

From: "Kavanaugh, Brett M."
To: "Kavanaugh, Brett M."
Subject: FW: Annotated MOH and Ukraine
Sent: Sat, 2 Apr 2005 12:17:05 -0500
[PaulSmithMOH04April2005#6ann.doc](#)
[UkrainePressAvail04April2005#7ann.doc](#)

From: Currin, John
Sent: Friday, April 01, 2005 11:19 PM
To: Staff Secretary
Cc: McGurn, William J.; Michel, Christopher G.; Carson, Melissa M.; Drouin, Lindsey E.
Subject: Annotated MOH and Ukraine

Question: Medal of Honor:

Page 2, 4th full paragraph from top, sentence: "Sergeant Smith's leadership saved the men in the courtyard, and he prevented an enemy attack on the aid station and **support staff** just up the road."

When b(3)10 USC 130b helped us with checking the details and language, he did not indicate that the wording of "support staff" is wrong. However, from the official materials, it seems that the vulnerable troops were mostly combat soldiers. (see annotated, note #32). Do we need to make a change?

Medal of Honor Ceremony
Monday, April 4, 2005
Draft #6

Good afternoon, Laura and I welcome you to the White House.¹ Today is a special occasion. We are here to pay tribute to a soldier whose service illustrates the highest ideals of leadership and love of country. Sergeant First Class² Paul Ray Smith³ of Florida⁴ gave his life for these ideals in a deadly battle outside Baghdad. It is my great privilege to recognize his extraordinary sacrifice by awarding Sergeant Smith the Medal of Honor.

Acknowledgments

- [TK]

The Medal of Honor is the highest award for bravery a President can bestow.⁵ It is given for gallantry above and beyond the call of duty in the face of enemy attack.⁶ Since World War II, more than half of those who

¹ The President will deliver remarks in the East Room at 3:00 p.m., Monday, April 4, 2005. Information verified with Allison Reipenoff, Office of the Chief of Staff, (X67076), and with Max Doebler, Ceremonies Coordinator, White House Military Office, (X72663).

²“**SFC Paul R. Smith.** Born: El Paso, Texas. Residence: Tampa, Florida.” Department of Defense, *Medal of Honor Presentation: SFC Paul R. Smith, 2nd Platoon Sergeant, B Company, 11th Engineer Battalion.*

³ Full name confirmed with Birgit Smith in telephone conversation with John Currin, April 1, 2005

⁴“**SFC Paul R. Smith. Born: El Paso, Texas. Residence:** Tampa, Florida.” Department of Defense, *Medal of Honor Presentation: SFC Paul R. Smith, 2nd Platoon Sergeant, B Company, 11th Engineer Battalion.*

⁵ “**Authority and Criteria—U.S. Army Individual Decorations. 3-6. Medal of Honor....** (b). **The Medal of Honor is awarded by the President in the name of Congress to a person who, while a member of the Army, distinguishes himself or herself conspicuously by gallantry and intrepidity at the risk of his or her life above and beyond the call of duty while engaged in an action against an enemy of the United States;** while engaged in military operations involving conflict with an opposing foreign force; or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party. The deed performed must have been one of personal bravery or self-sacrifice so conspicuous as to clearly distinguish the individual above his comrades and must have involved risk of life.” *AR 600-8-22, Military Awards* (25 February, 1995), p. 18.

⁶ “**Authority and Criteria—U.S. Army Individual Decorations. 3-6. Medal of Honor....** (b). **The Medal of Honor is awarded by the President in the name of Congress to a person who, while a member of the Army, distinguishes himself or herself conspicuously by gallantry and intrepidity at the risk of his or her life above and beyond the call of duty while engaged in an action against an enemy of the United States;** while engaged in military operations involving conflict with an opposing foreign force; or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party. **The deed performed must have been one of**

have been awarded this Medal gave their lives in the action that earned it.⁷ Sergeant Paul Smith belongs to this elect group.

The story of Paul Smith is the story of a boy transformed into a man and a leader. His friends and family will tell you that when he joined the Army in 1989 after finishing high school,⁸ he was a typical young American. He liked sports and fast cars and late nights out with his friends⁹ – pursuits that occasionally earned him what the Army calls “extra duty” ... scrubbing floors.¹⁰

personal bravery or self-sacrifice so conspicuous as to clearly distinguish the individual above his comrades and must have involved risk of life.” *AR 600-8-22, Military Awards* (25 February, 1995), p. 18.

