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3

2004 Compilation

and

Parts 100–102

Revised as of January 1, 2005

The President

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Title 3 Compilations

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1938–1943	2287–2587	7906–9347
1943–1948	2588–2823	9348–10025
1949–1953	2824–3041	10026–10510
1954–1958	3042–3265	10511–10797
1959–1963	3266–3565	10798–11134
1964–1965	3566–3694	11135–11263
1966–1970	3695–4025	11264–11574
1971–1975	4026–4411	11575–11893
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1977	4481–4543	11950–12032
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1982	4890–5008	12337–12399
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1999	7162–7262	13110–13144
2000	7263–7389	13145–13185
2001	7263–7516	13145–13251
2002	7517–7635	13252–13282
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2004	7749–7858	13324–13368

Beginning with 1976, Title 3 compilations also include regulations contained in Chapter I, Executive Office of the President.

Supplementary publications include: Presidential documents of the Hoover Administration (two volumes), Proclamations 1870–2037 and Executive Orders 5076–6070; Consolidated Indexes for 1936–1965; and Consolidated Tables for 1936–1965.

Explanation

The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas.

Each volume of the Code is revised at least once each calendar year and issued on a quarterly basis approximately as follows:

Title 1 through Title 16.....	as of January 1
Title 17 through Title 27.....	as of April 1
Title 28 through Title 41.....	as of July 1
Title 42 through Title 50.....	as of October 1

The appropriate revision date is printed on the cover of each volume.

LEGAL STATUS

The contents of the Federal Register are required to be judicially noticed (44 U.S.C. 1507). The Code of Federal Regulations is prima facie evidence of the text of the original documents (44 U.S.C. 1510).

HOW TO USE THE CODE OF FEDERAL REGULATIONS

The Code of Federal Regulations is kept up to date by the individual issues of the Federal Register. These two publications must be used together to determine the latest version of any given rule.

To determine whether a Code volume has been amended since its revision date (in this case, January 1, 2005), consult the "List of CFR Sections Affected (LSA)," which is issued monthly, and the "Cumulative List of Parts Affected," which appears in the Reader Aids section of the daily Federal Register. These two lists will identify the Federal Register page number of the latest amendment of any given rule.

EFFECTIVE AND EXPIRATION DATES

Each volume of the Code contains amendments published in the Federal Register since the last revision of that volume of the Code. Source citations for the regulations are referred to by volume number and page number of the Federal Register and date of publication. Publication dates and effective dates are usually not the same and care must be exercised by the user in determining the actual effective date. In instances where the effective date is beyond the cut-off date for the Code a note has been inserted to reflect the future effective date. In those instances where a regulation published in the Federal Register states a date certain for expiration, an appropriate note will be inserted following the text.

OMB CONTROL NUMBERS

The Paperwork Reduction Act of 1980 (Pub. L. 96-511) requires Federal agencies to display an OMB control number with their information collection request.

Many agencies have begun publishing numerous OMB control numbers as amendments to existing regulations in the CFR. These OMB numbers are placed as close as possible to the applicable recordkeeping or reporting requirements.

OBSOLETE PROVISIONS

Provisions that become obsolete before the revision date stated on the cover of each volume are not carried. Code users may find the text of provisions in effect on a given date in the past by using the appropriate numerical list of sections affected. For the period before January 1, 2001, consult either the List of CFR Sections Affected, 1949–1963, 1964–1972, 1973–1985, or 1986–2000, published in 11 separate volumes. For the period beginning January 1, 2001, a “List of CFR Sections Affected” is published at the end of each CFR volume.

CFR INDEXES AND TABULAR GUIDES

A subject index to the Code of Federal Regulations is contained in a separate volume, revised annually as of January 1, entitled CFR INDEX AND FINDING AIDS. This volume contains the Parallel Table of Statutory Authorities and Agency Rules (Table I). A list of CFR titles, chapters, and parts and an alphabetical list of agencies publishing in the CFR are also included in this volume.

An index to the text of “Title 3—The President” is carried within that volume.

The Federal Register Index is issued monthly in cumulative form. This index is based on a consolidation of the “Contents” entries in the daily Federal Register.

A List of CFR Sections Affected (LSA) is published monthly, keyed to the revision dates of the 50 CFR titles.

REPLICATION OF MATERIAL

There are no restrictions on the republication of textual material appearing in the Code of Federal Regulations.

INQUIRIES

For a legal interpretation or explanation of any regulation in this volume, contact the issuing agency. The issuing agency’s name appears at the top of odd-numbered pages.

For inquiries concerning CFR reference assistance, call 202-741-6000 or write to the Director, Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408 or e-mail fedreg.info@nara.gov.

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ELECTRONIC SERVICES

The full text of the Code of Federal Regulations, the LSA (List of CFR Sections Affected), The United States Government Manual, the Federal Register, Public Laws, Public Papers, Weekly Compilation of Presidential Documents and the Privacy Act Compilation are available in electronic format at www.gpoaccess.gov/nara (“GPO Access”). For more information, contact Electronic Information Dissemination Services, U.S. Government Printing Office. Phone 202-512-1530, or 888-293-6498 (toll-free). E-mail, gpoaccess@gpo.gov.

The Office of the Federal Register also offers a free service on the National Archives and Records Administration's (NARA) World Wide Web site for public law numbers, Federal Register finding aids, and related information. Connect to NARA's web site at www.archives.gov/federal_register. The NARA site also contains links to GPO Access.

RAYMOND A. MOSLEY,
Director,
Office of the Federal Register.

January 1, 2005.

Explanation of This Title

This volume of “Title 3—The President” contains a compilation of Presidential documents and a codification of regulations issued by the Executive Office of the President.

The 2004 Compilation contains the full text of those documents signed by the President that were required to be published in the *Federal Register*. Signature date rather than publication date is the criterion for inclusion. With each annual volume, the Presidential documents signed in the previous year become the new compilation.

Chapter I contains regulations issued by the Executive Office of the President. This section is a true codification like other CFR volumes, in that its contents are organized by subject or regulatory area and are updated by individual issues of the *Federal Register*.

Presidential documents in this volume may be cited “3 CFR, 2004 Comp.” Thus, the preferred abbreviated citation for Proclamation 7749 appearing on page 1 of this book, is “3 CFR, 2004 Comp., p. 1.” Chapter I entries may be cited “3 CFR.” Thus, the preferred abbreviated citation for section 100.1, appearing in chapter I of this book, is “3 CFR 100.1.”

This book is one of the volumes in a series that began with Proclamation 2161 of March 19, 1936, and Executive Order 7316 of March 13, 1936, and that has been continued by means of annual compilations and periodic cumulations. The entire Title 3 series, as of January 1, 2005, is encompassed in the volumes listed on page iv.

For readers interested in proclamations and Executive orders prior to 1936, there is a two-volume set entitled *Proclamations and Executive Orders, Herbert Hoover* (March 4, 1929, to March 4, 1933). Codified Presidential documents are published in the *Codification of Presidential Proclamations and Executive Orders* (April 13, 1945—January 20, 1989). Other public Presidential documents not required to be published in the *Federal Register*, such as speeches, messages to Congress, and statements, can be found in the *Weekly Compilation of Presidential Documents* and the *Public Papers of the Presidents* series. Each of these Office of the Federal Register publications is available for sale from the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

This book was prepared in the Presidential Documents and Legislative Division by Stephen J. Frattini and Kathleen M. Fargey, under the supervision of Gwendolyn J. Henderson. Karen L. Ashlin, John S. Ashlin, and Loretta F. Cochran were assistant editors.

Cite Presidential documents in this volume
3 CFR, 2004 Comp.
thus: **3 CFR, 2004 Comp., p. 1**

Cite chapter I entries in this volume
3 CFR
thus: **3 CFR 100.1**

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2004 Compilation— Presidential Documents

PROCLAMATIONS

Proclamation 7749 of January 9, 2004

National Mentoring Month, 2004

*By the President of the United States of America
A Proclamation*

Mentoring reflects the great strength of America—the heart and soul of the American people. During National Mentoring Month, we recognize the dedicated individuals who volunteer their time to mentor young people, and we encourage more citizens to give back to their communities as mentors.

Mentors are friends, teachers, and role models. They open doors of opportunity, convey values, and help provide the stability and encouragement that young people need to succeed. By spending time with a child and showing compassion and guidance, a mentor can profoundly affect a young life. Research shows that adolescents who have an adult mentor are far less likely to engage in high-risk behaviors. Mentoring relationships create continuing cycles of hope and promise, as they not only provide positive influences for individual children, but also strengthen families and communities.

My Administration is working to expand mentoring and other volunteer activities across America. Through the USA Freedom Corps, we are promoting volunteer service and offering our citizens more opportunities to help others. We are also supporting faith-based and community organizations, including many who sponsor mentoring programs. In total, more than 63 million Americans volunteered in their communities over the past year—approximately 4 million more than the previous year.

The Department of Education will use Federal funds to work with national youth-serving organizations, independent community groups, and local

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education agencies to develop, expand, and strengthen school-based mentoring programs for disadvantaged middle school students. In addition, the Department of Health and Human Services, the Department of Justice, and other agencies will offer grants to help youth-serving organizations recruit and train adult mentors for nearly 100,000 children whose parents are incarcerated.

These efforts are an important part of our ongoing work to ensure that every child can realize the great promise of America. Every life has value and potential, and all deserve the opportunity to have a bright future. By supporting the individuals and organizations involved in mentoring and by encouraging more citizens to participate in their good works, we can transform America, one heart and one soul at a time.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 2004 as National Mentoring Month. I call upon the people of the United States to recognize the importance of mentoring, to look for opportunities to serve as mentors in their communities, and to celebrate this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of January, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7750 of January 12, 2004

To Suspend Entry as Immigrants or Nonimmigrants of Persons Engaged In or Benefiting From Corruption

*By the President of the United States of America
A Proclamation*

In light of the importance of legitimate and transparent public institutions to world stability, peace, and development, and the serious negative effects that corruption of public institutions has on the United States efforts to promote security and to strengthen democratic institutions and free market systems, and in light of the importance to the United States and the international community of fighting corruption, as evidenced by the Third Global Forum on Fighting Corruption and Safeguarding Integrity and other intergovernmental efforts, I have determined that it is in the interests of the United States to take action to restrict the international travel and to suspend the entry into the United States, as immigrants or nonimmigrants, of certain persons who have committed, participated in, or are beneficiaries of corruption in the performance of public functions where that corruption has serious adverse effects on international activity of U.S. businesses, U.S. foreign assistance goals, the security of the United States against transnational crime and terrorism, or the stability of democratic institutions and nations.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States, including section 212(f) of the Immigration and Nationality Act of 1952, 8 U.S.C. 1182(f), and section 301 of title 3, United States Code, hereby find that the unrestricted immigrant and nonimmigrant entry into the United States of persons described in section 1 of this proclamation would, except as provided in sections 2 and 3 of this proclamation, be detrimental to the interests of the United States.

I therefore hereby proclaim that:

Section 1. The entry into the United States, as immigrants or non-immigrants, of the following persons is hereby suspended:

(a) Public officials or former public officials whose solicitation or acceptance of any article of monetary value, or other benefit, in exchange for any act or omission in the performance of their public functions has or had serious adverse effects on the national interests of the United States.

(b) Persons whose provision of or offer to provide any article of monetary value or other benefit to any public official in exchange for any act or omission in the performance of such official's public functions has or had serious adverse effects on the national interests of the United States.

(c) Public officials or former public officials whose misappropriation of public funds or interference with the judicial, electoral, or other public processes has or had serious adverse effects on the national interests of the United States.

(d) The spouses, children, and dependent household members of persons described in paragraphs (a), (b), and (c) above, who are beneficiaries of any articles of monetary value or other benefits obtained by such persons.

Sec. 2. Section 1 of this proclamation shall not apply with respect to any person otherwise covered by section 1 where entry of the person into the United States would not be contrary to the interests of the United States.

Sec. 3. Persons covered by sections 1 and 2 of this proclamation shall be identified by the Secretary of State or the Secretary's designee, in his or her sole discretion, pursuant to such standards and procedures as the Secretary may establish.

Sec. 4. For purposes of this proclamation, "serious adverse effects on the national interests of the United States" means serious adverse effects on the international economic activity of U.S. businesses, U.S. foreign assistance goals, the security of the United States against transnational crime and terrorism, or the stability of democratic institutions and nations.

Sec. 5. Nothing in this proclamation shall be construed to derogate from United States Government obligations under applicable international agreements.

Sec. 6. The Secretary of State shall have responsibility for implementing this proclamation pursuant to such procedures as the Secretary may, in the Secretary's discretion, establish.

Sec. 7. This proclamation is effective immediately.

Sec. 8. This proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any

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party, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of January, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7751 of January 15, 2004

Martin Luther King, Jr., Federal Holiday, 2004

By the President of the United States of America

A Proclamation

On the Martin Luther King, Jr., Federal Holiday, our Nation honors an American who dedicated his life to the fundamental principles of freedom, opportunity, and equal justice for all. Today, all Americans benefit from Dr. King's work and his legacy of courage, dignity, and moral clarity.

Forty years ago this past August, on the steps of the Lincoln Memorial, Dr. King spoke passionately of his dream for America. He dreamed of an America where all citizens would be judged by the content of their character and not by the color of their skin. He dreamed of an America where all would enjoy the riches of freedom and the security of justice. He dreamed of an America where the doors of opportunity would be open to all of God's children.

Dr. King's leadership moved Americans to examine our hearts—to reject what he called the “tranquilizing drug of gradualism” on the path to racial justice—and to live up to the ideals of our Constitution and Declaration of Independence. America has come far in realizing Dr. King's dream, but there is still work to be done. In remembering Dr. King's vision and life of service, we renew our commitment to guaranteeing the unalienable rights of life, liberty, and the pursuit of happiness for all Americans.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Monday, January 19, 2004, as the Martin Luther King, Jr., Federal Holiday. I encourage all Americans to observe this day with appropriate activities and programs that honor the memory and legacy of Dr. King.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of January, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7752 of January 15, 2004**National Sanctity of Human Life Day, 2004**

*By the President of the United States of America
A Proclamation*

As Americans, we are led by the power of our conscience and the history of our country to defend and promote the dignity and rights of all people. Each person, however frail or defenseless, has a place and a purpose in this world. On National Sanctity of Human Life Day, we celebrate the gift of life and our commitment to building a society of compassion and humanity.

Today, the principles of human dignity enshrined in the Declaration of Independence—that all persons are created equal and possess the unalienable rights to life, liberty, and the pursuit of happiness—continue to guide us. In November, I signed into law the Partial-Birth Abortion Ban Act of 2003, reaffirming our commitment to protecting innocent life and to a basic standard of humanity—the duty of the strong to defend the weak. My Administration encourages adoption and supports abstinence education, crisis pregnancy programs, parental notification laws, and other measures to help us continue to build a culture of life. By working together, we will provide hope to the weakest among us and achieve a more compassionate and merciful world.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Sunday, January 18, 2004, as National Sanctity of Human Life Day. I call upon all Americans to recognize this day with appropriate ceremonies in our homes and places of worship and to reaffirm our commitment to respecting the life and dignity of every human being.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of January, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7753 of January 16, 2004**Religious Freedom Day, 2004**

*By the President of the United States of America
A Proclamation*

America is a land of many faiths, and the right to religious freedom is a foundation of our Nation. On Religious Freedom Day, Americans acknowledge the centrality of their faith and reaffirm that the great strength of our country is the heart and soul of our citizens.

Religious Freedom Day celebrates the passage of the Virginia Statute for Religious Freedom on January 16, 1786. Thomas Jefferson, drafter of the legislation, considered it one of his three greatest accomplishments, along with writing the Declaration of Independence and founding the University of Virginia. Recognizing the importance of faith to our people, our Founding Fathers guaranteed religious freedom in the Constitution.

Protecting our religious freedom requires the vigilance of the American people and of government at all levels. Within my Administration, the Department of Justice is acting to protect religious freedom, including prosecuting those who attack people or places of worship because of religious affiliation. The Department of Education has issued new guidelines that allow students to engage in constitutionally protected religious activity in public schools. These guidelines protect, for example, students' rights to say a prayer before meals in the cafeteria, to gather with other students before school to pray, and to engage in other expressions of personal faith.

Through my Faith-Based and Community Initiative, my Administration continues to encourage the essential work of faith-based and community organizations. Governments can and should support effective social services, including those provided by religious people and organizations. When government gives that support, it is important that faith-based institutions not be forced to change their religious character. In December 2002, I signed an Executive Order to end discrimination against faith-based organizations in the Federal grants process. In September 2003, in implementing this order, my Administration eliminated many of the barriers that have kept faith-based charities from partnering with the Federal Government to help Americans in need. Six Federal agencies have proposed or finalized new regulations to ensure that no organization or beneficiary will be discriminated against in a Federally funded social service program on the basis of religion.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 16, 2004, as Religious Freedom Day. I urge all Americans to reflect on the blessings of our religious freedom and to observe this day through appropriate events and activities in homes, schools, and places of worship.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of January, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7754 of February 2, 2004

American Heart Month, 2004

*By the President of the United States of America
A Proclamation*

Heart disease is the leading cause of death in the United States. It affects men and women of every age and race. During American Heart Month, we

encourage all Americans to join the fight against heart disease and to learn more about how to prevent it.

More than 64 million Americans suffer from one or more forms of cardiovascular disease, including high blood pressure, coronary heart disease, congestive heart failure, stroke, and congenital heart defects. Many of the risk factors that can lead to heart disease, such as high blood pressure, high blood cholesterol, and diabetes, can be prevented or controlled. Research has shown that men and women who lead healthy lifestyles, including making healthy food choices, getting regular exercise, maintaining a healthy weight, and choosing not to smoke or drink excessively, can significantly decrease their risk of heart disease.

Heart disease is responsible for the deaths of one in three women in the United States. To make women more aware of the danger of heart disease, the National Heart, Lung, and Blood Institute of the National Institutes of Health has joined with the Department of Health and Human Services and other national organizations to launch a nationwide campaign called "The Heart Truth." This important campaign encourages women to learn more about heart health, to lead healthier lives, and to talk with their doctors about their risk for developing heart disease.

During American Heart Month, I urge all Americans to learn more about heart health and to reduce their risk factors for serious heart conditions. By making healthy choices, we can live longer and better lives.

In recognition of the important ongoing fight against heart disease, the Congress, by Joint Resolution approved December 30, 1963, as amended (77 Stat. 843; 36 U.S.C. 101), has requested that the President issue an annual proclamation designating February as "American Heart Month."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim February 2004 as American Heart Month. I invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other areas subject to the jurisdiction of the United States, and the American people to join me in reaffirming our commitment to combating heart disease.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of February, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7755 of February 2, 2004

National Consumer Protection Week, 2004

*By the President of the United States of America
A Proclamation*

Every day, America's consumers conduct millions of financial transactions. During National Consumer Protection Week, we recognize those who help to safeguard our citizens from consumer fraud, and we encourage all Americans to be informed consumers. This year's theme, "Financial Literacy:

Earning a Lifetime of Dividends,” highlights the importance of financial education to consumer protection.

The Federal Government provides many educational resources and programs to help protect Americans against fraud by giving them information about their options in the marketplace. The Federal Trade Commission and more than 100 other Federal agencies have collaborated on a website, www.consumer.gov, which provides helpful information ranging from how credit ratings work to how to buy a new car. The Department of the Treasury has also established an Office of Financial Education to oversee inter agency efforts to coordinate and expand financial education initiatives.

In addition, my Administration is working to expand financial literacy for potential homeowners. We have doubled the funds for housing and financial counseling services, including those run by faith-based and community groups, and we are distributing millions of dollars in grants to national, State, and local organizations that promote home buyer education and counseling. The Department of Housing and Urban Development is also collaborating with the Federal Deposit Insurance Corporation to expand the “Money Smart” financial education program in public housing. Education about the home-buying process not only protects our citizens from consumer fraud, but also empowers them to achieve their dreams.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim February 1 through February 7, 2004, as National Consumer Protection Week. I call upon government officials, industry leaders, and consumer advocates to provide consumers with information about the lifetime benefits of financial literacy, and I encourage all citizens to take advantage of the resources that can help them become responsible consumers, savers, and investors.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of February, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7756 of February 3, 2004

National African American History Month, 2004

*By the President of the United States of America
A Proclamation*

During National African American History Month, we honor the heritage and accomplishments of African Americans and recognize their extraordinary contributions to the United States.

African Americans have upheld the ideals of America, defended our homeland, and enriched American culture and society. Brave leaders such as Sojourner Truth, Harriet Tubman, Booker T. Washington, Martin Luther King, Jr., and Leon Sullivan caused America to examine its heart and to respect the dignity and equality of all people, regardless of race. Today, African

Americans are leaders at the highest levels of the military, business, education, law, government, the arts, sports, and religion.

To help share the stories of the millions of African Americans who have strengthened our country, I recently signed legislation establishing the National Museum of African American History and Culture as a part of the Smithsonian Institution. This museum will commemorate the triumphs of African Americans—their determination in overcoming the evil of slavery and discrimination and their many achievements and contributions to our Nation.

This year's National African American History Month celebrates the 50th anniversary of the Supreme Court's 1954 decision in *Brown v. Board of Education*. In that landmark decision, the Supreme Court declared an end to the shameful and unconstitutional practice of legal segregation in schools, ruling unanimously that the Constitution requires all Americans to be treated equally without regard to the color of their skin. The *Brown* decision transformed America and fulfilled the principles of our Constitution. This year, we remember the brave schoolchildren and parents who challenged segregation. We recognize the legal and moral advocates who paved the way for this decision, including Thurgood Marshall, the heroic lawyer who represented Linda Brown and fought for her rights and the rights of all African Americans. We remember the nine justices of the Supreme Court who helped America begin to make equal justice under law a reality for African Americans. Nearly 50 years after *Brown*, we are grateful for the progress America has made, but we also recognize that there is still work to be done to ensure that our country lives up to the founding principle that all of God's children are created equal.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim February 2004 as National African American History Month. I call upon public officials, educators, librarians, and all the people of the United States to observe this month with appropriate programs and activities that highlight and honor the contributions African Americans have made to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of February, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7757 of February 26, 2004

**Expanding the Scope of the National Emergency and
Invocation of Emergency Authority Relating To the
Regulation of the Anchorage and Movement of Vessels into
Cuban Territorial Waters**

*By the President of the United States of America
A Proclamation*

By the authority vested in me by the Constitution and the laws of the United States of America, in order to expand the scope of the national emergency declared in Proclamation 6867 of March 1, 1996, based on the disturbance or threatened disturbance of the international relations of the United States caused by actions taken by the Cuban government, and in light of steps taken over the past year by the Cuban government to worsen the threat to United States international relations, and,

WHEREAS the United States has determined that Cuba is a state-sponsor of terrorism and it is subject to the restrictions of section 6(j)(1)(A) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, and section 40 of the Arms Export Control Act;

WHEREAS the Cuban government has demonstrated a ready and reckless willingness to use excessive force, including deadly force, against U.S. citizens, in the ostensible enforcement of its sovereignty, including the February 1996 shoot-down of two unarmed U.S.-registered civilian aircraft in international airspace, resulting in the deaths of three American citizens and one other individual;

WHEREAS the Cuban government has demonstrated a ready and reckless willingness to use excessive force, including deadly force, against U.S. citizens and its own citizens, including on July 13, 1995, when persons in U.S.-registered vessels that entered into Cuban territorial waters suffered injury as a result of the reckless use of force against them by the Cuban military, and including the July 1994 sinking of an unarmed Cuban-registered vessel, resulting in the deaths of 41 Cuban citizens;

WHEREAS the Cuban government has impounded U.S.-registered vessels in Cuban ports and forced the owners, as a condition of release, to violate U.S. law by requiring payments to be made to the Cuban government;

WHEREAS the entry of any U.S.-registered vessels into Cuban territorial waters could result in injury to, or loss of life of, persons engaged in that conduct, due to the potential use of excessive force, including deadly force, against them by the Cuban military, and could threaten a disturbance of international relations;

WHEREAS the unauthorized entry of vessels subject to the jurisdiction of the United States into Cuban territorial waters is in violation of U.S. law and contrary to U.S. policy;

WHEREAS the objectives of U.S. policy regarding Cuba are the end of the dictatorship and a rapid, peaceful transition to a representative democracy respectful of human rights and characterized by an open market economic system;

WHEREAS a critical initiative by the United States to advance these U.S. objectives is to deny resources to the repressive Cuban government, resources that may be used by that government to support terrorist activities and carry out excessive use of force against innocent victims, including U.S. citizens;

WHEREAS the unauthorized entry of U.S.-registered vessels into Cuban territorial waters is detrimental to the foreign policy of the United States, which is to deny monetary and material support to the repressive Cuban government, and, therefore, such unauthorized entries threaten to disturb the international relations of the United States by facilitating the Cuban government's support of terrorism, use of excessive force, and continued existence;

WHEREAS the Cuban government has over the course of its 45-year existence repeatedly used violence and the threat of violence to undermine U.S. policy interests. This same regime continues in power today, and has since 1959 maintained a pattern of hostile actions contrary to U.S. policy interests. Among other things, the Cuban government established a military alliance with the Soviet Union, and invited Soviet forces to install nuclear missiles in Cuba capable of attacking the United States, and encouraged Soviet authorities to use those weapons against the United States; it engaged in military adventurism in Africa; and it helped to form and provide material and political support to terrorist organizations that sought the violent overthrow of democratically elected governments in Central America and elsewhere in the hemisphere allied with the United States, thereby causing repeated disturbances of U.S. international relations;

WHEREAS the Cuban government has recently and over the last year taken a series of steps to destabilize relations with the United States, including threatening to abrogate the Migration Accords with the United States and to close the U.S. Interests Section, and Cuba's most senior officials repeatedly asserting that the United States intended to invade Cuba, despite explicit denials from the U.S. Secretaries of State and Defense that such action is planned, thereby causing a sudden and worsening disturbance of U.S. international relations;

WHEREAS U.S. concerns about these unforeseen Cuban government actions that threaten to disturb international relations were sufficiently grave that on May 8, 2003, the United States warned the Cuban government that political manipulations that resulted in a mass migration would be viewed as a "hostile act;"

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including section 1 of title II of Public Law 65-24, ch. 30, June 15, 1917, as amended (50 U.S.C. 191), sections 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code, in order to expand the scope of the national emergency declared in Proclamation 6867 of March 1, 1996, and to secure the observance of the rights and obligations of the United States, hereby authorize and direct the Secretary of Homeland Security (the "Secretary") to make and issue such rules and regulations as the Secretary may find appropriate to regulate the anchorage and movement of vessels, and authorize and approve the Secretary's issuance of such rules and regulations, as authorized by the Act of June 15, 1917.

Section 1. The Secretary may make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, which may be used, or is susceptible of being used, for voyage into Cuban territorial waters and that may create unsafe conditions, or result in unauthorized transactions, and thereby threaten a disturbance of international relations. Any rule or regulation issued pursuant to this proclamation may be effective immediately upon issuance as such rule or regulation shall involve a foreign affairs function of the United States.

Sec. 2. The Secretary is authorized to inspect any vessel, foreign or domestic, in the territorial waters of the United States, at any time; to place guards on any such vessel; and, with my consent expressly hereby granted, take full possession and control of any such vessel and remove the officers and crew and all other persons not specifically authorized by the Secretary to go or remain on board the vessel when necessary to secure the rights and obligations of the United States.

Sec. 3. The Secretary may request assistance from such departments, agencies, officers, or instrumentalities of the United States as the Secretary deems necessary to carry out the purposes of this proclamation. Such departments, agencies, officers, or instrumentalities shall, consistent with other provisions of law and to the extent practicable, provide requested assistance.

Sec. 4. The Secretary may seek assistance from State and local authorities in carrying out the purposes of this proclamation. Because State and local assistance may be essential for an effective response to this emergency, I urge all State and local officials to cooperate with Federal authorities and to take all actions within their lawful authority necessary to prevent the unauthorized departure of vessels intending to enter Cuban territorial waters.

Sec. 5. All powers and authorities delegated by this proclamation to the Secretary may be delegated by the Secretary to other officers and agents of the United States Government unless otherwise prohibited by law.

Sec. 6. Any provisions of Proclamation 6867 that are inconsistent with the provisions of this proclamation are superseded to the extent of such inconsistency.

Sec. 7. This proclamation shall be immediately transmitted to the Congress and published in the **Federal Register**.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of February, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7758 of March 1, 2004

To Modify Duty-Free Treatment Under the Generalized System of Preferences

By the President of the United States of America

A Proclamation

1. Pursuant to sections 501 and 502(a)(1) of the Trade Act of 1974, as amended (the “Act”) (19 U.S.C. 2461, 2462(a)(1)), the President is authorized to designate countries as beneficiary developing countries for purposes of the Generalized System of Preferences (GSP).

2. Section 502(b)(1)(C) of the Act (19 U.S.C. 2462(b)(1)(C)) specifies that European Union member states may not be designated as beneficiary developing countries for purposes of the GSP.

3. Section 502(e) of the Act (19 U.S.C. 2462(e)) provides that the President shall terminate the designation of a country as a beneficiary developing country for purposes of the GSP if the President determines that such country has become a “high income” country as defined by the official statistics of the International Bank for Reconstruction and Development. Termination is effective on January 1 of the second year following the year in which such determination is made.

4. Pursuant to sections 501 and 502(a)(1) of the Act, and having due regard for the factors set forth in section 501 of the Act and taking into account the factors set forth in section 502(c) (19 U.S.C. 2462(c)), I have decided to designate Algeria as a beneficiary developing country for purposes of the GSP.

5. Consistent with section 502(b)(1)(C) of the Act, I have decided to terminate the designation of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, and Slovakia as beneficiary developing countries, with such termination to become effective for each of these countries when it becomes a European Union member state.

6. Pursuant to section 502(e) of the Act, I have determined that Antigua and Barbuda, Bahrain, and Barbados have become “high income” countries, and I am terminating the designation of those countries as beneficiary developing countries for purposes of the GSP, effective January 1, 2006.

7. Section 604 of the Act (19 U.S.C. 2483), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including title V and section 604 of the Act (19 U.S.C. 2461–67, 2483), do proclaim that:

(1) Algeria is designated as a beneficiary developing country for purposes of the GSP, effective 15 days after the date of this proclamation.

(2) In order to reflect this designation in the HTS, general note 4(a) to the HTS is modified by adding “Algeria” to the list entitled “Independent Countries,” effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the fifteenth day after the date of this proclamation.

(3) The designation of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, and Slovakia as beneficiary developing countries for purposes of the GSP is terminated for each country on the date when it becomes a European Union member state. The United States Trade Representative shall announce each such date in a notice published in the **Federal Register**.

(4) In order to reflect these terminations in the HTS, general note 4(a) to the HTS is modified by deleting “Czech Republic,” “Estonia,” “Hungary,” “Latvia,” “Lithuania,” “Poland,” and “Slovakia” from the list of independent countries, effective for each of these countries with respect to articles entered, or withdrawn from warehouse for consumption, on or after the day on which that country becomes a European Union member state.

(5) The designation of Antigua and Barbuda, Bahrain, and Barbados as beneficiary developing countries for purposes of the GSP is terminated, effective on January 1, 2006.

(6) In order to reflect this termination in the HTS, and to make other changes to update the list of Caribbean Common Market (CARICOM) member countries, effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 2006, general note 4(a) to the HTS is modified by:

- (a) deleting “Antigua and Barbuda,” “Bahrain,” and “Barbados” from the list of independent countries,
- (b) deleting “Antigua and Barbuda” and “Barbados” from the list of the “*Member Countries of the Caribbean Common Market (CARICOM), except The Bahamas*” under the provision “*Associations of Countries (treated as one country)*,” and
- (c) deleting “*Member Countries of the Caribbean Common Market (CARICOM), except The Bahamas*” and inserting “*Member Countries of the Caribbean Common Market (CARICOM)*” in lieu thereof, and deleting “Consisting of:” before the list of countries and inserting “Currently qualifying:” in lieu thereof.

(7) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7759 of March 3, 2004**American Red Cross Month, 2004**

By the President of the United States of America

A Proclamation

The American Red Cross was founded in 1881 by Clara Barton and chartered by the Congress in 1905 to provide humanitarian services to the United States in times of need. Today, the Red Cross remains dedicated to relieving suffering by helping our citizens prepare for and respond to emergencies and natural disasters.

The Red Cross exemplifies one of the great strengths of America—the compassion of our people. Each year, the Red Cross responds to tens of thousands of disasters in the United States, from home fires and earthquakes to tornadoes and chemical spills. In Afghanistan and Iraq, the Red Cross is serving military families by delivering emergency messages between deployed members of our Armed Forces and their families. Through International Response Teams, the Red Cross provides vital aid overseas to the victims of disease, famine, war, and natural disasters. The Red Cross also educates individuals, families, schools, businesses, and communities about the importance of disaster preparedness, especially after the terrorist attacks of September 11, 2001. By offering health and safety training such as first aid, CPR, and aquatic lifesaving, and by facilitating the collection of millions of units of blood for donation, the Red Cross helps our country to handle emergencies.

Many of the essential services of the American Red Cross are provided by volunteers who give their time and energy to help fellow citizens in need. During Red Cross relief operations, these volunteers assess damages, drive emergency response vehicles to distribute food and other supplies to people, and shelter families who have been evacuated from their homes. As we celebrate American Red Cross Month, I encourage all Americans to commit themselves to helping others by volunteering in their communities.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America and Honorary Chairman of the American Red Cross, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 2004 as American Red Cross Month. I urge all Americans to support this organization's humanitarian mission. On behalf of a grateful Nation, we also applaud the selfless dedication of Red Cross employees and volunteers.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of March, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

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Title 3—The President

Proclamation 7760 of March 5, 2004

Irish-American Heritage Month, 2004

*By the President of the United States of America
A Proclamation*

Millions of Americans trace their ancestry to Ireland's shores. During Irish-American Heritage Month, we recognize these proud citizens and their important contributions to America.

Irish Americans have helped settle the American frontier, build our cities, and defend our homeland. Through their service in government and the military, they have helped to uphold our democracy and advance liberty and peace around the world. Through their dedication to faith and family, they have strengthened our communities and enriched our Nation's character.

The names of Irish Americans who have helped make America great are familiar. Davy Crockett and Sam Houston helped settle the West. As Archbishop, John Cardinal O'Connor served the people of New York with conviction and compassion. President John Kennedy led America with steadfast determination during a time of great challenge.

These and millions of other Irish Americans have made America better and stronger. This month, we celebrate the enormous gifts Irish Americans have given this Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 2004 as Irish-American Heritage Month. I call upon all Americans to observe this month by celebrating the contributions of Irish Americans to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of March, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7761 of March 5, 2004

Women's History Month, 2004

*By the President of the United States of America
A Proclamation*

During Women's History Month, we celebrate the many accomplishments of our Nation's women.

Women are leaders in American business, government, law, science, medicine, the arts, education, and many other fields. As mothers, sisters, and daughters, they bring compassion and integrity to our communities and help to teach our children the values that make our country great.

Women today are following in the footsteps of pioneers such as Sarah Pierce, Emma Willard, Catherine Beecher, and Mary Lyon, who helped open the doors to higher education for women in our country. Their vision and determination changed America forever. Women today also join a long tradition of defending our Nation. During the Revolutionary War, Margaret Cochran Corbin fought as a gunner and was severely wounded at the battle of Fort Mifflin. Today, more than 200,000 women are serving in our Nation's Armed Forces and working to defend America and advance peace and freedom. We are grateful for their sacrifice and for the military families that support them.

This month, we celebrate the many ways women strengthen and enrich America.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 2004 as Women's History Month. I call upon all Americans to observe this month with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of March, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7762 of March 5, 2004

Save Your Vision Week, 2004

*By the President of the United States of America
A Proclamation*

Millions of Americans enjoy healthy vision. Yet, each year, many of our citizens suffer from vision loss that could have been prevented or reversed with effective detection and appropriate intervention. Commemorating Save Your Vision Week reminds us of the importance of including eye care as part of a regular preventive health routine.

Eating healthy foods, wearing safety glasses, and avoiding the harmful effects of the sun's ultraviolet rays are ways to help to keep our eyes healthy. Regular, comprehensive exams are also important to maintain good vision and eye health. For children, regular eye exams can help parents ensure that their children's vision is developing normally and can identify a problem before it becomes more serious. For adults, eye care professionals can detect glaucoma and eye damage from diabetes in the early stages of progression, thereby preventing further harm. Diabetes can seriously affect vision in addition to general health. An estimated 40 to 45 percent of all people diagnosed with diabetes will develop some degree of diabetic retinopathy, a leading cause of new cases of blindness in working-age Americans that often presents few warning signs and no pain. Other eye diseases such as glaucoma may cause vision damage and eventual blindness without the individual being aware of a problem.

The Department of Health and Human Services is working to identify opportunities to improve the health of all Americans through Healthy People 2010, a national disease prevention plan. This plan includes the Healthy Vision 2010 Initiative, which is addressing many of the challenges posed by the loss or impairment of vision.

The Congress, by joint resolution approved December 30, 1963, as amended (77 Stat. 629; 36 U.S.C. 138), has authorized and requested the President to proclaim the first week in March of each year as “Save Your Vision Week.” During this week, I encourage all Americans to learn more about ways to prevent eye problems for themselves and to help others maintain the precious gift of sight.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim March 7 through March 13, 2004, as Save Your Vision Week. I urge all Americans to participate by making eye care and eye safety an important part of their lives and to get regular eye examinations. I also encourage eye care professionals, teachers, the media, and all public and private organizations dedicated to preserving eyesight to join in activities that will raise awareness of the measures all citizens can take to protect vision.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of March, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7763 of March 19, 2004

National Poison Prevention Week, 2004

*By the President of the United States of America
A Proclamation*

Each year, approximately 1 million calls to poison control centers are made because children may have ingested harmful substances. The National Poison Prevention Week Council organizes activities annually to raise awareness of the danger of unintentional poisoning and to educate adults about how to avoid and handle these emergencies.

Since the first National Poison Prevention Week in 1962, our Nation has taken important steps to protect children from consuming inappropriate medicines or household chemicals by heightening awareness, supporting poison control centers, and improving packaging. In December, I signed the Poison Control Center Enhancement and Awareness Act Amendments of 2003 to provide assistance for poison prevention programs and to stabilize the funding of regional poison control centers. This measure supports those who are working to reduce poisonings in America and to improve the safety and health of all Americans.

The Consumer Product Safety Commission requires child-resistant packaging for certain toxic medicines and chemicals. Because packaging is never completely child-proof, adults should also lock medicines and chemicals out of the reach of children.

To encourage Americans to learn more about the dangers of accidental poisonings and to take appropriate preventive measures, the Congress, by joint resolution approved September 26, 1961, as amended (75 Stat. 681), has authorized and requested the President to issue a proclamation designating the third week of March each year as “National Poison Prevention Week.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim March 21 through March 27, 2004, as National Poison Prevention Week. I call upon all Americans to observe this week by participating in appropriate activities and by learning how to prevent poisonings among children.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of March, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7764 of March 25, 2004

Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 2004

*By the President of the United States of America
A Proclamation*

The love of liberty that helped shape our Constitution has deep roots in the spirit of ancient Greece. As we observe Greek Independence Day, we celebrate the timeless democratic principles that all freedom-loving people cherish.

To continue to strengthen and spread liberty around the world, the values and traditions of democracy must be passed on to each new generation. In 1821, our Nation supported the cause of Greek independence when the brave men and women of Greece began their long struggle for liberty. This struggle continued through the end of World War II. On the anniversary of the Greek Declaration of Independence, we honor the courage of these proud patriots and celebrate our nations’ shared commitment to democracy.

Today, Greece and America are strong allies and strategic partners in the great struggles for liberty and the global war on terror. We are working together to bring a fair and lasting settlement to Cyprus. We look forward to a future of continued friendship and collaboration between our two great nations as we advance peace and democracy in the world.

In celebrating Greek Independence Day, we are also grateful for the many ways Greek Americans have enriched our communities and strengthened our country.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 25, 2004, as Greek Independence Day: A National Day of Celebration of Greek and American

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Democracy. I call upon all Americans to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of March, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7765 of April 2, 2004

Cancer Control Month, 2004

*By the President of the United States of America
A Proclamation*

We have made dramatic progress in our fight against cancer, yet this disease continues to be the second-leading cause of death in the United States. Cancer Control Month provides the opportunity for Americans to learn vital information about cancer prevention, detection, and treatment.

Medical science is helping cancer victims live healthier, longer lives. Survival rates are rising, and today our country has more than 9 million cancer survivors. However, much work remains to be done. Researchers estimate that more than 1.3 million people in the United States will be diagnosed with cancer this year, and more than 800,000 will die from the disease.

A good diet, regular exercise, and healthy choices help people reduce their risk of developing many chronic diseases, including cancer. Research suggests that being overweight or obese accounts for 14 percent of cancer deaths among men and 20 percent among women.

Regular check-ups are also important in the fight against cancer. Preventive health screenings can detect many forms of cancer at earlier, less dangerous stages, allowing doctors to stop cancer before it spreads. I encourage all Americans to talk to their doctors about preventive screenings and regular check-ups.

As we observe Cancer Control Month, I commend cancer survivors for their courage and determination. I applaud medical professionals, researchers, family members, and friends for their efforts to improve the lives of those suffering from cancer and for their work in finding a cure for this devastating disease. I encourage all Americans to learn more about cancer. By working together, we can save lives and win the fight against cancer.

In 1938, the Congress of the United States passed a joint resolution (52 Stat. 148; 36 U.S.C. 103) as amended, requesting the President to issue an annual proclamation declaring April as “Cancer Control Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim April 2004 as Cancer Control Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and other interested groups to join in activities that will increase awareness of what Americans can do to prevent and control cancer.

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IN WITNESS WHEREOF, I have hereunto set my hand this second day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7766 of April 2, 2004

National Child Abuse Prevention Month, 2004

By the President of the United States of America

A Proclamation

America has a fundamental duty to protect the safety and well-being of its children. During National Child Abuse Prevention Month, we renew our commitment to preventing child abuse and neglect, and we dedicate ourselves to creating a safe environment in which our children can grow and thrive.

We have made important progress in protecting America's children, but too many still suffer from abuse and neglect. Recent reports indicate that nearly 900,000 children were found to be victims of abuse or neglect in 2002. Of these children, an estimated 1,400 died, 75 percent of whom were 4 years old or younger.

These young girls and boys depend on adults to recognize the risk factors and warning signs of abuse and to take action to end it. This critical responsibility is shared by parents, teachers, coaches, religious leaders, government officials, and concerned citizens in every community.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 2004 as National Child Abuse Prevention Month. I encourage all citizens to take an active role in creating a caring community and help protect America's children from abuse and neglect.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7767 of April 2, 2004

Education and Sharing Day, U.S.A., 2004

By the President of the United States of America

A Proclamation

On Education and Sharing Day, U.S.A., we recognize the importance of teaching children good character and values. Families, schools, and religious congregations help instill in our children the enduring values of

courage, compassion, integrity, and respect for differences of faith and race. By building the mind and character of every child in America, we encourage our children to make the right choices, and we create a future of promise and opportunity for all.

As we promote good character, we must also advance excellence in education and set high standards for all of our students. By raising expectations, insisting on results, and challenging failure, we strengthen our schools and create an environment where every student can succeed.

To help America's young people make the right choices, we need to provide them with good examples. Strong role models help children build confidence, gain knowledge, and develop good character. For the past 20 years, this day has honored Rabbi Menachem Mendel Schneerson, the Lubavitcher Rebbe. He helped establish education and outreach centers, offering social service programs and humanitarian aid worldwide. After his death in 1994, the Rebbe received the Congressional Gold Medal for his "outstanding and lasting contributions toward improvements in world education, morality, and acts of charity."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 2, 2004, as Education and Sharing Day, U.S.A. I call upon all Americans to strengthen our Nation by teaching our children about the culture of responsibility and citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7768 of April 7, 2004

National D.A.R.E. Day, 2004

*By the President of the United States of America
A Proclamation*

Drug Abuse Resistance Education (D.A.R.E.) is one of the most widely recognized substance abuse and violence prevention programs in America. For more than 20 years, D.A.R.E. has brought specially trained police officers into classrooms to teach students about the importance of making healthy choices. These efforts have helped reduce illegal drug use in our country, but there remains work to be done.

Drug abuse costs people their health and robs them of their promise. A critical component of stopping illegal drug use is cutting the demand for drugs, and D.A.R.E. is an important part of expanding these efforts. By introducing students to local police officers and teaching them to become good citizens, D.A.R.E. also strengthens communities.

To help prevent illegal drug use, my National Drug Control Strategy includes the National Youth Anti-Drug Media Campaign; support for drug-free community coalitions; and \$25 million for student drug testing. Our

hard work is showing results. Youth drug use declined 11 percent between 2001 and 2003, meaning that 400,000 fewer young people used drugs.

As we educate young people about the dangers of illegal drugs, we are also helping to heal those who have fallen into addiction and working to disrupt the market for illegal drugs. The collaborative efforts of concerned citizens and officials at the Federal, State, and local levels are making our neighborhoods safer and our children healthier.

We will continue to work toward a society in which all citizens are free from the devastating influence of drugs. Law enforcement officials, community leaders, faith-based groups, parents, teachers, and programs like D.A.R.E. are all working to achieve this goal.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 8, 2004, as National D.A.R.E. Day. I call upon our youth, parents, educators, and all Americans to join in the effort to reduce drug use by expressing appreciation for the health care professionals, law enforcement officials, volunteers, teachers, and all those who help young people avoid the dangers of illegal drugs and violence.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7769 of April 8, 2004

National Donate Life Month, 2004

*By the President of the United States of America
A Proclamation*

This year marks the 50th anniversary of the first successful organ transplant in the United States. Since that time, organ and tissue transplantation have significantly increased, and last year, more than 25,000 Americans received an organ transplant. National Donate Life Month provides the opportunity to raise awareness about organ and tissue donation and the importance of sharing your decision to donate with your family.

While medical advances are enabling Americans to receive lifesaving transplants, there are not enough donors to help everyone in need. Last year, close to 6,000 Americans died while waiting for organ transplants. Currently, more than 84,000 of our citizens are on the waiting list for a donation, and approximately 30,000 people will be diagnosed with diseases that a bone marrow transplant could cure.

My Administration is committed to increasing organ and tissue donation. I have included nearly \$25 million in my 2005 budget proposal for organ procurement and transplantation efforts at the Department of Health and Human Services and nearly \$23 million to support a bone marrow donor registry. In addition, we continue to increase donations through the "Gift

of Life Donation Initiative.” This campaign encourages businesses and organizations to make information on donation available to their employees, volunteers, and members, provides donor cards for individuals to carry with them, promotes the development of donor registries, and encourages States to educate teenagers on donation through their drivers’ education classes. To make organ donation more viable, I recently signed into law the Organ Donation and Recovery Improvement Act. The Act authorizes the awarding of grants for travel reimbursement to potential donors and helps to increase public awareness and education about organ donation programs.

After a person decides to be a donor, one of the most important things he or she needs to do is talk with family members about this decision. Many opportunities are missed each year because families do not know what their loved ones wanted. During National Donate Life Month, we honor our Nation’s organ and tissue donors and their families. Their decision to share the gift of life through America’s donor programs serves as a positive example for all our citizens.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 2004 as National Donate Life Month. I call upon our citizens to sign an organ and tissue donor card and to be screened for bone marrow donation. I also urge health care professionals, volunteers, educators, government agencies, and private organizations to help raise awareness of the important need for organ and tissue donors in communities throughout our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7770 of April 9, 2004

National Former Prisoner of War Recognition Day, 2004

*By the President of the United States of America
A Proclamation*

Americans look to our veterans as examples of honor and patriotism. These loyal citizens have risked capture, imprisonment, and their lives to protect our homeland and advance freedom abroad. As we observe National Former Prisoner of War Recognition Day, we honor brave Americans who have demonstrated extraordinary courage in the face of hardship and terror.

Today, nine out of ten former prisoners of war are veterans of World War II. These Americans helped to liberate millions and defeat tyranny around the world, and survived unspeakable horrors for the cause of freedom. From enduring hard labor in German and Japanese POW camps to the torturous Bataan Death March, these proud patriots showed strength of character and incredible resolve in captivity. Their devotion to duty and love of country stand as a measure of service few others will attain.

America will never forget these quiet heroes and all of our former prisoners of war who suffered adversity in Korea, Vietnam, the Persian Gulf, Somalia, Kosovo, Iraq, and other conflicts. Our Nation is grateful to our former prisoners of war for their sacrifice to help protect the democratic ideals that make our country strong. Because of the dedication of these men and women in uniform, people in our own country and in lands far away can live in freedom. These citizens inspire us, and we will always remember their service for liberty's blessings.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 9, 2004, as National Former Prisoner of War Recognition Day. I call upon all Americans to join me in remembering all former American prisoners of war who suffered the hardships of enemy captivity. I also call upon Federal, State, and local government officials and private organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7771 of April 13, 2004

Pan American Day and Pan American Week, 2004

*By the President of the United States of America
A Proclamation*

Each year on Pan American Day and during Pan American Week, we honor the bonds of friendship that unite the Pan American community. With the exception of one country, the nations of the Western Hemisphere recognize the importance of working together to strengthen democratic institutions, promote economic prosperity, invest in our people, and improve our security. At the recent 2004 Special Summit of the Americas, the 34 democratic nations of the Western Hemisphere reaffirmed their commitment to the Inter-American Democratic Charter to defend democracy and freedom whenever they are threatened. Our unity and support of democratic institutions, constitutional processes, and basic liberties give hope and strength to those struggling around the world.

The nations of the Western Hemisphere will continue to draw upon the Charter to strengthen the rule of law, protect human rights and freedoms, encourage economic growth, and promote good governance. As neighbors, we are expanding prosperity through open markets and economic reforms—creating new opportunities for millions of people and continued economic progress benefiting the nations of our hemisphere. My Administration will continue to work toward the creation of the Free Trade Area of the Americas, scheduled for completion in 2005.

To protect the rights and freedoms of all our citizens, the Pan American community must also combat the forces that threaten democracy: terrorism,

drug trafficking, and other crimes that transcend national borders. The Declaration on Security in the Americas, adopted at the October 2003 Organization of American States Special Conference on Security, underscores our hemisphere's interest in collectively maintaining peace and security across the Americas. The United States welcomes the opportunity to work with our neighbors to advance the Declaration's goals to safeguard our citizens as we build for a future that is peaceful, just, and prosperous.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 14, 2004, as Pan American Day and April 11 through April 17, 2004, as Pan American Week. I urge the Governors of the 50 States, the Governor of the Commonwealth of Puerto Rico, and the officials of other areas under the flag of the United States of America to honor these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7772 of April 16, 2004

National Park Week, 2004

*By the President of the United States of America
A Proclamation*

Our system of national parks is entrusted to each generation of Americans. By practicing good management and being faithful stewards of the land, our generation can show that we are worthy of that trust. During National Park Week, we renew our commitment to caring for these treasured natural resources.

God designed our lands to be beautiful, but we must ensure God's beauty is maintained and conserved. Our citizens depend on our dedicated National Park Service employees and their volunteer partners to fulfill this important mission. In 2001 and 2002, volunteers contributed millions of hours of service to our parks by clearing trails, repairing facilities, leading education programs, and assisting visitors. This year's National Park Week theme, "Partners in Stewardship," encourages all Americans to join these volunteer partners in helping to look after our nearly 400 national park areas.

The Federal Government is investing more in its national parks now than at any time in its history. To help restore our national parks, my Administration proposed \$4.9 billion in funding over 5 years on needed maintenance and repairs. We have undertaken hundreds of vital park maintenance projects and are planning and executing hundreds more. We are also using a new system of inventory and assessment to identify facilities needing improvements and to measure those improvements as they are implemented.

Our citizens own America's parks, historic sites, battlefields, recreation areas, monuments, and shores, and we want these lands to be accessible and enjoyable for them to visit. We must respect our natural, cultural, and recreational heritage and conserve our parks for future generations. Park maintenance is critical to achieving each of these goals. By modernizing trail systems, we make it possible for people to fully appreciate these remarkable places. By maintaining buildings, roads, and campsites, we ensure our parks remain sources of pride for our citizens, our communities, and our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 18 through April 25, 2004, as National Park Week. I call upon the people of the United States to join me in recognizing the importance of our national parks and to learn more about these areas of beauty, their cultural and historical significance, and the many ways citizens can volunteer to conserve these precious resources.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7773 of April 16, 2004

National Volunteer Week, 2004

*By the President of the United States of America
A Proclamation*

The strength of America lies in the hearts and souls of our citizens. Across our country, citizens are donating their time and talents to improving lives and strengthening communities. During National Volunteer Week, we recognize and celebrate those who serve a cause greater than self.

This year's theme, "Volunteers Inspire by Example," highlights the role of volunteers in encouraging others to serve. Last year, more than 63 million Americans gave their time to helping in their communities, an increase of 4 million from the prior year. Through the dedicated efforts of America's volunteers, we are building a culture of service, responsibility, and compassion, particularly among our young people.

Volunteers can make a difference in many ways—by mentoring a child, caring for the ailing and elderly, building a playground, or caring for the environment. I created the USA Freedom Corps to help Americans find opportunities to volunteer. As I travel around our country, I am honored to meet citizens of all ages who volunteer through programs such as the Citizen Corps, AmeriCorps, Senior Corps, and the Peace Corps, as well as many other organizations. Their acts of kindness have a profound effect on people's lives and on the future of our country. To recognize those who have demonstrated a sustained commitment to volunteer service, my Council on Service and Civic Participation presents individuals, families, and groups

with the President's Volunteer Service Award. This award is a tribute to those whose outstanding efforts are helping make our country a better place.

America's volunteers set a fine example for our Nation, and I encourage all Americans to look for a challenge in their communities and step forward to lend a hand.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 18 through April 24, 2004, as National Volunteer Week. I call on all Americans to recognize and celebrate the important work that volunteers do every day across our country. I also encourage those who have not yet answered the call to explore ways to get involved.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7774 of April 17, 2004

National Crime Victims' Rights Week, 2004

*By the President of the United States of America
A Proclamation*

We have made significant advances in reducing crime in our communities. As we continue to work to prevent crime, we also have a duty to help victims as they cope with the trauma of crimes committed against them. Each year during National Crime Victims' Rights Week, we acknowledge the suffering endured by crime victims, and we honor those who bring hope and comfort to victims and their families.

This year marks the 20th anniversary of the passage of the Victims of Crime Act of 1984 (VOCA), landmark legislation that sustains thousands of local victim assistance programs across the country. Established by VOCA, the Crime Victims Fund provides crucial assistance for victims and their families, including counseling, shelter, courtroom advocacy, and help with expenses. In recent years, VOCA has begun addressing issues such as cybercrime, identity theft, hate violence, and stalking. It has also expanded its services to help victims of domestic and international terrorism.

While our Nation works to prevent terrorist activities, we also continue to wage a war against other crimes. In fighting violent crime, we battle the problems of drug abuse, gun violence, and other threats to our safety. We must ensure that when crimes do occur, we always protect the rights of victims. For this reason, my Administration continues to endorse the bipartisan Crime Victims' Rights Amendment. By allowing victims of violent crime to be present and heard at public proceedings and by giving them access to information, such an amendment would guarantee victims' inclusion in the criminal justice process without threatening the rights of defendants.

Proclamations

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While the Congress considers this amendment, my Administration continues to support important resources for victims and public safety. We have directed funding to improve the use of DNA technology to solve crime and identify missing persons; we are employing multiple agency resources to aid victims of trafficking who are forced into slavery and prostitution; and we are encouraging faith-based organizations to provide spiritual and material sustenance to those who have suffered and lost.

This month, I was pleased to sign into law the Unborn Victims of Violence Act of 2004, which creates a separate offense under Federal law for death or injury to an unborn child, in addition to any charges relating to the mother. Across our country, victims are being better served and better protected, but more can be done. I encourage every community to show compassion to victims and their families by providing them with the support they need.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 18 through April 24, 2004, as National Crime Victims' Rights Week. I encourage all Americans to embrace the cause of victims' rights and help to advance it throughout our society.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7775 of April 23, 2004

Jewish Heritage Week, 2004

*By the President of the United States of America
A Proclamation*

Jewish Heritage Week commemorates the rich history of the Jewish people and the many contributions Jewish Americans have made to our Nation. This year marks the 350th anniversary of the first permanent Jewish settlement in North America, in what is known today as New York. We honor the courage and perseverance of these Jewish immigrants and their descendants, and we celebrate their steadfast dedication to the ideals that make America strong.

