

# **George W. Bush Presidential Library**

**Collection:** Counsel's Office, White House

**Series:** Kavanaugh, Brett – Subject Files

**Folder Title:** Presidential Signing Statements  
Regarding Use of Force

# Withdrawn/Redacted Material

## The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Email	Third Circulation - To: Brett Kavanaugh, et al. - From: James Jukes	2	09/16/2001	P5;
002	Draft	Draft (September 16, 2001, at 6:15 P.M.)	1	09/16/2001	P5;
003	Draft	Draft (September 16, 2001, at 1:15 P.M.)	1	09/16/2001	P5;
004	Draft	Draft (September 16, 2001, at 7:00 P.M.)	1	09/16/2001	P5;
005	Draft	Draft (September 16, 2001, at 6:15 P.M.)	1	09/16/2001	P5;
006	Draft	Senate Joint Resolution 23...	1	N.D.	P5;
007	Draft	Senate Joint Resolution 23...	1	N.D.	P5;

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Brett M. Kavanaugh  
09/16/2001 06:52:11 PM

Record Type: Record

To: James J. Jukes/OMB/EOP  
cc:  
bcc:  
Subject: Re: Text of S.J.Res. 23

From: James J. Jukes on 09/15/2001 03:37:53 PM

1st Session

S. J. RES. 23

#### JOINT RESOLUTION

To authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

Whereas, on September 11, 2001, acts of treacherous violence were committed against the United States and its citizens; and

Whereas, such acts render it both necessary and appropriate that the United States exercise its rights to self-defense and to protect United States citizens both at home and abroad; and

Whereas, in light of the threat to the national security and foreign policy of the United States posed by these grave acts of violence; and

Whereas, such acts continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States; and

Whereas, the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. SHORT TITLE.

This joint resolution may be cited as the 'Authorization for Use of Military Force'.

#### SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) IN GENERAL- That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to

prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

(b) War Powers Resolution Requirements-

(1) SPECIFIC STATUTORY AUTHORIZATION- Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS- Nothing in this resolution supercedes any requirement of the War Powers Resolution.

Passed the Senate September 14, 2001.

Attest:

Secretary.



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### FOLDER TITLE:

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### FRC ID:

9804

### OA Num.:

2184

### NARA Num.:

2095

### FOIA IDs and Segments:

2018-0016-P

2017-0345-F

### RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

### Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

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# OF PAGES TO FOLLOW 1 FROM: John Burnim X 57302  
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TO: Brett Kavanaugh fax x 61647

COMMENT: \_\_\_\_\_  
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ACTION: FYI RESPOND BY: \_\_\_\_\_

## THE WHITE HOUSE

## Office of the Press Secretary

For Immediate Release

January 14, 1991

## STATEMENT BY THE PRESIDENT

Today I am signing H.J. Res. 77, the "Authorization for Use of Military Force Against Iraq Resolution." By passing H.J. Res. 77, the Congress of the United States has expressed its approval of the use of U.S. Armed Forces consistent with U.N. Security Council Resolution 678. I asked the Congress to support implementation of U.N. Security Council Resolution 678 because such action would send the clearest possible message to Saddam Hussein that he must withdraw from Kuwait without condition or delay. I am grateful to those of both political parties who joined in the expression of resolve embodied in this resolution. To all, I emphasize again my conviction that this resolution provides the best hope for peace.

The debate on H.J. Res. 77 reflects the profound strength of our constitutional democracy. In coming to grips with the issues at stake in the Gulf, both Houses of Congress acted in the finest traditions of our country. This resolution provides unmistakable support for the international community's determination that Iraq's ongoing aggression against, and occupation of, Kuwait shall not stand. As I made clear to congressional leaders at the outset, my request for congressional support did not, and my signing this resolution does not, constitute any change in the long-standing positions of the executive branch on either the President's constitutional authority to use the Armed Forces to defend vital U.S. interests or the constitutionality of the War Powers Resolution. I am pleased, however, that differences on these issues between the President and many in the Congress have not prevented us from uniting in a common objective. I have had the benefit of extensive and meaningful consultations with the Congress throughout this crisis, and I shall continue to consult closely with the Congress in the days ahead.

GEORGE BUSH

THE WHITE HOUSE,  
January 14, 1991.

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