⁷ Medals of Honor awarded by Wars. World War II: 464 Medals of Honor awarded, including 266 given posthumously; Korean War, 131 Medals of Honor awarded, including 94 given posthumously; Vietnam: 245 Medals of Honor awarded, 154 given posthumously; Somalia: 2 Medals of Honor awarded, both posthumously; Iraq, 1 Medal of Honor awarded posthumously. Total Medals of Honor awarded since World War II: 843, of which 517—more than half—awarded posthumously. Source: U.S. Army Center for Military History, Medal of Honor Breakdown (<http://www.army.mil/cmh/mohstats.htm>). SGT Smith has been added to the count.

⁸ Confirmed with Birgit Smith in telephone conversation with John Currin, April 1, 2005. “He was 33 years old, a **1989 graduate of Tampa Bay Vocational-Technical High School**, a husband and father of two.” Alex Leary, “The last full measure of devotion,” in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story.shtml>). “**After enlisting in 1989, Smith was trained as a combat engineer.** The next year, the Army sent him to a post in Bamberg, Germany.” Alex Leary, “The last full measure of devotion Part 3: Beer, women, fast cars,” in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

⁹ Birgit Smith confirmed this sentence as accurate in a telephone conversation with John Currin, April 1, 2005. “**He was not much of a soldier then. Yetter, who served with him, said Smith seemed more interested in offpost activities.** Smith was a showoff for the girls, Yetter said, and “he could definitely hold his liquor.” On a couple of occasions, Smith got so drunk he slept through morning formation. Once he showed up with alcohol on his breath. An irate officer made him stay late and scrub floors. **Smith, in the words of his close friend Patrick Thompson, “definitely enjoyed the things Germany had to offer - beer, women, fast cars.”** Alex Leary, “The last full measure of devotion Part 3: Beer, women, fast cars,” in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

¹⁰ Birgit Smith confirmed this sentence as accurate in a telephone conversation with John Currin, April 1, 2005. “He was not much of a soldier then. Yetter, who served with him, said Smith seemed more interested in offpost activities. Smith was a showoff for the girls, Yetter said, and “he could definitely hold his liquor.” On a couple of occasions, **Smith got so drunk he slept through morning formation. Once he showed up with alcohol on his breath. An irate officer made him stay late and scrub floors.** Smith, in the words of his close friend Patrick Thompson, “definitely enjoyed the things Germany had to offer - beer, women, fast cars.” Alex Leary, “The last full measure of devotion Part 3: Beer, women, fast cars,” in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

Two things would change Paul's life and lead him to the selfless heroism we honor today. The first would come when he was stationed in Germany and fell for a woman named Birgit Bacher [BEER-git BA-ka].¹¹ It turns out that Paul had a romantic side: On the first night he met her, Paul appeared outside Birgit's [BEER-git's] window singing "You've lost that loving feeling."¹² In 1992 the two married.¹³ And soon a rowdy young soldier became a devoted family man who played T-ball with his son and taught his daughter how to change the oil in his Jeep Cherokee.¹⁴

The second great change in Paul's life would come when he shipped off to Saudi Arabia in 1991 to fight in the first Gulf War.¹⁵ There the young

¹¹ Birgit Smith confirmed this sentence as accurate in a telephone conversation with John Currin, April 1, 2005. "A favorite GI hangout in Bamberg was a bar called the Green Goose. One night in June 1990, Smith caught the attention of a 23-year-old German woman named Birgit Bacher. Birgit had sworn off Americans three years earlier, after a soldier got her pregnant and then deserted her and their daughter, Jessica. But a friend persuaded Birgit to travel to Bamberg that night from their home in Bayreuth 40 miles away. She started talking to Smith as Bon Jovi wailed through the speakers. Smith acted cool - sunglasses on, the collar of his jean jacket turned up. He was a skinny 6-footer with an angular face, long nose and light green eyes with long lashes. He wore a thin moustache and a wide, toothy smile." Alex Leary, "The last full measure of devotion Part 3: Beer, women, fast cars," in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

¹² Birgit Smith confirmed this sentence as accurate in a telephone conversation with John Currin, April 1, 2005. "When the bar closed at 1 a.m., Paul and two buddies followed Birgit and her friend to a park, where they sat near a river and gazed at the stars. Then they walked them back to the hotel. Birgit went to her room. **The faint sound of singing drew her to the window. Down on the street, Smith was on one knee. "You've lost that loving feeling, ooh that loving feeling. You've lost that lovin' feelin'. Now it's gone, gone, gone . . . whoaohoh."** Smith was re-creating a scene from **Top Gun, the Tom Cruise movie he had watched earlier that day.** As he sang, Birgit picked petals from red flowers in the window box and dropped them to the ground. They met again and again." Alex Leary, "The last full measure of devotion Part 3: Beer, women, fast cars," in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

¹³ Confirmed by Birgit Smith in a telephone conversation with John Currin, April 1, 2005. "**Paul Smith and Birgit Bacher were married Jan. 24, 1992.**" Alex Leary, "The last full measure of devotion Part 3: Beer, women, fast cars," in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

