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Sept. 16 / Administration of George W. Bush, 2003

and Gerald Robertson, treasurer, Local 223, Utility Workers Union of America.

The Secretary of the Air Force is authorized and directed to publish this determination in the *Federal Register*.

Memorandum on Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

George W. Bush

September 16, 2003

Directive on Integration and Use of Screening Information To Protect Against Terrorism

September 16, 2003

Presidential Determination No. 2003-39

Homeland Security Presidential Directive/HSPD-6

Memorandum for the Administrator of the Environmental Protection Agency, the Secretary of the Air Force

Subject: Integration and Use of Screening Information to Protect Against Terrorism

Subject: Memorandum on Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

It is the policy of the United States to (1) develop, integrate, and maintain thorough, accurate, and current information about individuals known or appropriately suspected to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism (Terrorist Information); and (2) use that information as appropriate and to the full extent permitted by law to support (a) Federal, State, local, territorial, tribal, foreign-government, and private-sector screening processes, and (b) diplomatic, military, intelligence, law enforcement, immigration, visa, and protective processes.

I find that it is in the paramount interest of the United States to exempt the United States Air Force's operating location near Groom Lake, Nevada, the subject of litigation in *Kasza v. Browner* (D. Nev. CV-S-94-795-PMP) and *Frost v. Perry* (D. Nev. CV-S-94-714-PMP), from any applicable requirement for the disclosure to unauthorized persons of classified information concerning that operating location. Therefore, pursuant to 42 U.S.C. 6961(a), I hereby exempt the Air Force's operating location near Groom Lake, Nevada, from any Federal, State, interstate or local provision respecting control and abatement of solid waste or hazardous waste disposal that would require the disclosure of classified information concerning the operating location to any unauthorized person. This exemption shall be effective for the full one-year statutory period.

This directive shall be implemented in a manner consistent with the provisions of the Constitution and applicable laws, including those protecting the rights of all Americans.

To further strengthen the ability of the United States Government to protect the people, property, and territory of the United States against acts of terrorism, and to the full extent permitted by law and consistent with the policy set forth above:

Nothing herein is intended to: (a) imply that in the absence of such a Presidential exemption, the Resource Conservation and Recovery Act (RCRA) or any other provision of law permits or requires disclosure of classified information to unauthorized persons; or (b) limit the applicability or enforcement of any requirement of law applicable to the Air Force's operating location near Groom Lake, Nevada, except those provisions, if any, that would require the disclosure of classified information.

(1) The Attorney General shall establish an organization to consolidate the Government's approach to terrorism screening and provide for the appropriate and lawful use of Terrorist Information in screening processes.

(2) The heads of executive departments and agencies shall, to the extent permitted by law, provide to the Terrorist Threat Integration Center (TTIC) on an ongoing basis all appropriate Terrorist Information in their possession, custody, or control. The Attorney General, in coordination with the Secretary

of State, the Secretary of Homeland Security, and the Director of Central Intelligence shall implement appropriate procedures and safeguards with respect to all such information about United States persons. The TTIC will provide the organization referenced in paragraph (1) with access to all appropriate information or intelligence in the TTIC's custody, possession, or control that the organization requires to perform its functions.

(3) The heads of executive departments and agencies shall conduct screening using such information at all appropriate opportunities, and shall report to the Attorney General not later than 90 days from the date of this directive, as to the opportunities at which such screening shall and shall not be conducted.

(4) The Secretary of Homeland Security shall develop guidelines to govern the use of such information to support State, local, territorial, and tribal screening processes, and private sector screening processes that have a substantial bearing on homeland security.

(5) The Secretary of State shall develop a proposal for my approval for enhancing cooperation with certain foreign governments, beginning with those countries for which the United States has waived visa requirements, to establish appropriate access to terrorism screening information of the participating governments.

This directive does not alter existing authorities or responsibilities of department and agency heads to carry out operational activities or provide or receive information. This directive is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit enforceable at law or in equity by any party against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

The Attorney General, in consultation with the Secretary of State, the Secretary of Homeland Security, and the Director of Central Intelligence, shall report to me through the Assistant to the President for Homeland Security not later than October 31, 2003, on progress made to implement this directive and shall thereafter report to

me on such progress or any recommended changes from time to time as appropriate.

George W. Bush

Proclamation 7705—Citizenship Day and Constitution Week, 2003

September 16, 2003

By the President of the United States of America

A Proclamation

In the summer of 1787, representatives from the States met in Philadelphia to establish a new Constitution that would unite America. They intended the Constitution to achieve six purposes: “to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity.” Their work was successful and enduring. For more than two centuries, the American people have honored the foresight and wisdom of the Framers by respecting and defending our Constitution.

Our Constitution and our country have grown stronger over the last 216 years—through wars, searing internal conflicts, and great social, economic, and technological change. In the last 2 years, America has again been tested, this time by terrorist attacks designed to strike at our people, our institutions, and our constitutional government. In the wake of those attacks, we have renewed and strengthened our commitment to a more perfect Union and common defense, to justice and domestic tranquility, to the general welfare and the blessings of liberty.

On Citizenship Day and during Constitution Week, we remember those who have fought and those who have died to preserve, protect, and defend the Constitution. We recall and reiterate the vow of President Abraham Lincoln that these “dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.”

In remembrance of the signing of the Constitution and in recognition of the Americans