

# FOIA Marker

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## National Security Council - Records and Access Management

### NSPDs

| Stack: | Row: | Sect.: | Shelf: | Pos.: | FRC ID: | Location or Hollinger ID: |
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| V      | 22   | 13     | 6      | 1     | 38288   | 1000001169                |

#### Folder Title:

NSPD-37 [3]

# Withdrawn/Redacted Material

## The George W. Bush Library

| DOCUMENT NO. | FORM       | SUBJECT/TITLE                                                     | PAGES | DATE       | RESTRICTION(S) |
|--------------|------------|-------------------------------------------------------------------|-------|------------|----------------|
| 064          | Memorandum | Memorandum for the President - To: POTUS - From: Condoleezza Rice | 2     | 05/05/2004 | P5;            |
| 067          | Draft      | Memorandum for the President - To: POTUS - From: Condoleezza Rice | 2     | N.D.       | P5;            |
| 068          | Draft      | United States Assistance to the Iraqi Special Tribunal            | 4     | 04/2004    | P5;            |
| 069          | Draft      | United States Assistance to the Iraqi Special Tribunal            | 5     | N.D.       | P5;            |
| 070          | Draft      | Memorandum for the President - To: POTUS - From: Condoleezza Rice | 2     | N.D.       | P5;            |
| 071          | Draft      | United States Assistance to the Iraqi Special Tribunal            | 5     | N.D.       | P5;            |

### COLLECTION TITLE:

National Security Council - Records and Access Management

### SERIES:

NSPDs

### FOLDER TITLE:

NSPD-37 [3]

### FRC ID:

38288

### 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]
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- 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]

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|--------------|------------|--------------------------------------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| 074          | Draft      | Memorandum for the President - To: POTUS - From: Condoleezza Rice                                                                    | 2     | N.D.       | P5;            |
| 075          | Draft      | United States Assistance to the Iraqi Special Tribunal                                                                               | 6     | N.D.       | P5;            |
| 077a         | Draft      | Memorandum for the President - To: POTUS - From: Condoleezza Rice                                                                    | 2     | 04/28/2004 | P5;            |
| 077b         | Draft      | United States Assistance to the Iraqi Special Tribunal                                                                               | 5     | 04/30/2004 | P5;            |
| 080          | Memorandum | National Security Presidential Directive on U.S. Assistance to the Iraqi Special Tribunal - To: John Bellinger - From: Joe Leventhal | 1     | 04/30/2004 | P5;            |
| 081          | Draft      | Memorandum for the President - To: POTUS - From: Condoleezza Rice                                                                    | 2     | 04/28/2004 | P5;            |

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|--------------|-------|-------------------------------------------------------------------|-------|------------|----------------|
| 082          | Draft | United States Assistance to the Iraqi Special Tribunal            | 5     | 04/29/2004 | P5;            |
| 084          | Draft | Memorandum for the President - To: POTUS - From: Condoleezza Rice | 2     | N.D.       | P5;            |
| 088          | Draft | Memorandum for the President - To: POTUS - From: Condoleezza Rice | 2     | N.D.       | P5;            |
| 089          | Draft | United States Assistance to the Iraqi Special Tribunal            | 4     | 04/2004    | P5;            |

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46  
CHRON FILE

NSC/RMO PROFILE

RECORD ID: 0402770

RECEIVED: 22 Apr 04

DOC DATE: 13 May 2004

SOURCE REF:

TO:  
AGENCIES (MISC)

FROM:  
PRESIDENT (MISC)

KEYWORDS: LEGAL ISSUES  
WAR CRIMES

NSPD

IRAQ

PERSONS:

SUBJECT: NSPD 37 - US SUPPORT FOR IRAQI TRIBUNAL

ACTION: PRES SGD NSPD 37

DUE DATE: 28 Apr 04

STATUS: C

FILES: IFD

STAFF OFFICER:  
BELLINGER (NSC)

LOGREF:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

BELLINGER  
NSC CHRON

COMMENTS:

DISPATCHED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ BY HAND W/ATTACH

OPENED BY: NSC\MarshT

CLOSED BY: NSC\SheetzP

DOC 6 of 6

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ACTION DATA SUMMARY REPORT

| <u>DOC</u> | <u>ACTION OFFICER</u> | <u>CAO</u> | <u>ASSIGNED</u> | <u>ACTION REQUIRED</u>         |
|------------|-----------------------|------------|-----------------|--------------------------------|
| 1          | BELLINGER             | X          | 042204 12       | PREPARE MEMO FOR RICE          |
| 2          | RICE                  | Z          | 042604 16       | FWD TO PRESIDENT FOR SIGNATURE |
| 2          | WIEGMANN              | Z          | 042604 18       | FOR REDO                       |
| 2          | RICE                  | X          | 042704 10       | FWD TO PRESIDENT FOR SIGNATURE |
| 3          | PRESIDENT             | X          | 042804 18       | FOR SIGNATURE                  |
| 4          | RICE                  | X          | 050404 16       | FWD TO PRESIDENT FOR SIGNATURE |
| 5          | PRESIDENT             | X          | 050504 11       | FOR SIGNATURE                  |
| 6          |                       | X          | 051404 13       | PRES SGD NSPD 37               |

DISPATCH DATA SUMMARY REPORT

| <u>DOC</u> | <u>DATE</u> | <u>DISPATCH OFFICER</u>    | <u>DISPATCH ACTION</u> |
|------------|-------------|----------------------------|------------------------|
| 3          | 042804      | LIBBY, L                   | Info                   |
| 3          | 042804      | VICE PRESIDENT             | Info                   |
| 3          | 042804      | WHITE HOUSE CHIEF OF STAFF | Info                   |
| 6          | 051304      | ASHCROFT, J                | Action                 |
| 6          | 051304      | CARD, A                    | Action                 |
| 6          | 051304      | CHENEY, R                  | Action                 |
| 6          | 051304      | EVANS, D                   | Action                 |
| 6          | 051304      | GONZALES, A                | Action                 |
| 6          | 051304      | MUELLER, R                 | Action                 |
| 6          | 051304      | MYERS, R                   | Action                 |
| 6          | 051304      | POWELL, C                  | Action                 |
| 6          | 051304      | RICE, C                    | Action                 |
| 6          | 051304      | RIDGE, T                   | Action                 |
| 6          | 051304      | RUMSFELD, D                | Action                 |
| 6          | 051304      | SCOWCROFT, B               | Action                 |
| 6          | 051304      | SNOW, J                    | Action                 |
| 6          | 051304      | TENET, G                   | Action                 |
| 6          | 051304      | BOLTEN, J                  | Action                 |
| 6          | 051304      | BREMER, L.                 | Action                 |

