Extent

62 folders, approximately 6,256 pages

Summary

This collection consists of policy papers, memorandums, correspondence between the White House and members of Congress, speeches, talking points, cables and emails. The records in this collection also include various emails concerning proposed amendments including proposed changes to the “secret evidence” provisions of the Anti-Terrorism and Effective Death Penalty Act.

Scope and Content Note

The materials in FOIA 2011-1041-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related material. The Antiterrorism and Effective Death Penalty Act (AEDPA), is a large and controversial piece of legislation. Its stated purpose is to “deter terrorism, provide justice for victims, provide for an effective death penalty, and for other purposes.”1 The AEDPA contains nine titles covering a wide scope of law and amending numerous sections of the United States Code. The titles cover such topics as the reform of habeas-corpus appeals in death penalty cases, financial justice for victims, international terrorism fundraising prohibitions, terrorist and criminal alien removal and exclusion procedures, nuclear, biological, and chemical weapons restrictions, the implementation of plastic-explosives conventions, criminal-law modifications to counter terrorism, and other assistance to law enforcement. 1 William J. Clinton: “Statement on Signing the Antiterrorism and Effective Death Penalty Act of 1996,” April 24, 1996. Online by Gerhard Peters and John T. Woolley, The American Presidency Project. http://www.presidency.ucsb.edu/ws/?pid=52713 The legislative history of the AEDPA is the culmination of several bills proposed by the President and members of Congress in the wake of a rash of terrorist incidents in the mid-1990s. President Clinton first introduced antiterrorism legislation in February of

1995. That bill, the Omnibus Counterterrorism Act of 1995, was a response to the 1993 World Trade Center bombing in New York City. Two months later, on April 26, 1995, and only one week after the domestic terrorist attack on the Alfred P. Murrah Federal building in Oklahoma City, the President proposed an expanded version of his previous bill to the Senate and urged quick action. The following day, April 27th, Senators Robert Dole and Orrin Hatch introduced their own similar bill, the Comprehensive Terrorism Prevention Act of 1995. With overwhelming bipartisan support, this comprehensive bill passed through the Senate in the short space of two months on June 7, 1995, with 91 yeas and only 8 nays. The actual floor debate lasted only four days in the Senate. The bill, however, stalled in the House until a modified version (the AEDPA), passed almost a year later, on March 14th, 1996. Not coincidentally, the final conference-bill version of the AEDPA was passed by Congress on April 19, 1996, the exact anniversary date of the Oklahoma City tragedy. President Clinton signed the bill into law five days later on April 24th, 1996. Probably the most written about and discussed aspects of the AEDPA have to do with the habeas-corpus reforms in death penalty cases (Title I), the great majority of records in this collection, especially the cables, emails and office records of the National Security Council are directly related to Title III and Title IV of the Act. Title III of the AEDPA criminalizes financial contributions to designated terrorist organizations and Title IV provides for alien-terrorist removal procedures and allows for the use of secret evidence in deportation hearings. This collection contains policy papers, memorandums, correspondence between the White House and members of Congress, speeches, talking points, cables and emails. The records in this collection come from offices as varied as the White House Counsel’s Office, the Domestic Policy Council, the Legislative Affairs Office and the National Security Council. This collection also contains email from the Automated Records Management System. The email consists of correspondence concerning the Antiterrorism and Effective Death Penalty Act (AEDPA). Many email messages concern amendments to the AEDPA, in fact many of the email files consists of one email, from Ronald E Jones to Leanne Shimbukuro, James Boden, and Jose Cerda containing the 1999 Crime Bill. The 1999 Crime Bill contains sections concerning amendments to AEDPA. The most notable set of emails concern a proposed amendment to the “secret evidence” provision under the AEDPA.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in these collection areas—Clinton Presidential Records: White House Office of Records Management (WHORM) Subject Files, NSC Records Management System, Clinton Presidential Records: White House Staff and Office Files, Clinton Presidential Records: Automated Records Management System [Email], and Clinton Presidential Records: NSC Cable, Email, and Records Management Systems. The White House Office of Records Management (WHORM) contains a variety of series created to organize and track documents and correspondence. The WHORM Subject file was compiled by the White House Office of Records Management and is a series of categories designated by a letter/number combination. 2 S. 761, 104th Cong. (1995), https://www.congress.gov/bill/104th-congress/senate-bill/761 3 S. 735, 104th Cong. (1995), https://www.congress.gov/bill/104th-congress/senate-bill/735 Staff and Office files were maintained at the folder level by staff members within their individual offices and document all levels of administration activity. WHORM files are processed at the document level; whereas, Staff and Office files are processed at the folder level, that is, individual documents are not selected and removed from a folder for processing. While this method maintains folder integrity, it frequently results in the incidental processing of documents that are not wholly responsive to the subject area. The Automated Records Management System (ARMS) is a database that contains email records of the Executive Office of the President. This system maintained unclassified Presidential email. The ARMS database is comprised of six sub-series of email records called "buckets." The buckets generally represent a specific White House office. The buckets are titled: NPR for National Performance Review, OPD for Office of Policy Development, POTUS for President of the United States, WHO for White House Office, CEA for Council of Economic Advisers, and Default for emails not associated with an office. The OPD bucket contains email created or received by an individual with an Office of Policy Development (OPD) White House user account. The WHO bucket contains email created or received by individual with an Executive Office of the President White House user account not identified as CEA, NPR, or OPD. The Default bucket contains email created or received by unknown or unrecognized email accounts. Email found within the

Default bucket often includes email created or received by offices or individuals outside the Executive Office of the President. ARMS emails are arranged by topic, there-under by bucket, and there-under chronologically by creation date. FOIA 2011-1041-F includes WHORM records from these subject codes: FG001-08 Presidential Telephone Calls JL003 Judicial – Criminal Matters.