Through their stories of tragedy and survival, the Jewish people demonstrate their unyielding faith and share with us the important truth that even in the face of terrible tragedy, hope endures. Many Jews came to America in search of a land of freedom and opportunity, and we must work to preserve their stories for future generations. The lessons of these stories are timeless and help guide us through the challenges ahead.

Over the past three and a half centuries, Jewish Americans have helped shape the history and culture of our Nation. As scientists, physicians, social workers, educators, artists, businessmen, and in many other professions, Jewish citizens have contributed to the strength of our country. Their

commitment to religious freedom, respect for diversity, and belief in democracy have enriched our society and helped make America a better place for all. During this historic time, we are particularly grateful for the many Jewish Americans who serve in our military. Their efforts help advance the cause of freedom and provide hope for people around the world.

As we observe Jewish Heritage Week, we remember the proud legacy and determination of the Jewish people and their strong dedication to faith, family, and service.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 25 through May 2, 2004, as Jewish Heritage Week. I call upon all Americans to observe this week with appropriate programs and activities that highlight and honor the contributions Jewish Americans have made to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7776 of April 30, 2004

Older Americans Month, 2004

*By the President of the United States of America
A Proclamation*

More than 47 million Americans are 60 years old or older. During Older Americans Month, we honor our senior citizens for enriching and strengthening our Nation, and we pledge to continue working to enhance their quality of life.

This year's theme, "Aging Well, Living Well," reflects the many ways that older Americans contribute to our national character. Many are working beyond traditional retirement age, while others volunteer their time serving worthy causes. Through the Senior Corps program of the USA Freedom Corps, more than half a million older Americans donated time to their communities last year, and many others are volunteering through the Peace Corps and other programs.

My Administration is committed to helping our senior citizens lead better, healthier, and longer lives. Late last year, I was proud to sign into law the Medicare Prescription Drug, Improvement, and Modernization Act of 2003. This historic legislation represents the greatest improvement in senior health care since President Lyndon Johnson signed the Social Security Act Amendments that created Medicare in 1965. It gives seniors access to affordable prescription drug coverage, provides for preventive screenings to diagnose and treat health conditions early, and updates the Medicare system to let seniors choose coverage that best meets their needs. These changes are vital to ensuring that seniors can obtain the health care and prescription drugs they deserve.

Proclamations

Proc. 7777

Older Americans help others to understand the past, and they teach timeless lessons of courage, endurance, and love. Through their legacy of patriotism, service, and responsibility, America's seniors also unite families and communities and serve as role models for younger generations.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 2004 as Older Americans Month. I commend older Americans for the contributions they make to our communities. I further commend Federal officials, State, and local governments, tribal organizations, service and health care providers, caregivers, volunteers, and all those who work on behalf of our senior citizens. I encourage all Americans to honor their elders and publicly reaffirm our Nation's commitment to older Americans during this month and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7777 of April 30, 2004

National Charter Schools Week, 2004

*By the President of the United States of America
A Proclamation*

America looks to its schools to give all students the skills they need to realize their dreams and reach their potential. Charter schools help fulfill this mission. During National Charter Schools Week, we celebrate the successes of these institutions.

Charter schools are an important part of our effort to improve the public school system and offer broader educational options to every family. Like other public schools, charter schools are open to all students. Because they are subject to fewer State and district regulations than other public schools, charter schools offer teachers and administrators more freedom in tailoring programs to meet specific student and community needs. In exchange for this freedom, they must meet stricter accountability standards.

Now in their second decade, the demand for charter schools is growing among families from all backgrounds. During this school year, our Nation's charter schools will educate nearly 700,000 students. Many families choose charter schools because of the innovative curriculum and focus on academic achievement, and because these schools can be a promising alternative to a low-performing neighborhood school.

Charter schools are an important part of the No Child Left Behind Act. They provide parents with more choices for their children's education. The greater autonomy of charter schools allows them to employ innovative educational practices. Studies have shown that many charter schools improve academic achievement for their students and that parents of students in charter schools are satisfied with their children's schools.

My fiscal year 2005 budget includes an overall 49 percent increase for elementary and secondary education over 2001 levels, and it proposes \$219 million for charter school grants and \$100 million for charter school facilities. Together, funding for these two charter school programs has increased 68 percent over 2001 levels. By raising expectations, insisting on results, and refusing to accept failure, we are strengthening our public schools and improving education for all children in America.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 2 through May 8, 2004, as National Charter Schools Week. I commend our Nation's charter schools, and I call on parents of charter school students to share their successes to help all Americans understand more about the important work of charter schools.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7778 of April 30, 2004

Law Day, U.S.A., 2004

*By the President of the United States of America
A Proclamation*

The theme of this year's Law Day, "To Win Equality by Law: *Brown v. Board at 50*," celebrates the 50th anniversary of the Supreme Court's landmark decision in *Brown v. Board of Education*.

The Declaration of Independence declared the equality of each person before God and the responsibility of Government to secure the rights of all. However, it was not until ratification of the 14th Amendment in 1868 that the equality of all citizens under law was guaranteed by the Constitution. Still, for decades afterwards, millions of African-American citizens were subjected to shameful discrimination, and in many public school systems, students were segregated by race. Finally, in the 1954 *Brown* decision, the Supreme Court ruled that segregating students in our public schools violated our Constitution.

Our Nation is grateful for the brave men and women and boys and girls who challenged segregation and helped make equal justice under law a reality for all Americans. We remember Thurgood Marshall, the heroic lawyer who represented Linda Brown and fought for her rights and the rights of all African Americans. We remember the nine justices of the Supreme Court of the United States who helped America begin to make equal justice under law a reality for African Americans.

Nearly 50 years after *Brown*, we appreciate the progress America has made, but we also recognize that there is still work to be done to ensure that our country lives up to the founding principle that all of God's children are

created equal. As we observe this Law Day and commemorate the anniversary of *Brown v. Board of Education*, I encourage all Americans to celebrate the great distance we have traveled as a Nation and to continue our work to promote equality and opportunity for all.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, in accordance with Public Law 87–20, as amended, do hereby proclaim May 1, 2004, as Law Day, U.S.A. I call upon all the people of the United States to observe this day with appropriate ceremonies and activities. I also call upon Government officials to display the flag of the United States in support of this national observance.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7779 of April 30, 2004

Loyalty Day, 2004

*By the President of the United States of America
A Proclamation*

As Americans, we work to preserve the freedom declared by our Founding Fathers, defended by generations, and granted to every man and woman on Earth by the Almighty. On Loyalty Day, we are reminded that we are citizens with obligations to our country, to each other, and to our great legacy of freedom and democracy.

We learn lessons of loyalty from the selfless dedication and unwavering allegiance of our men and women in uniform. We are grateful for their courage and willingness to sacrifice for our country, and we stand united behind them. Through the “On the Homefront” program, a USA Freedom Corps initiative, many Americans are writing to service members, contributing to the purchase of care packages to be sent overseas, and helping the families of those deployed with basic family needs such as home repairs, financial planning, and child care. By supporting our troops and their families, citizens are making a difference in their communities and showing loyalty to our country through their patriotism.

America’s citizens are also demonstrating their loyalty to our Nation through volunteer service. In answering the call to serve something greater than self, Americans reflect the compassion and decency that make our country great. Through the USA Freedom Corps, my Administration is providing information about volunteer opportunities to Americans so they can give back to their communities and help their fellow citizens in need. The hard work and generosity of America’s volunteers help build a culture of service and responsible citizenship that strengthens America and sets a positive example for future generations.

Over the past few years, America has once again witnessed the loyalty and character of our citizens. We must continue to ensure that our young people know the great cause of freedom and why it is worth defending. Our

Founders believed the study of history and citizenship should be at the core of every American’s education. By encouraging students to learn more about American history and values, we can help prepare the next generation of Americans to carry our heritage of freedom into the future. To further this goal, my Administration has created initiatives such as “We the People” and “Our Documents” to help bring the stories and documents central to our history into the modern classroom.

Loyalty Day encourages citizens to demonstrate their commitment to our country by supporting our military, serving each other, and teaching our young people about our history and values. Being an American is a privilege, and our patriotism is a living faith in our country’s founding ideals and the promise of the American Dream.

The Congress, by Public Law 85–529, as amended, has designated May 1 of each year as “Loyalty Day,” and I ask all Americans to join me in this day of celebration and in reaffirming our allegiance to our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 1, 2004, as Loyalty Day. I call upon all the people of the United States to join in support of this national observance. I also call upon government officials to display the flag of the United States on all government buildings on Loyalty Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7780 of April 30, 2004

National Day of Prayer, 2004

*By the President of the United States of America
A Proclamation*

In his first Inaugural Address, President George Washington prayed that the Almighty would preserve the freedom of all Americans. On the National Day of Prayer, we celebrate that freedom and America’s great tradition of prayer. The National Day of Prayer encourages Americans of every faith to give thanks for God’s many blessings and to pray for each other and our Nation.

Prayer is an opportunity to praise God for His mighty works, His gift of freedom, His mercy, and His boundless love. Through prayer, we recognize the limits of earthly power and acknowledge the sovereignty of God. According to Scripture, “the Lord is near to all who call upon Him . . . He also will hear their cry, and save them.” Prayer leads to humility and a grateful heart, and it turns our minds to the needs of others.

On this National Day of Prayer, we pray especially for the brave men and women of the United States Armed Forces who are serving around the world to defend the cause of liberty. We are grateful for their courage and sacrifice and ask God to comfort their families while they are away from

home. We also pray that the people of Iraq and Afghanistan, and throughout the Greater Middle East, may live in safety and freedom. During this time, we continue to ask God's blessing for our Nation, granting us strength to meet the challenges ahead and wisdom as we work to build a more peaceful future for all.

The Congress, by Public Law 100–307, as amended, has called on our citizens to reaffirm the role of prayer in our society by recognizing annually a “National Day of Prayer.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 6, 2004, as a National Day of Prayer. I ask the citizens of our Nation to give thanks, each according to his or her own faith, for the freedoms and blessings we have received and for God's continued guidance and protection. I also urge all Americans to join in observing this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7781 of May 7, 2004

Asian/Pacific American Heritage Month, 2004

*By the President of the United States of America
A Proclamation*

During Asian/Pacific American Heritage Month, we honor the accomplishments of Asian/Pacific Americans and the many ways they have enriched our society and shaped the character of our Nation through their diverse languages, cultures, and religious beliefs.

Today, Asian/Pacific Americans are leaders in public service, business, government, science, law, education, athletics, the arts, and many other areas. Their love of family, community, and hard work has helped to uphold our Nation for many generations. Asian/Pacific American entrepreneurs are helping to strengthen our economy and our communities through their hard work and ingenuity, and they inspire a new generation of American innovation through their example.

Throughout our history, Asian/Pacific Americans have been patriots, answering the call to defend our Nation and to protect the blessings of liberty and democracy. Today, in the war on terror, Asian/Pacific Americans serve proudly as they carry on our Nation's noble tradition of advancing the cause of freedom around the world. We are grateful for the sacrifice of our men and women in uniform and those who love and support them as we fight to protect our homeland and make the world safe for democracy.

Today, the more than 13 million Americans of Asian or Pacific Island heritage contribute to the vitality, success, and prosperity of our Nation. To honor the achievements and contributions of Asian/Pacific Americans, the

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Title 3—The President

Congress by Public Law 102–450 as amended, has designated the month of May each year as “Asian/Pacific American Heritage Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 2004 as Asian/Pacific American Heritage Month. I call upon the people of the United States to reflect upon the history of Asian/Pacific Americans and their many contributions to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7782 of May 7, 2004

National Physical Fitness and Sports Month, 2004

By the President of the United States of America

A Proclamation

Physical fitness is an integral part of a healthy life and a healthy America. National Physical Fitness and Sports Month provides an opportunity for all Americans to learn more about the benefits of exercise and sports and to make being physically active part of their everyday lives.

Regular physical activity builds strength and aerobic fitness, provides motivation, promotes relaxation, and facilitates sleep for people of all ages and abilities. Regular exercise—in some cases, simply walking for half an hour—can help reduce the risk of many serious health problems, such as heart disease and diabetes. By participating in sports, individuals also learn teamwork, discipline, and how to accept victory and defeat with grace. These important lessons help build good character and teach strong values.

My Administration has recommended a few simple steps to achieve better health and fitness. Our HealthierUS Initiative promotes daily physical activity, healthy diets, and preventative screenings. It also encourages people to avoid tobacco and drugs, and to make responsible choices about alcohol. Across our country, people are making physical activity part of their daily lives by participating in the President’s Challenge, a fitness program that helps them track weekly fitness activities and rewards them for reaching defined fitness goals.

As we observe National Physical Fitness and Sports Month, I urge adults and children to participate in regular physical activity. I encourage parents to make family time active, and I call on Americans to help motivate their friends to have an active lifestyle. By exercising regularly and participating in sports, we can improve our health, set a positive example for our children, and help build a stronger future for our country.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 2004 as National Physical Fitness and Sports Month. I call upon the people of the United States

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to recognize the importance of daily physical activity and sports for all our citizens, and to make fitness a part of daily life. I also call on all Americans to celebrate this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7783 of May 7, 2004

Mother's Day, 2004

*By the President of the United States of America
A Proclamation*

President Theodore Roosevelt once said, "The mother is the one supreme asset of national life; she is more important by far than the successful statesman, or business man, or artist, or scientist." Today, mothers continue to be an important part of our national character. On Mother's Day, we honor the women whose steadfast love and wisdom have made America a better place.

During the Civil War, Julia Ward Howe, author of "The Battle Hymn of the Republic," proposed renaming July 4 as Mother's Day and a day dedicated to peace. Anna Reeves Jarvis also began working for a similar holiday and sponsored a Mother's Friendship Day in her hometown to reunite families divided by the war. It was not until 2 years after her mother's death that her daughter, Anna M. Jarvis, started the campaign for the observance of Mother's Day in the United States. By 1911, Mother's Day was observed in nearly every State of the Union, and in 1914, responding to a joint resolution of the Congress, President Woodrow Wilson officially designated Mother's Day a national observance.

Motherhood is a rewarding and often difficult job. A mother is a child's first teacher and affects a child's life like few others can. Effective mothers can inspire their sons and daughters to love themselves and others, work hard, make healthy choices, serve causes greater than self, and achieve their dreams. Mothers who protect, teach, and nurture their children with all their hearts strengthen their families and help build a better future for our country.

This Mother's Day, we express our heartfelt thanks to our mothers for their unconditional love and guidance. We take time to recognize the many mothers who are supporting their brave sons and daughters in the Armed Forces, and the many others who are themselves serving proudly in defense of America's freedom and security. The service and sacrifice of these women reflect the best of our Nation. They and their loved ones are in our thoughts and prayers.

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The Congress, by a joint resolution approved May 8, 1914, as amended (38 Stat. 770), has designated the second Sunday in May each year as “Mother’s Day” and has requested the President to call for its appropriate observance. In honor of all of our Nation’s mothers, I am pleased to do so.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 9, 2004, as Mother’s Day. I commend mothers for the important contributions they make to our society and encourage all Americans to express their love, gratitude, and respect for mothers, and to honor their mothers on this day and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7784 of May 7, 2004

Peace Officers Memorial Day and Police Week, 2004

By the President of the United States of America

A Proclamation

Law enforcement officers are among America’s greatest heroes. Every day, these men and women protect our families, homes, businesses, and communities.

Our dedicated peace officers put themselves at great risk while working tirelessly on the front lines in the fight against crime, violence, and terrorism. According to the National Law Enforcement Officers Memorial Fund, last year, 145 law enforcement officers made the ultimate sacrifice and gave their lives in the line of duty, while thousands of others were injured protecting our citizens from harm. On Peace Officers Memorial Day and throughout Police Week, we honor the memory of the fallen and recognize those who devote their lives to enforcing our laws, bringing criminals to justice, and making America safer and better.

Over the past year, many in our law enforcement community have been activated as Reservists or members of the National Guard. We are grateful to these officers and all our military personnel for answering the call to service, for their commitment to duty, and for the sacrifices they are making in defense of freedom.

By a joint resolution approved October 1, 1962, as amended, (76 Stat. 676), the Congress has authorized and requested the President to designate May 15 of each year as “Peace Officers Memorial Day” and the week in which it falls as “Police Week.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 15, 2004, as Peace Officers Memorial Day and May 9 through May 15, 2004, as Police Week. I call on all Americans to observe these events with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7785 of May 14, 2004

National Defense Transportation Day and National Transportation Week, 2004

*By the President of the United States of America
A Proclamation*

Each year, America's transportation system helps many travelers reach their destinations and carries more than 16 billion tons of freight worth almost \$12 trillion. In addition, our transportation systems play a critical role in deploying and sustaining our troops and their equipment around the world.

Throughout our history, advances in transportation have been at the forefront of progress. Last December, we celebrated the centennial of the Wright Brothers' first flight in North Carolina. The pioneering work of the Wright Brothers and subsequent improvements in aviation ushered in new eras of freedom and captured the imaginations of people around the world.

Today, our Nation proudly continues this tradition of innovation in all transportation fields. As we observe National Defense Transportation Day and National Transportation Week, we continue to modernize transportation, and we honor transportation professionals who help to keep our transportation systems secure, efficient, and reliable.

To recognize the men and women who work in the transportation industry and who contribute to our Nation's well-being and defense, the Congress, by joint resolution approved May 16, 1957, as amended (36 U.S.C. 120), has designated the third Friday in May of each year as "National Defense Transportation Day," and, by joint resolution approved May 14, 1962, as amended (36 U.S.C. 133), declared that the week during which that Friday falls be designated as "National Transportation Week."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Friday, May 21, 2004, as National Defense Transportation Day and May 16 through May 22, 2004, as National Transportation Week.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7786 of May 14, 2004

National Hurricane Preparedness Week, 2004

By the President of the United States of America

A Proclamation

Hurricanes are among nature's most powerful forces, bringing destructive winds, tornadoes, and floods from torrential rains and ocean storm surges. Each year, several hurricanes develop off American shores in the Atlantic Ocean, Caribbean Sea, and Gulf of Mexico. Some of these strike the United States coastline every year, causing numerous fatalities and costing billions of dollars in damage. Many Americans are vulnerable to the dangers of these storms.

In recent years, advances in how we predict and track these storms have improved preparedness and saved lives, but people living in hurricane-prone areas still must be prepared. The National Hurricane Center within the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA) recommends developing a family disaster plan, creating a disaster supply kit, and staying aware of current weather situations.

While citizens make preparations to keep themselves safe, the Federal Government is maintaining our commitment to improve forecasts to provide advance warning and to coordinate effective emergency response. The Department of Homeland Security's Federal Emergency Management Agency is also working on a plan to better position disaster equipment and supplies, so Federal resources to support local emergency services arrive quickly.

While no policy can eliminate the threat that hurricanes pose to lives and property, cooperation among citizens and Federal, State, and local officials can reduce the dangers and provide a more effective response to these storms.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 16 through May 22, 2004, as National Hurricane Preparedness Week. I call upon government agencies, private organizations, schools, news media, and residents in hurricane-prone areas to share information about hurricane preparedness and response, and to implement steps to minimize storm damage and save lives. I also call upon Americans living in the coastal areas of our Nation to use this opportunity to learn more about how to protect themselves against the effects of hurricanes and tropical storms.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7787 of May 14, 2004**Small Business Week, 2004**

*By the President of the United States of America
A Proclamation*

The dedication and entrepreneurial spirit of small business owners are vital to our Nation's economic growth and prosperity. We celebrate Small Business Week to applaud the efforts of America's small business men and women in our communities.

Small businesses are a central part of America's economy. They create approximately 70 percent of new private sector jobs in this country. As our Nation's economy continues to grow stronger, we must encourage their spirit of enterprise.

To help small businesses invest and create more jobs, we have decreased the tax burden. We have given small business men and women a fair chance to bid on government contracts. We have a plan to create more opportunity for America's small businesses and workers by making health care costs more affordable and predictable; streamlining regulations and paperwork requirements; reducing frivolous lawsuits; making America less dependent on foreign sources of energy; and permanently eliminating the death tax.

In this Small Business Week, we salute America's small business owners and entrepreneurs and workers for their contributions to America's prosperity and for making our Nation better and stronger.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 16 through May 22, 2004, as Small Business Week. I call upon all the people of the United States to observe this week with appropriate ceremonies, activities, and programs that celebrate the achievements of small business owners and their employees and encourage and foster the development of new small businesses.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7788 of May 14, 2004**World Trade Week, 2004**

*By the President of the United States of America
A Proclamation*

Participating in the world economy makes America's economy stronger. By opening new markets for American products and services, bringing lower

prices and more choices to American consumers, and attracting foreign companies to invest and hire in the United States, free and fair trade helps create better jobs for American workers. During World Trade Week, we celebrate the benefits trade brings to our citizens, our economy, and to countries and people around the world.

Since World War II, the United States has led the world in advancing trade to create jobs for American workers, increase choice for consumers, and ensure that quality American goods and services are sold on every continent. Today, millions of American jobs depend on our goods and services being sold overseas, and foreign-owned companies and their suppliers employ millions of Americans here at home.

My Administration has aggressively negotiated trade agreements that slash foreign tariffs and remove the barriers to selling American goods and services around the world. Since 2001, we have entered into free trade agreements with Chile and Singapore and concluded negotiations with Australia, Morocco, the Dominican Republic, and five countries in Central America. Free trade agreement negotiations with Colombia, Ecuador, Peru, Panama, Bahrain, Thailand, and five member countries of the Southern African Customs Union are in progress or about to begin. We are also working with our neighbors in the Western Hemisphere to create a Free Trade Area of the Americas that will form the world's largest common market and improve the lives of citizens in America and these countries. By opening foreign markets to American exports and encouraging foreign countries to set up operations in the United States, all of these agreements help create more and better jobs in our Nation. They also help increase prosperity for our workers.

For American businesses and their employees to continue to outperform other countries, America must remain the best place to do business and invest capital. In addition, we must ensure that our citizens are prepared for the high-skilled jobs our economy is creating. By fostering an environment where the entrepreneurial spirit flourishes and by providing workers with the best skills and education in the world, we can maintain our country's economic leadership and help all our citizens achieve a better life.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 16 through May 22, 2004, as World Trade Week. I encourage all Americans to observe this week with events, trade shows, and educational programs that celebrate the benefits of trade to our Nation and the global economy.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7789 of May 21, 2004**National Maritime Day, 2004**

*By the President of the United States of America
A Proclamation*

National Maritime Day provides an opportunity to recognize the men and women of the United States Merchant Marine and their contributions to our national security and economic strength.

Since they first offered their ships and services to assist the Continental Navy in our struggle for independence, to their distinguished service in World War II, merchant mariners have courageously sacrificed to protect our country and defend our freedoms. In 1936, America recognized the contributions of these patriots and established the U.S. Merchant Marine “as a naval or military auxiliary in time of war or national emergency.” Today, merchant mariners are delivering essential supplies and equipment to our troops in Iraq and bravely serving the cause of liberty. They continue to play an important role in our Nation’s efforts to advance democracy, peace, and freedom around the world, and we are grateful for their dedication.

Merchant mariners also contribute significantly to the U.S. maritime transportation system. More than 95 percent of non-North American trade enters our country through our seaports. These ports handle more than \$740 billion and 2 billion tons of domestic and international freight each year. Those in the maritime industry, including merchant mariners, enhance waterborne commerce and help promote America’s economic growth.

Today, we honor the courage, determination, and service of our Nation’s merchant mariners and remember the many who have given their lives in defense of our country. Their work reflects the patriotism and devotion to duty that make America great.

In recognition of the importance of the U.S. Merchant Marine, the Congress, by joint resolution approved on May 20, 1933, as amended, has designated May 22 of each year as “National Maritime Day,” and has authorized and requested that the President issue an annual proclamation calling for its appropriate observance.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 22, 2004, as National Maritime Day. I call upon the people of the United States to celebrate this observance and to display the flag of the United States at their homes and in their communities. I also request that all ships sailing under the American flag dress ship on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7790 of May 21, 2004

National Safe Boating Week, 2004

By the President of the United States of America

A Proclamation

Our Nation’s many waterways give millions of boating enthusiasts the opportunity to enjoy the outdoors and spend time with family and friends. With nearly 13 million recreational boats on our oceans, lakes, and rivers, boating is a popular pastime. However, far too many Americans are hurt or killed each year in boating accidents that are largely preventable.

Each year, of the thousands of boating accidents that occur, many are caused by operators who are careless, reckless, or inexperienced. In most cases, boat operators had received no safety instruction, and many of those who died could have been saved if they had worn life jackets. During National Safe Boating week, we seek to raise awareness to improve safety and reduce accidents on our Nation’s waters.

Across the Nation, many groups are working to teach recreational boaters how they can make boating safer through the 2004 North American Safe Boating Campaign. These include the U.S. Coast Guard, the Coast Guard Auxiliary, the National Safe Boating Council, and the National Association of State Boating Law Administrators. These groups recommend that boaters get boat safety checks, ensure that boats are properly maintained, take safe boating classes, be aware of homeland security issues, always wear a life jacket, and never operate a boat under the influence of alcohol or drugs. By learning about boating safety and taking some simple precautions, recreational boaters can reduce the risk of accidents and ensure that they enjoy their time on the water responsibly.

In recognition of the importance of safe boating practices, the Congress, by joint resolution approved June 4, 1958 (36 U.S.C. 131), as amended, has authorized and requested the President to proclaim annually the 7-day period prior to Memorial Day weekend as “National Safe Boating Week.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 22 through May 28, 2004, as National Safe Boating Week. I encourage the Governors of the 50 States and the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States, to join in observing this occasion. I also urge all boaters to learn more about safe boating practices, always wear life jackets, and take advantage of boating safety programs throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7791 of May 26, 2004**Prayer for Peace, Memorial Day, 2004**

*By the President of the United States of America
A Proclamation*

For more than two centuries, Americans have been called to defend the founding ideals of our democracy. On Memorial Day, a grateful Nation remembers the proud patriots who made the ultimate sacrifice in defense of liberty's blessings.

From the opening battles of the American Revolution through the turmoil of the Civil War, to World War I, World War II, Korea, and Vietnam, to the Persian Gulf and today's operations in the war on terror in Afghanistan, Iraq, and around the world, the members of our military have built a tradition of honorable and faithful service. As we observe Memorial Day, we remember the more than one million Americans who have died to preserve our freedom, the more than 140,000 citizens who were prisoners of war, and all those who were declared missing in action. We also honor our veterans for their dedication to America and their sacrifice.

This year, we honor many heroes by observing the 60th anniversary of D-Day on the beaches of Normandy, and by dedicating the National World War II Memorial in Washington, D.C. In a radio address on June 6, 1944, President Franklin Roosevelt described these service members as the "pride of our Nation," who struggled to preserve our civilization. The fallen from that fateful day and that war will always be remembered. They hold a cherished place in the history of the United States and in the memories of the people they liberated.

Today, all who wear the uniform of the United States are serving at a crucial hour in history, and each has answered a great call to serve our Nation on the front lines of freedom. As we continue to fight terrorism and promote peace and freedom, let us pray for the safety and strength of our troops, for God's blessing on them and their families, and for those who have lost loved ones.

On this Memorial Day, we honor all of our fallen soldiers, their commitment to our country, and their legacy of patriotism and sacrifice. By giving their lives in the cause of freedom, these heroes have protected and inspired all Americans.

In respect for their devotion to America, the Congress, by a joint resolution approved on May 11, 1950, as amended (64 Stat. 158), has requested the President to issue a proclamation calling on the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the people of the United States might unite in prayer. The Congress, by Public Law 106-579, has also designated the minute beginning at 3:00 p.m. local time on that day as a time for all Americans to observe the National Moment of Remembrance.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Memorial Day, May 31, 2004, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at 11:00 a.m. of that day as a time to unite in prayer. I also ask all

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Americans to observe the National Moment of Remembrance beginning at 3:00 p.m. local time on Memorial Day. I urge the press, radio, television, and all other media to participate in these observances.

I also request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff until noon on this Memorial Day on all buildings, grounds, and naval vessels throughout the United States, and in all areas under its jurisdiction and control. I also request the people of the United States to display the flag at half-staff from their homes for the customary forenoon period.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of May, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7792 of June 5, 2004

D-Day National Remembrance Day, 2004

*By the President of the United States of America
A Proclamation*

Sixty years ago, the soldiers, sailors, and airmen of the Allied Expeditionary Force invaded Normandy in northern France to open a new front in our war against Nazism and tyranny. The courage of these troops turned the tide of World War II and changed the fate of the world forever. Their extraordinary service in the face of great danger demonstrated the finest qualities of our Nation and of our Allies, and millions around the world today live in freedom because of their sacrifice. By remembering the heroic actions of our Armed Forces at Utah, Omaha, Gold, Juno, and Sword beaches in 1944, we honor a generation who served this country and saved liberty for people everywhere.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim June 6, 2004, as D-Day National Remembrance Day. I call upon all Americans to observe this occasion with appropriate activities, ceremonies and programs designed to honor those who served and sacrificed to liberate Europe and defend America's freedom and security.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of June, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7793 of June 5, 2004**National Child's Day, 2004**

*By the President of the United States of America
A Proclamation*

Children are a precious gift and a source of great hope for our future. National Child's Day celebrates children and reminds us of the importance of nurturing a child's personal development and providing a safe environment in which to grow.

Children need our guidance and support. During this time in America's history, teaching our children to love our Nation and its values remains a critical responsibility. We need to help young people understand that freedom is God's gift to every man and woman and that America's legacy is one of ensuring liberty for all. Our children also need to know about what other generations have done to build and preserve this great country, including the service and sacrifice of the men and women who have defended our Nation. To help prepare our next generation of leaders to carry on America's tradition of freedom, my Administration has launched the "We the People" initiative to improve the teaching of history and civics in America's schools, along with the "Our Documents" initiative to help make the treasures in our Nation's archives more accessible to students and teachers.

Building a solid foundation of character education for our young people helps to keep our country strong. We live by the immutable values that families, schools, and religious congregations instill in us. To assist these fundamental institutions as they shape generations of Americans, my Administration is supporting Partnerships in Character Education, which helps establish educational programs that focus on caring, civic virtue, citizenship, justice, fairness, respect, responsibility, and trustworthiness. It is essential to teach these morals with confidence and conviction, as they will guide America's children through their lives.

Government cannot replace the love of a family in a child's life, but it can help create an environment where children can grow into healthy, responsible adults. My Administration has taken several steps to strengthen education and promote the safety and well-being of America's children. I signed the No Child Left Behind Act of 2001 to transform education and open the door of opportunity to all of our children. We have also strengthened laws to protect children from criminals and expanded the AMBER Alert system to help recover abducted children. And because the decisions young people make now can affect their health and character for the rest of their lives, my Administration is working to send positive messages to children to help them make healthy lifestyle choices, avoid the dangers of drug use, and to develop healthy eating and exercise habits early in life.

On National Child's Day, we recognize the importance of working together to create a society that is safe for our children, and we renew our commitment to helping families build a bright future for young people and our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and

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laws of the United States, do hereby proclaim June 6, 2004, as National Child’s Day. I urge all Americans to set a positive example for children and to work to ensure that their communities are safe and supportive places that help young people grow and reach their full potential. I also call upon citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of June, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7794 of June 6, 2004

Announcing the Death of Ronald Reagan

*By the President of the United States of America
A Proclamation*

TO THE PEOPLE OF THE UNITED STATES:

It is my sad duty to announce officially the death of Ronald Reagan, the fortieth President of the United States, on June 5, 2004.

We are blessed to live in a Nation, and a world, that have been shaped by the will, the leadership, and the vision of Ronald Reagan.

With an unshakable faith in the values of our country and the character of our people, Ronald Reagan renewed America’s confidence and restored our Nation. His optimism, strength, and humility epitomized the American spirit. He always told us that for America the best was yet to come.

Ronald Reagan believed that God takes the side of justice and that America has a special calling to oppose tyranny and defend freedom. Through his courage and determination, he enhanced America’s security and advanced the spread of peace, liberty, and democracy to millions of people who had lived in darkness and oppression. As America’s President, Ronald Reagan helped change the world.

President Reagan has left us, but he has left us stronger and better. We take comfort in the knowledge that he has left us for a better place, the shining city that awaits him.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by the authority vested in me by the Constitution and laws of the United States, in honor and tribute to the memory of Ronald Reagan, and as an expression of public sorrow, do hereby direct that the flag of the United States be displayed at half-staff at the White House and on all buildings, grounds, and Naval vessels of the United States for a period of 30 days from the day of his death. I also direct that for the same length of time, the representatives of the United States in foreign countries shall make similar arrangements for the display of the flag at half-staff over their Embassies, Legations, and other facilities abroad, including all military facilities and stations.

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I hereby order that suitable honors be rendered by units of the Armed Forces under orders of the Secretary of Defense.

I do further appoint Friday, June 11, 2004, as a National Day of Mourning throughout the United States. I call on the American people to assemble on that day in their respective places of worship, there to pay homage to the memory of President Reagan. I invite the people of the world who share our grief to join us in this solemn observance.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of June, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7795 of June 4, 2004

Great Outdoors Month, 2004

*By the President of the United States of America
A Proclamation*

More than 200 years ago, Captains Meriwether Lewis and William Clark embarked upon an expedition to explore uncharted lands and find passage across the Rocky Mountains to the Pacific Ocean. During the Captains' journey, their Corps of Discovery encountered remarkable landscapes, observed wildlife, and traded with American Indians. Two years into his experience, Captain Lewis was inspired by the beauty of a waterfall along the Missouri River that he called in his journal, "the grandest sight I ever beheld." Today, the splendor of the great outdoors continues to inspire our citizens, and a love of outdoor recreation remains a fundamental part of the American character. By observing Great Outdoors Month, we celebrate our commitment to appreciating and protecting our natural wealth.

Outdoor recreation is an ideal way to exercise and enjoy memorable experiences with family and friends, and all across our country are scenic places that sports and nature enthusiasts can explore and help keep beautiful. During Great Outdoors Month and throughout the year, I encourage Americans to go camping, fishing, hunting, hiking, bird watching, boating, or to participate in other outdoor activities that are part of a healthy lifestyle.

The true strength of our Nation lies in the hearts and souls of our citizens, and I urge all Americans not only to visit our parks and recreation areas, but also to volunteer their time and talents to help maintain the beauty of our environment. Good stewardship of the environment is not just a personal responsibility, it is a public value; and citizens who lend a hand to local parks and public lands are vital to the preservation of our Nation's many special places. Americans can take pride in the remarkable progress we continue to make in conserving our environment and natural resources.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 2004 as Great Outdoors Month. I call upon the people of the United States to observe this month

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with appropriate ceremonies and activities and to participate in safe and enjoyable outdoor recreation.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of June, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7796 of June 12, 2004

Flag Day and National Flag Week, 2004

*By the President of the United States of America
A Proclamation*

For more than 200 years, the American flag has served as a symbol of our country's enduring freedom and unity. Old Glory has welcomed generations of immigrants to America's shores and is displayed proudly on homes, at schools, and over businesses across our country. During times of war, our flag has rallied our citizens to defend the blessings of liberty at home and abroad. It has accompanied our troops into battle and been given to grieving families at the grave sites of fallen heroes. Today, as our brave men and women in uniform fight terrorism and advance freedom, the flag inspires patriotism and pride across our Nation and around the world.

Each year on June 14, we honor the American flag and recall the adoption of our first official national flag by the Continental Congress in 1777. The first Flag Day observances began quietly in the 19th century as State and local celebrations recognizing the anniversary of the Stars and Stripes. Inspired by these patriotic gatherings, President Woodrow Wilson established the first national observance by proclamation in 1916. To commemorate the adoption of our flag, the Congress, by joint resolution approved August 3, 1949, as amended (63 Stat. 492), designated June 14 of each year as "Flag Day" and requested that the President issue an annual proclamation calling for its observance and for the display of the Flag of the United States on all Federal Government buildings. The Congress also requested, by joint resolution approved June 9, 1966, as amended (80 Stat. 194), that the President issue annually a proclamation designating the week in which June 14 occurs as "National Flag Week" and calling upon all citizens of the United States to display the flag during that week.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim June 14, 2004, as Flag Day and the week beginning June 13, 2004, as National Flag Week. I direct the appropriate officials to display the flag on all Federal Government buildings during that week, and I urge all Americans to observe Flag Day and National Flag Week by flying the Stars and Stripes from their homes and other suitable places. I also call upon the people of the United States to observe with pride and all due ceremony those days from Flag Day through Independence Day, also set aside by the Congress (89 Stat. 211), as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of June, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7797 of June 19, 2004

Father's Day, 2004

*By the President of the United States of America
A Proclamation*

A special bond exists between a father and his children. On Father's Day, we recognize the important role fathers play in the American family, and we honor them for their strength, love, and commitment.

After listening to a church service on Mother's Day 1909, Sonora Dodd proposed a day to honor fathers. She was inspired by the courage and sacrifice of her own father, a Civil War veteran, who reared six children by himself after his wife's death. As others began to celebrate it, the idea for Father's Day spread across America. In 1966, President Lyndon Johnson officially proclaimed Father's Day as a national observance.

Fathers have a duty to love their children with all their hearts and prepare them to be independent, compassionate, and responsible citizens. A father's words and actions are critical in shaping the character of his children. A father's love helps teach them right from wrong, explains to them the consequences of bad decisions, and strengthens them with encouragement.

As we honor our fathers on this day, we express our heartfelt appreciation for their leadership, support, and protection for their children and families. We particularly recognize the many fathers who are far from home, serving our Nation and defending the cause of freedom around the world. They have answered a great call and live by a code of honor and duty that serves as an example for their sons and daughters and for all Americans.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972, as amended (36 U.S.C. 109), do hereby proclaim June 20, 2004, as Father's Day. I encourage all Americans to express love, admiration, and thanks to their fathers for their contributions to our lives and to society. I direct the appropriate officials of the Government to display the flag of the United States on all Government buildings on this day. I also call upon State and local governments and citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of June, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7798 of June 22, 2004

Black Music Month, 2004

*By the President of the United States of America
A Proclamation*

The creativity and variety of African-American composers, singers, and musicians have shaped America's artistic and cultural landscape. During Black Music Month, we celebrate and honor the extraordinary impact of African-American music on our Nation's musical heritage.

The artistry of black musicians changes as each generation brings new talent and trends. Yet, there is a continuous theme. From the profound spirituality of African indigenous faith that influenced gospel, through the development of blues and jazz, to the emergence of rhythm and blues and rock and roll, we hear the richness of the African-American experience, past and present.

The earliest African-American music echoed the struggle of the oppressed, the trust of the faithful, and the endurance of the weary. We hear the voice of hope in work songs, hymns, psalms, and spirituals. The musical expression that captured the struggle for freedom and equality formed the foundation for gospel, blues, and jazz. African-American churchgoers transformed early spirituals into gospel music, giving voice to praises that still move listeners today. In the early 20th century, performers like Ida Cox and Tommy Johnson gave life to the improvised performances and style of the blues. As artists migrated to cities, the blues developed into an urban phenomenon and evolved into a major force in contemporary music.

During the same period, early pioneers such as Duke Ellington and Jelly Roll Morton were merging African musical roots with popular and church music to create a distinctively American sound: jazz. Songs first played in clubs in New Orleans, Memphis, and Chicago are now recognized and loved around the world. As jazz has expanded beyond its acoustic roots, African-American dreams, hopes, and joys have remained at the music's core.

The brilliance of new musical expressions emerged with rhythm and blues in the 1940s and rock and roll in the 1950s. Songs from great artists performing today embody the enduring appeal of this music. As black music continues to bring enjoyment to us all, the commemoration of this month expresses our Nation's recognition of its influence and our pride in its legacy.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 2004 as Black Music Month. I encourage all Americans to learn more about the history of black music and to enjoy the great contributions of African-American musicians.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of June, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7799 of June 26, 2004**National HIV Testing Day, 2004**

*By the President of the United States of America
A Proclamation*

Every day, 8,000 lives are lost in the global AIDS pandemic. In our country, nearly 1 million people are infected with HIV, and approximately 40,000 more contract it each year. National HIV Testing Day is an opportunity for Americans to increase their awareness of this terrible disease and to get tested for HIV/AIDS. By working together to end this pandemic, our Nation's citizens contribute to a brighter future for themselves and for people around the world.

New drugs and new treatments are bringing hope and enhancing the quality of life for those who are affected by HIV/AIDS. However, these advances can only help individuals if they know their HIV status. The National HIV Testing Day theme, "It's better to know," highlights the importance of education in helping people make healthy decisions about preventing and treating HIV/AIDS. Approximately one-quarter of people who are HIV positive do not know that they are carriers. Without knowing their status, they cannot get the treatment they need and may unknowingly spread new infections. Today, testing is easier than ever. It is imperative that those at risk for HIV/AIDS get tested.

To reach out to HIV/AIDS sufferers in need, I recently announced \$20 million in immediate new funding to deliver lifesaving drugs to Americans who are awaiting them. I have proposed in my 2005 budget to spend more than \$17 billion here at home to expand prevention efforts such as regular testing and abstinence education, care and treatment, and research efforts to combat HIV/AIDS. In addition, this budget proposal doubles funding for abstinence-only programs, because abstinence is the only sure way to avoid sexually transmitted diseases. My Administration is working through the Centers for Disease Control and Prevention's Advancing HIV Prevention initiative to encourage routine testing as a normal part of health care. At-risk individuals who make the decision to get tested are taking a step toward saving their own lives and the lives of others.

My Administration is also fully engaged in the global fight against HIV/AIDS. I have proposed a record \$15 billion over 5 years to combat the spread of HIV/AIDS around the world, with a focus on some of the hardest-hit countries of Africa, the Caribbean, and Asia. This money will be used to prevent 7 million new infections, treat 2 million HIV-infected people with life-extending drugs, and care for 10 million individuals impacted by this disease, including orphans.

And, working with international partners, we will support intensified research to create a vaccine and find a cure. While AIDS remains a source of great suffering for many individuals, worldwide efforts are bringing us closer to the day when AIDS will be defeated.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 27, 2004, as National HIV Testing Day. I encourage the American people to support the battle

against HIV/AIDS. I also urge those at risk to get tested for the disease and to learn more about how to end this health threat in America and around the world.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of June, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7800 of June 30, 2004

To Modify Duty-Free Treatment Under the Generalized System of Preferences

*By the President of the United States of America
A Proclamation*

1. Pursuant to section 503(c)(1) of title V of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2463(c)(1)), the President may withdraw, suspend, or limit designation of specified articles provided for in the Harmonized Tariff Schedule of the United States (HTS) as eligible for preferential tariff treatment under the Generalized System of Preferences (GSP) when imported from designated beneficiary developing countries.

2. Pursuant to section 503(c)(2)(A) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)), beneficiary developing countries, except those designated as least-developed beneficiary developing countries or beneficiary sub-Saharan African countries pursuant to section 503(c)(2)(D) of the 1974 Act (19 U.S.C. 2463(c)(2)(D)), are subject to competitive need limitations on the preferential treatment afforded under the GSP to eligible articles.

3. Section 503(c)(2)(C) of the 1974 Act (19 U.S.C. 2463(c)(2)(C)) provides that a country that is no longer treated as a beneficiary developing country with respect to an eligible article may be redesignated as a beneficiary developing country with respect to such article if imports of such article from such country did not exceed the competitive need limitations in section 503(c)(2)(A) during the preceding calendar year.

4. Section 503(c)(2)(F) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)) provides that the President may disregard the competitive need limitation provided in section 503(c)(2)(A)(i)(II) (19 U.S.C. 2463(c)(2)(A)(i)(II)) with respect to any eligible article from any beneficiary developing country if the aggregate appraised value of the imports of such article into the United States during the preceding calendar year does not exceed an amount set forth in section 503(c)(2)(F)(ii) (19 U.S.C. 2463(c)(2)(F)(ii)).

5. Pursuant to section 503(d) of the 1974 Act (19 U.S.C. 2463(d)), the President may waive the application of the competitive need limitations in section 503(c)(2)(A) with respect to any eligible article from any beneficiary developing country if certain conditions are met.

6. Pursuant to section 503(c)(1) of the 1974 Act, and having considered the factors set forth in sections 501 and 502(c) (19 U.S.C. 2461 and 2462(c)),

I have determined that it is appropriate to withdraw the designation of certain articles as eligible articles under the GSP when imported from any beneficiary developing country. In order to do so for two of the articles, it is necessary to subdivide and amend the nomenclature of existing subheadings of the HTS.

7. Pursuant to section 503(c)(1) of the 1974 Act, and having considered the factors set forth in sections 501 and 502(c), I have determined to limit the application of duty-free treatment accorded to a certain article from a certain beneficiary developing country.

8. Pursuant to section 503(c)(1) and 503(c)(2)(A) of the 1974 Act, I have determined that certain beneficiary countries should no longer receive preferential tariff treatment under the GSP with respect to certain eligible articles that were imported in quantities exceeding the applicable competitive need limitation in 2003.

9. Pursuant to section 503(c)(2)(C) of the 1974 Act, I have determined that certain countries should be redesignated as beneficiary developing countries with respect to certain eligible articles that previously had been imported in quantities exceeding the competitive need limitations of section 503(c)(2)(A).

10. Pursuant to section 503(c)(2)(F) of the 1974 Act, I have determined that the competitive need limitation provided in section 503(c)(2)(A)(i)(II) should be waived with respect to certain eligible articles from certain beneficiary developing countries.

11. Pursuant to section 503(d) of the 1974 Act, I have determined that the competitive need limitations of section 503(c)(2)(A) should be waived with respect to certain eligible articles from certain beneficiary developing countries. I have received the advice of the International Trade Commission on whether any industries in the United States are likely to be adversely affected by such waiver, and I have determined, based on that advice and on the considerations described in sections 501 and 502(c), that such waivers are in the national economic interest of the United States.

12. Section 604 of the 1974 Act, as amended (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to title V and section 604 of the 1974 Act (19 U.S.C. 2461–7, 2483), do proclaim that:

(1) In order to provide that one or more countries that have not been treated as beneficiary developing countries with respect to one or more eligible articles be redesignated as beneficiary developing countries with respect to such article or articles for purposes of the GSP, and, in order to provide that one or more countries no longer be treated as a beneficiary developing country with respect to one or more eligible articles for purposes of the GSP, general note 4(d) to the HTS is modified as provided in section A of Annex I to this proclamation.

(2) In order to withdraw the designation of certain articles as eligible articles for purposes of the GSP, the HTS is modified by amending and subdividing the nomenclature of certain existing HTS subheadings as provided in section B of Annex I to this proclamation.

(3) (a) In order to provide preferential tariff treatment under the GSP to a beneficiary developing country that has been excluded from the benefits of the GSP for certain eligible articles, the Rates of Duty 1-Special subcolumn for such HTS subheadings is modified as provided for in section C(1) of Annex I to this proclamation.

(b) In order to provide that one or more countries not be treated as a beneficiary developing country with respect to certain eligible articles for purposes of the GSP, the Rates of Duty 1-Special subcolumn for such HTS subheadings is modified as provided for in section C(2) of Annex I to this proclamation.

(c) In order to withdraw preferential tariff treatment under the GSP for a certain article imported from any beneficiary developing country, the Rates of Duty 1-Special subcolumn for such HTS subheading is modified as provided for in section C(3) of Annex I to this proclamation.

(4) A waiver of the application of section 503(c)(2)(A) (i)(II) of the 1974 Act shall apply to the eligible articles in the HTS subheadings and to the beneficiary developing countries listed in Annex II to this proclamation.

(5) A waiver of the application of section 503(c)(2)(A) of the 1974 Act shall apply to the eligible article in the HTS subheading and to the beneficiary developing country listed in Annex III to this proclamation.

(6) Any provisions of previous proclamations or Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(7) (a) The modifications made by Annex I to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2004.

(b) The actions taken in Annex II to this proclamation shall be effective on July 1, 2004.

(c) The action taken in Annex III to this proclamation shall be effective on the date of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of June, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

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Annex I

Modifications to the Harmonized Tariff
Schedule of the United States (HTS)

Effective with respect to articles entered, or withdrawn from
warehouse for consumption, on or after July 1, 2004.

Section A. General note 4(d) to the HTS is modified by:

(1). deleting the following provisions and the country set out
opposite such subheading:

0410.00.00	Indonesia		
0711.40.00	India	4012.11.80	India
2917.12.10	India	8525.40.80	Indonesia

(2). adding, in numerical sequence, the following subheadings and
countries set out opposite them:

0202.30.02	Costa Rica		
0302.69.10	Ecuador	4107.12.70	Dominican Republic
0811.90.55	Guatemala	5308.90.10	Dominican Republic
1703.90.50	Dominican Republic	6802.91.25	Turkey
		8402.11.00	Peru

(3). adding, in alphabetical order, the country set out opposite
the following subheading:

1701.91.42	Colombia
1702.90.35	Guatemala
3920.62.00	Thailand

Section B. The HTS is modified as provided in this section, with
bracketed matter included to assist in the understanding of
proclaimed modifications. The following provisions supersede
matter now in the HTS. The subheadings and superior text are set
forth in columnar format, and material in such columns is inserted
in the columns of the HTS designated "Heading/Subheading",
"Article Description", "Rates of Duty 1 General", "Rates of Duty 1
Special", and "Rates of Duty 2", respectively.

(a) Subheadings 3901.10.00 and 3901.20.00 are superseded and the
following provisions inserted in numerical sequence:

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	[Polymers of ethylene, in primary forms.]	:	:	:
*3901.10	Polyethylene having a specific gravity of less than 0.94:	:	:	:
3901.10.10	Having a relative viscosity of 1.44 or more.....	6.5%	:	Free (CA,CL,E,IL, J,JO,MX) 43%
				5.7% (SG)
3901.10.50	Other.....	6.5%	:	Free (A,CA,CL,E, IL,J,JO,MX) 43%
				5.7% (SG)
3901.20	Polyethylene having a specific gravity of 0.94 or more:	:	:	:
3901.20.10	Having a relative viscosity of 1.44 or more.....	6.5%	:	Free (CA,CL,E,IL, J,JO,MX,SG) 43%
3901.20.50	Other.....	6.5%	:	Free (A,CA,CL,E, IL,J,JO,MX,SG) 43%*

(b). Conforming change: For subheadings 3901.10.10 and 3901.10.50 on January 1 for each of the dated columns listed below, the rate of duty in the Rates of Duty 1-Special subcolumn followed by the symbol "SG" is deleted and rate of duty for such dated column is inserted in lieu thereof:

<u>2005</u>	<u>2006</u>	<u>2007</u>
3.8%	1.9%	Free

Section C. Each enumerated article's preferential tariff treatment under the Generalized System of Preferences (GSP) in the HTS is modified as provided in this section.

(1). For the following provisions, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A*" and inserting an "A" in lieu thereof:

0410.00.00	
0711.40.00	4012.11.80 8525.40.80

(2). For the following subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A" and inserting an "A*" in lieu thereof:

0202.30.02			
0302.69.10	0811.90.55	4107.12.70	6802.91.25
	1703.90.50	5308.90.10	8402.11.00

(3). For subheading 2917.12.10, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A*,".

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Annex II

HTS subheading and countries for which the competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the Trade Act of 1974 is waived

0302.70.20	Russia	2008.19.30	Turkey	4104.11.50	Brazil
0305.10.40	Thailand	2008.99.35	Thailand	4106.22.00	Pakistan
0305.69.60	Philippines	2008.99.50	Thailand	4107.11.40	India
0410.00.00	Indonesia	2305.00.00	Argentina	4107.11.60	Brazil
0710.29.15	India	2306.30.00	Argentina	4107.92.40	India
0711.40.00	India	2515.12.20	Turkey	4202.22.35	Philippines
0712.90.70	Egypt	2804.29.00	Russia	4202.92.04	Philippines
0802.50.20	Turkey	2840.11.00	Turkey	4602.10.23	Philippines
0804.50.80	Philippines	2840.19.00	Turkey	5007.10.30	India
0810.60.00	Thailand	2850.00.20	Russia	5208.31.20	India
0813.40.10	Thailand	2903.51.00	Romania	5208.32.10	India
1102.30.00	Thailand	2903.69.08	Brazil	5208.41.20	India
1202.10.40	Egypt	2909.50.40	Indonesia	5208.42.10	India
1515.90.60	Argentina	2910.20.00	Brazil	5209.31.30	India
1604.14.50	Fiji	2915.12.00	Turkey	5209.41.30	India
1806.10.43	Brazil	2915.35.00	Brazil	5607.90.35	Philippines
1806.20.22	Brazil	2931.00.25	Brazil	6406.10.72	Brazil
1806.90.15	Russia	2934.99.18	Brazil	8112.19.00	Kazakhstan
1901.20.02	Argentina	2938.10.00	Brazil	8528.12.44	Thailand
1901.20.30	Argentina	3603.00.30	Brazil	8606.10.00	India
1901.20.45	Argentina	4012.11.80	India	9507.20.40	Philippines
2001.90.45	India	4101.90.40	Argentina	9614.20.60	Turkey

Annex III

HTS Subheading and Country Granted A Waiver of the Application of Section 503(c)(2)(A) of the 1974 Act

<u>HTS</u> <u>Subheading</u>	<u>Country</u>
8525.40.80	Indonesia

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Title 3—The President

Proclamation 7801 of July 2, 2004

Returning the Flag of the United States to Full-Staff

*By the President of the United States of America
A Proclamation*

By the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, and in honor and tribute to the memory of Ronald Reagan, it is hereby ordered that the flag of the United States shall be displayed at full-staff at the White House and on all buildings, grounds, and Naval vessels of the United States beginning July 3, 2004. I also direct that beginning on that same date, the representatives of the United States in foreign countries shall make similar arrangements for the display of the flag at full-staff over their Embassies, Legations, and other facilities abroad, including all military facilities and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of July, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-eighth.

GEORGE W. BUSH

Proclamation 7802 of July 16, 2004

Captive Nations Week, 2004

*By the President of the United States of America
A Proclamation*

Each year during Captive Nations Week, the United States reaffirms our commitment to building a world where human rights, democracy, and freedom are respected and protected by the rule of law. As Americans, we believe the nonnegotiable demands of human dignity must be upheld without regard to race, gender, creed, or nationality. We stand in solidarity with those living under repressive regimes who seek democracy and peaceful changes in their homelands.

Throughout our Nation's history, our brave men and women in uniform have fought for the freedom of those suffering under authoritarian governments. From Nazi Germany to Bosnia, and Afghanistan to Iraq, American service members have fought to remove brutal leaders. The American people and their generous contributions have helped to rebuild traumatized nations and given the oppressed hope for the future. More than a year ago, American service members and our coalition partners freed the Iraqi people from a dictatorship that routinely tortured and executed innocent civilians. Since then, Americans have helped the Iraqi people establish institutions for the protection of human rights, based on democratic principles, to ensure that freedom will endure in the new Iraq.

Earlier this summer, as our Nation paid respect to President Ronald Reagan, we recognized his contributions to ending the Cold War and advancing freedom around the world. In his first Inaugural Address, President Reagan said: "Above all, we must realize that no arsenal or no weapon in the arsenals of the world is so formidable as the will and moral courage of free men and women. It is a weapon our adversaries in today's world do not have. It is a weapon that we as Americans do have." These words carry forward today as we continue to push for democratic freedoms and human rights around the world.

The Congress, by Joint Resolution approved July 17, 1959 (73 Stat. 212), has authorized and requested the President to issue a proclamation designating the third week in July of each year as "Captive Nations Week."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim July 18 through July 24, 2004, as Captive Nations Week. I call upon the people of the United States to observe this week with appropriate ceremonies and activities and to reaffirm their commitment to all those seeking liberty, justice, and self-determination.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of July, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7803 of July 23, 2004

Parents' Day, 2004

*By the President of the United States of America
A Proclamation*

Parents are a source of hope, help, stability, and love for their children. Parents also teach children important values like courage, compassion, self-reliance, reverence, integrity, and respect for others. As we celebrate Parents' Day, we recognize the important contributions of America's parents and renew our commitment to standing with our families to help them raise healthy, responsible children.

Parenthood is a privilege and a great joy that comes with great responsibility. Mothers and fathers play the vital roles of provider, nurturer, disciplinarian, counselor, advocate, educator, and motivator. They offer unconditional love and help their children to realize their dreams. As parents work to send the right messages to our young people, they shape the character and future of our Nation.

To help strengthen American families and encourage parents' active involvement in the lives of their children, my Administration is committed to promoting healthy marriages and responsible fatherhood. We are providing information to parents on early childhood education and development and supporting community-based parenting education programs. We are also providing parents with more options in educating their children and more opportunities to adopt young boys and girls in need.

