

Re: President wants homeland speech now -- please email me latest

Subject: Re: President wants homeland speech now -- please email me latest
From: "Anton, Michael N."
Date: 9/9/03, 7:05 PM
To: "Kavanaugh, Brett M."
CC: "Steen, Gretchen P.", "Bartlett, Daniel J.", "#GERSON , MIKE \ (SKY\) \ (Pager\)"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 11:49:53 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

b(6),P5,P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

: Re: President wants homeland speech now -- please email me latest

Subject: : Re: President wants homeland speech now -- please email me latest
From: Michael N. Anton (CN=Michael N. Anton/OU=NSC/O=EOP [NSC])
Date: 9/9/03, 7:15 PM
To: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@Exchange [WHO])
CC: daniel j. bartlett (CN=daniel j. bartlett/OU=who/O=eop@exchange [WHO]), mike sky
pacer #gerson (CN=mike sky pacer #gerson/O=eopexch@exchange [UNKNOWN]),
gretchen p. steen (CN=gretchen p. steen/OU=who/O=eop@exchange [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 16 14:29:31 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

b(6),P5,P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Re: President wants homeland speech now -- please email me latest

Subject: Re: President wants homeland speech now -- please email me latest
From: "Anton, Michael N."
Date: 9/9/03, 7:27 PM
To: "Kavanaugh, Brett M."
CC: "Steen, Gretchen P.", "Bartlett, Daniel J.", "#GERSON , MIKE \ (SKY\) \ (Pager\)"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 11:49:57 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

b(6),P5,P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

: Re: President wants homeland speech now -- please email me latest

Subject: : Re: President wants homeland speech now -- please email me latest
From: Michael N. Anton (CN=Michael N. Anton/OU=NSC/O=EOP [NSC])
Date: 9/9/03, 7:29 PM
To: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@Exchange [WHO])
CC: daniel j. bartlett (CN=daniel j. bartlett/OU=who/O=eop@exchange [WHO]), mike sky
pacer #gerson (CN=mike sky pacer #gerson/O=eopexch@exchange [UNKNOWN]),
gretchen p. steen (CN=gretchen p. steen/OU=who/O=eop@exchange [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 16 14:30:03 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

b(6),P5,P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Re: [Speech]

Subject: Re: [Speech]
From: "Anton, Michael N."
Date: 9/9/03, 8:41 PM
To: "Kavanaugh, Brett M."
CC: "Gerson, Michael J.", "Bartlett, Daniel J.", "Steen, Gretchen P."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 11:45:20 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

b(6),P5,P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

: Re: [President]

Subject: : Re: [President]

From: Michael N. Anton (CN=Michael N. Anton/OU=NSC/O=EOP [NSC])

Date: 9/9/03, 8:44 PM

To: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@Exchange [WHO])

CC: daniel j. bartlett (CN=daniel j. bartlett/OU=who/O=eop@exchange [WHO]), gretchen p. steen (CN=gretchen p. steen/OU=who/O=eop@exchange [WHO]), michael j. gerson (CN=michael j. gerson/OU=who/O=eop@exchange [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 16 14:31:08 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,b(6),P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Re: [Speech]

Subject: Re: [Speech]
From: "Anton, Michael N."
Date: 9/9/03, 8:45 PM
To: "Kavanaugh, Brett M."
CC: "Gerson, Michael J.", "Bartlett, Daniel J.", "Steen, Gretchen P."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 11:46:33 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

b(6),P6,P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

: Re: [President]

Subject: : Re: [President]

From: Michael N. Anton (CN=Michael N. Anton/OU=NSC/O=EOP [NSC])

Date: 9/9/03, 8:47 PM

To: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@Exchange [WHO])

CC: daniel j. bartlett (CN=daniel j. bartlett/OU=who/O=eop@exchange [WHO]), gretchen p. steen (CN=gretchen p. steen/OU=who/O=eop@exchange [WHO]), michael j. gerson (CN=michael j. gerson/OU=who/O=eop@exchange [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 16 14:31:40 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: [Speech]
From: "Kavanaugh, Brett M."
Date: 9/9/03, 8:50 PM
To: "Burks, Jonathan W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 11:43:15 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: DOJ Response to Comments on DOJ Otter Amendment Letter
From: "Lobrano, Lauren C."
Date: 10/9/03, 9:26 PM
To: "Kavanaugh, Brett M.", "Brosnahan, Jennifer R.", "Cunningham, H. Bryan"
CC: "Petrosino, Nicole"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri Nov 16 16:47:36 EST 2018

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0263-F

Additional Information:

Subject: Re: DOJ Response to Comments on DOJ Otter Amendment Letter
From: "Cunningham, H. Bryan"
Date: 10/9/03, 9:41 PM
To: "Lobrano, Lauren C."
CC: "Kavanaugh, Brett M.", "Brosnahan, Jennifer R.", "Petrosino, Nicole"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri Nov 16 16:47:38 EST 2018

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0263-F

Additional Information:

Subject: : Final Letter: DOJ Otter Amendment Letter

From: Lauren C. Lobrano (CN=Lauren C. Lobrano/OU=OMB/O=EOP [OMB])

Date: 10/16/03, 4:47 AM

To: Lauren J. Vestewig (CN=Lauren J. Vestewig/OU=OPD/O=EOP@Exchange [OPD]), Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@Exchange [WHO]), Karin B. Torgerson (CN=Karin B. Torgerson/OU=WHO/O=EOP@Exchange [WHO]), Jonathan W. Burks (CN=Jonathan W. Burks/OU=WHO/O=EOP@Exchange [WHO]), Debra D. Bird (CN=Debra D. Bird/OU=WHO/O=EOP@Exchange [WHO]), Carolyn E. Cleveland (CN=Carolyn E. Cleveland/OU=WHO/O=EOP@Exchange [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue Nov 27 14:23:54 EST 2018

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0263-F

Additional Information:

Subject: Fw: DOJ letterhead documents
From: "McNally, Edward"
Date: 2/4/04, 8:38 PM
To: "Kavanaugh, Brett M."

-----Original Message-----

From: Stiles, Ryan P. <Ryan_P._Stiles@who.eop.gov>
To: McNally, Edward <Edward_McNally@who.eop.gov>
Sent: Tue Feb 03 15:57:44 2004
Subject: DOJ letterhead documents

<<...>>

<<...>> Ed-

Here are the 2 DOJ docs that provide a Patriot Act overview and a summary of the anti-terror accomplishments. Both docs incorporate all comments received to date, and can likely be staffed at any appropriate time.

I have revised the Q&As, but am still waiting to get the CD Cal case Q&A from Rachel. I will forward when I receive.

Ryan

— Attachments: —

Anti-terror record2.doc	66.5 KB
USA PATRIOT- overview - short final31.doc	68.5 KB



Department of Justice

ANTI-TERROR RECORD OF ACCOMPLISHMENTS

For decades, terrorists have waged war against U.S. interests. Now America is waging war against terrorists. As President Bush has said, "Free people will set the course of history." We have expanded freedom over the past two years while protecting civil liberties and protecting people here and around the world from further terrorist attacks.

- **The United States of America is winning the war on terrorism with unrelenting focus and unprecedented cooperation.** Prevention of terrorist attacks is our first priority and with the President taking the lead, information sharing and cooperation has vastly increased today. We are better able to "connect the dots."
- **The Department of Justice has acted thoughtfully, carefully and within the framework of American freedom -- the Constitution of the United States.** Survival and success in this long war on terrorism demands that the Department continuously adapt and improve its capabilities, as terrorists do, to protect Americans from a fanatical, ruthless enemy.

HOW WE ARE WINNING THE WAR ON TERRORISM:

First, we are disrupting, arresting and detaining potential terrorist threats:

- The FBI and our partners, both here and abroad, have identified, disrupted and neutralized over 150 terrorist threats and cells;
- Worldwide, more than two-thirds of al Qaeda's senior leadership has been captured or killed;
- Worldwide, more than 3,000 operatives have been incapacitated;
- 4 alleged terrorist cells in Buffalo, Detroit, Seattle and Portland have been broken up;
- 299 individuals have been criminally charged in terrorism investigations since the September 11th attacks;
- Already, 157 individuals have been convicted or have pled guilty, including shoe-bomber Richard Reid and "American Taliban" John Walker Lindh.
- Over 515 individuals linked to the September 11 investigation have been deported.

Second, we are gathering and cultivating detailed intelligence on terrorism in the U.S.:

- Hundreds of suspected terrorists have been identified and tracked throughout the United States;
- Our human sources of intelligence have doubled;
- Our counterterrorism investigations have doubled in one year.

Third, we are gathering information by leveraging criminal charges and long prison sentences. When individuals realize that they face a long prison term, they often try to cut their prison time by pleading guilty and cooperating with the government. Since September 11, we have obtained criminal

plea agreements from more than 15 individuals, who must, and will continue to, cooperate with the government in its terrorist investigations.

- These individuals have provided critical intelligence about al Qaeda and other terrorist groups, safehouses, training camps, recruitment, and tactics in the U.S., and the operations of those terrorists who mean to do American citizens harm.
- One individual has given us intelligence on weapons stored here in the United States.
- Another cooperator has identified locations in the U.S. being scouted or cased for potential attacks by al Qaeda.

Fourth, we are dismantling the terrorist financial network:

- 36 designated terrorist organizations;
- \$133 million in assets frozen around the world;
- 70 investigations into terrorist financing, with 23 convictions or guilty pleas to date.
- The FBI set up a Terrorist Financing Operations Section (TFOS) and utilized the Joint Terrorism Task Forces to identify, investigate, prosecute, disrupt and dismantle terrorist related financial and fundraising activities.

Fifth, we are using new legal tools to detect, disrupt, and prevent potential terrorist plots.

Congress has provided better crime-fighting tools to make sure we are doing all we can, legally and within the bounds of the Constitution, to detect, disrupt and prevent acts of terror. The Patriot Act passed with overwhelming bipartisan majorities, in the Senate by 98-1, and in the House of Representatives by 357-66.

- **The Patriot Act allows investigators to use the tools that were already available to investigate organized crime and drug trafficking.** These tools have been used for decades and have been reviewed and approved by the courts.
- **The Patriot Act facilitated information sharing and cooperation among government agencies so that they can better “connect the dots.”** Our prevention efforts cannot be constrained by boxes on an organizational chart.
- **The Patriot Act updated the law to reflect new technologies and new threats.** The Act brought the law up to date with current technology, so we no longer have to fight a digital-age battle with antique weapons—legal authorities leftover from the era of rotary telephones.
- **The Patriot Act increased the penalties for those who commit terrorist crimes.** Americans are threatened as much by the terrorist who pays for a bomb as by the one who pushes the button. That’s why the PATRIOT Act imposed tough new penalties on those who commit and support terrorist operations, both at home and abroad.

Sixth, we are building our long-term counter-terrorism capacity:

- A near three-fold increase in counter-terrorism funds;
- Over 1,000 new and redirected FBI agents dedicated to counterterrorism and counterintelligence;
- 250 new Assistant U.S. Attorneys;

- 66 Joint Terrorism Task Forces;
- 337% increase in Joint Terrorism Task Force staffing; and
- FBI Flying Squads developed for rapid deployment to hot spots worldwide.



Department of Justice

USA PATRIOT ACT OVERVIEW

The Department of Justice's first priority is to prevent future terrorist attacks. Since its passage following the September 11th attacks, the PATRIOT Act has played a key part - and often the leading role - in a number of successful operations to protect innocent Americans from the deadly plans of terrorists dedicated to destroying America and our way of life. While the results have been important, in passing the PATRIOT Act, Congress provided for only modest, incremental changes in the law. Congress simply took existing legal principles and retrofitted them to preserve the lives and liberty of the American people from the challenges posed by a global terrorist network.

- ✓ **Congress enacted the PATRIOT Act by overwhelming, bipartisan margins, arming law enforcement with new tools to detect and prevent terrorism:** The USA PATRIOT Act was passed nearly unanimously by the Senate 98-1, and 357-66 in the House, with the support of members from across the political spectrum.

THE ACT IMPROVES OUR COUNTER-TERRORISM EFFORTS IN SEVERAL SIGNIFICANT WAYS:

1. The PATRIOT Act allows terrorism investigators to use the tools that were already available to investigate organized crime and drug trafficking. Many of the tools the Act provides to law enforcement to fight terrorism have been used for decades to fight organized crime and drug dealers, and have been reviewed and approved by the courts.

- **Allows law enforcement to use surveillance against more crimes of terror.**
- **Allows federal agents to follow sophisticated terrorists trained to evade detection.** For years, law enforcement has been able to use "roving wiretaps" to investigate ordinary crimes, including drug offenses and racketeering. A roving wiretap can be authorized by a federal judge to apply to a particular suspect, rather than a particular phone or communications device. Because international terrorists are sophisticated and trained to thwart surveillance by rapidly changing locations and communication devices such as cell phones, the Act authorized agents to seek court permission to use the same techniques in national security investigations to track terrorists.
- **Allows law enforcement to conduct investigations without tipping off terrorists.** In some cases if criminals are tipped off too early to an investigation, they might flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other action to evade arrest. Therefore, federal courts in narrow circumstances long have allowed law enforcement to delay for a limited time when the subject is told that a judicially-approved search warrant has been executed. Notice is always provided, but the reasonable delay gives law enforcement time to identify the criminal's associates, eliminate immediate threats to our communities, and coordinate the arrests of multiple individuals without tipping them off beforehand. These delayed notification search warrants have been used for decades, have proven crucial in drug and organized crime cases, and have been upheld by courts as fully constitutional. [The Act simply codified the procedure for obtaining them.](#)
- **Allows federal agents to ask a court for an order to obtain business records in national security terrorism cases.** Examining business records often provides the key that investigators are looking for to solve a wide range of crimes. Investigators might seek select records from hardware stores or chemical plants, for example, to find out who bought materials to make a bomb, or bank records to see who's sending money to terrorists. Law enforcement authorities have always been able to obtain business records in criminal cases through grand jury subpoenas, and continue to do so in national security cases where appropriate. In national security cases where use of the grand jury process was

not appropriate, investigators previously had limited tools to obtain certain business records. Under Section 215, the government can now ask a federal court to order production of the same type of records that are available through grand jury subpoenas. This federal court, however, can issue these orders only after the government demonstrates the records concerned are sought for an authorized investigation to obtain foreign intelligence information not concerning a U.S. person or to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a U.S. person is not conducted solely on the basis of activities protected by the First Amendment.

- ✓ On September 17, 2003, the Justice Department declassified information regarding the use of this provision – and made public the fact that Patriot Act section 215 has *never* been used.

2. The PATRIOT Act facilitated information sharing and cooperation among government agencies so that they can better “connect the dots.” The Act removed the major legal barriers that prevented the law enforcement, intelligence, and national defense communities from talking and coordinating their work to protect the American people and our national security. Now police officers, FBI agents, federal prosecutors and intelligence officials can protect our communities by “connecting the dots” to uncover terrorist plots before they are completed. ▼

3. The PATRIOT Act updated the law to reflect new technologies and new threats. The Act brought the law up to date with current technology, so we no longer have to fight a digital-age battle with antique weapons—legal authorities leftover from the era of rotary telephones.

- **Allows law enforcement officials to obtain a search warrant anywhere a terrorist-related activity occurred.** Before the Patriot Act, law enforcement personnel were required to obtain a search warrant in the district where they intended to conduct a search. However, modern terrorism investigations often span a number of districts, and officers therefore had to obtain multiple warrants in multiple jurisdictions, creating unnecessary delays. Now warrants can be obtained in any district in which terrorism-related activities occurred, regardless of where they will be executed.

4. The PATRIOT Act increased the penalties for those who commit terrorist crimes. Americans are threatened as much by the terrorist who pays for a bomb as by the one who pushes the button. That’s why the PATRIOT Act imposed tough new penalties on those who commit and support terrorist operations, both at home and abroad. In particular, the Act:

- **Prohibits individuals from knowingly harboring terrorists** who have committed or are about to commit a variety of terrorist offenses, such as: destruction of aircraft; use of nuclear, chemical, or biological weapons; use of weapons of mass destruction; bombing of government property; sabotage of nuclear facilities; and aircraft piracy.
- **Enhanced the inadequate maximum penalties for various crimes likely to be committed by terrorists:** including arson, destruction of energy facilities, material support to terrorists and terrorist organizations, and destruction of national-defense materials.
- **Enhanced a number of conspiracy penalties,** including for arson, killings in federal facilities, attacking communications systems, material support to terrorists, sabotage of nuclear facilities, and interference with flight crew members.
- **Punishes terrorist attacks on mass transit systems; punishes bioterrorists; and eliminates or lengthens the statutes of limitations for certain terrorism crimes.**

The government’s success in preventing another catastrophic attack on the American homeland since September 11, 2001, would have been much more difficult, if not impossible, without the PATRIOT Act.

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Deleted: Understanding that too many Americans had the inaccurate impression that the government was using this tool to invade their privacy, onOn

Deleted: As Sen John Edwards (D-N C) said about the Patriot Act, “we simply cannot prevail in the battle against terrorism if the right hand of our government has no idea what the left hand is doing ” (Press release, 10/26/01)

Subject: Fw: Q&As
From: "McNally, Edward"
Date: 2/4/04, 8:40 PM
To: "Michel, Christopher G."
CC: "Kavanaugh, Brett M."

-----Original Message-----

From: Stiles, Ryan P. <Ryan_P_Stiles@who.eop.gov>
To: McNally, Edward <Edward_McNally@who.eop.gov>
Sent: Wed Feb 04 16:14:21 2004
Subject: Q&As

<<...>>

Use this version.

—Attachments: —

Most Common Questions Regarding the PATRIOT Act-revised.doc

34.5 KB

Most Common Questions Regarding the PATRIOT Act

Q: If the government hasn't used Section 215 (the "library provision"), why is it necessary?

A. First, it is a fact that terrorists have used public library computers to do research, use the internet and communicate with their terrorist confederates. Section 215 (which does not even mention libraries) gives the government the ability to get business records and other tangible things with an order from a federal court, the Foreign Intelligence Surveillance Act Court. The government has to make a showing to the court that the information is necessary to "protect against international terrorism or clandestine intelligence activity." This is an extremely narrow and targeted authority. And unlike grand jury subpoenas, a Section 215 order can only be approved by a federal judge.

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While the government had never used the provision in the 24 months years since the Patriot Act was passed, it is possible that there will be a situation in which that provision could be the difference between the life and death of innocent Americans. After all, would we take away a policeman's gun just because he has never had to use it in the line of duty?

Q. The Patriot Act created "sneak and peek" searches that allow the government to conduct searches without judicial warrants and without notifying the target of the search. Doesn't that violate the 4th Amendment protection against unreasonable search and seizure?

A. First, "sneak and peek" was not created by the Patriot Act. These judicially-authorized delayed notification searches have been used [with the explicit approval of federal courts for decades](#). The Patriot Act actually put national standards around the practice that varied among the different federal jurisdictions. Also, the Act requires that [all targets](#) be notified after a reasonable amount of time. This provision was not seen as controversial or new and therefore is not subject to the sunset provision.

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Q. The Patriot Act allows peaceful groups that dissent from government policy, such as Greenpeace, to be treated as domestic terrorists who could be subject to surveillance, wiretapping, harassment, and criminal action. Doesn't this violate the 1st Amendment?

A. The Patriot Act limits "domestic terrorism" to conduct that breaks criminal laws, endangering human life. Peaceful groups that dissent from government policy without breaking laws cannot be targeted. Peaceful political discourse and dissent is one of America's most cherished freedoms, and is not subject to investigation as domestic terrorism. Under the Patriot Act, the definition of "domestic terrorism" is limited to conduct that (1) violates federal or state criminal law and (2) is dangerous to human life. Therefore, peaceful political organizations engaging in political advocacy will obviously not come under this definition.

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Q. Why have so many people reportedly opposed the Patriot Act? [Haven't there been a number of cities that have come out against the Act?](#)

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A. Only a handful of vocal Members of Congress and outside interest groups have opposed the Act. In fact, not only do the overwhelming majority of Republicans support the Act, but many more [Democrats](#) support the Act than oppose it. Just last October, Senators Diane Feinstein and Joe Biden praised the Act and the Administration's implementation of the Act. In addition,

in several independent polls (CNN/Gallup; AP; FOX News/Opinion Dynamics), about 75% of the American people support the Patriot Act while less than 20% oppose it.

Q. The Patriot Act allows the indefinite detention, without access to lawyers, of American citizens.

A. The Patriot Act allows no such thing; **it has no provisions relating to enemy combatants.** The President, acting in his constitutional role as Commander in Chief under the Constitution, has always had the authority in times of war to order the detention of those persons determined to be enemy combatants (those who take up arms against the U.S.) in order to prevent them from carrying out acts of war. The Patriot Act simply has no effect on this centuries-old authority.

Q. Didn't a federal court recently strike down a provision of the Patriot Act as unconstitutional, thereby confirming the arguments set forth by the Act's critics?

A. Section 805(a)(2)(B) of the Patriot Act prohibits individuals from providing "expert advice or assistance" to foreign terrorist organizations. Recently, however, the United States District Court for the Central District of California ruled that this provision was unconstitutionally vague. The Administration continues to believe that the Patriot Act appropriately imposed tough new penalties on those who provide expert advice or assistance to terrorist organizations because Americans are threatened as much by the person who teaches a terrorist to build a bomb as by the one who pushes the button. In addition, it is important to note that this decision only relates to one small portion of the Patriot Act and does nothing to call into question the vast majority of the Act's constitutionality.

Deleted: Q. What do you think of the fact that over 230 towns and cities have passed local resolutions opposing the Act? ¶

A There are over 18,000 cities and towns in America The majority of the 230 towns that passed resolutions are in California, Washington State, Oregon, Vermont and Massachussetts That is hardly a groundswell Quite to the contrary, several independent polls have shown that a substantial majority of the American people support the Act ¶

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Subject: RE: resend (caught typo) – final FACT SHEET: Protecting America's Seaports and Securing Cargo Shipments
From: "Kavanaugh, Brett M."
Date: 2/4/04, 10:12 PM
To: "Besanceney, Brian R."