¹⁴ "Birgit Smith confirmed this sentence as accurate in a telephone conversation with John Currin, April 1, 2005. "Their son, David, was born in March 1994. Smith took him fishing and fashioned a T-ball pole in the back yard. To his stepdaughter, Jessica, Smith passed on the basics: how to change the oil and transmission fluid in his Jeep Cherokee." Alex Leary, "The last full measure of devotion Part 3: Beer, women, fast cars," in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

¹⁵ "In November [1990], Smith shipped out to Saudi Arabia for the first Gulf War. Inexplicably, he never

combat engineer learned that his training had a purpose – and that lives can be lost in battle if leaders are not prepared.¹⁶ Paul returned from that war determined that other soldiers would benefit from the lessons he had learned.

Paul earned his sergeant's stripes and became known as a stickler for detail.¹⁷ Sergeant Smith's seriousness wasn't always appreciated by the greener troops under his direction – who found themselves forced to do tasks over and over again until they got it right.¹⁸ Specialist Michael

called, never wrote. The war was a rout. By March, it was over." Alex Leary, "The last full measure of devotion Part 3: Beer, women, fast cars," in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

¹⁶ "Birgit didn't understand at the time, but war had changed Smith, as it does many other men. He never articulated exactly what happened to him in Kuwait in 1991 or what he saw. "As much as I wanted to go," he told his mom, "I never realized how war was." He mentioned that someone died in his arms but seems to have confided the details to no one. **Smith's friend Patrick Thompson also served in Kuwait. War, he said, "made us think about how we would be as leaders. I mean that we often spoke about how we train, and if it was the best we could do. As a new soldier you sometimes don't think or even realize that the training you do will ever be used in combat. "As we found out, it did."** Thompson's wife, Heidi, added a spouse's perspective: ". . .the experience has a profound effect on them . . . some for the better, some for the worse. They say that once you are in combat, you make up your mind real quick that you will either get out of the Army or stay in for a career. . . . **Patrick and Paul took similar roads in their lives, family, kids, backed off on the partying. . . "They just both experienced a resolve to correct mistakes, be better prepared and better trained. . . . It is an unspoken thing, and I don't know if it is that way on purpose or if they just don't know how to articulate the changes that happen."** Alex Leary, "The last full measure of devotion Part 3: Beer, women, fast cars," in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

¹⁷ **"Smith earned his sergeant's stripes and became a stern teacher determined to prepare his men for war - something he had seen and they hadn't.** The men did not appreciate his methods. They didn't like Smith's reaction the day he discovered a soldier had not packed correctly for a training mission. Smith made the entire platoon unpack and start again. They thought Smith went too far when, during an inspection, he found a screw missing from a soldier's helmet. Smith called the platoon back for reinspection. It lasted until nearly 10 p.m. "If you f--d up, everybody f--d up," said Cpl. Daniel Medrano. "Teamwork was everything to him." Smith was obsessed with keeping weapons spotless - "freaking crazy about it," according to Medrano. Smith would push a Q-tip into rifle barrels, looking for dirt." Alex Leary, "The last full measure of devotion Part 3: Beer, women, fast cars," in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, The Paul Smith Story* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

¹⁸ "Smith earned his sergeant's stripes and became a stern teacher determined to prepare his men for war - something he had seen and they hadn't. The men did not appreciate his methods. **They didn't like Smith's reaction the day he discovered a soldier had not packed correctly for a training mission. Smith made the entire platoon unpack and start again.** They thought Smith went too far when, during an inspection, he found a screw missing from a soldier's helmet. Smith called the platoon back for reinspection. It lasted until nearly 10 p.m. "If you f--d up, everybody f--d up," said Cpl. Daniel Medrano. "Teamwork was everything to him." Smith was obsessed with keeping weapons spotless - "freaking crazy about it," according to Medrano. Smith would push a Q-tip into rifle barrels, looking for dirt." Alex Leary, "The last full measure of devotion Part 3: Beer, women, fast cars," in *The Last Full Measure of Devotion,*

Seaman, who is here today, says, “He was hard in training because he knew we had to be hard in battle.”¹⁹ Specialist Seaman will also tell you that he and others are alive today because of Sergeant Smith’s discipline.²⁰

That discipline would be put to the test in a small courtyard less than a mile from the Baghdad airport.²¹ Sergeant Smith was leading about three dozen men²² who were using a courtyard next to a watchtower to build a temporary jail for captured enemy prisoners.²³ As they were clearing the courtyard,²⁴ they were surprised by about a hundred of Saddam Hussein’s

St Petersburg Times Interactive Special Report, The Paul Smith Story
(<http://www.sptimes.com/2004/webspecials04/medalofhonor/story3.shtml>)

¹⁹ Quotation confirmed by Specialist Michael Seaman in telephone conversation with John Currin, March 29, 2005. [Note: At the time of this interview in 2003, Seaman held the rank of Private] “AXELROD: (Voiceover) Everyone got out alive, everyone but Sergeant Smith, 33 years old, a wife and two kids. What kind of sergeant was he?”