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On Parents' Day, we honor America's mothers and fathers for their guidance, support, and unconditional love for their children. The tireless efforts of parents, stepparents, adoptive parents, and foster parents make our Nation stronger and help build a better future for all our citizens.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States and consistent with Public Law 103-362, as amended, do hereby proclaim Sunday, July 25, 2004, as Parents' Day. I encourage all Americans to express their love, respect, and appreciation to parents across our Nation. I also call upon citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of July, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7804 of July 26, 2004

Anniversary of the Americans with Disabilities Act, 2004

*By the President of the United States of America
A Proclamation*

The Americans with Disabilities Act of 1990 (ADA) marked a milestone in our Nation's quest to guarantee the civil rights of all citizens. The ADA is a success story that has strengthened the foundation for an America where we celebrate the talents and abilities of every person.

On the 14th anniversary of this landmark legislation, we recognize the important progress the ADA has brought about for our citizens and our Nation. Today, individuals with disabilities are better able to develop meaningful skills, engage in productive work, and participate fully in society. Yet, our work is not finished. The millions of Americans with disabilities continue to face both physical barriers and false perceptions. Removing those obstacles requires a determined and focused commitment to the goals of the ADA: equality of opportunity, economic self-sufficiency, full participation, and independent living.

My Administration continues its work to achieve these goals. My New Freedom Initiative, announced in February 2001, sets out a comprehensive strategy for the full integration of people with disabilities into all aspects of American life. The Department of Justice has established the ADA Business Connection to build partnerships between the business community and people with disabilities. This program helps increase voluntary compliance with the ADA and brings individuals with disabilities into the mainstream of our economy. Through Project Civic Access, we have reached agreements with cities and towns across the country to ensure that people with disabilities are integrated into community life. In addition, I have signed executive orders that remove barriers to equal opportunities faced by people with disabilities.

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On July 22, 2004, I signed an Executive Order that makes government agencies responsible for properly taking into account agency employees and customers with disabilities in emergency preparedness planning and coordination with other government entities. To help coordinate this effort, the Executive Order establishes the Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities.

I also signed an Executive Order on February 24, 2004, to improve transportation for people who are transportation-disadvantaged, including people with disabilities. This order helps Federally assisted community transportation services provide seamless, comprehensive, and accessible transportation services to people who rely on transportation services for their lives and livelihood.

My Administration has also begun implementing the recommendations of the New Freedom Commission on Mental Health. The Commission was established by Executive Order and its report lays out steps that can be taken to improve mental health services and support for people of all ages with mental illness.

By striving to ensure that no American is denied access to employment, education, cultural activities, or community life because of a disability, we strengthen our Nation. Through these and other efforts, we will continue to build on the progress of the ADA, and, by doing so, hold fast to our Nation's faith in the promise and potential of every person.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim July 26, 2004, as a day in celebration of the 14th Anniversary of the Americans with Disabilities Act. I call upon all Americans to celebrate the contributions people with disabilities make to America and to renew our commitment to upholding the fundamental principles of the Americans with Disabilities Act.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of July, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7805 of August 16, 2004

National Airborne Day, 2004

*By the President of the United States of America
A Proclamation*

Americans look to the members of our Armed Forces as examples of honor and patriotism. On National Airborne Day, we commemorate the first official Army parachute jump on August 16, 1940, and salute a distinguished group of individuals whose courage and dedication have earned them a cherished place in American history.

Our Nation's Airborne forces have helped liberate millions from oppression and extend peace and freedom around the world. From the initial tests of this new medium of warfare, to the establishment of venerable units serving today, these brave men and women have expanded the vision and capabilities of our Armed Forces. The Army designated the first Airborne division on August 15, 1942, and the 82nd Airborne Division set the standard for achievement and built a proud legacy of service. Many units followed in their footsteps, fighting bravely in battle and serving our country with distinction in World War II, Korea, Vietnam, and other critical missions.

Today's Airborne forces continue the tradition of excellence and determination as we fight the global war on terror. In Afghanistan and Iraq, they have helped advance peace and democracy and defended the American people from danger. We are grateful for their service and continue to stand solidly behind the men and women of our Airborne forces, and all those in our military, as they serve on the front lines of freedom.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim August 16, 2004, as National Airborne Day. I encourage all Americans to join me in honoring those who have served in the Airborne forces. I call upon all citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of August, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7806 of August 26, 2004**Women's Equality Day, 2004**

*By the President of the United States of America
A Proclamation*

On Women's Equality Day, we recognize the hard work and perseverance of those who helped secure women's suffrage in the United States. With the ratification of the 19th Amendment to the Constitution in 1920, American women gained one of the most cherished rights and fundamental responsibilities of citizenship: the right to vote.

The struggle for women's suffrage in America dates back to the founding of our country. The movement began in earnest at the Seneca Falls Convention in 1848, when women drafted a Declaration of Sentiments proclaiming they had the same rights as men. In 1916, Jeannette Rankin of Montana became the first American woman elected to the United States House of Representatives, despite the fact that her fellow women would not be able to vote nationally for 4 more years. These women and many more like them worked to ensure that future generations of women could realize the promise of America.

Today, American women are leaders in business, government, law, science, medicine, the arts, education, and many other fields. Women-owned businesses account for nearly half of all privately held firms and are opening at twice the rate of male-owned businesses. Through vision, determination, and a strong work ethic, remarkable American women have broadened opportunities for themselves and women around the world.

The full participation of women and the protection of their rights as citizens are essential for freedom and democracy to flourish. In Afghanistan, women helped draft their country's new constitution in January 2004, which guarantees free elections and full participation by women. These women are eager to exercise their rights and are registering to vote in great numbers; about 40 percent of those registered to vote in the October Afghan Presidential elections are women. In Iraq, women are members of the new interim Iraqi government and the recently established National Council. They also participated in drafting the Transitional Administrative Law, which prohibits discrimination on the basis of gender, ethnicity, or religion and requires that 25 percent of the new legislature be women. In the face of great challenges, Iraqi women are building a better nation for themselves and their families.

As we look to the future, we celebrate the extraordinary accomplishments of women in America and throughout the world and renew our commitment to equality for all women, both at home and abroad.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim August 26, 2004, as Women's Equality Day. I call upon the people of the United States to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of August, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7807 of September 4, 2004

Minority Enterprise Development Week, 2004

*By the President of the United States of America
A Proclamation*

Minority businesses are a key component of the American economy and reflect the values that make our country strong. They create opportunities for workers, provide goods and services to consumers, and strengthen our communities. During Minority Enterprise Development Week, we celebrate the achievements of minority businesses and emphasize our commitment to creating an environment in which these entrepreneurs can succeed.

All of America benefits from the strong and vibrant entrepreneurial spirit of our small business owners. By reducing taxes, encouraging investment, and removing obstacles to growth, my Administration has helped American

businesses thrive and create nearly 1.7 million new jobs since August 2003. In addition, the number of Small Business Administration loans to minorities increased by 40 percent last year to a 50-year record level. And my fiscal year 2005 budget request includes a 21 percent increase in funding for the Department of Commerce's Minority Business Development Agency, the largest increase in more than a decade.

To help provide sustainable outreach to minority enterprises, my Administration is working with the National Urban League to create an entrepreneurship network to further expand minority business ownership. With the help of government agencies, the private sector, and faith-based and community organizations, this network will include one-stop centers for business training, counseling, financing, and contracting and will focus resources toward facilitating economic growth and enterprise in historically neglected areas.

More minorities own small businesses than ever before. That is good for our citizens and good for our country. Together, we can create an environment where entrepreneurs can flourish and everyone can realize the American Dream.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 5 through September 11, 2004, as Minority Enterprise Development Week. I call upon all Americans to celebrate this week with appropriate programs, ceremonies, and activities and to recognize the countless contributions of our Nation's minority enterprises.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7808 of September 7, 2004

To Modify the Generalized System of Preferences, and For Other Purposes

*By the President of the United States of America
A Proclamation*

1. Pursuant to sections 501 and 502(a)(1) of Title V of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2461, 2462(a)(1)), the President is authorized to designate countries as beneficiary developing countries for purposes of the Generalized System of Preferences (GSP).

2. Pursuant to section 503(d) of the 1974 Act (19 U.S.C. 2463(d)), the President may waive the application of the competitive need limitations in section 503(c)(2)(A) (19 U.S.C. 2463(c)(2)(A)) with respect to any eligible article from any beneficiary developing country if certain conditions are met.

3. Pursuant to section 503(d)(5) of the 1974 Act (19 U.S.C. 2463(d)(5)), any waiver granted under section 503(d) shall remain in effect until the President determines that such waiver is no longer warranted due to changed circumstances.

4. Section 7(a) of the AGOA Acceleration Act of 2004 (Public Law 108–274) (“AGOA Acceleration Act”) amended section 506A of the GSP (19 U.S.C. 2466a) to provide certain benefits to any country designated as a beneficiary sub-Saharan African country under section 506A(a) of the GSP that becomes a party to a free trade agreement with the United States, and amended section 506B of the GSP (19 U.S.C. 2466b) to extend the period during which preferential treatment may be accorded to such countries.

5. Section 7(b) through (f) of the AGOA Acceleration Act amended section 112 of the African Growth and Opportunity Act (Title I of the Trade and Development Act of 2000, Public Law 106–200) (AGOA) (19 U.S.C. 3721) to modify the type and quantity of textile and apparel articles eligible for the preferential treatment now accorded to designated beneficiary sub-Saharan African countries, and to provide certain benefits to any such country that becomes a party to a free trade agreement with the United States.

6. On December 17, 1992, the Governments of Canada, Mexico, and the United States entered into the North American Free Trade Agreement (NAFTA). The Congress approved the NAFTA in section 101(a) of the North American Free Trade Agreement Implementation Act (the “NAFTA Implementation Act”) (19 U.S.C. 3311(a)), and the President implemented the tariff provisions of the NAFTA with respect to the United States in Proclamation 6641 of December 15, 1993.

7. Section 201(a) of the NAFTA Implementation Act (19 U.S.C. 3331(a)) authorizes the President to proclaim such duty modifications as the President may determine to be necessary or appropriate to carry out or apply, among other provisions, Article 308 and Annex 308.1 of the NAFTA.

8. NAFTA Article 308 and Annex 308.1 provide for each NAFTA Party to eliminate or reduce normal trade relations (most-favored-nation) rates of duty on certain automatic data processing machinery and parts, and set the terms under which such goods shall be considered originating goods under the NAFTA when imported from the territory of a NAFTA Party.

9. Pursuant to sections 501 and 502(a)(1) of the 1974 Act, and having due regard for the factors set forth in section 501 of the 1974 Act and taking into account the factors set forth in section 502(c) of the 1974 Act (19 U.S.C. 2462(c)), I have decided to designate Iraq as a beneficiary developing country for purposes of the GSP.

10. Pursuant to section 503(d)(5) of the 1974 Act, I have determined that a previously granted waiver of the competitive need limitations of section 503(c)(2)(A) is no longer warranted due to changed circumstances.

11. In order to implement the tariff treatment provided under section 7 of the AGOA Acceleration Act, it is necessary to modify the Harmonized Tariff Schedule of the United States (HTS).

12. I have determined that each NAFTA Party has eliminated or reduced its normal trade relations (most-favored-nation) rates of duty applicable to the goods enumerated in Table 308.1.1 of NAFTA Annex 308.1 to the levels prescribed in that Table. Annex 308.1 provides for those goods to be

originating goods under the NAFTA when imported from Canada or Mexico.

13. Pursuant to section 201(a) of the NAFTA Implementation Act, I have determined that the modifications to the HTS hereinafter proclaimed concerning goods considered to be originating when imported from the territory of a NAFTA Party are necessary and appropriate to carry out or apply Article 308 and Annex 308.1 of the NAFTA.

14. Section 604 of the 1974 Act, as amended (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to Title V and section 604 of the 1974 Trade Act, section 112 of the AGOA, and section 201(a) of the NAFTA Implementation Act, do proclaim that:

(1) Iraq is designated as a beneficiary developing country for purposes of the GSP, effective 15 days after the date of this proclamation.

(2) In order to reflect this designation in the HTS, general note 4(a) to the HTS is modified by adding “Iraq” to the list entitled “Independent Countries”, effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after 15 days after the date of this proclamation.

(3) In order to provide that a country no longer be treated as a beneficiary developing country with respect to an eligible article for purposes of the GSP, general note 4(d) to the HTS is modified as provided in section 1 of Annex I.

(4) In order to withdraw preferential tariff treatment under the GSP for a certain article imported from a certain beneficiary developing country, the Rates of Duty 1-Special subcolumn for such HTS subheading is modified as provided for in section 2 of Annex I to this proclamation.

(5) The waiver of the application of section 503(c)(2)(A) of the 1974 Act to the article in the HTS subheading and to the beneficiary developing country listed in section 3 of Annex I to this proclamation is revoked.

(6) In order to provide for the preferential treatment provided for in section 506A and 506B of the GSP, as amended by section 7(a) of the AGOA Acceleration Act, and section 112 of the AGOA, as amended by sections 7(b) through (f) of the AGOA Acceleration Act, the HTS is modified as provided in Annex II to this proclamation.

(7) In order to implement Article 308 and Annex 308.1 of the NAFTA for certain automatic data processing machinery and parts imported from Canada and Mexico, the HTS is modified as provided in Annex III to this proclamation.

(8) Any provisions of previous proclamations and Executive Orders that are inconsistent with this proclamation are superseded to the extent of such inconsistency.

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(9) The modifications made by and action taken in Annex I to this proclamation shall be effective with respect to eligible articles entered, or withdrawn from warehouse for consumption, on or after 60 days after the date of this proclamation.

(10) The modifications made by Annex II shall be effective with respect to eligible articles entered, or withdrawn from warehouse for consumption, on or after July 13, 2004, except that the modifications made by section 4(A) relating to increases in the quantity of certain articles eligible for duty-free treatment shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the dates provided in that section.

(11) The modifications made by Annex III shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

ANNEX I

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the sixtieth day after the date of this proclamation:

Section 1. General note 4(d) to the HTS is modified by adding, in numerical sequence, the following subheading and country set out opposite it:

<u>HTS</u> <u>Subheading</u>	<u>Country</u>
8108.90.60	Russia

Section 2. The preferential tariff treatment under the GSP in the HTS is modified as follows: for subheading 8108.90.60, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A" and inserting an "A*" in lieu thereof.

Section 3. The waiver of the application of section 503(c)(2)(A) of the 1974 Act is revoked for the following subheading and country set out opposite it:

<u>HTS</u> <u>Subheading</u>	<u>Country</u>
8108.90.60	Russia

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ANNEX II

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after July 13, 2004, the HTS is hereby modified as follows:

Section 1. General note 16(b)(ii)(A) is modified by inserting after "African countries" the phrase "or former beneficiary sub-Saharan African countries" and by adding in numerical sequence the following new subdivision (b)(iii):

"(iii) For purposes of subdivision (ii)(A) above, a "former beneficiary sub-Saharan African country" is a country that, after being designated as a beneficiary sub-Saharan African country under the AGOA and enumerated in subdivision (a) of this note, ceased to be designated as such a country by reason of its entering into a free trade agreement with the United States."

Section 2. General note 16(c) is modified by striking "2008" and by inserting in lieu thereof "2015".

Section 3. U.S. note 7 to subchapter II of chapter 98 is modified by deleting "United States (including" and by inserting in lieu thereof "United States, or both (including".

Section 4. Subchapter XIX of chapter 98 is modified as set forth below:

A. U.S. note 2 is modified as follows:

(i) by inserting at the end of the text of subdivision (a) the following sentence:

"Such imports of apparel articles under subheading 9819.11.09 during each of the one-year periods beginning on October 1, 2001, and October 1, 2002, to an aggregate quantity not to exceed 1.7857 percent and 4.2414 percent, respectively, of the aggregate square meter equivalents of all apparel articles imported into the United States in the preceding 12-month period for which data are available.;"

(ii) by deleting the first sentence of subdivision (b) of such U.S. note 2 and the tabulation immediately following it and by inserting the following new sentence and tabulation in lieu thereof:

"(b) Such imports of apparel articles under subheading 9819.11.09 shall be limited, in each of the one-year periods beginning on October 1, 2003, to an aggregate quantity not to exceed the applicable percentage set forth herein of the aggregate square meter equivalents of all apparel articles imported into the United States in the preceding 12-month period for which data are available:

<u>12-Month Period</u>	<u>Applicable Percentage</u>
October 1, 2003 through September 30, 2004	4.747
October 1, 2004 through September 30, 2005	5.310
October 1, 2005 through September 30, 2006	5.873
October 1, 2006 through September 30, 2007	6.436
October 1, 2007 through September 30, 2008 and each subsequent 12-month period through the period October 1, 2014 through September 30, 2015	7.0";

(iii) by striking from the second sentence of such subdivision (b) the language "and October 1, 2003," and by inserting in lieu thereof "through October 1, 2006," and by adding at the end of the immediately following tabulation the following 12-month periods and applicable percentages:

<u>[12-month Period]</u>	<u>[Applicable Percentage]</u>
"October 1, 2004 through September 30, 2005	2.6428
October 1, 2005 through September 30, 2006	2.9285
October 1, 2006 through September 30, 2007	1.6071";

and

(iv) by inserting in alphabetical sequence the following new subdivision:

"(e) For purposes of subheading 9819.11.09, an apparel article imported thereunder may contain fabrics, fabric components formed, or components knit-to-shape that are specified as being of a type required in the apparel articles of subheadings 9819.11.03 or 9819.11.06."

B. U.S. note 3 is modified as set forth below:

(i) by striking the period at the end of subdivision (a)(iii), by inserting in lieu thereof "; or" and by inserting the following new subdivision (iv) in sequence:

"(iv) any of the following components that do not meet the requirements set forth in the provisions of this subchapter: any collars or cuffs (the foregoing cut or knit-to-shape), drawstrings, shoulder pads or other padding, waistbands, belt attached to the article, straps containing elastic, or elbow patches.;"

(ii) by striking from subdivision (a)(iii) the language "7 percent" and by inserting in lieu thereof "10 percent"; and

(iii) by adding in numerical sequence the following new subdivision (d):

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- "(d) For purposes of this subchapter, a "former beneficiary sub-Saharan African country" is a country that, after being designated as a beneficiary sub-Saharan African country under the AGOA and enumerated in subdivision (a) of this note, ceased to be designated as such a country by reason of its entering into a free trade agreement with the United States."

C. U.S. note 4 is modified by designating the existing sentence as subdivision (a) and by inserting the following new subdivision (b):

- "(b) For purposes of such subheading, the phrase "ethnic printed fabrics" refers to fabrics that are--
- (i) containing a selvedge on both edges, having a width of less than 50 inches, classifiable under subheading 5208.52.30 or 5208.52.40 of the tariff schedule;
 - (ii) of the type that contains designs, symbols and other characteristics of African prints--
 - (A) normally produced for and sold on the indigenous African market, and
 - (B) normally sold in Africa by the piece as opposed to being tailored into garments before being sold in indigenous African markets;
 - (iii) printed, including waxed, in one or more eligible beneficiary sub-Saharan countries; and
 - (iv) formed in the United States, from yarns formed in the United States, or from fabric formed in one or more beneficiary sub-Saharan African countries from yarn originating in either the United States or one or more beneficiary sub-Saharan African countries."

D. The article description of subheading 9819.11.03 is modified by striking "United States (including" and by inserting in lieu thereof "United States, or both (including".

E. The article description of subheading 9819.11.09 is modified as set forth below:

- (i) by striking each occurrence of the phrase "either the United States or one or more such countries" and by inserting in lieu thereof the phrase "in the United States or one or more such countries or former beneficiary sub-Saharan African countries (as defined in U.S. note 3(d) to this subchapter), or both"; and

- (ii) by deleting "countries, subject" and by inserting in lieu thereof the following:

"countries, whether or not the apparel articles are also made from any of the fabrics, fabric components formed, or components knit-

to-shape described in U.S. note 2(e) to this subchapter (unless the apparel articles are made exclusively from any of the fabrics, fabric components formed, or components knit-to-shape described in such U.S. note 2(e)), subject".

F. The article description of subheading 9819.11.12 is modified by striking "2004" and by inserting in lieu thereof "2007".

G. The article description of subheading 9819.11.21 is modified by striking all of the text starting with the word "countries" and by inserting in lieu thereof the following:

"countries, to the extent that apparel articles of such fabrics or yarns would be eligible for the tariff treatment provided in general note 12 to the tariff schedule, without regard to the source of the fabrics or yarns".

H. The article description of subheading 9819.11.27 is modified by striking "handmade or folklore textile and apparel goods" and by inserting in lieu thereof "handmade, folklore articles or ethnic printed fabrics".

I. The article description of subheading 9819.11.30 is modified by inserting after each occurrence of the phrase "and in one or more such countries" the language "or former beneficiary sub-Saharan African countries (as defined in U.S. note 3(d) to this subchapter)".

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ANNEX III

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2003, general note 12 to the HTS is hereby modified as follows:

1. Subdivision (a)(i) is modified by inserting after "marked)," the expression "and goods enumerated in subdivision (u) of this note,"; and subdivision (a)(ii) is modified by inserting after "marked)," the expression "and goods enumerated in subdivision (u) of this note,".

2. Subdivision (b) of such note is modified by:

(a) deleting the period at the end of subdivision (iv) and by inserting in lieu thereof "; or", and

(b) inserting immediately below such subdivision (iv) the following new subdivision:

"(v) they are goods enumerated in subdivision (u) of this note and meet all other requirements of this note."

3. The following new subdivision is inserted at the end of such general note 12:

"(u) Goods that shall be considered originating goods. For the purposes of subdivision (b)(v) of this note, notwithstanding the provisions of subdivision (t) above, the automatic data processing machines, automatic data processing units and parts of the foregoing that are classifiable in the tariff provisions enumerated in the first column and are described opposite such provisions, when the foregoing are imported into the customs territory of the United States from the territory of Canada or of Mexico, shall be considered originating goods for the purposes of this note:

	<u>Provisions</u>	<u>Description</u>
(1)	8471.10.00, 8471.30.00, 8471.41.00	Automatic data processing machines
(2)	8471.49.10, 8471.50.00	Digital processing units
(3)	8471.49.15, 8471.60.10	Combined input/output units
(4)	8471.49.24, 8471.49.29, 8471.60.30, 8471.60.45	Display units
(5)	8471.49.21, 8471.49.42, 8471.49.48, 8471.60.20, 8471.60.70, 8471.60.80, 8471.60.90	Other input or output units
(6)	8471.49.50, 8471.70	Storage units
(7)	8471.49.60, 8471.49.85, 8471.49.95, 8471.80.10,	Other units of automatic data processing machines

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- 8471.80.40, 8471.80.90,
- (8) 8473.30 Parts of automatic data
 processing machines and units
 thereof
- (9) 8471.49.70, 8504.40.60,
8504.40.70 Power supplies for automatic
 data processing machines
- (10) 8504.90.20, 8504.90.40 Parts of power supplies for
 automatic data processing
 machines

Proclamation 7809 of September 10, 2004**National Alcohol and Drug Addiction Recovery Month, 2004**

By the President of the United States of America

A Proclamation

Across our country, millions of Americans suffer from the debilitating effects of alcohol and drug abuse. Substance abuse shatters lives, divides families, and robs people of their promise and potential.

My Administration is confronting these dangers. We are pursuing an ambitious, focused strategy to cut demand for drugs at home, disrupt supplies abroad, and ensure that citizens living with addiction get the treatment they need. We have made progress in fighting substance abuse, but there is more to do.

One of the worst decisions our children can make is to endanger their lives and their futures with alcohol or drugs. My Administration is addressing this problem with a strategy of education, treatment, and law enforcement. We also support random student drug testing as a prevention tool. We are seeing the results of all of these efforts, as more of our young people are also choosing to avoid alcohol and drugs. Drug use among youth has declined by 11 percent from 2001 to 2003.

My Administration is committed to expanding the choice of service providers for those struggling with addiction. We recognize the success of faith-based and community approaches in which caring citizens join together to offer alternatives to traditional treatment, helping people change habits by changing their hearts. Through the Access to Recovery initiative, we have provided an additional \$100 million in new grants this year to expand options for substance abuse treatment and recovery support services through vouchers, which allow individuals to choose the services that best meet their recovery needs. In my 2005 budget, I have proposed doubling funding for this initiative to further expand treatment. In total, I have requested \$3.7 billion for drug treatment and research programs for 2005, an increase of about 25 percent since 2001.

The struggle against substance abuse is a community effort, and this month is an opportunity to further raise awareness and support the fight against the destructive cycle of addiction. I call on all Americans to make responsible and healthy choices so that everyone can realize the great promise of our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 2004 as National Alcohol and Drug Addiction Recovery Month. I call upon the people of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7810 of September 10, 2004

National Ovarian Cancer Awareness Month, 2004

By the President of the United States of America

A Proclamation

Ovarian cancer affects thousands of Americans each year. During this time of tremendous medical breakthroughs, we are seeing progress in the effort to overcome this disease, but our work is not finished. National Ovarian Cancer Awareness Month provides an opportunity for our citizens to learn more about early detection and treatment for this deadly cancer.

Although new cases of ovarian cancer in the United States have been decreasing for more than a decade, the American Cancer Society estimates that about 25,000 women will be diagnosed this year and over 16,000 will die from the disease. Family and personal history can affect the likelihood of developing ovarian cancer. Women should talk with their doctors and health care providers about preventative screenings and the benefits and risks of different tests. Understanding risk factors and the importance of a healthy lifestyle plays a vital role in our efforts to save lives and reduce the number of women who suffer from ovarian cancer.

As with many cancers, the chance for successful treatment of ovarian cancer increases with early detection. The medical community continues to work on developing an effective screening test that can detect the disease in its early stages when symptoms may not exist or are very difficult to diagnose. The National Institutes of Health has invested more than \$120 million this year in ovarian cancer research and expects to invest more in 2005. Through the National Cancer Institute's Ovarian Cancer Prevention and Early Detection Study, scientists are following women at increased risk for the cancer to assess how preemptive surgery and screening methods affect ovarian cancer occurrence and quality of life. The Centers for Disease Control and Prevention's Ovarian Cancer Control Initiative will also focus on factors related to early detection and treatment.

The United States continues to stay on the leading edge of new discoveries in medicine, and my Administration remains committed to providing the resources necessary to learn the causes, understand the symptoms, and find a cure for ovarian cancer. During this month, we reaffirm our dedication to these goals and recognize the strength and courage of the women who have suffered from this disease. We also recognize the families, friends, and loved ones who support and encourage these brave women. By working together, we can bring the hope of a healthier future to women in the fight against ovarian cancer.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 2004 as National Ovarian Cancer Awareness Month. I call upon the people of the United States to observe this month with appropriate programs and activities.

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IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7811 of September 10, 2004

National Days of Prayer and Remembrance, 2004

*By the President of the United States of America
A Proclamation*

On September 11, 2001, America was attacked with deliberate and massive cruelty. We remember the tragedy of that day. We remember the images of fire, and the final calls of love, and the courage of rescuers who saw death and did not flee. We remember the many good lives that ended too soon. We remember the families left behind to carry a burden of sorrow; they have shown a courage of their own. During this year's National Days of Prayer and Remembrance, Americans join together to pray for those who were lost, and for their loved ones.

Since that day, our Nation has waged a relentless war against terror and evil. We pray for the brave men and women of the United States Armed Forces who are serving our country on the front lines of this war. They have answered a great call, and our Nation is grateful for their courage, love of country, and dedication to duty. We recognize the sacrifice of military families and pray that they find comfort in faith and in knowing that their loved ones are serving an historic cause—defending our country and advancing peace and freedom in the world.

On this third anniversary of September 11th, we feel the warm courage of national unity—a unity of grief and a unity of resolve. And we pray that God will continue to watch over and bless America.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Friday, September 10, through Sunday, September 12, 2004, as National Days of Prayer and Remembrance. I ask that the people of the United States and places of worship mark these National Days of Prayer and Remembrance with memorial services, the ringing of bells, and evening candlelight remembrance vigils. I invite the people of the world to share in these Days of Prayer and Remembrance.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7812 of September 10, 2004

Patriot Day, 2004

*By the President of the United States of America
A Proclamation*

Three years ago, our country was ruthlessly attacked, and more than 3,000 innocent people lost their lives. We will always remember the victims: sons and daughters, husbands and wives, dads and moms, family members, co-workers, and friends. And we will always be inspired by the heroism and decency of our fellow citizens on that day. Police, firefighters, emergency rescue personnel, doctors, nurses, and many others risked their own lives to save the lives of their fellow citizens. They demonstrated the great character and bravery of our Nation, and they embody the great spirit of America.

Since September 11th, America has fought a relentless war on terror around the world. We are staying on the offensive in this war—striking the terrorists abroad so we do not have to face them here at home. We pray that God watch over our brave men and women in uniform and all who are waging this war and working to keep America safe. And we pray for their families. In the face of danger, America is showing its character. Three years after the attack on our country, Americans remain strong and resolute, patient in a just cause, and confident of the victory to come.

By a joint resolution approved December 18, 2001 (Public Law 107–89), the Congress has designated September 11 of each year as “Patriot Day.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim September 11, 2004, as Patriot Day. I call upon the Governors of the United States and the Commonwealth of Puerto Rico, as well as appropriate officials of all units of government, to direct that the flag be flown at half-staff on Patriot Day. I call upon the people of the United States to observe Patriot Day with appropriate ceremonies and activities, including remembrance services, to display the flag at half-staff from their homes on that day, and to observe a moment of silence beginning at 8:46 a.m. eastern daylight time to honor the innocent victims who lost their lives as a result of the terrorist attacks of September 11, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7813 of September 14, 2004**National Prostate Cancer Awareness Month, 2004**

By the President of the United States of America

A Proclamation

We have made dramatic progress in the battle against prostate cancer. However, prostate cancer is still the most commonly diagnosed form of cancer and the second-leading cause of cancer-related death among American men. During National Prostate Cancer Awareness Month, we again demonstrate our Nation's commitment to the prevention, research, and treatment of this disease.

Studies have shown that men with certain risk factors are more likely to develop prostate cancer. Age is the most significant factor—most men with prostate cancer are older than 65. Family history, a diet high in animal fats or meat, and certain other factors may also increase the likelihood of developing this disease. As we work to better understand the factors contributing to prostate cancer, I urge all men to talk to their doctors about the best course of action to reduce their own risk.

Although we cannot yet prevent prostate cancer, we know that early detection and treatment often make the difference between life and death. Screenings available include blood tests and physical examinations that can help detect the cancer at earlier, less dangerous stages. Researchers and scientists are also working to find more effective treatments that will give patients and their families greater hope. My Administration is committed to funding vital research and finding a cure for prostate cancer. Currently, the National Cancer Institute is sponsoring the largest prostate cancer prevention clinical trial ever conducted. The National Institutes of Health invested \$379 million in prostate cancer research in 2003, and plans to spend almost \$400 million this year and an estimated \$417 million in 2005. In addition, the Centers for Disease Control and Prevention, the Department of Defense, and the Department of Veterans Affairs are playing essential roles in efforts to translate research into effective treatments.

To help save lives and raise awareness of prostate cancer, I urge all Americans to talk with family and friends about the importance of screening and early detection. By educating ourselves and others about this disease, we can improve our ability to prevent, detect, treat, and ultimately cure prostate cancer.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 2004 as National Prostate Cancer Awareness Month. I call upon government officials, businesses, communities, health care professionals, educators, volunteers, and all people of the United States to reaffirm our Nation's strong and continuing commitment to control and cure prostate cancer.

Proc. 7814

Title 3—The President

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7814 of September 14, 2004

National Historically Black Colleges and Universities Week, 2004

*By the President of the United States of America
A Proclamation*

This year, as we celebrate the 50th anniversary of *Brown v. Board of Education* and the 40th anniversary of the Civil Rights Act of 1964, we recognize our Historically Black Colleges and Universities (HBCUs) for their extraordinary accomplishments in education and for extending the promise of our Nation's founding to all of our citizens. Historically Black Colleges and Universities were created to educate African Americans when they were wrongly denied the opportunity to attend school during the 19th century. Today, these great institutions continue to advance equal opportunity and excellence in education. In 2002, HBCUs enrolled 14 percent of all African Americans attending college. Their graduates are leaders in medicine, education, government, the military, business, the arts, the law, and many other fields. They include such heroes as Thurgood Marshall, who led the struggle for equal justice under law for African Americans and successfully represented African-American schoolchildren in *Brown*.

Half a century after the Supreme Court's historic decision in *Brown*, America is still working to reach the high calling of its ideals. Education remains the path to equality and opportunity, and HBCUs are a vital part of our national commitment to improving education for all of our citizens. Funding for HBCUs is now at an all-time high. By providing students with a quality education, HBCUs are continuing to help America remain a place of opportunity and hope for every citizen.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 12 through September 18, 2004, as National Historically Black Colleges and Universities Week. I call upon public officials, educators, librarians, and all the people of the United States to observe this week with appropriate ceremonies, activities, and programs to show our respect and appreciation for these remarkable institutions and their graduates.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7815 of September 14, 2004**National POW/MIA Recognition Day, 2004**

*By the President of the United States of America
A Proclamation*

Throughout our history, when the enemies of freedom were on the march and our country needed brave Americans to take up arms and stop their advance, the members of our Armed Forces answered the call of duty. These patriotic men and women defended our country in hours of need and continue to stand watch for freedom. Many of these courageous individuals risked capture, imprisonment, and their lives to protect our homeland. On National POW/MIA Recognition Day, we honor the sacrifices and remarkable determination of those captured as prisoners of war. We also remember those who remain unaccounted for and ask for God's special blessing on their families. Our Nation will not forget these heroes, and we will not stop searching for our service members who are missing in action.

On National POW/MIA Recognition Day, the flag of the National League of Families of American Prisoners and Missing in Southeast Asia is flown over the White House, the Capitol, the Departments of State, Defense, and Veterans Affairs, the Selective Service System Headquarters, the National Vietnam Veterans and Korean War Veterans Memorials, U.S. military installations, national cemeteries, and other locations across our country. This flag serves as a reminder of our continued commitment to those still missing and those imprisoned while serving in World War II, Korea, Vietnam, the Persian Gulf, Somalia, Kosovo, Iraq, and other conflicts. We remain grateful for their service and sacrifice and pledge to continue to achieve the fullest possible accounting for all of our men and women in uniform still missing.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 14, 2004, as National POW/MIA Recognition Day. I call upon the people of the United States to join me in saluting all American POWs and those missing in action who valiantly served our great country. I call upon Federal, State, and local government officials and private organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7816 of September 17, 2004

National Hispanic Heritage Month, 2004

*By the President of the United States of America
A Proclamation*

During National Hispanic Heritage Month, we recognize Hispanic Americans for helping to shape our national character and strengthen our communities. The warmth and vitality of the Hispanic culture are great gifts to America and are part of the unique fabric of our country.

Hispanic Americans have enriched our Nation through contributions in many professions and fields, including education, law, government, business, science, sports, and the arts. Since our Nation's founding, Hispanic Americans have served bravely in the United States Armed Forces, earning more than 3 dozen Medals of Honor and numerous distinguished military decorations for their leadership, courage, and patriotism. Today, Hispanic Americans in our Armed Forces, National Guard, and Reserve units continue this proud legacy as they stand watch on the front lines of freedom. The hard work, values, and devotion to community of Hispanic Americans set a positive example for all Americans.

Across our country, we are working to continue helping Hispanic Americans realize the great promise of America. In 2002, I set a goal of increasing the number of minority homeowners by at least 5.5 million by the end of the decade. We are making good progress—having added more than 1.6 million minority homeowners so far. My Administration's business agenda and economic policies have helped create an environment in which Latino small business owners in the United States are starting new businesses and employing millions of people, expanding trade throughout the Americas, and generating billions in revenue. Through the No Child Left Behind Act of 2001, we are working to ensure that schools are serving every student. In addition, we are committed to improving immigration services while strengthening national security.

I join with all Americans in celebrating the heritage, culture, spirit, and contributions of Hispanic Americans. To honor the achievements of Hispanic Americans, the Congress, by Public Law 100–402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15, as “National Hispanic Heritage Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim September 15 through October 15, 2004, as National Hispanic Heritage Month. I call upon public officials, educators, librarians, and all the people of the United States to observe this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7817 of September 17, 2004**Citizenship Day and Constitution Week, 2004**

*By the President of the United States of America
A Proclamation*

Two hundred and seventeen years ago this week, delegates to the Constitutional Convention in Philadelphia signed one of the most enduring documents in history: the Constitution of the United States. Our Constitution is the foundation of our liberty and has guaranteed the rights of our people through a history of tremendous change and progress.

Today, we marvel at the wisdom of the Framers who toiled through a long summer of learned and contentious debates. Their work produced a document that upholds high ideals, while answering the most practical questions of governance. The charter they crafted—with its separate branches of Government, enumerated powers, checks and balances, and later the specific protections provided by our Bill of Rights—guides our Nation and inspires others around the world.

During Constitution Week, our Nation reflects on the significance of our Constitution and gives thanks for the blessings of liberty that this document helps to secure. We honor the men and women who have supported and defended it throughout our history, at times with their lives. On Citizenship Day, we reaffirm our commitment to freedom, to ensuring that our history endures, and to instilling in America's next generation the values that make our country great.

In remembrance of the signing of the Constitution and in recognition of the Americans who strive to uphold the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 106, as amended), designated September 17 as "Citizenship Day," and by joint resolution of August 2, 1956 (36 U.S.C. 108, as amended), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as "Constitution Week."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim September 17, 2004, as Citizenship Day, and September 17 through September 23, 2004, as Constitution Week. I encourage Federal, State, and local officials, as well as leaders of civic, social, and educational organizations, to conduct ceremonies and programs that celebrate our Constitution and reaffirm our rights and obligations as citizens of our great Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7818 of September 20, 2004

National Farm Safety and Health Week, 2004

*By the President of the United States of America
A Proclamation*

America's farm economy is strong and growing. Farm income is strong, farm exports are at a record high, and my Administration is working to ensure that American farm products are sold all over the world. During National Farm Safety and Health Week, we reflect on the contributions of America's farm and ranch families and underscore our commitment to making our farms safer and to protecting our farm and ranch land.

The safety and health of our farm and ranch families are of critical importance. These Americans perform tasks that contain risks—they operate farm machinery, apply agricultural chemicals and fertilizers, handle large and unpredictable livestock, and work in places where dusts and toxins can contaminate the air. We must continue to raise awareness of dangers and proper safety precautions and equipment, particularly among our young people involved in agriculture. Through education and training, we can help save lives and improve the well-being of our Nation's farmers and ranchers.

Our Nation's farmers and ranchers help feed and clothe people around the world, and they are now helping provide more energy for the American people. By promoting a safer farm and ranch environment, we can strengthen our agricultural economy and build a more prosperous future for all our citizens.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 19 through September 25, 2004, as National Farm Safety and Health Week. I call upon the agencies, organizations, and businesses that serve America's agricultural workers to strengthen their commitment to promoting farm safety and health programs. I also urge all Americans to honor our agricultural heritage and to recognize our farmers and ranchers for their remarkable contributions to our Nation's vitality and prosperity.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7819 of September 21, 2004**National Employer Support of the Guard and Reserve Week, 2004**

*By the President of the United States of America
A Proclamation*

Throughout our history, the members of the National Guard and Reserve have served our country with honor. Our Nation depends on the dedication of these citizen-soldiers, and our Guardsmen and Reservists rely on the support of their civilian employers to allow them to fulfill their service obligations. During National Employer Support of the Guard and Reserve Week, we honor the sacrifice of these brave men and women, and we express our gratitude for the commitment of their employers.

As we fight terror and advance freedom, members of the National Guard and Reserve are making vital contributions around the world as fully integrated components of our Nation's Armed Forces. At home, they are called on to protect our communities, preserve order, and provide assistance in times of natural disaster, balancing the demands of their families, civilian careers, and military commitments. These Guardsmen and Reservists are indispensable to our Nation's efforts to promote democracy, peace, and freedom around the world, and we salute their selfless service.

Employers also play a critical role in our Nation's defense, demonstrating their patriotism by supporting the training and mobilization of these brave individuals. Across America, business owners, school personnel, hospital administrators, and many others put our country's safety and security first when they provide time off, pay, health care benefits, and job security to their Guard and Reserve employees. These sacrifices help strengthen our country and allow our men and women in uniform to focus on the missions at hand. The generosity and public spirit of these employers have earned them the appreciation of our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 26 through October 2, 2004, as National Employer Support of the Guard and Reserve Week. I encourage all Americans to join me in expressing our thanks to the civilian employers and the members of our National Guard and Reserve for their patriotism and sacrifices on behalf of our Nation. I also call upon State and local officials, private organizations, businesses, and all military commanders to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7820 of September 24, 2004

Family Day, 2004

*By the President of the United States of America
A Proclamation*

During this time of great change in our Nation, we remain dedicated to the fundamental American values of courage and compassion, reverence and integrity, and respect for others. On Family Day, we affirm our commitment to strengthening America's families and supporting them as they work to raise healthy and responsible children.

Strong families help young people take responsibility, understand the consequences of their actions, and recognize that the decisions they make today could affect the rest of their lives. By spending time with their children, parents prepare them to realize a bright future.

It should always be a goal of government to encourage marriage and strengthen families. My 2005 budget proposal includes more than \$290 million in funding for programs that support healthy marriages, research and demonstration projects on family formation, and initiatives to promote responsible fatherhood.

We have made significant progress over the past decade in helping our young people make the right choices. Smoking and illicit drug use have declined among youth, teen birth rates have fallen to the lowest levels ever recorded, and violent crime among teenagers has decreased dramatically. My Administration is also supporting families by encouraging character education in schools to help children develop a sense of responsibility to their communities. We are advancing abstinence-only education programs to help reduce the number of teen pregnancies and teenagers contracting sexually transmitted diseases, and we are promoting school drug testing to identify kids who need help. When parents, schools, and government work together, we can counter the negative influences in today's culture and send a positive message to our youth.

Families instill the essential values we live by. By supporting them, we make America a better and more hopeful place.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 27, 2004, as Family Day. I call on the people of the United States to observe this day by engaging in activities that honor the relationship between parents and children and help keep our young people healthy and safe.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7821 of September 25, 2004**Gold Star Mother's Day, 2004**

By the President of the United States of America

A Proclamation

Americans have always answered the call to serve our Nation. Many brave American men and women have made the ultimate sacrifice to defend freedom's blessings, and no one feels their loss more deeply than their mothers. On Gold Star Mother's Day, we remember these mothers who have suffered the loss of a son or daughter through service to our country. We honor their courage and perseverance and the memory of their children.

Across our Nation, these compassionate and generous women are volunteering to serve veterans, helping families of service members, supporting educational programs that promote patriotism and citizenship, and turning their grief into action. They inspire all Americans with their compassion and service. On this day, people across America join together to honor our Gold Star mothers and send our gratitude, prayers, and best wishes to them and to their families.

The Congress, by Senate Joint Resolution 115 of June 23, 1936 (49 Stat. 1895 as amended), has designated the last Sunday in September as "Gold Star Mother's Day," and has authorized and requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Sunday, September 26, 2004, as Gold Star Mother's Day. I call upon all Government officials to display the flag of the United States over Government buildings on this solemn day. I also encourage the American people to display the flag and hold appropriate meetings in their homes, places of worship, or other suitable places as a public expression of the sympathy and respect that our Nation holds for our Gold Star Mothers.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7822 of September 24, 2004**National Hunting and Fishing Day, 2004**

By the President of the United States of America

A Proclamation

America is a land of majestic beauty, and we take pride in our wildlife, forests, mountains, lakes, rivers, and coastlines. Outdoor recreation is an important part of our Nation's heritage. On National Hunting and Fishing Day, we celebrate the remarkable progress we have made in conserving our

environment and recognize those who have worked to conserve our natural resources.

America's hunters and anglers represent the great spirit of our country and are among our Nation's foremost conservationists. These citizens have worked to protect habitat and restore fish and wildlife populations. They volunteer their time, talents, and energy to countless conservation projects, because they recognize the importance of maintaining the natural abundance of our country for future generations.

My Administration is committed to achieving a cleaner, safer, and healthier environment for all Americans, including our hunters and anglers. My Administration has expanded opportunities to hunt and fish at national wildlife refuges and improved habitat on public and private lands. We have cut phosphorus releases into our rivers and streams, and I signed the Healthy Forests Restoration Act to help protect our forests from the risk of wildfires.

Americans are blessed to live amid many wonders of nature, and we have a responsibility to be good stewards of the land. I commend all who advance conservation and help our citizens enjoy the benefits of our environment. These efforts ensure that our national heritage remains a source of pride for our citizens, our communities, and our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 25, 2004, as National Hunting and Fishing Day. I call upon the people of the United States to join me in recognizing the contributions of America's hunters and anglers, and all those who work to conserve our Nation's fish and wildlife resources.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of September, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7823 of October 1, 2004

National Breast Cancer Awareness Month, 2004

*By the President of the United States of America
A Proclamation*

During National Breast Cancer Awareness Month, we raise awareness of this deadly disease, encourage early detection, and support research to find a cure.

Prevention and early detection are key to winning the fight against breast cancer. Although the exact cause of the disease is unknown, factors that can affect the risk of developing cancer include age, general health, and family history. This year, estimates are that over 200,000 women will be diagnosed with breast cancer. Regular screening for breast cancer continues

to be the most effective way to detect this disease early and to save lives, and mammograms are the best screening tool we currently have. Women should talk to their health care providers about their breast cancer risk.

To improve the quality of life and find a cure for those affected by breast cancer, we are learning more about its causes. The National Institutes of Health has invested an estimated \$700 million this year alone on breast cancer research and will spend more next year. The Centers for Disease Control and Prevention has devoted over \$200 million this year and more next year for an early detection program that promotes mammograms and helps low-income women afford screenings for breast and cervical cancer. The Department of Defense also invested approximately \$150 million for its Breast Cancer Research program in 2004. This funding will help lead to better treatments for cancer patients and new hope for countless Americans and their families.

We salute breast cancer survivors for their courage and perseverance. Their courageous battle against cancer is an inspiration to countless Americans, and their willingness to share their stories and experiences helps spread awareness and offers hope and comfort to cancer patients across the country. Together with health care professionals, researchers, and family members, we can improve the lives of those suffering from this disease and win the fight against breast cancer.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 2004 as National Breast Cancer Awareness Month. I call upon Government officials, businesses, communities, health care professionals, educators, volunteers, and all the people of the United States to continue our Nation's strong commitment to controlling and curing breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7824 of October 4, 2004

Fire Prevention Week, 2004

*By the President of the United States of America
A Proclamation*

Fire Prevention Week is an opportunity for all Americans to learn more about how to avoid fires, as well as how to best respond in case of such an emergency. By making fire safety a priority, we can help limit the devastating effects of fires and enhance the safety of our citizens.

A large majority of fire deaths in the United States occur in the home. This year's theme, "It's Fire Prevention Week: Test Your Smoke Alarms," reflects the importance of installing and maintaining working smoke alarms on every floor of the home. As vital early warning systems, smoke alarms reduce the chances of a fire becoming fatal by approximately 50 percent.

Americans can also take steps to reduce the chance of a fire ever starting. These include using electrical devices safely, avoiding overloading circuits, and carefully operating stoves, fireplaces, and space heaters. We should also supervise our children and educate them about the dangers of lighters and matches, exercise care in the storing of firewood and other flammable materials, and obey local burning laws. More information about these and other measures is available from the National Fire Protection Association and the Department of Homeland Security's United States Fire Administration.

Firefighters are among our greatest heroes, and they risk their lives each day to protect our citizens and our homeland. All Americans owe them a debt of gratitude for their courage and dedication. By working to prevent disasters and by being prepared, we support firefighters as they serve communities across our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 3 through October 9, 2004, as Fire Prevention Week. I call upon the people of the United States to observe this week with appropriate activities and to undertake efforts to prevent fires and their tragic consequences.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7825 of October 4, 2004**Child Health Day, 2004**

*By the President of the United States of America
A Proclamation*

Parents play a vital role in keeping their children healthy, and when it comes to helping children make right choices, there is work for all Americans to do. Parents, teachers, faith-based and community groups, and government leaders are working together to counter the negative influences in today's culture, highlight the benefits of healthy lifestyles, and educate children about the consequences of their actions.

By promoting good nutrition and regular physical activity, parents help their children perform better in the classroom and live healthy lives. To encourage healthy families, my Administration is helping young people learn the simple steps to live better through the HealthierUS Initiative and the President's Challenge awards program. These programs encourage young people to eat a nutritious diet rich in fruits and vegetables and to set aside time every day for physical activity, such as playing sports, biking, or even helping with yard work at home. Encouraging healthy habits early in life helps give children a head start and gives them the best chance of reaching their potential.

Our youth are challenged with tough choices. We must continue to promote responsibility among our Nation's young people by providing them with the knowledge they need to make the right decisions concerning drug and alcohol use. My Administration supports education programs that address these issues. Through the National Youth Anti-Drug Media Campaign and Drug-Free Communities Program, we are working to ensure that young people understand the serious risks and consequences of substance abuse. And in order to help kids who need help, my Administration supports random drug testing as a prevention tool. We have also increased support for abstinence-only education programs, including grants for community and faith-based organizations, because abstinence is the only sure way to prevent teenage pregnancy and sexually transmitted diseases.

We all have an important role in giving America's children a healthy start in life by teaching them that the decisions they make today will affect them for the rest of their lives. By helping them make the right choices, we better prepare them for a hopeful future.

The Congress, by a joint resolution approved May 18, 1928, as amended (36 U.S.C. 105), has called for the designation of the first Monday in October as "Child Health Day" and has requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Monday, October 4, 2004, as Child Health Day. I call upon families, schools, child health professionals, faith-based and community organizations, and governments to help all our children discover the rewards of good health and wellness.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7826 of October 4, 2004

To Implement the 2004 United States-Israel Agreement on Trade in Agricultural Products

*By the President of the United States of America
A Proclamation*

1. On April 22, 1985, the United States entered into the Agreement on the Establishment of a Free Trade Area between the Government of the United States of America and the Government of Israel (the "FTA"), which the Congress approved in the United States-Israel Free Trade Area Implementation Act of 1985 (the "FTA Act") (19 U.S.C. 2112 Note).

2. In order to maintain the general level of reciprocal and mutually advantageous concessions with respect to agricultural trade with Israel, on July 27, 2004, the Government of the United States entered into an agreement with the Government of Israel concerning certain aspects of trade in agricultural products during the period January 1, 2004, through December 31,

2008 (the “2004 Agreement”). The 2004 Agreement reflects an effort by the United States and Israel to address, through 2008, their continuing differences over the meaning of certain provisions in the FTA governing access for United States agricultural products to Israel’s market.

3. Section 4(b) of the FTA Act provides that, whenever the President determines that it is necessary to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the FTA, the President may proclaim such withdrawal, suspension, modification, or continuance of any duty, or such continuance of existing duty-free or excise treatment, or such additional duties as the President determines to be required or appropriate to carry out the FTA.

4. Pursuant to section 4(b) of the FTA Act, I have determined that it is necessary, in order to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel, to provide through the close of December 31, 2008, access into the United States customs territory for specified quantities of certain agricultural products of Israel free of duty or certain fees or other import charges.

5. Section 604 of the Trade Act of 1974 (19 U.S.C. 2483) (the “Trade Act”) authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of the relevant provisions of that act, and of other acts affecting import treatment, and actions thereunder, including removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including section 4 of the FTA Act and section 604 of the Trade Act, do hereby proclaim:

(1) In order to implement aspects of the 2004 Agreement with the Government of Israel, concerning certain aspects of trade in agricultural products, the HTS is modified as provided in the Annex to this proclamation.

(2) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(3) The modifications to the HTS made by the Annex to this proclamation shall be effective with respect to goods that are the product of Israel and are entered, or withdrawn from warehouse for consumption, on or after January 1, 2004, and the tariff treatment set forth therein shall be effective as provided in such Annex through December 31, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

ANNEX

MODIFICATIONS TO SUBCHAPTER VIII OF CHAPTER 99
OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Effective with respect to goods that are the product of Israel and are entered, or withdrawn from warehouse for consumption, on or after January 1, 2004, and through the close of December 31, 2008, subchapter VIII of chapter 99 of the HTS is modified as provided herein:

1. U.S. note 1 to such subchapter is modified by striking “December 31, 2003,” and by inserting in lieu thereof “December 31, 2008,”.

2. U.S. note 3 is modified by inserting at the end of the table therein the following additional applicable time periods and quantities:

<u>[Applicable time period]</u>	<u>[Quantity (kg)]</u>
“Calendar year 2004	383,000
Calendar year 2005	402,150
Calendar year 2006	422,258
Calendar year 2007	443,370
Calendar year 2008	465,539”

3. U.S. note 4 is modified by inserting at the end of the table therein the following additional applicable time periods and quantities:

<u>[Applicable time period]</u>	<u>[Quantity (kg)]</u>
“Calendar year 2004	1,160,000
Calendar year 2005	1,194,800
Calendar year 2006	1,230,644
Calendar year 2007	1,267,563
Calendar year 2008	1,305,590”

4. U.S. note 5 is modified by inserting at the end of the table therein the following additional applicable time periods and quantities:

<u>[Applicable time period]</u>	<u>[Quantity (kg)]</u>
“Calendar year 2004	1,279,000
Calendar year 2005	1,317,370
Calendar year 2006	1,356,891
Calendar year 2007	1,397,598
Calendar year 2008	1,439,526”

5. U.S. note 6 is modified by inserting at the end of the table therein the following additional applicable time period and quantity:

<u>[Applicable time period]</u>	<u>[Quantity (kg)]</u>
“Calendar year 2004	116,000
Calendar year 2005	119,480
Calendar year 2006	123,064
Calendar year 2007	126,756
Calendar year 2008	130,559”

6. U.S. note 7 is modified by inserting at the end of the table therein the following additional applicable time periods and quantities:

<u>[Applicable time period]</u>	<u>[Quantity (kg)]</u>
“Calendar year 2004	405,317
Calendar year 2005	417,477
Calendar year 2006	430,001
Calendar year 2007	442,901
Calendar year 2008	456,188”

Proclamation 7827 of October 6, 2004**German-American Day, 2004**

*By the President of the United States of America
A Proclamation*

Generations of German immigrants and their descendents have helped build America and chart its course through history. On German-American Day, we recognize these proud citizens for their important contributions to America and honor the bond between two great nations.

German Americans have been part of America's history since its earliest days, beginning with the establishment of the Jamestown Colony in 1607 and the arrival of German Quakers and Mennonite families in 1683. Many of these early settlers came to America seeking religious freedom and the chance to develop a community based on tolerance and respect for all people. During the westward expansion of the United States, many German families helped settle communities, found cities, and develop the agriculture industry. Over time, the core beliefs of these freedom-loving individuals helped define the liberty and opportunity that our country represents. Their traditions of public debate and active citizenship influenced important social issues such as land reform, abolition, workers' rights, and women's suffrage.

This week, our Government is breaking ground for a new Embassy in historic Berlin, exemplifying America's support of a unified Germany. Sharing a common commitment to freedom, peace, and prosperity, the citizens of Germany and America can build a better future for the benefit of all nations.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 6, 2004, as German-American Day, and I encourage all Americans to recognize the contributions of our citizens of German descent.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7828 of October 7, 2004**Leif Erikson Day, 2004**

*By the President of the United States of America
A Proclamation*

More than 1,000 years ago, Leif Erikson led his crew on a journey across the Atlantic, becoming the first European known to have set foot on North American soil. Every October, we honor this courageous Viking explorer, his historic voyage, and the rich heritage of Nordic Americans.

Immigrants from Denmark, Finland, Iceland, Norway, and Sweden and their descendants have made great contributions to our Nation in the fields of business, politics, the arts, education, agriculture, and other areas. Nordic Americans have also made a significant mark on our country's society and culture, and have helped to establish and define America's most cherished principles. Their energy and spirit have inspired others, and their courage, skill, and determination have played an important role in the development of our country. Today, millions of people in the United States trace their origins to these Nordic countries, and their contributions to America make our country stronger and better.

On this day, we also recognize our longstanding ties to these nations that were home to the ancestors of many Americans. Together, we continue to work to advance prosperity, expand freedom, and increase stability and security in Europe and elsewhere in the world.

To honor Leif Erikson, the courageous son of Iceland and grandson of Norway, and to celebrate our citizens of Nordic-American heritage, the Congress, by joint resolution (Public Law 88-566) approved on September 2, 1964, has authorized and requested the President to proclaim October 9 of each year as "Leif Erikson Day."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 9, 2004, as Leif Erikson Day. I call upon all Americans to observe this day with appropriate ceremonies, activities, and programs to honor our rich Nordic-American heritage.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7829 of October 11, 2004

Columbus Day, 2004

*By the President of the United States of America
A Proclamation*

The journeys of Christopher Columbus are among the world's greatest stories of daring and discovery. His courage, optimism, and adventurous spirit altered the course of history. On Columbus Day, we celebrate this remarkable explorer and his contributions to the "New World."

