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**APPENDIX A – GOVERNOR PATAKI LETTER OF FEBRUARY 6,  
2003 AND PRESIDENTIAL EXECUTIVE ORDER 13274**

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STATE OF NEW YORK

GEORGE E. PATAKI  
GOVERNOR

February 6, 2003

Dear Mr. Allbaugh and Ms. Dorn:

Thank you for your letter of January 10<sup>th</sup> and your continuing commitment to assisting the state of New York as it recovers from the devastating terrorist attacks of September 11, 2001. The \$4.55 billion in transportation assistance is crucial to the successful recovery of lower Manhattan. Rebuilding, restoring and enhancing lower Manhattan's transportation system is the top priority of my long-term plans for its revitalization. The efforts undertaken by the Federal Emergency Management Agency (FEMA) and the Federal Transit Administration (FTA) to deliver these needed resources through an efficient and responsive process are critical to achieving this goal. We are gratified that the FTA has created the Lower Manhattan Recovery Office and we appreciate the on-site commitment that FEMA has made since the day of the attack. Both offices have done an exceptional job in moving projects forward.

In my October 17 letter I set forth a list of projects recommended by the agencies most familiar with lower Manhattan's transportation infrastructure and needs. These projects were the result of extensive discussions by the Transportation Working Group composed of representatives of the State of New York, the City of New York, the Metropolitan Transportation Authority (MTA), the Port Authority of New York and New Jersey (PANYNJ), the New York State Department of Transportation (NYSDOT), and the Lower Manhattan Development Corporation (LMDC). That list of projects has not changed. The projects (and responsible agencies) are as follows:

- A lower Manhattan Transit Complex that will repair, replace and restore transportation functionality, unify lower Manhattan transportation facilities and provide needed intermodal access:
  - World Trade Center Transportation Hub (including World Trade Center PATH Terminal, pedestrian connections and related infrastructure) (PANYNJ); and
  - The Fulton Street Transit Center (MTA).
- The South Ferry Subway Terminal (MTA)
- Access to regional airports (MTA/PANYNJ)
- Bus Facilities and Street Restoration (PANYNJ)
- Improvements to Route 9A/West Street consistent with site redevelopment (NYSDOT)



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On December 12, 2002 New York City Mayor Bloomberg unveiled the City's vision for lower Manhattan. This bold vision identifies the projects set forth in this letter as critical to the revitalization of lower Manhattan in the wake of the September 11<sup>th</sup> attacks. The release of the vision has also prompted us to consider several additional projects which are listed below:

- Ferry infrastructure: A series of new terminals around lower Manhattan and elsewhere in the region (as required to serve lower Manhattan);
- East River waterfront improvements (FDR Drive viaduct, Brooklyn Bridge access ramps, and Battery Tunnel Plaza): As part of a plan to revitalize the waterfront along the East River, changes to the transportation infrastructure along the waterfront will be examined; and
- Brooklyn Battery Tunnel decking: To eliminate a current barrier to development formed by the entrance to the Brooklyn Battery Tunnel, a deck that would allow for creation of a new park and residential community.

The Lower Manhattan Transit Complex and the South Ferry Subway Terminal are moving forward immediately. Other projects are less defined. More detail from my office will follow within the next three months.

In the immediate aftermath of September 11<sup>th</sup> the responsible agencies for all of these projects worked closely with FEMA and the FTA to immediately restore, where possible, the lower Manhattan transportation infrastructure. In addition, these agencies held numerous briefings to inform the FTA, FEMA and other federal officials about the projects needed and the steps necessary to restore full functionality. Briefings were held in Washington, D.C. and New York where they included field visits to the impacted transit facilities and electronic presentations of the proposed projects. With the establishment of the special FTA Lower Manhattan Recovery Office in 2002, the responsible agencies initiated a series of regular meetings to review the proposed projects in greater detail.