[Sorry I missed it.](#)

-----Original Message-----

From: Besanceney, Brian R.
Sent: Wednesday, February 04, 2004 10:09 PM
To: Besanceney, Brian R.; Young, James T.; Abney, Allen K.; Andrews, Mary C.; Bartlett, Daniel J.; Bohn, Trey; Buchan, Claire ; Cooper, Colby J.; Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik; Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; McCormack, Sean I.; Mollmann, Megan S.; Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.; Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter S.; Wilkinson, James
Cc: Staff Secretary; Peterman, Brian; Cooper, Rory S.; Aidekman, David
Subject: resend (caught typo) - final FACT SHEET: Protecting America's Seaports and Securing Cargo Shipments

Protecting America's Seaports and Securing Cargo Shipments

February 5, 2004

Today's Presidential Action

Ø In remarks on the War on Terror at the Port of Charleston, South Carolina, President Bush highlighted his commitment to protecting the homeland, including America's ports and increasing cargo security.

Ø The President's FY 2005 budget requests resources for many important homeland security priorities. It includes a 9.7% increase in government-wide homeland security funding over FY 2004, nearly tripling the FY 2001 levels. It also includes a \$3.6 billion (10%) overall increase over FY 2004 for the Department of Homeland Security (DHS), doubling funding for DHS programs since FY 2001.

Ø The President's budget demonstrated his commitment to port and cargo security. It includes:

- o \$1.9 billion for DHS-wide port security efforts, an increase of 13% (\$224 million)

over FY 2004 and 628% (\$1.6 billion) over FY 2001. These funds include \$102 million for the Coast Guard to implement the Maritime Transportation Security Act of 2002, which sets security standards for certain vessels, port facilities, and critical offshore platforms.

o A total of \$6.6 billion to maintain and enhance border security activities, a 7% (\$447 million) increase over FY 2004 and a 70% (\$2.7 billion) increase over FY 2001.

Background: Protecting America's Seaports and Securing Cargo Shipments

The U.S. maritime transportation system is vital to the global economy. Over 95% of non-North American trade enters the country through U.S. seaports, and our seaports handle over \$740 billion and 2 billion tons of domestic and international freight annually. Foreign vessels make 50,000 port calls annually.

Our seaports and maritime transportation infrastructure face a myriad of threats from the vessels, people, and cargo that move through them. Consistent with our approach to the overall War on Terrorism, our approach to seaport security calls for a layered defense that starts far beyond our mainland.

Supporting the Coast Guard: The FY 2005 budget request includes a 9% (nearly \$500 million) increase for the United States Coast Guard, bringing total Coast Guard funding to \$6.3 billion (a 64% increase over FY 2001).

Ø *Ensuring Security Before Cargo Ships Reach Port:* These funds include \$102 million for implementation of the Maritime Transportation Security Act of 2002 (MTSA). This initiative will enable Coast Guard to develop, review, and approve vessel and facility security plans, ensure foreign vessels are meeting security standards, enhance its intelligence capacity, and provide underwater detection capability to Maritime Safety and Security Teams.

Ø *Upgrading Coast Guard Ships and Technology:* The budget also continues support for the Coast Guard's Integrated Deepwater System acquisition program, which is systematically replacing the Coast Guard's aging fleet of vessels, aircraft, and command and control systems. The FY 2005 budget funds Deepwater at \$678 million, an increase of \$10 million over the FY 2004 level.

Ø *Improving Information and Intelligence:* The Coast Guard's maritime domain awareness programs will help us better understand what transits through or near our nation's waters. MTSA regulations require certain commercial vessels to install Automatic Identification Systems (AIS) by the end of 2004. AIS devices broadcast certain vessel information that helps identify and locate vessels in our maritime domain. The Coast Guard is on schedule to have AIS capabilities at each of its Vessel Traffic Service locations by the end of 2004, and is working towards a long-term goal of nationwide AIS coverage. Moreover, the Coast Guard established COASTWATCH, a process through which the intelligence community analyzes all-source information and intelligence on ships, crew, and cargo to identify security threats. Information from the intelligence community then helps the Coast Guard and other agencies to institute appropriate control measures before these vessels reach our seaports.

Increasing Cargo Screening and Border Security: The President's FY 2005 budget requests \$450 million in new funding to maintain and enhance border security activities, including funding to expand pre-screening activities for cargo containers overseas, and for capabilities to better detect individuals attempting to illegally enter the United States. There are many important seaport and cargo security programs:

Ø *The Container Security Initiative (CSI)* allows DHS to pre-screen cargo before it reaches our shores. The FY 2005 budget requests an increase of \$64 million (103%) over the FY 2004 funding level. These funds will support CSI expansion into additional high-volume ports.

Ø *Radiation detection monitors* are used to screen passengers and cargo coming into the United States. The FY 2005 budget includes \$50 million for the next generation of radiation screening devices.

Ø *To better identify high-risk cargo and passengers,* the budget includes an increase of \$20.6 million for staffing and technology acquisition to support the National Targeting Center (NTC) as well as additional Customs and Border Patrol targeting systems, which are used to review advance manifests and other information to determine which shipments are higher-risk and require closer examination.

Ø *The Customs-Trade Partnership Against Terrorism (C-TPAT)* leverages public/private partnerships to improve security along the entire supply chain, from the factory floor, to foreign vendors, land borders, and seaports, while expediting border processing for legitimate shipments. The FY 2005 budget includes an increase of \$20 million for C-TPAT. This initiative will allow for the development and approval security plans, ensuring foreign vessels arriving in the United States are in compliance with the

new standards, and enhance its intelligence and surveillance capabilities.

Providing Grants for Port Security: The Department of Homeland Security's Port Security Grant Program provides resources for security planning and projects to improve dockside and perimeter security. In the last round of grant awards, some 442 projects in 326 locations from across the Nation received \$179 million in funding. DHS also awarded an additional \$245 million for port security in FY 2003. The President's FY 2005 budget provides \$46 million for additional port security grants.

<< File: Port Security Fact Sheet 2-04.pdf >>

Subject: Patriot Act sunset
From: "Michel, Christopher G."
Date: 2/5/04, 1:18 AM
To: "Kavanaugh, Brett M."
CC: "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 14 16:56:30 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: Patriot Act sunset
From: "Kavanaugh, Brett M."
Date: 2/5/04, 1:19 AM
To: "Michel, Christopher G."
CC: "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 14 16:56:31 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: BK: Draft Patriot Act pocket card
From: "Kavanaugh, Brett M."
Date: 2/9/04, 2:20 PM
To: "Staff Secretary"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Mon May 13 14:11:44 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: USA PATRIOT- overview.EOP2
From: "Torgerson, Karin B."
Date: 2/11/04, 7:48 PM
To: "Stiles, Ryan P.", "Kavanaugh, Brett M."

Here are my suggestions to this one. Brett has not seen. I got it all on 2 pages...

— Attachments: —

USA PATRIOT- overview.EOP2.doc

73.5 KB



Department of Justice

USA PATRIOT ACT OVERVIEW: WHAT IS THE PATRIOT ACT?

The Department of Justice's first priority is to prevent future terrorist attacks. Since its passage following the September 11th attacks, the PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists. In passing the PATRIOT Act, Congress provided for modest, incremental changes in the law. Congress took existing legal principles and adapted them to preserve the lives and liberty of the American people given the challenges posed by global terrorist threats.

- ✓ Congress enacted the PATRIOT Act by overwhelming, bipartisan margins, arming law enforcement, intelligence, and homeland security officers with new tools to detect and prevent terrorism: The USA PATRIOT Act was passed nearly unanimously by the Senate 98-1, and 357-66 in the House of Representatives, with bi-partisan support.

THE ACT IMPROVES OUR COUNTER-TERRORISM EFFORTS IN SEVERAL SIGNIFICANT WAYS:

1. The PATRIOT Act facilitates information sharing and cooperation among government agencies so that they can better "connect the dots." The Act removed the major legal barriers that prevented the law enforcement, intelligence, and national defense communities from talking and coordinating their work to protect the American people and our national security. Now FBI agents, Federal prosecutors, and intelligence officials can protect our communities by "connecting the dots" to uncover terrorist plots before they are completed.

2. The PATRIOT Act allows terrorism investigators to use the tools that were already available to investigate organized crime and drug trafficking. Many of the tools the Act provides to law enforcement to fight terrorism have been used for decades to fight organized crime and drug dealers, and have been reviewed and approved by the courts. Specifically, the PATRIOT Act:

- **Allows law enforcement to use surveillance against more crimes of terror, such as use of chemical weapons and other weapons of mass destruction.**
- **Allows Federal agents to follow sophisticated terrorists trained to evade detection.** For years, Federal judges across America have authorized law enforcement to use "roving wiretaps" to investigate ordinary crimes, including drug offenses and racketeering. A roving wiretap can be authorized by a Federal judge to apply to a particular suspect, rather than a particular phone or communications device. Because international terrorists are sophisticated and trained to thwart surveillance by rapidly changing locations and communication devices, the Act authorized agents to seek court permission to use the same techniques in national security investigations to track terrorists.
- **Allows law enforcement to conduct investigations without tipping off terrorists.** If criminals are tipped off too early to an investigation, they are likely to flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other action to evade arrest. Therefore, Federal courts in narrow circumstances long have allowed law enforcement to delay for a limited time when the subject is told that a judicially-approved search warrant has been executed. Notice is always provided, but the reasonable delay gives law enforcement time to identify the criminal's associates, eliminate immediate threats to our communities, and coordinate the arrests of multiple individuals without tipping them off beforehand. These delayed-notification search warrants have been used for decades, have proven crucial in drug and organized crime cases, and have been upheld by courts as fully constitutional. The Act simply codified the procedure for obtaining them.

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- **Allows Federal agents to ask a court for an order to obtain business records in national security terrorism cases.** Examining business records often provides the key that investigators are looking for to catch terrorists, and, traditionally, to solve a wide range of crimes. Investigators might seek specific records from a hardware store or chemical wholesaler, for example, to determine the identity of a suspected terrorist who purchased materials to construct a bomb, or specific bank records to identify the source of money used to finance terrorist attacks. Law enforcement authorities have always been able to obtain business records in criminal cases through grand jury subpoenas, and for example, via administrative subpoenas in drug investigations. Previously -- in national security cases where use of the grand jury process was too risky or otherwise not appropriate (*e.g.*, because disclosure of the fact that the subpoena had been issued could potentially tip off suspected terrorists to the existence of the investigation) -- investigators had limited tools to obtain certain business records. Under Section 215 of the Act, the government can now ask a Federal court to order production of the same type of records that are available through grand jury subpoenas (which typically do not require specific court approval). This Federal court, however, can issue these orders only after: (1) the government demonstrates that the records concerned are sought for an authorized investigation to obtain foreign intelligence information not concerning a U.S. person; or (2) to protect against international terrorism or clandestine intelligence activities, provided that any such investigation of a U.S. person is not conducted solely on the basis of activities protected by the First Amendment.

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3. The PATRIOT Act updates the law to reflect new technologies and new threats. The Act brought the law up-to-date with the new technologies actually used by terrorists, so America no longer has to fight a digital-age battle with legal authorities left over from the era of rotary telephones.

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- **Allows law enforcement officials to move more quickly to prevent attacks by asking a Court to authorize a nationwide search warrant.** Before the PATRIOT Act, law enforcement personnel were required to obtain a series of search warrants, one-by-one, from a series of different judges everywhere suspected terrorists may be hiding documents about planned attacks or other evidence. Today, however, terrorism investigations often span a number of districts, and obtaining multiple warrants in multiple jurisdictions can create risky and unnecessary delays. Now warrants can be obtained in any district in which terrorism-related activities occurred, regardless of where they will be executed.

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4. The PATRIOT Act increases the penalties for those who commit terrorist crimes. Americans are threatened as much by the terrorist who pays for a bomb as by the one who detonates it. That's why the PATRIOT Act imposed tough new penalties on those who commit and support terrorist operations, both at home and abroad. In particular, the Act:

- **Prohibits individuals from knowingly harboring terrorists** who have committed or are about to commit a variety of terrorist offenses, such as: destruction of aircraft; use of nuclear, chemical, biological, or other weapons of mass destruction; bombing of government property; sabotage of nuclear facilities; and aircraft piracy.
- **Enhances the maximum penalties for various crimes likely to be committed by terrorists:** including arson, destruction of energy facilities, material support to terrorists and terrorist organizations, and destruction of national-defense materials.
- **Enhances a number of conspiracy penalties,** including for arson, killings in Federal facilities, attacking communications systems, material support to terrorists, sabotage of nuclear facilities, and interference with flight crews.
- **Punishes terrorist attacks on mass transit systems; punishes bioterrorists; and eliminates or lengthens the statutes of limitations for certain terrorism crimes.**

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Congress should renew those provisions of the PATRIOT Act set to sunset in December 2005.



Department of Justice

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- **Punishes terrorist attacks on mass transit systems; punishes bioterrorists; and eliminates or lengthens the statutes of limitations for certain terrorism crimes.**

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Congress should renew those provisions of the PATRIOT Act set to sunset in December 2005.

Subject: PATRIOT Act Qs As.EOP2
From: "Torgerson, Karin B."
Date: 2/12/04, 1:31 AM
To: "Kavanaugh, Brett M.", "Stiles, Ryan P."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 15:05:21 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: PATRIOT Act Qs As.EOP21
From: "Torgerson, Karin B."
Date: 2/12/04, 3:28 AM
To: "Stiles, Ryan P.", "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 15:05:22 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Patriot Act questions . . .
From: "Kavanaugh, Brett M."
Date: 2/12/04, 11:45 AM
To: "Falkenrath, Richard", "McNally, Edward"
CC: "Miers, Harriet"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 15:05:24 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: Patriot Act questions . . .
From: "Falkenrath, Richard"
Date: 2/12/04, 2:03 PM
To: "Kavanaugh, Brett M.", "McNally, Edward"
CC: "Miers, Harriet"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 15:05:25 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: : FW: Comments on DHS speech and DHS slides
From: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@Exchange [WHO])
Date: 2/27/04, 11:38 PM
To: Michael N. Anton (CN=Michael N. Anton/OU=NSC/O=EOP@EOP [NSC]), Emily L. Kropp (CN=Emily L. Kropp/OU=WHO/O=EOP@Exchange [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 16 17:37:33 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Comments on DHS speech and DHS slides
From: "Kavanaugh, Brett M."
Date: 2/27/04, 11:38 PM
To: "Kropp, Emily L.", "Anton, Michael N."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 16 15:37:56 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

RE: Are we ok that his quote applies to the intelligence funding cut ...

Subject: RE: Are we ok that his quote applies to the intelligence funding cut -- Was that one of the "40 programs" to be "cut"?

From: "Michel, Christopher G."

Date: 3/11/04, 12:39 PM

To: "Kavanaugh, Brett M.", "Gerson, Michael J.", "Bartlett, Daniel J.", "Currin, John", "Drouin, Lindsey E.", "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 16 16:21:21 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

FW: Are we ok that his quote applies to the intelligence funding cut...

Subject: FW: Are we ok that his quote applies to the intelligence funding cut -- Was that one of the "40 programs" to be "cut"?

From: "Michel, Christopher G."

Date: 3/11/04, 12:44 PM

To: "Kavanaugh, Brett M."

CC: "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 16 16:21:22 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

RE: Are we ok that his quote applies to the intelligence funding cut ...

Subject: RE: Are we ok that his quote applies to the intelligence funding cut -- Was that one of the "40 programs" to be "cut"?

From: "Kavanaugh, Brett M."

Date: 3/11/04, 1:01 PM

To: "Michel, Christopher G.", "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 16 16:21:23 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

RE: Are we ok that his quote applies to the intelligence funding cut ...

Subject: RE: Are we ok that his quote applies to the intelligence funding cut -- Was that one of the "40 programs" to be "cut"?

From: "Michel, Christopher G."

Date: 3/11/04, 1:17 PM

To: "Kavanaugh, Brett M.", "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 10:44:44 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

RE: Are we ok that his quote applies to the intelligence funding cut ...

Subject: RE: Are we ok that his quote applies to the intelligence funding cut -- Was that one of the "40 programs" to be "cut"?

From: "Michel, Christopher G."

Date: 3/11/04, 1:25 PM

To: "Michel, Christopher G.", "Kavanaugh, Brett M.", "Gerson, Michael J.", "Bartlett, Daniel J.", "Currin, John", "Drouin, Lindsey E.", "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 10:44:45 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Legal corrections in President's radio address
From: "Kropp, Emily L."
Date: 4/15/04, 8:38 PM
To: "Kavanaugh, Brett M."

fyi

-----Original Message-----

From: Drouin, Lindsey E.
Sent: Thursday, April 15, 2004 8:38 PM
To: Michel, Christopher G.
Cc: Kropp, Emily L.
Subject: FW: Legal corrections in President's radio address

[Here are changes from Ed and Ryan...](#)

-----Original Message-----

From: McNally, Edward
Sent: Thursday, April 15, 2004 8:33 PM
To: Drouin, Lindsey E.
Cc: Stiles, Ryan P.; Brosnahan, Jennifer R.; Ganter, Jonathan F.; Leckey, Eric; Flippin, Laura; Hildebrand, Kirsten J.
Subject: Legal corrections in President's radio address

(See tracked changes in att'd. The changes to the first sentence are necessary for legal accuracy.)

The Patriot Act tore down the artificial wall between [\[M1\]](#)criminal investigators and intelligence officers – and enhanced their ability to better share the information needed to hunt terrorists. The Patriot Act also marked a major shift in law enforcement priorities. We are no longer emphasizing simply the investigation of past crimes, but also prevention of future [\[M2\]](#) strikes. Because we passed the Patriot Act, FBI agents can better conduct electronic surveillance and wiretaps on certain suspected terrorists. [\[M3\]](#)Federal investigators can now use tools long permitted against white collar criminals and drug traffickers to serve an urgent purpose – stopping a terrorist attack on our soil.

[\[M1\]](#)All of these very precise changes in the first sentence are necessary for legal accuracy.

[\[M2\]](#)Stylistic suggestion; no legal issue here

[\[M3\]](#)"tracking suspects" is legally accurate. But are we sure we want to recommend that the President say these words, which could conjure up images of Big Brother/internet spying and other intrusive monitoring of citizens that could be alarming to critics on both the left and the right?

-----Original Message-----

From: Drouin, Lindsey E.
Sent: Thursday, April 15, 2004 8:16 PM
To: McNally, Edward
Cc: Stiles, Ryan P.
Subject: Final review of President's radio address
Importance: High

[Ed and Ryan,](#)

[Here is one paragraph from the final draft of the President's radio address—which should reflect all changes submitted. Will you take a quick look at it and let me know](#)

if this is still accurate? Please note the addition of FBI and CIA in the first sentence—which changed from "law enforcement and intelligence." Is that still correct? And also, please note the last sentence was re-worded. We are doing the final sign-off of this right now so it can be sent to the President. Thanks for all your help!

The Patriot Act tore down the artificial wall between the FBI and the CIA – and now people in those agencies are sharing the information needed to hunt terrorists. The Patriot Act also marked a major shift in law enforcement priorities. We are no longer emphasizing simply the investigation of past crimes, but also prevention of further strikes. Because we passed the Patriot Act, FBI agents can better conduct electronic surveillance and wiretaps on certain suspected terrorists. And in tracking suspects, federal investigators can now use tools long permitted against white collar criminals and drug traffickers to serve an urgent purpose – stopping a terrorist attack on our soil.

Lindsey E. Drouin
White House Office of Speechwriting
202.456.2769
ldrouin@who.eop.gov

— Attachments: —

Patriot Act -- Radio Address.doc

28.5 KB

The Patriot Act tore down the artificial wall between criminal investigators and intelligence officers, – and enhanced their ability to better share the information needed to hunt terrorists. The Patriot Act also marked a major shift in law enforcement priorities. We are no longer emphasizing simply the investigation of past crimes, but also prevention of future strikes. Because we passed the Patriot Act, FBI agents can better conduct electronic surveillance and wiretaps on certain suspected terrorists. Federal investigators can now use tools long permitted against white collar criminals and drug traffickers to serve an urgent purpose – stopping a terrorist attack on our soil.

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Subject: FW: Radio #3
From: "Kropp, Emily L."
Date: 4/16/04, 12:02 AM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 11:57:36 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Radio #4
From: "Kropp, Emily L."
Date: 4/16/04, 12:49 AM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 11:57:36 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: 4/17 Radio Address #6 – for the President's review

From: "Kavanaugh, Brett M."

Date: 4/16/04, 2:34 AM

To: "Kavanaugh, Brett M.", "Kropp, Emily L.", "Michel, Christopher G."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 11:57:37 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Updated: 4/17 Radio Address #7 - for the President's review
From: "Kavanaugh, Brett M."
Date: 4/16/04, 12:26 PM
To: "Ingwell, Carmen M.", "Bird, Debra D."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 11:57:38 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: For your approval
From: "Williams, Gregory"
Date: 4/16/04, 4:12 PM
To: "Bohn, Trey", "Kavanaugh, Brett M."

THE WHITE HOUSE

Office of the Press Secretary

Embargoed For Release
Until 10:06 A.M. EDT,
Saturday, April 17, 2004

RADIO ADDRESS OF THE PRESIDENT
TO THE NATION

THE PRESIDENT: Good morning.

For the past year, the 9/11 Commission has met to examine the facts surrounding the terrorist attack on our nation. I look forward to the commission's report, and I expect it to contain important recommendations for preventing future attacks.

One lesson the nation has already learned is that law enforcement and intelligence personnel must be allowed to share more information, so that we can better pursue terrorists inside the United States. In the weeks after September the 11th, Congress made essential reforms by passing the USA Patriot Act. That vital legislation gained overwhelming bipartisan support in the House of Representatives, and passed the Senate by a vote of 98 to one.