In August 1492, Columbus left Spain and sailed into the unknown with the simplest of navigational equipment. The risks were great and the outcome uncertain. Yet, Columbus was committed to the cause of discovery, finding a more efficient trade route to the East and advancing European civilization.

Today, Columbus' voyages continue to stir our imagination and encourage us to explore new frontiers. His spirit of determination and discovery is a characteristic shared by the American people and is reflected throughout

our history, from the Lewis and Clark Expedition to the Moon landing and our many scientific and technological advances.

Columbus Day is also a celebration of the many contributions that Italian Americans have made to our Nation. Every aspect of our culture, whether it be art or music, law or politics, reflects the influence of Italian Americans. On this day we also remain thankful for the strong ties between the United States and Italy and pay tribute to the courageous and selfless Italian forces who are helping to advance freedom alongside American and coalition troops in Iraq and Afghanistan.

In commemoration of Columbus' journey, the Congress, by joint resolution of April 30, 1934, and modified in 1968 (36 U.S.C. 107), as amended, has requested that the President proclaim the second Monday of October of each year as "Columbus Day."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 11, 2004, as Columbus Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities. I also direct that the flag of the United States be displayed on all public buildings on the appointed day in honor of Christopher Columbus.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7830 of October 11, 2004

General Pulaski Memorial Day, 2004

*By the President of the United States of America
A Proclamation*

The story of Revolutionary War hero Brigadier General Casimir Pulaski is one of bravery and sacrifice that helped to secure America's blessings of liberty. We remember General Pulaski for his skill in battle, his commitment to freedom, and his willingness to give his life for America's independence.

Born in Poland in 1745, Casimir Pulaski first gained distinction as a military hero while fighting to defend his native Poland. His reputation as a bold warrior and his dedication to the cause of liberty became known throughout Europe.

Pulaski met with Benjamin Franklin in Paris in 1777 and agreed to join the Americans in their fight for freedom. He quickly proved to be a gifted military leader and was commissioned as a Brigadier General. He became known as "the Father of the American Cavalry," recruiting and training a special corps of American, Polish, Irish, French, and German troops who fought with great skill and success. During the siege of Savannah in 1779, General Pulaski was mortally wounded, leaving a legacy of heroism that continues to inspire people around the world.

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On General Pulaski Memorial Day, we honor a noble patriot committed to the cause of freedom, and we recognize the countless contributions Polish Americans have made to our Nation and our culture. We also celebrate the strong friendship between the United States and Poland, remembering our shared history and common values and honoring the sacrifices of Polish troops who have served bravely alongside American and coalition forces in Iraq and Afghanistan.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 11, 2004, as General Pulaski Memorial Day. I encourage all Americans to commemorate this occasion with appropriate programs and activities paying tribute to Casimir Pulaski and honoring all those who defend freedom.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7831 of October 12, 2004

National School Lunch Week, 2004

*By the President of the United States of America
A Proclamation*

The National School Lunch Program has provided healthy, affordable lunches to our Nation's children for almost 60 years. The program now serves more than 28 million children each day, many of whom might not otherwise eat nutritious lunches. During National School Lunch Week, we recognize the program's contributions to the health, well-being, and education of our Nation's youth.

In addition to providing the good nutrition that helps young people succeed in school, healthy school lunches and after-school snacks can help alleviate childhood obesity and lower children's risk of developing health problems. The National School Lunch Program also shares information about healthy eating habits with children, families, and communities; works to provide our children with the best possible school meals; and offers technical training and assistance to school food-service staff. To support this program and other important child nutrition programs, earlier this year I signed into law the Child Nutrition and WIC Reauthorization Act of 2004. This bill expands access to programs for children of Armed Services personnel, promotes healthy food choices, and makes it easier for parents to enroll their eligible children.

The National School Lunch Program has accomplished a great deal in providing children with nutritious meals, and we must continue working to ensure that every child is well-nourished, healthy, and active. While children who participate in the school lunch program consume more fruits, vegetables, milk, and protein than students who obtain lunch elsewhere, over 60 percent of our Nation's young people still eat more than the daily

recommended serving of fat, and less than 20 percent eat the recommended daily servings of fruits and vegetables. To promote the right choices, the Department of Agriculture's HealthierUS School Challenge is encouraging schools and local communities to create an environment that supports healthy lifestyles for our Nation's children.

The success of the National School Lunch Program stems from the hard-working Americans who plan, prepare, and serve meals to millions of children every day. In recognition of the contributions of the National School Lunch Program to the health, education, and well-being of America's children, the Congress, by joint resolution of October 9, 1962 (Public Law 87-780), as amended, has designated the week beginning on the second Sunday of October of each year as "National School Lunch Week" and has requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 10 through October 16, 2004, as National School Lunch Week. I call upon all Americans to join the dedicated individuals who administer the National School Lunch Program in appropriate activities that support the health and well-being of our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7832 of October 15, 2004

National Mammography Day, 2004

*By the President of the United States of America
A Proclamation*

Approximately one in seven women in the United States will develop breast cancer over her lifetime. Mammograms are critical for early detection of breast cancer and remain the most effective screening tool available today. Many women who develop breast cancer have no history of the disease in their families, and except for growing older, most have no strong risk factors. Regular mammogram screening, along with a clinical breast exam by a medical professional, can help identify breast cancer in its earliest stages when it is most treatable. On National Mammography Day, we underscore the importance of this life-saving technology.

The National Cancer Institute and the United States Preventive Services Task Force recommend a mammogram every 1 to 2 years for women age 40 and over. Strict guidelines help to ensure that mammograms are administered with the lowest possible doses of radiation by the best-trained medical staff. Scientists continue to study ways to improve mammograms and other screening technologies, and this research promises to make screening even more accurate and further reduce the number of breast cancer deaths.

My Administration is committed to preventing, detecting, treating, and ultimately finding a cure for breast cancer. Through an early detection program

at the Centers for Disease Control and Prevention, we have devoted over \$200 million for promoting mammography use and helping low-income women afford screening for breast and cervical cancer. In addition, the National Institutes of Health is conducting the largest trial ever of new, early-detection technologies to help doctors target breast cancer before symptoms occur.

My Administration will continue working to ensure that America's women have access to the best screening services available. I urge women, especially those 40 and over, to talk to their doctors about breast cancer screening and to encourage their friends and family to do the same. Together, we can help save lives and build a healthier future for all our citizens.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 15, 2004, as National Mammography Day. I call on all Americans to observe this day with appropriate programs and activities recognizing our health care professionals and researchers for their contributions in helping to detect and treat breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7833 of October 15, 2004

White Cane Safety Day, 2004

*By the President of the United States of America
A Proclamation*

To help increase their mobility and assist them in their daily lives, many people who are blind or visually impaired use a white cane. On White Cane Safety Day, we celebrate the symbolism of this important tool and the enduring spirit of independence and determination shown by Americans who use it.

In 1964, President Lyndon B. Johnson signed the first Presidential proclamation for White Cane Safety Day. He wrote that the observance would "make our people more fully aware of the meaning of the white cane" and help increase the safety and self-reliance of our citizens who are blind or visually impaired. Over the last four decades, our Nation has removed many barriers for these individuals, making it easier for them to find jobs, access public buildings, and live independently in their communities.

Today, we are working to ensure that all Americans with disabilities have the opportunity to live with dignity, work productively, and realize their full potential. Through the New Freedom Initiative, my Administration continues to build on the progress of the Americans with Disabilities Act of 1990 (ADA) to further promote the full participation of people with disabilities in all areas of society. The Department of Justice's ADA Business Connection is helping create a better understanding of ADA requirements

and promote dialogue between the business community and the disability community. And the Department of Justice's Project Civic Access is improving public facilities to ensure that people with disabilities are integrated into community life. Through the Ticket to Work program and the Work Incentives Improvement Act, we are making significant strides toward building an America where all individuals are recognized for their talents and creativity. These efforts will help provide Americans who are blind or visually impaired the opportunity to pursue their dreams and realize the promise of our great country.

The Congress, by joint resolution (Public Law 88-628) approved on October 6, 1964, as amended, has designated October 15 of each year as "White Cane Safety Day."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 15, 2004, as White Cane Safety Day. I call upon public officials, business leaders, educators, librarians, and all the people of the United States to join with me in ensuring that all the benefits and privileges of life in our Nation are available to individuals who are blind and visually impaired, and to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7834 of October 18, 2004

National Character Counts Week, 2004

*By the President of the United States of America
A Proclamation*

Individuals have the power to do much good, and great societies are built by knowing the difference between right and wrong. People of character strengthen our country through their daily actions. To help children fulfill their potential and build a more hopeful future for our Nation, we must continue to encourage and support the character development of our young people and support the institutions that give direction and purpose: our families, our schools, and our faith-based and community organizations.

Americans of all ages continue to inspire others with their compassion and decency by giving their time to faith-based and community organizations and bringing hope to others at home and around the world. The Senior Corps has more than 500,000 caring souls serving in its programs; the Peace Corps has grown to its highest number of volunteers in 28 years; and AmeriCorps will grow by 50 percent to 75,000 members this year. Almost two million students volunteer each year through the Learn and Serve America programs, which incorporate community service as a vital part of education. In addition, more than 1,300 communities have formed Citizen Corps Councils; over 10,000 communities have registered Neighborhood Watch programs; more than 27,000 Americans are serving in the Medical

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Reserve Corps; over 52,000 citizens have completed Community Emergency Response Team training; and there are more than 68,000 volunteers in the Volunteers in Police Service program. The true strength of America lies in the hearts and souls of its citizens, and these volunteers are making our country better and stronger.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 17 through October 23, 2004, as National Character Counts Week. I call upon public officials, educators, librarians, parents, students, and all Americans to observe this week with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7835 of October 20, 2004

National Disability Employment Awareness Month, 2004

*By the President of the United States of America
A Proclamation*

Americans with disabilities are active and contributing members of our society, and they must have the opportunity to develop the skills they need to compete and obtain jobs in the 21st century workforce. By reducing physical barriers and false perceptions, our country meets our commitment to millions of Americans with disabilities, and benefits from their talents, creativity, and hard work.

The Americans with Disabilities Act of 1990 (ADA) has brought about important progress in our Nation. Under my Administration's New Freedom Initiative, we continue to work to ensure that people with disabilities can participate fully in the workplace and all aspects of community life. Through funding for new technologies and innovative resources, we are changing old ways of thinking and fulfilling the Federal Government's commitment to opportunity for every citizen.

The New Freedom Initiative has helped enable individuals with disabilities to access assistive technologies. My Administration has invested in research and development for new technology. We have expanded the Department of Defense's Computer/Electronic Accommodations Program, which provides Federal employees with disabilities greater access to electronic and information technology. The Department of Labor launched *DisabilityInfo.gov* in 2002, an online resource that streamlines access to information about Federally sponsored employment, job accommodations, transportation, State and regional assistance programs, technology, and other programs relevant to the daily lives of individuals with disabilities.

We must foster a better understanding of ADA requirements and increase dialogue and cooperation between the business and disability communities. Through the New Freedom Small Business Initiative, the Department of

Labor and the Small Business Administration are educating small business owners about the benefits of hiring people with disabilities and helping adult workers with disabilities acquire the skills and resources needed to become small business owners. The Equal Employment Opportunity Commission is releasing user-friendly information on how the ADA applies to particular disabilities in the workplace and providing free ADA workshops offering employment-related services and information sessions for small businesses. My Administration is implementing the "Ticket to Work" program, which allows Social Security and Supplemental Security Income disability beneficiaries who want to work to choose their own employment-related services. The Department of Labor and other agencies are also improving the capacity of community One-Stop Career Centers to provide training and employment services to people with disabilities.

To recognize the contributions of Americans with disabilities and to encourage all citizens to ensure equal opportunity in the workforce, the Congress, by joint resolution approved August 11, 1945, as amended (36 U.S.C. 121), has designated October of each year as "National Disability Employment Awareness Month."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 2004 as National Disability Employment Awareness Month. I call upon Government officials, labor leaders, employers, and the people of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7836 of October 20, 2004

National Forest Products Week, 2004

By the President of the United States of America

A Proclamation

America's forests are places of beauty and incredible natural wealth. They are homes to wildlife and offer many economic opportunities for our Nation. During National Forest Products Week, we recognize the many benefits of our forests and continue our dedication to protecting them.

Across our country, many communities rely on healthy forests for economic stability. Our forests provide paper products, building materials, chemicals, and many other items needed by families and small businesses across America. Responsible forest management helps provide jobs and maintain these important resources to help meet the daily needs of Americans and people around the world.

My Administration has made forest health a high priority, and we will continue to promote active management and forest conservation. Under the Healthy Forests Initiative, we acted to remove the causes of severe wildfires by thinning forest undergrowth before disaster strikes. And the Healthy

Forests Restoration Act of 2003, which I signed into law last December, expands our work, helping protect valuable lands that serve as habitat for wildlife and ensuring the safety and economic vitality of communities affected by wildfires. The Act enforces high standards of conservation to help return our forests to more natural conditions and maintain the full range of forest types.

To ensure that our forests remain a source of pride for all Americans, we must continue our tradition of protecting the land for future generations. By combining the ethic of good stewardship with the spirit of innovation, we can advance a healthy environment and continue economic growth and job creation.

In recognizing the importance of our forests, the Congress, by Public Law 86–753 (36 U.S.C. 123), as amended, has designated the week beginning on the third Sunday in October of each year as “National Forest Products Week” and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 17 through October 23, 2004, as National Forest Products Week. I call upon all Americans to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7837 of October 24, 2004**United Nations Day, 2004**

*By the President of the United States of America
A Proclamation*

On United Nations Day, we commemorate the founding of the United Nations in 1945 and recognize its many contributions to advancing peace and human rights around the world.

Our Declaration of Independence and the United Nations’ Universal Declaration of Human Rights proclaim the equal value and dignity of every human life. That dignity is honored by the rule of law, limits on the power of the state, respect for women, protection of private property, free speech, equal justice, and religious tolerance. These founding documents affirm that the bright line between justice and injustice is the same in every age, every culture, and every nation.

Today, the United Nations is helping advance these ideals in many places around the globe. The U.N. assisted Afghanistan in making history when Afghan women and men voted in a democratic Presidential election earlier this month. In Sudan, Liberia, Haiti, and other nations, the U.N. has been working to bring security, stability, and humanitarian assistance to people in need. From Africa to the Caribbean to Asia, the U.N. is helping to turn

societies away from old conflicts, overcome persistent poverty, and fight HIV/AIDS and other diseases.

The United States remains committed to the high ideals of the U.N. as stated in its charter: “To save succeeding generations from the scourge of war . . . to reaffirm faith in fundamental human rights . . . and to promote social progress and better standards of life in larger freedom.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 24, 2004, as United Nations Day. I urge the Governors of the 50 States, the Governor of the Commonwealth of Puerto Rico, and the officials of other areas under the flag of the United States to honor the observance of United Nations Day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of October, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7838 of November 4, 2004

National Adoption Month, 2004

*By the President of the United States of America
A Proclamation*

By deciding to share their hearts and homes with a child, adoptive parents demonstrate great compassion and receive many blessings in return. During National Adoption Month, we recognize the generosity of adoptive and foster families who are providing hope and love, and we encourage the adoption of children of all ages.

In 2002, I signed the Promoting Safe and Stable Families legislation that supports families and promotes adoption, and last December I signed the Adoption Promotion Act of 2003 to increase incentives to adopt older children. We have raised the adoption tax credit to \$10,000 per child and created the *AdoptUSKids* website that has joined thousands of children with adoptive parents. We are working hard to place more children from foster care to permanent homes. This year, on November 20, communities from all 50 States and the District of Columbia will celebrate National Adoption Day by finalizing the adoption of thousands of children by loving families. And each one of those families will be enriched by the addition of new members. By bringing care and hope into other lives, individuals can fill their own lives with greater purpose.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2004 as National Adoption Month. I call on all Americans to observe this month with appropriate programs and activities to honor adoptive families and to participate in efforts to find permanent homes for waiting children.

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IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7839 of November 4, 2004

National Alzheimer's Disease Awareness Month, 2004

*By the President of the United States of America
A Proclamation*

Today, it is estimated that over 4 million Americans suffer from Alzheimer's disease. A progressive, degenerative disorder of the brain, Alzheimer's robs individuals of their memory and their mental and physical functions, leading to increasing dependence on others for care. Factors such as age and family history can contribute to the risk of developing this disease. While no cure exists yet, researchers are learning more about this disease and how to enhance the quality of life for those with Alzheimer's.

President Reagan believed in the courage and capacity of the American people to overcome any obstacle, and my Administration remains committed to funding medical research programs to find a cure for Alzheimer's disease and improving care for Alzheimer's patients and increasing support for their families. The National Institutes of Health plans to spend \$680 million in Alzheimer's research in 2004 and an estimated \$699 million in 2005, a 33 percent increase from 2001. The National Institutes of Health, along with the Department of Veterans Affairs, is testing drugs for prevention and treatment of Alzheimer's disease. This year, the National Institute on Aging launched the Alzheimer's Disease Neuroimaging Initiative, an innovative partnership with the private sector that is using the latest technologies to observe changes in the brains of individuals who are affected by Alzheimer's. This project is researching ways to enhance early diagnosis and further the development of treatments. In addition, the Administration on Aging is working with States to improve home and community-based services for people with dementia and their families.

As we observe National Alzheimer's Disease Awareness Month, we recognize our citizens who are living with this disease and extend our gratitude to those who provide vital care and support. We also specially recognize the public and private scientists, researchers, nurses, and health care providers who are dedicated to finding new and better ways to help patients and ultimately find a cure for Alzheimer's disease. Their efforts bring comfort to many and offer hope for the future.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2004 as National Alzheimer's Disease Awareness Month. I call upon the people of the United States to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7840 of November 4, 2004

National American Indian Heritage Month, 2004

By the President of the United States of America

A Proclamation

As the first people to call our country home, American Indians and Alaska Natives have a noble history in this land and have long shaped our Nation. During National American Indian Heritage Month, we celebrate our commitment to respect and preserve the rich Native American traditions and cultures.

The enduring experiences of tribal communities are a cherished part of our national story. In September, I was proud to meet with tribal leaders and celebrate the opening of the Smithsonian Institution's National Museum of the American Indian on the National Mall in Washington, D.C. This new facility stands as a powerful symbol of the pride and vitality of our Native Peoples. The museum showcases masterworks of great cultural, historical, and spiritual significance. Through exhibits documenting past and present achievements and hopes for the future, it will introduce generations of visitors to the strong and living traditions of Native Americans. As a center for scholarship and learning, the National Museum of the American Indian will also advance understanding of the diversity that makes our Nation great.

My Administration is committed to helping Native Americans as they build on their proud legacy. With the funding of my 2005 budget, we will have provided the Bureau of Indian Affairs with more than \$1.1 billion for school construction and repairs during the past 4 years. To improve education for American Indian and Alaska Native children, I signed an executive order establishing an Interagency Working Group to help students meet the standards set by the No Child Left Behind Act of 2001 in a manner that is consistent with tribal traditions, languages, and cultures. By setting standards for academic achievement and cultural learning, Americans in all communities can help their children realize a brighter future. I also signed an executive memorandum to all Federal agencies affirming the Federal Government's continuing commitment to recognize tribal sovereignty and self-determination. As they have in the past, tribal governments will maintain jurisdiction over their lands, systems of self-governance, and government-to-government relationships with the United States.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2004 as National American Indian Heritage Month. I encourage all Americans to commemorate this month with appropriate programs and activities and to learn more about the rich heritage of American Indians and Alaska Natives.

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Title 3—The President

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7841 of November 4, 2004

National Diabetes Month, 2004

*By the President of the United States of America
A Proclamation*

More than 18 million Americans are estimated to have diabetes. Diabetes is the leading cause of new blindness, end-stage kidney disease, and non-traumatic amputations. It can also double a person's risk of heart attack and stroke and can cause nervous system damage and premature death. During National Diabetes Month, we seek to raise awareness of the impact of diabetes on our citizens, and we recognize those committed to improving the treatment and prevention of this chronic disease.

Approximately one million Americans have been diagnosed with type 1 diabetes, once known as juvenile diabetes. It develops from autoimmune, genetic, and environmental influences, most often striking children, adolescents, and young adults. By developing the disease so young, people with type 1 diabetes have a greater risk for serious complications. Type 2 diabetes affects approximately 17 million Americans, and is most common in people over 40 who are overweight, inactive, or have a family history of this disease. While people of all backgrounds are affected, type 2 diabetes disproportionately strikes African Americans, Hispanic Americans, Asian Americans, and Native Americans. The number of Americans with type 2 diabetes has grown dramatically, and many more Americans are at high risk for developing it.

My Administration is committed to funding diabetes research. This year, the National Institutes of Health dedicated \$993 million for diabetes research, and I have requested more than \$1 billion for 2005, a 49 percent increase since 2001.

We are also working to raise awareness of the risk factors associated with diabetes. According to clinical research, people at risk for type 2 diabetes can reduce their risk by approximately 58 percent if they lose a modest amount of weight and stay physically active. Those who already live with diabetes can greatly reduce their risk for heart disease and stroke by controlling their blood sugar, blood pressure, and cholesterol.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2004 as National Diabetes Month. I call upon all Americans to observe this month with appropriate programs and activities.

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IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7842 of November 4, 2004

National Family Caregivers Month, 2004

By the President of the United States of America

A Proclamation

Every day, family caregivers across our Nation are caring for loved ones who are aging, chronically ill, or disabled. Through their selfless actions, they bring comfort to those in need, enrich their own lives, and reflect the true spirit of America.

America is a country of hope and promise that honors the dignity of all its citizens. Our family caregivers sometimes sacrifice their own emotional and physical needs to dedicate their time and energy to serving their loved ones. By taking on this enormous responsibility, they are helping honor life in all its seasons.

My Administration remains committed to supporting the important contributions of family caregivers. My fiscal year 2005 budget includes tax relief for Americans who need long-term care and individuals who care for these family members in their homes. We will also continue to work with employers, faith-based and community organizations, universities, and national aging organizations to bring critical services such as individual counseling, educational activities, respite care, and family leave policies to more Americans.

By bringing loving support to their loved ones, our Nation's family caregivers make our country a better place. During National Family Caregivers Month, we honor their generosity and dedication, and we recognize the vital role of family in the lives of our citizens.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2004 as National Family Caregivers Month. I encourage all Americans to honor and support the family members, friends, and neighbors who provide care to their loved ones in need.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7843 of November 4, 2004

National Hospice Month, 2004

*By the President of the United States of America
A Proclamation*

Hospice programs are a vital part of our Nation's health care system. They provide comfort, peace, and dignity for individuals in the final stage of life and their families. During National Hospice Month, we recognize the dedicated professionals and volunteers who provide hospice care, and we emphasize the importance of respecting and honoring life in all of its seasons.

For many terminally ill patients, hospice care is a compassionate alternative to traditional care at a hospital or nursing home. Hospice physicians, nurses, counselors, and volunteers focus on making patients as comfortable as possible, while allowing patients to remain at home and close to their families. With comprehensive assistance, these caregivers help control pain and other symptoms and provide emotional and spiritual support to both patient and family. In 2002, according to the National Hospice and Palliative Care Organization, an estimated 885,000 individuals were admitted to one of the over 3,000 hospice programs in the United States.

My Administration has acted to strengthen and modernize Medicare for our seniors, and we remain committed to providing a health care system that meets the needs of every patient. Hospice services are covered by Medicare, and many States offer hospice care under their Medicaid programs. The Medicare legislation that I signed into law last December provides that Medicare will, for the first time, cover hospice consultation services so that terminally ill patients and their families will better understand end-of-life issues and care options. The legislation also makes the program more flexible and responsive to the needs of patients, allows patients to designate a nurse practitioner to coordinate their hospice care, and directs the Secretary of Health and Human Services to explore ways to make hospice care more widely available to beneficiaries who live in rural areas.

Americans believe in the worth and dignity of every person, and we are promoting a culture of life in our Nation. By caring for life at every stage, we can create a more compassionate and merciful world.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2004 as National Hospice Month. I encourage all our citizens to observe this month with appropriate programs and activities. I also ask Americans to recognize our health care professionals and volunteers for their contributions to helping those facing terminal illness receive quality care.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7844 of November 9, 2004**Veterans Day, 2004**

*By the President of the United States of America
A Proclamation*

Americans live in freedom because of our veterans' courage, dedication to duty, and love of country. On Veterans Day, we honor these brave men and women who have served in our Armed Forces and defended our Nation.

Across America, there are more than 25 million veterans. Their ranks include generations of citizens who have risked their lives while serving in military conflicts, including World War II, Korea, Vietnam, the Persian Gulf, and the war on terror. They have fought for the security of our country and the peace of the world. They have defended our founding ideals, protected the innocent, and liberated the oppressed from tyranny and terror. They have known the hardships and the fears and the tragic losses of war. Our veterans know that in the harshest hours of conflict they serve just and honorable purposes.

Through the years, our veterans have returned home from their duties to become active and responsible citizens in their communities, further contributing to the growth and development of our Nation. Their commitment to service inspires all Americans.

With respect for and in recognition of the contributions our service men and women have made to the cause of peace and freedom around the world, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor veterans.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim November 11, 2004, as Veterans Day and urge all Americans to observe November 7 through November 13, 2004, as National Veterans Awareness Week. I urge all Americans to recognize the valor and sacrifice of our veterans through ceremonies and prayers. I call upon Federal, State, and local officials to display the flag of the United States and to encourage and participate in patriotic activities in their communities. I invite civic and fraternal organizations, places of worship, schools, businesses, unions, and the media to support this national observance with commemorative expressions and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7845 of November 9, 2004

World Freedom Day, 2004

*By the President of the United States of America
A Proclamation*

Fifteen years ago, the people of East and West Germany tore down the Berlin Wall, and freedom triumphed over Communism. The dismantling of the Berlin Wall reunited Germany and helped spread freedom across Central and Eastern Europe. With free elections and the spread of democratic values, these countries won their liberty, and their people became free. These democracies today contribute to a strong Europe, and the United States values their friendship and their partnership.

On World Freedom Day, we recognize all of those who fought for liberty and helped end the oppression of Central and Eastern Europe. We stand by those who today are enjoying the blessings of liberty. And we reaffirm our commitment to extending peace and freedom in the world.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 9, 2004, as World Freedom Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities and to reaffirm their dedication to freedom and democracy.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7846 of November 15, 2004

America Recycles Day, 2004

*By the President of the United States of America
A Proclamation*

Our Nation is dedicated to good stewardship of our natural resources. On America Recycles Day, we reaffirm our commitment to preserving our resources and recycling.

Our country produces more than 200 million tons of municipal solid waste—approximately 4 pounds of waste per person per day. As more garbage is generated, the demands on our landfills, natural resources, and environment continue to grow. Recycling helps conserve energy and natural resources, provides raw materials for key domestic industries, reduces air and water pollution, cuts greenhouse gas emissions, and promotes the development of cleaner technologies. Recycling and composting diverts millions of tons of material away from landfills and incinerators. Through curbside collection and recyclable drop-off centers, communities across our

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Nation are demonstrating their commitment to protecting our environment and to building a better future for our next generation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 15, 2004, as America Recycles Day. I call upon the people of the United States to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7847 of November 19, 2004

National Farm-City Week, 2004

By the President of the United States of America

A Proclamation

America's farmers and ranchers provide a healthy, safe, and abundant food supply for our Nation and for people around the world. Their work depends on partnerships with shippers, processors, marketers, retailers, transporters, and many others, and their success is essential to America's prosperity. During National Farm-City Week, we recognize the importance of this cooperative network and the hard work and valuable contributions of those in our agricultural industry.

As one of our first industries, farming has long been vital to our Nation. Nearly half of the land in the United States is used for agricultural production, employing millions of workers, and providing consumers with food, clothing, and energy. In addition, America's farmers and ranchers are stewards of our land, using innovative conservation measures to protect our soil, water, and wildlife habitat.

Our cities also play a key role in our farm economy. Many of the industries that process, transport, and distribute agricultural goods are located in America's urban communities. Their work has contributed to record exports of farm products and to the prosperity of our Nation's agricultural industry.

My Administration will continue to work to strengthen American agriculture. As we observe National Farm-City Week, I join all our citizens in expressing gratitude to farmers, ranchers, and all those who work in our agricultural industry for their love of the land and love of our country.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 19 through November 25, 2004, as National Farm-City Week. I encourage all Americans to celebrate the cooperation between urban and rural communities and the

extraordinary contributions of the agricultural industry to our Nation's vitality and prosperity.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7848 of November 23, 2004

National Family Week, 2004

*By the President of the United States of America
A Proclamation*

Strong families are the foundation of our society. They provide stability for our citizens and instill responsibility and values in our children. During National Family Week, we underscore our commitment to supporting families and recognize the significance of family to our country.

Families have an important role in teaching our Nation's young people to understand the consequences of their actions and to recognize that the decisions they make today could affect the rest of their lives. In times of change, the family values of compassion, reverence, and integrity serve as steady guides. My Administration is standing with American families because children should have the opportunity to grow up in a stable home.

To help families, I was proud last month to sign the Working Families Tax Relief Act of 2004. Because of this legislation, more than 90 million Americans will have a lower tax bill next year. With more of their own money, parents can save for retirement or a child's education, or invest in a home or small business. For many American families, the most valuable commodity is extra time. I have called on the Congress to give individuals the voluntary options of comp-time and flex-time as an alternative to overtime pay so that they may better juggle the demands of work and family.

As we celebrate family this week, our Nation expresses its gratitude for the families whose loved ones serve in our Armed Forces. These brave military men and women are working to defend our country and spread freedom so that all Americans are safe and secure. We pray for them and for their families. And we will always remember the courage and selfless commitment of those who have paid the ultimate price for our security and freedom.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 21 through November 27, 2004, as National Family Week. I invite the States, communities, and all the people of the United States to join together in observing this week with appropriate ceremonies and activities to honor our Nation's families.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7849 of November 23, 2004

Thanksgiving Day, 2004

*By the President of the United States of America
A Proclamation*

All across America, we gather this week with the people we love to give thanks to God for the blessings in our lives. We are grateful for our freedom, grateful for our families and friends, and grateful for the many gifts of America. On Thanksgiving Day, we acknowledge that all of these things, and life itself, come from the Almighty God.

Almost four centuries ago, the Pilgrims celebrated a harvest feast to thank God after suffering through a brutal winter. President George Washington proclaimed the first National Day of Thanksgiving in 1789, and President Lincoln revived the tradition during the Civil War, asking Americans to give thanks with “one heart and one voice.” Since then, in times of war and in times of peace, Americans have gathered with family and friends and given thanks to God for our blessings.

Thanksgiving is also a time to share our blessings with those who are less fortunate. Americans this week will gather food and clothing for neighbors in need. Many young people will give part of their holiday to volunteer at homeless shelters and food pantries. On Thanksgiving, we remember that the true strength of America lies in the hearts and souls of the American people. By seeking out those who are hurting and by lending a hand, Americans touch the lives of their fellow citizens and help make our Nation and the world a better place.

This Thanksgiving, we express our gratitude to our dedicated firefighters and police officers who help keep our homeland safe. We are grateful to the homeland security and intelligence personnel who spend long hours on faithful watch. And we give thanks for the Americans in our Armed Forces who are serving around the world to secure our country and advance the cause of freedom. These brave men and women make our entire Nation proud, and we thank them and their families for their sacrifice.

On this Thanksgiving Day, we thank God for His blessings and ask Him to continue to guide and watch over our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Thursday, November 25, 2004, as a National Day of Thanksgiving. I encourage all Americans to gather together in their homes and places of worship to reinforce the ties of family and community and to express gratitude for the many blessings we enjoy.

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IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of November, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7850 of December 1, 2004

World AIDS Day, 2004

*By the President of the United States of America
A Proclamation*

HIV/AIDS is the greatest health crisis of our time. Its defeat requires the cooperation of the entire global community. On World AIDS Day, people around the world unite to demonstrate our commitment to fighting HIV/AIDS and to offer prayers and support for those living with HIV/AIDS and for their families and caregivers.

America and many nations have great opportunities to improve health, expand prosperity, and extend freedom in our time. My Administration has made turning the tide against HIV/AIDS a priority. In my 2003 State of the Union Address, I was proud to announce the Emergency Plan for AIDS Relief. This plan commits \$15 billion over 5 years to fight the HIV/AIDS pandemic in over 100 countries throughout the world, focusing on 15 of the hardest-hit countries in Africa, the Caribbean, and Asia. These funds are already at work and will help prevent 7 million new infections, treat 2 million infected individuals, and care for 10 million individuals, including orphans and vulnerable children infected or affected by this disease.

This year, we also recognize the challenges HIV/AIDS poses to women. Through the Emergency Plan, the United States supports drug therapy and counseling to prevent mother-to-child transmission of HIV/AIDS. In addition, we are working to prevent girls from becoming infected through sexual coercion or exploitation and to increase support and services to help reduce the burden on women who are called upon to care for a sick loved one.

In order to defeat this pandemic, we also must discover new treatments and cures. America joined with other countries at the G-8 Summit in June to announce the Global HIV Vaccine Enterprise, a major commitment from the world's leading scientists to find ways to combat this devastating disease. My Administration also supports efforts to encourage testing because in the United States alone, one-quarter of those infected with HIV each year do not know that they are infected. And, because abstinence is the only sure way to avoid sexually transmitted diseases, my Administration has more than tripled funding for abstinence-only programs since taking office.

Our country and other nations around the world are working to bring new hope to those suffering with HIV/AIDS and contribute to a healthier future for people around the world.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and

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laws of the United States, do hereby proclaim December 1, 2004, as World AIDS Day. I urge the Governors of the States and the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, and the American people to join me in remembering those who have lost their lives to this disease and to comfort and support those living with and affected by HIV/AIDS.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of December, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7851 of December 2, 2004

**National Drunk and Drugged Driving Prevention Month,
2004**

*By the President of the United States of America
A Proclamation*

As a Nation, we have made great strides in reducing the deadly cost of impaired driving, but driving under the influence of alcohol or drugs still shatters too many lives and robs too many people of their potential. During National Drunk and Drugged Driving Prevention Month, we continue our work to end impaired driving and urge all Americans to be responsible and safe drivers this holiday season and throughout the year.

My Administration is committed to saving lives and preventing injuries resulting from alcohol- and drug-impaired driving. The NHTSA sponsors public education programs such as the “You Drink & Drive. You Lose.” campaign to raise awareness about the dangers of drunk and drugged driving, and works with State and local law enforcement agencies as they conduct sobriety checkpoints and saturation patrols. In addition, the National Youth Anti-Drug Media Campaign has invested millions of dollars to educate Americans about the threat posed by illegal drugs and drugged driving. We are also increasing resources for State enforcement and education programs. My Administration awarded \$80.6 million in grants this year to States that have lowered the legal threshold for impaired driving to .08 blood alcohol concentration (BAC). As of this year, all 50 States, the District of Columbia, and the Commonwealth of Puerto Rico have adopted this legal definition of impaired driving.

Individuals across our country can help prevent drunk and drugged driving by encouraging responsible actions, identifying sober designated drivers, and educating young people about safe, substance-free driving behavior. Working together, all Americans can make our roads safer and save lives by preventing drunk and drugged driving.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 2004 as National Drunk and Drugged Driving Prevention Month.

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IN WITNESS WHEREOF, I have hereunto set my hand this second day of December, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7852 of December 6, 2004

National Pearl Harbor Remembrance Day, 2004

*By the President of the United States of America
A Proclamation*

On a quiet Sunday morning, December 7, 1941, more than 2,400 Americans were killed in the attack on Pearl Harbor. On that day, life changed in America, and the course of history was altered forever.

Our citizens reacted to the attack with firm determination to defeat tyranny and secure our Nation. This enterprise required the commitment and effort of our entire country. At the height of the conflict, the United States had ships on every ocean and troops on five continents. In all, more than 16 million Americans wore the uniform of our Nation. They came from all walks of life. They served honorably and fought fiercely. At home, millions more contributed to the war effort, laboring for victory in our factories, on farms, and across America.

Today, we honor those who fought and died at Pearl Harbor, and we pay special tribute to the veterans of World War II. These heroes hold a cherished place in our history. Through their courage, sacrifice, and selfless dedication, they saved our country and preserved freedom. As we fight the war on terror, their patriotism continues to inspire a new generation of Americans who have been called to defend the blessings of liberty. Like those who have gone before them throughout our history, our troops fighting the war on terror are defending America from danger and liberating the oppressed.

The Congress, by Public Law 103–308, as amended, has designated December 7 of each year as “National Pearl Harbor Remembrance Day.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim December 7, 2004, as National Pearl Harbor Remembrance Day. I encourage all Americans to observe this solemn occasion with appropriate ceremonies and activities. I urge all Federal agencies, interested organizations, groups, and individuals to fly the flag of the United States at half-staff this December 7 in honor of those who died as a result of their service at Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of December, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7853 of December 10, 2004

To Take Certain Actions Under the African Growth and Opportunity Act With Respect to Burkina Faso

By the President of the United States of America

A Proclamation

1. Section 506A(a)(1) of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2466a(a)(1)), as added by section 111(a) of the African Growth and Opportunity Act (title I of Public Law 106–200) (AGOA), authorizes the President to designate a country listed in section 107 of the AGOA (19 U.S.C. 3706) as a “beneficiary sub-Saharan African country” if the President determines that the country meets the eligibility requirements set forth in section 104 of the AGOA (19 U.S.C. 3703), as well as the eligibility criteria set forth in section 502 of the 1974 Act (19 U.S.C. 2462).
2. Section 104 of the AGOA authorizes the President to designate a country listed in section 107 of the AGOA as an “eligible sub-Saharan African country” if the President determines that the country meets certain eligibility requirements.
3. Section 112(b)(3)(B) of the AGOA (19 U.S.C. 3721(b)(3)(B)) provides special rules for certain apparel articles imported from “lesser developed beneficiary sub-Saharan African countries.”
4. Pursuant to section 104 of the AGOA and section 506A(a)(1) of the 1974 Act, I have determined that Burkina Faso meets the eligibility requirements set forth or referenced therein, and I have decided to designate Burkina Faso as a beneficiary sub-Saharan African country.
5. Burkina Faso satisfies the criterion for treatment as a “lesser developed beneficiary sub-Saharan African country” under section 112(b)(3)(B) of the AGOA.
6. Section 604 of the 1974 Act (19 U.S.C. 2483) authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including sections 506A and 604 of the 1974 Act and section 104 of the AGOA, do proclaim that:

- (1) Burkina Faso is designated as an eligible sub-Saharan African country and as a beneficiary sub-Saharan African country.
- (2) In order to reflect this designation in the HTS, general note 16(a) to the HTS is modified by inserting in alphabetical sequence in the list of beneficiary sub-Saharan African countries “Burkina Faso.”
- (3) For purposes of section 112(b)(3)(B) of the AGOA, Burkina Faso is a lesser developed beneficiary sub-Saharan African country.

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(4) The modification to the HTS made by this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, 15 days after the date of this proclamation.

(5) Any provisions of previous proclamations and Executive Orders that are inconsistent with this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of December, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7854 of December 10, 2004

Human Rights Day, Bill of Rights Day, and Human Rights Week, 2004

By the President of the United States of America

A Proclamation

During Human Rights Day, Bill of Rights Day, and Human Rights Week, we celebrate the founding ideals of our Nation and emphasize the importance of protecting human liberty throughout the world.

As a Nation, we cherish the values of free speech, equality, and religious freedom, and we steadfastly oppose injustice and tyranny. Since the founding of America, the Bill of Rights has protected basic human rights and liberties. In the United States, all citizens have the opportunity to voice their opinions, practice their faith, and enjoy the blessings of freedom.

After the tragedies of World War II, the United Nations General Assembly adopted the Universal Declaration of Human Rights as part of a global effort to curb the cruelty and systematic injustice that had destroyed so many lives. The Universal Declaration of Human Rights affirms the inalienable rights of people everywhere.

In the time since, progress has been made in ensuring that human dignity is respected, and we have witnessed the rise of democratic governments around the world. No other system of government has done more to protect minorities, secure the rights of labor, raise the status of women, or channel human energy to the pursuits of peace than democracy.

My Administration continues to encourage free and open societies around the world. In Burma, we have called on the ruling junta to release Aung San Suu Kyi and engage in dialogue to bring democracy to that country. We are helping lead the international effort to end the suffering in Sudan. We seek to help the people of North Korea, who are struggling to survive under severe repression and difficult living conditions, and our Nation continues to stand with those who strive for democracy in Belarus, Cuba, Iran, and Zimbabwe.

My Administration also has advanced the fight against human trafficking and the abuse and exploitation of women and children, particularly of young girls in the sex trade. In addition, we have expanded our Nation's

support for democracy promotion programs globally and have increased the budget for the National Endowment for Democracy to strengthen support for free elections, free markets, free speech, and human rights advocacy around the world.

Freedom and dignity are God's gift to each man and woman in the world. During this observance, we encourage all nations to continue working towards freedom, peace, and security, which can be achieved only through democracy, respect for human rights, and the rule of law.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 10, 2004, as Human Rights Day; December 15, 2004, as Bill of Rights Day; and the week beginning December 10, 2004, as Human Rights Week. I call upon the people of the United States to honor the legacy of human rights passed down to us from previous generations and to mark these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of December, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7855 of December 15, 2004

60th Anniversary of the Battle of the Bulge, 2004

*By the President of the United States of America
A Proclamation*

Sixty years ago, more than 600,000 American soldiers fought at the Battle of the Bulge in the Ardennes Forest region of Belgium and Luxembourg. What began as a German surprise attack on December 16, 1944, became the largest land battle involving U.S. troops in World War II and ended with an Allied victory on January 25, 1945. By the end of the battle, there were 81,000 American casualties, including approximately 19,000 who had sacrificed their lives. This formidable stand was a turning point in the war and was critical to the defeat of Nazi Germany and the liberation of Europe from tyranny.

Americans continue to be inspired by the valor and integrity of those who fought and those who died at the Battle of the Bulge. We recognize these brave individuals and pay special tribute to all the veterans of World War II. When it mattered most, an entire generation of Americans showed the finest qualities of our Nation and humanity. Today, as we wage a war on terrorism and defend freedom, our service men and women follow and uphold this great tradition of achievement and courage. Just like their parents and grandparents, the men and women of this generation of our military have answered the call to help advance peace and democracy and keep the American people safe.

Proc. 7856

Title 3—The President

On the 60th anniversary of one of the fiercest battles of World War II, our Nation honors the veterans who share with us the story of this epic struggle and all of the brave Americans who fought in the Battle of the Bulge.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby urge all Americans to observe the 60th Anniversary of the Battle of the Bulge. I call upon all Americans to observe this occasion with appropriate activities, ceremonies, and programs designed to honor those who served and sacrificed to liberate Europe and defend America's freedom and security.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of December, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7856 of December 17, 2004

Wright Brothers Day, 2004

*By the President of the United States of America
A Proclamation*

On Wright Brothers Day, we honor the achievement and imagination of Orville and Wilbur Wright, two bicycle mechanics from Dayton, Ohio, who changed the world with their optimism, creativity, and persistence. On this day, we recall a monumental event in the history of our Nation and in the story of mankind.

On a cold December morning in 1903 on the Outer Banks of North Carolina, a small wood and canvas aircraft sent America on a journey far beyond the sands of Kitty Hawk. The flight spanned 120 feet and lasted just 12 seconds, yet it ushered in a new era of unimaginable advances in aviation and aerospace technology. Today, air travel is vital to our country, helping bring people together and sustain our security. In addition, the aviation industry strengthens our economy by supporting millions of jobs.

The spirit that led the Wright Brothers to powered flight continues today in America's space program. From providing surveys of the sun to images of the planets, our spacecraft are exploring the outer edges of our solar system and revolutionizing our view of the universe. Under my Vision for Space Exploration Program, we will proudly carry on the Wright Brothers' tradition of innovation. As we embark on the next century of flight, that spirit of discovery will help our Nation and the world realize the full promise of tomorrow.

The Congress, by a joint resolution approved December 17, 1963 (77 Stat. 402; 36 U.S.C. 143) as amended, has designated December 17 of each year as "Wright Brothers Day" and has authorized and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim December 17, 2004, as Wright Brothers Day.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of December, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7857 of December 20, 2004

To Implement the United States-Australia Free Trade Agreement

*By the President of the United States of America
A Proclamation*

1. On May 18, 2004, the United States entered into the United States-Australia Free Trade Agreement (USAFTA). The USAFTA was approved by the Congress in section 101(a) of the United States-Australia Free Trade Agreement Implementation Act (the “USAFTA Act”) (Public Law 108–286, 118 Stat. 919) (19 U.S.C. 3805 note).
2. Section 105(a) of the USAFTA Act authorizes the President to establish or designate within the Department of Commerce an office that shall be responsible for providing administrative assistance to panels established under Chapter 21 of the USAFTA.
3. Section 201 of the USAFTA Act authorizes the President to proclaim such modifications or continuation of any duty, such continuation of duty-free or excise treatment, or such additional duties, as the President determines to be necessary or appropriate to carry out or apply Articles 2.3, 2.5, and 2.6, and the schedule of reductions with respect to Australia set forth in Annex 2–B, of the USAFTA.
4. Section 203 of the USAFTA Act provides certain rules for determining whether a good is an originating good for the purpose of implementing preferential tariff treatment under the USAFTA. I have decided that it is necessary to include these rules of origin, together with particular rules applicable to certain other goods, in the Harmonized Tariff Schedule of the United States (HTS).
5. Section 206 of the USAFTA Act authorizes the President to take certain enforcement actions relating to trade with Australia in textile and apparel goods.
6. Sections 321–328 of the USAFTA Act authorize the President to take certain actions in response to a request by an interested party for relief from serious damage or actual threat thereof to a domestic industry producing certain textile or apparel articles.
7. Executive Order 11651 of March 3, 1972, as amended, establishes the Committee for the Implementation of Textile Agreements (CITA) to supervise the implementation of textile trade agreements.

8. Section 604 of the Trade Act of 1974 (the “1974 Act”) (19 U.S.C. 2483), as amended, authorizes the President to embody in the HTS the substance of relevant provisions of that Act, or other acts affecting import treatment, and of actions taken thereunder.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to sections 105(a), 201, 203, 206, and 321–328 of the USAFTA Act, section 301 of title 3, United States Code, and section 604 of the 1974 Act, do proclaim that:

(1) In order to provide generally for the preferential tariff treatment being accorded under the USAFTA, to set forth rules for determining whether goods imported into the customs territory of the United States are eligible for preferential tariff treatment under the USAFTA, to provide certain other treatment to originating goods for the purposes of the USAFTA, and to provide tariff-rate quotas with respect to certain originating goods, the HTS is modified as set forth in Annex I of Publication No. 3722 of the United States International Trade Commission, entitled Modifications to the Harmonized Tariff Schedule of the United States Implementing the United States-Australia Free Trade Agreement (Publication 3722), which is incorporated by reference into this proclamation.

(2) In order to implement the initial stage of duty elimination provided for in the USAFTA, to provide tariff-rate quotas with respect to certain originating goods, and to provide for future staged reductions in duties for originating products of Australia for purposes of the USAFTA, the HTS is modified as provided in Annex II of Publication 3722, effective on the dates specified in the relevant sections of such publication and on any subsequent dates set forth for such duty reductions in that publication.

(3) The Secretary of Commerce is authorized to exercise the authority of the President under section 105(a) of the USAFTA Act to establish or designate an office within the Department of Commerce to carry out the functions set forth in that section.

(4) (a) The amendments to the HTS made by paragraphs (1) and (2) of this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the relevant dates indicated in Annex II to Publication 3722.

(b) Except as provided in paragraph 4(a) of this proclamation, this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2005.

(5) The CITA is authorized to exercise the authority of the President under section 206 of the USAFTA Act to exclude textile and apparel goods from the customs territory of the United States; to determine whether an enterprise’s production of, and capability to produce, goods are consistent with statements by the enterprise; to find that an enterprise has knowingly or willfully engaged in circumvention; and to deny preferential tariff treatment to textile and apparel goods.

(6) The CITA is authorized to exercise the authority of the President under sections 321–328 of the USAFTA Act to review requests, including

allegations of critical circumstances, and to determine whether to commence consideration of such requests; to cause to be published in the **Federal Register** a notice of commencement of consideration of a request and notice seeking public comment; to determine whether imports of an Australian textile or apparel article are causing serious damage, or actual threat thereof, to a domestic industry producing an article that is like, or directly competitive with, the imported article; and to provide relief from imports of an article that is the subject of such a determination; and if critical circumstances are alleged, to determine whether there is clear evidence that imports from Australia have increased as the result of the reduction or elimination of a customs duty under the USAFTA, whether there is clear evidence that such imports are causing serious damage, or actual threat thereof, to a domestic industry producing an article that is like, or directly competitive with, the imported article, and whether delay in taking action would cause damage to that industry that would be difficult to repair; and to provide provisional relief with respect to imports that are subject to an affirmative determination of critical circumstances that is necessary to remedy or prevent the serious damage.

(7) All provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of December, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

Proclamation 7858 of December 21, 2004

To Take Certain Actions Under the African Growth and Opportunity Act

*By the President of the United States of America
A Proclamation*

1. In Proclamation 7561 of May 16, 2002, I designated the Republic of Cote d'Ivoire as a beneficiary sub-Saharan African country pursuant to section 506A(a)(1) of the Trade Act of 1974, as amended, (the "1974 Act") (19 U.S.C. 2466a(a)(1)), as added by section 111(a) of the African Growth and Opportunity Act (title I of Public Law 106–200) (AGOA)). I also provided that Cote d'Ivoire would be considered a lesser developed beneficiary sub-Saharan African country for purposes of section 112(b)(3)(B) of the AGOA (19 U.S.C. 3721(b)(3)(B)).

2. In Proclamation 7350 of October 2, 2000, President Clinton delegated to the United States Trade Representative (USTR) the authority to perform the function specified in section 113(b)(1)(B) of the AGOA (19 U.S.C. 3722(b)(1)(B)). In a **Federal Register** notice dated December 17, 2003, the USTR determined that Cote d'Ivoire had adopted an effective visa system and related procedures to prevent unlawful transshipment and the use of

counterfeit documents and that Cote d'Ivoire had implemented and followed, or was making substantial progress toward implementing and following, certain customs procedures that assist the United States Customs Service in verifying the origin of the products.

3. Section 506A(a)(3) of the 1974 Act (19 U.S.C. 2466a(a)(3)) authorizes the President to terminate the designation of a country as a beneficiary sub-Saharan African country for purposes of section 506A if he determines that the country is not making continual progress in meeting the requirements described in section 506A(a)(1) of the 1974 Act, effective on January 1 of the year following the year in which such determination is made.

4. Pursuant to section 506A(a)(3) of the 1974 Act, I have determined that Cote d'Ivoire is not making continual progress in meeting the requirements described in section 506A(a)(1) of the 1974 Act. Accordingly, I have decided to terminate the designation of Cote d'Ivoire as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act, effective on January 1, 2005.

5. Section 604 of the 1974 Act (19 U.S.C. 2483) authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including sections 506A and 604 of the 1974 Act and section 301 of title 3, United States Code, do proclaim that:

(1) The designation of Cote d'Ivoire as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act is terminated, effective on January 1, 2005.

(2) In order to reflect in the HTS that beginning January 1, 2005, Cote d'Ivoire shall no longer be designated as a beneficiary sub-Saharan African country, general note 16(a) to the HTS is modified by deleting "Republic of Cote d'Ivoire" from the list of beneficiary sub-Saharan African countries. Further, U.S. note 2(d) to subchapter XIX of chapter 98 is modified by removing "Cote d'Ivoire" from the list of lesser developed beneficiary sub-Saharan African countries, and U.S. note 7(a) to subchapter II and U.S. note 1 to subchapter XIX of chapter 98 of the HTS are modified by deleting "Cote d'Ivoire" from the list of beneficiary sub-Saharan African countries eligible for certain textile and apparel benefits.

(3) The modification to the HTS made by this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 2005.

(4) Any provisions of previous proclamations and executive orders that are inconsistent with this proclamation are superseded to the extent of such inconsistency.

Proclamations

Proc. 7858

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of December, in the year of our Lord two thousand four, and of the Independence of the United States of America the two hundred and twenty-ninth.

GEORGE W. BUSH

EXECUTIVE ORDERS

Executive Order 13324 of January 15, 2004

Termination of Emergency With Respect to Sierra Leone and Liberia

By the authority vested in me as President by the Constitution and the laws of the United States, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), and section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c),

I, GEORGE W. BUSH, President of the United States of America, find that the situations that gave rise to the declaration of a national emergency in Executive Order 13194 of January 18, 2001, with respect to Sierra Leone and the expansion of the scope of that emergency in Executive Order 13213 of May 22, 2001, with respect to Liberia, have been significantly altered given that in January 2002 the Government of Sierra Leone, the Sierra Leonean rebel group Revolutionary United Front (RUF), and the United Nations Mission in Sierra Leone declared the war in Sierra Leone to have ended; the parties to the Liberian civil war entered into a Comprehensive Peace Agreement in August 2003; the RUF no longer exists as a military organization; Charles Taylor, who was the prime instigator of violence both in Sierra Leone and in Liberia, has resigned from the Liberian presidency and gone into exile; the Government of Sierra Leone has established a rough diamond certification regime that meets the minimum standards of the Kimberley Process Certification Scheme; and the United States has implemented the Clean Diamond Trade Act (Public Law 108-19), prohibiting the importation into the United States of rough diamonds that are not controlled through the Kimberley Process Certification Scheme, currently including rough diamonds from Liberia. Accordingly, I hereby terminate the national emergency declared and expanded in scope in those two prior orders, revoke those orders, and further order:

Section 1. Pursuant to section 202 of the NEA (50 U.S.C. 1622), termination of the national emergency declared in Executive Order 13194 and expanded in scope in Executive Order 13213 shall not affect any action taken or proceeding pending not finally concluded or determined as of the effective date of this order, or any action or proceeding based on any act committed prior to such date, or any rights or duties that matured or penalties that were incurred prior to such date.

EO 13325

Title 3—The President

Sec. 2. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

Sec. 3. This order is effective at 12:01 a.m. eastern standard time on January 16, 2004. This order shall be transmitted to the Congress and published in the **Federal Register**.

GEORGE W. BUSH

The White House,
January 15, 2004.

Executive Order 13325 of January 23, 2004

Amendment to Executive Order 12293, the Foreign Service of the United States

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Foreign Service Act of 1980, as amended, and in order to adjust the basic salary rates for each class of the Senior Foreign Service in light of the changes made to the manner in which members of the Senior Executive Service will be paid pursuant to the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136), it is hereby ordered as follows:

Section 1. Section 4 of Executive Order 12293 of February 23, 1981, as amended, is amended to read as follows:

“**Sec. 4.** (a) In accord with Section 402 of the Act (22 U.S.C. 3962), there are established the following salary classes with titles for the Senior Foreign Service, at the following ranges of basic rates of pay.

- (1) Career Minister
Range from 94 percent of the rate payable to level III of the Executive Schedule to 100 percent of the rate payable to level III of the Executive Schedule.
- (2) Minister-Counselor
Range from 90 percent of the rate payable to level III of the Executive Schedule to 100 percent of the rate payable to level III of the Executive Schedule.
- (3) Counselor
Range from 120 percent of the rate payable to GS–15/Step 1 to 100 percent of rate payable to level III of the Executive Schedule.

(b) Upon conversion to a rate of basic pay within the range of rates established for the applicable salary class by this section as of the first day of the first applicable pay period beginning on or after January 1, 2004, a member of the Senior Foreign Service shall receive the rate of basic pay to which he or she was entitled immediately before that date, including any locality-based comparability payment authorized under 5 U.S.C. 5304(h)(2)(C) that the member was receiving immediately before that date. On the same date, or on a later date specified by the Secretary of State (or the heads of the other agencies that utilize the Foreign Service personnel

system (collectively the “Secretary”)), the Secretary may increase the member’s rate of basic pay upon a determination that the member’s performance or contribution to the mission of the agency so warrant and that the member is otherwise eligible for such a pay adjustment under Section 402 of the Foreign Service Act.”

Sec. 2. *Effective Date.* The salary rates contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 2004.

GEORGE W. BUSH

The White House,
January 23, 2004.