Pvt. SEAMAN: The best sergeant I've ever seen. I mean, he led by example. **He was hard in training because he knew we had to be hard in battle.**

(Photo of Smith)

Pvt. SEAMAN: (Voiceover) He died a hero in my eyes, nothing less.

He risked--he put his own life on the line to help his soldiers get out.”

ANCHORS: BOB SIMON; REPORTERS: LARA LOGAN; BYRON PITTS; JIM AXELROD, “The fall of Saddam; coalition forces take over the city of Baghdad but still face pockets of resistance”, *60 Minutes II CBS News* (Transcript), April 9, 2003 (Nexis)

²⁰ Specialist Michael Seaman confirmed this statement as accurate in telephone conversation with John Currin, March 29, 2005.

b(3) 10 USC 130b

²³ “O/a 041000APR03, B/11E is ordered to construct temporary EPW holding area. Order given to second platoon, but both 1st and 2nd platoon give up a squad to accomplish the mission. SFC Smith locates an area north of the westbound lane with an enclosed courtyard and a guard tower to provide good over watch.” Department of Defense, *Medal of Honor Presentation: SFC Paul R. Smith, 2nd Platoon Sergeant, B Company, 11th Engineer Battalion.*

²⁴ “SFC Smith directs squad to start emplacing concertina wire, and clearing debris from the courtyard.” Department of Defense, *Medal of Honor Presentation: SFC Paul R. Smith, 2nd Platoon Sergeant, B Company, 11th Engineer Battalion.*

Republican Guard.²⁵

With complete disregard for his own life and under constant enemy fire,²⁶ Sergeant Smith rallied his men and led a counterattack.²⁷ Seeing that his wounded men were in danger of being overrun²⁸ – and that enemy fire from the watchtower had them pinned down²⁹ – Sergeant Smith manned a 50-caliber machine gun atop a damaged armored vehicle.³⁰ From a completely exposed position, he killed as many as 50 enemy soldiers as he protected his men.³¹

b(3) 10 USC 130b

²⁶ The details of this paragraph have been confirmed as accurate by

b(3) 10 USC 130b

²⁷ **“Realizing the vulnerability of over 100 fellow soldiers, Sergeant First Class Smith quickly organized a hasty defense consisting of two platoons of soldiers, one Bradley Fighting Vehicle and three armored personnel carriers.”** Medal of Honor Citation, Sergeant First Class Paul R. Smith, United States Army (Final Draft)

²⁸ “Based on continuous hits from RPGs, the BFV [Bradley Fighting Vehicle] began to withdraw. The lead M113A3 [Armored Personnel Carrier] in the area received a direct hit from a mortar, injuring three occupants. The enemy attack was at its strongest point and every action counted. Not only were the wounded soldiers threatened but over 100 soldiers from B Company, the Task Force Aid Station, and the Mortar Platoon were at risk.” Narrative: Sergeant First Class Paul R. Smith, B Company, 11th Engineer Battalion, 3rd Infantry Division (Mechanized).

²⁹ “The enemy coordinates fires from the guard tower onto the Bradley, forcing it to withdraw.” Department of Defense, *Medal of Honor Presentation: SFC Paul R. Smith, 2nd Platoon Sergeant, B Company, 11th Engineer Battalion*.

³⁰ “Fearing the enemy would overrun their defenses, **Sergeant First Class Smith moved under withering enemy fire to man a .50 caliber machine gun mounted on a damaged armored personnel carrier.**” Medal of Honor Citation, Sergeant First Class Paul R. Smith, United States Army (Final Draft)

³¹ “In total disregard for his own life, he maintained his exposed position in order to engage the attacking enemy force. During this action, he was mortally wounded. His courageous actions helped defeat the enemy attack, and resulted in as many as 50 enemy soldiers killed, while allowing the safe withdrawal of

Sergeant Smith's leadership saved the men in the courtyard, and he prevented an enemy attack on the aid station and support staff just up the road.³² Sergeant Smith continued to fire until he took a fatal round to the head. His actions in that courtyard saved the lives of more than one hundred American soldiers.