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deadly attacks from Bali to Mombassa to Madrid. And we will not forget the lessons of September the 11th. To abandon the Patriot Act would deprive law enforcement and intelligence officers of needed tools in the war on terror, and demonstrate willful blindness to a continuing threat.

Next week I will travel to Hershey, Pennsylvania and Buffalo, New York to meet with the law enforcement officers who see the importance of the Patriot Act in their daily duties. They know we must not let down our guard. The war on terror will be won on the offensive, so Congress must renew the Patriot Act.

Every hour of the day, America depends on the work of vigilant law enforcement and intelligence personnel. These men and women have difficult and dangerous jobs -- and they are performing superbly. In their mission of security, they are joined by members of the armed forces, who are taking the fight to our enemies overseas. The American people are grateful to all who defend us -- and we will continue to give them every tool and resource they need to keep America safe.

Thank you for listening.

END

Re: For your approval

Subject: Re: For your approval
From: "Bohn, Trey"
Date: 4/16/04, 4:53 PM
To: "Williams, Gregory", "Kavanaugh, Brett M."

Give me 20 minutes. Thanks.

-----Original Message-----

From: Williams, Gregory <Gregory_Williams@who.eop.gov>
To: Bohn, Trey <Trey_Bohn@who.eop.gov>; Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
Sent: Fri Apr 16 16:12:18 2004
Subject: For your approval

THE WHITE HOUSE

Office of the Press Secretary

Embargoed For Release

Until 10:06 A.M. EDT,

Saturday, April 17, 2004

RADIO ADDRESS OF THE PRESIDENT

TO THE NATION

THE PRESIDENT: Good morning.

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Thank you for listening.

END

Re: For your approval

Subject: Re: For your approval
From: "Kavanaugh, Brett M."
Date: 4/16/04, 5:01 PM
To: "Bohn, Trey", "Williams, Gregory"

Me too.

-----Original Message-----

From: Bohn, Trey <Trey_Bohn@who.eop.gov>
To: Williams, Gregory <Gregory_Williams@who.eop.gov>; Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
Sent: Fri Apr 16 16:53:37 2004
Subject: Re: For your approval

Give me 20 minutes. Thanks.

.

-----Original Message-----

From: Williams, Gregory <Gregory_Williams@who.eop.gov>
To: Bohn, Trey <Trey_Bohn@who.eop.gov>; Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
Sent: Fri Apr 16 16:12:18 2004
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Thank you for listening.

END

RE: For your approval

Subject: RE: For your approval
From: "Bohn, Trey"
Date: 4/16/04, 6:11 PM
To: "Bohn, Trey", "Williams, Gregory", "Kavanaugh, Brett M."

I emailed brett and I am waiting to hear back.

-----Original Message-----

From: Bohn, Trey
Sent: Friday, April 16, 2004 4:54 PM
To: Williams, Gregory; Kavanaugh, Brett M.
Subject: Re: For your approval

Give me 20 minutes. Thanks.

.

-----Original Message-----

From: Williams, Gregory <Gregory_Williams@who.eop.gov>
To: Bohn, Trey <Trey_Bohn@who.eop.gov>; Kavanaugh, Brett M. <Brett_M_Kavanaugh@who.eop.gov>
Sent: Fri Apr 16 16:12:18 2004
Subject: For your approval

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END

RE: For your approval

Subject: RE: For your approval
From: "Kavanaugh, Brett M."
Date: 4/16/04, 6:14 PM
To: "Bohn, Trey", "Williams, Gregory"

Good by me

-----Original Message-----

From: Bohn, Trey
Sent: Friday, April 16, 2004 6:12 PM
To: Bohn, Trey; Williams, Gregory; Kavanaugh, Brett M.
Subject: RE: For your approval

I emailed brett and I am waitng to hear back.

-----Original Message-----

From: Bohn, Trey
Sent: Friday, April 16, 2004 4:54 PM
To: Williams, Gregory; Kavanaugh, Brett M.
Subject: Re: For your approval

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-----Original Message-----

From: Williams, Gregory <Gregory_Williams@who.eop.gov>
To: Bohn, Trey <Trey_Bohn@who.eop.gov>; Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
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Thank you for listening.

END

RE: For your approval

Subject: Patriot Act #8
From: "Kropp, Emily L."
Date: 4/17/04, 2:15 AM
To: "Bartlett, Daniel J.", [b6]
CC: "Kavanaugh, Brett M.", "Gerson, Michael J.", "Anton, Michael N.", "Currin, John", "Drouin, Lindsey E.", "Ritacco, Krista L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 11:57:39 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Patriot Act #8
From: "Kropp, Emily L."
Date: 4/17/04, 2:15 AM
To: "Bartlett, Daniel J.", [b6]
CC: "Kavanaugh, Brett M.", "Gerson, Michael J.", "Anton, Michael N.", "Currin, John", "Drouin, Lindsey E.", "Ritacco, Krista L."

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To: "Bartlett, Daniel J.", [b6]
CC: "Kavanaugh, Brett M.", "Gerson, Michael J.", "Anton, Michael N.", "Currin, John", "Drouin, Lindsey E.", "Ritacco, Krista L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 11:57:38 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Patriot Act #8
From: "Kropp, Emily L."
Date: 4/17/04, 2:18 AM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:04 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Re: Patriot Act #8
From: "Kavanaugh, Brett M."
Date: 4/17/04, 2:19 PM
To: "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:04 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: Patriot Act #8
From: "Kropp, Emily L."
Date: 4/17/04, 3:17 PM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:05 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: #9
From: "Kropp, Emily L."
Date: 4/17/04, 8:32 PM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:10 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

agree with you on bus records so left that out -- see what this looks like

Subject: agree with you on bus records so left that out -- see what this looks like

From: "Kavanaugh, Brett M."

Date: 4/17/04, 8:56 PM

To: "Kropp, Emily L.", <manton@usa.com>

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:11 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

From: "Kavanaugh, Brett M."
Date: 4/17/04, 10:05 PM
To: "Kropp, Emily L.", <manton@usa.com>

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:12 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

From: "Kavanaugh, Brett M."
Date: 4/17/04, 10:39 PM
To: "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:12 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Patriot #11
From: "Kropp, Emily L."
Date: 4/17/04, 11:06 PM
To: "Kavanaugh, Brett M."
CC: "Currin, John", "Drouin, Lindsey E."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:13 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

#11 in text and attached (he has this now)

Subject: #11 in text and attached (he has this now)

From: "Kavanaugh, Brett M."

Date: 4/17/04, 11:18 PM

To: "Bartlett, Daniel J.", <[b6]>, "Anton, Michael N.", <manton@usa.com>, "Gerson, Michael J."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:14 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: UPDATED DRAFT -- 4/19 Patriot Act #12 - for the President's review

From: "Kavanaugh, Brett M."

Date: 4/18/04, 4:09 PM

To: "Kropp, Emily L.", "Staff Secretary"

CC: [b6], "Bartlett, Daniel J.", "McNally, Edward", "Anton, Michael N.", "Falkenrath, Richard", "Stidvent, Veronica V.", "Bockhorn, Lee", "Burks, Jonathan W.", "Campbell, Anne E.", "Currin, John", "Drouin, Lindsey E.", "Gerson, Michael J.", "Goergen, Barbara J.", "Hernandez, Israel", "McConnell, John P.", "Michel, Christopher G.", "Miers, Harriet", "Miller, Cheryl A.", "Ralston, Susan B.", "Ritacco, Krista L.", "Scully, Matthew", <manton@usa.com>

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 12:36:16 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: UPDATED DRAFT -- 4/19 Patriot Act #12 - for the President's review
From: "Kavanaugh, Brett M."
Date: 4/18/04, 4:14 PM
To: "Falkenrath, Richard", "McNally, Edward"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:17:25 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: UPDATED DRAFT -- 4/19 Patriot Act #12 - for the President's review
From: "Kavanaugh, Brett M."
Date: 4/18/04, 4:17 PM
To: "Kavanaugh, Brett M.", "Falkenrath, Richard", "McNally, Edward"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:17:26 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: UPDATED DRAFT -- 4/19 Patriot Act #12 - for the President's review
From: "Burks, Jonathan W."
Date: 4/18/04, 4:59 PM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:17:27 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: UPDATED DRAFT -- 4/19 Patriot Act #12 - for the President's review
From: "Kavanaugh, Brett M."
Date: 4/18/04, 5:00 PM
To: "Burks, Jonathan W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:17:27 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: DOJ, FBI & DHS clearance today on Draft #12 (Close Hold)

From: "McNally, Edward"

Date: 4/18/04, 5:02 PM

To: <Asa.Hutchinson@DHS.GOV>, <Betty.Guhman@DHS.GOV>, [b6,b7c,b7f],
<Dan.Bryant@usdoj.gov>, <John.Richter3@usdoj.gov>, <Rachel.Brand@usdoj.gov>,
<Libby.Camp@DHS.GOV>, <John.Richter3@usdoj.gov>, <Chuck.Rosenberg@usdoj.gov>

CC: "Kavanaugh, Brett M.", "Kropp, Emily L.", "Drouin, Lindsey E.", "Burgess, Paul D.", "Anton, Michael N.", "Falkenrath, Richard", "Stiles, Ryan P.", "Brosnahan, Jennifer R.", "Ulyot, Theodore W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:17:28 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(7f),b(7c),b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: IMPORTANT RE: FINAL Fact Sheet for Monday – USA PATRIOT Act

From: "Kavanaugh, Brett M."

Date: 4/18/04, 6:03 PM

To: "Parell, Christie ", "Williams, Gregory", "Abney, Allen K.", "Bartlett, Daniel J.", "Besanceney, Brian R.", "Bohn, Trey", "Buchan, Claire ", "Deckard, Josh ", "DeFrancis, Suzy", "Duffy, Trent D.", "Godfrey, Georgia D.", "Gross, Taylor S.", "Healy, Erin E.", "Hotmire, Erik", "Kellems, Kevin", "Kolton, Chad", "Lisaius, Kenneth A.", "Mamo, Jeanie S.", "Martin, Catherine J." <Catherine_J._Martin@ovp.eop.gov>, "Mollmann, Megan S.", "Morrell, Jim C.", "Mynster, Kathleen", "Orr, Christopher J.", "Pagliocca, Theresa", "Perino, Dana M.", "Ritacco, Krista L.", "Rule, Natalie ", "Sherzer, David", "Steele, Sara M.", "Stevens, Pamela R.", "Tamburri, Maria", "Watkins, Peter S.", "Young, Tracy"

CC: "Bodo, Jocelyne A.", "Cooper, Rory S.", "McNally, Edward", "Stiles, Ryan P.", "Flippin, Laura", "Staff Secretary"

Please do NOT publicly release this document until Christie or I sends a subsequent email in the morning clearing this for release. We just want to be sure final fact sheet squares with final planned remarks. Thank you.

-----Original Message-----

From: Parell, Christie

Sent: Sunday, April 18, 2004 3:57 PM

To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ; Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik; Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.; Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.; Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter S.; Young, Tracy

Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary

Subject: FINAL Fact Sheet for Monday - USA PATRIOT Act

*****Attached is the final fact sheet for Monday's event on the USA Patriot Act in Hershey, PA - reflects all changes received in staffing*****

Please call with any questions - 494-6928

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act

Also Urges Tough New Laws Against Surface-to-Air Missiles and Other Weapons

-

Today's Presidential Action

-

Ø **The President traveled to Hershey, Pennsylvania today to address the importance of the USA PATRIOT Act with local and state officials.**

Ø **The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year, and to close existing legal loopholes that deny law enforcement officials the same tools to fight terror that they have to fight other crime.** Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.

Ø **The President also called upon Congress to take action to close gaps in other anti-terrorism laws.**

o **The President called for significantly increasing the minimum penalty for possession of shoulder-mounted, surface-to-air missiles, known as Man-Portable Air Defense Systems (MANPADS), and to allow the possibility of a life sentence.** MANPADS are portable lightweight missile systems specifically designed to shoot down aircraft, a significant threat to civil aviation worldwide. They are small, easy to smuggle, and typically can be fired by a single individual. There is no legitimate reason for a private individual to possess MANPADS. Yet today, the maximum penalty for unlawful possession of MANPADS is only 10 years (and/or a fine up to \$250,000). No mandatory minimums apply to mere unlawful possession. As a practical matter, under the sentencing guidelines today, a conviction for MANPADS possession by a defendant with no criminal record would bring a sentence of approximately three years. To strengthen the deterrent against the unlawful possession of these highly dangerous weapons, the President proposes to increase this penalty to a mandatory minimum of 30 years, with the possibility of life in prison. The overall proposal also calls for increasing the penalties for similarly deadly weapons, such as atomic weapons and the variola virus, which causes smallpox.

o **The President has called for Congress to give law enforcement officials the same tools to fight terror that they have to fight other crime.** These include administrative subpoenas, which enable law enforcement officials to obtain certain records quickly, presumptive denial of bail for terrorists, and the death penalty for certain terrorist crimes.

Background on Today's Presidential Action

Ø The USA PATRIOT Act was passed with overwhelming bi-partisan support by the Senate 98-1, and 357-66 by the House of Representatives.

Ø **The USA PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists.** In passing the USA PATRIOT Act, Congress

provided for measured changes in the law. For example, Congress took existing legal principles, used to protect against organized crime and drug dealers, and adapted them to the challenges posed by global terrorist threats.

Ø **The USA PATRIOT Act enables the Federal Government to better track terrorists, disrupt their cells, seize their assets, and share more information with state and local law enforcement.**

o **The USA PATRIOT Act facilitates information sharing and cooperation among government agencies so that they can better “connect the dots.”** The Act removed barriers that prevented the law enforcement, intelligence, and national defense communities from coordinating their work to protect the American people and our national security. Now FBI agents, Federal prosecutors, and intelligence officials can protect our communities by “connecting the dots” to uncover terrorist plots before they are completed while respecting constitutional rights.

o **The Act allows law enforcement to conduct investigations without tipping off terrorists.** If criminals are tipped off too early to an investigation, they are likely to flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other actions to evade arrest. Therefore, Federal courts in narrow circumstances have long allowed law enforcement to delay for a limited time when the subject is told that a judicially-approved search warrant has been executed. The USA PATRIOT Act codified the procedures for obtaining these warrants, which require court approval. Notice is always provided, but with reasonable delay, enabling law enforcement to identify the criminal’s associates, eliminate immediate threats to our communities, and coordinate the arrests of multiple individuals without tipping them off beforehand.

Ø **The USA PATRIOT Act uses proven law enforcement methods in new ways to reflect new technologies and new threats.** The Act brought the law up-to-date with the new technologies actually used by terrorists, so America no longer has to fight a digital-age battle with outdated legal authorities.

o Roving wiretaps – in which a wiretap authorization attaches to a particular suspect, rather than a particular communication device – have been used by law enforcement for years to investigate ordinary crimes including drug offenses and racketeering. The USA PATRIOT Act authorized the same techniques in national-security investigations. This provision has enhanced the government’s authority to monitor sophisticated international terrorists and intelligence officers, who are trained to thwart surveillance, such as by rapidly changing cell phones, just before important meetings or communications.

Ø **The USA PATRIOT Act gives investigators the tools, such as roving wiretaps and delayed notice search warrants, which are needed to stop terrorists before they strike, fulfilling America's duty to win the War on Terror and never forget the lessons of September 11, 2001.** The USA PATRIOT Act has not diminished our liberty – it has defended our liberty and made America more secure. Congress must renew the USA PATRIOT Act and take further steps to improve our ability to fight terror within the United States.

<< File: Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc >>

Subject: FW: IMPORTANT RE: FINAL Fact Sheet for Monday – USA PATRIOT Act
From: "Kavanaugh, Brett M."
Date: 4/18/04, 7:11 PM
To: "Miers, Harriet", "Flippin, Laura"

Harriet: I sent this out a little while ago.

-----Original Message-----

From: Kavanaugh, Brett M.

Sent: Sunday, April 18, 2004 6:03 PM

To: Parell, Christie ; Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ; Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik; Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.; Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Perino, Dana M.; Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter S.; Young, Tracy

Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary

Subject: IMPORTANT RE: FINAL Fact Sheet for Monday - USA PATRIOT Act

Please do NOT publicly release this document until Christie or I sends a subsequent email in the morning clearing this for release. We just want to be sure final fact sheet squares with final planned remarks. Thank you.

-----Original Message-----

From: Parell, Christie

Sent: Sunday, April 18, 2004 3:57 PM

To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ; Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik; Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.; Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.; Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter S.; Young, Tracy

Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary

Subject: FINAL Fact Sheet for Monday - USA PATRIOT Act

*****Attached is the final fact sheet for Monday's event on the USA Patriot Act in Hershey, PA - reflects all changes received in staffing*****

Please call with any questions - 494-6928

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act

Also Urges Tough New Laws Against Surface-to-Air Missiles and Other Weapons

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Today's Presidential Action

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Ø **The President traveled to Hershey, Pennsylvania today to address the importance of the USA PATRIOT Act with local and state officials.**

Ø **The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year, and to close existing legal loopholes that deny law enforcement officials the same tools to fight terror that they have to fight other crime.** Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.

Ø **The President also called upon Congress to take action to close gaps in other anti-terrorism laws.**

o **The President called for significantly increasing the minimum penalty for possession of shoulder-mounted, surface-to-air missiles, known as Man-Portable Air Defense Systems (MANPADS), and to allow the possibility of a life sentence.** MANPADS are portable lightweight missile systems specifically designed to shoot down aircraft, a significant threat to civil aviation worldwide. They are small, easy to smuggle, and typically can be fired by a single individual. There is no legitimate reason for a private individual to possess MANPADS. Yet today, the maximum penalty for unlawful possession of MANPADS is only 10 years (and/or a fine up to \$250,000). No mandatory minimums apply to mere unlawful possession. As a practical matter, under the sentencing guidelines today, a conviction for MANPADS possession by a defendant with no criminal record would bring a sentence of approximately three years. To strengthen the deterrent against the unlawful possession of these highly dangerous weapons, the President proposes to increase this penalty to a mandatory minimum of 30 years, with the possibility of life in prison. The overall proposal also calls for increasing the penalties for similarly deadly weapons, such as atomic weapons and the variola virus, which causes smallpox.

o **The President has called for Congress to give law enforcement officials the same tools to fight terror that they have to fight other crime.** These include administrative subpoenas, which enable law enforcement officials to obtain certain records quickly, presumptive denial of bail for terrorists, and the death penalty for certain terrorist crimes.

Background on Today's Presidential Action

Ø The USA PATRIOT Act was passed with overwhelming bi-partisan support by the Senate 98-1, and 357-66 by the House of Representatives.

Ø **The USA PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists.** In passing the USA PATRIOT Act, Congress provided for measured changes in the law. For example, Congress took existing legal principles, used to protect against organized crime and drug dealers, and adapted them to the challenges posed by global terrorist threats.

Ø **The USA PATRIOT Act enables the Federal Government to better track terrorists, disrupt their cells, seize their assets, and share more information with state and local law enforcement.**

o **The USA PATRIOT Act facilitates information sharing and cooperation among government agencies so that they can better “connect the dots.”** The Act removed barriers that prevented the law enforcement, intelligence, and national defense communities from coordinating their work to protect the American people and our national security. Now FBI agents, Federal prosecutors, and intelligence officials can protect our communities by “connecting the dots” to uncover terrorist plots before they are completed while respecting constitutional rights.

o **The Act allows law enforcement to conduct investigations without tipping off terrorists.** If criminals are tipped off too early to an investigation, they are likely to flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other actions to evade arrest. Therefore, Federal courts in narrow circumstances have long allowed law enforcement to delay for a limited time when the subject is told that a judicially-approved search warrant has been executed. The USA PATRIOT Act codified the procedures for obtaining these warrants, which require court approval. Notice is always provided, but with reasonable delay, enabling law enforcement to identify the criminal’s associates, eliminate immediate threats to our communities, and coordinate the arrests of multiple individuals without tipping them off beforehand.

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<< File: Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc >>

Subject: RE: IMPORTANT RE: FINAL Fact Sheet for Monday – USA PATRIOT Act
From: "Miers, Harriet"
Date: 4/18/04, 7:13 PM
To: "Kavanaugh, Brett M."

Great. Thanks.

-----Original Message-----

From: Kavanaugh, Brett M.
Sent: Sunday, April 18, 2004 7:11 PM
To: Miers, Harriet; Flippin, Laura
Subject: FW: IMPORTANT RE: FINAL Fact Sheet for Monday - USA PATRIOT Act

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Sent: Sunday, April 18, 2004 6:03 PM
To: Parell, Christie ; Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ; Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik; Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.; Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Perino, Dana M.; Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter S.; Young, Tracy
Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary
Subject: IMPORTANT RE: FINAL Fact Sheet for Monday - USA PATRIOT Act

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<< File: Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc >>

from Comey's testimony Wed.

Subject: from Comey's testimony Wed.

From: "Kavanaugh, Brett M."