Executive Order 13326 of January 27, 2004

President’s Commission on Implementation of United States Space Exploration Policy

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to obtain recommendations concerning implementation of the new vision for space exploration activities of the United States, it is hereby ordered as follows:

Section 1. *Establishment.* There is hereby established the President’s Commission on Implementation of United States Space Exploration Policy (the “Commission”).

Sec. 2. *Membership.* (a) The Commission shall be composed of not more than nine members appointed by the President, taking into account as appropriate the experience of such individuals with respect to governmental, scientific, and technical matters relating to space.

(b) The President shall designate one member of the Commission to serve as Chairman of the Commission.

Sec. 3. *Mission.* (a) The mission of the Commission shall be to provide recommendations to the President, in accordance with this order, on implementation of the vision outlined in the President’s policy statement entitled “A Renewed Spirit of Discovery” and the President’s Budget Submission for Fiscal Year 2005 (collectively, “Policy”).

(b) The Commission shall examine and make recommendations to the President regarding:

(i) A science research agenda to be conducted on the Moon and other destinations as well as human and robotic science activities that advance our capacity to achieve the Policy;

(ii) The exploration of technologies, demonstrations, and strategies, including the use of lunar and other in situ natural resources, that could be used for sustainable human and robotic exploration;

(iii) Criteria that could be used to select future destinations for human exploration;

(iv) Long-term organization options for managing implementation of space exploration activities;

(v) The most appropriate and effective roles for potential private sector and international participants in implementing the Policy;

(vi) Methods for optimizing space exploration activities to encourage the interest of America's youth in studying and pursuing careers in mathematics, science, and engineering; and

(vii) Management of the implementation of the Policy within available resources.

Sec. 4. Administration. (a) The National Aeronautics and Space Administration (NASA) shall provide, to the extent permitted by law, administrative support and funding for the Commission. The Commission is established in NASA for administrative purposes only.

(b) Members of the Commission shall serve without compensation for their work on the Commission. Members appointed from among private citizens of the United States, however, while engaged in the work of the Commission, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service (5 U.S.C. 5701–5707), to the extent funds are available.

(c) Insofar as the Federal Advisory Committee Act (5 U.S.C. App. 2) (the “Act”), as amended, may apply to the Commission, any functions of the President under that Act, except for those in section 6 of that Act, shall be performed by the Administrator of NASA (the “Administrator”), in accordance with the guidelines that have been issued by the Administrator of General Services.

(d) The Commission shall conduct occasional meetings as appropriate, including at various locations throughout the United States, to solicit views and opinions from the public, academia, and industry.

(e) The Commission shall not have access to information classified pursuant to Executive Order 12958 of April 17, 1995, as amended.

Sec. 5. Report. The Commission shall submit its final report to the President through the Administrator within 120 days of the first meeting of the Commission.

Sec. 6. General Provisions. (a) This order is intended only to improve the internal management of the executive branch and it is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

(b) The Commission shall terminate within 60 days after submitting its final report.

GEORGE W. BUSH

The White House,

January 27, 2004.

Executive Order 13327 of February 4, 2004

Federal Real Property Asset Management

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 121(a) of title 40, United States Code, and in order to promote the efficient and economical use of Federal real property resources in accordance with their value as national assets and in the best interests of the Nation, it is hereby ordered as follows:

Section 1. Policy. It is the policy of the United States to promote the efficient and economical use of America's real property assets and to assure management accountability for implementing Federal real property management reforms. Based on this policy, executive branch departments and agencies shall recognize the importance of real property resources through increased management attention, the establishment of clear goals and objectives, improved policies and levels of accountability, and other appropriate action.

Sec. 2. Definition and Scope. (a) For the purpose of this executive order, Federal real property is defined as any real property owned, leased, or otherwise managed by the Federal Government, both within and outside the United States, and improvements on Federal lands. For the purpose of this order, Federal real property shall exclude: interests in real property assets that have been disposed of for public benefit purposes pursuant to section 484 of title 40, United States Code, and are now held in private ownership; land easements or rights-of-way held by the Federal Government; public domain land (including lands withdrawn for military purposes) or land reserved or dedicated for national forest, national park, or national wildlife refuge purposes except for improvements on those lands; land held in trust or restricted fee status for individual Indians or Indian tribes; and land and interests in land that are withheld from the scope of this order by agency heads for reasons of national security, foreign policy, or public safety.

(b) This order shall not be interpreted to supersede any existing authority under law or by executive order for real property asset management, with the exception of the revocation of Executive Order 12512 of April 29, 1985, in section 8 of this order.

Sec. 3. Establishment and Responsibilities of Agency Senior Real Property Officer. (a) The heads of all executive branch departments and agencies cited in sections 901(b)(1) and (b)(2) of title 31, United States Code, and the Secretary of Homeland Security, shall designate among their senior management officials, a Senior Real Property Officer. Such officer shall have the education, training, and experience required to administer the necessary functions of the position for the particular agency.

(b) The Senior Real Property Officer shall develop and implement an agency asset management planning process that meets the form, content, and other requirements established by the Federal Real Property Council established in section 4 of this order. The initial agency asset management plan will be submitted to the Office of Management and Budget on a date determined by the Director of the Office of Management and Budget. In developing this plan, the Senior Real Property Officer shall:

- (i) identify and categorize all real property owned, leased, or otherwise managed by the agency, including, where applicable, those properties outside the United States in which the lease agreements and arrangements reflect the host country currency or involve alternative lease plans or rental agreements;
 - (ii) prioritize actions to be taken to improve the operational and financial management of the agency's real property inventory;
 - (iii) make life-cycle cost estimations associated with the prioritized actions;
 - (iv) identify legislative authorities that are required to address these priorities;
 - (v) identify and pursue goals, with appropriate deadlines, consistent with and supportive of the agency's asset management plan and measure progress against such goals;
 - (vi) incorporate planning and management requirements for historic property under Executive Order 13287 of March 3, 2003, and for environmental management under Executive Order 13148 of April 21, 2000; and
 - (vii) identify any other information and pursue any other actions necessary to the appropriate development and implementation of the agency asset management plan.
- (c) The Senior Real Property Officer shall be responsible, on an ongoing basis, for monitoring the real property assets of the agency so that agency assets are managed in a manner that is:
- (i) consistent with, and supportive of, the goals and objectives set forth in the agency's overall strategic plan under section 306 of title 5, United States Code;
 - (ii) consistent with the real property asset management principles developed by the Federal Real Property Council established in section 4 of this order; and
 - (iii) reflected in the agency asset management plan.
- (d) The Senior Real Property Officer shall, on an annual basis, provide to the Director of the Office of Management and Budget and the Administrator of General Services:
- (i) information that lists and describes real property assets under the jurisdiction, custody, or control of that agency, except for classified information; and
 - (ii) any other relevant information the Director of the Office of Management and Budget or the Administrator of General Services may request for inclusion in the Government-wide listing of all Federal real property assets and leased property.
- (e) The designation of the Senior Real Property Officer shall be made by agencies within 30 days after the date of this order.

Sec. 4. *Establishment of a Federal Real Property Council.* (a) A Federal Real Property Council (Council) is established, within the Office of Management and Budget for administrative purposes, to develop guidance for, and facilitate the success of, each agency's asset management plan. The Council shall be composed exclusively of all agency Senior Real Property Officers, the Controller of the Office of Management and Budget, the Administrator of General Services, and any other full-time or permanent part-time Federal officials or employees as deemed necessary by the Chairman of the Council. The Deputy Director for Management of the Office of Management and

Budget shall also be a member and shall chair the Council. The Office of Management and Budget shall provide funding and administrative support for the Council, as appropriate.

(b) The Council shall provide a venue for assisting the Senior Real Property Officers in the development and implementation of the agency asset management plans. The Council shall work with the Administrator of General Services to establish appropriate performance measures to determine the effectiveness of Federal real property management. Such performance measures shall include, but are not limited to, evaluating the costs and benefits involved with acquiring, repairing, maintaining, operating, managing, and disposing of Federal real properties at particular agencies. Specifically, the Council shall consider, as appropriate, the following performance measures:

- (i) life-cycle cost estimations associated with the agency's prioritized actions;
- (ii) the costs relating to the acquisition of real property assets by purchase, condemnation, exchange, lease, or otherwise;
- (iii) the cost and time required to dispose of Federal real property assets and the financial recovery of the Federal investment resulting from the disposal;
- (iv) the operating, maintenance, and security costs at Federal properties, including but not limited to the costs of utility services at unoccupied properties;
- (v) the environmental costs associated with ownership of property, including the costs of environmental restoration and compliance activities;
- (vi) changes in the amounts of vacant Federal space;
- (vii) the realization of equity value in Federal real property assets;
- (viii) opportunities for cooperative arrangements with the commercial real estate community; and
- (ix) the enhancement of Federal agency productivity through an improved working environment. The performance measures shall be designed to enable the heads of executive branch agencies to track progress in the achievement of Government-wide property management objectives, as well as allow for comparing the performance of executive branch agencies against industry and other public sector agencies.

(c) The Council shall serve as a clearinghouse for executive agencies for best practices in evaluating actual progress in the implementation of real property enhancements. The Council shall also work in conjunction with the President's Management Council to assist the efforts of the Senior Real Property Officials and the implementation of agency asset management plans.

(d) The Council shall be organized and hold its first meeting within 60 days of the date of this order. The Council shall hold meetings not less often than once a quarter each fiscal year.

Sec. 5. Role of the General Services Administration. (a) The Administrator of General Services shall, to the extent permitted by law and in consultation with the Federal Real Property Council, provide policy oversight and guidance for executive agencies for Federal real property management; manage selected properties for an agency at the request of that agency and with the consent of the Administrator; delegate operational responsibilities

to an agency where the Administrator determines it will promote efficiency and economy, and where the receiving agency has demonstrated the ability and willingness to assume such responsibilities; and provide necessary leadership in the development and maintenance of needed property management information systems.

(b) The Administrator of General Services shall publish common performance measures and standards adopted by the Council.

(c) The Administrator of General Services, in consultation with the Federal Real Property Council, shall establish and maintain a single, comprehensive, and descriptive database of all real property under the custody and control of all executive branch agencies, except when otherwise required for reasons of national security. The Administrator shall collect from each executive branch agency such descriptive information, except for classified information, as the Administrator considers will best describe the nature, use, and extent of the real property holdings of the Federal Government.

(d) The Administrator of General Services, in consultation with the Federal Real Property Council, may establish data and other information technology (IT) standards for use by Federal agencies in developing or upgrading Federal agency real property information systems in order to facilitate reporting on a uniform basis. Those agencies with particular IT standards and systems in place and in use shall be allowed to continue with such use to the extent that they are compatible with the standards issued by the Administrator.

Sec. 6. General Provisions. (a) The Director of the Office of Management and Budget shall review, through the management and budget review processes, the efforts of departments and agencies in implementing their asset management plans and achieving the Government-wide property management policies established pursuant to this order.

(b) The Office of Management and Budget and the General Services Administration shall, in consultation with the landholding agencies, develop legislative initiatives that seek to improve Federal real property management through the adoption of appropriate industry management techniques and the establishment of managerial accountability for implementing effective and efficient real property management practices.

(c) Nothing in this order shall be construed to impair or otherwise affect the authority of the Director of the Office of Management and Budget with respect to budget, administrative, or legislative proposals.

(d) Nothing in this order shall be construed to affect real property for the use of the President, Vice President, or, for protective purposes, the United States Secret Service.

Sec. 7. Public Lands. In order to ensure that Federally owned lands, other than the real property covered by this order, are managed in the most effective and economic manner, the Departments of Agriculture and the Interior shall take such steps as are appropriate to improve their management of public lands and National Forest System lands and shall develop appropriate legislative proposals necessary to facilitate that result.

Sec. 8. Executive Order 12512 of April 29, 1985, is hereby revoked.

Sec. 9. Judicial Review. This order is intended only to improve the internal management of the executive branch and is not intended to, and does not,

create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,
February 4, 2004.

Executive Order 13328 of February 6, 2004

Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. *Establishment.* There is established, within the Executive Office of the President for administrative purposes, a Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (Commission).

Sec. 2. *Mission.* (a) The Commission is established for the purpose of advising the President in the discharge of his constitutional authority under Article II of the Constitution to conduct foreign relations, protect national security, and command the Armed Forces of the United States, in order to ensure the most effective counterproliferation capabilities of the United States and response to the September 11, 2001, terrorist attacks and the ongoing threat of terrorist activity. The Commission shall assess whether the Intelligence Community is sufficiently authorized, organized, equipped, trained, and resourced to identify and warn in a timely manner of, and to support United States Government efforts to respond to, the development and transfer of knowledge, expertise, technologies, materials, and resources associated with the proliferation of Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st Century and their employment by foreign powers (including terrorists, terrorist organizations, and private networks, or other entities or individuals). In doing so, the Commission shall examine the capabilities and challenges of the Intelligence Community to collect, process, analyze, produce, and disseminate information concerning the capabilities, intentions, and activities of such foreign powers relating to the design, development, manufacture, acquisition, possession, proliferation, transfer, testing, potential or threatened use, or use of Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st Century.

(b) With respect to that portion of its examination under paragraph 2(a) of this order that relates to Iraq, the Commission shall specifically examine the Intelligence Community's intelligence prior to the initiation of Operation Iraqi Freedom and compare it with the findings of the Iraq Survey Group and other relevant agencies or organizations concerning the capabilities, intentions, and activities of Iraq relating to the design, development, manufacture, acquisition, possession, proliferation, transfer, testing, potential or threatened use, or use of Weapons of Mass Destruction and related means of delivery.

(c) With respect to its examination under paragraph 2(a) of this order, the Commission shall:

- (i) specifically evaluate the challenges of obtaining information regarding the design, development, manufacture, acquisition, possession, proliferation, transfer, testing, potential or threatened use, or use of Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st Century in closed societies; and
- (ii) compare the Intelligence Community's intelligence concerning Weapons of Mass Destruction programs and other related threats of the 21st Century in Libya prior to Libya's recent decision to open its programs to inter national scrutiny and in Afghanistan prior to removal of the Taliban government with the current assessments of organizations examining those programs.

(d) The Commission shall submit to the President by March 31, 2005, a report of the findings of the Commission resulting from its examination and its specific recommendations for ensuring that the Intelligence Community of the United States is sufficiently authorized, organized, equipped, trained, and resourced to identify and warn in a timely manner of, and to support United States Government efforts to respond to, the development and transfer of knowledge, expertise, technologies, materials, and resources associated with the proliferation of Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st Century and their employment by foreign powers (including terrorists, terrorist organizations, and private networks, or other entities or individuals). The Central Intelligence Agency and other components of the Intelligence Community shall utilize the Commission and its resulting report. Within 90 days of receiving the Commission's report, the President will consult with the Congress concerning the Commission's report and recommendations, and will propose any appropriate legislative recommendations arising out of the findings of the Commission.

Sec. 3. *Membership.* The Commission shall consist of up to nine members appointed by the President, two of whom the President shall designate as Co-Chairs. Members shall be citizens of the United States. It shall take two-thirds of the members of the Commission to constitute a quorum.

Sec. 4. *Meetings of the Commission and Direction of Its Work.* The Co-Chairs of the Commission shall convene and preside at the meetings of the Commission, determine after consultation with other members of the Commission its agenda, direct its work, and assign responsibilities within the Commission.

Sec. 5. *Access to Information.* (a) To carry out this order, the Commission shall have full and complete access to information relevant to its mission as described in section 2 of this order and in the possession, custody, or control of any executive department or agency to the maximum extent permitted by law and consistent with Executive Order 12958 of April 17, 1995, as amended. Heads of departments and agencies shall promptly furnish such information to the Commission upon request. The Attorney General and the Director of Central Intelligence shall ensure the expeditious processing of all appropriate security clearances necessary for the members of the Commission to fulfill their functions.

(b) Promptly upon commencing its work, the Commission shall adopt, after consultation with the Secretary of Defense, the Attorney General, and

the Director of Central Intelligence, rules and procedures of the Commission for physical, communications, computer, document, personnel, and other security in relation to the work of the Commission. The Secretary of Defense, the Attorney General, and the Director of Central Intelligence shall promptly and jointly report to the President their judgment whether the security rules and procedures adopted by the Commission are clearly consistent with the national security and protect against unauthorized disclosure of information required by law or executive order to be protected against such disclosure. The President may at any time modify the security rules or procedures of the Commission to provide the necessary protection.

Sec. 6. *General Provisions.* (a) In implementing this order, the Commission shall solely advise and assist the President.

(b) In performing its functions under this order, the Commission shall, subject to the authority of the President, be independent from any executive department or agency, or of any officer, employee, or agent thereof.

(c) Nothing in this order shall be construed to impair or otherwise affect the authorities of any department, agency, entity, officer, or employee of the United States under applicable law.

(d) 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, or legislative proposals.

(e) The Director of the Office of Administration shall provide or arrange for the provision of administrative support and, with the assistance of the Director of the Office of Management and Budget, ensure funding for the Commission consistent with applicable law. The Director of the Office of Administration shall ensure that such support and funding meets the Commission's reasonable needs and that the manner of provision of support and funding is consistent with the authority of the Commission within the executive branch in the performance of its functions.

(f) Members of the Commission shall serve without compensation for their work on the Commission. Members who are not officers or employees in the executive branch, while engaged in the work of the Commission, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service (5 U.S.C. 5701 through 5707), consistent with the availability of funds.

(g) The Commission shall have a staff headed by an Executive Director. The Co-Chairs shall hire and employ, or obtain by assignment or detail from departments and agencies, the staff of the Commission, including the Executive Director.

(h) The term "Intelligence Community" is given the same meaning as contained in section 3(4) of the National Security Act of 1947, as amended (50 U.S.C. 401a(4)).

(i) The term "Weapons of Mass Destruction" is given the same meaning as contained in section 1403(1) of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302(1)).

Sec. 7. *Judicial Review.* This order is intended only to improve the internal management of the executive branch, and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or

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in equity, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.

Sec. 8. Termination. The Commission shall terminate within 60 days after submitting its report.

GEORGE W. BUSH

The White House,
February 6, 2004.

Executive Order 13329 of February 24, 2004

Encouraging Innovation in Manufacturing

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Small Business Act, as amended (15 U.S.C. 631 *et seq.*), and to help ensure that Federal agencies properly and effectively assist the private sector in its manufacturing innovation efforts, it is hereby ordered as follows:

Section 1. Policy. Continued technological innovation is critical to a strong manufacturing sector in the United States economy. The Federal Government has an important role, including through the Small Business Innovation Research (SBIR) and the Small Business Technology Transfer (STTR) programs, in helping to advance innovation, including innovation in manufacturing, through small businesses.

Sec. 2. Duties of Department and Agency Heads. The head of each executive branch department or agency with one or more SBIR programs or one or more STTR programs shall:

(a) to the extent permitted by law and in a manner consistent with the mission of that department or agency, give high priority within such programs to manufacturing-related research and development to advance the policy set forth in section 1 of this order; and

(b) submit reports annually to the Administrator of the Small Business Administration and the Director of the Office of Science and Technology Policy concerning the efforts of such department or agency to implement subsection 2(a) of this order.

Sec. 3. Duties of Administrator of the Small Business Administration. The Administrator of the Small Business Administration:

(a) shall establish, after consultation with the Director of the Office of Science and Technology Policy, formats and schedules for submission of reports by the heads of departments and agencies under subsection 2(b) of this order; and

(b) is authorized to issue to departments and agencies guidelines and directives (in addition to the formats and schedules under subsection 3(a)) as the Administrator determines from time to time are necessary to implement subsection 2(a) of this order, after such guidelines and directives are submitted to the President, through the Director of the Office of Science and Technology Policy, for approval and are approved by the President.

Sec. 4. Definitions. As used in this order:

(a) “Small Business Innovation Research (SBIR) program” means a program to which section 9(e)(4) of the Small Business Act (15 U.S.C. 638(e)(4)) refers;

(b) “Small Business Technology Transfer (STTR) program” means a program to which section 9(e)(6) of the Small Business Act (15 U.S.C. 638(e)(6)) refers;

(c) “research and development” means an activity set forth in section 9(e)(5) of the Small Business Act (15 U.S.C. 638(e)(5)); and

(d) “manufacturing-related” means relating to: (i) manufacturing processes, equipment and systems; or (ii) manufacturing workforce skills and protection.

Sec. 5. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect the authority of the Director of the Office of Management and Budget with respect to budget, administrative, or legislative proposals.

(b) Nothing in this order shall be construed to require disclosure of information the disclosure of which is prohibited by law or by Executive Order, including Executive Order 12958 of April 17, 1995, as amended.

(c) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,
February 24, 2004.

Executive Order 13330 of February 24, 2004

Human Service Transportation Coordination

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to enhance access to transportation to improve mobility, employment opportunities, and access to community services for persons who are transportation-disadvantaged, it is hereby ordered as follows:

Section 1. This order is issued consistent with the following findings and principles:

(a) A strong America depends on citizens who are productive and who actively participate in the life of their communities.

(b) Transportation plays a critical role in providing access to employment, medical and health care, education, and other community services and amenities. The importance of this role is underscored by the variety of transportation programs that have been created in conjunction with health and human service programs, and by the significant Federal investment in accessible public transportation systems throughout the Nation.

(c) These transportation resources, however, are often difficult for citizens to understand and access, and are more costly than necessary due to inconsistent and unnecessary Federal and State program rules and restrictions.

(d) A broad range of Federal program funding allows for the purchase or provision of transportation services and resources for persons who are transportation-disadvantaged. Yet, in too many communities, these services and resources are fragmented, unused, or altogether unavailable.

(e) Federally assisted community transportation services should be seamless, comprehensive, and accessible to those who rely on them for their lives and livelihoods. For persons with mobility limitations related to advanced age, persons with disabilities, and persons struggling for self-sufficiency, transportation within and between our communities should be as available and affordable as possible.

(f) The development, implementation, and maintenance of responsive, comprehensive, coordinated community transportation systems is essential for persons with disabilities, persons with low incomes, and older adults who rely on such transportation to fully participate in their communities.

Sec. 2. Definitions. (a) As used in this order, the term “agency” means an executive department or agency of the Federal Government.

(b) For the purposes of this order, persons who are transportation-disadvantaged are persons who qualify for Federally conducted or Federally assisted transportation-related programs or services due to disability, income, or advanced age.

Sec. 3. Establishment of the Interagency Transportation Coordinating Council on Access and Mobility. (a) There is hereby established, within the Department of Transportation for administrative purposes, the “Interagency Transportation Coordinating Council on Access and Mobility” (“Interagency Transportation Coordinating Council” or “Council”). The membership of the Interagency Transportation Coordinating Council shall consist of:

- (i) the Secretaries of Transportation, Health and Human Services, Education, Labor, Veterans Affairs, Agriculture, Housing and Urban Development, and the Interior, the Attorney General, and the Commissioner of Social Security; and
- (ii) such other Federal officials as the Chairperson of the Council may designate.

(b) The Secretary of Transportation, or the Secretary’s designee, shall serve as the Chairperson of the Council. The Chairperson shall convene and preside at meetings of the Council, determine its agenda, direct its work, and, as appropriate to particular subject matters, establish and direct subgroups of the Council, which shall consist exclusively of the Council’s members.

(c) A member of the Council may designate any person who is part of the member’s agency and who is an officer appointed by the President or a full-time employee serving in a position with pay equal to or greater than the minimum rate payable for GS–15 of the General Schedule to perform functions of the Council or its subgroups on the member’s behalf.

Sec 4. Functions of the Interagency Transportation Coordinating Council. The Interagency Transportation Coordinating Council shall:

(a) promote interagency cooperation and the establishment of appropriate mechanisms to minimize duplication and overlap of Federal programs and services so that transportation-disadvantaged persons have access to more transportation services;

(b) facilitate access to the most appropriate, cost-effective transportation services within existing resources;

(c) encourage enhanced customer access to the variety of transportation and resources available;

(d) formulate and implement administrative, policy, and procedural mechanisms that enhance transportation services at all levels; and

(e) develop and implement a method for monitoring progress on achieving the goals of this order.

Sec. 5. Report. In performing its functions, the Interagency Transportation Coordinating Council shall present to me a report not later than 1 calendar year from the date of this order. The report shall:

(a) Identify those Federal, State, Tribal and local laws, regulations, procedures, and actions that have proven to be most useful and appropriate in coordinating transportation services for the targeted populations;

(b) Identify substantive and procedural requirements of transportation-related Federal laws and regulations that are duplicative or restrict the laws' and regulations' most efficient operation;

(c) Describe the results achieved, on an agency and program basis, in: (i) simplifying access to transportation services for persons with disabilities, persons with low income, and older adults; (ii) providing the most appropriate, cost-effective transportation services within existing resources; and (iii) reducing duplication to make funds available for more services to more such persons;

(d) Provide recommendations to simplify and coordinate applicable substantive, procedural, and administrative requirements; and

(e) Provide any other recommendations that would, in the judgment of the Council, advance the principles set forth in section 1 of this order.

Sec. 6. General. (a) Agencies shall assist the Interagency Transportation Coordinating Council and provide information to the Council consistent with applicable law as may be necessary to carry out its functions. To the extent permitted by law, and as permitted by available agency resources, the Department of Transportation shall provide funding and administrative support for the Council.

(b) 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, or legislative proposals.

(c) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a

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party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,
February 24, 2004.

Executive Order 13331 of February 27, 2004

National and Community Service Programs

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to strengthen the ability of programs authorized under the national service laws to build and reinforce a culture of service, citizenship, and responsibility throughout our Nation, and to institute reforms to improve accountability and efficiency in the administration of those programs, it is hereby ordered as follows:

Section 1. Definitions. For purposes of this order:

(a) “National service laws” means the National and Community Service Act of 1990 (42 U.S.C. 12501 *et seq.*) and the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 *et seq.*);

(b) “National and community service programs” means those programs authorized under the national service laws;

(c) “Policies governing programs authorized under the national service laws” refers to all policies, programs, guidelines, and regulations, including official guidance and internal agency procedures and practices, that are issued by the Corporation for National and Community Service (Corporation) and have significant effects on national and community service programs; and

(d) “Professional corps programs” means those programs described in section 122(a)(8) of the National and Community Service Act of 1990 (42 U.S.C. 12572(a)(8)).

Sec. 2. Fundamental Principles and Policymaking Criteria. In formulating and implementing policies governing programs authorized under the national service laws, the Corporation shall, to the extent permitted by law, adhere to the following fundamental principles:

(a) National and community service programs should support and encourage greater engagement of Americans in volunteering;

(b) National and community service programs should be more responsive to State and local needs;

(c) National and community service programs should make Federal support more accountable and more effective; and

(d) National and community service programs should expand opportunities for involvement of faith-based and other community organizations.

Sec. 3. Agency Implementation. (a) The Chief Executive Officer of the Corporation for National and Community Service (Chief Executive Officer) shall, in coordination with the USA Freedom Corps Council, review and

evaluate existing policies governing national and community service programs in order to assess the consistency of such policies with the fundamental principles and policymaking criteria described in section 2 of this order.

(b) The Chief Executive Officer shall ensure that all policies governing national and community service programs issued by the Corporation are consistent with the fundamental principles and policymaking criteria described in section 2 of this order. To that end, the Chief Executive Officer shall, to the extent permitted by law,

- (i) amend all such existing policies to ensure that they are consistent with the fundamental principles and policymaking criteria articulated in section 2 of this order; and
- (ii) where appropriate, implement new policies that are consistent with and necessary to further the fundamental principles and policymaking criteria set forth in section 2 of this order.

(c) In developing implementation steps, the Chief Executive Officer should address, at a minimum, the following objectives:

- (i) National and community service programs should leverage Federal resources to maximize support from the private sector and from State and local governments, with an emphasis on reforms that enhance programmatic flexibility, reduce administrative burdens, and calibrate Federal assistance to the respective needs of recipient organizations;
- (ii) National and community service programs should leverage Federal resources to enable the recruitment and effective management of a larger number of volunteers than is currently possible;
- (iii) National and community service programs should increase efforts to expand opportunities for, and strengthen the capacity of, faith-based and other community organizations in building and strengthening an infrastructure to support volunteers that meet community needs;
- (iv) National and community service programs should adopt performance measures to identify those practices that merit replication and further investment, as well as to ensure accountability;
- (v) National and community service programs should, consistent with the principles of Federalism and the constitutional role of the States and Indian tribes, promote innovation, flexibility, and results at all levels of government;
- (vi) National and community service programs based in schools should employ tutors who meet required paraprofessional qualifications, and use such practices and methodologies as are required for supplemental educational services;
- (vii) National and community service programs should foster a lifetime of citizenship and civic engagement among those who serve;
- (viii) National and community service programs should avoid or eliminate practices that displace volunteers who are not supported under the national service laws; and
- (ix) Guidelines for the selection of national and community service programs should recognize the importance of professional corps programs in light of the fundamental principles and policymaking criteria set forth in this order.

Sec. 4. *Management Reforms.* (a) The Corporation should implement internal management reforms to strengthen its oversight of national and community service programs through enforcement of performance and compliance standards and other management tools.

(b) Management reforms should include, but should not be limited to, the following:

- (i) Institutionalized changes to the budgetary and grant-making processes to ensure that financial commitments remain within available resources;
- (ii) Enhanced accounting and management systems that would ensure compliance with fiscal restrictions and provide timely, accurate, and readily available information about enrollment in AmeriCorps and about funding and obligations incurred for all national and community service programs;
- (iii) Assurance by the Chief Executive Officer and the Chief Financial Officer in the Corporation's Management Representation Letter that its financial statements, including the Statement of Budgetary Resources, are accurate and reliable; and
- (iv) Management reforms that tie employee performance to fiscal responsibility, attainment of management goals, and professional conduct.

Sec. 5. *Report.* Within 180 days after the date of this order, the Chief Executive Officer shall report to the President, through the Assistant to the President and Director of the USA Freedom Corps Office, the actions the Corporation proposes to undertake to accomplish the objectives set forth in this order.

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

GEORGE W. BUSH

The White House,
February 27, 2004.

Executive Order 13332 of March 3, 2004

Further Adjustment of Certain Rates of Pay

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the laws cited herein, it is hereby ordered as follows:

Section 1. *Statutory Pay Systems.* The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303(a), are set forth on the schedules attached hereto and made a part hereof:

- (a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;
- (b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

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(c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102-40) at Schedule 3.

Sec. 2. *Senior Executive Service.* The ranges of rates of basic pay for senior executives in the Senior Executive Service, as established pursuant to 5 U.S.C. 5382, as amended by section 1125 of Public Law 108-136, are set forth on Schedule 4 attached hereto and made a part hereof.

Sec. 3. *Executive and Certain Other Salaries.* The rates of basic pay or salaries for the following offices and positions are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5311-5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 31) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a), section 140 of Public Law 97-92, and Public Law 108-167) at Schedule 7.

Sec. 4. *Uniformed Services.* Pursuant to section 601(a)-(b) of Public Law 108-136, the rates of monthly basic pay (37 U.S.C. 203) for members of the uniformed services, as adjusted under 37 U.S.C. 1009, and the rate of monthly cadet or midshipman pay are set forth on Schedule 8 attached hereto and made a part hereof.

Sec. 5. *Locality-Based Comparability Payments.*

(a) Pursuant to section 5304 of title 5, United States Code, and in accordance with section 640(a) of Division F of Public Law 108-199, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the **Federal Register**.

Sec. 6. *Administrative Law Judges.* The rates of pay for administrative law judges, as adjusted under 5 U.S.C. 5372(b)(4), are set forth on Schedule 10 attached hereto and made a part hereof.

Sec. 7. *Effective Dates.* Schedule 8 is effective on January 1, 2004. The other schedules contained herein are effective on the first day of the first pay period beginning on or after January 1, 2004.

Sec. 8. *Prior Order Superseded.* Executive Order 13322 of December 30, 2003, is superseded.

GEORGE W. BUSH

The White House,
March 3, 2004.

SCHEDULE 1--GENERAL SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2004)

	1	2	3	4	5	6	7	8	9	10
GS-1	\$15,625	\$16,146	\$16,666	\$17,183	\$17,703	\$18,009	\$18,521	\$19,039	\$19,060	\$19,543
GS-2	17,568	17,985	18,567	19,060	19,274	19,841	20,408	20,975	21,542	22,109
GS-3	19,168	19,807	20,446	21,085	21,724	22,363	23,002	23,641	24,280	24,919
GS-4	21,518	22,235	22,952	23,669	24,386	25,103	25,820	26,537	27,254	27,971
GS-5	24,075	24,878	25,681	26,484	27,287	28,090	28,893	29,696	30,499	31,302
GS-6	26,836	27,731	28,626	29,521	30,416	31,311	32,206	33,101	33,996	34,891
GS-7	29,821	30,815	31,809	32,803	33,797	34,791	35,785	36,779	37,773	38,767
GS-8	33,026	34,127	35,228	36,329	37,430	38,531	39,632	40,733	41,834	42,935
GS-9	36,478	37,694	38,910	40,126	41,342	42,558	43,774	44,990	46,206	47,422
GS-10	40,171	41,510	42,849	44,188	45,527	46,866	48,205	49,544	50,883	52,222
GS-11	44,136	45,607	47,078	48,549	50,020	51,491	52,962	54,433	55,904	57,375
GS-12	52,899	54,662	56,425	58,188	59,951	61,714	63,477	65,240	67,003	68,766
GS-13	62,905	65,002	67,099	69,196	71,293	73,390	75,487	77,584	79,681	81,778
GS-14	74,335	76,813	79,291	81,769	84,247	86,725	89,203	91,681	94,159	96,637
GS-15	87,439	90,354	93,269	96,184	99,099	102,014	104,929	107,844	110,759	113,674

SCHEDULE 2--FOREIGN SERVICE SCHEDULE

(Effective on the first day of the first applicable pay period
beginning on or after January 1, 2004)

Step	Executive Orders								
	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
1	\$87,439	\$70,851	\$57,410	\$46,519	\$37,694	\$33,697	\$30,124	\$26,930	\$24,075
2	90,062	72,977	59,132	47,915	38,825	34,708	31,028	27,738	24,797
3	92,764	75,166	60,906	49,352	39,990	35,749	31,959	28,570	25,541
4	95,547	77,421	62,733	50,833	41,189	36,822	32,917	29,427	26,307
5	98,413	79,743	64,615	52,358	42,425	37,926	33,905	30,310	27,097
6	101,366	82,136	66,554	53,928	43,698	39,064	34,922	31,219	27,910
7	104,407	84,600	68,551	55,546	45,009	40,236	35,970	32,156	28,747
8	107,539	87,138	70,607	57,213	46,359	41,443	37,049	33,121	29,609
9	110,765	89,752	72,725	58,929	47,750	42,686	38,160	34,114	30,497
10	113,674	92,444	74,907	60,697	49,182	43,967	39,305	35,138	31,412
11	113,674	95,218	77,154	62,518	50,658	45,286	40,484	36,192	32,355
12	113,674	98,074	79,469	64,393	52,177	46,645	41,699	37,277	33,325
13	113,674	101,017	81,853	66,325	53,743	48,044	42,950	38,396	34,325
14	113,674	104,047	84,309	68,315	55,355	49,485	44,238	39,548	35,355

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**SCHEDULE 3--VETERANS HEALTH ADMINISTRATION SCHEDULES
DEPARTMENT OF VETERANS AFFAIRS**

(Effective on the first day of the first applicable pay period
beginning on or after January 1, 2004)

Schedule for the Office of the Under Secretary for Health
(38 U.S.C. 7306)*

Deputy Under Secretary for Health	\$148,495	**
Associate Deputy Under Secretary for Health	142,230	***
Assistant Under Secretaries for Health	138,037	***

	<u>Minimum</u>	<u>Maximum</u>
Medical Directors	\$117,774	\$133,481
Service Directors	102,549	127,359
Director, National Center for Preventive Health	87,439	127,359

Physician and Dentist Schedule

Director Grade	\$102,549	\$127,359
Executive Grade	94,694	120,684
Chief Grade	87,439	113,674
Senior Grade	74,335	96,637
Intermediate Grade	62,905	81,778
Full Grade	52,899	68,766
Associate Grade	44,136	57,375

Clinical Podiatrist and Optometrist Schedule

Chief Grade	\$87,439	\$113,674
Senior Grade	74,335	96,637
Intermediate Grade	62,905	81,778
Full Grade	52,899	68,766
Associate Grade	44,136	57,375

Physician Assistant and Expanded-Function
Dental Auxiliary Schedule ****

Director Grade	\$87,439	\$113,674
Assistant Director Grade	74,335	96,637
Chief Grade	62,905	81,778
Senior Grade	52,899	68,766
Intermediate Grade	44,136	57,375
Full Grade	36,478	47,422
Associate Grade	31,390	40,804
Junior Grade	26,836	34,891

- * This schedule does not apply to the Assistant Under Secretary for Nursing Programs or the Director of Nursing Services. Pay for these positions is set by the Under Secretary for Health under 38 U.S.C. 7451.
- ** Pursuant to section 7404(d)(1) of title 38, United States Code, the rate of basic pay payable to this employee is limited to the rate for level IV of the Executive Schedule, which is \$136,900.
- *** Pursuant to section 7404(d)(2) of title 38, United States Code, the rate of basic pay payable to these employees is limited to the rate for level V of the Executive Schedule, which is \$128,200.
- **** Pursuant to section 301(a) of Public Law 102-40, these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b) as in effect on August 14, 1990, with subsequent adjustments.

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SCHEDULE 4--SENIOR EXECUTIVE SERVICE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2004)

	<u>Minimum</u>	<u>Maximum</u>
Agencies with a Certified SES Performance Appraisal System.	\$104,927	\$158,100
Agencies without a Certified SES Performance Appraisal System.	\$104,927	\$145,600

SCHEDULE 5--EXECUTIVE SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2004)

Level I	\$175,700
Level II	158,100
Level III.	145,600
Level IV	136,900
Level V	128,200

SCHEDULE 6--VICE PRESIDENT AND MEMBERS OF CONGRESS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2004)

Vice President	\$203,000
Senators	158,100
Members of the House of Representatives.	158,100
Delegates to the House of Representatives.	158,100
Resident Commissioner from Puerto Rico	158,100
President pro tempore of the Senate.	175,700
Majority leader and minority leader of the Senate.	175,700
Majority leader and minority leader of the House of Representatives	175,700
Speaker of the House of Representatives.	203,000

SCHEDULE 7--JUDICIAL SALARIES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2004)

Chief Justice of the United States	\$203,000
Associate Justices of the Supreme Court.	194,300
Circuit Judges	167,600
District Judges.	158,100
Judges of the Court of International Trade	158,100

SCHEDULE 8-PAY OF THE UNIFORMED SERVICES
(Effective on January 1, 2004)

Part I—MONTHLY BASIC PAY

YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)

Pay Grade	2 or less	3	4	6	Over			Over			Over			24	26
					8	10	12	14	16	18	20	22			
O-10 **	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
O-9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
O-8	\$7,751.10	\$8,004.90	\$8,173.20	\$8,220.60	\$8,430.30	\$8,781.90	\$8,863.50	\$9,197.10	\$9,282.80	\$9,579.90	\$9,995.70	10,379.10	11,112.30	11,340.30	11,738.40
O-7	6,440.70	6,739.80	6,878.40	6,988.50	7,187.40	7,384.20	7,611.90	7,839.00	8,066.70	8,781.90	9,386.10	9,386.10	9,386.10	9,386.10	9,433.50
O-6	4,773.60	5,244.30	5,588.40	5,988.40	5,609.70	5,850.00	5,882.10	5,882.10	6,216.30	6,807.30	7,154.10	7,500.90	7,698.30	7,897.80	8,285.40
O-5	3,979.50	4,482.90	4,793.40	4,851.60	5,044.80	5,161.20	5,415.90	5,602.80	5,844.00	6,213.60	6,389.70	6,563.40	6,760.80	6,760.80	6,760.80
O-4	3,433.50	3,974.70	4,239.90	4,289.00	4,545.30	4,809.30	5,137.80	5,394.00	5,571.60	5,673.60	5,735.00	5,733.00	5,733.00	5,733.00	5,733.00
O-3 ***	3,018.90	3,422.40	3,693.90	4,027.20	4,220.10	4,431.60	4,566.70	4,794.30	4,911.30	4,911.30	4,911.30	4,911.30	4,911.30	4,911.30	4,911.30
O-2 ***	2,608.20	2,970.60	3,421.50	3,537.00	3,609.90	3,609.90	3,609.90	3,609.90	3,609.90	3,609.90	3,609.90	3,609.90	3,609.90	3,609.90	3,609.90
O-1 ***	2,264.40	2,536.50	2,848.50	2,848.50	2,848.50	2,848.50	2,848.50	2,848.50	2,848.50	2,848.50	2,848.50	2,848.50	2,848.50	2,848.50	2,848.50

COMMISSIONED OFFICERS

COMMISSIONED OFFICERS WITH OVER 4 YEARS ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER AND/OR WARRANT OFFICER***

O-3E	-	-	-	\$4,027.20	\$4,220.10	\$4,431.60	\$4,568.70	\$4,794.30	\$4,984.20	\$5,092.80	\$5,241.30	\$5,241.30	\$5,241.30	\$5,241.30	\$5,241.30
O-2E	-	-	-	3,537.00	3,609.90	3,724.80	3,918.60	4,068.60	4,180.20	4,180.20	4,180.20	4,180.20	4,180.20	4,180.20	4,180.20
O-1E	-	-	-	2,848.50	3,042.30	3,154.50	3,269.40	3,382.20	3,537.00	3,537.00	3,537.00	3,537.00	3,537.00	3,537.00	3,537.00

* Basic pay for these officers is limited to the rate of basic pay for level III of the Executive Schedule, which is \$12,133.20 per month.

** For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (as defined in section 161(c) of title 10, United States Code), basic pay for this grade is calculated to be \$14,634.20 per month, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, actual basic pay for these officers is limited to the rate of basic pay for level III of the Executive Schedule, which is \$12,133.20 per month.

*** Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

**** Reservists with more than 1,460 points as an enlisted member and/or warrant officer which are creditable toward reserve retirement also qualify for these rates.

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SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 2)
YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)

Pay Grade	2 or less	2	3	4	6	8	10	12	14	16	18	20	22	24	26
W-5	\$3,119.40	\$3,355.80	\$3,452.40	\$3,547.20	\$3,710.40	\$3,871.50	\$4,035.00	\$4,194.30	\$4,359.00	\$4,617.30	\$4,782.60	\$5,360.70	\$5,544.30	\$5,728.80	\$5,914.20
W-4	2,848.80	2,967.90	3,089.40	3,129.30	3,257.10	3,403.20	3,595.80	3,786.30	3,988.80	4,140.60	4,291.80	4,944.30	5,112.00	5,277.00	5,445.90
W-3	2,505.90	2,649.00	2,774.10	2,865.30	2,943.30	3,157.80	3,321.60	3,443.40	3,562.20	3,643.80	3,712.50	4,356.90	4,424.10	4,570.20	4,716.30
W-2	2,212.80	2,394.00	2,515.20	2,593.50	2,802.30	2,928.30	3,039.90	3,164.70	3,247.20	3,321.90	3,443.70	3,843.00	3,972.60	4,103.70	4,103.70
W-1												3,535.80	3,535.80	3,535.80	3,535.80
WARRANT OFFICERS															
E-9 *							\$3,769.20	\$3,854.70	\$3,962.40	\$4,089.30	\$4,216.50	\$4,421.10	\$4,594.20	\$4,776.60	\$5,054.70
E-8							\$3,085.50	3,222.00	3,306.30	3,407.70	3,517.50	3,715.50	3,986.40	4,081.20	4,314.30
E-7	\$2,145.00	\$2,341.20	\$2,430.60	\$2,549.70	\$2,642.10	2,801.40	2,891.10	2,980.20	3,139.80	3,219.60	3,295.50	3,341.70	3,498.00	3,599.10	3,855.00
E-6	1,855.50	2,041.20	2,131.20	2,218.80	2,310.00	2,516.10	2,596.20	2,685.30	2,763.30	2,790.90	2,809.80	2,809.80	2,809.80	2,809.80	2,809.80
E-5	1,700.10	1,813.50	1,901.10	1,991.10	2,130.60	2,250.90	2,339.70	2,367.90	2,367.90	2,367.90	2,367.90	2,367.90	2,367.90	2,367.90	2,367.90
E-4	1,558.20	1,638.30	1,726.80	1,814.10	1,891.50	1,891.50	1,891.50	1,891.50	1,891.50	1,891.50	1,891.50	1,891.50	1,891.50	1,891.50	1,891.50
E-3	1,407.00	1,495.50	1,585.50	1,585.50	1,585.50	1,585.50	1,585.50	1,585.50	1,585.50	1,585.50	1,585.50	1,585.50	1,585.50	1,585.50	1,585.50
E-2	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70	1,337.70
E-1 **	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40	1,193.40
E-1 ***	1,104.00														

ENLISTED MEMBERS

* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$6,090.90 per month, regardless of cumulative years of service under section 205 of title 37, United States Code.

** Applies to personnel who have served 4 months or more on active duty.

*** Applies to personnel who have served less than 4 months on active duty.

EO 13332

Title 3—The President

SCHEDULE 8—PAY OF THE UNIFORMED SERVICES (PAGE 3)

Part II—RATE OF MONTHLY CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by section 203(c) of title 37, United States Code, is \$792.60.

Note: As a result of the enactment of sections 602-694 of Public Law 105-85, the National Defense Authorization Act for Fiscal Year 1998, the Secretary of Defense now has the authority to adjust the rates of basic allowances for subsistence and housing. Therefore, these allowances are no longer adjusted by the President in conjunction with the adjustment of basic pay for members of the uniformed services. Accordingly, the tables of allowances included in previous orders are not included here.

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SCHEDULE 9--LOCALITY-BASED COMPARABILITY PAYMENTS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2004)

<u>Locality Pay Area¹</u>	<u>Rate</u>
Atlanta, GA	12.61%
Boston-Worcester-Lawrence, MA-NH-ME-CT-RI	16.99%
Chicago-Gary-Kenosha, IL-IN-WI	18.26%
Cincinnati-Hamilton, OH-KY-IN	15.07%
Cleveland-Akron, OH	13.14%
Columbus, OH	13.14%
Dallas-Fort Worth, TX	13.85%
Dayton-Springfield, OH	12.03%
Denver-Boulder-Greeley, CO	16.66%
Detroit-Ann Arbor-Flint, MI	18.32%
Hartford, CT	17.87%
Houston-Galveston-Brazoria, TX	23.14%
Huntsville, AL	11.49%
Indianapolis, IN	11.11%
Kansas City, MO-KS	11.54%
Los Angeles-Riverside-Orange County, CA	20.05%
Miami-Fort Lauderdale, FL	15.54%
Milwaukee-Racine, WI	12.64%
Minneapolis-St. Paul, MN-WI	14.75%
New York-Northern New Jersey-Long Island, NY-NJ-CT-PA	19.29%
Orlando, FL	10.93%
Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD	15.32%
Pittsburgh, PA	11.92%
Portland-Salem, OR-WA	14.69%
Richmond-Petersburg, VA	12.13%
Sacramento-Yolo, CA	15.18%
St. Louis, MO-IL	11.27%
San Diego, CA	16.16%
San Francisco-Oakland-San Jose, CA	24.21%
Seattle-Tacoma-Bremerton, WA	15.12%
Washington-Baltimore, DC-MD-VA-WV	14.63%
Rest of U.S.	10.90%

SCHEDULE 10 ADMINISTRATIVE LAW JUDGES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2004)

AL-3/A	\$91,200
AL-3/B	98,100
AL-3/C	105,200
AL-3/D	112,200
AL-3/E	119,200
AL-3/F	126,100
AL-2	133,300
AL-1	136,900

¹Locality Pay Areas are defined in 5 CFR 531.603.

Executive Order 13333 of March 18, 2004

Amending Executive Order 13257 To Implement the Trafficking Victims Protection Reauthorization Act of 2003

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 *et seq.*) (the “Act”), as amended by the Trafficking Victims Protection Reauthorization Act of 2003 (Public Law 108–193), and section 301 of title 3, United States Code, it is hereby ordered that Executive Order 13257 of February 13, 2002, is amended as follows:

Section 1. The preamble is amended by: (a) deleting “7103” and inserting in lieu thereof “7101 *et seq.*”; and (b) after the phrase “(the “Act”),” inserting “and section 301 of title 3, United States Code,”.

Sec. 2. Section 4 is redesignated as section 8.

Sec. 3. After section 3, the following new sections are added:

“**Sec. 4. Guidelines, Policies, and Regulations.** (a) The Senior Policy Operating Group (SPOG), described in subsection 105(f) of the Act, shall (i) establish guidelines and policies to coordinate the activities of executive branch departments and agencies regarding policies (including grants and grant policies) involving the international trafficking in persons and (ii) advise the Secretary of State what regulations may be necessary to implement section 105 of the Act, including such regulations as may be necessary to carry out the sharing of information on all matters relating to grants, grant policies, or other significant actions regarding the international trafficking in persons as set forth in subsection 105(f)(4) of the Act, to the extent permitted by law.

(b) The Secretary of State, in consultation with the members of the Task Force or their representatives, shall promulgate regulations to implement section 105 of the Act.

Sec. 5. Enhanced Prevention of Trafficking in Persons. (a) The Secretary of State, in consultation with the members of the Task Force or their representatives, shall carry out the functions under subsection 106(c) and subsection 106(d) of the Act.

(b) The Secretary of State shall have the authority to determine, under section 106(e)(1) of the Act, foreign destinations where sex tourism is significant. The Secretary of Homeland Security, in consultation with the members of the Task Force or their representatives and appropriate officials of the Departments of Commerce and Transportation, shall carry out all other functions under subsection 106(e) of the Act, including promulgation of any appropriate regulations relating to the distribution of the materials described in subsection 106(e).

(c) The head of each executive branch agency responsible for the establishment and conduct of initiatives and programs described in subsections 106(a) through (e) of the Act shall consult with appropriate nongovernmental organizations consistent with section 106(f) of the Act.

(d) The Secretary of State shall have responsibility to initiate appropriate regulatory implementation of the requirements set out in section 106(g) of

the Act with respect to contracts, including proposing appropriate amendments to the Federal Acquisition Regulation. Each affected executive branch department or agency shall implement, within that department or agency, the requirements set out in section 106(g) of the Act with respect to grants and cooperative agreements.

Sec. 6. *Research on Trafficking in Persons.* The entities named in section 112A of the Act shall carry out the research initiatives required by section 112A of the Act, and shall award grants according to such policies and guidelines as may be established by the SPOG described in section 105(f) of the Act, as well as any applicable agency rules and regulations.

Sec. 7. *Guidance for Exercising Authority and Performing Duties.* In exercising authority delegated by, or performing functions assigned in, this order, officers of the United States shall ensure that all actions taken by them are consistent with the President's constitutional authority to:

- (a) conduct the foreign affairs of the United States;
- (b) withhold information the disclosure of which could impair the foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties;
- (c) recommend for congressional consideration such measures as the President may judge necessary or expedient; and
- (d) supervise the unitary Executive Branch."

Sec. 4. *Judicial Review.* This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by a party against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,
March 18, 2004.

Executive Order 13334 of April 10, 2004

Establishing an Emergency Board To Investigate a Dispute Between the Southeastern Pennsylvania Transportation Authority and its Conductors Represented by the United Transportation Union

A dispute exists between the Southeastern Pennsylvania Transportation Authority, and its conductors represented by the United Transportation Union.

The dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended, 45 U.S.C. 151–188 (the "Act").

A party empowered by the Act has requested that the President establish an emergency board pursuant to section 9A of the Act (45 U.S.C. 159a).

Section 9A(c) of the Act provides that the President, upon such request, shall appoint an emergency board to investigate and report on the dispute.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States, including section 9A of the Act, it is hereby ordered as follows:

Section 1. *Establishment of Emergency Board (“Board”).* There is established, effective April 12, 2004, a Board of three members to be appointed by the President to investigate and report on this dispute. No member shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier. The Board shall perform its functions subject to the availability of funds.

Sec. 2. *Report.* The Board shall report to the President with respect to this dispute within 30 days of its creation.

Sec. 3. *Maintaining Conditions.* As provided by section 9A(c) of the Act, from the date of the creation of the Board and for 120 days thereafter, no change in the conditions out of which the dispute arose shall be made by the parties to the controversy, except by agreement of the parties.

Sec. 4. *Records Maintenance.* The records and files of the Board are records of the Office of the President and upon the Board’s termination shall be maintained in the physical custody of the National Mediation Board.

Sec. 5. *Expiration.* The Board shall terminate upon the submission of the report provided for in section 2 of this order.

GEORGE W. BUSH

The White House,
April 10, 2004.

Executive Order 13335 of April 27, 2004

Incentives for the Use of Health Information Technology and Establishing the Position of the National Health Information Technology Coordinator

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to provide leadership for the development and nationwide implementation of an interoperable health information technology infrastructure to improve the quality and efficiency of health care, it is hereby ordered as follows:

Section 1. *Establishment.* (a) The Secretary of Health and Human Services (Secretary) shall establish within the Office of the Secretary the position of National Health Information Technology Coordinator.

(b) The National Health Information Technology Coordinator (National Coordinator), appointed by the Secretary in consultation with the President or his designee, will report directly to the Secretary.

(c) The Secretary shall provide the National Coordinator with appropriate staff, administrative support, and other resources to meet its responsibilities under this order.

(d) The Secretary shall ensure that the National Coordinator begins operations within 90 days of the date of this order.

Sec. 2. Policy. In fulfilling its responsibilities, the work of the National Coordinator shall be consistent with a vision of developing a nationwide interoperable health information technology infrastructure that:

- (a) Ensures that appropriate information to guide medical decisions is available at the time and place of care;
- (b) Improves health care quality, reduces medical errors, and advances the delivery of appropriate, evidence-based medical care;
- (c) Reduces health care costs resulting from inefficiency, medical errors, inappropriate care, and incomplete information;
- (d) Promotes a more effective marketplace, greater competition, and increased choice through the wider availability of accurate information on health care costs, quality, and outcomes;
- (e) Improves the coordination of care and information among hospitals, laboratories, physician offices, and other ambulatory care providers through an effective infrastructure for the secure and authorized exchange of health care information; and
- (f) Ensures that patients' individually identifiable health information is secure and protected.

Sec. 3. Responsibilities of the National Health Information Technology Coordinator. (a) The National Coordinator shall, to the extent permitted by law, develop, maintain, and direct the implementation of a strategic plan to guide the nationwide implementation of interoperable health information technology in both the public and private health care sectors that will reduce medical errors, improve quality, and produce greater value for health care expenditures. The National Coordinator shall report to the Secretary regarding progress on the development and implementation of the strategic plan within 90 days after the National Coordinator begins operations and periodically thereafter. The plan shall:

- (i) Advance the development, adoption, and implementation of health care information technology standards nationally through collaboration among public and private interests, and consistent with current efforts to set health information technology standards for use by the Federal Government;
- (ii) Ensure that key technical, scientific, economic, and other issues affecting the public and private adoption of health information technology are addressed;
- (iii) Evaluate evidence on the benefits and costs of interoperable health information technology and assess to whom these benefits and costs accrue;
- (iv) Address privacy and security issues related to interoperable health information technology and recommend methods to ensure appropriate authorization, authentication, and encryption of data for transmission over the Internet;
- (v) Not assume or rely upon additional Federal resources or spending to accomplish adoption of interoperable health information technology; and
- (vi) Include measurable outcome goals.

(b) The National Coordinator shall:

- (i) Serve as the Secretary's principal advisor on the development, application, and use of health information technology, and direct the Department of Health and Human Service's health information technology programs;
- (ii) Ensure that health information technology policy and programs of the Department of Health and Human Services (HHS) are coordinated with those of relevant executive branch agencies (including Federal commissions) with a goal of avoiding duplication of efforts and of helping to ensure that each agency undertakes activities primarily within the areas of its greatest expertise and technical capability;
- (iii) To the extent permitted by law, coordinate outreach and consultation by the relevant executive branch agencies (including Federal commissions) with public and private parties of interest, including consumers, providers, payers, and administrators; and
- (iv) At the request of the Office of Management and Budget, provide comments and advice regarding specific Federal health information technology programs.

Sec. 4. Reports. To facilitate the development of interoperable health information technologies, the Secretary of Health and Human Services shall report to the President within 90 days of this order on options to provide incentives in HHS programs that will promote the adoption of interoperable health information technology. In addition, the following reports shall be submitted to the President through the Secretary:

(a) The Director of the Office of Personnel Management shall report within 90 days of this order on options to provide incentives in the Federal Employee Health Benefit Program that will promote the adoption of interoperable health information technology; and

(b) Within 90 days, the Secretary of Veterans Affairs and the Secretary of Defense shall jointly report on the approaches the Departments could take to work more actively with the private sector to make their health information systems available as an affordable option for providers in rural and medically underserved communities.