Scripture tells us that a man has no greater love than to lay down his life for his friends. That is exactly the responsibility Paul Smith believed the sergeant's stripes on his sleeve had given him. In a letter he wrote to his parents but never mailed, he said that he was prepared to "give all that I am to ensure that all my boys make it home."³³

On this day two years ago, Sergeant Smith gave his all for his men. Five days later, Baghdad fell³⁴ and the Iraqi people were liberated. And today we bestow upon Sergeant Smith the first Medal of Honor in the war on terror.³⁵ He is also the first to be awarded this new Medal of Honor flag

numerous wounded soldiers." Medal of Honor Citation, Sergeant First Class Paul R. Smith, United States Army (Final Draft)

³²"Within the 300 meter radius of the point of attack there were at least 120 friendly soldiers from 1st and 2nd Platoons, B/11E (50 Soldiers), B/3-69 Armor's CP (20 soldiers), Task Force 2-7 Mortar Platoon (30 Soldiers), Task Force 2-7 Forward Aid Station (20 Soldiers)." Department of Defense, *Medal of Honor Presentation: SFC Paul R. Smith, 2nd Platoon Sergeant, B Company, 11th Engineer Battalion.*

³³ "It doesn't matter how I come home because I am prepared [sic] to give all that I am to ensure that all my boys make it home." Unsent letter Paul Smith wrote to his parents. Reproduced in *The Last Full Measure of Devotion, St Petersburg Times Interactive Special Report, Unsent Letters* (<http://www.sptimes.com/2004/webspecials04/medalofhonor/letter.shtml>)

³⁴ "Units of the 1st **Marine Division, moving through Baghdad from the east, linked up with the US 3rd Infantry Division (Mechanized), holding positions in the central city.** In a scene transmitted live throughout the world, U.S. soldiers tore down a statue of Saddam Hussein in front of a large, enthusiastic crowd of Iraqi citizens. Marine Regimental Combat Team 7 of the 1st Marine Division secured the International Committee of the Red Cross compound in Baghdad." Global Security.com, "Operation Iraqi Freedom-- April 9 [2003] Day Twenty-One" (http://www.globalsecurity.org/military/ops/iraqi_freedom_d21.htm)

³⁵ Confirmed by Max Doebler, Ceremonies Coordinator, White House Military Office (X72663). "**Smith is the first soldier from the Iraq war to receive the medal**, which had not previously been awarded since 1993. In that year, two Army Special Forces sergeants were killed in Somalia in an action described in the bestselling book *Black Hawk Down*." Alex Leary, "Iraq hero joins hallowed group President Bush will present America's top award for bravery to the family of the sergeant who died defending his soldiers.," *St Petersburg Times*, February 2, 2005 (http://www.sptimes.com/2005/02/02/Tampabay/Iraq_hero_joins_hallo.shtml)

authorized by Congress.³⁶ We count ourselves blessed to have soldiers like Sergeant Smith, who put their lives on the line to advance the cause of freedom and protect the American people.

Like every one of the men and women in uniform who have served in Operation Iraqi Freedom, Sergeant Paul Smith was a volunteer. We thank his family for the father and husband and son and brother who can never be replaced. We recall with appreciation the fellow soldiers whose lives he saved – and the many more he inspired. And we express our gratitude for a new generation of Americans every bit as selfless and dedicated to liberty as any that has gone before – a dedication exemplified by the sacrifice and valor of Sergeant First Class Paul Ray Smith.

Major, please read the citation.³⁷

Drafted by: Bill McGurn, Office of Speechwriting
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Cell: 202/441-1671

³⁶ “Public Law 107-248, Section 8143, legislated the creation of a Medal of Honor Flag for presentation to each person to whom the Medal of Honor is awarded after the date of enactment, October 23 2002.”
“Medal of Honor Flag”

³⁷ The President’s Military Aide, Major Cabaniss, will read the citation. Information provided by Max Doeblner, Ceremonies Coordinator, White House Military Office, (X72663).

Joint Press Availability with the President of Ukraine
Monday, April 4, 2005
Draft #7

It is an honor to stand with the courageous leader of a free Ukraine. Mr. President, you are a friend to America and an inspiration to all who love liberty. Laura¹ [present] and I are proud to welcome you and Katarina² [present] to the White House³.

President Yushchenko was the first head of state I called after my Inaugural Address⁴. I told him that the Orange Revolution was a powerful example of democracy for people around the world⁵. The brave citizens who gathered in Kiev's Independence Square rightly demanded a voice in their

¹ Laura Bush will be in attendance. Information confirmed with Nathan Atlas, Scheduling (X56306).

² Kateryna is the name of President Yushchenko's wife. Information verified with Damon Wilson, NSC (X69151).

³ The President will meet with President and Mrs. Yushchenko at 10:20 a.m. on April 4, 2005 in the Oval Office. The Joint Press Availability with the President of Ukraine will occur at 11:25 a.m. in the East Room. Information confirmed with Nathan Atlas, Scheduling (X65306).