Date: 4/18/04, 8:14 PM

To: "Miers, Harriet"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:17:30 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Re: DOJ, FBI & DHS clearance today on Draft #12 (Close Hold)

From: <Chuck.Rosenberg@usdoj.gov>

Date: 4/18/04, 8:53 PM

To: [b6,b7c,b7f]

CC: <Stuart.Levey@usdoj.gov>, <James.Comey2@usdoj.gov>, "Kavanaugh, Brett M.", "Kropp, Emily L.", "Drouin, Lindsey E.", "Burgess, Paul D.", "Anton, Michael N.", "Falkenrath, Richard", "Stiles, Ryan P.", "Brosnahan, Jennifer R.", "Ullyot, Theodore W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:17:33 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(7f),b(7c),b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Re: DOJ, FBI & DHS clearance today on Draft #12 (Close Hold)

From: <Chuck.Rosenberg@usdoj.gov>

Date: 4/18/04, 8:53 PM

To: <Dan.Bryant@usdoj.gov>, <Rachel.Brand@usdoj.gov>, "McNally, Edward", <John.Richter3@usdoj.gov>, <Asa.Hutchinson@DHS.GOV>, <Betty.Guhman@DHS.GOV>, [b6, b7c, b7f], <Libby.Camp@DHS.GOV>

CC: <Stuart.Levey@usdoj.gov>, <James.Comey2@usdoj.gov>, "Kavanaugh, Brett M.", "Kropp, Emily L.", "Drouin, Lindsey E.", "Burgess, Paul D.", "Anton, Michael N.", "Falkenrath, Richard", "Stiles, Ryan P.", "Brosnahan, Jennifer R.", "Ulliot, Theodore W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:44:54 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

b(7c),P6,b(7f),P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: DOJ, FBI & DHS clearance today on Draft #12 (Close Hold)

From: "Kavanaugh, Brett M."

Date: 4/18/04, 9:53 PM

To: <Dan.Bryant@usdoj.gov>, <Rachel.Brand@usdoj.gov>, "McNally, Edward", <John.Richter3@usdoj.gov>, <Asa.Hutchinson@DHS.GOV>, <Betty.Guhman@DHS.GOV>, [b6, b7c, b7f], <Libby.Camp@DHS.GOV>

CC: <Stuart.Levey@usdoj.gov>, <James.Comey2@usdoj.gov>, "Kropp, Emily L.", "Drouin, Lindsey E.", "Burgess, Paul D.", "Anton, Michael N.", "Falkenrath, Richard", "Stiles, Ryan P.", "Brosnahan, Jennifer R.", "Ulliyot, Theodore W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:44:56 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

b(7c),P6,b(7f),P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Emily: #13 with changes from various sources -- please print a BIG and do a compare to 11 -- thanks

From: "Kavanaugh, Brett M."

Date: 4/18/04, 9:58 PM

To: "Kropp, Emily L."

CC: "Miers, Harriet"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:44:57 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Updated: 4/19 Patriot Act #14 - for the President's review
From: "Kavanaugh, Brett M."
Date: 4/18/04, 10:37 PM
To: "Kropp, Emily L."
CC: "Miers, Harriet"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:48:07 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

b(6),P6,P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Updated: Patriot Act #17 – for the President's review
From: "Kavanaugh, Brett M."
Date: 4/18/04, 11:20 PM
To: [b6]

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 15:44:58 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: NSC Re: This is quite good -- Couple of minor edits

From: "McNally, Edward"

Date: 4/18/04, 11:25 PM

To: [b6]

CC: "Anton, Michael N.", "Kavanaugh, Brett M.", "Kropp, Emily L.", "Ullyot, Theodore W.", "Stiles, Ryan P.", "Drouin, Lindsey E.", "Burgess, Paul D."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:13:17 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,b(6),b(7f),P6,b(7c)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: NSC Re: This is quite good -- Couple of minor edits

From: "Kavanaugh, Brett M."

Date: 4/18/04, 11:31 PM

To: "McNally, Edward", [b6]

CC: "Anton, Michael N.", "Kropp, Emily L.", "Ullyot, Theodore W.", "Stiles, Ryan P.", "Drouin, Lindsey E.", "Burgess, Paul D."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:13:20 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,b(6),b(7f),P6,b(7c)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Re: DOJ, FBI & DHS clearance today on Draft #12 (Close Hold)
From: "Camp, Libby" <Libby.Camp@DHS.GOV>
Date: 4/19/04, 12:01 AM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:13:22 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,b(6),b(7f),P6,b(7c)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: current draft
From: "Kavanaugh, Brett M."
Date: 4/19/04, 12:14 AM
To: [b6]

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:13:22 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,b(6),P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: DOJ, FBI & DHS clearance today on Draft #12 (Close Hold)
From: "Kavanaugh, Brett M."
Date: 4/19/04, 12:15 AM
To: "Camp, Libby" <Libby.Camp@DHS.GOV>

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:13:23 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,b(6),P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Current Version of Patriot Act Fact Sheet
From: "Besanceney, Brian R."
Date: 4/19/04, 10:19 AM
To: "Kavanaugh, Brett M."
CC: "Parell, Christie "

Brett - reflects draft 20 of speech and your conversation with Christie this AM

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws

Today's Presidential Action

- Ø **The President traveled to Hershey, Pennsylvania today to address the importance of the USA PATRIOT Act with local and state officials.**
- Ø **The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year.** Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.
- Ø **The President also called upon Congress to close existing legal loopholes that deny law enforcement officials the same tools to fight terror that they have to fight other crime.** These include:
 - Using administrative subpoenas, enabling law enforcement officials to obtain certain time-sensitive records more quickly – a legal tool already used in civil and criminal matters such as healthcare fraud cases;
 - Establishing a presumptive denial of bail in terrorism cases -- a legal tool currently used against drug dealers, which will ensure that the law does not allow suspected terrorists to be released before trial; and
 - Allowing the death penalty for certain terrorist crimes that result in death. This would close a legal loophole that enables some sexual abuse and drug-related offenses that result in death to qualify for the death penalty – but not some terrorism crimes that result in the death of innocents.

Background on Today's Presidential Action

- Ø **Before September 11, law enforcement, intelligence, and national security officials were prevented by legal and bureaucratic restrictions from sharing critical information with each other – and with state and local law enforcement officials.** These restrictions made it much more difficult to get a complete picture of the terrorist threats – preventing law enforcement from having all the pieces of the puzzle in one place.
- Ø **By passing the USA Patriot Act, we removed those barriers – and now, the law enforcement and intelligence communities are working together as never before.** The USA PATRIOT Act was passed with overwhelming bipartisan support by the Senate 98-1, and 357-66 by the House of Representatives.
- Ø **The USA PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists.** In passing the USA PATRIOT Act, Congress provided for measured changes in the law. But these changes have enabled the Federal Government to better track terrorists, disrupt their cells, seize their

assets, and share more information with state and local law enforcement.

- **The USA PATRIOT Act facilitates information sharing and cooperation among government agencies so that they can better “connect the dots.”** The Act removed barriers that prevented the law enforcement, intelligence, and national defense communities from coordinating their work to protect the American people and our national security. Now FBI agents, Federal prosecutors, and intelligence officials can protect our communities by “connecting the dots” to uncover terrorist plots before they are completed while respecting constitutional rights.
 - **The Act allows law enforcement to conduct investigations without tipping off terrorists.** If criminals are tipped off too early to an investigation, they are likely to flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other actions to evade arrest. Therefore, Federal courts in narrow circumstances have long allowed law enforcement to delay for a limited time when the subject is told that a judicially-approved search warrant has been executed. The USA PATRIOT Act codified the procedures for obtaining these warrants, which require court approval. Notice is always provided, but with reasonable delay, enabling law enforcement to identify the criminal's associates, eliminate immediate threats to our communities, and coordinate the arrests of multiple individuals without tipping them off beforehand.
- ∅ **The USA PATRIOT Act uses proven law enforcement methods in new ways to reflect new technologies and new threats.** The Act brought the law up-to-date with the new technologies actually used by terrorists, so America no longer has to fight a digital-age battle with outdated legal authorities.
- Roving wiretaps – in which a wiretap authorization attaches to a particular suspect, rather than a particular communication device – have been used by law enforcement for years to investigate ordinary crimes including drug offenses and racketeering. The USA PATRIOT Act authorized the same techniques in national-security investigations. This provision has enhanced the government's authority to monitor sophisticated international terrorists and intelligence officers, who are trained to thwart surveillance, such as by rapidly changing cell phones, just before important meetings or communications.
 - Before September 11, law enforcement could more easily obtain the business and financial records of white-collar criminals than of suspected terrorists. The USA PATRIOT Act ended this double standard – making it easier for investigators to catch suspected terrorists by following their paper trail.
 - Before the USA PATRIOT Act, federal judges could impose tougher prison terms on drug traffickers than they could on terrorists. Now, the penalties for crimes committed by terrorists have been strengthened.
- ∅ **The USA PATRIOT Act gives investigators the tools, such as roving wiretaps and delayed notice search warrants, which are needed to stop terrorists before they strike, fulfilling America's duty to win the War on Terror and never forget the lessons of September 11, 2001.** The USA PATRIOT Act has not diminished our liberty – it has defended our liberty and made America more secure. Congress must renew the USA PATRIOT Act and take further steps to improve our ability to fight terror within the United States.

— Attachments: _____

Patriot Act Factsheet 4-04.doc

95.5 KB

Fact Sheet: **President Bush Calls for Renewing the USA PATRIOT Act** **Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws**

Today's Presidential Action

- **The President traveled to Hershey, Pennsylvania today to address the importance of the USA PATRIOT Act with local and state officials.**
- **The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year.** Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.
- **The President also called upon Congress to close existing legal loopholes that deny law enforcement officials the same tools to fight terror that they have to fight other crime.** These include:
 - Using administrative subpoenas, enabling law enforcement officials to obtain certain time-sensitive records more quickly – a legal tool already used in civil and criminal matters such as healthcare fraud cases;
 - Establishing a presumptive denial of bail in terrorism cases – a legal tool currently used against drug dealers, which will ensure that the law does not allow suspected terrorists to be released before trial; and
 - Allowing the death penalty for certain terrorist crimes that result in death. This would close a legal loophole that enables some sexual abuse and drug-related offenses that result in death to qualify for the death penalty – but not some terrorism crimes that result in the death of innocents.

Background on Today's Presidential Action

- **Before September 11, law enforcement, intelligence, and national security officials were prevented by legal and bureaucratic restrictions from sharing critical information with each other – and with state and local law enforcement officials.** These restrictions made it much more difficult to get a complete picture of the terrorist threats – preventing law enforcement from having all the pieces of the puzzle in one place.
- **By passing the USA Patriot Act, we removed those barriers – and now, the law enforcement and intelligence communities are working together as never before.** The USA PATRIOT Act was passed with overwhelming bi-partisan support by the Senate 98-1, and 357-66 by the House of Representatives.
- **The USA PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists.** In passing the USA PATRIOT Act, Congress provided for measured changes in the law. But these changes have enabled the Federal Government to better track terrorists, disrupt their cells, seize their assets, and share more information with state and local law enforcement.

4/19/04

White House Office of Communications

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- The USA PATRIOT Act facilitates information sharing and cooperation among government agencies so that they can better “connect the dots.” The Act removed barriers that prevented the law enforcement, intelligence, and national defense communities from coordinating their work to protect the American people and our national security. Now FBI agents, Federal prosecutors, and intelligence officials can protect our communities by “connecting the dots” to uncover terrorist plots before they are completed while respecting constitutional rights.

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Subject: FW: Current Version of Patriot Act Fact Sheet
From: "Kavanaugh, Brett M."
Date: 4/19/04, 10:20 AM
To: "Ulliyot, Theodore W."

[can you review against speech](#)

-----Original Message-----

From: Besanceney, Brian R.
Sent: Monday, April 19, 2004 10:19 AM
To: Kavanaugh, Brett M.
Cc: Parell, Christie
Subject: Current Version of Patriot Act Fact Sheet

Brett - reflects draft 20 of speech and your conversation with Christie this AM

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws

Today's Presidential Action

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- Ø **The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year.** Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.
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— Attachments: _____

Patriot Act Factsheet 4-04.doc

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This reflects changes this am -- please look at and revise accordingly

Subject: This reflects changes this am -- please look at and revise accordingly

From: "Kavanaugh, Brett M."

Date: 4/19/04, 11:54 AM

To: "Anton, Michael N.", "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:13:25 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,b(6),P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: DOJ, FBI & DHS clearance today on Draft #12 (Close Hold)
From: "Camp, Libby" <Libby.Camp@DHS.GOV>
Date: 4/19/04, 11:59 AM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:13:26 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,b(6),b(7f),P6,b(7c)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Patriot #19
From: "Kropp, Emily L."
Date: 4/19/04, 12:02 PM
To: "Kavanaugh, Brett M."
CC: "Anton, Michael N."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:13:27 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,b(6),P6

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Patriot #19 – use these
From: "Kropp, Emily L."
Date: 4/19/04, 12:44 PM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:35:00 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: DOJ, FBI & DHS clearance today on Draft #12 (Close Hold)

From: <John.Richter3@usdoj.gov>

Date: 4/19/04, 1:01 PM

To: <Chuck.Rosenberg@usdoj.gov>, <Dan.Bryant@usdoj.gov>, <Rachel.Brand@usdoj.gov>, <Libby.Camp@DHS.GOV>, <Betty.Guhman@DHS.GOV>, <Asa.Hutchinson@DHS.GOV>, [b6, b7c, b7f], "McNally, Edward"

CC: "Anton, Michael N.", "Burgess, Paul D.", "Ullyot, Theodore W.", "Brosnahan, Jennifer R.", "Stiles, Ryan P.", "Falkenrath, Richard", "Drouin, Lindsey E.", "Kropp, Emily L.", "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:36:01 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6),b(7c),b(7f)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Updated: Patriot Act #20 – for the President's review
From: "Kavanaugh, Brett M."
Date: 4/19/04, 1:23 PM
To: "Parell, Christie "

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:33:32 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "Ullyot, Theodore W."
Date: 4/19/04, 3:05 PM
To: "Kavanaugh, Brett M."

-----Original Message-----

From: Parell, Christie

Sent: Monday, April 19, 2004 11:34 AM

To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ; Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik; Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.; Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.; Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter S.; Young, Tracy

Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary

Subject: REVISED: Final Fact Sheet - USA PATRIOT Act

FOR RELEASE-

*****Attached is the FINAL fact sheet for today's event on the USA PATRIOT Act - reflects changes to the speech*****

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act
Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws

-

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—Attachments:

Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc

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Fact Sheet: **President Bush Calls for Renewing the USA PATRIOT Act** **Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws**

Today's Presidential Action

- **The President traveled to Hershey, Pennsylvania today to address the importance of the USA PATRIOT Act with local and state officials.**
- **The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year.** Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.
- **The President also called upon Congress to close existing legal loopholes that deny law enforcement officials the same tools to fight terror that they have to fight other crime.** These include:
 - Using administrative subpoenas, enabling law enforcement officials to obtain certain time-sensitive records more quickly – a legal tool already used in civil and criminal matters such as healthcare fraud cases;
 - Establishing a presumptive denial of bail in terrorism cases -- a legal tool currently used against drug dealers, which will ensure that the law does not allow suspected terrorists to be released before trial; and
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Background on Today's Presidential Action

- **Before September 11, law enforcement, intelligence, and national security officials were prevented by legal and bureaucratic restrictions from sharing critical information with each other – and with state and local law enforcement officials.** These restrictions made it much more difficult to get a complete picture of the terrorist threats – preventing law enforcement from having all the pieces of the puzzle in one place.
- **By passing the USA Patriot Act, we removed those barriers – and now, the law enforcement and intelligence communities are working together as never before.** The USA PATRIOT Act was passed with overwhelming bi-partisan support by the Senate 98-1, and 357-66 by the House of Representatives.
- **The USA PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists.** In passing the USA PATRIOT Act, Congress provided for measured changes in the law. But these changes have enabled the Federal Government to better track terrorists, disrupt their cells, seize their assets, and share more information with state and local law enforcement.

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White House Office of Communications

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Subject: FW: REVISED: Final Fact Sheet – USA PATRIOT Act

From: "Kavanaugh, Brett M."

Date: 4/19/04, 3:06 PM

To: "Miers, Harriet", "Falkenrath, Richard", "McClellan, Scott ", "McNally, Edward", "Buchan, Claire "

[This was the revised version that they should have sent/meant to send](#)

-----Original Message-----

From: Parell, Christie

Sent: Monday, April 19, 2004 11:34 AM

To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ; Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik; Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.; Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.; Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter S.; Young, Tracy

Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary

Subject: REVISED: Final Fact Sheet - USA PATRIOT Act

FOR RELEASE-

*****Attached is the FINAL fact sheet for today's event on the USA PATRIOT Act - reflects changes to the speech*****

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act

Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws

-

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o Roving wiretaps – in which a wiretap authorization attaches to a particular suspect, rather than a particular communication device – have been used by law enforcement for years to investigate ordinary crimes including drug offenses and racketeering. The USA PATRIOT Act authorized the same techniques in national-security investigations. This provision has enhanced the government’s authority to monitor sophisticated international terrorists and intelligence officers, who are trained to thwart surveillance, such as by rapidly changing cell phones, just before important meetings or communications.

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o Before September 11, law enforcement could more easily obtain the business and financial records of white-collar criminals than of suspected terrorists. The USA PATRIOT Act ended this double standard – making it easier for investigators to catch suspected terrorists by following their paper trail.

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o Before the USA PATRIOT Act, federal judges could impose tougher prison terms on drug traffickers than they could on terrorists. Now, the penalties for crimes committed by terrorists have been strengthened.

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➤ **The USA PATRIOT Act gives investigators the tools, such as roving wiretaps and delayed-notification search warrants, which are needed to stop terrorists before they strike, fulfilling America’s duty to win the War on Terror and never forget the lessons of September 11, 2001.** The USA PATRIOT Act has not diminished our liberty – it has defended our liberty and made America more secure. Congress must renew the USA PATRIOT Act and take further steps to improve our ability to fight terror within the United States.

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Subject: Re: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "McClellan, Scott "
Date: 4/19/04, 3:08 PM
To: "Kavanaugh, Brett M."

Do u know what happened?

-----Original Message-----

From: Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
To: Miers, Harriet <Harriet_Miers@who.eop.gov>; Falkenrath, Richard <Richard_Falkenrath@who.eop.gov>;
McClellan, Scott <Scott_McClellan@who.eop.gov>; McNally, Edward <Edward_McNally@who.eop.gov>; Buchan,
Claire <Claire_Buchan@who.eop.gov>

Sent: Mon Apr 19 15:06:54 2004
Subject: FW: REVISED: Final Fact Sheet – USA PATRIOT Act

This was the revised version that they should have sent/meant to send

-----Original Message-----

From: Parell, Christie
Sent: Monday, April 19, 2004 11:34 AM
To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ;
Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik;
Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.;
Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.;
Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter
S.; Young, Tracy

Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary
Subject: REVISED: Final Fact Sheet – USA PATRIOT Act

FOR RELEASE-

Attached is the FINAL fact sheet for today's event on the USA PATRIOT Act – reflects changes to the speech

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act

Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws

Today's Presidential Action

Ø The President traveled to Hershey, Pennsylvania today to address the importance of the USA PATRIOT Act with local and state officials.

Ø The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year. Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.

Ø The President also called upon Congress to close existing legal loopholes that deny law enforcement officials

the same tools to fight terror that they have to fight other crime. These include:

- o Using administrative subpoenas, enabling law enforcement officials to obtain certain time-sensitive records more quickly – a legal tool already used in civil and criminal matters such as healthcare fraud cases;
- o Establishing a presumptive denial of bail in terrorism cases -- a legal tool currently used against drug dealers, which will ensure that the law does not allow suspected terrorists to be released before trial; and
- o Allowing the death penalty for terrorist crimes that result in death. This would close a legal loophole that enables some sexual abuse and drug-related offenses that result in death to qualify for the death penalty – but not some terrorism crimes that result in the death of innocents.

Background on Today's Presidential Action

Ø Before September 11, law enforcement, intelligence, and national security officials were prevented by legal and bureaucratic restrictions from sharing critical information with each other – and with state and local law enforcement officials. These restrictions made it much more difficult to get a complete picture of the terrorist threats – preventing law enforcement from having all the pieces of the puzzle in one place.

Ø By passing the USA Patriot Act, we removed those barriers – and now, the law enforcement and intelligence communities are working together as never before. The USA PATRIOT Act was passed with overwhelming bi-partisan support by the Senate 98–1, and 357–66 by the House of Representatives.

Ø The USA PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists. In passing the USA PATRIOT Act, Congress provided for measured changes in the law. But these changes have enabled the Federal Government to better track terrorists, disrupt their cells, seize their assets, and share more information with state and local law enforcement.

o The USA PATRIOT Act facilitates information sharing and cooperation among government agencies so that they can better “connect the dots.” The Act removed barriers that prevented the law enforcement, intelligence, and national defense communities from coordinating their work to protect the American people and our national security. Now FBI agents, Federal prosecutors, and intelligence officials can protect our communities by “connecting the dots” to uncover terrorist plots before they are completed while respecting constitutional rights.

o The Act allows law enforcement to conduct investigations without tipping off terrorists. If criminals are tipped off too early to an investigation, they are likely to flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other actions to evade arrest. Therefore, Federal courts in narrow circumstances have long allowed law enforcement to delay for a limited time notifying a subject that a judicially-approved search warrant has been executed. The USA PATRIOT Act codified the procedures for obtaining these warrants, which require court approval. Notice is always provided, but with reasonable delay, enabling law enforcement to identify the criminal's associates, eliminate immediate threats to our communities, and coordinate the arrests of multiple individuals without tipping them off beforehand.

Ø The USA PATRIOT Act uses proven law enforcement methods in new ways to reflect new technologies and new threats. The Act brought the law up-to-date with the new technologies actually used by terrorists, so America no longer has to fight a digital-age battle with outdated legal authorities.

o Roving wiretaps – in which a wiretap authorization attaches to a particular suspect, rather than a particular communication device – have been used by law enforcement for years to investigate ordinary crimes including drug offenses and racketeering. The USA PATRIOT Act authorized the same techniques in national-security investigations. This provision has enhanced the government’s authority to monitor sophisticated international terrorists and intelligence officers, who are trained to thwart surveillance, such as by rapidly changing cell phones, just before important meetings or communications.

o Before September 11, law enforcement could more easily obtain the business and financial records of white-collar criminals than of suspected terrorists. The USA PATRIOT Act ended this double standard – making it easier for investigators to catch suspected terrorists by following their paper trail.

o Before the USA PATRIOT Act, federal judges could impose tougher prison terms on drug traffickers than they could on terrorists. Now, the penalties for crimes committed by terrorists have been strengthened.