Sec. 5. Administration and Judicial Review. (a) The actions directed by this order shall be carried out subject to the availability of appropriations and to the extent permitted by law.

(b) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the United States, its agencies, its entities or instrumentalities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,
April 27, 2004.

Executive Order 13336 of April 30, 2004

American Indian and Alaska Native Education

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to recognize the unique educational and culturally related academic needs of American Indian and Alaska Native students consistent with the unique political and legal relationship of the Federal Government with tribal governments, it is hereby ordered as follows:

Section 1. Purpose. The United States has a unique legal relationship with Indian tribes and a special relationship with Alaska Native entities as provided in the Constitution of the United States, treaties, and Federal statutes. This Administration is committed to continuing to work with these Federally recognized tribal governments on a government-to-government basis, and supports tribal sovereignty and self-determination. It is the purpose of this order to assist American Indian and Alaska Native students in meeting the challenging student academic standards of the No Child Left Behind Act of 2001 (Public Law 107–110) in a manner that is consistent with tribal traditions, languages, and cultures. This order builds on the innovations, reforms, and high standards of the No Child Left Behind Act of 2001, including: stronger accountability for results; greater flexibility in the use of Federal funds; more choices for parents; and an emphasis on research-based instruction that works.

Sec. 2. Interagency Working Group. There is established an Interagency Working Group on American Indian and Alaska Native Education (Working Group) to oversee the implementation of this order.

(a) The Working Group's members shall consist exclusively of the heads of the executive branch departments, agencies, or offices listed below:

- (i) the Department of Education;
- (ii) the Department of the Interior;
- (iii) the Department of Health and Human Services;
- (iv) the Department of Agriculture;
- (v) the Department of Justice;
- (vi) the Department of Labor; and
- (vii) such other executive branch departments, agencies, or offices as the Co-Chairs of the Working Group may designate.

A member of the Working Group may designate, to perform the Working Group functions of the member, an employee of the member's department, agency, or office who is either an officer of the United States appointed by the President, or a full-time employee serving in a position with pay equal to or greater than the minimum rate payable for GS–15 of the General Schedule. The Working Group shall be led by the Secretaries of Education and the Interior, or their designees under this section, who shall serve as Co-Chairs.

(b) The function of the Working Group is to oversee the implementation of this order. The Working Group shall, within 90 days of the date of this order, develop a Federal interagency plan that recommends initiatives, strategies, and ideas for future interagency actions that promote the purpose, as stated in section 1, of this order. In carrying out its activities under

this order, the Working Group may consult with representatives of American Indian and Alaska Native tribes and organizations, in conformity with Executive Order 13175 of November 6, 2000, and with the National Advisory Council on Indian Education (NACIE). Any such consultations shall be for the purpose of obtaining information and advice concerning American Indian and Alaska Native education and shall be conducted in a manner that seeks individual advice and does not involve collective judgment or consensus advice or deliberation.

Sec. 3. Study and Report. The Secretary of Education, in coordination with the Working Group, shall conduct a multi-year study of American Indian and Alaska Native education with the purpose of improving American Indian and Alaska Native students' ability to meet the challenging student academic standards of the No Child Left Behind Act of 2001.

- (a) The study shall include, but not be limited to:
 - (i) the compilation of comprehensive data on the academic achievement and progress of American Indian and Alaska Native students toward meeting the challenging student academic standards of the No Child Left Behind Act of 2001;
 - (ii) identification and dissemination of research-based practices and proven methods in raising academic achievement and, in particular, reading achievement, of American Indian and Alaska Native students;
 - (iii) assessment of the impact and role of native language and culture on the development of educational strategies to improve academic achievement;
 - (iv) development of methods to strengthen early childhood education so that American Indian and Alaska Native students enter school ready to learn; and
 - (v) development of methods to increase the high school graduation rate and develop pathways to college and the workplace for American Indian and Alaska Native students.

The Secretary of Education shall develop an agenda, including proposed timelines and ongoing activities, for the conduct of the study, and shall make that agenda available to the public on the Internet.

- (b) The Secretary of Education, in coordination with the Working Group, shall issue a report to the President that shall:
 - (i) provide the latest data available from the study;
 - (ii) comprehensively describe the educational status and progress of American Indian and Alaska Native students with respect to meeting the goals outlined in the No Child Left Behind Act of 2001 and any other student achievement goals the Secretary of Education or the Secretary of the Interior may deem necessary;
 - (iii) report on proven methods for improving American Indian and Alaska Native student academic achievement; and
 - (iv) update the Federal interagency plan outlined in section 2(b) of this order.

Sec. 4. Enhancement of Research Capabilities of Tribal-Level Educational Institutions. The Secretary of Education and the Secretary of the Interior shall consult with the entities set forth in section 2(a) of this order and tribally controlled colleges and universities to seek ways to develop and enhance the capacity of tribal governments, tribal universities and colleges,

and schools and educational programs serving American Indian and Alaska Native students and communities to carry out, disseminate, and implement education research, as well as to develop related partnerships or collaborations with non-tribal universities, colleges, and research organizations.

Sec. 5. *National Conference.* The Secretary of Education and the Secretary of the Interior, in collaboration with the Working Group and Federal, State, tribal, and local government representatives, shall jointly convene a forum on the No Child Left Behind Act of 2001 to identify means to enhance communication, collaboration, and cooperative strategies to improve the education of American Indian and Alaska Native students attending Federal, State, tribal, and local schools.

Sec. 6. *Administration.* The Department of Education shall provide appropriate administrative services and staff support to the Working Group. With the consent of the Department of Education, other participating agencies may provide administrative support to the Working Group, to the extent permitted by law and consistent with their statutory authority.

Sec. 7. *Termination.* The Working Group established under section 2 of this order shall terminate not later than 5 years from the date of this order, unless extended by the President.

Sec. 8. *Consultation.* The Secretary of Education and Secretary of the Interior shall consult the Attorney General as appropriate on the implementation of this order, to ensure that such implementation affords the equal protection of the laws required by the due process clause of the Fifth Amendment to the Constitution.

Sec. 9. *General Provisions.*

(a) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(b) Executive Order 13096 of August 6, 1998, is revoked.

GEORGE W. BUSH

The White House,
April 30, 2004.

Executive Order 13337 of April 30, 2004

Issuance of Permits With Respect to Certain Energy-Related Facilities and Land Transportation Crossings on the International Boundaries of the United States

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and in order to amend Executive Order 11423 of August 16, 1968, as amended, and to further the policy of my Administration as stated

in Executive Order 13212 of May 18, 2001, as amended, to expedite reviews of permits as necessary to accelerate the completion of energy production and transmission projects, and to provide a systematic method for evaluating and permitting the construction and maintenance of certain border crossings for land transportation, including motor and rail vehicles, that do not require construction or maintenance of facilities connecting the United States with a foreign country, while maintaining safety, public health, and environmental protections, it is hereby ordered as follows:

Section 1. (a) Except with respect to facilities covered by Executive Order 10485 of September 3, 1953, and Executive Order 10530 of May 10, 1954, the Secretary of State is hereby designated and empowered to receive all applications for Presidential permits, as referred to in Executive Order 11423, as amended, for the construction, connection, operation, or maintenance, at the borders of the United States, of facilities for the exportation or importation of petroleum, petroleum products, coal, or other fuels to or from a foreign country.

(b) Upon receipt of a completed application pursuant to paragraph (a) of this section, the Secretary of State shall:

- (i) Request additional information needed from the applicant, as appropriate, before referring the application to other agencies pursuant to paragraph (b)(ii) of this section;
- (ii) Refer the application and pertinent information to, and request the views of, the Secretary of Defense, the Attorney General, the Secretary of the Interior, the Secretary of Commerce, the Secretary of Transportation, the Secretary of Energy, the Secretary of Homeland Security, the Administrator of the Environmental Protection Agency, or the heads of the departments or agencies in which the relevant authorities or responsibilities of the foregoing are subsequently conferred or transferred, and, for applications concerning the border with Mexico, the United States Commissioner of the International Boundary and Water Commission; and
- (iii) Refer the application and pertinent information to, and request the views of, such other Federal Government department and agency heads as the Secretary of State deems appropriate.

(c) All Federal Government officials consulted by the Secretary of State pursuant to paragraph (b)(ii) or (b)(iii) of this section shall provide their views and render such assistance as may be requested, consistent with their authority, in a timely manner, but not to exceed 90 days from the date of the request.

(d) Should any of the Federal Government officials consulted pursuant to paragraph (b)(ii) or (b)(iii) of this section request from the Department of State additional information that is necessary for them to provide their views or to render such assistance as may be required, the time elapsed between the date of that request for additional information and the date such additional information is received shall not be counted in calculating the time period prescribed in paragraph (c) of this section.

(e) The Secretary of State may also consult with such State, tribal, and local government officials and foreign governments, as the Secretary deems appropriate, with respect to each application. The Secretary shall solicit responses in a timely manner, not to exceed 90 days from the date of the request.

(f) Upon receiving the views and assistance requested pursuant to paragraphs (b) and (e) of this section, the Secretary of State shall consider, in light of any statutory or other requirements or other considerations, whether or not additional information is needed in order to evaluate the application and, as appropriate, request such information from the applicant.

(g) After consideration of the views and assistance obtained pursuant to paragraphs (b) and, as appropriate, (e) and (f) of this section and any public comments submitted pursuant to section 3(a) of this order, if the Secretary of State finds that issuance of a permit to the applicant would serve the national interest, the Secretary shall prepare a permit, in such form and with such terms and conditions as the national interest may in the Secretary's judgment require, and shall notify the officials required to be consulted under paragraph (b)(ii) of this section of the proposed determination that a permit be issued.

(h) After consideration of the views obtained pursuant to paragraphs (b) and, as appropriate, (e) and (f) of this section and any public comments provided pursuant to section 3(a) of this order, if the Secretary of State finds that issuance of a permit to the applicant would not serve the national interest, the Secretary shall notify the officials required to be consulted under paragraph (b)(ii) of this section of the proposed determination that the application be denied.

(i) The Secretary of State shall issue or deny the permit in accordance with the proposed determination unless, within 15 days after notification pursuant to paragraphs (g) or (h) of this section, an official required to be consulted under paragraph (b)(ii) of this section shall notify the Secretary of State that he or she disagrees with the Secretary's proposed determination and requests the Secretary to refer the application to the President. In the event of such a request, the Secretary of State shall consult with any such requesting official and, if necessary, shall refer the application, together with statements of the views of any official involved, to the President for consideration and a final decision.

Sec. 2. (a) Section 1(a) of Executive Order 11423, as amended, is amended to read as follows: "Except with respect to facilities covered by Executive Order Nos. 10485 and 10530, and by section 1(a) of the Executive Order of April 30, 2004, entitled "Issuance of Permits with Respect to Certain Energy-Related Facilities and Land Transportation Crossings on the International Boundaries of the United States" (the order of April 30, 2004), the Secretary of State is hereby designated and empowered to receive all applications for Presidential permits for the construction, connection, operation, or maintenance, at the borders of the United States, of:

- (i) pipelines, conveyor belts, and similar facilities for the exportation or importation of all products, except those specified in section 1(a) of the order of April 30, 2004, to or from a foreign country;
- (ii) facilities for the exportation or importation of water or sewage to or from a foreign country;
- (iii) facilities for the transportation of persons or things, or both, to or from a foreign country;
- (iv) bridges, to the extent that congressional authorization is not required;
- (v) similar facilities above or below ground; and

(vi) border crossings for land transportation, including motor and rail vehicles, to or from a foreign country, whether or not in conjunction with the facilities identified in (iii) above.

(b) Section 1(b) of Executive Order 11423, as amended, is amended by deleting the text “(a)(iii), (iv), or (v)” and by inserting the text “(a)(iii), (iv), (v), or (vi)” in lieu thereof.

Sec. 3. (a) The Secretary of State may provide for the publication in the **Federal Register** of notice of receipt of applications, for the receipt of public comments on applications, and for notices related to the issuance or denial of applications.

(b) The Secretary of State is authorized to issue such further rules and regulations, and to prescribe such further procedures, including, but not limited to, those relating to the International Boundary and Water Commission, as may from time to time be deemed necessary or desirable for the exercise of the authority conferred by this order.

Sec. 4. All permits heretofore issued with respect to facilities described in section 2(a) of this order pursuant to Executive Order 11423, as amended, and in force at the time of issuance of this order, and all permits issued hereunder, shall remain in effect in accordance with their terms unless and until modified, amended, suspended, or revoked by the appropriate authority.

Sec. 5. Nothing contained in this order shall be construed to affect the authority of any department or agency of the United States Government, or to supersede or replace the requirements established under any other provision of law, or to relieve a person from any requirement to obtain authorization from any other department or agency of the United States Government in compliance with applicable laws and regulations subject to the jurisdiction of that department or agency.

Sec. 6. This order is not intended to, and does not, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,

April 30, 2004.

Executive Order 13338 of May 11, 2004

Blocking Property of Certain Persons and Prohibiting the Export of Certain Goods to Syria

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003, Public Law 108–175 (SAA), and section 301 of title 3, United States Code,

I, GEORGE W. BUSH, President of the United States of America, hereby determine that the actions of the Government of Syria in supporting terrorism, continuing its occupation of Lebanon, pursuing weapons of mass destruction and missile programs, and undermining United States and international efforts with respect to the stabilization and reconstruction of Iraq constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and hereby declare a national emergency to deal with that threat. To address that threat, and to implement the SAA, I hereby order the following:

Section 1. (a) The Secretary of State shall not permit the exportation or reexportation to Syria of any item on the United States Munitions List (22 C.F.R. part 121).

(b) Except to the extent provided in regulations, orders, directives, or licenses that may be issued pursuant to the provisions of this order in a manner consistent with the SAA, and notwithstanding any license, permit, or authorization granted prior to the effective date of this order, (i) the Secretary of Commerce shall not permit the exportation or reexportation to Syria of any item on the Commerce Control List (15 C.F.R. part 774); and (ii) with the exception of food and medicine, the Secretary of Commerce shall not permit the exportation or reexportation to Syria of any product of the United States not included in section 1(b)(i) of this order.

(c) No other agency of the United States Government shall permit the exportation or reexportation to Syria of any product of the United States, except to the extent provided in regulations, orders, directives, or licenses that may be issued pursuant to this order in a manner consistent with the SAA, and notwithstanding any license, permit, or authorization granted prior to the effective date of this order.

Sec. 2. The Secretary of Transportation shall not permit any air carrier owned or controlled by Syria to provide foreign air transportation as defined in 49 U.S.C. 40102(a)(23), except that he may, to the extent consistent with Department of Transportation regulations, permit such carriers to charter aircraft to the Government of Syria for the transport of Syrian government officials to and from the United States on official Syrian government business. In addition, the Secretary of Transportation shall prohibit all takeoffs and landings in the United States, other than those associated with an emergency, by any such air carrier when engaged in scheduled international air services.

Sec. 3. (a) Except to the extent provided in section 203(b)(1), (3), and (4) of the IEEPA (50 U.S.C. 1702(b)(1), (3), and (4)), and the Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX, Public Law 106-387) (TSRA), or regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order, all property and interests in property of the following persons, that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: persons who are determined by the Secretary of the Treasury, in consultation with the Secretary of State,

- (i) to be or to have been directing or otherwise significantly contributing to the Government of Syria's provision of safe haven to or other support for any person whose property or interests in property are blocked under United States law for terrorism-related reasons, including, but not limited to, Hamas, Hizballah, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, the Popular Front for the Liberation of Palestine-General Command, and any persons designated pursuant to Executive Order 13224 of September 23, 2001;
- (ii) to be or to have been directing or otherwise significantly contributing to the Government of Syria's military or security presence in Lebanon;
- (iii) to be or to have been directing or otherwise significantly contributing to the Government of Syria's pursuit of the development and production of chemical, biological, or nuclear weapons and medium- and long-range surface-to-surface missiles;
- (iv) to be or to have been directing or otherwise significantly contributing to any steps taken by the Government of Syria to undermine United States and international efforts with respect to the stabilization and reconstruction of Iraq; or
- (v) to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person whose property or interests in property are blocked pursuant to this order.

(b) The prohibitions in paragraph (a) of this section include, but are not limited to, (i) the making of any contribution of funds, goods, or services by, to, or for the benefit of any person whose property or interests in property are blocked pursuant to this order; and (ii) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 4. (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate the prohibitions set forth in this order is prohibited.

Sec. 5. I hereby determine that the making of donations of the type of articles specified in section 203(b)(2) of the IEEPA (50 U.S.C. 1702(b)(2)) would seriously impair the ability to deal with the national emergency declared in this order, and hereby prohibit, (i) the exportation or reexportation of such donated articles to Syria as provided in section 1(b) of this order; and (ii) the making of such donations by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to section 3 of this order.

Sec. 6. For purposes of this order:

- (a) the term "person" means an individual or entity;
- (b) the term "entity" means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;
- (c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States;

(d) the term “Government of Syria” means the Government of the Syrian Arab Republic, its agencies, instrumentalities, and controlled entities; and

(e) the term “product of the United States” means: for the purposes of subsection 1(b), any item subject to the Export Administration Regulations (15 C.F.R. parts 730–774); and for the purposes of subsection 1(c), any item subject to the export licensing jurisdiction of any other United States Government agency.

Sec. 7. With respect to the prohibitions contained in section 1 of this order, consistent with subsection 5(b) of the SAA, I hereby determine that it is in the national security interest of the United States to waive, and hereby waive application of subsection 5(a)(1) and subsection 5(a)(2)(A) of the SAA so as to permit the exportation or reexportation of certain items as specified in the Department of Commerce’s General Order No. 2 to Supplement No. 1, 15 C.F.R. part 736, as issued consistent with this order and as may be amended pursuant to the provisions of this order and in a manner consistent with the SAA. This waiver is made pursuant to the SAA only to the extent that regulation of such exports or reexports would not otherwise fall within my constitutional authority to conduct the Nation’s foreign affairs and protect national security.

Sec. 8. With respect to the prohibitions contained in section 2 of this order, consistent with subsection 5(b) of the SAA, I hereby determine that it is in the national security interest of the United States to waive, and hereby waive, application of subsection 5(a)(2)(D) of the SAA insofar as it pertains to: aircraft of any air carrier owned or controlled by Syria chartered by the Syrian government for the transport of Syrian government officials to and from the United States on official Syrian government business, to the extent consistent with Department of Transportation regulations; takeoffs or landings for non-traffic stops of aircraft of any such air carrier that is not engaged in scheduled international air services; takeoffs and landings associated with an emergency; and overflights of United States territory.

Sec. 9. I hereby direct the Secretary of State to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out subsection 1(a) of this order. I hereby direct the Secretary of Commerce, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out subsection 1(b) of this order. I direct the Secretary of Transportation, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out section 2 of this order. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by the IEEPA as may be necessary to carry out sections 3, 4, and 5 of this order. The Secretaries of State, Commerce, Transportation, and the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law. The Secretary of State, in consultation with the Secretaries of Commerce, Transportation, and the Treasury, as appropriate, is authorized to exercise the functions and authorities conferred upon the President in subsection 5(b) of the SAA and to redelegate these functions and authorities consistent with applicable law. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order and, where appropriate, to

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advise the Secretaries of State, Commerce, Transportation, and the Treasury in a timely manner of the measures taken.

Sec. 10. This order is not intended to create, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

Sec. 11. For those persons whose property or interests in property are blocked pursuant to section 3 of this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to this order.

Sec. 12. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to submit the recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of the NEA, 50 U.S.C. 1641(c), and section 204(c) of the IEEPA, 50 U.S.C. 1703(c).

Sec. 13. (a) This order is effective at 12:01 eastern daylight time on May 12, 2004.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

GEORGE W. BUSH

The White House,
May 11, 2004.

Executive Order 13339 of May 13, 2004

Increasing Economic Opportunity and Business Participation of Asian Americans and Pacific Islanders

By the authority vested in me as President by the Constitution and the laws of the United States of America, and for the purpose of providing equal economic opportunities for full participation of Asian American and Pacific Islander businesses in our free market economy where they may be underserved and thus improving the quality of life for Asian Americans and Pacific Islanders, it is hereby ordered as follows:

Section 1. (a) There is established in the Department of Commerce the President's Advisory Commission on Asian Americans and Pacific Islanders (Commission). The Commission shall consist of not more than 15 members appointed by the President, one of whom shall be designated by the President as Chair. The Commission shall include members who: (i) have a history of involvement with the Asian American and Pacific Islander communities; (ii) are from the business enterprise sector; (iii) are from civic associations representing one or more of the diverse Asian American and Pacific Islander communities; (iv) are from the fields of economic, social,

and community development; or (v) have such other experience as the President deems appropriate.

(b) The Secretary of Commerce (Secretary) shall designate an Executive Director for the Commission.

Sec. 2. The Commission shall provide advice to the President, through the Secretary, on:

(a) the development, monitoring, and coordination of executive branch efforts to improve the economic and community development of Asian American and Pacific Islander businesses through ensuring equal opportunity to participate in Federal programs, and public-sector, private-sector partnerships, and through the collection of data related to Asian American and Pacific Islander businesses; and

(b) ways to increase the business diversification of Asian Americans and Pacific Islanders, including ways to foster research and data on Asian American and Pacific Islander businesses including their level of participation in the national economy and their economic and community development.

Sec. 3. (a) The Secretary shall establish within the Department of Commerce an office known as the White House Initiative on Asian Americans and Pacific Islanders (Office). The Office shall provide support for the Commission and the interagency working group created in section 3(b) of this order.

(b) The Secretary shall also create an interagency working group (Working Group) whose activities shall be coordinated by the Department of Commerce. The Secretary shall designate the executive departments and agencies that shall serve on the Working Group (executive departments and agencies) and the heads of those departments and agencies shall select the officials that shall serve as their respective representatives on the Working Group. The Executive Director of the Commission shall also serve as the Director of the Office and the Working Group, and shall report to the Secretary or the Secretary's designee. The Director of the Working Group shall advise the Secretary or the Secretary's designee on efforts by the Federal Government to improve access to economic opportunities, through equal access to such opportunities, for Asian American and Pacific Islander businesses where they may be underserved and thus to improve the quality of life of Asian Americans and Pacific Islanders.

Sec. 4. The head of each executive department and agency on the Working Group shall designate a senior Federal official responsible for management or program administration to report directly to the agency head on activities implementing this order and to serve as a liaison to, and representative on, the Working Group. The Secretary may designate additional Federal officials, with the concurrence of the head of the designated executive department or agency, to carry out functions of the Working Group. To the extent permitted by law and to the extent practicable, each designated executive department and agency shall provide appropriate information requested by the Working Group, including data relating to the eligibility for and participation of Asian American and Pacific Islander businesses in Federal programs. Where adequate data are not available, the Working Group shall suggest the means of collecting such data.

Sec. 5. Each designated executive department and agency shall prepare a plan for, and shall document, its efforts to support economic opportunities

for Asian American and Pacific Islander businesses. This plan shall address, among other things, executive branch efforts to:

(a) increase participation in Federal programs for Asian American and Pacific Islander businesses through equal access to such programs;

(b) ensure nondiscrimination in Federal contracts and procurement opportunities;

(c) provide equal opportunity for public-sector, private-sector partnerships for the community and economic development of Asian American and Pacific Islander businesses; and

(d) foster research and data collection on Asian American and Pacific Islander businesses. Each plan shall be submitted through the working group and the Commission to the Secretary at a date to be established by the Secretary.

Sec. 6. The Secretary shall review the plans of the designated executive departments and agencies and develop for submission to the President for his approval an integrated Federal plan (Federal Plan) to increase the participation of Asian American and Pacific Islander businesses in executive branch programs through equal access to such programs where such organizations may be underserved. Actions described in the Federal Plan shall address improving access by Asian American and Pacific Islander businesses to Federal programs and fostering advances in relevant research and data as it pertains to community economic development. The Secretary shall disseminate the Federal Plan, to the extent the Plan is approved by the President, to appropriate members of the executive branch. The findings and recommendations in the Federal Plan shall be followed by the designated executive departments and agencies in their policies and activities, to the extent permitted by law and as practicable.

Sec. 7. Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (the “Act”), may apply to the administration of any portion of this order, any functions of the President under the Act, except that of reporting to the Congress, shall be performed by the Secretary in accordance with the guidelines issued by the Administrator of General Services.

Sec. 8. Members of the Commission shall serve without compensation, but shall be allowed travel expenses, including *per diem* in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701–5707). To the extent permitted by law and appropriations, and where practicable, executive departments and agencies shall, upon request by the Secretary, provide assistance to the Commission and to the Working Group, and the Department of Commerce shall provide administrative support and funding for the Commission.

Sec. 9. The Commission shall terminate 2 years from the date of this order, unless renewed by the President.

Sec. 10. For the purposes of this order, the term: (a) “Asian” includes persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent; and the term (b) “Pacific Islander” includes persons having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Sec. 11. The Secretary of Commerce shall consult the Attorney General as appropriate on the implementation of this order to ensure that such implementation affords the equal protection of the laws required by the due process clause of the Fifth Amendment to the Constitution.

Sec. 12. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by a party against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,
May 13, 2004.

Executive Order 13340 of May 18, 2004

**Establishment of Great Lakes Interagency Task Force and
Promotion of a Regional Collaboration of National
Significance for the Great Lakes**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to help establish a regional collaboration of national significance for the Great Lakes, it is hereby ordered as follows:

Section 1. Policy. The Great Lakes are a national treasure constituting the largest freshwater system in the world. The United States and Canada have made great progress addressing past and current environmental impacts to the Great Lakes ecology. The Federal Government is committed to making progress on the many significant challenges that remain. Along with numerous State, tribal, and local programs, over 140 Federal programs help fund and implement environmental restoration and management activities throughout the Great Lakes system. A number of intergovernmental bodies are providing leadership in the region to address environmental and resource management issues in the Great Lakes system. These activities would benefit substantially from more systematic collaboration and better integration of effort. It is the policy of the Federal Government to support local and regional efforts to address environmental challenges and to encourage local citizen and community stewardship. To this end, the Federal Government will partner with the Great Lakes States, tribal and local governments, communities, and other interests to establish a regional collaboration to address nationally significant environmental and natural resource issues involving the Great Lakes. It is the further policy of the Federal Government that its executive departments and agencies will ensure that their programs are funding effective, coordinated, and environmentally sound activities in the Great Lakes system.

Sec. 2. Definitions. For purposes of this order:

(a) "Great Lakes" means Lake Ontario, Lake Erie, Lake Huron (including Lake Saint Clair), Lake Michigan, and Lake Superior, and the connecting channels (Saint Marys River, Saint Clair River, Detroit River, Niagara River, and Saint Lawrence River to the Canadian Border).

(b) “Great Lakes system” means all the streams, rivers, lakes, and other bodies of water within the drainage basin of the Great Lakes.

Sec. 3. Great Lakes Interagency Task Force.

(a) Task Force Purpose. To further the policy described in section 1 of this order, there is established, within the Environmental Protection Agency for administrative purposes, the “Great Lakes Interagency Task Force” (Task Force) to:

- (i) Help convene and establish a process for collaboration among the members of the Task Force and the members of the Working Group that is established in paragraph b(ii) of this section, with the Great Lakes States, local communities, tribes, regional bodies, and other interests in the Great Lakes region regarding policies, strategies, plans, programs, projects, activities, and priorities for the Great Lakes system.
 - (ii) Collaborate with Canada and its provinces and with bi-national bodies involved in the Great Lakes region regarding policies, strategies, projects, and priorities for the Great Lakes system.
 - (iii) Coordinate the development of consistent Federal policies, strategies, projects, and priorities for addressing the restoration and protection of the Great Lakes system and assisting in the appropriate management of the Great Lakes system.
 - (iv) Develop outcome-based goals for the Great Lakes system relying upon, among other things, existing data and science-based indicators of water quality and related environmental factors. These goals shall focus on outcomes such as cleaner water, sustainable fisheries, and biodiversity of the Great Lakes system and ensure that Federal policies, strategies, projects, and priorities support measurable results.
 - (v) Exchange information regarding policies, strategies, projects, and activities of the agencies represented on the Task Force related to the Great Lakes system.
 - (vi) Work to coordinate government action associated with the Great Lakes system.
 - (vii) Ensure coordinated Federal scientific and other research associated with the Great Lakes system.
 - (viii) Ensure coordinated government development and implementation of the Great Lakes portion of the Global Earth Observation System of Systems.
 - (ix) Provide assistance and support to agencies represented on the Task Force in their activities related to the Great Lakes system.
 - (x) Submit a report to the President by May 31, 2005, and thereafter as appropriate, that summarizes the activities of the Task Force and provides any recommendations that would, in the judgment of the Task Force, advance the policy set forth in section 1 of this order.
- (b) Membership and Operation.

- (i) The Task Force shall consist exclusively of the following officers of the United States: the Administrator of the Environmental Protection Agency (who shall chair the Task Force), the Secretary of State, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Housing and Urban Development, the Secretary of Transportation, the Secretary of Homeland Security, the Secretary of the Army, and the 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 or a full-time employee serving in a position with pay equal to or greater than the minimum rate payable for GS-15 of the General Schedule. The Task Force shall report to the President through the Chairman of the Council on Environmental Quality.
- (ii) The Task Force shall establish a "Great Lakes Regional Working Group" (Working Group) composed of the appropriate regional administrator or director with programmatic responsibility for the Great Lakes system for each agency represented on the Task Force including: the Great Lakes National Program Office of the Environmental Protection Agency; the United States Fish and Wildlife Service, National Park Service, and United States Geological Survey within the Department of the Interior; the Natural Resources Conservation Service and the Forest Service of the Department of Agriculture; the National Oceanic and Atmospheric Administration of the Department of Commerce; the Department of Housing and Urban Development; the Department of Transportation; the Coast Guard within the Department of Homeland Security; and the Army Corps of Engineers within the Department of the Army. The Working Group will coordinate and make recommendations on how to implement the policies, strategies, projects, and priorities of the Task Force.

(c) Management Principles for Regional Collaboration of National Significance. To further the policy described in section 1, the Task Force shall recognize and apply key principles and foster conditions to ensure successful collaboration. To that end, the Environmental Protection Agency will coordinate the development of a set of principles of successful collaboration.

Sec. 4. *Great Lakes National Program Office.* The Great Lakes National Program Office of the Environmental Protection Agency shall assist the Task Force and the Working Group in the performance of their functions. The Great Lakes National Program Manager shall serve as chair of the Working Group.

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, regulatory, and legislative proposals. Nothing in this order shall be construed to affect the statutory authority or obligations of any Federal agency or any bi-national agreement with Canada.

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

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not, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,
May 18, 2004.

Executive Order 13341 of May 20, 2004

Further Amendment to Executive Order 11023, Providing for the Performance by the Secretary of Commerce of Certain Functions Relating to the National Oceanic and Atmospheric Administration

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. As a result of the enactment of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372), the following conforming amendments are made to Executive Order 11023 of May 28, 1962, as amended:

(a) In section 1(a), delete “section 6(b) of the Coast and Geodetic Survey Commissioned Officers Act of 1948 (62 Stat. 298; 33 U.S.C. 853e(b))” and insert in lieu thereof: “section 223(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3023(b))”.

(b) In section 1(b), delete “section 12(a) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853j–1(a))” and insert in lieu thereof: “section 229(a) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3029(a))”.

(c) In section 1(c), delete “section 12(b) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853j–1(b))” and insert in lieu thereof: “section 229(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3029(b))”.

(d) In section 1(d), delete “section 12(c) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853j–1(c))” and insert in lieu thereof: “section 229(c) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3029(c))”.

(e) Section 1(e) shall be revised to read as follows: “The authority vested in the President by section 243(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3043(b)), to defer the retirement of an officer of the National Oceanic and Atmospheric Administration serving in a rank above that of

captain who has attained 62 years of age, but such a deferment may not extend beyond the first day of the month in which the officer becomes 64 years of age.”

(f) Section 1(f) shall be revised to read as follows: “The authority vested in the President by section 244 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3044), to retire from the active service any commissioned officer of the National Oceanic and Atmospheric Administration, upon his own application, who has completed 20 years of active service, of which at least 10 years was service as a commissioned officer.”

(g) In section 1(g), delete “section 23(a) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853t(a))” and insert in lieu thereof: “section 221(a)(4) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3021(a)(4))”.

(h) In section 1(h), delete “section 1(1) of the Act of December 3, 1942 (56 Stat. 1038; 33 U.S.C. 854a–1(1))” and insert in lieu thereof: “section 230(b)(1) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3030(b)(1))”.

(i) In section 1(i), delete “section 1(2) of the Act of December 3, 1942 (56 Stat. 1038; 33 U.S.C. 854a–1(2))” and insert in lieu thereof: “section 230(b)(2) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3030(b)(2))”.

(j) Section 1(j) shall be revised to read as follows: “The authority contained in section 230(b)(3) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3030(b)(3)), to appoint temporarily in all grades to which original appointments in the National Oceanic and Atmospheric Administration are authorized to fill vacancies caused by transfer of officers to the military departments.”

(k) In section 1(k), delete “section 16 of the Act of May 22, 1917 (40 Stat. 87; 33 U.S.C. 855)” and insert in lieu thereof: “section 251 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (Public Law 107–372; 33 U.S.C. 3061)”, and delete the word “personnel” in the two places in which it appears and insert in lieu thereof: “officers”.

Sec. 2. Section 1(m) is added to Executive Order 11023 to read as follows: “(m) The authority vested in the President by Public Law 96–215, as amended (10 U.S.C. 716(a)), to transfer any commissioned officer with his consent from his uniformed service to, and appoint him in, the National Oceanic and Atmospheric Administration, provided consent for the transfer is given by the Secretary of Defense, the Secretary of Homeland Security,

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or the Secretary of Health and Human Services, as applicable, in accordance with joint regulations issued under that statute establishing the policies and procedures for such transfers and appointments.”

GEORGE W. BUSH

The White House,
May 20, 2004.

Executive Order 13342 of June 1, 2004

Responsibilities of the Departments of Commerce and Veterans Affairs and the Small Business Administration With Respect to Faith-Based and Community Initiatives

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to help the Federal Government coordinate a national effort to expand opportunities for faith-based and other community organizations and to strengthen their capacity to better meet America’s social and community needs, it is hereby ordered as follows:

Section 1. *Establishment of Centers for Faith-Based and Community Initiatives at the Departments of Commerce and Veterans Affairs and the Small Business Administration.*

(a) The Secretaries of Commerce and Veterans Affairs and the Administrator of the Small Business Administration shall each establish within their respective agencies a Center for Faith-Based and Community Initiatives (Center).

(b) Each of these Centers shall be supervised by a Director, appointed by the agency head in consultation with the White House Office of Faith-Based and Community Initiatives (White House OFBCI).

(c) Each agency shall provide its Center with appropriate staff, administrative support, and other resources to meet its responsibilities under this order.

(d) Each Center shall begin operations no later than 45 days from the date of this order.

Sec. 2. *Purpose of Executive Branch Centers for Faith-Based and Community Initiatives.* The purpose of the agency Centers will be to coordinate agency efforts to eliminate regulatory, contracting, and other programmatic obstacles to the participation of faith-based and other community organizations in the provision of social and community services.

Sec. 3. *Responsibilities of the Centers for Faith-Based and Community Initiatives.* Each Center shall, to the extent permitted by law:

(a) conduct, in coordination with the White House OFBCI, an agency-wide audit to identify all existing barriers to the participation of faith-based and other community organizations in the delivery of social and community services by the agency, including but not limited to regulations, rules,

orders, procurement, and other internal policies and practices, and outreach activities that either facially discriminate against or otherwise discourage or disadvantage the participation of faith-based and other community organizations in Federal programs;

(b) coordinate a comprehensive agency effort to incorporate faith-based and other community organizations in agency programs and initiatives to the greatest extent possible;

(c) propose initiatives to remove barriers identified pursuant to section 3(a) of this order, including but not limited to reform of regulations, procurement, and other internal policies and practices, and outreach activities;

(d) propose the development of innovative pilot and demonstration programs to increase the participation of faith-based and other community organizations in Federal as well as State and local initiatives; and

(e) develop and coordinate agency outreach efforts to disseminate information more effectively to faith-based and other community organizations with respect to programming changes, contracting opportunities, and other agency initiatives, including but not limited to Web and Internet resources.

Sec. 4. Reporting Requirements. (a) *Report.* Not later than 180 days from the date of this order and annually thereafter, each of the three Centers described in section 1 of this order shall prepare and submit a report to the President through the White House OFBCI.

(b) *Contents.* The report shall include a description of the agency's efforts in carrying out its responsibilities under this order, including but not limited to:

(i) a comprehensive analysis of the barriers to the full participation of faith-based and other community organizations in the delivery of social and community services identified pursuant to section 3(a) of this order and the proposed strategies to eliminate those barriers; and

(ii) a summary of the technical assistance and other information that will be available to faith-based and other community organizations regarding the program activities of the agency and the preparation of applications or proposals for grants, cooperative agreements, contracts, and procurement.

(c) *Performance Indicators.* The first report, filed pursuant to section 4(a) of this order, shall include annual performance indicators and measurable objectives for agency action. Each report filed thereafter shall measure the agency's performance against the objectives set forth in the initial report.

Sec. 5. Responsibilities of the Secretaries of Commerce and Veterans Affairs and the Administrator of the Small Business Administration. The Secretaries and the Administrator shall:

(a) designate an employee within their respective agencies to serve as the liaison and point of contact with the White House OFBCI; and

(b) cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

Sec. 6. Administration and Judicial Review. (a) The agency actions directed by this executive order shall be carried out subject to the availability of appropriations and to the extent permitted by law.

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(b) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,
June 1, 2004.

Executive Order 13343 of June 6, 2004

Providing for the Closing of Government Departments and Agencies on June 11, 2004

By the authority vested in me as President by the Constitution and laws of the United States of America, it is hereby ordered as follows:

Section 1. All executive departments, independent establishments, and other governmental agencies shall be closed on June 11, 2004, as a mark of respect for Ronald Reagan, the fortieth President of the United States. That day shall be considered as falling within the scope of Executive Order 11582 of February 11, 1971, and of 5 U.S.C. 5546 and 6103(b) and other similar statutes insofar as they relate to the pay and leave of employees of the United States.

Sec. 2. The first sentence of section 1 of this order shall not apply to those offices and installations, or parts thereof, in the Department of State, the Department of Defense, the Department of Justice, the Department of Homeland Security, or other departments, independent establishments, and governmental agencies that the heads thereof determine should remain open for reasons of national security or defense or other essential public business.

GEORGE W. BUSH

The White House,
June 6, 2004.

Executive Order 13344 of July 7, 2004

Amending Executive Order 13261 on the Order of Succession in the Environmental Protection Agency

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345, *et seq.*, it is hereby ordered that Executive Order 13261 of March 19, 2002, is amended as follows:

Section 1. In section 2, subsections (a), (b), and (c) are deleted and replaced with the following new subsections (a), (b), and (c):

- (a) Assistant Administrator, Office of Solid Waste;

- (b) Assistant Administrator for Toxic Substances;
- (c) Assistant Administrator (Air and Radiation).

GEORGE W. BUSH

The White House,
July 7, 2004.

Executive Order 13345 of July 8, 2004

Assigning Foreign Affairs Functions and Implementing the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Agricultural Trade Development and Assistance Act of 1954 (ATDA Act), as amended, the Foreign Assistance Act of 1961 (Foreign Assistance Act), as amended, and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. *Functions to be Performed by the Secretary of the Treasury.* (a) The Secretary of the Treasury is hereby designated to perform the functions of the President under the following provisions of law:

(1) sections 603(b), 604(a), and 611 of the ATDA Act (7 U.S.C. 1738b(b), 1738c(a), and 1738j); and

(2) sections 703, 704(a), 805(b), 806(a), 807(a), 808(a), and 812 of the Foreign Assistance Act (22 U.S.C. 2430b, 2430c(a), 2431c(b), 2431d(a), 2431e(a), 2431f(a), and 2431j).

(b) The Secretary of the Treasury shall:

(1)(A) make determinations under the provisions of sections 703(b) and 805(b) of the Foreign Assistance Act in accordance with any recommendations received from the Secretary of State with respect to subsections 703(a)(1)–703(a)(4) and the corresponding recommendations under section 805(a)(1) of that Act; and

(B) make determinations under the provisions of section 805(b) of the Foreign Assistance Act in accordance with any recommendations from the Administrator of the United States Agency for International Development (USAID) with respect to section 803(5)(B) of that Act;

(2) exercise the functions under the provisions listed in section 1(a)(1) of this order in consultation with the Secretary of State and with the National Advisory Council on International Monetary and Financial Policies (Council) established by Executive Order 11269 of February 14, 1966;

(3) consult, as appropriate, with the Secretary of State, the Administrator of USAID, the Council, the Secretary of Agriculture, the Director of the

Office of Management and Budget, the Administrator of the Environmental Protection Agency, the Chairman of the Council on Environmental Quality, the Director of the Office of National Drug Control Policy, and the Chairman of the Council of Economic Advisers in the performance of all other functions under the provisions listed in section 1(a) of this order.

Sec. 2. *Functions to be Performed by the Secretary of State.* (a) The Secretary of State is hereby designated to perform the functions of the President under sections 607 and 614 of the ATDA Act (7 U.S.C. 1738f and 1738m) and section 813(a) of the Foreign Assistance Act (22 U.S.C. 2431k).

(b) The Secretary of State shall consult, as appropriate, with the Secretary of the Treasury and the Administrator of USAID, in the performance of functions under the provisions listed in subsection 2(a) of this order.

(c) The Secretary of State shall consult, as appropriate, in the performance of functions under section 607 of the ATDA Act, with the Secretary of Agriculture, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, the Chairman of the Council on Environmental Quality, and the heads of such other executive departments and agencies as the Secretary of State determines appropriate.

(d) The Secretary of State is hereby designated to receive advice or supplemental views on the President's behalf consistent with the following provisions of law:

(1) section 610(c)(1) of the ATDA Act (7 U.S.C. 1738i(c)(1)); and

(2) section 813(b) of the Foreign Assistance Act (22 U.S.C. 2431k).

Sec. 3. *Recommendation by USAID.* The Administrator of USAID shall make recommendations with respect to 803(5)(B) of the Foreign Assistance Act (22 U.S.C. 2431a(5)(B)), in cooperation with the Secretary of Agriculture and the Secretary of State.

Sec. 4. *Government Appointees to the Enterprise for the Americas Board.*

(a) Pursuant to section 610(b)(1)(A) of the ATDA Act (7 U.S.C. 1738i(b)(1)(A) and section 811(b)(1)(A) and (b)(2) of the Foreign Assistance Act (22 U.S.C. 2431i(b)(1)(A) and (b)(2)), the following officers or employees of the United States are hereby designated to serve as representatives on the Enterprise for the Americas Board:

(i) the designee of the Secretary of State, who shall be the chairperson of the Board;

(ii) the designee of the Secretary of the Treasury;

(iii) two designees of the Secretary of Agriculture, one of whom shall be an officer or employee of the United States Forest Service International Programs Office with experience in international forestry matters, and the other shall be an officer or employee of the Foreign Agricultural Service;

(iv) the designee of the Secretary of the Interior;

(v) the designee of the Administrator of the Environmental Protection Agency;

(vi) the designee of the Administrator of USAID, who shall be the vice chairperson of the Board; and

(vii) the designee of the Chairman of the Council on Environmental Quality.

(b) The Board shall permit the following officers or employees of the United States to attend and observe a Board meeting:

(i) a designee of the Secretary of Commerce; and

(ii) a designee of the head of any executive department or agency, if the meeting will relate to matters relevant to the activities of such executive department or agency.

(c) An officer of the United States listed in subsections 4(a) and 4(b) shall make a designation for purposes of those subsections in writing submitted to the Secretary of State and shall change any such designation in the same manner. The authority to make such a designation may not be delegated.

(d) The Secretary of State may, after consultation with the officers of the United States listed in subsection 4(b) and the Attorney General, as appropriate, establish such procedures as may be necessary to provide for the governance and administration of the Board.

Sec. 5. *Guidance for the Performance of Functions.* In performing functions under this order, officers of the United States:

(a) shall ensure that all actions taken by them are consistent with the President's constitutional authority to (i) conduct the foreign affairs of the United States, including the commencement, conduct, and termination of negotiations with foreign countries and international organizations, (ii) withhold information the disclosure of which could impair the foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive's constitutional duties, (iii) recommend for congressional consideration such measures as the President may judge necessary or expedient, and (iv) supervise the unitary executive branch;

(b) may further assign functions assigned by this order to officers of any department or agency within the executive branch to the extent permitted by law except as provided in subsection 4(c) of this order and such further assignment shall be published in the **Federal Register**; and

(c) shall consult the Attorney General as appropriate in implementing this section.

Sec. 6. *Revocation of Executive Orders.* The following Executive Orders are hereby revoked:

(a) Executive Order 12757 of March 19, 1991;

(b) Executive Order 12823 of December 3, 1992;

(c) Executive Order 13028 of December 3, 1996; and

(d) Executive Order 13131 of July 22, 1999.

Sec. 7. *Judicial Review.* This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,

July 8, 2004.

Executive Order 13346 of July 8, 2004

Delegation of Certain Waiver, Determination, Certification, Recommendation, and Reporting Functions

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. The functions of the President in making certain waivers, determinations, certifications, recommendations, and reports to the Congress are assigned as follows:

(a) The Secretary of State is authorized to make waivers, determinations, certifications, and recommendations, and to undertake related reporting, as described in:

(i) Section 402(d)(1) of the Trade Act of 1974, as amended (19 U.S.C. 2432(d)(1)), with respect to the extension of Jackson-Vanik waivers;

(ii) Section 609 of Division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277) as continued in effect by section 612 of Division B of the Consolidated Appropriations Act, 2004 (Public Law 108–199) with respect to cooperation related to persons missing in action and prisoners of war; and

(iii) Section 102(a)(2) of the Arms Export Control Act, as amended (22 U.S.C. 2799aa–1(a)), with respect to any Presidential determination under section 102(a)(1) that is also the subject of a determination and certification by the President pursuant to section 102(a)(2).

(b) The United States Trade Representative shall submit the report relating to sub-Saharan Africa under section 106 of the African Growth and Opportunity Act (Public Law 106–200, title 1).

Sec. 2. The functions of the President in making certifications to the Congress consistent with the resolution of advice and consent to ratification of the Chemical Weapons Convention adopted by the Senate on April 24, 1997 (Resolution) are assigned as follows:

(a) The Secretary of State is authorized to make a certification consistent with section 2(7)(C)(i) of the Resolution with respect to the effectiveness and viability of the Australia Group.

(b) The Secretary of Commerce is authorized to make a certification consistent with section 2(9) of the Resolution with respect to the interests of certain firms in the United States.

Sec. 3. Executive Order 12163 of September 29, 1979, as amended, is further amended, in section 1–100(a), by striking the period at the end of paragraph (12) and inserting a semicolon, and by inserting the following new paragraphs:

“(13) title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (Public Law 107–115), under the heading “Assistance for the Independent States of the Former Soviet Union,” in subsections (g)(4) and (6);”;

“(14) section 512 of Division D of the Consolidated Appropriations Act, 2004 (Public Law 108–199);”;

“(15) sections 5(c) and 6 of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415), as amended.”.

Sec. 4. Executive Order 13277 of November 19, 2002, is amended in section 1(b)(3) by adding after the phrase “Section 2105(a)(1)” the terms “(A) and (C)”.

Sec. 5. References in this order to provisions of any Act shall be deemed to include references to any provision of law that is the same or substantially the same as such provisions.

Sec. 6. In carrying out sections 1 and 2 of this order, officers of the United States shall ensure that all actions taken by them are consistent with the President’s constitutional authority to: (a) conduct the foreign affairs of the United States; (b) withhold information the disclosure of which could impair the foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive’s constitutional duties; (c) recommend for congressional consideration such measures as the President may judge necessary and expedient; and (d) supervise the unitary executive branch.

Sec. 7. 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, or legislative proposals.

Sec. 8. This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,
July 8, 2004.

Executive Order 13347 of July 22, 2004

Individuals With Disabilities in Emergency Preparedness

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to strengthen emergency preparedness with respect to individuals with disabilities, it is hereby ordered as follows:

Section 1. Policy. To ensure that the Federal Government appropriately supports safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism, it shall be the policy of the United States that executive departments and agencies of the Federal Government (agencies):

(a) consider, in their emergency preparedness planning, the unique needs of agency employees with disabilities and individuals with disabilities whom the agency serves;

(b) encourage, including through the provision of technical assistance, as appropriate, consideration of the unique needs of employees and individuals with disabilities served by State, local, and tribal governments and private organizations and individuals in emergency preparedness planning; and

(c) facilitate cooperation among Federal, State, local, and tribal governments and private organizations and individuals in the implementation of emergency preparedness plans as they relate to individuals with disabilities.

Sec. 2. *Establishment of Council.* (a) There is hereby established, within the Department of Homeland Security for administrative purposes, the Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities (the “Council”). The Council shall consist exclusively of the following members or their designees:

- (i) the heads of executive departments, the Administrator of the Environmental Protection Agency, the Administrator of General Services, the Director of the Office of Personnel Management, and the Commissioner of Social Security; and
- (ii) any other agency head as the Secretary of Homeland Security may, with the concurrence of the agency head, designate.

(b) The Secretary of Homeland Security shall chair the Council, convene and preside at its meetings, determine its agenda, direct its work, and, as appropriate to particular subject matters, establish and direct subgroups of the Council, which shall consist exclusively of Council members.

(c) A member of the Council may designate, to perform the Council functions of the member, an employee of the member’s department or agency who is either an officer of the United States appointed by the President, or a full-time employee serving in a position with pay equal to or greater than the minimum rate payable for GS–15 of the General Schedule.

Sec. 3. *Functions of Council.* (a) The Council shall:

- (i) coordinate implementation by agencies of the policy set forth in section 1 of this order;
- (ii) whenever the Council obtains in the performance of its functions information or advice from any individual who is not a full-time or permanent part-time Federal employee, obtain such information and advice only in a manner that seeks individual advice and does not involve collective judgment or consensus advice or deliberation; and
- (iii) at the request of any agency head (or the agency head’s designee under section 2(c) of this order) who is a member of the Council, unless the Secretary of Homeland Security declines the request, promptly review and provide advice, for the purpose of furthering the policy set forth in section 1, on a proposed action by that agency.

(b) The Council shall submit to the President each year beginning 1 year after the date of this order, through the Assistant to the President for Homeland Security, a report that describes:

- (i) the achievements of the Council in implementing the policy set forth in section 1;

- (ii) the best practices among Federal, State, local, and tribal governments and private organizations and individuals for emergency preparedness planning with respect to individuals with disabilities; and
- (iii) recommendations of the Council for advancing the policy set forth in section 1.

Sec. 4. General. (a) To the extent permitted by law:

- (i) agencies shall assist and provide information to the Council for the performance of its functions under this order; and
- (ii) the Department of Homeland Security shall provide funding and administrative support for the Council.

(b) 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, or legislative proposals.

(c) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,
July 22, 2004.

Executive Order 13348 of July 22, 2004

Blocking Property of Certain Persons and Prohibiting the Importation of Certain Goods from Liberia

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), section 5 of the United Nations Participation Act, as amended (22 U.S.C. 287c) (UNPA), and section 301 of title 3, United States Code, and in view of United Nations Security Council Resolutions 1521 of December 22, 2003, and 1532 of March 12, 2004,

I, GEORGE W. BUSH, President of the United States of America, note that the actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, have undermined Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. I further note that the Comprehensive Peace Agreement signed on August 18, 2003, and the related ceasefire have not yet been universally implemented throughout Liberia, and that the illicit trade in round logs and timber products is linked to the proliferation of and trafficking in illegal arms, which perpetuate the Liberian conflict and fuel and exacerbate other conflicts throughout West Africa. I find that the actions, policies, and circumstances described above constitute an unusual and extraordinary

threat to the foreign policy of the United States and hereby declare a national emergency to deal with that threat. To address that threat, I hereby order:

Section 1. (a) Except to the extent provided in section 203(b)(1), (3), and (4) of IEEPA (50 U.S.C. 1702(b)(1), (3), and (4)), or regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order, all property and interests in property of the following persons, that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

(i) the persons listed in the Annex to this order; and

(ii) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(A) to be or have been an immediate family member of Charles Taylor;

(B) to have been a senior official of the former Liberian regime headed by Charles Taylor or otherwise to have been or be a close ally or associate of Charles Taylor or the former Liberian regime;

(C) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the unlawful depletion of Liberian resources, the removal of Liberian resources from that country, and the secreting of Liberian funds and property by any person whose property and interests in property are blocked pursuant to this order; or

(D) to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order.

(b) I hereby determine that the making of donations of the type of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of, any person whose property or interests in property are blocked pursuant to paragraph (a) of this section would seriously impair my ability to deal with the national emergency declared in this order, and I hereby prohibit such donations as provided by paragraph (a) of this section.

(c) The prohibitions in paragraph (a) of this section include, but are not limited to,

(i) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of, any person whose property or interests in property are blocked pursuant to this order, and

(ii) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 2. Except to the extent provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order, the direct or indirect importation into the United States of any round log or timber product originating in Liberia is prohibited.

Sec. 3. (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 4. For purposes of this order: (a) the term “person” means an individual or entity;

(b) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States; and

(d) the term “round log or timber product” means any product classifiable in Chapter 44 of the Harmonized Tariff Schedule of the United States.

Sec. 5. For those persons whose property and interests in property are blocked pursuant to section 1 of this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 6. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and UNPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government, consistent with applicable law. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order and, where appropriate, to advise the Secretary of the Treasury in a timely manner of the measures taken.

Sec. 7. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to submit the recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of NEA, 50 U.S.C. 1641(c), and section 204(c) of IEEPA, 50 U.S.C. 1703(c).

Sec. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to determine, subsequent to the issuance of this order, that circumstances no longer warrant the inclusion of a person in the Annex to this order and that the property and interests in property of that person are therefore no longer blocked pursuant to section 1 of this order.

Sec. 9. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party

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Title 3—The President

against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

Sec. 10. This order is effective at 12:01 a.m. eastern daylight time on July 23, 2004.

Sec. 11. This order shall be transmitted to the Congress and published in the *Federal Register*.

GEORGE W. BUSH

The White House,
July 22, 2004.