# National Security Council

The White House

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 James

|                                                                          | Sequence to | Initial/Date       | Disposition |
|--------------------------------------------------------------------------|-------------|--------------------|-------------|
| Wedderien                                                                | <u>1</u>    | <u>16/5/4</u>      | _____       |
| Wisecup                                                                  | <u>7</u>    | _____              | _____       |
| Venlet                                                                   | _____       | _____              | _____       |
| Schulte                                                                  | _____       | _____              | _____       |
| Edson                                                                    | <u>2</u>    | <u>16/5/6</u>      | _____       |
| Hadley                                                                   | <u>3</u>    | <u>NOM. CA 5/5</u> | _____       |
| Rice                                                                     | _____       | _____              | _____       |
| Situation Room                                                           | _____       | _____              | _____       |
| West Wing Desk                                                           | <u>4</u>    | _____              | _____       |
| Records Mgmt                                                             | _____       | _____              | _____       |
| _____                                                                    | _____       | _____              | _____       |
| _____                                                                    | _____       | _____              | _____       |
| _____                                                                    | _____       | _____              | _____       |
| A = Action I = Information D = Dispatch R = Retain N = No Further Action |             |                    |             |

CC:

Comments:

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# National Security Council

The White House

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 Bypassed WW Desk: \_\_\_\_\_ Doclog WCA AO \_\_\_\_\_

Th

|                | Sequence to | Initial/Date | Disposition |
|----------------|-------------|--------------|-------------|
| Haines         |             |              |             |
| Wedderien      |             |              |             |
| Wiseup         |             |              |             |
| Venlet         | 1           | 5/5/13       |             |
| Schulte        |             |              |             |
| Edson          |             |              |             |
| Hadley         |             |              |             |
| Rice           |             |              |             |
| Situation Room |             |              |             |
| West Wing Desk | 2           | 5/13         | AA          |
| Records Mgmt.  | 3           |              |             |
|                |             |              |             |
|                |             |              |             |
|                |             |              |             |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

CC: MAY 13 2013 14:14

For Review

Comments:

only ok.

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National Security Council

The White House

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Bypassed WW Desk: \_\_\_\_\_ Doclog SW A/O \_\_\_\_\_

*SW*

|                | Sequence to | Initial/Date  | Disposition |
|----------------|-------------|---------------|-------------|
| Haines         |             |               |             |
| Wedderien      |             |               |             |
| Wisecup        |             |               |             |
| Venlet         | <u>1</u>    | <u>8/4/27</u> |             |
| Schulte        |             |               |             |
| Edson          |             |               |             |
| Hadley         | <u>2</u>    | <u>8/4/28</u> |             |
| Rice           | <u>3</u>    | <u>8/4/28</u> |             |
| Situation Room |             |               |             |
| West Wing Desk | <u>4</u>    |               | <u>D</u>    |
| Records Mgmt   |             |               |             |
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A = Action I = Information D = Dispatch R = Retain N = No Further Action

CC:

64 APR 27 AM 10:19

Comments:

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# National Security Council

The White House

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|                | Sequence to | Initial/Date | Disposition |
|----------------|-------------|--------------|-------------|
| Haines         | _____       | _____        | _____       |
| Wedderlen      | _____       | _____        | _____       |
| Wisecup        | _____       | _____        | _____       |
| Venlet         | <u>1</u>    | <u>8/126</u> | _____       |
| Schulte        | _____       | _____        | _____       |
| Edson          | _____       | _____        | _____       |
| Hadley         | _____       | _____        | _____       |
| Rice           | _____       | _____        | _____       |
| Situation Room | _____       | _____        | _____       |
| West Wing Desk | <u>2</u>    | _____        | _____       |
| Records Mgmt.  | _____       | _____        | _____       |
| <u>Legal</u>   | <u>2</u>    | _____        | _____       |
| _____          | _____       | _____        | _____       |
| _____          | _____       | _____        | _____       |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

CC:

Comments: Legal for redo

04 APR 26 PM 4:23

Exec Sec Office has Diskette YES



2770

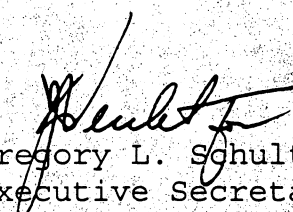
NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20504

May 14, 2004

MEMORANDUM FOR RECIPIENTS OF NSPD-37

SUBJECT: Distribution of NSPD-37

Attached is your agency's copy of National Security Presidential Directive/NSPD-37. Although the text of NSPD-37 is unclassified, we ask that the distribution of this document be strictly controlled in order to protect the format (which will be used for subsequent National Security Presidential Directives). Your cooperation is appreciated.



Gregory L. Schulte  
Executive Secretary

2770

## THE WHITE HOUSE

WASHINGTON

May 13, 2004

NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD-37

MEMORANDUM FOR THE VICE PRESIDENT

THE SECRETARY OF STATE

THE SECRETARY OF THE TREASURY

THE SECRETARY OF DEFENSE

THE ATTORNEY GENERAL

THE SECRETARY OF COMMERCE

THE SECRETARY OF HOMELAND SECURITY

CHIEF OF STAFF TO THE PRESIDENT

DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

ASSISTANT TO THE PRESIDENT FOR NATIONAL

SECURITY AFFAIRS

COUNSEL TO THE PRESIDENT

DIRECTOR OF CENTRAL INTELLIGENCE

CHAIRMAN OF THE JOINT CHIEFS OF STAFF

DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

CHAIRMAN, PRESIDENT'S FOREIGN INTELLIGENCE

ADVISORY BOARD

ADMINISTRATOR, COALITION PROVISIONAL

AUTHORITY

SUBJECT: United States Assistance to the Iraqi Special  
Tribunal

The investigation and prosecution of members of the former Iraqi regime and the Iraqi Ba'ath Party for crimes within the jurisdiction of the Iraqi Special Tribunal (IST) is a key element in Iraq's establishment of democratic self-government. The successful establishment and operation of the IST is vital to the success of the national security, foreign policy, homeland security, law enforcement, and defense elements of our strategy and is critical to protecting and advancing U.S. interests. The IST statute provides for the appointment of international advisors to assist the Tribunal Investigative Judges, Prosecutors, Trial Chamber Judges, and Appeals Chamber Judges in the performance of their duties. The United States will provide assistance.