Since my letter of October 17<sup>th</sup>, these meetings have become the core of an ongoing, regular consultation process with FTA staff and its contractors and coordination with appropriate FEMA personnel. Regular review meetings will continue throughout the life of the projects. Because many projects are currently in the preliminary stages of development, the costs and scopes set forth below are likely to change as projects move forward. The costs, in particular, are current estimates and will be further refined as projects develop. In recognition of the fact that the scope of each of these projects, as well as cost estimates, may change as we move forward, the Transportation Working Group will meet at least monthly to review project status and proposed changes to scope and costs. As necessary, the Transportation Working Group will recommend to my office changes in the costs set forth below and any proposed reallocation of FTA/FEMA funds. Such a request will be forwarded by me, in writing, to FTA.

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I set forth below the information requested in your letter. Project descriptions are brief, additional project scope, schedule, and cost estimate information will be forwarded separately to appropriate FTA and FEMA staff as they work with each sponsoring agency to implement the projects.

a. *Lower Manhattan Transit Complex*

1. World Trade Center Transportation Hub (including World Trade Center PATH Terminal, pedestrian connections and related infrastructure) (PANYNJ)

*Definition/Cost/Schedule*

Prior to September 11<sup>th</sup>, over 130,000 PATH riders passed through the World Trade Center (WTC) PATH Terminal each day, along with thousands of subway riders using the NYCT stations accessible via the WTC Concourse. This project will restore and enhance the WTC PATH Terminal and pedestrian connections including intermodal transfers on the east to the Fulton Street Transit Center through the latter's underground pedestrian passageway across Church Street. To the west, the WTC PATH Terminal will connect, via an underground pedestrian passageway, across West Street (Route 9A) with the World Financial Center and the World Financial Center Ferry Terminal.

At the lowest level of the World Trade Center site, PATH facilities would be expanded including additional platform capacity to increase efficiency and accommodate future growth. The terminal will include a main entry and many other multi-level indoor connections to surrounding streets, designed to help orient users to the transit connections available within the intermodal terminal. The new transportation hub will facilitate circulation for hundreds of thousands of daily users.

The requested federal funding amount of \$1.4 to \$1.7 billion reflects refinements of project costs and an allocation of potential insurance recoveries by PANYNJ. The total project cost is \$1.7 to \$2 billion in year of construction costs. Environmental review and final design for the WTC Transportation Hub will begin by late 2003 with initial construction starting by late 2004 or early 2005. Phased completion of project components for Downtown PATH Terminal facilities is estimated by late 2007, with other pedestrian connections completed during 2008 and early 2009.

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*Status*

Numerous working meetings have taken place with the FTA Lower Manhattan Office to review the project scope and environmental process. PANYNJ is currently performing conceptual design work for the WTC Transportation Hub, and will advance into preliminary engineering in mid-2003.

2. The Fulton Street Transit Center (MTA)

*Definition/Cost/Schedule*

The Fulton Street Transit Center is a rehabilitated, reconfigured, enhanced multi-level, underground complex of subway stations serving nine different lines, with improved platforms, mezzanines and connection corridors and a new central concourse with a new above-ground presence. Over two hundred seventy-five thousand commuter trips are served by these subway stations daily. In addition, this complex will extend westward one block underneath Dey Street to Church Street via a new underground pedestrian passageway providing a new link to two additional subway lines, the WTC PATH Terminal and a future connection to the World Trade Center development site. The estimated cost is \$750 million in year of construction dollars and completion is expected by 2007.

*Status*

Numerous working meetings have taken place with the FTA Lower Manhattan Office to review the project scope, cost estimates and the environmental process. The FTA project management oversight (PMO) consultant is currently reviewing the Transit Center cost estimate with MTA cost estimators and engineers; areas of focus include: core costs, costs related to maintaining subway operations during construction; and provisions in the project budget for costs revisions - in the form of contingencies - as the project advances from conceptual design today, through preliminary engineering later in 2003 and into final design in 2004/5; (estimated completion in 2007 as originally planned)

At the same time, the MTA has initiated the environmental impact statement required by federal law; and targeted for completion in 2004. As part of the EIS, MTA is working with FTA and FTA's environmental consultant to develop a template and protocol for assessing cumulative impacts in lower Manhattan as the Transit Center is developed along with other lower Manhattan projects. LMDC is coordinating the development of the MTA approach with the other project sponsors of the Transportation Working Group so that the approach will be common to all lower Manhattan transportation projects.

