reasons why any such recommendations have not been implemented.

Report on Alien Terrorist Removal Proceedings. The enrolled bill would require the Attorney General to report to Congress within three months on the effect and efficacy of alien terrorist removal proceedings as required in section 504 of the Immigration and Nationality Act. The report shall include the reasons why proceedings pursuant to that section have not been used by the Attorney General in the past and the effect on the use of those proceedings after the enactment of the USA PATRIOT Act.

Coast Guard as a Member of the Intelligence Community. H.R. 2883 would add the Coast Guard as an element of the Intelligence Community by amending the relevant provisions of the National Security Act of 1947.

Diplomatic Telecommunications Service Program Office. The enrolled bill would suspend the effective date of the provisions concerning the reorganization of the Diplomatic Telecommunications Service Program Office (DTS-PO) until October 1, 2002, as requested by the Administration. This would allow the Administration to implement changes to DTS-PO in accordance with a Memorandum of Agreement reached by the interested agencies. DTS-PO manages the global secure and non-secure telecommunications systems and communications network used by the Department of State and other Federal agencies.

Personnel Provisions. H.R. 2883 contains a number of provisions relating to personnel and benefits, including: (1) providing a lodging allowance to an employee who leaves his/her immediate family at the permanent duty station to participate in a rotation or detail for training under the Intelligence Community Assignment Program; (2) extending CIA's authority to offer voluntary separation incentives through September 30, 2003; (3) establishing an undergraduate training program for civilian employees at the National Imagery and Mapping Agency; (4) allowing the CIA to reimburse employees for 100 percent of their professional liability insurance costs (currently the CIA may only reimburse 50 percent of the costs); and (5) providing the Secretary of Defense (largely for the National Security Agency) authority to purchase items of nominal value (e.g., mugs) for use in recruitment.

Enhancement of Security Authorities of the National Security Agency. The enrolled bill authorizes National Security Agency (NSA) security protective officers to exercise their law enforcement functions to 500 feet beyond the territorial bounds of NSA facilities. (This authority would parallel the authorities available to similar security officers at the CIA.)

Protection of Employees Who Report Urgent Concerns to Congress. The enrolled bill would require that all complaints or information obtained by the inspectors general of the intelligence agencies be forwarded to the appropriate agency head, and then to the intelligence committees. (Currently only complaints that the inspectors general found to be "credible" are forwarded to the agency head and onward to the intelligence committees.)

# Withdrawal Marker

## The George W. Bush Library

| FORM   | SUBJECT/TITLE                                                                           | PAGES | DATE       | RESTRICTION(S) |
|--------|-----------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the National Security Council] - To: James J. Jukes - From: Stephen E. Biegun | 1     | 12/19/2001 | P5;            |

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**COLLECTION:**

Executive Clerk, Office Of the

**SERIES:**

Saunders, G. Timothy (Tim) - Bill Files

**FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

**FRC ID:**

781

**OA Num.:**

732

**NARA Num.:**

1458

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## The George W. Bush Library

| FORM   | SUBJECT/TITLE                                                                                                           | PAGES | DATE       | RESTRICTION(S) |
|--------|-------------------------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the General Counsel of the Department of Defense] - To: Mitchell E. Daniels, Jr. - From: William J. Haynes II | 1     | 12/19/2001 | P5;            |

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Saunders, G. Timothy (Tim) - Bill Files

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## The George W. Bush Library

| FORM   | SUBJECT/TITLE                                                                                        | PAGES | DATE       | RESTRICTION(S) |
|--------|------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the U.S. Department of Justice] - To: Mitchell E. Daniels, Jr. -<br>From: Daniel J. Bryant | 4     | 12/20/2001 | P5;            |

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# Withdrawal Marker

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| FORM   | SUBJECT/TITLE                                                                                            | PAGES | DATE       | RESTRICTION(S) |
|--------|----------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Letter | [Views of the U.S. Department of Transportation] - To: Mitchell E. Daniels, Jr. - From: Kirk K. Van Tine | 1     | 12/17/2001 | P5;            |

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**COLLECTION:**

Executive Clerk, Office Of the

**SERIES:**

Saunders, G. Timothy (Tim) - Bill Files

**FOLDER TITLE:**

12/28/2001 [H. R. 2883] [2]

**FRC ID:**

781

**OA Num.:**

732

**NARA Num.:**

1458

**RESTRICTION CODES**

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

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| FORM       | SUBJECT/TITLE                                                                           | PAGES | DATE       | RESTRICTION(S) |
|------------|-----------------------------------------------------------------------------------------|-------|------------|----------------|
| Memorandum | Intelligence Authorization Act for FY 2002 - To: POTUS - From: Mitchell E. Daniels, Jr. | 4     | 12/21/2001 | P5;            |