⁴ Information verified with Damon Wilson, NSC (X69151). "The day before the Ukrainian inauguration, President Bush called President-elect Yushchenko to congratulate him and to commend him and other Ukrainians for the courage they showed in standing up for democracy. This was appropriately the President's first phone call to a foreign leader after his inauguration speech, **in which he emphasized his support for freedom and democracy. Secretary Powell--in one of his last official acts as Secretary of State--attended President Yushchenko's inauguration as President Bush's representative.**" Ambassador John Tefft, Deputy Assistant Secretary of State for European and Eurasian Affairs, Remarks to the Chicago Council on Foreign Relations Chicago, Illinois, February 7, 2005 (<http://www.state.gov/p/eur/rls/rm/42044.htm>).

⁵ This language reflects a statement the President made during the phone call. In the transcript of the phone call, the President said, "The world was watching you as you courageously led your country to Democracy." Damon Wilson, NSC (X69151), provided this information and confirmed the language.

⁶ **"The opposition kept the pressure up on the regime by holding massive rallies in Kiev, in which hundreds of thousands of people participated, and by peacefully blockading the parliament and government office buildings."** CRS Report for Congress, Received through the CRS Web Order Code RL32691, Ukraine's Political Crisis and U.S. Policy Issues, Updated February 1, 2005, Steven Woehrel, Specialist in European Affairs, Foreign Affairs, Defense, and Trade Division (<http://www.fas.org/sqp/crs/row/RL32691.pdf>).

⁷ "The campaign leading to the October 31, 2004 presidential election was characterized by widespread violations of democratic norms, including government intimidation of the opposition and of independent media, abuse of state administrative resources, highly skewed media coverage, and numerous provocations. The two major candidates – Prime Minister Viktor Yanukovich and opposition leader (and former Prime Minister) Viktor Yushchenko – each garnered between 39 and 40 percent of the vote and proceeded to a winner-take-all second round. The November 21 runoff election was marred by credible reports of widespread and significant violations, including illegal expulsion of opposition representatives from election commissions, multiple voting by busloads of people, abuse of absentee ballots, and an abnormally high number of (easily manipulable) mobile ballot box votes. Tens of thousands of people took to the streets of Kiev and other cities to protest electoral fraud and express support for Yushchenko, and conducted ongoing peaceful demonstrations. The OSCE International Election Observation Mission found that the election "did not meet a considerable number of OSCE commitments and Council of Europe and other European standards for democratic elections...Overall, State executive

nation's future⁶. And when they went freely to the polls last December⁷, they chose a wise and visionary man to be their president.

President Yushchenko is deeply committed to democratic reform. The United States will support his efforts to make Ukraine more prosperous, just, and free.

- I have asked Congress to provide 60 million dollars in new funding⁸ to help Ukraine fight corruption, strengthen law enforcement, and promote free media and civil society organizations.⁹
- We will help Ukraine build an open, free market economy ... expand trade and investment ... and raise the standard of living for families¹⁰. Congress needs

authorities and the Central Election Commission (CEC) displayed a lack of will to conduct a genuine democratic election process." Other independent observers were similarly critical. On November 24, the CEC declared PM Yanukovich the winner with 49.46 percent compared to 46.61 for Yushchenko. The U.S. and Europe refused to accept the result as legitimate due to the numerous, uninvestigated reports of fraud. European leaders traveled to Kiev to mediate a political solution between the parties. On November 27, Ukraine's Verkhovna Rada (Supreme Parliament) passed a resolution declaring that the election results as announced did not represent the will of the people. On December 1, the Rada passed a vote of "no confidence" in the government. On December 3, Ukraine's Supreme Court invalidated the CEC's announced results and mandated a repeat of the second round vote to take place on December 26. An agreement mediated by the European leaders resulted in new legislation being passed by the Rada and signed by the President December 8. The Electoral law was reformed to close loopholes that had permitted pervasive electoral fraud. The Constitution was amended, effective not earlier than September 2005, to transfer power, especially with respect to appointment of Ministers, from the President to the Cabinet. Yet another law was passed, in first reading, to devolve some powers of the central government to regional councils. In addition, Prime Minister Yanukovich requested and was granted a leave of absence, and Prosecutor General Hennadiy Vasilyev submitted his resignation. **The December 26 re-vote took place in an atmosphere of calm. While irregularities were noted, observers found no systemic or massive fraud. The OSCE Mission, in a preliminary statement, noted that "campaign conditions were markedly more equal, observers received fewer reports of pressure on voters, the election administration was more transparent and the media more balanced than in previous rounds...in our collective view Ukraine's elections have moved substantially closer to meeting OSCE and other European standards."** On January 10, 2005, after the CEC and the Supreme Court had considered and rejected numerous complaints and appeals filed by the Yanukovich campaign, the CEC certified the results. Yushchenko won 51.99 percent of the votes, with 44.20 percent for Yanukovich. 2.34 percent voted against both, and 1.45 percent of ballots were invalidated. The Yanukovich campaign filed one last appeal with the Supreme Court, which rejected it on January 20 and authorized the publication of the results in "Government Courier" and "Voice of Ukraine," rendering them official and final. President Yushchenko was inaugurated January 23, 2005." U.S. Department of State, Bureau of European and Eurasian Affairs, Background Note: Ukraine (February, 2005) (<http://www.state.gov/r/pa/ei/bgn/3211.htm>).