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Finally, MTA is preparing a grant application to FTA for the Transit Center project for submission.

a. ***South Ferry Subway Terminal (MTA)***

*Definition/Cost/Schedule*

The South Ferry Terminal Station is the replacement of the functionally obsolete single track, 5-car station on the 1/9 subway lines with a full length (ten car), three track, two-platform terminal, with additional entrances and pedestrian connections to the Whitehall N/R station and the new Staten Island Ferry Terminal. The new station will eliminate physical and operational deficiencies of the existing station, which will in turn improve travel time, reduce entrance congestion, upgrade station access to be fully compliant with ADA and improve overall access to lower Manhattan.

The design of the South Ferry Terminal Station includes surface access elements, some of which could be located in Battery Park, under which the subway line passes today. The feasibility of a number of alternatives is being investigated in the environmental and design process to reduce or remove those elements; or to mitigate the impact of those elements consistent with the existing and planned Park features.

The estimated cost is \$400 million in year of construction dollars and completion is targeted for 2007.

*Status*

MTA is currently defining the environmental approach, including a consultant scope of work, to be used for the project in consultation with FTA. A field visit has taken place with FTA staff, and once the grant process has been completed for Transit Center in February, detailed project discussions will commence with FTA including PMO review.

The following projects are estimated to cost \$1.7 to \$2 billion. These projects are in their preliminary stages and individual cost estimates for each project are still under discussion. After consultation with the Transportation Working Group, I will forward estimates and an expected timeline for decision for each project as the WTC site plan development is finalized and these projects are more clearly defined.

b. ***Access to regional airports (MTA/PANYNJ)***

*Definition/Cost/Schedule*

Fast, convenient airport links to the region's airports are essential to lower Manhattan's economic recovery as the nation's third largest central business district. This project is to enable future rail service between the airports and lower Manhattan.

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*Status*

A number of airport access service alternatives are currently under study. This project will be coordinated with that effort.

*d. Bus Facilities and Street Restoration (PANYNJ)*

*Definition/Cost/Schedule*

Bus Facilities will include essential World Trade Center (WTC) site infrastructure work necessary to support surface transportation elements for the initial phase of WTC site redevelopment, and will be guided by the ongoing WTC site master plan development and WTC memorial development. The WTC site master plan will integrate the lower Manhattan street system. In addition, the September 11<sup>th</sup> memorial will require substantial bus facilities to accommodate millions of annual visitors.

The WTC complex had accommodated vehicular circulation around the site, as well as into the sub-grade of the complex. The future WTC-site redevelopment program will require reconfiguration of roadways and public rights-of-way to support efficient traffic flow while meeting changed site access and security requirements. A sub-grade bus parking facility will be necessary to accommodate the September 11 memorial. Significant infrastructure will be restored to handle on-site bus parking, including ramps, roadways, parking decks, and security infrastructure for pick-up, drop-off, and site access. In addition, this project will include restoration of surface streets on the WTC site, as well as underlying structural support elements.

As a pre-requisite to any permanent construction, WTC site preparation work would include permanent structural reinforcement of slurry walls, demolition of remaining structures, and any required excavation. Appropriate allocations for the cost of WTC site preparation work have been included in this project, as well as the WTC Transportation Hub project. Current cost estimate is \$500 million.

*Status*

The Port Authority, in coordination with the LMDC, is currently performing planning studies on WTC site infrastructure components and expects to advance into preliminary engineering in mid-2003. Final design and construction for the WTC site infrastructure and bus facilities will be performed in conjunction with implementation of the overall WTC site redevelopment and memorial construction. Initial WTC site preparation work, however, will begin in 2004, with street construction and bus facilities to follow.

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***e. Improvements to Route 9A/West Street consistent with site redevelopment (NYSDOT)***

*Definition/Cost/Schedule*

NYSDOT is, in cooperation with LMDC and PANYNJ, seeking to permanently restore Rte 9A / West Street. A critical component is the establishment of a safe above-ground pedestrian passage from the WTC site to Battery Park City, the World Financial Center, the waterfront and Battery Park City. FHWA ER funds are only applied to the restoration of the roadway.