Therefore, I direct:

- All relevant Departments and Agencies of the United States Government, as set forth below, shall provide necessary assistance to the Iraqi people to establish a fully functioning, independent IST consistent with applicable law.
- The Attorney General shall appoint a Regime Crimes Liaison (RCL) to the IST. The RCL will lead and supervise U.S. advisors and, as the Attorney General determines appropriate, advisors from other countries, collectively known as the Regime Crimes Liaison's Office (RCLO), to: (1) continue the related work begun by the CPA Office of Human Rights and Transitional Justice (OHRTJ); and (2) assist IST investigators, prosecutors, and investigative judges, direct U.S. advisors to the IST, and serve as United States Government liaison to the Iraqi Governing Council (and the successor Iraqi Government after June 30, 2004) regarding IST investigations and prosecutions. The RCL will assist the Iraqi Governing Council and successor Iraqi Government in establishing, staffing, and administering the IST. The RCLO will serve as the lead Coalition office to assist the IST in coordinating assistance to the IST by foreign governments, law enforcement agencies, international and non-governmental organizations, and other United States Government agencies in Iraq. The RCLO will also serve as the lead Coalition office supporting the IST measures to ensure the security and safety of witnesses and victims of crimes under investigation by the IST.
- The Department of Justice will assist the RCL to select a team of advisors that will deploy to Iraq. The Department of Justice and the RCL will assemble and deploy squads of investigators, with leaders designated by the Attorney General, drawn from Federal, State, or local law enforcement agencies. The RCL may deploy these teams, or elements of them, within Iraq in accordance with the investigative plan. The RCLO, which shall be under the authority, direction, and control of the CPA, may make use of any IST-related facilities and projects established or begun by OHRTJ, and coordinate this continued use after June 30, 2004, with the appropriate Iraqi authorities. The Department of Justice will provide administrative support such as paralegals and secretaries to the RCLO.

- The RCL will supervise all United States Government advisors and mentors to the IST. RCLO personnel will work closely with the Iraqis supporting the IST, and ensure, where appropriate, that training and technical assistance are provided.
- The RCL will supervise and coordinate forensic and exhumation efforts by United States Government or third-nation elements in support of IST investigations. The RCL will also support Iraqi forensic efforts in support of IST investigations. The RCL may deploy personnel to locations outside Iraq.
- Concurrent with its mission to support the IST, the RCLO will ensure that electronic or paper copies of all appropriate unclassified documents and information collected during its investigations are made available to the Iraqi Ministry of Human Rights to assist the Ministry's continuing efforts to identify missing persons and to preserve a historical record of the suffering of the Iraqi people under Saddam Hussein's regime. In the event transfer of certain documents would interfere with investigative and prosecutorial efforts, transfer will be made at the conclusion of the RCLO mission.
- The CPA will prepare a strategic communications plan directed at both Iraqi and international audiences concerning the activities of the IST and the role of the RCLO in support of the IST. Thereafter, all RCLO public affairs and public diplomacy activities will be closely coordinated with CPA's Strategic Communications Office before any public releases. In addition, all RCL public affairs activity will comply with any relevant rules and guidelines that the IST may adopt governing pretrial and trial publicity.
- The RCLO shall function as a component within the CPA, and the RCL shall report to the Administrator of the CPA.
- The Attorney General may augment the RCLO with a Budget Officer to manage all expenditures in support of the IST, from funds appropriated for that purpose. Under the authority, direction, and control of the CPA, the RCLO will have review and approval authority, within the expenditure process now employed by the CPA, for all IST-related funds.
- The Attorney General may, in consultation with the CPA, provide input to the RCL regarding substantive legal and investigative matters.

- Following the June 30, 2004, transition to an Iraqi Government that will exercise governmental authority in Iraq, all responsibilities of the CPA with respect to the RCLO will devolve upon the Secretary of State, acting through the United States Chief of Mission to Iraq, when appointed.
- The heads of all other U.S. law enforcement agencies and organizations will be prepared to support the RCL with personnel or resources as needed.
- Using appropriated funds available to support the IST, the Department of Justice will support and sustain RCLO personnel in Iraq, including: housing/billeting; transportation within Iraq; food/medical support; communications access and linkup; compound security and armed escort outside of Baghdad; security for investigative teams and forensic sites in the field; and weapons and related weapons training plus necessary personal protective gear. The RCLO, under the authority, direction, and control of the CPA, will also coordinate with the Iraqi Ministry of Justice and Ministry of the Interior for personal and physical security of Iraqi IST installations and facilities, judges, and personnel.
- The Secretary of Defense will provide legal support, as appropriate. The Department of Defense will also assist the RCLO in gaining access to and providing transport of Iraqi prisoners under Department of Defense control for interviews; and provide departmental expertise in military history, law of war, and international law issues, as appropriate.
- The Administrator of the CPA and the Secretary of State will support the RCLO by assisting the Iraqi Governing Council, the interim Iraqi Government, and any successor Iraqi Government in establishing IST infrastructure and court facilities, and in the expedited identification and installation of Iraqi judges, tribunal investigators, and prosecutors to staff the IST.
- The Secretary of State will assist the RCL in recruiting and selecting, in consultation with the Administrator of the CPA, international advisors and international investigative or forensic teams to assist the IST, and in advising the IST regarding its rules of evidence and procedure. The Secretary of State may also assist the RCLO by contacting other governments and requesting that they provide their full cooperation in collecting all evidence and contacting

witnesses located within their territory that are relevant to IST investigations.

- The Director of Central Intelligence and the elements of the Intelligence Community, as appropriate, will: provide historical and archival research support to the RCLO as appropriate; serve as liaison between the RCLO and foreign government intelligence services to assist in investigations as needed; and provide to the RCLO support supplemental to the main efforts of the Department of Defense and the CPA, for information security. RCLO personnel with requisite security clearances and a demonstrated need to know shall be given appropriate access to relevant captured documents and their analysis. The Iraq Survey Group (ISG) will make documents available to RCLO and declassify appropriate material in accordance with the policy guidance that has been developed between the CPA and the ISG regarding Iraq document exploitation in support of the Iraq Special Tribunal. The Department of Justice will provide any additional resources required for such support.
- The Assistant to the President for National Security Affairs shall keep me appropriately informed of progress in implementing this Directive.

Nothing in this Directive shall be construed to impair or otherwise affect: (1) the authority of the Director of the Office of Management and Budget with respect to budget, administrative, or legislative proposals; (2) the authority of the Secretary of Defense with respect to the Department of Defense, including the chain of command for the armed forces under section 162(b) of title 10, United States Code, and the authority of the Secretary of Defense with respect to the Department of Defense under section 113(b) of that title; or (3) the authority of the United States Chief of Mission to Iraq, when appointed, under section 207 of the Foreign Service Act of 1980, as amended (22 U.S.C. 3927). Also, this Directive is not intended to, and does not, create any rights enforceable against the United States, or any department, agency, entity, officer, employee, or agent thereof, nor any other person.