Ø The USA PATRIOT Act gives investigators the tools, such as roving wiretaps and delayed-notification search warrants, which are needed to stop terrorists before they strike, fulfilling America’s duty to win the War on Terror and never forget the lessons of September 11, 2001. The USA PATRIOT Act has not diminished our liberty – it has defended our liberty and made America more secure. Congress must renew the USA PATRIOT Act and take further steps to improve our ability to fight terror within the United States.

<<Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc>>

Subject: Re: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "McClellan, Scott "
Date: 4/19/04, 3:08 PM
To: "Kavanaugh, Brett M."

Do u know what happened?

-----Original Message-----

From: Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
To: Miers, Harriet <Harriet_Miers@who.eop.gov>; Falkenrath, Richard <Richard_Falkenrath@who.eop.gov>;
McClellan, Scott <Scott_McClellan@who.eop.gov>; McNally, Edward <Edward_McNally@who.eop.gov>; Buchan,
Claire <Claire_Buchan@who.eop.gov>

Sent: Mon Apr 19 15:06:54 2004
Subject: FW: REVISED: Final Fact Sheet – USA PATRIOT Act

This was the revised version that they should have sent/meant to send

-----Original Message-----

From: Parell, Christie
Sent: Monday, April 19, 2004 11:34 AM
To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ;
Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik;
Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.;
Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.;
Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter
S.; Young, Tracy

Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary
Subject: REVISED: Final Fact Sheet – USA PATRIOT Act

FOR RELEASE-

Attached is the FINAL fact sheet for today's event on the USA PATRIOT Act – reflects changes to the speech

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act

Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws

Today's Presidential Action

Ø The President traveled to Hershey, Pennsylvania today to address the importance of the USA PATRIOT Act with local and state officials.

Ø The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year. Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.

Ø The President also called upon Congress to close existing legal loopholes that deny law enforcement officials

the same tools to fight terror that they have to fight other crime. These include:

- o Using administrative subpoenas, enabling law enforcement officials to obtain certain time-sensitive records more quickly – a legal tool already used in civil and criminal matters such as healthcare fraud cases;
- o Establishing a presumptive denial of bail in terrorism cases -- a legal tool currently used against drug dealers, which will ensure that the law does not allow suspected terrorists to be released before trial; and
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Ø The USA PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists. In passing the USA PATRIOT Act, Congress provided for measured changes in the law. But these changes have enabled the Federal Government to better track terrorists, disrupt their cells, seize their assets, and share more information with state and local law enforcement.

o The USA PATRIOT Act facilitates information sharing and cooperation among government agencies so that they can better “connect the dots.” The Act removed barriers that prevented the law enforcement, intelligence, and national defense communities from coordinating their work to protect the American people and our national security. Now FBI agents, Federal prosecutors, and intelligence officials can protect our communities by “connecting the dots” to uncover terrorist plots before they are completed while respecting constitutional rights.

o The Act allows law enforcement to conduct investigations without tipping off terrorists. If criminals are tipped off too early to an investigation, they are likely to flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other actions to evade arrest. Therefore, Federal courts in narrow circumstances have long allowed law enforcement to delay for a limited time notifying a subject that a judicially-approved search warrant has been executed. The USA PATRIOT Act codified the procedures for obtaining these warrants, which require court approval. Notice is always provided, but with reasonable delay, enabling law enforcement to identify the criminal's associates, eliminate immediate threats to our communities, and coordinate the arrests of multiple individuals without tipping them off beforehand.

Ø The USA PATRIOT Act uses proven law enforcement methods in new ways to reflect new technologies and new threats. The Act brought the law up-to-date with the new technologies actually used by terrorists, so America no longer has to fight a digital-age battle with outdated legal authorities.

o Roving wiretaps – in which a wiretap authorization attaches to a particular suspect, rather than a particular communication device – have been used by law enforcement for years to investigate ordinary crimes including drug offenses and racketeering. The USA PATRIOT Act authorized the same techniques in national-security investigations. This provision has enhanced the government’s authority to monitor sophisticated international terrorists and intelligence officers, who are trained to thwart surveillance, such as by rapidly changing cell phones, just before important meetings or communications.

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<<Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc>>

Subject: RE: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "Buchan, Claire "
Date: 4/19/04, 3:08 PM
To: "Kavanaugh, Brett M."

I think the good news is that it doesn't appear to have been sent.....

-----Original Message-----

From: Kavanaugh, Brett M.
Sent: Monday, April 19, 2004 3:07 PM
To: Miers, Harriet; Falkenrath, Richard; McClellan, Scott ; McNally, Edward; Buchan, Claire
Subject: FW: REVISED: Final Fact Sheet - USA PATRIOT Act

This was the revised version that they should have sent/meant to send

-----Original Message-----

From: Parell, Christie
Sent: Monday, April 19, 2004 11:34 AM
To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ; Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik; Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.; Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.; Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter S.; Young, Tracy
Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary
Subject: REVISED: Final Fact Sheet - USA PATRIOT Act

FOR RELEASE-

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Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act

Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws

-

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Ø **The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year.** Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to

each other as they work to prevent future attacks.

Ø **The President also called upon Congress to close existing legal loopholes that deny law enforcement officials the same tools to fight terror that they have to fight other crime.** These include:

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- o Before September 11, law enforcement could more easily obtain the business and financial records of white-collar criminals than of suspected terrorists. The USA PATRIOT Act ended this double standard – making it easier for investigators to catch suspected terrorists by following their paper trail.

- o Before the USA PATRIOT Act, federal judges could impose tougher prison terms on drug traffickers than they could on terrorists. Now, the penalties for crimes committed by

terrorists have been strengthened.

Ø **The USA PATRIOT Act gives investigators the tools, such as roving wiretaps and delayed-notification search warrants, which are needed to stop terrorists before they strike, fulfilling America's duty to win the War on Terror and never forget the lessons of September 11, 2001.** The USA PATRIOT Act has not diminished our liberty – it has defended our liberty and made America more secure. Congress must renew the USA PATRIOT Act and take further steps to improve our ability to fight terror within the United States.

<< File: Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc >>

Subject: RE: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "Kavanaugh, Brett M."
Date: 4/19/04, 3:11 PM
To: "McClellan, Scott "

Apparently Greg sent the wrong version. Trent is checking with him.

-----Original Message-----

From: McClellan, Scott
Sent: Monday, April 19, 2004 3:08 PM
To: Kavanaugh, Brett M.
Subject: Re: REVISED: Final Fact Sheet – USA PATRIOT Act

Do u know what happened?

-----Original Message-----

From: Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
To: Miers, Harriet <Harriet_Miers@who.eop.gov>; Falkenrath, Richard <Richard_Falkenrath@who.eop.gov>;
McClellan, Scott <Scott_McClellan@who.eop.gov>; McNally, Edward <Edward_McNally@who.eop.gov>; Buchan,
Claire <Claire_Buchan@who.eop.gov>

Sent: Mon Apr 19 15:06:54 2004
Subject: FW: REVISED: Final Fact Sheet – USA PATRIOT Act

This was the revised version that they should have sent/meant to send

-----Original Message-----

From: Parell, Christie
Sent: Monday, April 19, 2004 11:34 AM
To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ;
Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik;
Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.;
Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.;
Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter
S.; Young, Tracy

Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary
Subject: REVISED: Final Fact Sheet – USA PATRIOT Act

FOR RELEASE-

Attached is the FINAL fact sheet for today's event on the USA PATRIOT Act – reflects changes to the speech

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act

Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws

Today's Presidential Action

Ø The President traveled to Hershey, Pennsylvania today to address the importance of the USA PATRIOT Act with local and state officials.

Ø The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year. Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.

Ø The President also called upon Congress to close existing legal loopholes that deny law enforcement officials the same tools to fight terror that they have to fight other crime. These include:

o Using administrative subpoenas, enabling law enforcement officials to obtain certain time-sensitive records more quickly – a legal tool already used in civil and criminal matters such as healthcare fraud cases;

o Establishing a presumptive denial of bail in terrorism cases -- a legal tool currently used against drug dealers, which will ensure that the law does not allow suspected terrorists to be released before trial; and

o Allowing the death penalty for terrorist crimes that result in death. This would close a legal loophole that enables some sexual abuse and drug-related offenses that result in death to qualify for the death penalty – but not some terrorism crimes that result in the death of innocents.

Background on Today's Presidential Action

Ø Before September 11, law enforcement, intelligence, and national security officials were prevented by legal and bureaucratic restrictions from sharing critical information with each other – and with state and local law enforcement officials. These restrictions made it much more difficult to get a complete picture of the terrorist threats – preventing law enforcement from having all the pieces of the puzzle in one place.

Ø By passing the USA Patriot Act, we removed those barriers – and now, the law enforcement and intelligence communities are working together as never before. The USA PATRIOT Act was passed with overwhelming bi-partisan support by the Senate 98–1, and 357–66 by the House of Representatives.

Ø The USA PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists. In passing the USA PATRIOT Act, Congress provided for measured changes in the law. But these changes have enabled the Federal Government to better track terrorists, disrupt their cells, seize their assets, and share more information with state and local law enforcement.

o The USA PATRIOT Act facilitates information sharing and cooperation among government agencies so that they can better “connect the dots.” The Act removed barriers that prevented the law enforcement, intelligence, and national defense communities from coordinating their work to protect the American people and our national security. Now FBI agents, Federal prosecutors, and intelligence officials can protect our communities by “connecting the dots” to uncover terrorist plots before they are completed while respecting constitutional rights.

o The Act allows law enforcement to conduct investigations without tipping off terrorists. If criminals are tipped off too early to an investigation, they are likely to flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other actions to evade arrest. Therefore, Federal courts in narrow circumstances have long allowed law enforcement to delay for a limited time notifying a subject that a judicially-approved search warrant has been executed. The USA PATRIOT Act codified the procedures for obtaining these warrants, which require court approval. Notice is always provided, but with reasonable delay, enabling law enforcement to identify the criminal's associates, eliminate immediate threats to our communities, and coordinate the arrests of multiple individuals without tipping them off beforehand.

Ø The USA PATRIOT Act uses proven law enforcement methods in new ways to reflect new technologies and new threats. The Act brought the law up-to-date with the new technologies actually used by terrorists, so America no longer has to fight a digital-age battle with outdated legal authorities.

o Roving wiretaps – in which a wiretap authorization attaches to a particular suspect, rather than a particular communication device – have been used by law enforcement for years to investigate ordinary crimes including drug offenses and racketeering. The USA PATRIOT Act authorized the same techniques in national-security investigations. This provision has enhanced the government's authority to monitor sophisticated international terrorists and intelligence officers, who are trained to thwart surveillance, such as by rapidly changing cell phones, just before important meetings or communications.

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<<Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc>>

Subject: Re: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "McClellan, Scott "
Date: 4/19/04, 3:13 PM
To: "Kavanaugh, Brett M."

I guess but my office gave me the correct one before we left.

-----Original Message-----
From: Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
To: McClellan, Scott <Scott_McClellan@who.eop.gov>
Sent: Mon Apr 19 15:11:50 2004
Subject: RE: REVISED: Final Fact Sheet – USA PATRIOT Act

Apparently Greg sent the wrong version. Trent is checking with him.

-----Original Message-----
From: McClellan, Scott
Sent: Monday, April 19, 2004 3:08 PM
To: Kavanaugh, Brett M.
Subject: Re: REVISED: Final Fact Sheet – USA PATRIOT Act

Do u know what happened?

-----Original Message-----
From: Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
To: Miers, Harriet <Harriet_Miers@who.eop.gov>; Falkenrath, Richard <Richard_Falkenrath@who.eop.gov>;
McClellan, Scott <Scott_McClellan@who.eop.gov>; McNally, Edward <Edward_McNally@who.eop.gov>; Buchan,
Claire <Claire_Buchan@who.eop.gov>

Sent: Mon Apr 19 15:06:54 2004
Subject: FW: REVISED: Final Fact Sheet – USA PATRIOT Act

This was the revised version that they should have sent/meant to send

-----Original Message-----
From: Parell, Christie
Sent: Monday, April 19, 2004 11:34 AM
To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ;
Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik;
Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.;
Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.;
Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter
S.; Young, Tracy

Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary
Subject: REVISED: Final Fact Sheet – USA PATRIOT Act

FOR RELEASE–

Attached is the FINAL fact sheet for today's event on the USA PATRIOT Act – reflects changes to the speech

Fact Sheet: President Bush Calls for Renewing the USA PATRIOT Act

Also Urges Congress to Close Loopholes in Other Anti-Terrorism Laws

Today's Presidential Action

- Ø The President traveled to Hershey, Pennsylvania today to address the importance of the USA PATRIOT Act with local and state officials.

- Ø The President called for Congress to renew all parts of the USA PATRIOT Act that are scheduled to expire next year. Before 9/11, barriers prevented counterterrorism officials from communicating effectively with one another. The USA PATRIOT Act brought down the artificial wall separating law enforcement and intelligence officers and allowed them to talk to each other as they work to prevent future attacks.

- Ø The President also called upon Congress to close existing legal loopholes that deny law enforcement officials the same tools to fight terror that they have to fight other crime. These include:
 - o Using administrative subpoenas, enabling law enforcement officials to obtain certain time-sensitive records more quickly – a legal tool already used in civil and criminal matters such as healthcare fraud cases;
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- Ø Before September 11, law enforcement, intelligence, and national security officials were prevented by legal and bureaucratic restrictions from sharing critical information with each other – and with state and local law enforcement officials. These restrictions made it much more difficult to get a complete picture of the terrorist threats – preventing law enforcement from having all the pieces of the puzzle in one place.

- Ø By passing the USA Patriot Act, we removed those barriers – and now, the law enforcement and intelligence communities are working together as never before. The USA PATRIOT Act was passed with overwhelming bi-partisan support by the Senate 98–1, and 357–66 by the House of Representatives.

- Ø The USA PATRIOT Act has played a key role in a number of successful operations to protect innocent Americans from terrorists. In passing the USA PATRIOT Act, Congress provided for measured changes in the law. But these changes have enabled the Federal Government to better track terrorists, disrupt their cells, seize their assets, and share more information with state and local law enforcement.

o The USA PATRIOT Act facilitates information sharing and cooperation among government agencies so that they can better “connect the dots.” The Act removed barriers that prevented the law enforcement, intelligence, and national defense communities from coordinating their work to protect the American people and our national security. Now FBI agents, Federal prosecutors, and intelligence officials can protect our communities by “connecting the dots” to uncover terrorist plots before they are completed while respecting constitutional rights.

o The Act allows law enforcement to conduct investigations without tipping off terrorists. If criminals are tipped off too early to an investigation, they are likely to flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other actions to evade arrest. Therefore, Federal courts in narrow circumstances have long allowed law enforcement to delay for a limited time notifying a subject that a judicially-approved search warrant has been executed. The USA PATRIOT Act codified the procedures for obtaining these warrants, which require court approval. Notice is always provided, but with reasonable delay, enabling law enforcement to identify the criminal’s associates, eliminate immediate threats to our communities, and coordinate the arrests of multiple individuals without tipping them off beforehand.

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<<Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc>>

Subject: FW: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "Kavanaugh, Brett M."
Date: 4/19/04, 3:13 PM
To: "Miers, Harriet", "Falkenrath, Richard", "McNally, Edward"

Sounds like it may not have made its way to press yet.

-----Original Message-----

From: Buchan, Claire
Sent: Monday, April 19, 2004 3:09 PM
To: Kavanaugh, Brett M.
Subject: RE: REVISED: Final Fact Sheet - USA PATRIOT Act

I think the good news is that it doesn't appear to have been sent.....

-----Original Message-----

From: Kavanaugh, Brett M.
Sent: Monday, April 19, 2004 3:07 PM
To: Miers, Harriet; Falkenrath, Richard; McClellan, Scott ; McNally, Edward; Buchan, Claire
Subject: FW: REVISED: Final Fact Sheet - USA PATRIOT Act

This was the revised version that they should have sent/meant to send

-----Original Message-----

From: Parell, Christie
Sent: Monday, April 19, 2004 11:34 AM
To: Williams, Gregory; Abney, Allen K.; Bartlett, Daniel J.; Besanceney, Brian R.; Bohn, Trey; Buchan, Claire ; Deckard, Josh ; DeFrancis, Suzy; Duffy, Trent D.; Godfrey, Georgia D.; Gross, Taylor S.; Healy, Erin E.; Hotmire, Erik; Kellems, Kevin; Kolton, Chad; Lisaius, Kenneth A.; Mamo, Jeanie S.; Martin, Catherine J.; Mollmann, Megan S.; Morrell, Jim C.; Mynster, Kathleen; Orr, Christopher J.; Pagliocca, Theresa; Parell, Christie ; Perino, Dana M.; Ritacco, Krista L.; Rule, Natalie ; Sherzer, David; Steele, Sara M.; Stevens, Pamela R.; Tamburri, Maria; Watkins, Peter S.; Young, Tracy
Cc: Bodo, Jocelyne A.; Cooper, Rory S.; McNally, Edward; Stiles, Ryan P.; Flippin, Laura; Staff Secretary
Subject: REVISED: Final Fact Sheet - USA PATRIOT Act

FOR RELEASE-

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-

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to protect innocent Americans from terrorists. In passing the USA PATRIOT Act, Congress provided for measured changes in the law. But these changes have enabled the Federal Government to better track terrorists, disrupt their cells, seize their assets, and share more information with state and local law enforcement.

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<< File: Fact Sheet_Patriot Act_Hershey, PA 4.19.04.doc >>

Subject: Patriot #22
From: "Kropp, Emily L."
Date: 4/19/04, 4:31 PM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:33:35 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: IMPORTANT -- note that current Patriot draft has changed from before (No Manpads)

From: "Kavanaugh, Brett M."

Date: 4/19/04, 4:55 PM

To: "McClellan, Scott ", "Ingwell, Carmen M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:33:35 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Patriot #23
From: "Kropp, Emily L."
Date: 4/19/04, 5:05 PM
To: "Kavanaugh, Brett M.", "Anton, Michael N."
CC: "Burgess, Paul D."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:33:37 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Patriot #23
From: "Kavanaugh, Brett M."
Date: 4/19/04, 5:06 PM
To: "Stiles, Ryan P."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 16:33:38 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5,P6,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Re: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "Miers, Harriet"
Date: 4/19/04, 7:14 PM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Sun May 19 15:02:55 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "Kavanaugh, Brett M."
Date: 4/19/04, 7:22 PM
To: "Miers, Harriet"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Sun May 19 15:02:56 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Re: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "Miers, Harriet"
Date: 4/19/04, 7:37 PM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Sun May 19 15:02:57 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: REVISED: Final Fact Sheet – USA PATRIOT Act
From: "Kavanaugh, Brett M."
Date: 4/19/04, 7:43 PM
To: "Miers, Harriet"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Sun May 19 15:02:57 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Draft remarks
From: "Ullyot, Theodore W."
Date: 5/21/04, 10:35 PM
To: "Silverberg, Kristen"
CC: "Boyd, Allison", "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Mon May 20 14:59:01 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Fw:

Subject: Fw:
From: "Leventhal, Joseph S."
Date: 5/22/04, 2:59 PM
To: "Kavanaugh, Brett M.", "Ullyot, Theodore W.", "Kropp, Emily L."
CC: "Patel, Neil S.", "McGinn, Megan "

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Mon May 20 14:59:04 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: MONDAY'S SPEECH
From: "Kropp, Emily L."
Date: 5/22/04, 3:24 PM
To: "Kavanaugh, Brett M.", "Ullyot, Theodore W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Mon May 20 14:59:05 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: draft of Monday's remarks for your review
From: "Kavanaugh, Brett M."
Date: 5/22/04, 3:30 PM
To: <karen@georgewbush.com>

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Mon May 20 14:59:07 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Rove comments in all caps in attached draft

From: "Kavanaugh, Brett M."

Date: 5/22/04, 5:35 PM

To: "Gerson, Michael J.", "Anton, Michael N.", "McConnell, John P.", "Scully, Matthew"

CC: "Kropp, Emily L.", "Currin, John", "Ullyot, Theodore W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Mon May 20 14:59:09 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,P5,b(6)

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Gonzales comments
From: "Ullyot, Theodore W."
Date: 5/22/04, 9:06 PM
To: "Kropp, Emily L.", "Anton, Michael N."
CC: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Mon May 20 14:59:12 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Draft Justice Dept. report on Patriot Act successes
From: "Ulliyot, Theodore W."
Date: 6/2/04, 1:23 AM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 17:22:54 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: EOP comments on Patriot Act Report
From: "Stiles, Ryan P."
Date: 6/3/04, 6:51 PM
To: "Kavanaugh, Brett M.", "Ullyot, Theodore W."
CC: "McNally, Edward"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Tue May 21 17:22:57 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: : ALL CLEARANCES RECEIVED, PLEASE REVIEW WHEN YOU HAVE A CHANCE

From: Nicole Petrosino (CN=Nicole Petrosino/OU=OMB/O=EOP [OMB])

Date: 6/22/04, 11:30 PM

To: Theodore W. Ulliot (CN=Theodore W. Ulliot/OU=WHO/O=EOP [WHO]), Olga Arguello (CN=Olga Arguello/OU=WHO/O=EOP [WHO]), Lauren J. Vestewig (CN=Lauren J. Vestewig/OU=WHO/O=EOP [WHO]), Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]), Debra D. Bird (CN=Debra D. Bird/OU=WHO/O=EOP [WHO]), Carolyn E. Cleveland (CN=Carolyn E. Cleveland/OU=WHO/O=EOP [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 17:14:28 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: [LETTER REGARDING COURT AUTHORIZED DELAYED NOTICE SEARCH WARRANTS]

From: Nicole Petrosino (CN=Nicole Petrosino/OU=OMB/O=EOP [OMB])

Date: 6/30/04, 3:35 PM

To: Theodore W. Ulliot (CN=Theodore W. Ulliot/OU=WHO/O=EOP [WHO]), Olga Arguello (CN=Olga Arguello/OU=WHO/O=EOP [WHO]), Lauren J. Vestewig (CN=Lauren J. Vestewig/OU=WHO/O=EOP [WHO]), Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]), Debra D. Bird (CN=Debra D. Bird/OU=WHO/O=EOP [WHO]), Carolyn E. Cleveland (CN=Carolyn E. Cleveland/OU=WHO/O=EOP [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 17:12:47 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: [P5]
From: "Petrosino, Nicole"
Date: 7/1/04, 8:11 PM
To: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 11:28:00 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

[Veto]

Subject: [Veto]

From: Nicole Petrosino (CN=Nicole Petrosino/OU=OMB/O=EOP [OMB])

Date: 7/1/04, 8:24 PM

To: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@Exchange [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 17:13:05 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: [DoJ Letter regarding the Otter Amdt]

From: Nicole Petrosino (CN=Nicole Petrosino/OU=OMB/O=EOP [OMB])

Date: 7/1/04, 9:00 PM

To: Eric C. Pelletier (CN=Eric C. Pelletier/OU=WHO/O=EOP@Exchange [WHO]), Stephen S. McMillin (CN=Stephen S. McMillin/OU=OMB/O=EOP@Exchange [OMB])

CC: Daniel J. Keniry (CN=Daniel J. Keniry/OU=WHO/O=EOP@Exchange [WHO]), Christopher W. Frech (CN=Christopher W. Frech/OU=WHO/O=EOP@Exchange [WHO]), Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@Exchange [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 17:13:26 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: [P5]

From: "Petrosino, Nicole"

Date: 7/1/04, 9:01 PM

To: "McMillin, Stephen S.", "Pelletier, Eric C."