Executive Orders

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ANNEX

1. ALLEN, Cyril
DOB: 26 JUL 1952
Former Chairman, National Patriotic Party; nationality Liberian;
alt. nationality Nigerian
2. BOUT, Viktor Anatolijevitch
aka BUTT
aka BONT
aka BUTTE
aka BOUTOV
aka SERGITOV, Vitali
DOB: 13 JAN 1967; alt. DOB: 13 JAN 1970
Businessman, dealer and transporter of weapons and minerals;
Passport No. 21N0532664; alt. Passport No. 29N0006765; alt.
Passport No. 21N0557148; alt. Passport No. 44N3570350
3. BRIGHT, Charles R.
DOB: 29 AUG 1948
Former Minister of Finance
4. CISSE, M. Moussa
aka KAMARA, Mamadee
DOB: 24 DEC 1946; alt. DOB: 26 JUN 1944
Former Chief of Presidential Protocol; Chairman, Mohammed Group
of Companies; Diplomatic Passport No. D-001548-99 <Liberia>;
Passport No. 0058070 <Liberia>
5. COOPER, Randolph
DOB: 28 OCT 1950
Former Managing Director, Roberts Intl. Airport
6. DARRAH, Kaddieyatu
aka DARAH, Kadiyatu
aka DARA, Kaddieyatu
aka DARA, Kadiyatu
Special Assistant to Charles Taylor
7. DUNBAR, Belle Y.
DOB: 27 OCT 1967; alt. DOB: 27 OCT 1963
Former Managing Director, Liberian Petroleum Refining Company
8. DUNBAR, Jenkins
DOB: 10 JAN 1947
Former Minister of Lands, Mines, Energy
9. FAWAS, Abbas
President, Maryland Wood Processing Industries; President, United
Logging Company; nationality Lebanese
10. GIBSON, Myrtle
DOB: 03 NOV 1952
Former Senator; advisor to Charles Taylor
11. GOODRIDGE, Reginald B. (Senior)
aka GOODRICH, Reginald B. (Senior)
DOB: 11 NOV 1952
Former Minister for Culture, Information, Tourism
12. JOBE, Baba
Director, Gambia New Millenium Air Company; Member of Parliament
of Gambia; nationality Gambian

13. KIJA TAI, Joseph Wong
Executive, Oriental Timber Company
14. KLEILAT, Ali
DOB: 10 JUL 1970; POB: Beirut, Lebanon; nationality Lebanese
Businessman
15. KOUWENHOVEN, Gus
aka KOUWENHOVEN, Gus
aka KOUENHOVEN, Gus
aka KOUENHAVEN, Gus
DOB: 15 SEP 1942; nationality Dutch
President, Oriental Timber Company; Owner, Hotel Africa;
Villa # 1, Hotel Africa Virginia, Monrovia, Liberia
P.O. Box 1522, Monrovia, Liberia
16. MININ, Leonid
aka BLAVSTEIN
aka BLYUVSHTEIN
aka BLYAFSHTEIN
aka BLUVSHTEIN
aka BLYVFSHTEIN
aka KERLER, Vladimir Abramovich
aka POPELOVESKI, Vladimir Abramovich
aka POPELAVESKI, Vladimir Abramovich
aka POPELOVESKI, Vladimir Abramovich
aka POPELA, Vladimir Abramovich
aka POPELO, Vladimir Abramovich
aka BRESLAN, Wolf
aka BRESLAN, Wulf
aka OSOLS, Igor
DOB: 14 DEC 1947; alt. DOB: 18 OCT 1946; Owner, Exotic Tropical
Timber Enterprise; nationality Ukrainian; Passport No.
5280007248D <Germany>; alt. Passport No. 18106739D <Germany>;
Passport No. 6019832 (6/11/94-5/11/99) <Israel>; alt. Passport
No. 9001689 (23/1/97-22/1/02) <Israel>; alt. Passport No.
90109052 (26/11/97) <Israel>; Passport No. KI0861177 <Russia>;
Passport No. 65118 <Bolivia>
17. NASR, Samir M.
aka RUPRAH, Sanjivan
DOB: 09 AUG 1966
Businessman; Former Deputy Commissioner, Bureau of Maritime
Affairs; Passport No. D-001829-00 <Liberia>; nationality Kenyan
18. NEAL, Juanita
DOB: 09 MAY 1947
Former Deputy Minister of Finance
19. SALAMI, Mohamed Ahmad
aka SALAME, Mohamed Ahmad
DOB: 22 SEP 1961
Owner, Mohamed Group of Companies; Taylor's informal diplomatic
representative; nationality Lebanese
20. SANKOH, Foday
Deceased
21. SHAW, Emmanuel (II)
DOB: 26 JUL 1946; alt. DOB: 26 JUL 1956; alt. DOB: 29 JUL 1956
Advisor to Charles Taylor

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22. TAYLOR, Charles Ghankay
aka TAYLOR, Charles MacArthur
aka SOME, Jean-Paul
aka SONE, Jean-Paul
DOB: 01 SEP 1947
Former President of Liberia

23. TAYLOR, Charles (Junior)
aka "Chuckie"
DOB: 12 FEB 1978
Advisor and son of former President Taylor

24. TAYLOR, Tupee Enid
DOB: 17 DEC 1962
Ex-wife of former President Taylor

25. REEVES-TAYLOR, Agnes
aka TAYLOR, Agnes Reeves
aka REEVES-TAYLOR
DOB: 27 SEP 1965
Ex-wife of former President Taylor; ex-Permanent Representative
to the International Maritime Organization; nationality Liberian

26. TAYLOR, Jewell Howard
DOB: 17 JAN 1963
Wife of former President Taylor

27. UREY, Benoni
DOB: 22 JUN 1957
Former Commissioner of Maritime Affairs; Diplomatic Passport No.
D-00148399 <Liberia>

28. YEATON, Benjamin
aka YEATEN, Benjamin
Former Director, Special Security Services; Diplomatic Passport
No. D-00123299 <Liberia>

Note: The identifying information with respect to each person listed in this Annex reflects information currently available and is provided solely to facilitate compliance with this order. Each individual listed in this Annex remains subject to the prohibitions of this order notwithstanding any change in title, position, or affiliation.

EO 13349

Title 3—The President

Executive Order 13349 of July 23, 2004

Amending Executive Order 13226 To Designate the President’s Council of Advisors on Science and Technology To Serve as the National Nanotechnology Advisory Panel

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the 21st Century Nanotechnology Research and Development Act (Public Law 108–153), and in order to designate the National Nanotechnology Advisory Panel pursuant to section 4(a) of that Act, it is hereby ordered as follows:

Executive Order 13226 of September 30, 2001, as amended, is further amended by adding a new section 2(c), to read as follows:

“(c) PCAST shall serve as the National Nanotechnology Advisory Panel under section 4 of the 21st Century Nanotechnology Research and Development Act (Public Law 108–153) (Act). Nothing in this Order shall be construed to require the National Nanotechnology Advisory Panel to comply with any requirement from which it is exempted by section 4(f) of the Act.”

GEORGE W. BUSH

The White House,
July 23, 2004.

Executive Order 13350 of July 29, 2004

Termination of Emergency Declared in Executive Order 12722 With Respect to Iraq and Modification of Executive Order 13290, Executive Order 13303, and Executive Order 13315

By the authority vested in me as President by the Constitution and laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*)(IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*)(NEA), section 5 of the United Nations Participation Act, as amended (22 U.S.C. 287c)(UNPA), and section 301 of title 3, United States Code,

I, GEORGE W. BUSH, President of the United States of America, have determined that the situation that gave rise to the declaration of a national emergency with respect to Iraq in Executive Order 12722 of August 2, 1990, has been significantly altered by the removal of the regime of Saddam Hussein and other developments. I hereby terminate the national emergency declared in Executive Order 12722, revoke that Executive Order and Executive Order 12724 of August 9, 1990, Executive Order 12734 of November 14, 1990, Executive Order 12743 of January 18, 1991, Executive Order 12751 of February 14, 1991, and Executive Order 12817 of October 21, 1992, that are based on that national emergency. I hereby amend Executive Order 13290 of March 20, 2003, so that the authorities therein remain in

effect based on the national emergency I declared in Executive Order 13303 of May 22, 2003, and expanded in Executive Order 13315 of August 28, 2003. At the same time, and in order to take additional steps to deal with the national emergency that I declared in Executive Order 13303, and expanded in Executive Order 13315, with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in that country, and the development of political, administrative and economic institutions in Iraq, I hereby order:

Section 1. Pursuant to section 202(a) of the NEA (50 U.S.C. 1622(a)), termination of the national emergency declared in Executive Order 12722 shall not affect any action taken or proceeding pending but not finally concluded or determined as of the effective date of this order, any action or proceeding based on any act committed prior to such date, or any rights or duties that matured or penalties that were incurred prior to such date. Pursuant to section 207(a) of IEEPA (50 U.S.C. 1706(a)), and subject to such regulations, orders, directives, or licenses as may be issued pursuant to this order, I hereby determine that the continuation of prohibitions with regard to transactions involving property blocked pursuant to Executive Orders 12722 or 12724 that continues to be blocked as of the effective date of this order is necessary on account of claims involving Iraq.

Sec. 2. The Annex to Executive Order 13315 is replaced and superseded in its entirety by the Annex to this order.

Sec. 3. I hereby amend Executive Order 13290 by removing “the national emergency declared in Executive Order 12722 of August 2, 1990” and replacing it with “the national emergency declared in Executive Order 13303 of March 20, 2003, and expanded in Executive Order 13315 of August 28, 2003”.

Sec. 4. Unless licensed or otherwise authorized pursuant to this order or otherwise consistent with U.S. law, the trade in or transfer of ownership or possession of Iraqi cultural property or other items of archeological, historical, cultural, rare scientific, and religious importance that were illegally removed, or for which a reasonable suspicion exists that they were illegally removed, from the Iraq National Museum, the National Library, and other locations in Iraq since August 6, 1990, is prohibited.

Sec. 5. I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by or to persons determined to be subject to the sanctions imposed by Executive Order 13315 or by this order would seriously impair my ability to deal with the national emergency declared in Executive Order 13303, and expanded by Executive Order 13315, or would endanger the Armed Forces of the United States that are engaged in hostilities, and I hereby prohibit such donations as provided in section 1 of Executive Order 13315 as amended by this order.

Sec. 6. For those persons listed in the Annex to this order or determined to be subject to Executive Order 13315 or this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these

measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13303, and expanded by Executive Order 13315, there need be no prior notice of a listing or determination made pursuant to Executive Order 13315 or this order.

Sec. 7. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and UNPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to determine subsequent to the issuance of the order, that circumstances no longer warrant the inclusion of a person in the Annex to this order and that such person is therefore no longer covered within the scope of the order.

Sec. 9. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, officers or employees, or any other person.

Sec. 10. This order is effective at 12:01 a.m. eastern daylight time on July 30, 2004. This order shall be transmitted to the Congress and published in the **Federal Register**.

GEORGE W. BUSH

The White House,
July 29, 2004.

Executive Orders

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ANNEX

I. List of 55 Senior Iraqi Officials as previously named in Executive Order 13315:

1. ABD-AL-GHAFUR, Humam abd-al-Khaliq (a.k.a. 'ABD AL-RAHMAN, Humam 'abd al-Khaliq; a.k.a. ABD AL-GHAFUR, Humam Abd al-Khaliq; a.k.a. GHAFUR, Humam Abdel Khaleq Abdel; a.k.a. RASHID, Humam 'abd al-Khaliq) (DOB 1945; POB ar-Ramadi, Iraq; Former Minister of Higher Education and Research; M0018061/104, issued 12 September 1993; nationality Iraqi) (individual)
2. AL-AHMAD, Mahmud Dhiyab (a.k.a. AL-AHMAD, Mahmoud Dhiyab; a.k.a. AL-AHMAD, Mahmoud Diab) (DOB 1953; POB Mosul or Baghdad, Iraq; Former Minister of Interior; nationality Iraqi) (individual)
3. AL-AWADI, Hussein Qaid (Former Ba'th party regional command chairman, Ninawa, nationality Iraqi) (individual)
4. AL-AZZAWI, Hikmat Mizban Ibrahim (DOB 1934; POB Diyala, Iraq; Former Deputy Prime Minister and Finance Minister; nationality Iraqi) (individual)
5. AL-DULAYMI, Latif Nusayyif Jasim (DOB circa 1941; POB Ar-Rashidiya suburb of Baghdad, Iraq; Former Ba'th party military bureau deputy chairman; nationality Iraqi) (individual)
6. AL-DURI, Izzat Ibrahim (a.k.a. Abu Ahmad; a.k.a. Abu Brays) (DOB circa 1942; POB al-Dur, Iraq; Former deputy commander-in-chief of Iraqi military; deputy secretary, former Ba'th party regional command; former vice chairman, Revolutionary Command Council; nationality Iraqi) (individual)
7. AL-JIZRAWI, Taha Yassin Ramadan (a.k.a. RAMADAN, Taha Yasin; a.k.a. RAMADAN, Taha Yassin) (DOB circa 1938; Former vice president; nationality Iraqi) (individual)
8. AL-KHAFAJI, Muhsin Khadr (Former Ba'th party regional command chairman, al-Qadisiyah; nationality Iraqi) (individual)
9. AL-KUBAYSI, Uгла Abid Saqar (a.k.a. Saqr al-Kabisi abd Aqala) (DOB 1944; POB Kubaisi, al-Anbar Governorate, Iraq; Former Ba'th party regional command chairman, Maysan; nationality Iraqi) (individual)
10. AL-MASHHADANI, Saif-al-Din (DOB 1956; POB Baghdad, Iraq; Former Ba'th party regional command chairman, al-Muthanna; nationality Iraqi) (individual)
11. AL-MUHAMMAD, Khamis Sirhan (a.k.a. Dr. Khamis) (Former Ba'th party regional command chairman, Karbala; nationality Iraqi) (individual)
12. AL-NAJIM, Samir abd al-Aziz (DOB 1937; alt. DOB 1938; POB Baghdad, Iraq; Former Ba'th party regional command chairman, East Baghdad; nationality Iraqi) (individual)
13. AL-NAQIB, Zuhair Talib abd-al-Sattar (DOB circa 1948; Former Director, Military Intelligence; nationality Iraqi) (individual)

14. AL-NUMAN, Aziz Salih (DOB 1941; alt. DOB 1945; POB An Nasiriyah, Iraq; Former Ba'th party regional command chairman; nationality Iraqi) (individual)
15. AL-RAWI, Ayad Futayyih Khalifa (DOB 1942; POB Rawah, Iraq; Former Quds Force Chief of Staff; nationality Iraqi) (individual)
16. AL-RAWI, Saif-al-Din Fulayyih Hassan Taha (a.k.a. AL-RAWI, Ayad Futayyih) (DOB 1953; POB Ar Ramadi, al-Anbar Governorate, Iraq; Former Republican Guard chief of staff; nationality Iraqi) (individual)
17. AL-SA'DI, Amir Hamudi Hassan (DOB 5 Apr 1938; POB Baghdad, Iraq; former presidential scientific advisor; Passport No. NO33301/862, issued 17 October 1997, expires 1 October 2005; Passport No. M0003264580; Passport No. H0100009, issued 1 May 2002; nationality Iraqi) (individual)
18. AL-SA'DUN, Muhammad Zimam abd-al-Razzaq (DOB 1942; POB Suq ash-Shuyukh District, Dhi-Qar, Iraq; Former Ba'th party regional chairman, at-Tamim; nationality Iraqi) (individual)
19. AL-SAD'UN, Abd-al-Baqi abd-al-Karim Abdallah (DOB 1947; Former Ba'th party regional command chairman, Diyala; nationality Iraqi) (individual)
20. AL-SALIH, Muhammad Mahdi (a.k.a. SALEH, Mohammed Mahdi) (DOB 1947; alt. DOB 1949; POB al-Anbar Governorate, Iraq; Former Minister of Trade; nationality Iraqi) (individual)
21. AL-TAI, Sultan Hashim Ahmad (DOB circa 1944; POB Mosul, Iraq; Former Minister of Defense; nationality Iraqi) (individual)
22. AL-TIKRITI, Abid Hamid Mahmud (a.k.a. HAMMUD, Abed Mahmoud; a.k.a. MAHMOUD, Col. Abdel Hamid; a.k.a. MAHMUD, Abid Hamid bid Hamid) (DOB circa 1957; POB al-Awja, near Tikrit, Iraq; Saddam Hussein al-Tikriti's presidential secretary and key advisor; nationality Iraqi) (individual)
23. AL-TIKRITI, Ali Hassan al-Majid (a.k.a. al-Kimawi; a.k.a. AL-MAJID, General Ali Hasan; a.k.a. AL-MAJID, General Ali Hassan) (DOB 1943; alt. DOB 1941; POB al-Awja, near Tikrit, Iraq; former presidential advisor and former senior member of Revolutionary Command Council; nationality Iraqi) (individual)
24. AL-TIKRITI, Barzan abd al-Ghafur Sulaiman Majid (a.k.a. AL-GHAFUR, Barzan Razuki abd) (DOB 1960; POB Salah al-Din, Iraq; former commander, Special Republican Guard; nationality Iraqi) (individual)
25. AL-TIKRITI, Barzan Ibrahim Hassan (a.k.a. AL-TAKRITI, Barzan Ibrahim Hassan; a.k.a. AL-TIKRITI, Barzan Ibrahim Hasan), Geneva, Switzerland (DOB 17 Feb 1951; POB Tikrit, Iraq; former presidential advisor; half-brother of Saddam Hussein al-Tikriti; Passport No. M0001666/970; Passport No. NM0000860/114; Passport No. M0009851/1; nationality Iraqi) (individual)
26. AL-TIKRITI, Hamid Raja Shalah (a.k.a. AL-TIKRITI, Hamid Raja Shalah Hassan; a.k.a. AL-TIKRITI, Hamid Raja-Shalah Hassum) (DOB 1950; POB Bayji, Salah al-Din Governorate, Iraq; former air force commander; nationality Iraqi) (individual)

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27. AL-TIKRITI, Hani abd-al-Latif Tilfah (DOB circa 1962; POB al-Awja, near Tikrit, Iraq; Former #2 in Special Security Organization; nationality Iraqi) (individual)
28. AL-TIKRITI, Ibrahim Ahmad abd al-Sattar Muhammed (DOB 1943; alt. DOB 1950; alt. DOB 1952; POB Ba'qubah or al-Sumayda/Shirgat, Iraq; former armed forces chief of staff; nationality Iraqi) (individual)
29. AL-TIKRITI, Jamal Mustafa Abdallah Sultan (DOB 4 May 1955; POB al-Sannah, near Tikrit, Iraq; former deputy head of tribal affairs in presidential office; nationality Iraqi) (individual)
30. AL-TIKRITI, Kamal Mustafa Sultan Abdallah (a.k.a. ABDALLAH, Kamal Mustafa; a.k.a. AL-TIKRITI, Kamal Mustafa Abdallah Sultan) (DOB 1952; alt. DOB 4 May 1955, POB Tikrit, Iraq; Former Republican Guard Secretary; formerly led Special Republican Guard and commanded both Republican Guard corps; nationality Iraqi) (individual)
31. AL-TIKRITI, Muzahim Sa'b Hassan (DOB circa 1946; alt. DOB 1949 al-Awja, near Tikrit, Iraq; formerly led Iraq's Air Defense Forces; Former Deputy Director, Organization of Military Industrialization; nationality Iraqi) (individual)
32. AL-TIKRITI, Qusay Saddam Hussein (DOB 1965; alt. DOB 1966; POB Baghdad, Iraq; Saddam Hussein al-Tikriti's second son; formerly oversaw Special Republican Guard, Special Security Organization, and Republican Guard; nationality Iraqi) (individual)
33. AL-TIKRITI, Rafi abd-al-Latif Tilfah (DOB circa 1954; POB Tikrit, Iraq; Former Director, Directorate of General Security; nationality Iraqi) (individual)
34. AL-TIKRITI, Rukan Razuki abd-al-Ghafur Sulaiman (a.k.a. Abu Walid; a.k.a. AL-MAJID, Rukan abd al-Gafur; a.k.a. AL-MAJID, Rukan abdal-Ghaffur Sulayman; a.k.a. AL-MAJID, Rukan Razuqi abd al-Gahfur; a.k.a. AL-TIKRITI, Rukan 'abd al-Ghaffur al-Majid; a.k.a. AL-TIKRITI, Rukan abd al-Ghaffur al-Majid) (DOB 1956, POB Tikrit, Iraq; former head of Tribal Affairs Office in presidential office; nationality Iraqi) (individual)
35. AL-TIKRITI, Sa'd abd-al-Majid al-Faysal (DOB 1944; POB Tikrit, Iraq; Former Ba'th party regional command chairman, Salah al-Din; nationality Iraqi) (individual)
36. AL-TIKRITI, Sab'awi Ibrahim Hassan (a.k.a. AL-TAKRITI, Sabawi Ibrahim Hassan) (DOB 1947; POB Tikrit, Iraq; former presidential advisor; half-brother of Saddam Hussein al-Tikriti; nationality Iraqi) (individual)
37. AL-TIKRITI, Saddam Hussein (a.k.a. Abu Ali; a.k.a. HUSAYN, Saddam; a.k.a. HUSSAIN, Saddam; a.k.a. HUSSEIN, Saddam) (DOB 28 Apr 1937, POB al-Awja, near Tikrit, Iraq; named in UNSCR 1483; Former President; nationality Iraqi) (individual)
38. AL-TIKRITI, Tahir Jalil Habbush (DOB 1950; POB Tikrit, Iraq; former director of Iraqi Intelligence Service; nationality Iraqi) (individual)

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39. AL-TIKRITI, Uday Saddam Hussein (a.k.a. HUSSEIN, Uday Saddam) (DOB 1964 alt. DOB 1967; POB Baghdad, Iraq; Saddam Hussein al-Tikriti's eldest son; former leader of paramilitary organization Fedayeen Saddam; nationality Iraqi) (individual)
40. AL-TIKRITI, Walid Hamid Tawfiq (a.k.a. AL-NASIRI, Walid Hamid Tawfiq) (DOB circa 1950, POB Tikrit, Iraq; Former Governor of Basrah; nationality Iraqi) (individual)
41. AL-TIKRITI, Watban Ibrahim Hassan (a.k.a. AL-HASSAN, Watab Ibrahim; a.k.a. AL-TAKRITI, Watban; a.k.a. AL-TIKRITI, Watban Ibrahim al-Hasan) (DOB 1952; POB Tikrit, Iraq; former presidential advisor; half-brother of Saddam Hussein al-Tikriti; nationality Iraqi) (individual)
42. AL-UBAIDI, Amir Rashid Muhammad (DOB 1939; POB Baghdad, Iraq; Former Minister of Oil; nationality Iraqi) (individual)
43. AL-UBAIDI, Ghazi Hammud (DOB 1944; POB Baghdad, Iraq; Former Ba'th party regional command chairman, Wasit; nationality Iraqi) (individual)
44. AL-UBAIDI, Yahia Abdallah (Former Ba'th party regional command chairman, al-Basrah; nationality Iraqi) (individual)
45. AL-YASSIN, Husam Muhammad Amin (DOB 1953; alt. DOB 1958; POB Tikrit, Iraq; head, Former National Monitoring Directorate; nationality Iraqi) (individual)
46. AMMASH, Huda Salih Mahdi (DOB 1953; POB Baghdad, Iraq; member, Former Ba'th party regional command; nationality Iraqi) (individual)
47. AZIZ, Tariq (a.k.a. AZIZ, Tariq Mikhail) (DOB 1 Jul 1936; POB Mosul or Baghdad, Iraq; Former Deputy Prime Minister; Passport No. NO34409/129 (July 1997); nationality Iraqi) (individual)
48. GHALIB, Nayif Shindakh Thamir (Former Ba'th party regional command chairman, an-Najaf; member; Iraqi National Assembly; nationality Iraqi) (individual)
49. GHARIB, Fadil Mahmud (a.k.a. AL-MASHAIKHI, Gharib Muhammad Fazel) (DOB 1944; POB Dujail, Iraq; Former Ba'th party regional command chairman, Babil; former chairman, General Federation of Iraqi Trade Unions; nationality Iraqi) (individual)
50. HADI, Mizban Khadr (DOB 1938; POB Mandali District, Diyala, Iraq; member, Former Ba'th party regional command and Revolutionary Command Council since 1991; nationality Iraqi) (individual)
51. HUWAYSH, Abd-al-Tawab Mullah (DOB 1957; alt. DOB 14 Mar 1942; POB Mosul or Baghdad, Iraq; former deputy prime minister; former director, Organization of Military Industrialization; nationality Iraqi) (individual)
52. KAZIM, Rashid Taan (Former Ba'th party regional command chairman, al-Anbar; nationality Iraqi) (individual)

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53. MA'RUF, Taha Muhyi-al-Din (a.k.a. MARUF, Taha, Muhyi al-Din) (DOB 1924; POB Sulaymaniyah, Iraq; Former Vice President; former member of Revolutionary Command Council; nationality Iraqi) (individual)
54. MAHDI, Adil Abdallah (DOB 1945; POB al-Dur, Iraq; Former Ba'th party regional command chairman, Dhi-Qar) (individual)
55. ZUBAIDI, Muhammad Hamza (a.k.a. AL-ZUBAIDI, Mohammed Hamza; a.k.a. AL-ZUBAYDI, Muhammad Hamsa) (DOB 1938; POB Babylon, Babil Governorate, Iraq; former prime minister; nationality Iraqi) (individual)

II. Persons previously designated as subject to Executive Orders 12722 or 12724, or the Iraqi Sanctions Regulations, Title 31, Code of Federal Regulations, who are also determined to be subject to Executive Order 13315 and this order:

1. A.T.E. INTERNATIONAL LTD. (f.k.a. RWR INTERNATIONAL COMMODITIES), 3 Mandeville Place, London, England
2. A.W.A. ENGINEERING LIMITED, 3 Mandeville Place, London, England
3. ABBAS, Abdul Hussein, Italy (individual)
4. ABBAS, Kassim, Lerchesbergring, 23A, D-60598, Frankfurt, Germany (DOB 7 Aug 1956; POB Baghdad, Iraq) (individual)
5. ADMINCHECK LIMITED, 1 Old Burlington Street, London, England
6. ADVANCED ELECTRONICS DEVELOPMENT, LTD., 3 Mandeville Place, London, England
7. AHMAD, Rasem, P.O. Box 1318, Amman, Jordan (individual)
8. AHMAD, Wallid Issa, Iraq (individual)
9. AL-AMIRI, Adnan Talib Hassim, 43 Palace Mansions, Hammersmith, London, England (individual)
10. AL-ARABI TRADING COMPANY LIMITED, Lane 11, Hai Babil, Baghdad District 929, Iraq
11. AL-ATRUSH, Abd al-Wahhab Umar Mirza (a.k.a. AL-ATRUSHI, Abdel Wahab), a former minister of state, Iraq (DOB 1936) (individual)
12. AL-AZAWI, Dafir, Iraq (individual)
13. AL-BAZZAZ, Hikmet Abdallah (a.k.a. AL-BAZAZ, Hikmet Abdullah), Former Minister of Education, Iraq (individual)
14. AL-DAJANI, Leila N.S., P.O. Box 1318, Amman, Jordan (individual)
15. AL-DAJANI, Nadim S., P.O. Box 1318, Amman, Jordan (individual)
16. AL-DAJANI, Sa'ad, P.O. Box 1318, Amman, Jordan (individual)

17. AL-DULAIMI, Khalaf M. M., Baghdad, Iraq (individual)
18. AL-HABOBI, Dr. Safa Haji J. (a.k.a. AL-HABOBI, Dr. Safa; a.k.a. AL-HABUBI, Dr. Safa Hadi Jawad; a.k.a. HABUBI, Dr. Safa Hadi Jawad; a.k.a. HABUBI, Dr. Safa Jawad; a.k.a. JAWAD, Dr. Safa Hadi), Former Minister of Oil, Flat 4D Thorney Court, Palace Gate, Kensington, England; Iraq (DOB 01 Jul 46) (individual)
19. AL-HAMMADI, Hamid Yusif (a.k.a. HAMADI, Hamed Yussef), Former Minister of Culture and Information, Iraq (individual)
20. AL-HASSAN, Anas Malik Dohan (a.k.a. AL-HASSAN, Anas; a.k.a. DOHAN, Anas; a.k.a. DOHAN, Anas Malik; a.k.a. MALIK, Anas), Baghdad, Iraq (individual)
21. AL-HASSAN, Anas Malik Dohan (a.k.a. AL-HASSAN, Anas; a.k.a. DOHAN, Anas; a.k.a. DOHAN, Anas Malik; a.k.a. MALIK, Anas), Jordan (individual)
22. AL-HUWAYSH, Isam Rashid, Former Governor of the Central Bank, Iraq (individual)
23. AL-JABBURI, Sadi Tuma Abbas, Former Adviser to the President for Military Affairs, Iraq (DOB 1939) (individual)
24. AL-KHAFAJI, Sabah, 254 Rue Adolphe Pajeaud, 92160 Antony, France (individual)
25. AL-KHODAIR, Ahmad Hussein (a.k.a. SAMARRAI, Ahmad Husayn Khudayir), Former Minister of Finance, Iraq (DOB 1941) (individual)
26. AL-MAJID, Hussein Kamel Hassan (a.k.a. AL-MAJID, Husayn Kamil Hasan), Former Minister of Industry and Minerals and Advisor to the President, Baghdad, Iraq (DOB 1955) (individual)
27. AL-MALIKI, Shabib Lazem (a.k.a. AL-MALEKI, Shebib Lazim), Former Minister of Justice, Iraq (DOB 1936) (individual)
28. AL-QASIR, Nazar Jumah Ali (a.k.a. AL-QASSIR, Nizar Jomaa Ali), Former Minister of Irrigation, Iraq (individual)
29. AL-RIDA, Karim Hasan (a.k.a. RIDA, Karim Hassan), Former Minister of Agriculture, Iraq (DOB 1944) (individual)
30. AL-RUBA, Dr. Khadim, Managing Director of REAL ESTATE BANK, Iraq (individual)
31. AL-SAHAF, Muhammad Said Kazim (a.k.a. AL-SAHAF, Mohammed Said), Former Minister of Foreign Affairs, Iraq (DOB 1940) (individual)
32. AL-ZIBARI, Arshad Muhammad Ahmad Muhammad, a former minister of state, Iraq (DOB 1942) (individual)
33. ALAWI, Abdel-Salam Abdel-Rahman (a.k.a. ALLAWI, Salam), General Manager of INDUSTRIAL BANK OF IRAQ, Iraq (individual)
34. ALI, Ali Abdul Mutalib, Germany (individual)

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35. ALWAN, Allaidin Hussain (a.k.a. ALWAN, Alla Idin Hussain), Baghdad, Iraq (individual)
36. AMD CO. LTD AGENCY, Al-Tahrir Car Parking Building, Tahrir Sq., Floor 3, Office 33, P.O. Box 8044, Baghdad, Iraq
37. ARAB PETROLEUM ENGINEERING COMPANY LTD., Amman, Jordan
38. ARAB PROJECTS COMPANY S.A. LTD., P.O. Box 1318, Amman, Jordan
39. ARAB PROJECTS COMPANY S.A. LTD., P.O. Box 1972, Riyadh, Saudi Arabia
40. ARAB PROJECTS COMPANY S.A. LTD., P.O. Box 7939, Beirut, Lebanon
41. ARCHI CENTRE I.C.E. LIMITED, 3 Mandeville Place, London, England
42. ARCHICONSULT LIMITED, 128 Buckingham Place, London 5, England
43. ASSOCIATED ENGINEERS, England
44. ATIA, Hachim K., 2 Stratford Place, London W1N 9AE, England (individual)
45. ATIA, Hachim K., Hay Al-Adil, Mahala-645, Zukak-8, No.-39, Baghdad, Iraq (individual)
46. ATIA, Hachim K., Lane 15, Area 902, Hai Al-Wahda, Baghdad, Iraq (individual)
47. ATLAS AIR CONDITIONING COMPANY LIMITED, 55 Roebuck House, Palace Street, London, England
48. ATLAS EQUIPMENT COMPANY LIMITED, 55 Roebuck House, Palace Street, London, England
49. BABIL INTERNATIONAL, Aeroport D'Orly, 94390 Orly Aerogare, France
50. BAROON SHIPPING COMPANY LIMITED, Haven Court, 5 Library Ramp, Gibraltar
51. BAY INDUSTRIES, INC., 10100 Santa Monica Boulevard, Santa Monica, California, U.S.A.
52. BUHLER, Bruno, 57 Rue du Rhone, CH-1204 Geneva, Switzerland (individual)
53. DAGHIR, Ali Ashour, 2 Western Road, Western Green, Thames Ditton, Surrey, England (individual)
54. DOMINION INTERNATIONAL, England
55. DURAND PROPERTIES LIMITED, Haven Court, 5 Library Ramp, Gibraltar
56. ENDSHIRE EXPORT MARKETING, England

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57. EUROMAC EUROPEAN MANUFACTURER CENTER SRL, Via Ampere 5, 20052 Monza, Italy
58. EUROMAC TRASPORTI INTERNATIONAL SRL, Via Ampere 5, 20052 Monza, Italy
59. EUROMAC, LTD., 4 Bishops Avenue, Northwood, Middlesex, England
60. FALCON SYSTEMS, England
61. FARAJ, Samal Majid, Former Minister of Planning, Iraq (individual)
62. FARTRADE HOLDINGS S.A., Switzerland
63. FATTAH, Jum'a Abdul, P.O. Box 1318, Amman, Jordan (individual)
64. H & H METALFORM GMBH, Postfach 1160, Strontianitstrasse 5, 4406 Drensteinfurt, Germany
65. HABIB, Mohammed Turki, Baghdad, Iraq (individual)
66. HELFORD DIRECTORS LIMITED, Haven Court, 5 Library Ramp, Gibraltar
67. I.P.C. INTERNATIONAL LIMITED, England
68. I.P.C. MARKETING LIMITED, England
69. INVESTACAST PRECISION CASTINGS, LTD., 112 City Road, London, England
70. IRAQI ALLIED SERVICES LIMITED, England
71. IRAQI FREIGHT SERVICES LIMITED, England
72. IRAQI TRADE CENTER, Dubai, U.A.E.
73. JARACO S.A. (a.k.a. SOKTAR; f.k.a. TRADACO S.A.), 45 Route de Frontenex, CH-1207 Geneva, Switzerland
74. JASIM, Latif Nusayyif (a.k.a. JASSEM, Latif Nassif), Former Minister of Labor and Social Affairs, Baghdad, Iraq (DOB 1941) (individual)
75. JON, Hana Paul, 19 Tudor House, Windsor Way, Brook Green, London, England (individual)
76. JUME'AN, George, P.O. Box 1318, Amman, Jordan (individual)
77. KADHUM, Dr. Fadel Jawad, c/o Alvaney Court, 250 Finchley Road, London, England (individual)
78. KARAGHULLY, Labeed A., General Manager of REAL ESTATE BANK, Iraq (individual)
79. KEENCLOUD LIMITED, 11 Catherine Place, Westminster, London, England
80. KHALIL, Dr. Ahmad Murtada Ahmad (a.k.a. KHALIL, Ahmad Murtadha Ahmad), Former Minister of Transport and Communications, Iraq (individual)

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81. MALIK, Assim Mohammed Rafiq Abdul (a.k.a. ABDULMALIK, Abdul Hameed; a.k.a. RAFIQ, Assem), 14 Almotaz Sad Al Deen Street, Al Nozha, Cairo, Egypt (individual)
82. MATRIX CHURCHILL CORPORATION, 5903 Harper Road, Cleveland, Ohio 44139, U.S.A.
83. MEED INTERNATIONAL LIMITED, 3 Mandeville Place, London, England
84. MIDCO FINANCE S.A. (a.k.a. MIDCO FINANCIAL S.A.; a.k.a. MONTANA MANAGEMENT INC.), 57 Rue du Rhone, CH-1204 Geneva, Switzerland
85. MIDCO FINANCE S.A. (a.k.a. MIDCO FINANCIAL S.A.; a.k.a. MONTANA MANAGEMENT INC.), c/o Morgan & Morgan, Edificio Torre Swiss Bank, Piso 16, Calle 53 Este, Marbella, Panama City, Republic of Panama
86. MOHAMED, Abdul Kader Ibrahim, Jianguomenwai Diplomatic Housing Compound, Building 7-1, 5th Floor, Apartment 4, Beijing, People's Republic of China (individual)
87. MUBARAK, Umid Medhat (a.k.a. MUBARAK, Umid Midhat), Former Minister of Health, Iraq (DOB ca. 1940) (individual)
88. NAMAN, Saalim (a.k.a. NAMAN, Sam), P.O. Box 39, Fletchamstead Highway, Coventry, England; Iraq; Amman, Jordan; 5903 Harper Road, Solon, OH, U.S.A.; 3343 Woodview Lake Road, West Bloomfield, MI 48323, U.S.A. (individual)
89. NESSI, Ferruccio, Piazza Grande 26, 6600 Locarno, Switzerland (individual)
90. OMRAN, Karim Dhaidas, Iraq (individual)
91. ORIENT SHIPPING LIMITED, Lot 18, Bay Street, Kingstowne, St. Vincent and the Grenadines
92. PANDORA SHIPPING CO. S.A., Honduras
93. PETRA NAVIGATION & INTERNATIONAL TRADING CO. LTD. (a.k.a. AL PETRA COMPANY FOR GOODS TRANSPORT LTD.), Hai Al Wahda Mahalat 906, 906 Zulak 50, House 14, Baghdad, Iraq
94. RAJBROOK LIMITED, England
95. REYNOLDS AND WILSON, LTD., 21 Victoria Road, Surbiton, Surrey KT6 4LK, England
96. RICKS, Roy, 87 St. Mary's Frice, Benfleet, Essex, England (individual)
97. RZOOKI, Hanna, Chairman of REAL ESTATE BANK, Iraq (individual)
98. S.M.I. SEWING MACHINES ITALY S.P.A., Italy
99. SALIH, Abd al-Munim Ahmad (a.k.a. SALEH, Abdel Moneim Ahmad), Former Minister of Awqaf and Religious Affairs, Iraq (DOB 1943) (individual)

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100. SPECKMAN, Jeanine, England (individual)
101. T N K FABRICS LIMITED, England
102. T.E.G. LIMITED, 3 Mandeville Place, London, England
103. T.M.G. ENGINEERING LIMITED, Castle Row, Horticultural Place, Chiswick, London, England
104. TALL, Aktham, P.O. Box 1318, Amman, Jordan (individual)
105. TARIQ ABU SHANAB EST. FOR TRADE & COMMERCE (a.k.a. ABU SHANAB METALS ESTABLISHMENT; a.k.a. AMIN ABU SHANAB & SONS CO.; a.k.a. SHANAB METALS ESTABLISHMENT; a.k.a. TARIQ ABU SHANAB EST.; a.k.a. TARIQ ABU SHANAB METALS ESTABLISHMENT), Musherfeh, P.O. Box 766, Zarka, Jordan
106. TECHNOLOGY AND DEVELOPMENT GROUP LTD. (a.k.a. T.D.G.), Centric House 390/391, Strand, London, England
107. TIGRIS TRADING, INC., 2 Stratford Place, London W1N 9AE, England
108. TIGRIS TRADING, INC., 5903 Harper Road, Solon, Ohio 44139, U.S.A.
109. TRADING & MARITIME INVESTMENTS, San Lorenzo, Honduras
110. U.I. INTERNATIONAL, England
111. WHALE SHIPPING LTD., c/o Government of Iraq, State Organization of Ports, Maqal, Basrah, Iraq
112. ZAHRAN, Yousuf, P.O. Box 1318, Amman, Jordan (individual)
113. ZAINAL, Akram, Chairman and General Manager of AGRICULTURAL CO-OPERATIVE BANK, Iraq (individual)

Executive Order 13351 of August 9, 2004

**Establishing an Emergency Board To Investigate a Dispute
Between the Southeastern Pennsylvania Transportation
Authority and Its Conductors Represented by the United
Transportation Union**

A dispute exists between the Southeastern Pennsylvania Transportation Authority and its conductors represented by the United Transportation Union.

The dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended, 45 U.S.C. 151-188 (the "Act").

A first emergency board to investigate and report on the dispute was established on April 12, 2004, by Executive Order 13334 of April 10, 2004. The emergency board terminated upon issuance of its report. Subsequently, its recommendations were not accepted by the parties.

A party empowered by the Act has requested that the President establish a second emergency board pursuant to section 9A of the Act (45 U.S.C. 159a).

Section 9A(e) of the Act provides that the President, upon such request, shall appoint a second emergency board to investigate and report on the dispute.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States, including section 9A of the Act, it is hereby ordered as follows:

Section 1. *Establishment of Emergency Board ("Board").* There is established, effective August 10, 2004, a Board of three members to be appointed by the President to investigate and report on this dispute. No member shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier. The Board shall perform its functions subject to the availability of funds.

Sec. 2. *Report.* Within 30 days after the creation of the Board, the parties to the dispute shall submit to the Board final offers for settlement of the dispute. Within 30 days after the submission of final offers for settlement of the dispute, the Board shall submit a report to the President setting forth its selection of the most reasonable offer.

Sec. 3. *Maintaining Conditions.* As provided by section 9A(h) of the Act, from the time a request to establish a second emergency board is made until 60 days after the Board submits its report to the President, the parties to the controversy shall make no change in the conditions out of which the dispute arose except by agreement of the parties.

Sec. 4. *Records Maintenance.* The records and files of the Board are records of the Office of the President and upon the Board's termination shall be maintained in the physical custody of the National Mediation Board.

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Sec. 5. Expiration. The Board shall terminate upon the submission of the report provided for in section 2 of this order.

GEORGE W. BUSH

The White House,
August 9, 2004.

Executive Order 13352 of August 26, 2004

Facilitation of Cooperative Conservation

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Purpose. The purpose of this order is to ensure that the Departments of the Interior, Agriculture, Commerce, and Defense and the Environmental Protection Agency implement laws relating to the environment and natural resources in a manner that promotes cooperative conservation, with an emphasis on appropriate inclusion of local participation in Federal decisionmaking, in accordance with their respective agency missions, policies, and regulations.

Sec. 2. Definition. As used in this order, the term “cooperative conservation” means actions that relate to use, enhancement, and enjoyment of natural resources, protection of the environment, or both, and that involve collaborative activity among Federal, State, local, and tribal governments, private for-profit and nonprofit institutions, other nongovernmental entities and individuals.

Sec. 3. Federal Activities. To carry out the purpose of this order, the Secretaries of the Interior, Agriculture, Commerce, and Defense and the Administrator of the Environmental Protection Agency shall, to the extent permitted by law and subject to the availability of appropriations and in coordination with each other as appropriate:

(a) carry out the programs, projects, and activities of the agency that they respectively head that implement laws relating to the environment and natural resources in a manner that:

(i) facilitates cooperative conservation;

(ii) takes appropriate account of and respects the interests of persons with ownership or other legally recognized interests in land and other natural resources;

(iii) properly accommodates local participation in Federal decisionmaking; and

(iv) provides that the programs, projects, and activities are consistent with protecting public health and safety;

(b) report annually to the Chairman of the Council on Environmental Quality on actions taken to implement this order; and

(c) provide funding to the Office of Environmental Quality Management Fund (42 U.S.C. 4375) for the Conference for which section 4 of this order provides.

Sec. 4. *White House Conference on Cooperative Conservation.* The Chairman of the Council on Environmental Quality shall, to the extent permitted by law and subject to the availability of appropriations:

(a) convene not later than 1 year after the date of this order, and thereafter at such times as the Chairman deems appropriate, a White House Conference on Cooperative Conservation (Conference) to facilitate the exchange of information and advice relating to (i) cooperative conservation and (ii) means for achievement of the purpose of this order; and

(b) ensure that the Conference obtains information in a manner that seeks from Conference participants their individual advice and does not involve collective judgment or consensus advice or deliberation.

Sec. 5. *General Provision.* This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities or entities, its officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,
August 26, 2004.

Executive Order 13353 of August 27, 2004

Establishing the President's Board on Safeguarding Americans' Civil Liberties

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to further strengthen protections for the rights of Americans in the effective performance of national security and homeland security functions, it is hereby ordered as follows:

Section 1. *Policy.* The United States Government has a solemn obligation, and shall continue fully, to protect the legal rights of all Americans, including freedoms, civil liberties, and information privacy guaranteed by Federal law, in the effective performance of national security and homeland security functions.

Sec. 2. *Establishment of Board.* To advance the policy set forth in section 1 of this order (Policy), there is hereby established the President's Board on Safeguarding Americans' Civil Liberties (Board). The Board shall be part of the Department of Justice for administrative purposes.

Sec. 3. *Functions.* The Board shall:

- (a) (i) advise the President on effective means to implement the Policy, and (ii) keep the President informed of the implementation of the Policy;
- (b) periodically request reports from Federal departments and agencies relating to policies and procedures that ensure implementation of the Policy;
- (c) recommend to the President policies, guidelines and other administrative actions, technologies, and legislation, as necessary to implement the Policy;

- (d) at the request of the head of any Federal department or agency, unless the Chair, after consultation with the Vice Chair, declines the request, promptly review and provide advice on a policy or action of that department or agency that implicates the Policy;
- (e) obtain information and advice relating to the Policy from representatives of entities or individuals outside the executive branch of the Federal Government in a manner that seeks their individual advice and does not involve collective judgment or consensus advice or deliberation;
- (f) refer, consistent with section 535 of title 28, United States Code, credible information pertaining to possible violations of law relating to the Policy by any Federal employee or official to the appropriate office for prompt investigation;
- (g) take steps to enhance cooperation and coordination among Federal departments and agencies in the implementation of the Policy, including but not limited to working with the Director of the Office of Management and Budget and other officers of the United States to review and assist in the coordination of guidelines and policies concerning national security and homeland security efforts, such as information collection and sharing; and
- (h) undertake other efforts to protect the legal rights of all Americans, including freedoms, civil liberties, and information privacy guaranteed by Federal law, as the President may direct.

Upon the recommendation of the Board, the Attorney General or the Secretary of Homeland Security may establish one or more committees that include individuals from outside the executive branch of the Federal Government, in accordance with applicable law, to advise the Board on specific issues relating to the Policy. Any such committee shall carry out its functions separately from the Board.

Sec. 4. *Membership and Operation.* The Board shall consist exclusively of the following:

- (a) the Deputy Attorney General, who shall serve as Chair;
- (b) the Under Secretary for Border and Transportation Security, Department of Homeland Security, who shall serve as Vice Chair;
- (c) the Assistant Attorney General (Civil Rights Division);
- (d) the Assistant Attorney General (Office of Legal Policy);
- (e) the Counsel for Intelligence Policy, Department of Justice;
- (f) the Chair of the Privacy Council, Federal Bureau of Investigation;
- (g) the Assistant Secretary for Information Analysis, Department of Homeland Security;
- (h) the Assistant Secretary (Policy), Directorate of Border and Transportation Security, Department of Homeland Security;
- (i) the Officer for Civil Rights and Civil Liberties, Department of Homeland Security;
- (j) the Privacy Officer, Department of Homeland Security;
- (k) the Under Secretary for Enforcement, Department of the Treasury;
- (l) the Assistant Secretary (Terrorist Financing), Department of the Treasury;
- (m) the General Counsel, Office of Management and Budget;
- (n) the Deputy Director of Central Intelligence for Community Management;
- (o) the General Counsel, Central Intelligence Agency;

- (p) the General Counsel, National Security Agency;
- (q) the Under Secretary of Defense for Intelligence;
- (r) the General Counsel of the Department of Defense;
- (s) the Legal Adviser, Department of State;
- (t) the Director, Terrorist Threat Integration Center; and
- (u) such other officers of the United States as the Deputy Attorney General may from time to time designate.

A member of the Board may designate, to perform the Board or Board subgroup functions of the member, any person who is part of such member's department or agency and who is either (i) an officer of the United States appointed by the President, or (ii) a member of the Senior Executive Service or the Senior Intelligence Service. The Chair, after consultation with the Vice Chair, shall convene and preside at meetings of the Board, determine its agenda, direct its work, and, as appropriate to deal with particular subject matters, establish and direct subgroups of the Board that shall consist exclusively of members of the Board. The Chair may invite, in his discretion, officers or employees of other departments or agencies to participate in the work of the Board. The Chair shall convene the first meeting of the Board within 20 days after the date of this order and shall thereafter convene meetings of the Board at such times as the Chair, after consultation with the Vice Chair, deems appropriate. The Deputy Attorney General shall designate an official of the Department of Justice to serve as the Executive Director of the Board.

Sec. 5. Cooperation. To the extent permitted by law, all Federal departments and agencies shall cooperate with the Board and provide the Board with such information, support, and assistance as the Board, through the Chair, may request.

Sec. 6. Administration. Consistent with applicable law and subject to the availability of appropriations, the Department of Justice shall provide the funding and administrative support for the Board necessary to implement this order.

Sec. 7. General Provisions. (a) This order shall not be construed to impair or otherwise affect the authorities of any department, agency, instrumentality, officer, or employee of the United States under applicable law, including the functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented in a manner consistent with applicable laws and Executive Orders concerning protection of information, including those for the protection of intelligence sources and methods, law enforcement information, and classified national security information, and the Privacy Act of 1974, as amended (5 U.S.C. 552a).

(c) 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 in equity, by a party against the United States, or any of its departments, agencies, instrumentalities, entities, officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,
August 27, 2004.

Executive Order 13354 of August 27, 2004

National Counterterrorism Center

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 103(c)(8) of the National Security Act of 1947, as amended (Act), and to protect the security of the United States through strengthened intelligence analysis and strategic planning and intelligence support to operations to counter transnational terrorist threats against the territory, people, and interests of the United States of America, it is hereby ordered as follows:

Section 1. Policy. (a) To the maximum extent consistent with applicable law, agencies shall give the highest priority to (i) the detection, prevention, disruption, preemption, and mitigation of the effects of transnational terrorist activities against the territory, people, and interests of the United States of America, (ii) the interchange of terrorism information among agencies, (iii) the interchange of terrorism information between agencies and appropriate authorities of States and local governments, and (iv) the protection of the ability of agencies to acquire additional such information.

(b) Agencies shall protect the freedom, information privacy, and other legal rights of Americans in the conduct of activities implementing section 1(a) of this order.

Sec. 2. Establishment of National Counterterrorism Center. (a) There is hereby established a National Counterterrorism Center (Center).

(b) A Director of the Center shall supervise the Center.

(c) The Director of the Center shall be appointed by the Director of Central Intelligence with the approval of the President.

(d) The Director of Central Intelligence shall have authority, direction, and control over the Center and the Director of the Center.

Sec. 3. Functions of the Center. The Center shall have the following functions:

(a) serve as the primary organization in the United States Government for analyzing and integrating all intelligence possessed or acquired by the United States Government pertaining to terrorism and counterterrorism, excepting purely domestic counterterrorism information. The Center may, consistent with applicable law, receive, retain, and disseminate information from any Federal, State, or local government, or other source necessary to fulfill its responsibilities concerning the policy set forth in section 1 of this order; and agencies authorized to conduct counterterrorism activities may query Center data for any information to assist in their respective responsibilities;

(b) conduct strategic operational planning for counterterrorism activities, integrating all instruments of national power, including diplomatic, financial, military, intelligence, homeland security, and law enforcement activities within and among agencies;

(c) assign operational responsibilities to lead agencies for counterterrorism activities that are consistent with applicable law and that support strategic plans to counter terrorism. The Center shall ensure that agencies have access to and receive intelligence needed to accomplish their

assigned activities. The Center shall not direct the execution of operations. Agencies shall inform the National Security Council and the Homeland Security Council of any objections to designations and assignments made by the Center in the planning and coordination of counterterrorism activities;

(d) serve as the central and shared knowledge bank on known and suspected terrorists and international terror groups, as well as their goals, strategies, capabilities, and networks of contacts and support; and

(e) ensure that agencies, as appropriate, have access to and receive all-source intelligence support needed to execute their counterterrorism plans or perform independent, alternative analysis.

Sec. 4. *Duties of the Director of Central Intelligence.* The Director of Central Intelligence shall:

(a) exercise the authority available by law to the Director of Central Intelligence to implement this order, including, as appropriate, the authority set forth in section 102(e)(2)(H) of the Act;

(b) report to the President on the implementation of this order, within 120 days after the date of this order and thereafter not less often than annually, including an assessment by the Director of Central Intelligence of:

- (1) the effectiveness of the United States in implementing the policy set forth in section 1 of this order, to the extent execution of that policy is within the responsibilities of the Director of Central Intelligence;
- (2) the effectiveness of the Center in the implementation of the policy set forth in section 1 of this order, to the extent execution of that policy is within the responsibilities of the Director of Central Intelligence; and
- (3) the cooperation of the heads of agencies in the implementation of this order; and

(c) ensure the performance of all-source intelligence analysis that, among other qualities, routinely considers and presents alternative analytical views to the President, the Vice President in the performance of executive functions, and other officials of the executive branch as appropriate.

Sec. 5. *Duties of the Director of the Center.* In implementing the policy set forth in section 1 of this order and ensuring that the Center effectively performs the functions set forth in section 3 of this order, the Director of the Center shall:

(a) access, as deemed necessary by the Director of the Center for the performance of the Center's functions, information to which the Director of the Center is granted access by section 6 of this order;

(b) correlate, analyze, evaluate, integrate, and produce reports on terrorism information;

(c) disseminate transnational terrorism information, including current terrorism threat analysis, to the President, the Vice President in the performance of Executive functions, the Secretaries of State, Defense, and Homeland Security, the Attorney General, the Director of Central Intelligence, and other officials of the executive branch as appropriate;

(d) support the Department of Homeland Security, and the Department of Justice, and other appropriate agencies, in fulfillment of their responsibility to disseminate terrorism information, consistent with applicable law,

Executive Orders and other Presidential guidance, to State and local government officials, and other entities, and coordinate dissemination of terrorism information to foreign governments when approved by the Director of Central Intelligence;

(e) establish both within the Center, and between the Center and agencies, information systems and architectures for the effective access to and integration, dissemination, and use of terrorism information from whatever sources derived;

(f) undertake, as soon as the Director of Central Intelligence determines it to be practicable, all functions assigned to the Terrorist Threat Integration Center;

(g) consistent with priorities approved by the President, assist the Director of Central Intelligence in establishing requirements for the Intelligence Community for the collection of terrorism information, to include ensuring military force protection requirements are met;

(h) under the direction of the Director of Central Intelligence, and in consultation with heads of agencies with organizations in the Intelligence Community, identify, coordinate, and prioritize counterterrorism intelligence requirements for the Intelligence Community; and

(i) identify, together with relevant agencies, specific counterterrorism planning efforts to be initiated or accelerated to protect the national security.

Sec. 6. Duties of the Heads of Agencies. (a) To implement the policy set forth in section 1 of this order:

- (i) the head of each agency that possesses or acquires terrorism information:
 - (A) shall promptly give access to such information to the Director of the Center, unless prohibited by law (such as section 103(c)(7) of the Act or Executive Order 12958, as amended) or otherwise directed by the President;
 - (B) shall cooperate in and facilitate the production of reports based on terrorism information with contents and formats that permit dissemination that maximizes the utility of the information in protecting the territory, people, and interests of the United States; and
 - (C) shall cooperate with the Director of Central Intelligence in the preparation of the report to the President required by section 4 of this order; and
- (ii) the head of each agency that conducts diplomatic, financial, military, homeland security, intelligence, or law enforcement activities relating to counterterrorism shall keep the Director of the Center fully and currently informed of such activities, unless prohibited by law (such as section 103(c)(7) of the Act or Executive Order 12958, as amended) or otherwise directed by the President.

(b) The head of each agency shall, consistent with applicable law, make available to the Director of the Center such personnel, funding, and other resources as the Director of Central Intelligence, after consultation with the head of the agency and with the approval of the Director of the Office of Management and Budget, may request. In order to ensure maximum information sharing consistent with applicable law, each agency representative

to the Center, unless otherwise specified by the Director of Central Intelligence, shall operate under the authorities of the representative's agency.

Sec. 7. Definitions. As used in this order:

(a) the term "agency" has the meaning set forth for the term "executive agency" in section 105 of title 5, United States Code, together with the Department of Homeland Security, but includes the Postal Rate Commission and the United States Postal Service and excludes the Government Accountability Office;

(b) the term "Intelligence Community" has the meaning set forth for that term in section 3.4(f) of Executive Order 12333 of December 4, 1981, as amended;

(c) the terms "local government", "State", and, when used in a geographical sense, "United States" have the meanings set forth for those terms in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101); and

(d) the term "terrorism information" means all information, whether collected, produced, or distributed by intelligence, law enforcement, military, homeland security, or other United States Government activities, relating to (i) the existence, organization, capabilities, plans, intentions, vulnerabilities, means of finance or material support, or activities of foreign or international terrorist groups or individuals, or of domestic groups or individuals involved in transnational terrorism; (ii) threats posed by such groups or individuals to the United States, United States persons, or United States interests, or to those of other nations; (iii) communications of or by such groups or individuals; or (iv) information relating to groups or individuals reasonably believed to be assisting or associated with such groups or individuals.

Sec. 8. General Provisions. (a) This order:

- (i) shall be implemented in a manner consistent with applicable law, including Federal law protecting the information privacy and other legal rights of Americans, and subject to the availability of appropriations;
- (ii) shall be implemented in a manner consistent with the authority of the principal officers of agencies as heads of their respective agencies, including under section 199 of the Revised Statutes (22 U.S.C. 2651), section 201 of the Department of Energy Reorganization Act (42 U.S.C. 7131), section 102(a) of the Homeland Security Act of 2002 (6 U.S.C. 112(a)), and sections 301 of title 5, 113(b) and 162(b) of title 10, 503 of title 28, and 301(b) of title 31, United States Code; and
- (iii) shall not 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.

(b) This order and amendments made by this order are intended only to improve the internal management of the Federal Government and are not intended to, and do not, create any rights or benefits, substantive or procedural, enforceable at law or in equity by a party against the United States,

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its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,
August 27, 2004.

Executive Order 13355 of August 27, 2004

Strengthened Management of the Intelligence Community

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 103(c)(8) of the National Security Act of 1947, as amended (Act), and in order to further strengthen the effective conduct of United States intelligence activities and protect the territory, people, and interests of the United States of America, including against terrorist attacks, it is hereby ordered as follows:

Section 1. *Strengthening the Authority of the Director of Central Intelligence.* The Director of Central Intelligence (Director) shall perform the functions set forth in this order to ensure an enhanced joint, unified national intelligence effort to protect the national security of the United States. Such functions shall be in addition to those assigned to the Director by law, Executive Order, or Presidential directive.