A large, stylized handwritten signature in black ink, appearing to read 'John 32'.

National Security Council

Date: 14-May-2004

Distribution Receipt

Package Number: 0402770

Subject: NSPD 37

Document Classification: UNCLASSIFIED

External Distribution:

Full Name: R CHENEY (VICE PRESIDENT)

Agency Name:

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External Distribution:

Full Name: C POWELL (SECRETARY)

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## NSC/RMO PROFILE

RECORD ID: 0402770

RECEIVED: 22 Apr 04

DOC DATE: 13 May 2004

SOURCE REF:

TO:  
AGENCIES (MISC)

FROM:  
PRESIDENT (MISC)

KEYWORDS: LEGAL ISSUES  
WAR CRIMES

NSPD

IRAQ

PERSONS:

SUBJECT: NSPD 37 - US SUPPORT FOR IRAQI TRIBUNAL

ACTION: PRES SGD NSPD 37

DUE DATE: 28 Apr 04

STATUS: C

FILES: IFD

STAFF OFFICER:  
BELLINGER (NSC)

LOGREF:

**DOCUMENT DISTRIBUTION**FOR ACTIONFOR CONCURRENCEFOR INFO

BELLINGER  
NSC CHRON

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DOC 6 of 6

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## ACTION DATA SUMMARY REPORT

| <u>DOC</u> | <u>ACTION OFFICER</u> | <u>CAO</u> | <u>ASSIGNED</u> | <u>ACTION REQUIRED</u>         |
|------------|-----------------------|------------|-----------------|--------------------------------|
| 1          | BELLINGER             | X          | 042204 12       | PREPARE MEMO FOR RICE          |
| 2          | RICE                  | Z          | 042604 16       | FWD TO PRESIDENT FOR SIGNATURE |
| 2          | WIEGMANN              | Z          | 042604 18       | FOR REDO                       |
| 2          | RICE                  | X          | 042704 10       | FWD TO PRESIDENT FOR SIGNATURE |
| 3          | PRESIDENT             | X          | 042804 18       | FOR SIGNATURE                  |
| 4          | RICE                  | X          | 050404 16       | FWD TO PRESIDENT FOR SIGNATURE |
| 5          | PRESIDENT             | X          | 050504 11       | FOR SIGNATURE                  |
| 6          |                       | X          | 051404 13       | PRES SGD NSPD 37               |

## DISPATCH DATA SUMMARY REPORT

| <u>DOC</u> | <u>DATE</u> | <u>DISPATCH OFFICER</u>    | <u>DISPATCH ACTION</u> |
|------------|-------------|----------------------------|------------------------|
| 3          | 042804      | LIBBY, L                   | Info                   |
| 3          | 042804      | VICE PRESIDENT             | Info                   |
| 3          | 042804      | WHITE HOUSE CHIEF OF STAFF | Info                   |
| 6          | 051304      | ASHCROFT, J                | Action                 |
| 6          | 051304      | CARD, A                    | Action                 |
| 6          | 051304      | CHENEY, R                  | Action                 |
| 6          | 051304      | EVANS, D                   | Action                 |
| 6          | 051304      | GONZALES, A                | Action                 |
| 6          | 051304      | MUELLER, R                 | Action                 |
| 6          | 051304      | MYERS, R                   | Action                 |
| 6          | 051304      | POWELL, C                  | Action                 |
| 6          | 051304      | RICE, C                    | Action                 |
| 6          | 051304      | RIDGE, T                   | Action                 |
| 6          | 051304      | RUMSFELD, D                | Action                 |
| 6          | 051304      | SCOWCROFT, B               | Action                 |
| 6          | 051304      | SNOW, J                    | Action                 |
| 6          | 051304      | TENET, G                   | Action                 |
| 6          | 051304      | BOLTEN, J                  | Action                 |
| 6          | 051304      | BREMER, L.                 | Action                 |

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The White House

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 Bypassed WW Desk: \_\_\_\_\_ Doclog SLM A/O \_\_\_\_\_

 James

|                                                                          | Sequence to | Initial/Date   | Disposition |
|--------------------------------------------------------------------------|-------------|----------------|-------------|
| Wedderien                                                                | <u>1</u>    | <u>16J 5/4</u> | _____       |
| Wiseup                                                                   | <u>2</u>    | _____          | _____       |
| Venlet                                                                   | <u>3</u>    | _____          | _____       |
| Schulte                                                                  | <u>4</u>    | _____          | _____       |
| Edson                                                                    | <u>5</u>    | <u>16J 5/4</u> | _____       |
| Hadley                                                                   | <u>6</u>    | <u>16J 5/4</u> | _____       |
| Rice                                                                     | <u>7</u>    | <u>16J 5/4</u> | _____       |
| Situation Room                                                           | <u>8</u>    | _____          | _____       |
| West Wing Desk                                                           | <u>9</u>    | _____          | _____       |
| Records Mgmt                                                             | <u>10</u>   | _____          | _____       |
| _____                                                                    | _____       | _____          | _____       |
| _____                                                                    | _____       | _____          | _____       |
| _____                                                                    | _____       | _____          | _____       |
| A = Action I = Information D = Dispatch R = Retain N = No Further Action |             |                |             |

CC:

Comments:

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# National Security Council

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|                | Sequence to | Initial/Date | Disposition |
|----------------|-------------|--------------|-------------|
| Haines         |             |              |             |
| Wedderlen      |             |              |             |
| Wisecup        |             |              |             |
| Venlet         | 1           | 5/13         |             |
| Schulte        |             |              |             |
| Edson          |             |              |             |
| Hadley         |             |              |             |
| Rice           |             |              |             |
| Situation Room |             |              |             |
| West Wing Desk | 2           | 5/13         | AA          |
| Records Mgmt.  | 3           |              |             |
|                |             |              |             |
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A = Action I = Information D = Dispatch R = Retain N = No Further Action

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For Review

Comments:

only ok.