CC: "Kavanaugh, Brett M.", "Keniry, Daniel ", "Frech, Christopher W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 11:28:02 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: [P5]

From: "Petrosino, Nicole"

Date: 7/1/04, 9:01 PM

To: "McMillin, Stephen S.", "Pelletier, Eric C."

CC: "Kavanaugh, Brett M.", "Keniry, Daniel ", "Frech, Christopher W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 11:28:02 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: [P5]

From: "Petrosino, Nicole"

Date: 7/1/04, 9:01 PM

To: "McMillin, Stephen S.", "Pelletier, Eric C."

CC: "Kavanaugh, Brett M.", "Keniry, Daniel ", "Frech, Christopher W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 11:28:01 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: : DRAFT LETTER FROM DOJ REGARDING THE OTTER AMENDMENT

From: Nicole Petrosino (CN=Nicole Petrosino/OU=OMB/O=EOP [OMB])

Date: 7/1/04, 9:51 PM

To: Krista L. Ritacco (CN=Krista L. Ritacco/OU=WHO/O=EOP@Exchange [WHO]), Suzy DeFrancis (CN=Suzy DeFrancis/OU=WHO/O=EOP@Exchange [WHO])

CC: Theodore W. Ulyot (CN=Theodore W. Ulyot/OU=WHO/O=EOP [WHO]), Olga Arguello (CN=Olga Arguello/OU=WHO/O=EOP [WHO]), Lauren J. Vestewig (CN=Lauren J. Vestewig/OU=WHO/O=EOP [WHO]), Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]), Debra D. Bird (CN=Debra D. Bird/OU=WHO/O=EOP [WHO]), Carolyn E. Cleveland (CN=Carolyn E. Cleveland/OU=WHO/O=EOP [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 17:14:28 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: : DoJ LETTER ADDRESSED TO SPEAKER HASTERT, ALL CLEARANCES HAVE BEEN RECEIVED

From: Nicole Petrosino (CN=Nicole Petrosino/OU=OMB/O=EOP [OMB])

Date: 7/1/04, 10:24 PM

To: Theodore W. Ulliot (CN=Theodore W. Ulliot/OU=WHO/O=EOP [WHO]), Olga Arguello (CN=Olga Arguello/OU=WHO/O=EOP [WHO]), Lauren J. Vestewig (CN=Lauren J. Vestewig/OU=WHO/O=EOP [WHO]), Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO]), Debra D. Bird (CN=Debra D. Bird/OU=WHO/O=EOP [WHO]), Carolyn E. Cleveland (CN=Carolyn E. Cleveland/OU=WHO/O=EOP [WHO])

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Fri May 17 17:14:29 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: HERE IS THE FINAL LETTER FROM DOJ AND ONDCP ADDRESSED TO SPEAKER HASTERT

From: "Petrosino, Nicole"

Date: 7/2/04, 2:50 PM

To: "Kavanaugh, Brett M.", "Pelletier, Eric C.", "Kaplan, Joel", "McMillin, Stephen S."

CC: "Keniry, Daniel ", "Frech, Christopher W.", "Duggan, Charles S.", "Vestewig, Lauren J.", "Rossman, Elizabeth L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 11:28:04 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: HERE IS THE FINAL LETTER FROM DOJ AND ONDCP ADDRESSED TO SPEAKER HASTERT

From: "Petrosino, Nicole"

Date: 7/2/04, 2:50 PM

To: "Kavanaugh, Brett M.", "Pelletier, Eric C.", "Kaplan, Joel", "McMillin, Stephen S."

CC: "Keniry, Daniel ", "Frech, Christopher W.", "Duggan, Charles S.", "Vestewig, Lauren J.", "Rossman, Elizabeth L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 11:28:04 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: HERE IS THE FINAL LETTER FROM DOJ AND ONDCP ADDRESSED TO SPEAKER HASTERT

From: "Petrosino, Nicole"

Date: 7/2/04, 2:50 PM

To: "Kavanaugh, Brett M.", "Pelletier, Eric C.", "Kaplan, Joel", "McMillin, Stephen S."

CC: "Keniry, Daniel ", "Frech, Christopher W.", "Duggan, Charles S.", "Vestewig, Lauren J.", "Rossman, Elizabeth L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 11:28:05 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: HERE IS THE FINAL LETTER FROM DOJ AND ONDCP ADDRESSED TO SPEAKER HASTERT

From: "Petrosino, Nicole"

Date: 7/2/04, 2:50 PM

To: "Kavanaugh, Brett M.", "Pelletier, Eric C.", "Kaplan, Joel", "McMillin, Stephen S."

CC: "Keniry, Daniel ", "Frech, Christopher W.", "Duggan, Charles S.", "Vestewig, Lauren J.", "Rossman, Elizabeth L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 11:28:03 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Electronic copy of today's new DOJ "Report from the Field: The USA PATRIOT Act at Work"

From: "McNally, Edward"

Date: 7/13/04, 5:57 PM

To: "Ullyot, Theodore W."

CC: "Kavanaugh, Brett M.", "Vestewig, Lauren J."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 16:02:58 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Matrix: 9/11 Recommendations and Actions

From: "Ullyot, Theodore W."

Date: 7/29/04, 10:18 PM

To: "Bartlett, Daniel J.", "DeFrancis, Suzy", "Kavanaugh, Brett M."

CC: "Miers, Harriet", "Monheim, Thomas A.", "Vestewig, Lauren J.", "Hook, Brian H."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 17:13:37 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: 911 Recommendations/Accomplishments Fact Sheet

From: "Ullyot, Theodore W."

Date: 7/30/04, 10:51 AM

To: "Leitch, David G.", "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 17:13:38 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Final cleared 9/11 document

From: "Ullyot, Theodore W."

Date: 7/30/04, 4:10 PM

To: "Bartlett, Daniel J.", "DeFrancis, Suzy"

CC: "Monheim, Thomas A.", "Kavanaugh, Brett M.", "Vestewig, Lauren J."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 17:13:40 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: Final cleared 9/11 document

From: "DeFrancis, Suzy"

Date: 7/30/04, 4:42 PM

To: "Ulliyot, Theodore W.", "Monheim, Thomas A."

CC: "Bartlett, Daniel J.", "Kavanaugh, Brett M.", "Vestewig, Lauren J."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 22 17:13:41 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: FW: FACT SHEET: KEY BUSH ADMINISTRATION ACTIONS CONSISTENT WITH 9/11 COMMISSION RECOMMENDATIONS

From: "Powell, Benjamin A."

Date: 8/2/04, 6:23 PM

To: "Ullyot, Theodore W.", "Kavanaugh, Brett M."

[Should this be on whitehouse.gov? I couldn't find it.](#)

-----Original Message-----

From: White House Press Releases

Sent: Friday, July 30, 2004 2:56 PM

Subject: FACT SHEET: KEY BUSH ADMINISTRATION ACTIONS CONSISTENT WITH 9/11 COMMISSION RECOMMENDATIONS

<<07-30F~1.PDF>>

— Attachments: —

07-30F~1.PDF

140 KB

FACT SHEET: KEY BUSH ADMINISTRATION ACTIONS CONSISTENT WITH 9/11 COMMISSION RECOMMENDATIONS

President Bush welcomes the 9/11 Commission report and agrees with its conclusion that our Homeland is safer today, but we are not yet safe. He has ordered the highest levels of government to examine in short order the Commission's recommendations and to use them to develop a plan for further action.

The Commission carefully and thoughtfully studied the many complex and critical issues facing our Nation in the War on Terror – and we are gratified that the Commission's final report comes to conclusions similar to the Administration's on the vast majority of the key policy issues.

As the Commission recommended:

- **The Administration is already pursuing a worldwide strategy of disrupting and denying safe harbors to terrorist groups.** We continue to build on these efforts, and the Administration is giving serious consideration to the Commission's recommendations.
- **The Administration is already undercutting the ideological appeal of terrorism by standing for a “forward strategy of freedom” and promoting needed reforms in the broader Middle East.** The Administration welcomes the Commission's recommendations for further strengthening and expanding these efforts.
- **The Administration is already developing and deploying cutting-edge technologies to secure our borders, our ports, our critical infrastructure, and other parts of our homeland.** Although there is no such thing as perfect security in our vast, free Nation, the Administration believes more can be done to build on the efforts we have begun, and the Commission's homeland security recommendations are being seriously reviewed.
- **The Administration has already moved significantly along the road to intelligence reform** by vastly improving cooperation and information-sharing among the intelligence, law enforcement, and homeland security communities through:
 - passage of the USA PATRIOT Act;
 - the ongoing transformation of the FBI;
 - expansion of the collection and analytical capabilities of CIA; and
 - creation of the Department of Homeland Security, the Terrorist Threat Integration Center, and the Terrorist Screening Center.

These are important steps along the road the Commission charts for intelligence reform. More steps are needed – and more will be taken – but a solid foundation for future action is in place. The Commission's intelligence-reform proposals build on this foundation. The reform efforts we take now will establish an intelligence structure to protect America for decades to come, and it is important to get it right, which is why the Administration is actively and seriously examining each of the Commission's recommendations.

The following are examples of actions already taken by the Bush Administration that are fulfilling the 9/11 Commission's recommendations.

RECOMMENDATIONS	ACTIONS ALREADY TAKEN
Chapter 12 "What To Do? A Global Strategy"	
<p>➤ "The U.S. government must identify and prioritize actual or potential terrorist sanctuaries. For each, it should have a realistic strategy to keep possible terrorists insecure and on the run, using all elements of national power. We should reach out, listen to, and work with other countries that can help." (Ch. 12, p. 367)</p>	<p>➤ <i>The removal of <u>all</u> al Qaeda sanctuaries was part of our strategy before 9/11. Since 9/11, the United States has removed the #1 terrorist sanctuary, the Taliban regime in Afghanistan, and also Saddam Hussein's regime in Iraq, a long-time state sponsor of terror. We continue to use all elements of national power to identify and eliminate other such sanctuaries around the world and to work with other governments to make sure they are not available to terrorists. We are destroying the leadership of terrorist networks; disrupting their planning and financing; and shrinking the space in which they can freely operate by denying them territory and the support of governments. The effort to identify and eliminate terrorist sanctuaries is ongoing and will continue to be a central element of our strategy in the War on Terror.</i></p>
<p>➤ "If Musharraf stands for enlightened moderation in a fight for his life and for the life of his country, the United States should be willing to make hard choices too, and make the difficult and long-term commitment to the future of Pakistan. Sustaining the current scale of aid to Pakistan, the United States should support Pakistan's government in its struggle against extremists with a comprehensive effort that extends from military aid to support for better education, so long as Pakistan's leaders remain willing to make the difficult choices of their own." (Ch. 12, p. 369)</p>	<p>➤ <i>The United States has dramatically re-fashioned its relationship with Pakistan in the wake of the 9/11 attacks. As the Commission notes, even before 9/11, the Bush Administration was actively engaged in diplomatic efforts to get Pakistan to change its policy of support for the Taliban and help eliminate the al Qaeda threat. President Bush personally wrote President Musharraf in February 2001 emphasizing that Bin Ladin and al Qaeda were a "direct threat the United States and its interest that must be addressed" and urging Musharraf to use his influence with the Taliban on this critical issue. Again in August 2001, President Bush personally asked Musharraf for Pakistan's active engagement against al Qaeda. Today, the United States and Pakistan are working closely in the fight against terror, and Pakistani forces are rounding up terrorists along their nation's western border. President Musharraf is a friend of our country, and has taken out of commission over 500 al Qaeda and Taliban operatives, including Khalid Sheik Mohammed, the operational planner behind the 9/11 attacks. Finally, we have proposed a five-year, \$3 billion military and aid package to support Pakistan's security, economic and social programs.</i></p> <p>➤ <i>American assistance to help improve the lives of Pakistanis will reach \$300 million for the period of 2002 to 2006. Improvements to primary and secondary education, modernization of health care – especially for women and children – and helping small and medium Pakistani businesses compete in the international market are some areas in which Pakistanis and Americans are working together. This year alone, 130 schools are being refurbished, a program to reduce maternal and infant mortality is being launched, and scholarships are being given to top students who could not otherwise afford to go to Pakistani universities.</i></p>

<p>➤ “The President and the Congress deserve praise for their efforts in Afghanistan so far. Now the United States and the international community should make a long-term commitment to a secure and stable Afghanistan, in order to give the government a reasonable opportunity to improve the life of the Afghan people. Afghanistan must not again become a sanctuary for international crime and terrorism. The United States and the international community should help the Afghan government extend its authority over the country, with a strategy and nation-by-nation commitments to achieve their objectives.” (Ch. 12, p. 370)</p>	<p>➤ <i>The United States and its coalition partners defeated the Taliban, put al Qaeda on the run and eliminated Afghanistan as the international hub for al Qaeda terrorist training. This Administration committed \$2 billion for Afghanistan’s development. Today, Afghans have a new stable currency, a new Constitution, and are looking forward to voting in the country’s first democratic elections. The United States has reassured the Afghan government that America is a steadfast partner. The UN and international community have also pledged to ensure Afghanistan does not plunge into anarchy. To ensure security and stability, the United States and the international community are training security forces to extend Kabul’s authority in the provinces. Currently there are over 13,000 soldiers in the well-respected Afghan National Army and over 21,000 Police officials. In addition, the United Kingdom and the United States are better positioning themselves to counter a growing narcotics threat now and over the long-term. Reconstruction programs such as completing the Kabul to Kandahar road; continuing work on the Kabul to Herat road and secondary roads; building clinics and schools; training teachers; and establishing market centers all contribute to a stable and secure Afghanistan.</i></p>
<p>➤ “The problems in the U.S.-Saudi relationship must be confronted, openly. The United States and Saudi Arabia must determine if they can build a relationship that political leaders on both sides are prepared to publicly defend—a relationship about more than oil. It should include a shared commitment to political and economic reform, as Saudis make common cause with the outside world. It should include a shared interest in greater tolerance and cultural respect, translating into a commitment to fight the violent extremists who foment hatred.” (Ch. 12, p. 374)</p>	<p>➤ <i>Three years ago, terrorists were well established in Saudi Arabia. Inside that country, fundraisers and other facilitators gave al Qaeda financial and logistical help – with little scrutiny or opposition. Today, after attacks in Riyadh and elsewhere, the Saudi government knows that al Qaeda is its enemy. Saudi Arabia is working hard to shut down the facilitators and financial supporters of terrorism, and has captured or killed many first-tier leaders of the al Qaeda organization in Saudi Arabia – including one in June 2004. Today, because Saudi Arabia has seen the danger, and has joined the War on Terror, the American people are safer. While there is still much work to be done, the Saudis have made important progress in confronting the terrorist threat and the United States has forged a genuine partnership with Saudi Arabia in this war, one that will continue to pay dividends in the years ahead.</i></p>

<p>➤ “The U.S. government must define what the message is, what it stands for. We should offer an example of moral leadership in the world, committed to treat people humanely, abide by the rule of law, and be generous and caring to our neighbors. America and Muslim friends can agree on respect for human dignity and opportunity. To Muslim parents, terrorists like Bin Ladin have nothing to offer their children but visions of violence and death. America and its friends have a crucial advantage—we can offer these parents a vision that might give their children a better future. If we heed the views of thoughtful leaders in the Arab and Muslim world, a moderate consensus can be found.” (Ch. 12, p. 376)</p>	<p>➤ <i>In Afghanistan and Iraq, the United States is leading international coalitions to help citizens build a democratic future. Free and fair national elections will be held for the first time in Afghanistan this October, and in Iraq by the end of January. Last June, President Bush led the G-8 Leaders in launching the “Partnership for Progress and a Common Future” to support political, economic, and social reform in the Broader Middle East and North Africa region by committing to: establish a Forum for the Future, bring together regularly G-8 and regional ministers to discuss reforms and support progress in the region; bring together democracy foundations, civil society groups, and governments from the G-8, the region, and other countries to promote and strengthen democratic institutions, coordinate and share information on democracy programs, initiate new democracy programs, and sponsor exchanges; assist the region’s efforts to halve the illiteracy rate over the next decade, including by training 100,000 teachers by 2009; help as many as 250,000 young entrepreneurs, especially women, expand their employment opportunities; invest \$100 million to assist small and medium-sized enterprises; expand sustainable microfinance in the region to help over two million potential small entrepreneurs pull themselves out of poverty; coordinate the work of development institutions and international financial institutions working in the region; and assist the region’s efforts to improve the business climate.</i></p>
<p>➤ “Where Muslim governments, even those who are friends, do not respect these principles, the United States must stand for a better future. One of the lessons of the long Cold War was that short-term gains in cooperating with the most repressive and brutal governments were too often outweighed by long-term setbacks for America’s stature and interests.” (Ch. 12, p. 376)</p>	<p>➤ <i>The President has embedded democracy, transparency, and respect for the rule of law into the core of our foreign policy and assistance strategies. A few examples of this fundamental commitment include:</i></p> <ul style="list-style-type: none"> ○ <i>The Millennium Challenge Account (MCA). At the Inter-American Development Bank on March 14, 2002, President Bush called for “a new compact for global development, defined by new accountability for both rich and poor nations alike. Greater contributions from developed nations must be linked to greater responsibility from developing nations.” The President pledged that the United States would lead by example and increase its core development assistance by 50 percent over the next three years, resulting in an annual increase of \$5 billion by FY 2006;</i> ○ <i>The Middle East Partnership Initiative, which is based on the President’s conclusion that we must never seek “stability” at the price of freedom; and</i> ○ <i>The Anti-Corruption efforts in the G-8, Asia Pacific Economic Cooperation (APEC), and Summit of the Americas.</i>

<p>➤ “Just as we did in the Cold War, we need to defend our ideals abroad vigorously. America does stand up for its values. The United States defended, and still defends, Muslims against tyrants and criminals in Somalia, Bosnia, Kosovo, Afghanistan, and Iraq. If the United States does not act aggressively to define itself in the Islamic world, the extremists will gladly do the job for us.” (Ch. 12, p. 377)</p>	<p>➤ <i>President Bush is committed to the long-term future of Afghanistan and Iraq, two nations in the midst of historic transitions from dictatorship to democracy. On November 6, 2003, the President announced the Forward Strategy of Freedom in the Broader Middle East, which is a vision based on the President’s conclusion that we must never seek “stability” at the price of freedom. The President’s Broader Middle East Initiative, endorsed at the G-8, US/EU, and NATO summits in June 2004, is rooted in a partnership to support the region’s aspirations for freedom, democracy, rule of law, economic opportunity, and social justice. The partnership involves not only governments, but also business and civil society leaders as full partners.</i></p>
<p>➤ “The U.S. government should offer to join with other nations in generously supporting a new International Youth Opportunity Fund. Funds will be spent directly for building and operating primary and secondary schools in those Muslim states that commit to sensibly investing their own money in public education.” (Ch. 12, p. 378)</p>	<p>➤ <i>Promoting literacy and developing new opportunities for young people in the Broader Middle East region are key priorities underpinning the President’s Broader Middle East and North Africa initiative. The President led the G-8 at the Sea Island Summit in launching new initiatives to support the region’s literacy efforts and sponsor entrepreneurship and vocational training programs. Internationally, the President has more than tripled U.S. overseas basic education funding.</i></p>
<p>➤ “A comprehensive U.S. strategy to counter terrorism should include economic policies that encourage development, more open societies, and opportunities for people to improve the lives of their families and to enhance prospects for their children’s future.” (Ch. 12, p. 379)</p>	<p>➤ <i>In an unparalleled manner, the President has united aid and trade policies to help integrate the poorest countries into the global economy in a way that promotes free, democratic, and prosperous societies. Examples include the Millennium Challenge Account (MCA), the Digital Freedom Initiative, the Trade for African Development and Enterprise (TRADE) Initiative, the Middle East Partnership Initiative, the Africa Growth and Opportunity Act (AGOA) II and III, and an unprecedented number regional, sub-regional, and bilateral free trade agreements that the Administration is negotiating or has concluded with developing countries. This includes a Presidential initiative to establish a U.S.-Middle East Free Trade Area (MEFTA) by 2013. The recently passed U.S.-Morocco FTA, completion of FTA negotiations with Bahrain, and the signing of Trade and Investment Framework Agreements with every country in the Arabian Gulf demonstrate concrete progress toward the MEFTA goal. Finally, the Administration provided a critical global leadership in successfully launching the WTO’s Doha Development Agenda trade negotiations – the first round of global trade talks focused on developing country development.</i></p>