The final design of Rte 9A and a functioning pedestrian system is dependent on the final disposition of the WTC. Given peak period pedestrian volumes crossing Route 9A between the WTC Transportation Hub and the World Financial Center, the overall reconstruction plan would integrate at-grade and grade-separated east-west crossings with the PA transit concourse and the Route 9A promenade design, also including proposed commuter bus stops on Route 9A serving WTC and WFC. In combination with the pedestrian concourse described in a.1. above, safe pedestrian access across West Street will be restored. Such restoration will likely occur through the tunneling of some portion of Route 9A. While FHWA funding is available for the roadway no federal recovery program is available to fund the pedestrian needs. Improving pedestrian access both across and along Route 9A, enhances urban design and aesthetics, re-connecting lower Manhattan with Battery Park City through the development of a "promenade" from Liberty Street (the southern end of the WTC site) to Battery Place. This promenade would provide for increased and improved pedestrian activity and streetscaping on the East and West side of Rte 9A. Overall project schedule will be between 2 and 5 years and will be dependent on the pace of WTC site planning efforts.

*Status*

NYSDOT is currently evaluating alternatives in coordination with the WTC site plan development and undertaking preliminary engineering.

***f. Additional transportation infrastructure projects specifically identified in New York City's vision for lower Manhattan***

*Definition/Cost/Schedule*

The following additional projects are specifically identified in New York City's vision for lower Manhattan:

1. Ferry infrastructure: A series of new terminals around lower Manhattan and elsewhere in the region (as required to serve lower Manhattan);
2. East River waterfront improvements (FDR Drive viaduct, Brooklyn Bridge access

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- ramps, and Battery Tunnel Plaza): As part of a plan to revitalize the waterfront along the East River, changes to the transportation infrastructure along the waterfront will be examined; and
3. Brooklyn Battery Tunnel decking: To eliminate a current barrier to development formed by the entrance to the Brooklyn Battery Tunnel, a deck that would allow for creation of a new park and residential community.

*Status*

Cost and schedule for completion are the subject of ongoing discussions within the Transportation Working Group.

Adequate contingencies are provided in each of the requests for federal funding outlined above. We recognize the importance of closely monitoring and, where possible, reducing costs so as to keep the above projects within the federal allocation. The responsible agencies stand ready to work with FTA staff to address any concerns regarding cost contingencies.

Critical to the success of the above projects will be a team with a proven record of managing complex transportation projects through to completion. New York is fortunate to have such a team in each of the responsible agencies. These individuals have already been working with FEMA and the FTA Lower Manhattan Recovery Office over the preceding months and they will continue to serve as the primary staff contacts as these projects move forward:

*MTA-*

William Wheeler, the MTA Director of Special Project Development and Planning will continue to be the official point of contact for the Transit Center and South Ferry projects. Mr. Wheeler reports directly to Katherine Lapp, the MTA Executive Director and Chief Operating Officer. Mr. Wheeler's team includes Mr. Mysore Nagaraja, MTA NYCT Senior Vice President and Chief Engineer who will oversee the design and construction of the Projects and Mr. Gregory Kullberg, the MTA Director of Capital Program Budgets and Grant Management who will oversee the grant management process. This team has worked together on many large MTA capital projects with FTA and PMO staff, and the team is already working with the FTA Lower Manhattan Recovery staff. Mr. Wheeler can be contacted at (212) 878-7258; [wwheeler@mtahq.org](mailto:wwheeler@mtahq.org).

*NYS DOT-*

Tim Gilchrist, Director of Planning and Strategy will be the senior contact on the Improvements to Route 9A/West Street project. The project contacts will be Douglas A. Curry, who serves as the Regional Director, R-11 (NYC) and Richard J. Schmalz, Rte 9A Project Director. All of these individuals have extensive experience with large projects and federal funding. Mr. Curry served as the project manager for the original reconstruction of Route 9A.