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| FORM      | SUBJECT/TITLE         | PAGES | DATE       | RESTRICTION(S) |
|-----------|-----------------------|-------|------------|----------------|
| Statement | [Draft re: H.R. 2883] | 1     | 12/26/2001 | P5;            |

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**SERIES:**

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Other Provisions of H.R. 2883

Report on Implementing Recommendations of Several Commissions. H.R. 2883 would require a Director of Central Intelligence (DCI) report to Congress within 120 days after enactment of the enrolled bill concerning whether and to what extent the Intelligence Community has implemented the recommendations contained in the reports of: (1) the U.S. Commission on National Security for the 21st Century; (2) the Gilmore Commission (which assesses domestic response capabilities for terrorism involving weapons of mass destruction); and (3) the National Commission on Terrorism (Bremer Commission). The enrolled bill would require that the DCI provide a "detailed explanation" of the reasons why any such recommendations have not been implemented.

Report on Alien Terrorist Removal Proceedings. The enrolled bill would require the Attorney General to report to Congress within three months on the effect and efficacy of alien terrorist removal proceedings as required in section 504 of the Immigration and Nationality Act. The report shall include the reasons why proceedings pursuant to that section have not been used by the Attorney General in the past and the effect on the use of those proceedings after the enactment of the USA PATRIOT Act.

Coast Guard as a Member of the Intelligence Community. H.R. 2883 would add the Coast Guard as an element of the Intelligence Community by amending the relevant provisions of the National Security Act of 1947.

Diplomatic Telecommunications Service Program Office. The enrolled bill would suspend the effective date of the provisions concerning the reorganization of the Diplomatic Telecommunications Service Program Office (DTS-PO) until October 1, 2002, as requested by the Administration. This would allow the Administration to implement changes to DTS-PO in accordance with a Memorandum of Agreement reached by the interested agencies. DTS-PO manages the global secure and non-secure telecommunications systems and communications network used by the Department of State and other Federal agencies.

Personnel Provisions. H.R. 2883 contains a number of provisions relating to personnel and benefits, including: (1) providing a lodging allowance to an employee who leaves his/her immediate family at the permanent duty station to participate in a rotation or detail for training under the Intelligence Community Assignment Program; (2) extending CIA's authority to offer voluntary separation incentives through September 30, 2003; (3) establishing an undergraduate training program for civilian employees at the National Imagery and Mapping Agency; (4) allowing the CIA to reimburse employees for 100 percent of their professional liability insurance costs (currently the CIA may only reimburse 50 percent of the costs); and (5) providing the Secretary of Defense (largely for the National Security Agency) authority to purchase items of nominal value (e.g., mugs) for use in recruitment.

Enhancement of Security Authorities of the National Security Agency. The enrolled bill authorizes National Security Agency (NSA) security protective officers to exercise their law enforcement functions to 500 feet beyond the territorial bounds of NSA facilities. (This authority would parallel the authorities available to similar security officers at the CIA.)

Protection of Employees Who Report Urgent Concerns to Congress. The enrolled bill would require that all complaints or information obtained by the inspectors general of the intelligence agencies be forwarded to the appropriate agency head, and then to the intelligence committees. (Currently only complaints that the inspectors general found to be "credible" are forwarded to the agency head and onward to the intelligence committees.)

STATEMENT BY THE PRESIDENT

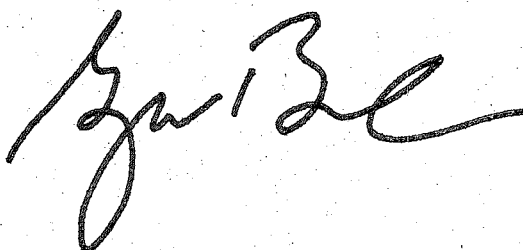
Today, I have signed into law H.R. 2883, the "Intelligence Authorization Act for Fiscal Year 2002." The Act authorizes appropriations to fund United States intelligence activities, including activities essential to success in the war against global terrorism. Regrettably, one provision of the Act falls short of the standards of comity and flexibility that should govern the relationship between the executive and legislative branches on sensitive intelligence matters and, in some circumstances, would fall short of constitutional standards.

Section 305 of the Act amends section 502 of the National Security Act of 1947, which relates to executive branch reports to the Congress under the intelligence oversight provisions of the National Security Act. Section 305 purports to require that reports submitted to the congressional intelligence committees by the executive branch on significant anticipated intelligence activities or significant intelligence failures always be in written form, with a concise statement of facts pertinent to the report and an explanation of the significance of the activity or failure.

