be delegated to their assistants, relatives, or descendants.

Mr. Speaker, I request that a summary of the Presidential Records Act Amendments of 2002 be placed in the CONGRESSIONAL RECORD.

THE PRESIDENTIAL RECORDS ACT AMENDMENTS OF 2002 SUMMARY

The Presidential Records Act Amendments of 2002 establishes statutory procedures to govern the assertion of executive privilege claims by a former or incumbent President over records covered by the Presidential Records Act. It preserves the constitutional right of a former or incumbent President to assert privilege claims, but does so in a way that complies with the framework and intent of the Presidential Records Act. It supersedes the procedures established in Executive Order 13233.

The bill requires the Archivist to provide advance notice of 20 working days to the former and incumbent Presidents before releasing presidential records in accordance with the provisions of the Act. The Archivist would release the records upon the expiration of this 20-day period, except any records (or parts of records) for which the former or incumbent President asserts a claim of privilege.

The Archivist could extend the 20-day period for an additional 20 days if the former or incumbent President demonstrated a need for additional time to review the records. Additional time should rarely be needed. The former and incumbent Presidents have access to the records and could conduct their reviews well before the time the records are ready for public release. The Archivist also would have thoroughly categorized and screened the records before a notice is issued, which should greatly facilitate reviews by the former and incumbent Presidents.

The bill requires that any claim of privilege be in writing and signed by the former or incumbent President, specify the records to which it applies, and state the nature and grounds of the privilege claim. Notices of the proposed release of records, as well as any privilege claims, would be made public.

If the former President submitted a privilege claim, the Archivist would withhold the records covered by that claim for another 20 working days. This would permit the former President to seek judicial enforcement of his privilege claim, as already provided for in the Presidential Records Act. After expiration of this 20-day period, the Archivist would release the records unless a court ordered their continued withholding. This approach places the burden of establishing a privilege claim on the former President. Privilege claims should be extremely rare, given the protections already built into the Act and the age of the records.

If the incumbent President submitted a privilege claim, the Archivist would withhold the records unless and until the incumbent President withdrew the claim or there was a final, non-appealable court order directing the Archivist to release the records. This approach recognizes the legal and practical reality that the Archivist must honor a privilege claim by an incumbent President.

The bill would apply similar procedures to requests for access to records by Congress and the courts. The time periods, however, would be modified to ensure compliance with deadlines imposed by subpoenas or other legal process. Also, the bill does not specify an outcome if the incumbent President claimed privilege in response to a congressional or judicial access request. Disputes between the incumbent president and either the Congress or the courts would be left for resolution on a case-by-case-basis.

The bill makes several conforming changes to existing provisions of the Presidential Records Act. It recognizes that authority to claim executive privilege is personal to a former or incumbent President and cannot be delegated to their representatives. This is consistent with current legal theory and practice concerning executive privilege. It also recognizes that a former or incumbent Vice President cannot claim presidential privileges.

Finally, the bill provides that Executive Order 13233 shall have no force or effect.

AMERICAN SERVICEMEMBER AND CIVILIAN PROTECTION ACT OF 2002

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2002

Mr. PAUL. Mr. Speaker, I rise today to introduce the ''American Servicemember and Civilian Protection Act of 2002.''

This bill expresses the sense of the Congress that President Bush should formally rescind the signature approving the International Criminal Court made on behalf of the United States, and should take necessary steps to prevent the establishment of that Court. It also prohibits funds made available by the United States Government from being used for the establishment or operation of the Court.

Perhaps the most significant part of the bill makes clear that any action taken by or on behalf of the Court against members of the United States Armed Forces shall be considered an act of aggression against the United States; and that any action taken by or on behalf of the Court against a United States citizen or national shall be considered an offense against the law of nations.

Mr. Speaker, today in New York and Rome celebrations are underway to mark the formal establishment of this International Criminal Court. Though the United States has not ratified the treaty establishing the Court, as required by the U.S. Constitution, this body will claim jurisdiction over every American citizen—military personnel and civilian alike.

The Court itself, however, is an illegitimate body even by the United Nations' own standards. The Statute of the International Criminal Court was enacted by a Conference of Diplomats convened by the United Nations General Assembly, whereas according to the UN Charter, the authority to create such a body lies only in the UN Security Council.

The International Criminal Court was established contrary to the American Declaration of Independence and the Constitution of the United States. It puts United States citizens in jeopardy of unlawful and unconstitutional criminal prosecution.

The International Criminal Court does not provide many of the Constitutional protections guaranteed every American citizen, including the right to trial by jury, the right to face your accuser, and the presumption of innocence, and the protection against double jeopardy.

Members of the United States Armed Forces are particularly at risk for politically motivated arrests, prosecutions, fines, and imprisonment for acts engaged in for the protection of the United States. These are the same brave men and women who place their lives on the line to protect and defend our Constitution. Do they not deserve the full protections of that same Constitution?

Mr. Speaker, I hope all members of this body will join me in opposing this illegitimate and illegal court by co-sponsoring the ''American Servicemember and Civilian Protection Act of 2002.''

ARMAC

HON. JOHNNY ISAKSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2002

Mr. ISAKSON. Mr. Speaker, it is my distinct pleasure to recognize the Atlanta Regional Military Affairs Council (ARMAC) on the occasion of their 50th year of serving the people of Georgia.

The Atlanta Regional Military Affairs Council was created to foster partnerships, education and a strong working relationship between the business and military communities in the Atlanta area. ARMAC was founded 50 years ago and works closely with each of the military branches. The Atlanta area is rich with military history and structure with its bases: NAS-Atlanta, Dobbins ARB, Fort McPherson and Fort Gillem. Additionally, the Atlanta area hosts reserve units of the Coast Guard and National Guard. The ARMAC executive committee consists of representatives from every major command in the Atlanta area.

ARMAC was founded as a partnership with the Atlanta Chamber of Commerce. In 1999, largely due to the Cobb County Chamber of Commerces' extraordinary support of the Military, ARMAC found a new home with the Cobb County Chamber of Commerce.

Mr. Speaker, as the Atlanta Regional Military Affairs Council begins its 50th year of service to the military and business communities in Atlanta, it is highly appropriate to recognize their efforts over the past 50 years, and wish them well as they begin their next 50 years of service to the people of Georgia.

HONORING SERGEANT DAVID WURTZ

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 11, 2002

Mr. CROWLEY. Mr. Speaker, I rise today to pay tribute to Army Sergeant David Wurtz, a brave man who is not just a hometown hero to his neighbors in College Point, minutes from Ground Zero in New York City, he is also a true American hero. Our nation owes Sergeant Wurtz a debt of gratitude for being among the first fearless U.S. soldiers on the ground fighting Al-Qaeda forces in Afghanistan. That patriotic duty came at a price, and Sergeant Wurtz was awarded the Purple Heart after returning from battle injured.

David Wurtz was born to Clem and Joan Wurtz in College Point 25 years ago, and is a proud hometown boy. He attended Flushing High School and Bleeker Junior High. His mother Joan describes young David as shy, but always a good student. He gave his parents a scare when one day, at age 17, he missed dinner, something he never did. After