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Tim Gilchrist  
NYSDOT - Planning & Strategy Group  
State Office Campus, Bldg. 5, Rm. 309  
1220 Washington Avenue  
Albany, N.Y. 12232  
(518) 457-6700  
[tgilchrist@dot.state.ny.us](mailto:tgilchrist@dot.state.ny.us)

Douglas Currey  
NYSDOT - Region 11  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101  
(718) 482-4526  
[dcurrey@dot.state.ny.us](mailto:dcurrey@dot.state.ny.us)

Richard Schmalz  
Route 9A Project Office  
21 South End Avenue  
New York, NY 10280  
(212) 267-4113  
[rschmalz@dot.state.ny.us](mailto:rschmalz@dot.state.ny.us)

PANYNJ-

Anthony Cracchiolo, Director of Priority Capital Programs will be the senior project contact for the WTC PATH Terminal, and Bus Facilities and Street Restoration projects. Tony has extensive experience in successfully implementing multi-billion regional transportation projects involving federally authorized funding and public review processes - most notably the Port Authority's airport access projects (AirTrain JFK and AirTrain Newark). Tony also directs the Port Authority's other Downtown Restoration Projects including the current PATH Restoration construction, WTC site planning work, and WTC site management. A Paul Blanco, Chief of Regional and Economic Development will be the Port Authority's representative on federal funding amounts. Paul is coordinating all of the Port Authority's federal reimbursement claims related to the terrorist attacks. Tony and Paul will also be working closely with Frank Lombardi, Chief Engineer, and his architectural and engineering staff on all design and construction matters for the projects.

Tony Cracchiolo, Director of Priority Capital Programs  
115 Broadway, 5<sup>th</sup> Floor  
New York, NY 10006  
(212) 435-5529  
[acracchi@panynj.gov](mailto:acracchi@panynj.gov)

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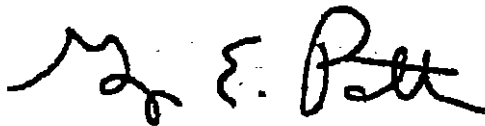
A. Paul Blanco, Chief of Regional and Economic Development  
1 Riverfront Plaza - 9<sup>th</sup> Floor  
Newark, NJ 07102  
(973) 565-5502  
[pblanco@panynj.gov](mailto:pblanco@panynj.gov)

The responsible agencies appreciate the need to identify, for budgeting and tracking purposes, the sub-allocation of the FEMA and FTA funds to the individual projects outlined above. They stand ready to discuss this matter in greater detail with FEMA and FTA staff to better understand the eligibility requirements attached to each source of funds.

Coordination of the State's ongoing effort will be spearheaded by my office. The Transportation Working Group will continue to meet on a regular basis to maintain coordination of projects and to identify methods to maximize federal resources. The above represents the State's best estimate of current project scopes and costs. Any required adjustments will be made by my office in coordination with the Transportation Working Group. The point of contact in my office will be Diana Taylor, Deputy Secretary to the Governor, who can be reached at (212)681-2913. The LMDC will also continue to serve in a coordinating role with respect to the transportation improvements undertaken in lower Manhattan.

Thank you, once again, for your ongoing support and assistance in the important task of restoring, rebuilding and revitalizing lower Manhattan in the wake of the September 11 attacks.

Very truly yours,



Mr. Joseph M. Allbaugh  
Director  
Federal Emergency Management Agency  
500 C Street, S.W.  
Washington, D.C. 20472

Ms. Jennifer Dorn  
Administrator  
Federal Transit Administration  
U.S. Department of Transportation  
400 7<sup>th</sup> Street, S.W.  
Washington, D.C. 20590

cc: Mayor Bloomberg  
Charles Gargano  
Peter Kalikow  
Katherine Lapp  
Joseph Seymour  
Joseph Boardman  
Louis Tomson  
Robert D. Jamison  
Brad Gair  
Susan Schruth  
Deputy Mayor Doctoroff

## Presidential Documents

Title 3—

Executive Order 13274 of September 18, 2002

The President

### Environmental Stewardship and Transportation Infrastructure Project Reviews

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to enhance environmental stewardship and streamline the environmental review and development of transportation infrastructure projects, it is hereby ordered as follows:

**Section 1. Policy.** The development and implementation of transportation infrastructure projects in an efficient and environmentally sound manner is essential to the well-being of the American people and a strong American economy. Executive departments and agencies (agencies) shall take appropriate actions, to the extent consistent with applicable law and available resources, to promote environmental stewardship in the Nation's transportation system and expedite environmental reviews of high-priority transportation infrastructure projects.