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National Security Council

The White House

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*SW*

|                | Sequence to | Initial/Date | Disposition |
|----------------|-------------|--------------|-------------|
| Haines         |             |              |             |
| Wedderlen      |             |              |             |
| Wisecup        |             |              |             |
| Venlet         | <u>1</u>    | <u>4/27</u>  |             |
| Schulte        |             |              |             |
| Edson          |             |              |             |
| Hadley         | <u>2</u>    | <u>4/28</u>  |             |
| Rice           | <u>3</u>    | <u>4/28</u>  |             |
| Situation Room |             |              |             |
| West Wing Desk | <u>4</u>    |              | <u>D</u>    |
| Records Mgmt   |             |              |             |
|                |             |              |             |
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CC:

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Comments:

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National Security Council  
The White House

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 Bypassed WW Desk: \_\_\_\_\_ Doclog S A/O \_\_\_\_\_

Th

|                | Sequence to | Initial/Date | Disposition |
|----------------|-------------|--------------|-------------|
| Haines         | _____       | _____        | _____       |
| Wedderien      | _____       | _____        | _____       |
| Wisecup        | <u>1</u>    | <u>4/26</u>  | _____       |
| Venlet         | _____       | _____        | _____       |
| Schulte        | _____       | _____        | _____       |
| Edson          | _____       | _____        | _____       |
| Hadley         | _____       | _____        | _____       |
| Rice           | _____       | _____        | _____       |
| Situation Room | _____       | _____        | _____       |
| West Wing Desk | <u>2</u>    | _____        | _____       |
| Records Mgmt.  | _____       | _____        | _____       |
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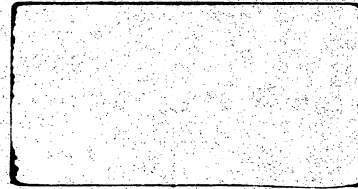
A = Action I = Information D = Dispatch R = Retain N = No Further Action

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Comments: Legal for redo

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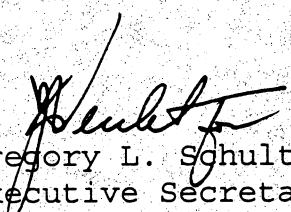
NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20504

May 14, 2004

MEMORANDUM FOR RECIPIENTS OF NSPD-37

SUBJECT: Distribution of NSPD-37

Attached is your agency's copy of National Security Presidential Directive/NSPD-37. Although the text of NSPD-37 is unclassified, we ask that the distribution of this document be strictly controlled in order to protect the format (which will be used for subsequent National Security Presidential Directives). Your cooperation is appreciated.

  
Gregory L. Schulte  
Executive Secretary

## THE WHITE HOUSE

WASHINGTON

May 13, 2004

NATIONAL SECURITY PRESIDENTIAL DIRECTIVE/NSPD-37

## MEMORANDUM FOR THE VICE PRESIDENT

THE SECRETARY OF STATE  
THE SECRETARY OF THE TREASURY  
THE SECRETARY OF DEFENSE  
THE ATTORNEY GENERAL  
THE SECRETARY OF COMMERCE  
THE SECRETARY OF HOMELAND SECURITY  
CHIEF OF STAFF TO THE PRESIDENT  
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET  
ASSISTANT TO THE PRESIDENT FOR NATIONAL  
SECURITY AFFAIRS  
COUNSEL TO THE PRESIDENT  
DIRECTOR OF CENTRAL INTELLIGENCE  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION  
CHAIRMAN, PRESIDENT'S FOREIGN INTELLIGENCE  
ADVISORY BOARD  
ADMINISTRATOR, COALITION PROVISIONAL  
AUTHORITY

SUBJECT: United States Assistance to the Iraqi Special  
Tribunal

The investigation and prosecution of members of the former Iraqi regime and the Iraqi Ba'ath Party for crimes within the jurisdiction of the Iraqi Special Tribunal (IST) is a key element in Iraq's establishment of democratic self-government. The successful establishment and operation of the IST is vital to the success of the national security, foreign policy, homeland security, law enforcement, and defense elements of our strategy and is critical to protecting and advancing U.S. interests. The IST statute provides for the appointment of international advisors to assist the Tribunal Investigative Judges, Prosecutors, Trial Chamber Judges, and Appeals Chamber Judges in the performance of their duties. The United States will provide assistance.

Therefore, I direct:

- All relevant Departments and Agencies of the United States Government, as set forth below, shall provide necessary assistance to the Iraqi people to establish a fully functioning, independent IST consistent with applicable law.
- The Attorney General shall appoint a Regime Crimes Liaison (RCL) to the IST. The RCL will lead and supervise U.S. advisors and, as the Attorney General determines appropriate, advisors from other countries, collectively known as the Regime Crimes Liaison's Office (RCLO), to: (1) continue the related work begun by the CPA Office of Human Rights and Transitional Justice (OHRTJ); and (2) assist IST investigators, prosecutors, and investigative judges, direct U.S. advisors to the IST, and serve as United States Government liaison to the Iraqi Governing Council (and the successor Iraqi Government after June 30, 2004) regarding IST investigations and prosecutions. The RCL will assist the Iraqi Governing Council and successor Iraqi Government in establishing, staffing, and administering the IST. The RCLO will serve as the lead Coalition office to assist the IST in coordinating assistance to the IST by foreign governments, law enforcement agencies, international and non-governmental organizations, and other United States Government agencies in Iraq. The RCLO will also serve as the lead Coalition office supporting the IST measures to ensure the security and safety of witnesses and victims of crimes under investigation by the IST.
- The Department of Justice will assist the RCL to select a team of advisors that will deploy to Iraq. The Department of Justice and the RCL will assemble and deploy squads of investigators, with leaders designated by the Attorney General, drawn from Federal, State, or local law enforcement agencies. The RCL may deploy these teams, or elements of them, within Iraq in accordance with the investigative plan. The RCLO, which shall be under the authority, direction, and control of the CPA, may make use of any IST-related facilities and projects established or begun by OHRTJ, and coordinate this continued use after June 30, 2004, with the appropriate Iraqi authorities. The Department of Justice will provide administrative support such as paralegals and secretaries to the RCLO.

