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**From:** CN=Courtney S. Elwood/OU=WHO/O=EOP [ WHO ]  
**To:** Brett M. Kavanaugh/WHO/EOP@EOP [ WHO ] <Brett M. Kavanaugh>  
**Sent:** 10/24/2001 6:35:26 AM  
**Subject:** : Re: Anti-terror  
**Attachments:** P\_MVAC4004\_WHO.TXT\_1.doc

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:Courtney S. Elwood ( CN=Courtney S. Elwood/OU=WHO/O=EOP [ WHO ] )  
CREATION DATE/TIME:24-OCT-2001 10:35:26.00  
SUBJECT:: Re: Anti-terror  
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

Looks perfect. Really good work.

Brett M. Kavanaugh  
10/24/2001 09:35:15 AM  
Record Type: Record

To: Edmund A. Walsh/WHO/EOP@EOP  
cc: courtney s. elwood/who/eop@eop  
bcc:  
Subject: Re: Anti-terror

Ed, here are the points that should help. Courtney, can you also review to see if you have any additions/subtractions, particularly on immigration in point 4? Thanks.

Edmund A. Walsh  
10/24/2001 09:05:12 AM  
Record Type: Record

To: Brett M. Kavanaugh/WHO/EOP@EOP, Courtney S. Elwood/WHO/EOP@EOP  
cc:  
Subject: Anti-terror

Brett/Courtney -- Have you been able to work up a couple of points that we'll want to stress in the bill signing? We really need to get this into staffing today, so anything you can offer as soon as possible would be much appreciated. Thanks. -- Ed.

ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_MVAC4004\_WHO.TXT\_1>

## Anti-Terrorism Law

The law represents a measured, careful, responsible, and constitutional approach to the threat of terrorist activities conducted in the United States and directed against United States citizens. It will enhance the government's ability both (i) to detect and prevent terrorist acts; and (ii) for those terrorists who are brought to justice through a criminal process rather than a military process, to severely punish terrorists and those who support and harbor them.

- The law seeks to achieve four main goals:
  - **First**, the law would ensure that information that is important to both intelligence and criminal investigations can be easily shared so that vital information is available to all relevant federal agencies. The law will begin to break down the walls between law enforcement and intelligence agencies and thereby help both to prevent terrorist acts before they happen and to severely punish terrorists and those who harbor and support terrorists.
  - **Second**, the new law will update laws authorizing government surveillance. These laws were enacted decades ago by Congress in an era of rotary telephones. These laws must be updated to account for e-mail, Internet usage, cellular phones, and other forms of modern communication.
    - The government is currently fighting a modern war -- a war that threatens our people and our way of life -- with antique weapons. Terrorists are taking advantage by using the Internet, e-mail, and multiple cellular telephones to escape and evade detection by United States agents.
    - The law does *not* purport to change the legal standards that govern when and under what circumstances the government can seek such information. Rather, the law merely seeks to ensure that the same legal standards that govern wiretaps on telephones, for example, also apply to modern forms of communication such as e-mail.
    - Consistent with the Constitution, the law of search and surveillance should be technology neutral. The government's ability to detect and prevent crime should not depend on the technology used by the suspect. To do otherwise is a prescription for failure.
  - **Third**, the law will ensure that certain categories of federal search warrants and surveillance orders are valid throughout the United States so that federal prosecutors and federal agents need not pointlessly seek re-authorization in multiple districts throughout the country. Eliminating these kinds of administrative burdens, which serve no discernible purpose, will allow federal agents to respond rapidly in fast-moving intelligence and criminal investigations so that agents can track and follow potential terrorists.