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 U.S.C. Chapter 22, as amended) and the Freedom of Information Act (FOIA) (5 U.S.C. 552, as amended) and therefore records may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 U.S.C. Chapter 1) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Processed by

Staff Archivist, 2016. Previously restricted materials are added as they are released.

Last Modified Date

2016-10-13

Container List

View all digitized files in the National Archives Catalog (NAC)

The following is a list of documents and folders processed in response to FOIA 2011-1041-F:
Box 1
Clinton Presidential Records: WHORM: Subject File
Category Case Number
FG001-08 161579SS
JL003 164244SS
Clinton Presidential Records: White House Staff and Office Files
Communications
General Files
Bombs / Weapons / Defense #30 [OA/ID 14293]
Counsel Office
Wallman, Kathleen
Antiterrorism [OA/ID 7945]
Domestic Policy Council
Cerda, Jose
Terrorism [1] [OA/ID 16955]
Terrorism [2] [OA/ID 16955]
Domestic Policy Council
Cerda, Jose
Terrorism [3] [OA/ID 16955]
Terrorism [4] [OA/ID 16955]
Box 2
Terrorism [5] [OA/ID 16955]
Terrorism II [1] [OA/ID 16955]
Terrorism II [2] [OA/ID 16955]
Terrorism – Admin [Administration] Bill Sept [September] 96 [1996] [OA/ID 16955]

Terrorism – Anti-Terrorism / Victims [OA/ID 16955]
Legislative Affairs
Ricchetti, Steve
Antiterrorism [OA/ID 11574]
Antiterrorism II [OA/ID 11574]
Special Projects
General Files
Antiterrorism Bill [OA/ID 14132]
Speechwriting
Edmonds, Terry
Antiterrorism Legislation [OA/ID 10980]
Box 3
Clinton Presidential Records: Automated Records Management System [Email]
OPD [OA/ID 250000]
[AEDPA]
[08/20/1996 – 07/07/1999]
[07/08/1999] [1]
[07/08/1999] [2]
[07/08/1999] [3]
[07/08/1999] [4]
[02/16/2000 – 11/14/2000]
WHO [OA/ID 500000]
[AEDPA]
[04/24/1996 – 11/12/1999]
Default [OA/ID 1100000]
[AEDPA]
[06/27/1996 – 12/03/1996]
Box 4
NSC [OA/ID 1200000]
[Antiterrorism and Effective Death Penalty Act]
[04/23/1996 – 11/15/1996]
[12/12/1996 – 07/07/1996]
[05/29/2000 – 09/29/2000]
Clinton Presidential Records: NSC Cable, Email, and Records Management System
NSC Cables
Jan 1995-Dec 1996 [OA/ID 510000]

[Antiterrorism and Effective Death Penalty Act]
[05/16/1996 – 11/22/1996]
Jan 1997-Dec 1998 [OA/ID 520000]
[Antiterrorism and Effective Death Penalty Act]
[01/13/1997 – 04/30/1997]
[05/10/1997 – 10/03/1997]
[10/07/1997 – 11/20/1997]
[11/20/1997 – 04/20/1998]
[05/20/1998 – 12/02/1998]
Box 5
Jan 1999-Dec 2000 [OA/ID 530000]
[Antiterrorism and Effective Death Penalty Act]
[01/05/1999 – 07/21/1999]
[07/23/1999 – 12/22/2000]
Jan 2001 [OA/ID 540000]
[Antiterrorism and Effective Death Penalty Act]
[01/02/2001 – 01/09/2001]
NSC Email
MSMail-Record (Sept 94-Sept 97) [OA/ID 590000]
[Antiterrorism and Effective Death Penalty Act]
[04/23/1996 – 06/26/1996]
[06/26/1996 – 07/26/1996]
[07/27/1996 – 08/08/1996]
[08/14/1996 – 08/21/1996]
[08/21/1996 – 09/07/1996]
[09/09/1996 – 09/24/1996]
Box 6
[09/25/1996 – 01/23/1997]
[01/29/1997 – 04/14/1997]
NSC Email
MSMail-Non-Record (Sept 94-Sept 97) [OA/ID 605000]
[Antiterrorism and Effective Death Penalty Act]
[04/22/1996 – 02/06/1997]
[03/20/1997 – 04/12/1997]
Exchange-Record (Sept 97-Jan 01) [OA/ID 620000]
[Antiterrorism and Effective Death Penalty Act]

[09/05/1997 – 10/30/1997]
[11/03/1997 – 11/05/1997]
[11/05/1997 – 12/13/1997]
[12/17/1997 – 02/05/1998]
Box 7
[02/05/1998 – 03/26/1998]
[10/26/1999 – 10/01/2000]
[10/02/2000 – 12/15/2000]
[12/21/2000 – 01/08/2001]
[01/09/2001 – 01/09/2001]
Exchange-Non-Record (Mar 97-Jan 01) [OA/ID 630000]
[Antiterrorism and Effective Death Penalty Act]
[06/12/1997 – 10/07/1997]
[10/28/1997 – 12/21/2000]
NSC Records Management System
[Antiterrorism and Effective Death Penalty Act]
9602640 [OA/ID 1097]
9602721 [OA/ID 1098]
9602803 [OA/ID 1098]
9606940 [OA/ID 1125]

Content Available Online