Section 502 of the National Security Act as amended by section 305 of the Act shall be construed for all purposes, specifically including for the purpose of the establishment of standards and procedures under section 502(c) of the National Security Act by the Director of Central Intelligence, in a manner consistent with the President's constitutional authority to withhold information the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties. Section 502 shall also be construed in a manner consistent with the statutory responsibility of the Director of Central Intelligence to protect intelligence sources and methods and other exceptionally sensitive matters.

THE WHITE HOUSE,

December 28, 2001.

A handwritten signature in dark ink, appearing to read "GWB", is written over the date line.

# One Hundred Seventh Congress of the United States of America

## AT THE FIRST SESSION

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

### An Act

To authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 2002".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—INTELLIGENCE ACTIVITIES

- Sec. 101. Authorization of appropriations.
- Sec. 102. Classified schedule of authorizations.
- Sec. 103. Personnel ceiling adjustments.
- Sec. 104. Intelligence Community Management Account.
- Sec. 105. Codification of the Coast Guard as an element of the intelligence community.

#### TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

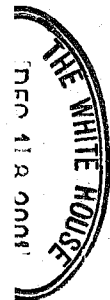
Sec. 201. Authorization of appropriations.

#### TITLE III—GENERAL PROVISIONS

- Sec. 301. Increase in employee compensation and benefits authorized by law.
- Sec. 302. Restriction on conduct of intelligence activities.
- Sec. 303. Sense of Congress on intelligence community contracting.
- Sec. 304. Requirements for lodging allowances in intelligence community assignment program benefits.
- Sec. 305. Modification of reporting requirements for significant anticipated intelligence activities and significant intelligence failures.
- Sec. 306. Report on implementation of recommendations of the National Commission on Terrorism and other entities.
- Sec. 307. Judicial review under Foreign Narcotics Kingpin Designation Act.
- Sec. 308. Modification of positions requiring consultation with Director of Central Intelligence in appointments.
- Sec. 309. Modification of authorities for protection of intelligence community employees who report urgent concerns to Congress.
- Sec. 310. Review of protections against the unauthorized disclosure of classified information.
- Sec. 311. One-year suspension of reorganization of Diplomatic Telecommunications Service Program Office.
- Sec. 312. Presidential approval and submission to Congress of National Counterintelligence Strategy and National Threat Identification and Prioritization Assessments.
- Sec. 313. Report on alien terrorist removal proceedings.
- Sec. 314. Technical amendments.

#### TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Modifications of central services program.



"(2) The performance of functions and exercise of powers under subparagraph (B) of paragraph (1) shall be limited to those circumstances where such personnel can identify specific and articulable facts giving such personnel reason to believe that the performance of such functions and exercise of such powers is reasonable to protect against physical damage or injury, or threats of physical damage or injury, to agency installations, property, or employees.

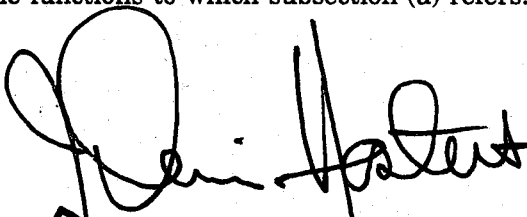
"(3) Nothing in this subsection shall be construed to preclude, or limit in any way, the authority of any Federal, State, or local law enforcement agency, or any other Federal police or Federal protective service.

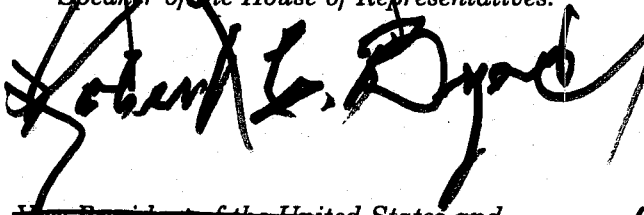
"(4) The rules and regulations enforced by such personnel shall be the rules and regulations prescribed by the Director and shall only be applicable to the areas referred to in subparagraph (A) of paragraph (1).

"(5) Not later than July 1 each year, the Director shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report that describes in detail the exercise of the authority granted by this subsection and the underlying facts supporting the exercise of such authority, during the preceding fiscal year. The Director shall make each such report available to the Inspector General of the National Security Agency.

"(b) The Director of the National Security Agency is authorized to establish penalties for violations of the rules or regulations prescribed by the Director under subsection (a). Such penalties shall not exceed those specified in the fourth section of the Act referred to in subsection (a) (40 U.S.C. 318c).

"(c) Agency personnel designated by the Director of the National Security Agency under subsection (a) shall be clearly identifiable as United States Government security personnel while engaged in the performance of the functions to which subsection (a) refers."

  
Speaker of the House of Representatives.

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

APPROVED  
DEC 28 2001