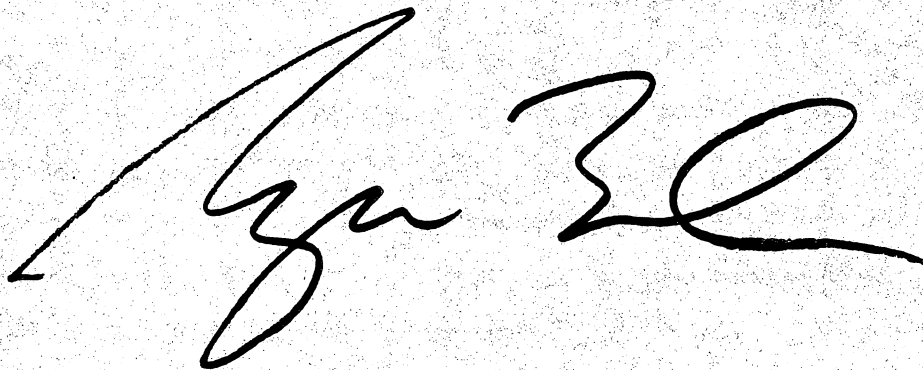
- The RCL will supervise all United States Government advisors and mentors to the IST. RCLO personnel will work closely with the Iraqis supporting the IST, and ensure, where appropriate, that training and technical assistance are provided.
- The RCL will supervise and coordinate forensic and exhumation efforts by United States Government or third-nation elements in support of IST investigations. The RCL will also support Iraqi forensic efforts in support of IST investigations. The RCL may deploy personnel to locations outside Iraq.
- Concurrent with its mission to support the IST, the RCLO will ensure that electronic or paper copies of all appropriate unclassified documents and information collected during its investigations are made available to the Iraqi Ministry of Human Rights to assist the Ministry's continuing efforts to identify missing persons and to preserve a historical record of the suffering of the Iraqi people under Saddam Hussein's regime. In the event transfer of certain documents would interfere with investigative and prosecutorial efforts, transfer will be made at the conclusion of the RCLO mission.
- The CPA will prepare a strategic communications plan directed at both Iraqi and international audiences concerning the activities of the IST and the role of the RCLO in support of the IST. Thereafter, all RCLO public affairs and public diplomacy activities will be closely coordinated with CPA's Strategic Communications Office before any public releases. In addition, all RCL public affairs activity will comply with any relevant rules and guidelines that the IST may adopt governing pretrial and trial publicity.
- The RCLO shall function as a component within the CPA, and the RCL shall report to the Administrator of the CPA.
- The Attorney General may augment the RCLO with a Budget Officer to manage all expenditures in support of the IST, from funds appropriated for that purpose. Under the authority, direction, and control of the CPA, the RCLO will have review and approval authority, within the expenditure process now employed by the CPA, for all IST-related funds.
- The Attorney General may, in consultation with the CPA, provide input to the RCL regarding substantive legal and investigative matters.

- Following the June 30, 2004, transition to an Iraqi Government that will exercise governmental authority in Iraq, all responsibilities of the CPA with respect to the RCLO will devolve upon the Secretary of State, acting through the United States Chief of Mission to Iraq, when appointed.
- The heads of all other U.S. law enforcement agencies and organizations will be prepared to support the RCL with personnel or resources as needed.
- Using appropriated funds available to support the IST, the Department of Justice will support and sustain RCLO personnel in Iraq, including: housing/billeting; transportation within Iraq; food/medical support; communications access and linkup; compound security and armed escort outside of Baghdad; security for investigative teams and forensic sites in the field; and weapons and related weapons training plus necessary personal protective gear. The RCLO, under the authority, direction, and control of the CPA, will also coordinate with the Iraqi Ministry of Justice and Ministry of the Interior for personal and physical security of Iraqi IST installations and facilities, judges, and personnel.
- The Secretary of Defense will provide legal support, as appropriate. The Department of Defense will also assist the RCLO in gaining access to and providing transport of Iraqi prisoners under Department of Defense control for interviews; and provide departmental expertise in military history, law of war, and international law issues, as appropriate.
- The Administrator of the CPA and the Secretary of State will support the RCLO by assisting the Iraqi Governing Council, the interim Iraqi Government, and any successor Iraqi Government in establishing IST infrastructure and court facilities, and in the expedited identification and installation of Iraqi judges, tribunal investigators, and prosecutors to staff the IST.
- The Secretary of State will assist the RCL in recruiting and selecting, in consultation with the Administrator of the CPA, international advisors and international investigative or forensic teams to assist the IST, and in advising the IST regarding its rules of evidence and procedure. The Secretary of State may also assist the RCLO by contacting other governments and requesting that they provide their full cooperation in collecting all evidence and contacting

witnesses located within their territory that are relevant to IST investigations.

- The Director of Central Intelligence and the elements of the Intelligence Community, as appropriate, will: provide historical and archival research support to the RCLO as appropriate; serve as liaison between the RCLO and foreign government intelligence services to assist in investigations as needed; and provide to the RCLO support supplemental to the main efforts of the Department of Defense and the CPA, for information security. RCLO personnel with requisite security clearances and a demonstrated need to know shall be given appropriate access to relevant captured documents and their analysis. The Iraq Survey Group (ISG) will make documents available to RCLO and declassify appropriate material in accordance with the policy guidance that has been developed between the CPA and the ISG regarding Iraq document exploitation in support of the Iraq Special Tribunal. The Department of Justice will provide any additional resources required for such support.
- The Assistant to the President for National Security Affairs shall keep me appropriately informed of progress in implementing this Directive.

Nothing in this Directive shall be construed to impair or otherwise affect: (1) the authority of the Director of the Office of Management and Budget with respect to budget, administrative, or legislative proposals; (2) the authority of the Secretary of Defense with respect to the Department of Defense, including the chain of command for the armed forces under section 162(b) of title 10, United States Code, and the authority of the Secretary of Defense with respect to the Department of Defense under section 113(b) of that title; or (3) the authority of the United States Chief of Mission to Iraq, when appointed, under section 207 of the Foreign Service Act of 1980, as amended (22 U.S.C. 3927). Also, this Directive is not intended to, and does not, create any rights enforceable against the United States, or any department, agency, entity, officer, employee, or agent thereof, nor any other person.

A large, stylized handwritten signature in black ink, appearing to read 'John 32'.

National Security Council

Date: 14-May-2004

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Package Number: 0402770

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Full Name: A CARD (CHIEF OF STAFF)

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National Security Council

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# Withdrawal Marker

## The George W. Bush Library

| FORM       | SUBJECT/TITLE                                                     | PAGES | DATE       | RESTRICTION(S) |
|------------|-------------------------------------------------------------------|-------|------------|----------------|
| Memorandum | Memorandum for the President - To: POTUS - From: Condoleezza Rice | 2     | 05/05/2004 | P5;            |

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

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**COLLECTION:**

National Security Council - Records and Access Management

**SERIES:**

NSPDs

**FOLDER TITLE:**

NSPD-37 [3]

**FRC ID:**

38288

**OA Num.:**

4050

**NARA Num.:****FOIA IDs and Segments:**

2014-0390-F

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**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**

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- B. Closed by statute or by the agency which originated the document.
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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]

65

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20504

2770  
REDO

May 4, 2004

ACTION

MEMORANDUM FOR CONDOLEEZZA RICE

THROUGH: JOHN B. DELLINGER

FROM: BRAD WIEGMANN

SUBJECT: National Security Presidential Directive on U.S.  
Assistance to the Iraqi Special Tribunal

Attached at Tab I is a revised memorandum for the President recommending that he sign the NSPD on U.S. Assistance to the Iraqi Special Tribunal. The NSPD has been cleared by all relevant agencies and White House staff.