⁶ **"The opposition kept the pressure up on the regime by holding massive rallies in Kiev, in which hundreds of thousands of people participated, and by peacefully blockading the parliament and government office buildings."** CRS Report for Congress, Received through the CRS Web Order Code RL32691, Ukraine's Political Crisis and U.S. Policy Issues, Updated February 1, 2005, Steven Woehrel, Specialist in European Affairs, Foreign Affairs, Defense, and Trade Division (<http://www.fas.org/sqp/crs/row/RL32691.pdf>).

⁸ The amount of funding provided in the Foreign Operations bill for Ukraine is \$93.5 million. However, this total does not include assistance provided by the Departments of Defense and Energy to Ukraine for non-proliferation programs. **With this assistance included, the total is \$111.3 million. The President requested an additional \$60 million in the FY 2005 supplemental. The House only provided \$33.7 million of this amount in its supplemental bill, but the Senate has yet to act and is likely to provide more, possibly the entire request. Information provided by Michael Cassella, OMB (X54594).**

⁹ Language confirmed by Damon Wilson, NSC (X69151).

¹⁰ Language confirmed by Damon Wilson, NSC (X69151).

to lift the Jackson-Vanik trade restrictions that were created for a different era.¹¹ I support Ukraine's desire to join the World Trade Organization, and we will help resolve the remaining barriers to entry as quickly as possible¹².

- We will expand cooperation on energy – Secretary Bodman will travel to Kiev soon.¹³ And we will work together to encourage travel between our nations.

A democratic Ukraine will have a place in the institutions that unite free nations. As President Yushchenko builds a record of progress at home, the United States will help Ukraine become part of a Europe whole, free, and at peace¹⁴. And we will continue working to strengthen Ukraine's ties with the North Atlantic alliance¹⁵.

President Yushchenko is a strong, active partner in the war on terror.

- Today we agreed to increase cooperation on law enforcement and export controls to prevent the spread of dangerous weapons technology – including nuclear materials, MANPADS, and ballistic missiles¹⁶.
- I appreciate Ukraine's strong commitment to a free Iraq. Ukrainian troops helped protect the Iraqi people during the elections this January¹⁷. Our nations will continue cooperating to help Iraqis build a peaceful, democratic country¹⁸.

¹¹ Language confirmed by Damon Wilson, NSC (X69151).

¹² Language confirmed by Damon Wilson, NSC (X69151).

¹³ Secretary Bodman will travel to Kiev soon, most likely in May, 2005. Information verified with Damon Wilson, NSC (X69151).

¹⁴ Language confirmed by Damon Wilson, NSC (X69151).

¹⁵ Language confirmed by Damon Wilson, NSC (X69151). Damon says that "North Atlantic alliance" is a correct and appropriate way to reference NATO.

¹⁶ Language confirmed by Damon Wilson, NSC (X69151).

¹⁷ During the January elections, Ukraine secured the Polish zone province of Wasit with 1600 troops. Information provided by Damon Wilson, NSC (X69151).

¹⁸ Language confirmed by Damon Wilson, NSC (X69151).

¹⁹ "Replying to a question posed by journalists in Asgabat about an open letter from the Turkmen Helsinki Foundation For Human Rights, **Ukrainian President Viktor Yushchenko said that Ukraine will always value freedom and democracy** as these very achievements came at a very high price to Ukraine. This is what UNIAN learnt from the president's press service. He said that "we will always treasure that which took place in November-December of last year (Orange Revolution in Ukraine), and these are not empty words. That was the people's choice - and this is a matter of principle". **Yushchenko said that freedom and democracy have the same value for people in any part of the world.**" "Ukrainian president reiterates democracy in reply to Turkmen human rights group," *BBC*, March 23, 2005 (nexis).