**Sec. 2. Actions.** (a) For transportation infrastructure projects, agencies shall, in support of the Department of Transportation, formulate and implement administrative, policy, and procedural mechanisms that enable each agency required by law to conduct environmental reviews (reviews) with respect to such projects to ensure completion of such reviews in a timely and environmentally responsible manner.

(b) In furtherance of the policy set forth in section 1 of this order, the Secretary of Transportation, in coordination with agencies as appropriate, shall advance environmental stewardship through cooperative actions with project sponsors to promote protection and enhancement of the natural and human environment in the planning, development, operation, and maintenance of transportation facilities and services.

(c) The Secretary of Transportation shall designate for the purposes of this order a list of high-priority transportation infrastructure projects that should receive expedited agency reviews and shall amend such list from time to time as the Secretary deems appropriate. For projects on the Secretary's list, agencies shall to the maximum extent practicable expedite their reviews for relevant permits or other approvals, and take related actions as necessary, consistent with available resources and applicable laws, including those relating to safety, public health, and environmental protection.

**Sec. 3. Interagency Task Force.** (a) *Establishment.* There is established, within the Department of Transportation for administrative purposes, the interagency "Transportation Infrastructure Streamlining Task Force" (Task Force) to: (i) monitor and assist agencies in their efforts to expedite a review of transportation infrastructure projects and issue permits or similar actions, as necessary; (ii) review projects, at least quarterly, on the list of priority projects pursuant to section 2(c) of this order; and (iii) identify and promote policies that can effectively streamline the process required to provide approvals for transportation infrastructure projects, in compliance with applicable law, while maintaining safety, public health, and environmental protection.

(b) *Membership and Operation.* The Task Force shall promote interagency cooperation and the establishment of appropriate mechanisms to coordinate Federal, State, tribal, and local agency consultation, review, approval, and permitting of transportation infrastructure projects. The Task Force shall consist exclusively of the following officers of the United States: the Secretary

of Agriculture, Secretary of Commerce, Secretary of Transportation (who shall chair the Task Force), Secretary of the Interior, Secretary of Defense, Administrator of the Environmental Protection Agency, Chairman of the Advisory Council on Historic Preservation, and Chairman of the Council on Environmental Quality. A member of the Task Force may designate, to perform the Task Force functions of the member, any person who is part of the member's department, agency, or office and who is either an officer of the United States appointed by the President with the advice and consent of the Senate or a member of the Senior Executive Service. The Task Force shall report to the President through the Chairman of the Council on Environmental Quality.

**Sec. 4. Report.** At least once each year, the Task Force shall submit to the President a report that: (a) Describes the results of the coordinated and expedited reviews on a project-by-project basis, and identifies those procedures and actions that proved to be most useful and appropriate in coordinating and expediting the review of the projects.

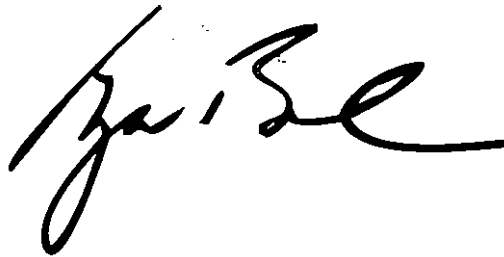
(b) Identifies substantive and procedural requirements of Federal, State, tribal, and local laws, regulations, and Executive Orders that are inconsistent with, duplicative of, or are structured so as to restrict their efficient implementation with other applicable requirements.

(c) Makes recommendations regarding those additional actions that could be taken to: (i) address the coordination and expediting of reviews of transportation infrastructure projects by simplifying and harmonizing applicable substantive and procedural requirements; and (ii) elevate and resolve controversies among Federal, State, tribal, and local agencies related to the review or impacts of transportation infrastructure projects in a timely manner.

(d) Provides any other recommendations that would, in the judgement of the Task Force, advance the policy set forth in section 1 of this order.

**Sec. 5. Preservation of Authority.** Nothing in this order shall be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, and legislative proposals.

**Sec. 6. Judicial Review.** This order is intended only to improve the internal management of the Federal Government and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.



THE WHITE HOUSE,  
September 18, 2002.