Concurrence by: Larry Rossin, Clint Williamson, and Sean McCormack {in draft}

RECOMMENDATION

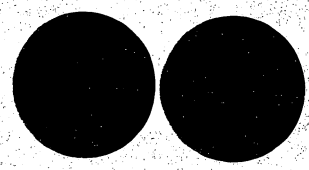
That you sign the memorandum to the President at Tab I.

Attachments

Tab I Memorandum for the President

Tab A NSPD on U.S. Assistance to the Iraqi Special Tribunal

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20504



April 26, 2004

ACTION

MEMORANDUM FOR CONDOLEEZZA RICE

THROUGH: JOHN B. BELLINGER

FROM: BRAD WIEGMANN *BN*

SUBJECT: National Security Presidential Directive on U.S.  
Assistance to the Iraqi Special Tribunal

Attached at Tab I is a memorandum for the President recommending that he sign the NSPD on U.S. Assistance to the Iraqi Special Tribunal. The NSPD has been cleared by all relevant agencies.

Concurrence by: Larry Rossin, Clint Williamson, and Sean McCormack *BN*

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab I Memorandum for the President

Tab A NSPD on U.S. Assistance to the Iraqi Special  
Tribunal

# Withdrawal Marker

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| FORM  | SUBJECT/TITLE                                                     | PAGES | DATE | RESTRICTION(S) |
|-------|-------------------------------------------------------------------|-------|------|----------------|
| Draft | Memorandum for the President - To: POTUS - From: Condoleezza Rice | 2     | N.D. | P5;            |

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National Security Council - Records and Access Management

### SERIES:

NSPDs

### FOLDER TITLE:

NSPD-37 [3]

### FRC ID:

38288

### OA Num.:

4050

### NARA Num.:

### FOIA IDs and Segments:

2014-0390-F

### RESTRICTION CODES

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| FORM  | SUBJECT/TITLE                                          | PAGES | DATE    | RESTRICTION(S) |
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## WHITE HOUSE STAFFING MEMORANDUM

Date: 4-29-04 10:40 am ACTION / CONCURRENCE / COMMENT DUE BY: 4-30-04 10:00 amSubject: NATIONAL SECURITY PRESIDENTIAL DIRECTIVE ON U.S. ASSISTANCE TO THE IRAQI SPECIAL TRIBUNAL

|                   | ACTION                              | FYI                      |             | ACTION                              | FYI                                 |
|-------------------|-------------------------------------|--------------------------|-------------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MANKIW      | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD 66778        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MARBURGER   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BARTLETT 67910    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MCCLELLAN   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BENNETT           | <input type="checkbox"/>            | <input type="checkbox"/> | MIERS 61612 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <del>BOLTEN</del> | <input type="checkbox"/>            | <input type="checkbox"/> | MONTGOMERY  | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CONNAUGHTON       | <input type="checkbox"/>            | <input type="checkbox"/> | POWELL      | <input type="checkbox"/>            | <input type="checkbox"/>            |
| FRIEDMAN          | <input type="checkbox"/>            | <input type="checkbox"/> | RICE        | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| GAMBATESA         | <input type="checkbox"/>            | <input type="checkbox"/> | ROVE        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON            | <input type="checkbox"/>            | <input type="checkbox"/> | SPELLINGS   | <input type="checkbox"/>            | <input type="checkbox"/>            |
| GONZALES 62632    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | CLERK       | <input type="checkbox"/>            | <input type="checkbox"/>            |
| GORDON            | <input type="checkbox"/>            | <input type="checkbox"/> |             | <input type="checkbox"/>            | <input type="checkbox"/>            |
| HAGIN             | <input type="checkbox"/>            | <input type="checkbox"/> |             | <input type="checkbox"/>            | <input type="checkbox"/>            |
| HOBBS 62230       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |             | <input type="checkbox"/>            | <input type="checkbox"/>            |
| KAVANAUGH         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |             | <input type="checkbox"/>            | <input type="checkbox"/>            |

## REMARKS:

PLEASE FORWARD COMMENTS TO JOHN BELLINGER, EXTENSION 69111/FAX 69110, BY 10:00 AM FRIDAY, APRIL 30, 2004, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

## RESPONSE:

NO Comments

EYES ONLY

CLOSE HOLD

Brett Kavanaugh  
 Assistant to the President  
 and Staff Secretary  
 Ext. 62702  
 FAX Ext. 62215

~~April 26~~ May 4, 2004

ACTION

MEMORANDUM FOR CONDOLEEZZA RICE

THROUGH: JOHN B. BELLINGER

FROM: BRAD WIEGMANN

SUBJECT: National Security Presidential Directive on U.S.  
Assistance to the Iraqi Special Tribunal

Attached at Tab I is a revised memorandum for the President recommending that he sign the NSPD on U.S. Assistance to the Iraqi Special Tribunal. The NSPD has been cleared by all relevant agencies and White House staff.

Concurrence by: Larry Rossin, Clint Williamson, and Sean McCormack {in draft}

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab I Memorandum for the President

Tab A NSPD on U.S. Assistance to the Iraqi Special Tribunal

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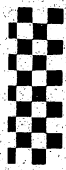
## RESPONSE:

NO Comments

EYES ONLY

CLOSE HOLD

Brett Kavanaugh  
Assistant to the President  
and Staff Secretary  
Ext. 62702  
FAX Ext. 62215



EYES ONLY

CLOSE HOLD

SS/ RM NO.

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### **COLLECTION:**

National Security Council - Records and Access Management

### **SERIES:**

NSPDs

### **FOLDER TITLE:**

NSPD-37 [3]

### **FRC ID:**

38288

### **OA Num.:**

4050

### **NARA Num.:**

### **FOIA IDs and Segments:**

2014-0390-F

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| FORM  | SUBJECT/TITLE                                          | PAGES | DATE       | RESTRICTION(S) |
|-------|--------------------------------------------------------|-------|------------|----------------|
| Draft | United States Assistance to the Iraqi Special Tribunal | 5     | 04/30/2004 | P5             |

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EYES ONLY

CLOSE HOLD

SS/ RM NO.