- We share a goal to spread freedom to other nations¹⁹. The Orange Revolution²⁰ has been an inspiration to reformers from Lebanon to Kyrgyzstan [KEER-ga-stan]²¹. We will work together to strengthen democracy

¹⁹ "Replying to a question posed by journalists in Asgabat about an open letter from the Turkmen Helsinki Foundation For Human Rights, **Ukrainian President Viktor Yushchenko said that Ukraine will always value freedom and democracy** as these very achievements came at a very high price to Ukraine. This is what UNIAN learnt from the president's press service. He said that "we will always treasure that which took place in November-December of last year (Orange Revolution in Ukraine), and these are not empty words. That was the people's choice - and this is a matter of principle". **Yushchenko said that freedom and democracy have the same value for people in any part of the world.**" "Ukrainian president reiterates democracy in reply to Turkmen human rights group," *BBC*, March 23, 2005 (nexis).

²⁰ "The campaign leading to the October 31, 2004 presidential election was characterized by widespread violations of democratic norms, including government intimidation of the opposition and of independent media, abuse of state administrative resources, highly skewed media coverage, and numerous provocations. The two major candidates – Prime Minister Viktor Yanukovich and opposition leader (and former Prime Minister) Viktor Yushchenko – each garnered between 39 and 40 percent of the vote and proceeded to a winner-take-all second round. **The November 21 runoff election was marred by credible reports of widespread and significant violations, including illegal expulsion of opposition representatives from election commissions, multiple voting by busloads of people, abuse of absentee ballots, and an abnormally high number of (easily manipulable) mobile ballot box votes. Tens of thousands of people took to the streets of Kiev and other cities to protest electoral fraud and express support for Yushchenko, and conducted ongoing peaceful demonstrations. The OSCE International Election Observation Mission found that the election "did not meet a considerable number of OSCE commitments and Council of Europe and other European standards for democratic elections...Overall, State executive authorities and the Central Election Commission (CEC) displayed a lack of will to conduct a genuine democratic election process." Other independent observers were similarly critical. On November 24, the CEC declared PM Yanukovich the winner with 49.46 percent compared to 46.61 for Yushchenko. The U.S. and Europe refused to accept the result as legitimate due to the numerous, uninvestigated reports of fraud. European leaders traveled to Kiev to mediate a political solution between the parties. On November 27, Ukraine's Verkhovna Rada (Supreme Parliament) passed a resolution declaring that the election results as announced did not represent the will of the people. On December 1, the Rada passed a vote of "no confidence" in the government. On December 3, Ukraine's Supreme Court invalidated the CEC's announced results and mandated a repeat of the second round vote to take place on December 26. An agreement mediated by the European leaders resulted in new legislation being passed by the Rada and signed by the President December 8. The Electoral law was reformed to close loopholes that had permitted pervasive electoral fraud. The Constitution was amended, effective not earlier than September 2005, to transfer power, especially with respect to appointment of Ministers, from the President to the Cabinet. Yet another law was passed, in first reading, to devolve some powers of the central government to regional councils. In addition, Prime Minister Yanukovich requested and was granted a leave of absence, and Prosecutor General Hennadiy Vasilyev submitted his resignation.** The December 26 re-vote took place in an atmosphere of calm. While irregularities were noted, observers found no systemic or massive fraud. The OSCE Mission, in a preliminary statement, noted that "campaign conditions were markedly more equal, observers received fewer reports of pressure on voters, the election administration was more transparent and the media more balanced than in previous rounds...in our collective view Ukraine's elections have moved substantially closer to meeting OSCE and other European standards." On January 10, 2005, after the CEC and the Supreme Court had considered and rejected numerous complaints and appeals filed by the Yanukovich campaign, the CEC certified the results. Yushchenko won 51.99 percent of the votes, with 44.20 percent for Yanukovich. 2.34 percent voted against both, and 1.45 percent of ballots were invalidated. The Yanukovich campaign filed one last appeal with the Supreme Court, which rejected it on January 20 and authorized the publication of the results in "Government Courier" and "Voice of Ukraine," rendering them official and final. President Yushchenko was inaugurated January 23, 2005." U.S. Department of State, Bureau of European and Eurasian Affairs, Background Note: Ukraine (February, 2005) (<http://www.state.gov/r/pa/ei/bgn/3211.htm>).

²¹ Language confirmed by Damon Wilson, NSC (X69151).

in Moldova, and to ensure that the promise of liberty reaches Belarus²². Free societies are peaceful societies – and the march of freedom will make both Ukraine and America more secure.

Mr. President, we are fortunate to serve our nations during historic times. I am thankful for your friendship, and I have great confidence in your leadership. [It is an honor to accept your invitation to visit Ukraine. I look forward to traveling to Kiev this summer, and to congratulating the Ukrainian people on a great achievement in the history of freedom.] Thank you for coming today.

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²² Language confirmed by Damon Wilson, NSC (X69151).