<p>➤ “The United States should engage other nations in developing a comprehensive coalition strategy against Islamist terrorism. There are several multilateral institutions in which such issues should be addressed. But the most important policies should be discussed and coordinated in a flexible contact group of leading coalition governments. This is a good place, for example, to develop joint strategies for targeting terrorist travel, or for hammering out a common strategy for the places where terrorists may be finding sanctuary” (Ch. 12, p. 379)</p>	<p>➤ <i>In addition to our bilateral counterterrorism (CT) relationships with key partners around the world, the United States has sought to advance an aggressive CT agenda in numerous multilateral fora, such as NATO, the APEC forum, and the G-8, where the President led leaders in June 2003 in establishing a dedicated group of donor countries to expand and coordinate training and assistance for weak but willing countries. Other organizations, including the Organization of American States (OAS), the European Union (EU), the Association of South East Asian Nations (ASEAN), and the Australia, New Zealand, and United States (ANZUS) Treaty members took concrete steps to combat terrorism more effectively and to cooperate with each other to address this transnational threat. Reorienting existing partnerships and developing multilateral solutions to the threat remains an essential part of our strategy to win the War on Terror.</i></p>
<p>➤ “The United States should engage its friends to develop a common coalition approach toward the detention and humane treatment of captured terrorists. New principles might draw upon Article 3 of the Geneva Conventions on the law of armed conflict. That article was specifically designed for cases in which the usual laws of war did not apply. Its minimum standards are generally accepted throughout the world as customary international law.” (Ch. 12, p. 380)</p>	<p>➤ <i>The United States has worked closely with its coalition partners regarding the detention and treatment of captured terrorists, and is open to exploring whether a “common coalition approach” is feasible and consistent with our national security.</i></p>

➤ “Our report shows that al Qaeda has tried to acquire or make weapons of mass destruction for at least ten years. There is no doubt the United States would be a prime target. Preventing the proliferation of these weapons warrants a maximum effort—by strengthening counterproliferation efforts, expanding the Proliferation Security Initiative, and supporting the Cooperative Threat Reduction program.” (Ch. 12, p. 381)

- *Since publishing the National Strategy to Combat Weapons of Mass Destruction in 2002, this Administration has fundamentally changed the way our Nation responds to this threat. For example, we have:*
- *eliminated the WMD programs and SCUD-C missiles in Libya;*
 - *brought to a close Saddam Hussein’s decades-long pursuit of chemical, biological, and nuclear weapons;*
 - *closed down the A.Q. Khan nuclear proliferation network;*
 - *achieved the unanimous passage of UNSCR 1540 that requires states to enact legislation that criminalizes proliferation activities;*
 - *established “Biodefense for the 21st Century,” a national strategy for meeting the full range of biological threats;*
 - *provided record-level resources devoted to Nunn-Lugar and other nonproliferation assistance, including through the creation of the G-8 Global Partnership, which will provide \$20 billion to this effort over 10 years;*
 - *signed into law Project BioShield, which provides new tools to improve medical countermeasures protecting Americans against a chemical, biological, radiological, or nuclear (CBRN) attack; and*
 - *established the Proliferation Security Initiative (PSI), a broad international partnership of countries to coordinate actions to interdict proliferation shipments of WMD and related materials – at sea, in the air, and on land – and to shut down proliferation networks and entities.*

<p>➤ “Vigorous efforts to track terrorist financing must remain front and center in U.S. counterterrorism efforts. The government has recognized that information about terrorist money helps us to understand their networks, search them out, and disrupt their operations. Intelligence and law enforcement have targeted the relatively small number of financial facilitators—individuals al Qaeda relied on for their ability to raise and deliver money—at the core of al Qaeda’s revenue stream. These efforts have worked. The death or capture of several important facilitators has decreased the amount of money available to al Qaeda and has increased its costs and difficulty in raising and moving that money. Captures have additionally provided a windfall of intelligence that can be used to continue the cycle of disruption.” (Ch. 12, p. 382)</p>	<p>➤ <i>In the war on terrorist financing we have successfully disrupted and, in some cases, dismantled the financial infrastructure of terrorist operations. Working in cooperation with the international community, we have frozen more than \$140 million in terrorist-related assets, designated 383 individuals and entities as terrorist supporters, apprehended or disrupted key terrorist facilitators and deterred donors from supporting al Qaeda and other like-minded terrorist groups. America is safer today because we have made it harder and costlier for al Qaeda and other terrorist groups to raise and move money around the world.</i></p> <p>➤ <i>The Administration has collaborated with Congress to develop a new Treasury Department structure to strengthen our efforts to fight terrorist financing. The Office of Terrorism and Financial Intelligence (TFI) will bring together Treasury’s intelligence, regulatory, law enforcement, sanctions, and policy components in a high-profile effort led by an Under Secretary and two Assistant Secretaries.</i></p>
<p>➤ “Targeting travel is at least as powerful a weapon against terrorists as targeting their money. The United States should combine terrorist travel intelligence, operations, and law enforcement in a strategy to intercept terrorists, find terrorist travel facilitators, and constrain terrorist mobility.” (Ch. 12, p. 385)</p>	<p>➤ <i>We have already undertaken numerous post-9/11 initiatives that significantly enhance security with respect to travelers to the United States. Consular interviews of visa applicants are much more rigorous and utilize a larger database of terrorism-related information. Applications of concern are referred to Washington for in-depth review through the Security Advisory Opinion (SAO) process. Incoming international air travelers are subject to comprehensive prescreening carried out by the new National Targeting Center (NTC). When travelers reach U.S. ports of entry, the new Customs and Border Protection (CBP) agency conducts integrated “one face at the border” inspections. Watch lists are being consolidated through the Terrorist Screening Center (TSC) and the Terrorist Threat Integration Center (TTIC). These, and many other US intelligence analysis capabilities, are being used to attempt to exploit terrorists’ vulnerabilities as they travel and to learn more about their activities and methods. The US-VISIT entry-exit system uses biometrics to compare the identity of the traveler with known data.</i></p> <p>➤ <i>In addition to our ongoing efforts to target terrorist travel to, from and within the United States, the Administration is seeking, on both a bilateral and multilateral basis, to promote similar efforts by other responsible governments, and to provide those governments with relevant terrorist-related information.</i></p>

<p>➤ “The U.S. border security system should be integrated into a larger network of screening points that includes our transportation system and access to vital facilities, such as nuclear reactors. The President should direct the Department of Homeland Security to lead the effort to design a comprehensive screening system, addressing common problems and setting common standards with the systemwide goals in mind. Extending those standards among other governments could dramatically strengthen America and the world’s collective ability to intercept individuals who pose catastrophic threats.” (Ch. 12, p. 387)</p>	<p>➤ <i>The Administration has made great progress in implementing an improved homeland security strategy that relies extensively on a “layered” approach to screening that actually begins well beyond U.S. borders.</i></p> <ul style="list-style-type: none"> ○ <i>The comprehensive screening process begins with the careful review of all visa applications by consular officers overseas, who now have ready access to extensive databases with terrorism-related information.</i> ○ <i>New Federal Regulations require traveler and cargo information to be provided to U.S. authorities before arrival in the United States.</i> ○ <i>The Container Security Initiative allows U.S. inspectors at 17 major foreign seaports to examine high-risk containers before they are placed on U.S.-bound ships.</i> ○ <i>Three years ago, there were inspectors from three different Federal agencies at our ports of entry. Today, through DHS, the Bureau of Customs and Border Protection (CBP) consolidates not only all of our border inspectors, but also those who patrol between the ports of entry to create “one face at the border.”</i> ○ <i>The Administration is working with other governments on transportation security, including through detailed action plans for implementing Border Accords with Canada and Mexico. The U.S.-introduced Secure and Facilitated International Travel Initiative (SAFTI), announced at the recent G-8 Summit at Sea Island, Georgia, constitutes a redoubled commitment by G-8 countries to a coordinated, comprehensive strategy to move travelers (and goods) across international borders quickly and easily, while providing enhanced security procedures.</i>
<p>➤ “The Department of Homeland Security, properly supported by the Congress, should complete, as quickly as possible, a biometric entry-exit screening system, including a single system for speeding qualified travelers. It should be integrated with the system that provides benefits to foreigners seeking to stay in the United States. Linking biometric passports to good data systems and decisionmaking is a fundamental goal. No one can hide his or her debt by acquiring a credit card with a slightly different name. Yet today, a terrorist can defeat the link to electronic records by tossing away an old passport and slightly altering the name in the new one.” (Ch. 12, p. 389)</p>	<p>➤ <i>DHS has established the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program, an integrated, automated entry-exit system that records the arrival and departure of aliens; checks aliens’ identities; and authenticates aliens’ travel documents that are biometrically enabled. Already on line at 115 airports and 14 seaports for those travelers requiring a visa, US-VISIT will be extended by September 30 of this year to travelers from countries that participate in the Visa Waiver program, and then to all land ports of entry by December 31, 2005. Since January 2004, this new program has processed more than six million travelers and yielded nearly 800 matches to persons who were the subject of look-out bulletins.</i></p> <p>➤ <i>In terms of speeding “qualified travelers” through the system, the Transportation Security Administration (TSA) is testing the Registered Traveler Program (RTP) that allows aviation travelers in select domestic markets to provide TSA with certain biographical information and a biometric imprint (fingerprints and iris-scan). After passing a security assessment, RTP participants may use a dedicated lane at the airport for expedited screening.</i></p>

<p>➤ “The U.S. government cannot meet its own obligations to the American people to prevent the entry of terrorists without a major effort to collaborate with other governments. We should do more to exchange terrorist information with trusted allies, and raise U.S. and global border security standards for travel and border crossing over the medium and long term through extensive international cooperation.” (Ch. 12, p. 390)</p>	<p>➤ <i>Homeland Security Presidential Directive 6 (HSPD-6), issued on September 16, 2003, assigns a high priority to sharing terrorism-related information between and among responsible governments. The Department of State has been coordinating the overall effort to share with foreign governments the key watchlist and other information that could prove useful in identifying and apprehending terrorists. As one example, we now share our data on lost and stolen U.S. passports with other countries through INTERPOL. We have also committed, with our G-8 partners, to broader international information exchange through the Secure and Facilitated International Travel Initiative (SAFTI).</i></p>
<p>➤ “Secure identification should begin in the United States. The federal government should set standards for the issuance of birth certificates and sources of identification, such as drivers licenses. Fraud in identification documents is no longer just a problem of theft. At many entry points to vulnerable facilities, including gates for boarding aircraft, sources of identification are the last opportunity to ensure that people are who they say they are and to check whether they are terrorists.” (Ch. 12, p. 390)</p>	<p>➤ <i>Secure identification is a priority for the United States. Currently underway are several government initiatives enabling the Federal Government to better authenticate the identities of individuals seeking access to federally controlled facilities. For example, the Federal Identity Credentialing Committee, chartered by the Office of Management and Budget (OMB), is developing a common approach to identity badges and credentials across the Federal Government for employees and contactors. US-VISIT combats fraud in the travel documents of foreign nationals by obtaining biometric identifiers.</i></p> <p>➤ <i>The President’s senior advisors are also currently preparing recommendations on what additional steps can be taken in this area.</i></p>

<p>➤ “Hard choices must be made in allocating limited resources. The U.S. government should identify and evaluate the transportation assets that need to be protected, set risk-based priorities for defending them, select the most practical and cost-effective ways of doing so, and then develop a plan, budget, and funding to implement the effort. The plan should assign roles and missions to the relevant authorities (federal, state, regional, and local) and to private stakeholders. In measuring effectiveness, perfection is unattainable. But terrorists should perceive that potential targets are defended. They may be deterred by a significant chance of failure.” (Ch. 12, p. 391)</p>	<p>➤ <i>Homeland Security Presidential Directive 7 (HSPD-7), issued December 17, 2003, establishes “a national policy for Federal departments and agencies to identify and prioritize United States critical infrastructure and key resources and to protect them from terrorist attacks.” This effort includes development of the National Infrastructure Protection Plan. The Transportation Security Administration (TSA) is responsible for leading an interagency evaluation of the various modes of transportation to identify security gaps and response strategies.</i></p> <p>➤ <i>Other DHS actions taken include: (1) issuing Security Directives requiring protective measures to be implemented by passenger rail operators, and screening high-risk rail cargo entering the United States; (2) establishing the Highway Information Sharing and Analysis Center to link workers in the truck and bus industry to intelligence community analysts who collate, disseminate, and analyze threat information; (3) providing security grants and partnering with industry through various education and outreach efforts to improve bus, truck, and rail security; and (4) launching the Homeland Security Information Network (HSIN) that provides for real-time information to be shared between the DHS Homeland Security Operations Center (HSOC) and State and local agencies in responding to transportation-related or other terrorist incidents.</i></p> <p>➤ <i>Additionally, DHS and DOT are working with other Federal departments and agencies to evaluate potential long-term and short-term measures to protect rail shipments of hazardous materials, like chlorine, from deliberate attack.</i></p>
<p>➤ “Improved use of ‘no-fly’ and ‘automatic selectee’ lists should not be delayed while the argument about a successor to CAPPS continues. This screening function should be performed by the TSA, and it should utilize the larger set of watchlists maintained by the federal government. Air carriers should be required to supply the information needed to test and implement this new system.” (Ch. 12, p. 393)</p>	<p>➤ <i>Expansion of the current “no-fly” and “selectee” lists is already underway as integration and consolidation of various watchlists by the Terrorist Threat Integration Center (TTIC) and the Terrorist Screening Center (TSC) progresses. International flight pre-screening is the responsibility of the new National Targeting Center (NTC) and domestic pre-screening the responsibility of Transportation Security Administration (TSA). The Administration is developing the next-generation approach to aviation passenger prescreening, implementation of which will enable the U.S. government to further expand the use of “no fly” and “selectee” lists to screen airline passengers in advance of their arrival at airports.</i></p>

<p>➤ “The TSA and the Congress must give priority attention to improving the ability of screening checkpoints to detect explosives on passengers. As a start, each individual selected for special screening should be screened for explosives. Further, the TSA should conduct a human factors study, a method often used in the private sector, to understand problems in screener performance and set attainable objectives for individual screeners and for the checkpoints where screening takes place.” (Ch. 12, p. 393)</p>	<p>➤ <i>The Transportation Security Administration (TSA) has made progress in improving the number and capability of the explosives detectors in place at our airports and our related procedures. For example, the National Explosives Detection Canine Team Program now oversees over 300 dog teams that provide coverage at each of the Nation’s major airports. Outside the aviation context, in May 2004, TSA launched a test program to measure the feasibility of explosives screening for people and bags traveling on U.S. trains. In addition, several screening and other security technologies are under development, including an explosives detection portal for passengers to determine if explosives are being carried on an individual’s person, document scanners to detect trace amounts of explosive materials on items such as boarding passes, and scanners for better screening of casts and prosthetic devices.</i></p>
<p>➤ “As the President determines the guidelines for information sharing among government agencies and by those agencies with the private sector, he should safeguard the privacy of individuals about whom information is shared.” (Ch. 12, p. 394)</p>	<p>➤ <i>Throughout the development of the Terrorist Threat Integration Center (TTIC), the Terrorist Screening Center (TSC), and other information-sharing entities, new procedures and systems have been engineered with all applicable privacy and security issues in mind. The safeguarding of individual privacy is a key concern in the new rules DHS is presently developing on the protection of information specifically related to homeland security.</i></p>
<p>➤ “The burden of proof for retaining a particular governmental power should be on the executive, to explain (a) that the power actually materially enhances security and (b) that there is adequate supervision of the executive’s use of the powers to ensure protection of civil liberties. If the power is granted, there must be adequate guidelines and oversight to properly confine its use.” (Ch. 12, pp. 394-395)</p>	<p>➤ <i>The Administration shares the Commission’s dedication to preserving the constitutional freedoms that are the bedrock of our system of governance, and indeed, the Administration works every day to safeguard those freedoms. In addition, both Congress and the courts exercise substantial authority to oversee the executive branch’s use of tools necessary to make America safer.</i></p> <p>➤ <i>In his most recent report to Congress on abuses concerning civil rights or civil liberties, the Inspector General of the Department of Justice advised that, of 162 complaints received alleging DOJ misconduct, “None ... related to their use of a substantive provision in the Patriot Act.” (IG Report of January 27, 2004)</i></p>

<p>➤ “At this time of increased and consolidated government authority, there should be a board within the executive branch to oversee adherence to the guidelines we recommend and the commitment the government makes to defend our civil liberties.” (Ch. 12, p. 395)</p>	<p>➤ <i>The President issued a ban on the use of racial profiling by federal law enforcement, the first ever to do so.</i></p> <p>➤ <i>The Administration’s commitment to these principles is demonstrated in part by the appointment of an Officer for Civil Rights and Civil Liberties and a Privacy Officer within the senior leadership of the Department of Homeland Security.</i></p> <p>➤ <i>In June the DHS Officer for Civil Rights & Civil Liberties submitted a report to Congress detailing DHS’s successful efforts to carry out the President’s commitment to the protection of civil liberties.</i></p> <p>➤ <i>DHS has taken strong steps to ensure that aliens detained in connection with a national security investigation will be provided timely notice of the charges against them, access to counsel, satisfactory detention conditions, an individualized review of the possibility of bond, and an individualized consideration for whether the immigration hearings should be closed or open to the public.</i></p> <p>➤ <i>The Justice Department’s successful leadership in these efforts is also reflected in the section above.</i></p>
<p>➤ “Homeland security assistance should be based strictly on an assessment of risks and vulnerabilities. Now, in 2004, Washington, D.C., and New York City are certainly at the top of any such list. We understand the contention that every state and city needs to have some minimum infrastructure for emergency response. But Federal homeland security assistance should not remain a program for general revenue sharing. It should supplement state and local resources based on the risks or vulnerabilities that merit additional support. Congress should not use this money as a pork barrel.” (Ch. 12, p. 396)</p>	<p>➤ <i>As a result of historic funding increases sought by the President since 9/11, the Administration has allocated more than \$13 billion to improve the terrorism preparedness of state and local first responders and public health agencies. The FY 2005 Budget request for these programs is 1400 percent above their FY 2001 funding level, and includes proposals to better target funds towards risks and vulnerabilities, such as doubling the Urban Area Security Initiative for “high-threat urban areas” to \$1.4 billion. As the Administration agrees that such assistance should not be “revenue-sharing,” Presidential homeland security directives require Federal departments and agencies providing preparedness assistance to first responders to base allocations on terror threat assessments, population concentrations, critical infrastructure, and similar risk factors, to the extent permitted by law. The Administration is developing nationwide risk-based preparedness goals which will help to further refine grant allocations.</i></p>

<p>➤ “Emergency response agencies nationwide should adopt the Incident Command System (ICS). When multiple agencies or multiple jurisdictions are involved, they should adopt a unified command. Both are proven and effective frameworks for emergency response. We strongly support the decision that federal homeland security funding will be contingent, as of October 1, 2004, upon the adoption and regular use of ICS and unified command procedures. In the future, the Department of Homeland Security should consider making funding contingent on aggressive and realistic training in accordance with ICS and unified command procedures.” (Ch. 12, p. 397)</p>	<p>➤ <i>Homeland Security Presidential Directive 5 (HSPD-5), issued by the President on February 28, 2003, directs all Federal departments and agencies, beginning in FY 2005, to adopt the National Incident Management System (NIMS), and make its adoption a requirement for providing Federal preparedness assistance through grants, contracts, or other activities. The NIMS, which includes the Incident Command System (ICS) and a unified command structure, provides a consistent nationwide approach for Federal, state, and local governments to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. A NIMS Integration Center, involving Federal, state, and local government representation, continues development and improvement of this system. DHS plans to conduct research in FY05 to develop location devices for first responders, and allow Incident Commanders to better understand where their resources are and how they are employed; and to provide virtual reality simulation training. The National Response Plan, to be completed in 2004, applies the incident command concepts to include Federal support to states and local governments during disasters. It will integrate operations into a seamless system and get help to victims more quickly and efficiently.</i></p>
<p>➤ “Congress should support pending legislation which provides for expedited and increased assignment of radio spectrum for public safety purposes. Furthermore, high-risk urban areas such as New York City and Washington, D.C., should establish signal corps units to ensure communications connectivity between and among civilian authorities, local first responders, and the National Guard. Federal funding of such units should be given high priority by Congress.” (Ch. 12, p. 397)</p>	<p>➤ <i>The Department of Homeland Security is launching a new office that will coordinate federal, state, and local communications interoperability, leveraging both ongoing and new efforts to improve the compatibility of equipment, training, and procedures. As part of the RapidCom program, DHS is working with the state and local leadership in New York City, the DC Region, and eight other major cities to ensure that first responders can communicate by voice, regardless of frequency or mode during an emergency. In addition to these targeted efforts, interoperable communications planning and equipment has been a high priority for Federal homeland security assistance to states and localities, particularly in high-risk urban areas.</i></p>

➤ “We endorse the American National Standards Institute’s recommended standard for private preparedness. We were encouraged by Secretary Tom Ridge’s praise of the standard, and urge the Department of Homeland Security to promote its adoption. We also encourage the insurance and credit-rating industries to look closely at a company’s compliance with the ANSI standard in assessing its insurability and creditworthiness. We believe that compliance with the standard should define the standard of care owed by a company to its employees and the public for legal purposes. Private-sector preparedness is not a luxury; it is a cost of doing business in the post-9/11 world. It is ignored at a tremendous potential cost in lives, money, and national security.” (Ch. 12, p. 398)