WHITE HOUSE STAFFING MEMORANDUM

Date: 4-29-04 10:40 am ACTION / CONCURRENCE / COMMENT DUE BY: 4-30-04 10:00 am

Subject: NATIONAL SECURITY PRESIDENTIAL DIRECTIVE ON U.S. ASSISTANCE TO THE IRAQI SPECIAL TRIBUNAL

|                | ACTION                              | FYI                      |            | ACTION                              | FYI                                 |
|----------------|-------------------------------------|--------------------------|------------|-------------------------------------|-------------------------------------|
| VICE PRESIDENT | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MANKIW     | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MARBURGER  | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BARTLETT       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MCCLELLAN  | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BENNETT        | <input type="checkbox"/>            | <input type="checkbox"/> | MIERS      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| BOLTEN         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MONTGOMERY | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CONNAUGHTON    | <input type="checkbox"/>            | <input type="checkbox"/> | POWELL     | <input type="checkbox"/>            | <input type="checkbox"/>            |
| FRIEDMAN       | <input type="checkbox"/>            | <input type="checkbox"/> | RICE       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| GAMBATESA      | <input type="checkbox"/>            | <input type="checkbox"/> | ROVE       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input type="checkbox"/> | SPELLINGS  | <input type="checkbox"/>            | <input type="checkbox"/>            |
| GONZALES       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | CLERK      | <input type="checkbox"/>            | <input type="checkbox"/>            |
| GORDON         | <input type="checkbox"/>            | <input type="checkbox"/> |            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| HAGIN          | <input type="checkbox"/>            | <input type="checkbox"/> |            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| HOBBS          | <input checked="" type="checkbox"/> | <input type="checkbox"/> |            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| KAVANAUGH      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |            | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:  
PLEASE FORWARD COMMENTS TO JOHN BELLINGER, EXTENSION 69111/FAX 69110, BY 10:00 AM FRIDAY, APRIL 30, 2004, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

OK

RESPONSE:

EYES ONLY

CLOSE HOLD

Brett Kavanaugh  
Assistant to the President  
and Staff Secretary  
Ext. 62702  
FAX Ext. 62215

EYES ONLY

CLOSE HOLD

SS/RM NO.

## WHITE HOUSE STAFFING MEMORANDUM

BEN

Date: 4-29-04 10:40 am ACTION / CONCURRENCE / COMMENT DUE BY: 4-30-04 10:00 am

Subject: NATIONAL SECURITY PRESIDENTIAL DIRECTIVE ON U.S. ASSISTANCE TO THE  
IRAQI SPECIAL TRIBUNAL

|                | ACTION                              | FYI                      |            | ACTION                              | FYI                                 |
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| CARD           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MARBURGER  | <input type="checkbox"/>            | <input type="checkbox"/>            |
| BARTLETT       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | MCCLELLAN  | <input type="checkbox"/>            | <input type="checkbox"/>            |
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| GAMBATESA      | <input type="checkbox"/>            | <input type="checkbox"/> | ROVE       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| GERSON         | <input type="checkbox"/>            | <input type="checkbox"/> | SPELLINGS  | <input type="checkbox"/>            | <input type="checkbox"/>            |
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## RESPONSE:

DEFER TO NSC

EYES ONLY

CLOSE HOLD

Brett Kavanaugh  
Assistant to the President  
and Staff Secretary  
Ext. 62702  
FAX Ext. 62215

# Withdrawal Marker

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| FORM       | SUBJECT/TITLE                                                                                                                        | PAGES | DATE       | RESTRICTION(S) |
|------------|--------------------------------------------------------------------------------------------------------------------------------------|-------|------------|----------------|
| Memorandum | National Security Presidential Directive on U.S. Assistance to the Iraqi Special Tribunal - To: John Bellinger - From: Joe Leventhal | 1     | 04/30/2004 | P5;            |

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**SERIES:**

NSPDs

**FOLDER TITLE:**

NSPD-37 [3]

**FRC ID:**

38288

**OA Num.:**

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**NARA Num.:****FOIA IDs and Segments:**

2014-0390-F

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| FORM  | SUBJECT/TITLE                                                     | PAGES | DATE       | RESTRICTION(S) |
|-------|-------------------------------------------------------------------|-------|------------|----------------|
| Draft | Memorandum for the President - To: POTUS - From: Condoleezza Rice | 2     | 04/28/2004 | P5;            |

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**Hunter, Theresa M. (EXECSEC)**

---

**From:** Hunter, Theresa M. (EXECSEC)  
**Sent:** Monday, April 26, 2004 6:10 PM  
**To:** @Legal Advisor  
**Cc:** @Cross Hatches; Venlet, Douglas J. (EXECSEC)  
**Subject:** Pkg 2770-NSPD on US Assistance to Iraqi Special Tribunal [UNCLASSIFIED, Record]

Per Doug, this package plus disk is being returned to your office to be reworked. The NSPD needs to be reformatted in the proper format (see attached) and the package is missing press points. Let us know if you have any questions.  
Thanks

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National Security Council  
The White House

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Bypassed WW Desk: \_\_\_\_\_ Doclog 2 A/O \_\_\_\_\_

Th

|                | Sequence to | Initial/Date | Disposition |
|----------------|-------------|--------------|-------------|
| Haines         | _____       | _____        | _____       |
| Wedderien      | _____       | _____        | _____       |
| Wisecup        | _____       | _____        | _____       |
| Venlet         | <u>1</u>    | <u>4/26</u>  | _____       |
| Schulte        | _____       | _____        | _____       |
| Edson          | _____       | _____        | _____       |
| Hadley         | _____       | _____        | _____       |
| Rice           | _____       | _____        | _____       |
| Situation Room | _____       | _____        | _____       |
| West Wing Desk | <u>X</u>    | _____        | _____       |
| Records Mgmt.  | _____       | _____        | _____       |
| <u>Legal</u>   | <u>2</u>    | _____        | _____       |
| _____          | _____       | _____        | _____       |
| _____          | _____       | _____        | _____       |

A = Action I = Information D = Dispatch R = Retain N = No Further Action

CC:

Comments: Legal for redo

'04 APR 26 PM 4:23

Exec Sec Office has Diskette YES

**Hunter, Theresa M. (EXECSEC)**

---

**From:** Hunter, Theresa M. (EXECSEC)  
**Sent:** Monday, April 26, 2004 6:10 PM  
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NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20504

2770

April 26, 2004

ACTION

MEMORANDUM FOR CONDOLEEZZA RICE

THROUGH: JOHN B. BELLINGER

FROM: BRAD WIEGMANN

SUBJECT: National Security Presidential Directive on U.S.  
Assistance to the Iraqi Special Tribunal

Attached at Tab I is a memorandum for the President recommending that he sign the NSPD on U.S. Assistance to the Iraqi Special Tribunal. The NSPD has been cleared by all relevant agencies.

Concurrence by: Larry Rossin, Clint Williamson, and Sean McCormack

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

## Attachments

Tab I Memorandum for the President

Tab A NSPD on U.S. Assistance to the Iraqi Special  
Tribunal

# Withdrawal Marker

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- 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).

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- 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]

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PERSONS:

SUBJECT: DRAFT NSPD ON SUPPORT TO IRAQI SPECIAL TRIBUNAL

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