➤ *Private-sector preparedness is a critical part of national preparedness. The Administration endorses the need for a standard of care for the duties and responsibilities of a company to its employees and the public. The Administration also believes in the importance of educating the public, on a continuing basis, about how to be prepared in case of a national emergency – including a possible terrorist attack. To address this goal, the Department of Homeland Security has implemented the Ready Campaign, which is a national public service advertising campaign designed to educate and empower citizens to prepare for and respond to potential terrorist attacks and other emergencies. DHS will strengthen the success of the Ready Campaign by launching Ready for Business, a campaign specifically targeted to preparing businesses in the case of an emergency or terrorist attack. The Ready for Business Campaign is consistent with the recommendations contained within the ANSI standard.*

Chapter 13 “How to do it? A Different Way of Organizing the Government”	ACTIONS ALREADY TAKEN
<p>➤ “We recommend the establishment of a National Counterterrorism Center (NCTC), built on the foundation of the Terrorist Threat Integration Center (TTIC). Breaking the older mold of national government organization, this NCTC should be a center for joint operational planning <i>and</i> joint intelligence, staffed by personnel from the various agencies. The head of the NCTC should have the authority to evaluate the performance of the people assigned to the Center.” (Ch. 13, p. 403)</p>	<p>➤ <i>The President directed the establishment of the Terrorist Threat Integration Center (TTIC) in his 2003 State of the Union address, and TTIC began operations on May 1, 2003. The creation of the Terrorist Screening Center (TSC) was announced on September 16, 2003. These programs are significant steps taken in the direction of the recommended NCTC, as are the numerous forums for coordinated operational planning currently in use in the U.S. government.</i></p> <p>➤ <i>The President’s senior advisors are currently preparing recommendations on how best to move forward in this area.</i></p>
<p>➤ “The current position of Director of Central Intelligence should be replaced by a National Intelligence Director with two main areas of responsibility: (1) to oversee national intelligence centers on specific subjects of interest across the U.S. government and (2) to manage the national intelligence program and oversee the agencies that contribute to it.” (Ch. 13, p. 411)</p>	<p>➤ <i>The President has laid out three principles for intelligence reform: (1) increasing the quality and quantity of human intelligence; (2) strengthening our technological capabilities to stay ahead of the terrorists; and (3) ensuring the most effective and coordinated use of these resources and personnel, because there are multiple agencies with intelligence responsibilities.</i></p> <p>➤ <i>The President’s senior advisors are currently preparing recommendations on how best to move forward in this area.</i></p>
<p>➤ “The CIA Director should emphasize (a) rebuilding the CIA’s analytic capabilities; (b) transforming the clandestine service by building its human intelligence capabilities; (c) developing a stronger language program, with high standards and sufficient financial incentives; (d) renewing emphasis on recruiting diversity among operations officers so they can blend more easily in foreign cities; (e) ensuring a seamless relationship between human source collection and signals collection at the operational level; and (f) stressing a better balance between unilateral and liaison operations.” (Ch. 13, p. 415)</p>	<p>➤ <i>CIA initiated new efforts to expand its collection and analytical capabilities even before 9/11. CIA’s efforts were greatly accelerated in the wake of the attacks, including through hiring, training, and deploying a cadre of new highly-qualified human source collectors and analysts at an unprecedented rate, the implementation of a new language program, integration of human and electronic intelligence, and increased focus on unilateral (non-liaison) sources.</i></p> <p>➤ <i>The CIA has a sophisticated metrics program allowing senior Agency managers to measure progress against its goals. The CIA Executive Board meets at least bi-monthly to review each metric, make adjustments in plans where necessary, and reaffirm priorities.</i></p> <p>➤ <i>The President’s senior advisors are currently preparing recommendations on how best to ensure continued progress in this area.</i></p>

<p>➤ “Lead responsibility for directing and executing paramilitary operations, whether clandestine or covert, should shift to the Defense Department. There it should be consolidated with the capabilities for training, direction, and execution of such operations already being developed in the Special Operations Command.” (Ch. 13, p. 415)</p>	<p>➤ <i>CIA paramilitary officers and DoD officers have performed together exceptionally in the field, including in both Afghanistan and Iraq. Close coordination and joint planning between CIA and military special operators is standard.</i></p> <p>➤ <i>The President’s senior advisors are currently preparing recommendations on what steps can be taken to ensure continued optimal CIA/DOD coordination in the future.</i></p>
<p>➤ “Finally, to combat the secrecy and complexity we have described, the overall amounts of money being appropriated for national intelligence and to its component agencies should no longer be kept secret. Congress should pass a separate appropriations act for intelligence, defining the broad allocation of how these tens of billions of dollars have been assigned among the varieties of intelligence work.” (Ch. 13, p. 416)</p>	<p>➤ <i>The overall Intelligence Community appropriation has been declassified twice in recent years (in fiscal years 1997 and 1998), when a specific determination was made that the figure for that year could be released safely.</i></p> <p>➤ <i>The President’s senior advisors are currently preparing recommendations on what steps can be taken in this area consistent with national security requirements.</i></p>

<p>➤ “Information procedures should provide incentives for sharing, to restore a better balance between security and shared knowledge.” (Ch. 13, p. 417)</p>	<ul style="list-style-type: none"> ➤ <i>The President established the Terrorist Threat Integration Center (TTIC), integrating and analyzing terrorism threat-related information collected domestically and abroad, ensuring that intelligence and law enforcement entities are working in common purpose.</i> ➤ <i>The Terrorist Screening Center (TSC) was established to consolidate terrorist watchlists and provide 24/7 operational support for thousands of Federal screeners across the country and around the world. The Center ensures that government investigators, screeners, and agents are working with the same unified, comprehensive set of anti-terrorist information – and that they have access to information and expertise that will allow them to act quickly when a suspected terrorist is screened or stopped.</i> ➤ <i>With the development of the Terrorist Threat Integration Center (TTIC) and the Terrorist Screening Center (TSC) has come a series of steps, including agreement, on March 4, 2003, by key federal departments and agencies, to a comprehensive Memorandum of Understanding to break down barriers to information sharing, increase the writing of intelligence products with unclassified “tear-line” versions, reduce information controls to the extent consistent with our national security, and take other steps in this direction.</i> ➤ <i>Since 9/11, the FBI has continued to enhance its longstanding practice of sharing terrorism threat-related information with state and local law enforcement through its joint terrorism task forces.</i> ➤ <i>The Administration is also developing guidelines and regulations to improve information-sharing both among Federal Departments and Agencies and between the Federal Government and state and local entities.</i> ➤ <i>The President’s senior advisors are currently preparing recommendations on how best to ensure continued progress in this area.</i>
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<p>➤ “The president should lead the government-wide effort to bring the major national security institutions into the information revolution. He should coordinate the resolution of the legal, policy, and technical issues across agencies to create a ‘trusted information network.’” (Ch. 13, p. 418)</p>	<p>➤ <i>Since 2001, the President has improved intelligence collection, analysis, and sharing to obtain the best picture of the terrorist threat to the Nation. An important part of each of the major organizational changes since 9/11 has been conscious attempts to increase database accessibility to those who need information, while, at the same time, building into our information-sharing architecture safeguards both for security and privacy. Information technology advances in these areas have been integral parts of the development of the TTIC, TSC, and other efforts, including the following:</i></p> <ul style="list-style-type: none"> ○ <i>DHS launched the Homeland Security Information Network (HSIN), a real-time collaboration system used by more than one thousand first responders, mainly from the law enforcement community, to report incidents, crimes and potential terrorist acts to one another and the DHS Homeland Security Operations Center.</i> ○ <i>The Department of Defense created U.S. Northern Command, to provide for integrated homeland defense and coordinated DoD support for Federal, state, and local civilian governments.</i> ○ <i>President Bush signed the USA PATRIOT Act, which strengthens law enforcement’s abilities to prevent, investigate, and prosecute acts of terror, facilitating Federal government efforts to thwart potential terrorist activity throughout the United States. The President continues to call on Congress to take action to ensure that these vital law enforcement tools do not expire.</i> <p>➤ <i>The President’s senior advisors are currently preparing recommendations on how best to ensure continued progress in this area.</i></p>
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<p>➤ “Since a catastrophic attack could occur with little or no notice, we should minimize as much as possible the disruption of national security policymaking during the change of administrations by accelerating the process for national security appointments. We think the process could be improved significantly so transitions can work more effectively and allow new officials to assume their responsibilities as quickly as possible.” (Ch. 13, p. 422)</p>	<p>➤ <i>The Administration agrees that minimizing disruption to the national security policymaking process is critical, including expediting the process for national security appointments.</i></p> <p>➤ <i>The Administration supports the Commission’s view that the Senate should take steps to speed confirmations at the beginning of an administration and its recommendation that the number of positions requiring Senate confirmation should be reduced.</i></p> <p>➤ <i>In addition, the Federal government has in place robust programs to ensure that essential functions of government, such as uninterrupted continuity of leadership and policymaking mechanisms, continue during emergencies. We continue to work to improve the effectiveness of these continuity programs to minimize disruption of critical governmental functions.</i></p> <p>➤ <i>As noted by the 9/11 Commission, responsibility for improving transitions lies largely with Presidents-elect and with Congress. The President’s senior advisors are currently preparing recommendations on what the Executive Branch can do to move forward in this area.</i></p>
<p>➤ “A specialized and integrated national security workforce should be established at the FBI consisting of agents, analysts, linguists, and surveillance specialists who are recruited, trained, rewarded, and retained to ensure the development of an institutional culture imbued with a deep expertise in intelligence and national security.” (Ch. 13, pp. 425-426)</p>	<p>➤ <i>The FBI has implemented a strategic plan to recruit, hire, and retain Intelligence Analysts. The Bureau has selected veteran analysts to attend events at colleges, universities, and designated career fairs throughout the country. It executed an aggressive public recruiting plan and, for the first time in FBI history, is offering hiring bonuses for FBI analysts. In its Special Agent hiring, the FBI has changed the list of “critical skills” it is seeking in candidates to include intelligence experience and expertise, foreign languages, and technology.</i></p> <p>➤ <i>The FBI continues to grow the Field Intelligence Groups (FIGs) established in every FBI field office and is on track to add some 300 Intelligence Analysts to the FIGs in FY 2004. The FIGs conduct analysis, direct the collection of information to fill identified intelligence gaps, and ensure that information is disseminated horizontally and vertically to internal and external customers, including our state, local and tribal partners. As of June 2, 2004, there are 1,450 FIG personnel, including 382 Special Agents and 160 employees from other government agencies. To support information sharing, there is now a Special Agent or Intelligence Analyst in each Joint Terrorism Task Force (JTTF) dedicated to producing “raw” intelligence reports for the entire national security community, including, as appropriate, state, municipal, and tribal law enforcement partners and other JTTF members. These “Reports Officers” are trained to produce intelligence reports that both maximize the amount of information shared and, equally important, protect intelligence or law enforcement sources and methods and privacy interests.</i></p> <p>➤ <i>The President’s senior advisors are currently preparing recommendations on how best to ensure continued progress in this area.</i></p>

<p>➤ “The Department of Defense and its oversight committees should regularly assess the adequacy of Northern Command’s strategies and planning to defend the United States against military threats to the homeland.” (Ch. 13, p. 428)</p>	<p>➤ <i>The Department of Defense created U.S. Northern Command (NORTHCOM), and principal responsibility for defending the homeland is now assigned to a four-star unified military commander wielding capabilities and resources that did not exist prior to 9/11.</i></p> <p>➤ <i>The Secretary of Defense already provides significant oversight of NORTHCOM, as do numerous Congressional committees.</i></p> <p>➤ <i>The President’s senior advisors are currently preparing recommendation on what additional steps, if any, may be needed to ensure the defense of the United States against threats to the homeland.</i></p>
<p>➤ “The Department of Homeland Security and its oversight committees should regularly assess the types of threats the country faces to determine (a) the adequacy of the government’s plans—and the progress against those plans—to protect America’s critical infrastructure and (b) the readiness of the government to respond to the threats that the United States might face.” (Ch. 13, p. 428)</p>	<p>➤ <i>Homeland Security Presidential Directive 7 (HSPD-7) details the roles and responsibilities of the Department of Homeland Security (DHS) and other Federal departments and agencies in protecting national critical infrastructure. DHS is currently working with all Federal departments and agencies to develop a comprehensive, cross-sector National Critical Infrastructure Protection Plan. The plan will be completed by this fall and will be reviewed annually for its adequacy in protecting against current threats. Additionally, with the creation in March 2003 of the Information Analysis and Infrastructure Protection (IAIP) directorate within DHS, the United States now has a single focal point for the matching of real-time threat information with potential vulnerabilities in national critical infrastructure. Furthermore, Homeland Security Presidential Directive 8 (HSPD-8) directs the development of a measurable National Preparedness goal and a training and exercise program to ensure that the Federal Government, states, and localities are making progress toward that goal.</i></p> <p>➤ <i>The President’s senior advisors are currently preparing recommendations on what additional steps might be taken to ensure the protection of America’s critical infrastructure.</i></p>

Subject: DoD Appropriations #7 - for Brett
From: "Kropp, Emily L."
Date: 8/4/04, 11:59 PM
To: "Gottesman, Blake"
CC: "Kavanaugh, Brett M.", "Ullyot, Theodore W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 23 14:11:34 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: DoD #8 – USE THIS
From: "Kropp, Emily L."
Date: 8/5/04, 12:13 AM
To: "Gottesman, Blake"
CC: "Kavanaugh, Brett M.", "Ullyot, Theodore W."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 23 14:11:35 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: #9
From: "Kavanaugh, Brett M."
Date: 8/5/04, 2:46 AM
To: "Kropp, Emily L."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 23 14:11:36 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: Defense Appropriation annotated
From: "McConkey, Joshua D."
Date: 8/5/04, 8:25 AM
To: "Kavanaugh, Brett M.", "Kropp, Emily L."
CC: "Currin, John", "Drouin, Lindsey E."

Update from Adam Ingols, he is going through the numbers with their Defense specialist at Legislative affairs. He just called and said it looks like all the numbers check out; however, there is some question about the Predator unmanned surveillance aircraft amount of 200 million. They think it is closer to 170 million. They are double checking the numbers, the last one in particular.

He said he will call back and confirm all numbers, but wanted to provide a status update.

Josh

-----Original Message-----

From: Kavanaugh, Brett M.
Sent: Thursday, August 05, 2004 7:55 AM
To: McConkey, Joshua D.; Kropp, Emily L.
Subject: FW: Defense Appropriation annotated

-----Original Message-----

From: Currin, John
Sent: Thursday, August 05, 2004 7:54 AM
To: Kavanaugh, Brett M.
Subject: Re: Defense Appropriation annotated

The amounts are not clearly specified in the bill. That is why we sought guidance from the OMB examiners. .

Subject: RE: Defense Appropriation annotated
From: "Currin, John"
Date: 8/5/04, 8:38 AM
To: "McConkey, Joshua D.", "Kavanaugh, Brett M.", "Kropp, Emily L."
CC: "Drouin, Lindsey E."

I will track down Chris and Chauncey to find out what's what.

-----Original Message-----

From: McConkey, Joshua D.
Sent: Thursday, August 05, 2004 8:25 AM
To: Kavanaugh, Brett M.; Kropp, Emily L.
Cc: Currin, John; Drouin, Lindsey E.
Subject: RE: Defense Appropriation annotated

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To: Kavanaugh, Brett M.
Subject: Re: Defense Appropriation annotated

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Subject: RE: DoD Speech
From: "Kropp, Emily L."
Date: 8/5/04, 11:16 AM
To: "Ingols, Adam B."
CC: "Kavanaugh, Brett M."

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Thu May 23 14:11:37 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P6,b(6),P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: RE: HSC Policy Time on PATRIOT Act

From: "Pinto, Nina"

Date: 6/7/05, 12:01 AM

To: "DL-OVP-HS", "Hijazi, Elyssa S.", "Kleppe, Elizabeth W.", "Woelk, Christian J.", <James.A.McAtamney@usdoj.gov>, <Andrew.Beach@usdoj.gov>, <ken.hill@dhs.gov>, <cindy.christian@dhs.gov>, "West, Christal R.", "Dick, Denise Y.", "DL-NSC-APNSA", "DL-NSC-Executive Secretary", "DL-NSC-West Wing Desk", "Roebke, Heather M.", "Cushman, Cameron", <Rachel.Brand@usdoj.gov>, <phil.perry@dhs.gov>, "Hughes, Taylor A.", "Ritacco, Krista L.", "Cushman, Cameron", "Kavanaugh, Brett M.", "Roebke, Heather M.", "Ingwell, Carmen M.", "Kratovil, Lindley", "Gerdelman, Sue H.", "Parrish, Jobi A.", "Mitnick, John M.", "Kavanaugh, Brett M.", "Houser, Molly M."

CC: "DL-HSC-EXECSEC", "DL-HSC-Front"

THIS RECORD IS A WITHDRAWAL SHEET

Date created: Wed May 15 11:36:36 EDT 2019

Releasability: Withheld In Full

Reasons for Withholding:

P5

Notes:

Case ID: gwb.2018-0258-F.4

Additional Information:

Subject: Brett: Pushback Doc for pm
From: "McDonald, Matthew T."
Date: 6/8/05, 11:37 AM
To: "Kavanaugh, Brett M."
CC: "Martin, Catherine", "Burck, Bill"

Brett, we'd like to send this as a background prebuttal piece to reporters later this afternoon. Won't be a formal document, but would like to have you take a look over it. I have already taken changes and gotten signoff from Mitnick and DOJ.

thanks, Matt

Setting The Record Straight:

Common Misconceptions About The Patriot Act

The FBI Cannot Use The Patriot Act To Investigate U.S. Citizens For Merely Expressing Their Opinions. The commonly cited Section 215 of the Patriot Act cannot be used to investigate ordinary crimes or domestic terrorism, and it expressly cannot be used to investigate a U.S. citizen solely for activities protected by the First Amendment. Under Section 215, the Patriot Act only allows courts to order business records and other items to be turned over for two reasons: to obtain foreign intelligence information not concerning a U.S. person or to protect against international terrorism or clandestine intelligence activities.

Example: To date, national security investigators have received permission from the courts to obtain driver's licenses records, public accommodation records, apartment leasing records, and credit card reports in international terrorism and espionage investigations.

The Patriot Act Does Not Allow The Government To Monitor The Library Activity Of Ordinary Citizens. Terrorism investigators have no legal authority to arbitrarily monitor the library habits of ordinary Americans, and the Patriot Act does not even contain the word 'library.' The Patriot Act simply ensures that relevant business records — whether from a library or any other business — can be obtained in national security investigations with the permission of a federal judge, just as they had previously been available in ordinary criminal investigations.

Example: The Patriot Act allows investigators to request certain business records from third party sources, for example, a terrorism investigator might seek the enrollment application of a Saudi national in an American flight school, or records from hardware stores to find out who bought materials to make a bomb.

The Patriot Act Does Not Label Peaceful Protest Groups As "Domestic Terrorists." The

Patriot Act limits the definition of domestic terrorism to conduct that both breaks criminal laws and endangers human life. Peaceful groups that dissent from government policy without breaking laws or threatening the lives of others are not covered by this definition.

Example: If Greenpeace wishes to hold a demonstration on the Mall in Washington, nothing in the Patriot Act will define Greenpeace as "domestic terrorists."

Before The Patriot Act, The FBI Could Get A Roving Wiretap To Investigate The Mafia, But They Could Not Get One To Investigate Terrorists. Because terrorists are trained to rapidly change their means of communication, it is important that national security investigators have the ability to track individual suspects instead of a particular communications device. The use of roving surveillance has long been granted to investigate ordinary crimes, including drug offenses, but was not permitted in international terrorism investigations until the Patriot Act became law.

Example: Because of the Patriot Act, if a suspected terrorist begins using a different cell phone or email address, the FBI does not have to obtain a separate court order for each device. This provision has been used 49 times as of March 30, 2005, and as a result, intelligence was not lost between the time a suspected terrorist had changed modes of communications and investigators were able to secure a new court order.

Delayed Notification Of Search Warrants Has Been Used For Years To Fight Crime. Delayed notification search warrants are a long-existing, crime-fighting tool upheld by courts nationwide for decades in cases that involved organized crime, drugs, and child pornography. The Patriot Act simply codified the authority law enforcement has already had for decades. Delayed notification can be used only with a court order, and only under narrow circumstances when immediate notification may result in death or physical harm to an individual, flight from prosecution, evidence tampering, witness intimidation, or serious jeopardy to an investigation.

Example: This tool is a vital aspect of our strategy of prevention. In some cases if criminals are tipped off too early to an investigation, they might flee, destroy evidence, intimidate or kill witnesses, cut off contact with associates, or take other action to evade arrest. In all cases, law enforcement must give notice that property has been searched or seized.

Subject: RE: Brett: Pushback Doc for pm
From: "Kavanaugh, Brett M."
Date: 6/8/05, 5:03 PM
To: "McDonald, Matthew T."
CC: "Martin, Catherine", "Burck, Bill"

[ok here if Mitnick is ok](#)

From: McDonald, Matthew T.
Sent: Wednesday, June 08, 2005 11:38 AM
To: Kavanaugh, Brett M.
Cc: Martin, Catherine; Burck, Bill
Subject: Brett: Pushback Doc for pm

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Subject: Re: Brett: Pushback Doc for pm
From: "Martin, Catherine"
Date: 6/8/05, 5:07 PM
To: "Kavanaugh, Brett M."

Thank you
.

-----Original Message-----

From: Kavanaugh, Brett M. <Brett_M._Kavanaugh@who.eop.gov>
To: McDonald, Matthew T. <Matthew_T._McDonald@who.eop.gov>
CC: Martin, Catherine <Catherine_Martin@who.eop.gov>; Burck, Bill <William_A._Burck@who.eop.gov>
Sent: Wed Jun 08 17:03:51 2005
Subject: RE: Brett: Pushback Doc for pm

ok here if Mitnick is ok

From: McDonald, Matthew T.
Sent: Wednesday, June 08, 2005 11:38 AM
To: Kavanaugh, Brett M.
Cc: Martin, Catherine; Burck, Bill
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