Sec. 2. *Strengthened Role in National Intelligence.* Executive Order 12333 of December 4, 1981, as amended, is further amended as follows:

(a) Subsection 1.5(a) is amended to read:

“(a)(1) Act as the principal adviser to the President for intelligence matters related to the national security;

“(2) Act as the principal adviser to the National Security Council and Homeland Security Council for intelligence matters related to the national security; and

(b) Subsection 1.5(b) is amended to read:

“(b)(1) Develop such objectives and guidance for the Intelligence Community necessary, in the Director’s judgment, to ensure timely and effective collection, processing, analysis, and dissemination of intelligence, of whatever nature and from whatever source derived, concerning current and potential threats to the security of the United States and its interests, and to ensure that the National Foreign Intelligence Program (NFIP) is structured adequately to achieve these requirements; and

“(2) Working with the Intelligence Community, ensure that United States intelligence collection activities are integrated in: (i) collecting against enduring and emerging national security intelligence issues; (ii) maximizing the value to the national security; and (iii) ensuring that all collected data is available to the maximum extent practicable for integration, analysis, and dissemination to those who can act on, add value to, or otherwise apply it to mission needs.”

(c) Subsection 1.5(g) is amended to read:

“(g)(1) Establish common security and access standards for managing and handling intelligence systems, information, and products, with special emphasis on facilitating:

“(A) the fullest and most prompt sharing of information practicable, assigning the highest priority to detecting, preventing, preempting, and disrupting terrorist threats against our homeland, our people, our allies, and our interests; and

“(B) the establishment of interface standards for an interoperable information sharing enterprise that facilitates the automated sharing of intelligence information among agencies within the Intelligence Community.

“(2) (A) Establish, operate, and direct national centers with respect to matters determined by the President for purposes of this subparagraph to be of the highest national security priority, with the functions of analysis and planning (including planning for diplomatic, financial, military, intelligence, homeland security, and law enforcement activities, and integration of such activities among departments and agencies) relating to such matters.

“(B) The countering of terrorism within the United States, or against citizens of the United States, our allies, and our interests abroad, is hereby determined to be a matter of the highest national security priority for purposes of subparagraph (2)(A) of this subsection.”

“(3) Ensure that appropriate agencies and departments have access to and receive all-source intelligence support needed to perform independent, alternative analysis.”

(d) Subsection 1.5(m) is amended to read:

“(m)(1) Establish policies, procedures, and mechanisms that translate intelligence objectives and priorities approved by the President into specific guidance for the Intelligence Community.

“(2) In accordance with objectives and priorities approved by the President, establish collection requirements for the Intelligence Community, determine collection priorities, manage collection tasking, and resolve conflicts in the tasking of national collection assets (except when otherwise directed by the President or when the Secretary of Defense exercises collection tasking authority under plans and arrangements approved by the Secretary of Defense and the Director) of the Intelligence Community.”

“(3) Provide advisory tasking concerning collection of intelligence information to elements of the United States Government that have information collection capabilities and are not organizations within the Intelligence Community.

“(4) The responsibilities in subsections 1.5(m)(2) and (3) apply, to the maximum extent consistent with applicable law, whether information is to be collected inside or outside the United States.”

(e) Subsection 1.6(a) is amended to read:

“(a) The heads of all departments and agencies shall:

“(1) Unless the Director provides otherwise, give the Director access to all foreign intelligence, counterintelligence, and national intelligence, as defined in the Act, that is relevant to transnational terrorist

threats and weapons of mass destruction proliferation threats, including such relevant intelligence derived from activities of the FBI, DHS, and any other department or agency, and all other information that is related to the national security or that otherwise is required for the performance of the Director's duties, except such information that is prohibited by law, by the President, or by the Attorney General acting under this order at the direction of the President from being provided to the Director. The Attorney General shall agree to procedures with the Director pursuant to section 3(5)(B) of the Act no later than 90 days after the issuance of this order that ensure the Director receives all such information;

“(2) support the Director in developing the NFIP;

“(3) ensure that any intelligence and operational systems and architectures of their departments and agencies are consistent with national intelligence requirements set by the Director and all applicable information sharing and security guidelines, and information privacy requirements; and

“(4) provide, to the extent permitted by law, subject to the availability of appropriations, and not inconsistent with the mission of the department or agency, such further support to the Director as the Director may request, after consultation with the head of the department or agency, for the performance of the Director's functions.”

Sec. 3. *Strengthened Control of Intelligence Funding.* Executive Order 12333 is further amended as follows:

(a) Subsections 1.5(n), (o), and (p) are amended to read as follows:

“(n)(1) Develop, determine, and present with the advice of the heads of departments or agencies that have an organization within the Intelligence Community, the annual consolidated NFIP budget. The Director shall be responsible for developing an integrated and balanced national intelligence program that is directly responsive to the national security threats facing the United States. The Director shall submit such budget (accompanied by dissenting views, if any, of the head of a department or agency that has an organization within the Intelligence Community) to the President for approval; and

“(2) Participate in the development by the Secretary of Defense of the annual budgets for the Joint Military Intelligence Program (JMIP) and the Tactical Intelligence and Related Activities (TIARA) Program.

“(o)(1) Transfer, consistent with applicable law and with the approval of the Director of the Office of Management and Budget, funds from an appropriation for the NFIP to another appropriation for the NFIP or to another NFIP component;

“(2) Review, and approve or disapprove, consistent with applicable law, any proposal to: (i) reprogram funds within an appropriation for the NFIP; (ii) transfer funds from an appropriation for the NFIP to an appropriation that is not for the NFIP within the Intelligence Community; or (iii) transfer funds from an appropriation that is not for the NFIP within the Intelligence Community to an appropriation for the NFIP; and

“(3) Monitor and consult with the Secretary of Defense on reprogrammings or transfers of funds within, into, or out of, appropriations for the JMIP and the TIARA Program.

“(p)(1) Monitor implementation and execution of the NFIP budget by the heads of departments or agencies that have an organization within the Intelligence Community, including, as necessary, by conducting program and performance audits and evaluations;

“(2) Monitor implementation of the JMIP and the TIARA Program and advise the Secretary of Defense thereon; and

“(3) After consultation with the heads of relevant departments, report periodically, and not less often than semiannually, to the President on the effectiveness of implementation of the NFIP Program by organizations within the Intelligence Community, for which purpose the heads of departments and agencies shall ensure that the Director has access to programmatic, execution, and other appropriate information.”

Sec. 4. *Strengthened Role in Selecting Heads of Intelligence Organizations.* With respect to a position that heads an organization within the Intelligence Community:

(a) if the appointment to that position is made by the head of the department or agency or a subordinate thereof, no individual shall be appointed to such position without the concurrence of the Director;

(b) if the appointment to that position is made by the President alone, any recommendation to the President to appoint an individual to that position shall be accompanied by the recommendation of the Director with respect to the proposed appointment; and

(c) if the appointment to that position is made by the President, by and with the advice and consent of the Senate, any recommendation to the President for nomination of an individual for that position shall be accompanied by the recommendation of the Director with respect to the proposed nomination.

Sec. 5. *Strengthened Control of Standards and Qualifications.* The Director shall issue, after coordination with the heads of departments and agencies with an organization in the Intelligence Community, and not later than 120 days after the date of this order, and thereafter as appropriate, standards and qualifications for persons engaged in the performance of United States intelligence activities, including but not limited to:

(a) standards for training, education, and career development of personnel within organizations in the Intelligence Community, and for ensuring compatible personnel policies and an integrated professional development and education system across the Intelligence Community, including standards that encourage and facilitate service in multiple organizations within the Intelligence Community and make such rotated service a factor to be considered for promotion to senior positions;

(b) standards for attracting and retaining personnel who meet the requirements for effective conduct of intelligence activities;

(c) standards for common personnel security policies among organizations within the Intelligence Community; and

(d) qualifications for assignment of personnel to centers established under section 1.5(g)(2) of Executive Order 12333, as amended by section 2 of this order.

Sec. 6. Technical Corrections. Executive Order 12333 is further amended as follows:

(a) The preamble is amended by, after “amended”, inserting “(Act)”.

(b) Subsection 1.3(a)(4) is amended by, after “governments”, inserting “and organizations”.

(c) Subsection 1.4(a) is amended by, after “needed by the President”, inserting “and, in the performance of Executive functions, the Vice President,”.

(d) Subsection 1.7(c) is amended by striking “the Director of Central Intelligence and” and by striking “their respective” and inserting “its”.

(e) Subsection 1.8(c) is amended by, after “agreed upon”, inserting “by”.

(f) Subsection 1.8(i) is amended by striking “and through” and inserting in lieu thereof “through”.

(g) Subsection 1.10 is amended by:

(i) striking “*The Department of the Treasury*. The Secretary of the Treasury shall:” and inserting in lieu thereof “*The Department of the Treasury and the Department of Homeland Security*. The Secretary of the Treasury, with respect to subsections (a), (b), and (c), and the Secretary of Homeland Security with respect to subsection (d), shall:”;

(ii) in subparagraph (d), after “used against the President” inserting “or the Vice President”; and

(iii) in subparagraph (d), striking “the Secretary of the Treasury” both places it appears and inserting in lieu thereof in both places “the Secretary of Homeland Security”.

(h) Subsection 2.4(c)(1) is amended by striking “present of former” and inserting in lieu thereof “present or former”.

(i) Subsection 3.1 is amended by:

(i) striking “as provided in title 50, United States Code, section 413” and inserting in lieu thereof “implemented in accordance with applicable law, including title V of the Act”; and

(ii) striking “section 662 of the Foreign Assistance Act of 1961 as amended (22 U.S.C. 2422), and section 501 of the National Security Act of 1947, as amended (50 U.S.C. 413),” and inserting in lieu thereof “applicable law, including title V of the Act,”.

(j) Subsection 3.4(b) is amended by striking “visably” and inserting in lieu thereof “visibly”.

(k) Subsection 3.4(f) is amended:

(i) after “*agencies within the Intelligence Community*”, by inserting “, or *organizations within the Intelligence Community*”;

(ii) in paragraph (8), by striking “Those” and inserting in lieu thereof “The intelligence elements of the Coast Guard and those”; and

(iii) by striking the “and” at the end of paragraph (7), striking the period at the end of paragraph (8) and inserting in lieu thereof “; and”, and adding at the end thereof “(9) National Geospatial-Intelligence Agency”.

Sec. 7. General Provisions.

(a) This order and the amendments made by this order:

(i) shall be implemented in a manner consistent with applicable law and subject to the availability of appropriations;

(ii) shall be implemented in a manner consistent with the authority of the principal officers of the executive departments as heads of their respective departments, including under section 199 of the Revised Statutes (22 U.S.C. 2651), section 201 of the Department of Energy Reorganization Act (42 U.S.C. 7131), section 102(a) of the Homeland Security Act of 2002 (6 U.S.C. 112(a)), and sections 301 of title 5, 113(b) and 162(b) of title 10, 503 of title 28, and 301(b) of title 31, United States Code; and

(iii) shall not 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.

(b) Nothing in section 4 of this order limits or otherwise affects—

(i) the appointment of an individual to a position made before the date of this order; or

(ii) the power of the President as an appointing authority to terminate an appointment.

(c) Nothing in this order shall be construed to impair or otherwise affect any authority to provide intelligence to the President, the Vice President in the performance of Executive functions, and other officials in the executive branch.

(d) This order and amendments made by this order are intended only to improve the internal management of the Federal Government and are not intended to, and do not, create any rights or benefits, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,
August 27, 2004.

Executive Order 13356 of August 27, 2004

**Strengthening the Sharing of Terrorism Information To
Protect Americans**

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to further strengthen the effective conduct of United States intelligence activities and protect the territory, people, and interests of the United States of America, including against terrorist attacks, it is hereby ordered as follows:

Section 1. Policy. To the maximum extent consistent with applicable law, agencies shall, in the design and use of information systems and in the dissemination of information among agencies:

(a) give the highest priority to (i) the detection, prevention, disruption, preemption, and mitigation of the effects of terrorist activities against the territory, people, and interests of the United States of America, (ii) the interchange of terrorism information among agencies, (iii) the interchange of terrorism information between agencies and appropriate authorities of States and local governments, and (iv) the protection of the ability of agencies to acquire additional such information; and

(b) protect the freedom, information privacy, and other legal rights of Americans in the conduct of activities implementing subsection (a).

Sec. 2. Duty of Heads of Agencies Possessing or Acquiring Terrorism Information. To implement the policy set forth in section 1 of this order, the head of each agency that possesses or acquires terrorism information:

(a) shall promptly give access to the terrorism information to the head of each other agency that has counterterrorism functions, and provide the terrorism information to each such agency in accordance with the standards and information sharing guidance issued pursuant to this order, unless otherwise directed by the President, and consistent with (i) the statutory responsibilities of the agencies providing and receiving the information, (ii) any guidance issued by the Attorney General to fulfill the policy set forth in subsection 1(b) of this order, and (iii) other applicable law, including section 103(c)(7) of the National Security Act of 1947, section 892 of the Homeland Security Act of 2002, Executive Order 12958 of April 17, 1995, as amended, and Executive Order 13311 of July 29, 2003;

(b) shall cooperate in and facilitate production of reports based on terrorism information with contents and formats that permit dissemination that maximizes the utility of the information in protecting the territory, people, and interests of the United States; and

(c) shall facilitate implementation of the plan developed by the Information Systems Council established by section 5 of this order.

Sec. 3. Preparing Terrorism Information for Maximum Distribution within Intelligence Community. To assist in expeditious and effective implementation by agencies within the Intelligence Community of the policy set forth in section 1 of this order, the Director of Central Intelligence shall, in consultation with the Attorney General and the other heads of agencies within the Intelligence Community, set forth not later than 90 days after the date of this order, and thereafter as appropriate, common standards for the sharing of terrorism information by agencies within the Intelligence Community with (i) other agencies within the Intelligence Community, (ii) other agencies having counterterrorism functions, and (iii) through or in coordination with the Department of Homeland Security, appropriate authorities of State and local governments. These common standards shall improve information sharing by such methods as:

(a) requiring, at the outset of the intelligence collection and analysis process, the creation of records and reporting, for both raw and processed information including, for example, metadata and content, in such a manner that sources and methods are protected so that the information can be distributed at lower classification levels, and by creating unclassified versions for distribution whenever possible;

(b) requiring records and reports related to terrorism information to be produced with multiple versions at an unclassified level and at varying levels of classification, for example on an electronic tearline basis, allowing varying degrees of access by other agencies and personnel commensurate with their particular security clearance levels and special access approvals;

(c) requiring terrorism information to be shared free of originator controls, including, for example, controls requiring the consent of the originating agency prior to the dissemination of the information outside any other agency to which it has been made available, to the maximum extent permitted by applicable law, Executive Orders, or Presidential guidance;

(d) minimizing the applicability of information compartmentalization systems to terrorism information, to the maximum extent permitted by applicable law, Executive Orders, and Presidential guidance; and

(e) ensuring the establishment of appropriate arrangements providing incentives for, and holding personnel accountable for, increased sharing of terrorism information, consistent with requirements of the Nation's security and with applicable law, Executive Orders, and Presidential guidance.

Sec. 4. *Requirements for Collection of Terrorism Information Inside the United States.* (a) The Attorney General, the Secretary of Homeland Security, and the Director of Central Intelligence shall, not later than 90 days after the date of this order, jointly submit to the President, through the Assistants to the President for National Security Affairs and Homeland Security, their recommendation on the establishment of executive branch-wide collection and sharing requirements, procedures, and guidelines for terrorism information to be collected within the United States, including, but not limited to, from publicly available sources, including nongovernmental databases.

(b) The recommendation submitted under subsection (a) of this section shall also:

(i) address requirements and guidelines for the collection and sharing of other information necessary to protect the territory, people, and interests of the United States; and

(ii) propose arrangements for ensuring that officers of the United States with responsibilities for protecting the territory, people, and interests of the United States are provided with clear, understandable, consistent, effective, and lawful procedures and guidelines for the collection, handling, distribution, and retention of information.

Sec. 5. *Establishment of Information Systems Council.* (a) There is established an Information Systems Council (Council), chaired by a designee of the Director of the Office of Management and Budget, and composed exclusively of designees of: the Secretaries of State, the Treasury, Defense, Commerce, Energy, and Homeland Security; the Attorney General; the Director of Central Intelligence; the Director of the Federal Bureau of Investigation; the Director of the National Counterterrorism Center, once that position is created and filled (and until that time the Director of the Terrorism Threat Integration Center); and such other heads of departments or agencies as the Director of the Office of Management and Budget may designate.

(b) The mission of the Council is to plan for and oversee the establishment of an interoperable terrorism information sharing environment to facilitate automated sharing of terrorism information among appropriate agencies to implement the policy set forth in section 1 of this order.

(c) Not later than 120 days after the date of this order, the Council shall report to the President through the Assistants to the President for National Security Affairs and Homeland Security, on a plan, with proposed milestones, timetables for achieving those milestones, and identification of resources, for the establishment of the proposed interoperable terrorism information sharing environment. The plan shall, at a minimum:

(i) describe and define the parameters of the proposed interoperable terrorism information sharing environment, including functions, capabilities, and resources;

(ii) identify and, as appropriate, recommend the consolidation and elimination of current programs, systems, and processes used by agencies to share terrorism information, and recommend as appropriate the redirection of existing resources to support the interoperable terrorism information sharing environment;

(iii) identify gaps, if any, between existing technologies, programs, and systems used by agencies to share terrorism information and the parameters of the proposed interoperable terrorism information sharing environment;

(iv) recommend near-term solutions to address any such gaps until the interoperable terrorism information sharing environment can be established;

(v) recommend a plan for implementation of the interoperable terrorism information sharing environment, including roles and responsibilities, measures of success, and deadlines for the development and implementation of functions and capabilities from the initial stage to full operational capability;

(vi) recommend how the proposed interoperable terrorism information sharing environment can be extended to allow interchange of terrorism information between agencies and appropriate authorities of States and local governments; and

(vii) recommend whether and how the interoperable terrorism information sharing environment should be expanded, or designed so as to allow future expansion, for purposes of encompassing other categories of intelligence and information.

Sec. 6. Definitions. As used in this order:

(a) the term “agency” has the meaning set forth for the term “executive agency” in section 105 of title 5, United States Code, together with the Department of Homeland Security, but includes the Postal Rate Commission and the United States Postal Service and excludes the Government Accountability Office;

(b) the terms “Intelligence Community” and “agency within the Intelligence Community” have the meanings set forth for those terms in section 3.4(f) of Executive Order 12333 of December 4, 1981, as amended;

(c) the terms “local government,” “State,” and, when used in a geographical sense, “United States,” have the meanings set forth for those

terms in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101); and

(d) the term “terrorism information” means all information, whether collected, produced, or distributed by intelligence, law enforcement, military, homeland security, or other United States Government activities, relating to (i) the existence, organization, capabilities, plans, intentions, vulnerabilities, means of finance or material support, or activities of foreign or international terrorist groups or individuals, or of domestic groups or individuals involved in transnational terrorism; (ii) threats posed by such groups or individuals to the United States, United States persons, or United States interests, or to those of other nations; (iii) communications of or by such groups or individuals; or (iv) information relating to groups or individuals reasonably believed to be assisting or associated with such groups or individuals.

Sec. 7. General Provisions. (a) This order:

(i) shall be implemented in a manner consistent with applicable law, including Federal law protecting the information privacy and other legal rights of Americans, and subject to the availability of appropriations;

(ii) shall be implemented in a manner consistent with the authority of the principal officers of agencies as heads of their respective agencies, including under section 199 of the Revised Statutes (22 U.S.C. 2651), section 201 of the Department of Energy Reorganization Act (42 U.S.C. 7131), section 102(a) of the National Security Act of 1947 (50 U.S.C. 403(a)), section 102(a) of the Homeland Security Act of 2002 (6 U.S.C. 112(a)), and sections 301 of title 5, 113(b) and 162(b) of title 10, 1501 of title 15, 503 of title 28, and 301(b) of title 31, United States Code; and

(iii) shall not 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.

(b) This order is intended only to improve the internal management of the Federal Government and is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,
August 27, 2004.

Executive Order 13357 of September 20, 2004

Termination of Emergency Declared in Executive Order 12543 With Respect to the Policies and Actions of the Government of Libya and Revocation of Related Executive Orders

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency

Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), section 5 of the United Nations Participation Act, as amended (22 U.S.C. 287c) (UNPA), sections 504 and 505 of the International Security and Development Cooperation Act (22 U.S.C. 2349aa–8 and 2349aa–9), section 40106 of title 49, United States Code, and section 301 of title 3, United States Code,

I, GEORGE W. BUSH, President of the United States of America, find that the situation that gave rise to the declaration of a national emergency in Executive Order 12543 of January 7, 1986, with respect to the policies and actions of the Government of Libya, and that led to the steps taken in that order and in Executive Order 12544 of January 8, 1986, and Executive Order 12801 of April 15, 1992, has been significantly altered by Libya's commitments and actions to eliminate its weapons of mass destruction programs and its Missile Technology Control Regime (MTCR) -class missiles, and by other developments. Accordingly, I hereby terminate the national emergency declared in Executive Order 12543, and revoke that Executive Order, Executive Order 12544, and Executive Order 12801. I also hereby revoke Executive Order 12538 of November 15, 1985, and further order:

Section 1. Pursuant to section 202(a) of the NEA (50 U.S.C. 1622(a)), termination of the national emergency declared in Executive Order 12543 with respect to the policies and actions of the Government of Libya shall not affect any action taken or proceeding pending not finally concluded or determined as of the effective date of this order, any action or proceeding based on any act committed prior to such date, or any rights or duties that matured or penalties that were incurred prior to such date.

Sec. 2. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

Sec. 3. (a) This order is effective at 12:01 a.m. eastern daylight time on September 21, 2004.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

GEORGE W. BUSH

The White House,
September 20, 2004.

Executive Order 13358 of September 28, 2004

Assignment of Functions Relating to Certain Appointments, Promotions, and Commissions in the Armed Forces

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. *Assignment of Functions to the Secretary of Defense.* The Secretary of Defense shall perform, except with respect to the Coast Guard during any period in which it is not operating as a service in the Navy, the

functions of the President under the following provisions of title 10, United States Code:

(a) subsection 1521(a);

(b) the first sentence of subsection 12203(a);

(c) the first sentence of subsection 14111(a), except with respect to reports relating to the grades of brigadier general or above, or rear admiral (lower half) or above; and

(d) subsection 14310(a), except with respect to removals relating to a promotion list for grades of brigadier general or above, or rear admiral (lower half) or above.

Sec. 2. *Assignment of Functions to the Secretary of Homeland Security.* The Secretary of Homeland Security shall perform, with respect to the Coast Guard during any period in which it is not operating as a service in the Navy, the functions assigned to the President by the following provisions of the United States Code:

(a) subsection 1521(a) of title 10;

(b) the first sentence of subsection 12203(a) of title 10;

(c) subsection 729(g) of title 14, except with respect to approval of, or removal of a name from, a report relating to the grades of rear admiral (lower half) or above; and

(d) subsection 738(a) of title 14, except with respect to removals relating to a promotion list for grades of rear admiral (lower half) or above.

Sec. 3. *Reassignment of Functions Assigned.* The Secretary of Defense and the Secretary of Homeland Security may reassign the functions assigned to them by this order to civilian officers, within their respective departments, who hold a position for which the President makes an appointment by and with the advice and consent of the Senate, except that the Secretary of Defense and the Secretary of Homeland Security may not reassign the functions assigned by sections 1(b) and 2(b), respectively. The Secretary of Defense may not reassign the function assigned by section 1(c) of this order except to such an officer within the Office of the Secretary of Defense (as defined in section 131(b) of title 10).

Sec. 4. *General Provisions.* (a) This order shall take effect on October 1, 2004.

(b) Nothing in this order shall be construed to limit or otherwise affect the authority of the President as Commander in Chief of the Armed Forces of the United States, or under the Constitution and laws of the United States to nominate or to make or terminate appointments.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,
September 28, 2004.

Executive Order 13359 of October 20, 2004

Amendment to Executive Order 13173, Interagency Task Force on the Economic Development of the Central San Joaquin Valley

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to improve the operation of the Interagency Task Force on the Economic Development of the Central San Joaquin Valley, it is hereby ordered that Executive Order 13173 of October 25, 2000, is amended as follows:

Section 1. Section 1(b) is amended to read as follows:

“The Task Force shall consist exclusively of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Attorney General, the Secretary of the Interior, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Housing and Urban Development, the Secretary of Energy, the Secretary of Labor, the Secretary of Transportation, the Secretary of the Treasury, the Director of the Office of Management and Budget, the Director of National Drug Control Policy, the Administrator of General Services, the Administrator of the Small Business Administration, the Administrator of the Environmental Protection Agency, or their designees, and such other senior executive branch officials as may be determined by the Task Force. The Chair of the Task Force shall be the Secretary of Housing and Urban Development. Each of the Federal departments and agencies, as appropriate, shall designate one staff person, for the years 2004 through 2006, to work on issues of the Task Force and to ensure the participation of the staff person’s department or agency in the operations of the Task Force.”

Sec. 2. Section 1(c)(1) is amended by inserting “regulations,” after “analyze”.

Sec. 3. Section 5 is amended to read as follows:

“*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, benefit, or trust responsibility, substantive or procedural, enforceable at law or in equity by a party against the United States, its agencies, entities, its officers or employees, or any other person.”

GEORGE W. BUSH

The White House,
October 20, 2004.

Executive Order 13360 of October 20, 2004

Providing Opportunities for Service-Disabled Veteran Businesses To Increase Their Federal Contracting and Subcontracting

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to strengthen opportunities in Federal contracting for service-disabled veteran businesses, it is hereby ordered as follows:

Section 1. Policy. America honors the extraordinary service rendered to the United States by veterans with disabilities incurred or aggravated in the line of duty during active service with the armed forces. Heads of agencies shall provide the opportunity for service-disabled veteran businesses to significantly increase the Federal contracting and subcontracting of such businesses. To achieve that objective, agencies shall more effectively implement section 15(g) of the Small Business Act (15 U.S.C. 644(g)), which provides that the President must establish a goal of not less than 3 percent for participation by service-disabled veteran businesses in Federal contracting, and section 36 of that Act (15 U.S.C. 657f), which gives agency contracting officers the authority to reserve certain procurements for service-disabled veteran businesses.

Sec. 2. Duties of Agency Heads. To implement the policy set forth in section 1, heads of agencies shall:

- (a) develop a strategy to implement the policy set forth in section 1;
- (b) make the agency's strategy publicly available and report annually to the Administrator of the Small Business Administration on implementation of the agency's strategy;
- (c) designate a senior-level official who shall be responsible for developing and implementing the agency's strategy;
- (d) include development and implementation of the agency's strategy and achievements in furtherance of the strategy as significant elements in any performance plans of the agency's designated agency senior-level official, chief acquisition officer, and director of small and disadvantaged business utilization; and
- (e) include in the agency's strategy plans for:
 - (i) reserving agency contracts exclusively for service-disabled veteran businesses;
 - (ii) encouraging and facilitating participation by service-disabled veteran businesses in competitions for award of agency contracts;
 - (iii) encouraging agency contractors to subcontract with service-disabled veteran businesses and actively monitoring and evaluating agency contractors' efforts to do so;
 - (iv) training agency personnel on applicable law and policies relating to participation of service-disabled veteran businesses in Federal contracting; and

(v) disseminating information to service-disabled veteran businesses that would assist these businesses in participating in awards of agency contracts.

Sec. 3. *Additional Duties of Administrator of the Small Business Administration.* The Administrator of the Small Business Administration shall:

(a) designate an appropriate entity within the Small Business Administration that shall, in coordination with the Veterans Affairs' Center for Veterans Enterprise (CVE), provide to service-disabled veteran businesses information and assistance concerning participation in Federal contracting;

(b) advise and assist heads of agencies in their implementation of section 2 of this order; and

(c) make available to service-disabled veteran businesses training in Federal contracting law, procedures, and practices that would assist such businesses in participating in Federal contracting.

Sec. 4. *Additional Duties of Administrator of General Services.* The Administrator of General Services shall:

(a) establish a Government-wide Acquisition Contract reserved for participation by service-disabled veteran businesses; and

(b) assist service-disabled veteran businesses to be included in Federal Supply Schedules.

Sec. 5. *Additional Duties of the Secretary of Defense.* The Secretary of Defense shall direct the Defense Acquisition University (DAU) to develop training on contracting with service-disabled veteran businesses and make this training available on line through the DAU continuous learning program.

Sec. 6. *Additional Duties of the Secretary of Veterans Affairs.* The Secretary of Veterans Affairs shall assist agencies by making available services of the CVE and assist in verifying the accuracy of contractor registration databases with regard to service-disabled veteran businesses.

Sec. 7. *Additional Duties of the Secretary of Labor and Secretary of Veterans Affairs.* The Secretary of Labor and Secretary of Veterans Affairs shall, respectively, direct the Transition Assistance Program and the Disability Transition Assistance Program to educate separating service members as to the benefits available to service-disabled veteran businesses and as to potential entrepreneurial opportunities.

Sec. 8. *Definitions.* As used in this order:

(a) the term “agency” means an “executive agency” as that term is defined in section 105 of title 5, United States Code, excluding an executive agency that has fewer than 500 employees, the Government Accountability Office, or a Government corporation;

(b) the term “service-disabled” means, with respect to disability, that the disability was incurred or aggravated in the line of duty in the active service in the United States Armed Forces;

(c) the term “service-disabled veteran” means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16);

(d) the term “service-disabled veteran business” means a small business concern owned and controlled by service-disabled veterans, as defined in section 3(q) of the Small Business Act (15 U.S.C. 632(q)); and

(e) the term “small business concern” has the meaning specified in section 3(a) of the Small Business Act (15 U.S.C. 632(a)) and the definitions and standards issued under that section.

Sec. 9. General Provisions. (a) Heads of agencies shall carry out duties assigned by sections 3, 4, 5, 6, and 7 of this order to the extent consistent with applicable law and subject to the availability of appropriations.

(b) To the extent permitted by law, an agency shall disclose personally identifying information on service-disabled veterans to other agencies who require such information in order to discharge their responsibilities under this order.

(c) An agency that consists of a multi-member commission shall implement this order to the extent it determines appropriate to the accomplishment of the agency’s mission.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities or entities, its officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,
October 20, 2004.

Executive Order 13361 of November 16, 2004

Assignment of Functions Under the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. Executive Order 12163 of September 29, 1979, as amended, is further amended as follows:

(a) in subsection 1–100(a), by striking the period at the end of paragraph (15), by inserting a semicolon at the end of paragraph (15), and by adding at the end thereof the following new paragraph:

“(16) the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25)(the “HIV/AIDS Act”), as amended, and amendments made by the HIV/AIDS Act, which the Secretary shall perform, in the case of section 304, after consultation with the Secretary of Health and Human Services.”;

(b) in section 1–701, by inserting, after subsection (g), the following new subsections:

“(h) Those functions conferred by section 1(f)(1) and section 1(f)(2)(B)(ii)(VII) of the State Department Basic Authorities Act of 1956, as amended (22 U.S.C. 2651a).

“(i) Those functions conferred by section 202(d)(4)(C)(i) and (ii) of the HIV/AIDS Act, as amended.”;

(c) by adding at the end thereof the following new section:

“1–906. *Implementation.* In carrying out this order, officers of the United States shall ensure that all actions taken by them are consistent with the President’s constitutional authority to: (a) conduct the foreign affairs of the United States; (b) withhold information the disclosure of which could impair the foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive’s constitutional duties; (c) recommend for congressional consideration such measures as the President may judge necessary and expedient; and (d) supervise the unitary executive branch.”.

Sec. 2. 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, or legislative proposals.

Sec. 3. This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

GEORGE W. BUSH

The White House,
November 16, 2004.

Executive Order 13362 of November 29, 2004

Designation of Additional Officers for the Department of Homeland Security Order of Succession

By the authority vested in me as President by the Constitution and the laws of the United States of America and pursuant to the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 *et seq.*, it is hereby ordered that:

Section 1. During any period when the Secretary of Homeland Security (Secretary), the Deputy Secretary of Homeland Security, and the officers designated to perform the functions and duties of the office of Secretary by section 88 of Executive Order 13286 of February 28, 2003 (“Amendment of Executive Orders, and Other Actions, in Connection With the Transfer of Certain Functions to the Secretary of Homeland Security”), have died, resigned, or otherwise become unable to perform the functions and duties of the office of Secretary, the following officers of the Department of Homeland Security, in the order listed, shall perform the functions and duties of the office of Secretary, if they are eligible to act as Secretary under the provisions of the Federal Vacancies Reform Act of 1998, until such time as at least one of the officers mentioned above is able to perform the functions and duties of the office of Secretary:

Director, Region V, Federal Emergency Management Agency;

Director, Region VI, Federal Emergency Management Agency;

Director, Region VII, Federal Emergency Management Agency;
Director, Region VIII, Federal Emergency Management Agency; and
Director, Region X, Federal Emergency Management Agency.

Sec. 2. Exceptions.

(a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as Secretary pursuant to this order.

(b) Notwithstanding the provisions of this order, the President retains discretion, to the extent permitted by law, to depart from this order in designating an acting Secretary.

GEORGE W. BUSH

The White House,
November 29, 2004.

Executive Order 13363 of November 29, 2004

Establishing the Afghanistan and Iraq Campaign Medals

By the authority vested in me as President by the Constitution and the laws of the United States of America, including my authority as Commander in Chief of the Armed Forces of the United States and Public Law 108-234, it is hereby ordered as follows:

Section 1. Afghanistan Campaign Medal. There is hereby established the Afghanistan Campaign Medal with suitable appurtenances. Except as limited in section 3 of this order, and under uniform regulations to be prescribed by the Secretaries of the military departments and approved by the Secretary of Defense, or under regulations to be prescribed by the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, the Afghanistan Campaign Medal shall be awarded to members of the uniformed services of the United States who serve or have served in Afghanistan or contiguous air space, as defined by such regulations, on or after October 24, 2001, and before a terminal date to be prescribed by the Secretary of Defense.

Sec. 2. Iraq Campaign Medal. There is hereby established the Iraq Campaign Medal with suitable appurtenances. Except as limited in section 3 of this order, and under uniform regulations to be prescribed by the Secretaries of the military departments and approved by the Secretary of Defense, or under regulations to be prescribed by the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, the Iraq Campaign Medal shall be awarded to members of the uniformed services of the United States who serve or have served in Iraq or contiguous waters or air space, as defined by such regulations, on or after March 19, 2003, and before a terminal date to be prescribed by the Secretary of Defense.

Sec. 3. Relationship to Other Awards. Notwithstanding section 1 of Executive Order 13289 of March 12, 2003, establishing the Global War on Terrorism Expeditionary Medal, any member who qualified for that medal by

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reason of service in Afghanistan between October 24, 2001, and a terminal date to be determined by the Secretary of Defense, or in Iraq between March 19, 2003, and a terminal date to be determined by the Secretary of Defense, shall remain qualified for that medal. Upon application, a member by reason of service may be awarded either the Afghanistan Campaign Medal or the Iraq Campaign Medal in lieu of the Global War on Terrorism Expeditionary Medal. A member may be awarded either the Afghanistan Campaign Medal or the Global War on Terrorism Expeditionary Medal by reason of service in Afghanistan. A member may be awarded either the Iraq Campaign Medal or the Global War on Terrorism Expeditionary Medal by reason of service in Iraq. No member shall be entitled to the award of more than one of these three medals for the same period of service.

Sec. 4. Posthumous Award. The Afghanistan Campaign Medal and Iraq Campaign Medal may be awarded posthumously to any person covered by and under regulations prescribed in accordance with this order.

GEORGE W. BUSH

The White House,
November 29, 2004.

Executive Order 13364 of November 29, 2004

Modifying the Protection Granted to the Development Fund for Iraq and Certain Property in Which Iraq Has an Interest and Protecting the Central Bank of Iraq

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act, as amended (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 5 of the United Nations Participation Act, as amended (22 U.S.C. 287c) (UNPA), and section 301 of title 3, United States Code,

I, GEORGE W. BUSH, President of the United States of America, hereby modify the scope of the national emergency declared in Executive Order 13303 of May 22, 2003, and expanded in Executive Order 13315 of August 28, 2003, and further modified in Executive Order 13350 of July 29, 2004, to address the unusual and extraordinary threat to the national security and foreign policy of the United States posed by obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in that country, and the development of political, administrative, and economic institutions in Iraq. I find that the threat of attachment or other judicial process against the Central Bank of Iraq constitutes one of these obstacles. I further determine that, consistent with United Nations Security Council Resolutions 1483 of May 22, 2003, and 1546 of June 8, 2004, the steps taken in Executive Order 13303 to deal with the national emergency declared therein need to be limited so that such steps do not apply with respect to any final judgment arising out of a contractual obligation entered into by the Government of Iraq, including any agency or instrumentality thereof, after June 30, 2004, and so that, with respect to Iraqi petroleum

and petroleum products and interests therein, such steps shall apply only until title passes to the initial purchaser.

I hereby order:

Section 1. Section 1 of Executive Order 13303 is hereby amended to read as follows:

“**Section 1.** (a) Except as provided in section 1(b) of this order, and unless licensed or otherwise authorized pursuant to this order, any attachment, judgment, decree, lien, execution, garnishment, or other judicial process is prohibited and shall be deemed null and void with respect to the following:

(i) the Development Fund for Iraq;

(ii) all Iraqi petroleum and petroleum products, and interests therein, but only until title passes to the initial purchaser, and proceeds, obligations, or any financial instruments of any nature whatsoever arising from or related to the sale or marketing thereof, and interests therein, in which any foreign country or a national thereof has any interest, that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons; and

(iii) any accounts, assets, investments, or any other property of any kind owned by, belonging to, or held by the Central Bank of Iraq, or held, maintained, or otherwise controlled by any financial institution of any kind in the name of, on behalf of, or otherwise for the Central Bank of Iraq.

(b) The prohibition in section 1(a) of this order shall not apply with respect to any final judgment arising out of a contractual obligation entered into by the Government of Iraq, including any agency or instrumentality thereof, after June 30, 2004.”

Sec. 2. (a) The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and the UNPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government consistent with applicable law. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

(b) Nothing contained in this order shall relieve a person from any requirement to obtain a license or other authorization in compliance with applicable laws and regulations.

Sec. 3. This order is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, entities, officers, employees, or agents, or any other person.

Sec. 4. This order shall be transmitted to the Congress and published in the **Federal Register**.

GEORGE W. BUSH

The White House,
November 29, 2004.

Executive Order 13365 of December 3, 2004

2004 Amendments to the Manual for Courts-Martial, United States

By the authority vested in me as President by the Constitution and the laws of the United States of America, including chapter 47 of title 10, United States Code (Uniform Code of Military Justice, 10 U.S.C. 801–946), and in order to prescribe amendments to the Manual for Courts-Martial, United States, prescribed by Executive Order 12473, as amended, it is hereby ordered as follows:

Section 1. (a) Paragraph 4 of the Preamble to Part I of the Manual for Courts-Martial, United States, is amended by adding a third subparagraph to read as follows:

“The Department of Defense Joint Service Committee (JSC) on Military Justice reviews the Manual for Courts-Martial and proposes amendments to the Department of Defense for consideration by the President on an annual basis. In conducting its annual review, the JSC is guided by DoD Directive 5500.17, “The Roles and Responsibilities of the Joint Service Committee (JSC) on Military Justice.” DoD Directive 5500.17 includes provisions allowing public participation in the annual review process.”

(b) Department of Defense Directive 5500.17 shall be included as Appendix 26 to the Manual for Courts-Martial, United States.

Sec. 2. Part II of the Manual for Courts-Martial, United States, is amended as follows:

(a) R.C.M. 307(c)(3) is amended to read as follows:

“*Specification.* A specification is a plain, concise, and definite statement of the essential facts constituting the offense charged. A specification is sufficient if it alleges every element of the charged offense expressly or by necessary implication. Except for aggravating factors under R.C.M. 1003(d) and R.C.M. 1004, facts that increase the maximum authorized punishment must be alleged in order to permit the possible increased punishment. No particular format is required.”

(b) R.C.M. 707(b)(3)(D) is amended to read as follows:

“*Rehearings.* If a rehearing is ordered or authorized by an appellate court, a new 120-day time period under this rule shall begin on the date that the responsible convening authority receives the record of trial and the opinion authorizing or directing a rehearing. An accused is brought to trial within the meaning of this rule at the time of arraignment under R.C.M. 904 or, if arraignment is not required (such as in the case of a sentence-only rehearing), at the time of the first session under R.C.M. 803.”

(c) R.C.M. 707(c) is amended to read as follows:

“(c) *Excludable delay.* All periods of time during which appellate courts have issued stays in the proceedings, or the accused is absent without authority, or the accused is hospitalized due to incompetence, or is otherwise in the custody of the Attorney General, shall be excluded when determining whether the period in subsection (a) of this rule has run. All other pretrial delays approved by a military judge or the convening authority shall be similarly excluded.”

(d) R.C.M. 707(d) is amended to read as follows:

“(d) *Remedy*. A failure to comply with this rule will result in dismissal of the affected charges, or, in a sentence-only rehearing, sentence relief as appropriate.

“(1) *Dismissal*. Dismissal will be with or without prejudice to the government’s right to reinstitute court-martial proceedings against the accused for the same offense at a later date. The charges must be dismissed with prejudice where the accused has been deprived of his or her constitutional right to a speedy trial. In determining whether to dismiss charges with or without prejudice, the court shall consider, among others, each of the following factors: the seriousness of the offense; the facts and circumstances of the case that lead to dismissal; the impact of a re-prosecution on the administration of justice; and any prejudice to the accused resulting from the denial of a speedy trial.

“(2) *Sentence relief*. In determining whether or how much sentence relief is appropriate, the military judge shall consider, among others, each of the following factors: the length of the delay, the reasons for the delay, the accused’s demand for speedy trial, and any prejudice to the accused from the delay. Any sentence relief granted will be applied against the sentence approved by the convening authority.”

(e) R.C.M. 806(b) is amended to read as follows:

“(b) *Control of spectators and closure*.

“(1) *Control of spectators*. In order to maintain the dignity and decorum of the proceedings or for other good cause, the military judge may reasonably limit the number of spectators in, and the means of access to, the courtroom, and exclude specific persons from the courtroom. When excluding specific persons, the military judge must make findings on the record establishing the reason for the exclusion, the basis for the military judge’s belief that exclusion is necessary, and that the exclusion is as narrowly tailored as possible.

“(2) *Closure*. Courts-martial shall be open to the public unless (1) there is a substantial probability that an overriding interest will be prejudiced if the proceedings remain open; (2) closure is no broader than necessary to protect the overriding interest; (3) reasonable alternatives to closure were considered and found inadequate; and (4) the military judge makes case-specific findings on the record justifying closure.”

(f) R.C.M. 916(k)(2) is amended to read as follows:

“(2) *Partial mental responsibility*. A mental condition not amounting to a lack of mental responsibility under subsection (k)(1) of this rule is not an affirmative defense.”

(g) R.C.M. 1103(f)(2) is amended to read as follows:

“(2) Direct a rehearing as to any offense of which the accused was found guilty if the finding is supported by the summary of the evidence contained in the record, provided that the convening authority may not approve any sentence imposed at such a rehearing more severe than or in excess of that adjudged by the earlier court-martial.”

(h) The following subsection (iv) is inserted after R.C.M. 1107(e)(1)(B)(iii) to read as follows:

“(iv) *Sentence reassessment.* If a superior authority has approved some of the findings of guilty and has authorized a rehearing as to other offenses and the sentence, the convening authority may, unless otherwise directed, reassess the sentence based on the approved findings of guilty and dismiss the remaining charges. Reassessment is appropriate only where the convening authority determines that the accused’s sentence would have been at least of a certain magnitude had the prejudicial error not been committed and the reassessed sentence is appropriate in relation to the affirmed findings of guilty.”

(i) R.C.M. 1108(b) is amended to read as follows:

“(b) *Who may suspend and remit.* The convening authority may, after approving the sentence, suspend the execution of all or any part of the sentence of a court-martial, except for a sentence of death. The general court-martial convening authority over the accused at the time of the court-martial may, when taking the action under R.C.M. 1112(f), suspend or remit any part of the sentence. The Secretary concerned and, when designated by the Secretary concerned, any Under Secretary, Assistant Secretary, Judge Advocate General, or commanding officer may suspend or remit any part or amount of the unexecuted part of any sentence other than a sentence approved by the President or a sentence of confinement for life without eligibility for parole that has been ordered executed. The Secretary concerned may, however, suspend or remit the unexecuted part of a sentence of confinement for life without eligibility for parole only after the service of a period of confinement of not less than 20 years. The commander of the accused who has the authority to convene a court-martial of the kind that adjudged the sentence may suspend or remit any part of the unexecuted part of any sentence by summary court-martial or of any sentence by special court-martial that does not include a bad-conduct discharge regardless of whether the person acting has previously approved the sentence. The “unexecuted part of any sentence” is that part that has been approved and ordered executed but that has not actually been carried out.”

(j) R.C.M. 1305(c) is amended to read as follows:

“(c) *Authentication.* The summary court-martial shall authenticate the record by signing the original record of trial.”

(k) R.C.M. 1306(b)(1) is amended to read as follows:

“(1) *Who shall act.* Except as provided herein, the convening authority shall take action in accordance with R.C.M. 1107. The convening authority shall not take action before the period prescribed in R.C.M. 1105(c)(2) has expired, unless the right to submit matters has been waived under R.C.M. 1105(d).”

Sec. 3. Part III of the Manual for Courts-Martial, United States, is amended as follows:

(a) Mil. R. Evid. 103(a)(2) is amended to read as follows:

“(2) *Offer of proof.* In case the ruling is one excluding evidence, the substance of the evidence was made known to the military judge by offer or was apparent from the context within which questions were asked. Once the military judge makes a definitive ruling on the record admitting or excluding evidence, either at or before trial, a party need not renew an objection or offer of proof to preserve a claim of error for appeal. The standard provided in this subdivision does not apply to errors involving

requirements imposed by the Constitution of the United States as applied to members of the armed forces except insofar as the error arises under these rules and this subdivision provides a standard that is more advantageous to the accused than the constitutional standard.”

(b) Mil. R. Evid. 404(a) is amended to read as follows:

“(a) *Character evidence generally.* Evidence of a person’s character or a trait of character is not admissible for the purpose of proving action in conformity therewith on a particular occasion, except:

“(1) *Character of accused.* Evidence of a pertinent trait of character offered by an accused, or by the prosecution to rebut the same, or evidence of a pertinent trait of character of the alleged victim of the crime is offered by an accused and admitted under Mil. R. Evid. 404(a)(2), evidence of the same trait of character, if relevant, of the accused offered by the prosecution;

“(2) *Character of alleged victim.* Evidence of a pertinent trait of character of the alleged victim of the crime offered by an accused, or by the prosecution to rebut the same, or evidence of a character trait of peacefulness of the alleged victim offered by the prosecution in a homicide or assault case to rebut evidence that the alleged victim was an aggressor;

“(3) *Character of witness.* Evidence of the character of a witness, as provided in Mil. R. Evid. 607, 608, and 609.”

(c) Mil. R. Evid. 701 is amended to read as follows:

“If the witness is not testifying as an expert, the witness’ testimony in the form of opinions or inferences is limited to those opinions or inferences that are (a) rationally based on the perception of the witness, (b) helpful to a clear understanding of the witness’ testimony or the determination of a fact in issue, and (c) not based in scientific, technical, or other specialized knowledge within the scope of Rule 702.”

(d) Mil. R. Evid. 702 is amended to read as follows:

“If scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education may testify thereto in the form of an opinion or otherwise if (1) the testimony is based upon sufficient facts or data, (2) the testimony is the product of reliable principles and methods, and (3) the witness has applied the principles and methods reliably to the facts of the case.”

(e) Mil. R. Evid. 703 is amended to read as follows:

“The facts or data in the particular case upon which an expert bases an opinion or inference may be those perceived by or made known to the expert, at or before the hearing. If of a type reasonably relied upon by experts in the particular field in forming opinions or inferences upon the subject, the facts or data need not be admissible in evidence in order for the opinion or inference to be admitted. Facts or data that are otherwise inadmissible shall not be disclosed to the members by the proponent of the opinion or inference unless the military judge determines that their probative value in assisting the members to evaluate the expert’s opinion substantially outweighs their prejudicial effect.”

(f) Mil. R. Evid. 803(6) is amended to read as follows:

“Records of regularly conducted activity. A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record, or data compilation, all as shown by the testimony of the custodian or other qualified witness, or by certification that complies with Mil. R. Evid. 902(11) or any other statute permitting certification in a criminal proceeding in a court of the United States, unless the source of the information or the method or circumstances of preparation indicate a lack of trustworthiness. The term “business” as used in this paragraph includes the armed forces, a business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit. Among those memoranda, reports, records, or data compilations normally admissible pursuant to this paragraph are enlistment papers, physical examination papers, outline-figure and fingerprint cards, forensic laboratory reports, chain of custody documents, morning reports and other personnel accountability documents, service records, officer and enlisted qualification records, logs, unit personnel diaries, individual equipment records, daily strength records of prisoners, and rosters of prisoners.”

(g) The following subsection (11) is inserted after Mil. R. Evid. 902(10) to read as follows:

“(11) Certified domestic records of regularly conducted activity. The original or a duplicate of a domestic record of regularly conducted activity that would be admissible under Mil. R. Evid. 803(6) if accompanied by a written declaration of its custodian or other qualified person, in a manner complying with any Act of Congress or rule prescribed by the Supreme Court pursuant to statutory authority, certifying that the record (A) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters; (B) was kept in the course of the regularly conducted activity; and (C) was made by the regularly conducted activity as a regular practice. A party intending to offer a record into evidence under this paragraph must provide written notice of that intention to all adverse parties, and must make the record and declaration available for inspection sufficiently in advance of their offer into evidence to provide an adverse party with a fair opportunity to challenge them.”

(h) Mil. R. Evid. 1102 is amended to read as follows:

“(a) Amendments to the Federal Rules of Evidence shall apply to the Military Rules of Evidence 18 months after the effective date of such amendments, unless action to the contrary is taken by the President.

“(b) Rules Determined Not To Apply. The President has determined that the following Federal Rules of Evidence do not apply to the Military Rules of Evidence: Rules 301, 302, 415, and 902(12).”

Sec. 4. Part IV of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 45(b)(2) is amended by deleting paragraph 45(b)(2)(c) and inserting the following after paragraph 45(b)(2)(b):

“(c)(1) That at the time of the sexual intercourse the person was under the age of 12; or

“(2) That at the time of the sexual intercourse the person had attained the age of 12 but was under the age of 16.”

(b) Paragraph 45(f) is amended to read as follows:

“f. *Sample specifications.*

“(1) *Rape.*

“In that _____ (personal jurisdiction data), did, (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, rape _____, (a person under the age of 12) (a person who had attained the age of 12 but was under the age of 16).

“(2) *Carnal Knowledge.*

“In that _____ (personal jurisdiction data), did, (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, commit the offense of carnal knowledge with _____, (a person under the age of 12) (a person who attained the age of 12 but was under the age of 16).”

(c) Paragraph 51(b) is amended to read as follows:

“(1) That the accused engaged in unnatural carnal copulation with a certain other person or with an animal.

“(Note: Add any of the following as applicable)

“(2) That the act was done with a child under the age of 12.

“(3) That the act was done with a child who had attained the age of 12 but was under the age of 16.

“(4) That the act was done by force and without the consent of the other person.”

(d) Paragraph 51(f) is amended to read as follows:

“f. *Sample specification.*

“In that _____ (personal jurisdiction data), did, (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, commit sodomy with _____, (a child under the age of 12) (a child who had attained the age of 12 but was under the age of 16) (by force and without the consent of the said _____).”

(e) Paragraph 57(c)(2)(b) is amended to read as follows:

“(b) *Material matter.* The false testimony must be with respect to a material matter, but that matter need not be the main issue in the case. Thus, perjury may be committed by giving false testimony with respect to the credibility of a material witness or in an affidavit in support of a request for a continuance, as well as by giving false testimony with respect to a fact from which a legitimate inference may be drawn as to the existence or nonexistence of a fact in issue.”

(f) Paragraph 100a(c)(1) is amended to read as follows:

“(1) *In general.* This offense is intended to prohibit and therefore deter reckless or wanton conduct that wrongfully creates a substantial risk of death or grievous bodily harm to others.”

(g) Paragraph 100a(f) is amended to read as follows:

“f. *Sample specification.*

“In that _____ (personal jurisdiction data), did, (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, wrongfully and (recklessly) (wantonly) engage in conduct, to wit: (describe conduct), conduct likely to cause death or grievous bodily harm to _____.”

Sec. 5. These amendments shall take effect 30 days from the date of this order.

(a) Nothing in these amendments shall be construed to make punishable any act done or omitted prior to the effective date of this order that was not punishable when done or omitted.

(b) Nothing in these amendments shall be construed to invalidate any nonjudicial punishment proceeding, restraint, investigation, referral of charges, trial in which arraignment occurred, or other action begun prior to the effective date of this order, and any such nonjudicial proceeding, restraint, investigation, referral of charges, trial, or other action may proceed in the same manner and with the same effect as if these amendments had not been prescribed.

GEORGE W. BUSH

The White House,
December 3, 2004.

Executive Order 13366 of December 17, 2004

Committee on Ocean Policy

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. It shall be the policy of the United States to:

(a) coordinate the activities of executive departments and agencies regarding ocean-related matters in an integrated and effective manner to advance the environmental, economic, and security interests of present and future generations of Americans; and

(b) facilitate, as appropriate, coordination and consultation regarding ocean-related matters among Federal, State, tribal, local governments, the private sector, foreign governments, and international organizations.

Sec. 2. Definition. For purposes of this order the term “ocean-related matters” means matters involving the oceans, the Great Lakes, the coasts of the United States (including its territories and possessions), and related seabed, subsoil, and natural resources.

Sec. 3. Establishment of Committee on Ocean Policy.

(a) There is hereby established, as a part of the Council on Environmental Quality and for administrative purposes only, the Committee on Ocean Policy (Committee).

(b) The Committee shall consist exclusively of the following:

(i) the Chairman of the Council on Environmental Quality, who shall be the Chairman of the Committee;

(ii) the Secretaries of State, Defense, the Interior, Agriculture, Health and Human Services, Commerce, Labor, Transportation, Energy, and Homeland Security, the Attorney General, the Administrator of the Environmental Protection Agency, the Director of the Office of Management and Budget, the Administrator of the National Aeronautics and Space Administration, the Director of National Intelligence, the Director of the Office of Science and Technology Policy, the Director of the National Science Foundation, and the Chairman of the Joint Chiefs of Staff;

(iii) the Assistants to the President for National Security Affairs, Homeland Security, Domestic Policy, and Economic Policy;

(iv) an employee of the United States designated by the Vice President; and

(v) such other officers or employees of the United States as the Chairman of the Committee may from time to time designate.

(c) The Chairman of the Committee, after coordination with the Assistants to the President for National Security Affairs and Homeland Security, shall regularly convene and preside at meetings of the Committee, determine its agenda, direct its work, and, as appropriate to deal with particular subject matters, establish and direct subcommittees of the Committee that shall consist exclusively of members of the Committee. The Committee shall coordinate its advice in a timely fashion.

(d) A member of the Committee may designate, to perform the Committee or subcommittee functions of the member, any person who is within such member's department, agency, or office and who is (i) an officer of the United States appointed by the President, (ii) a member of the Senior Executive Service or the Senior Intelligence Service, (iii) an officer or employee within the Executive Office of the President, or (iv) an employee of the Vice President.

(e) Consistent with applicable law and subject to the availability of appropriations, the Council on Environmental Quality shall provide the funding, including through the Office of Environmental Quality as permitted by law and as appropriate, and administrative support for the Committee necessary to implement this order.

Sec. 4. *Functions of the Committee.* To implement the policy set forth in section 1 of this order, the Committee shall:

(a) provide advice on establishment or implementation of policies concerning ocean-related matters to:

(i) the President; and

(ii) the heads of executive departments and agencies from time to time as appropriate;

(b) obtain information and advice concerning ocean-related matters from:

(i) State, local, and tribal elected and appointed officials in a manner that seeks their individual advice and does not involve collective judgment or consensus advice or deliberation; and

(ii) representatives of private entities or other individuals in a manner that seeks their individual advice and does not involve collective judgment or consensus advice or deliberation;

(c) at the request of the head of any department or agency who is a member of the Committee, unless the Chairman of the Committee declines the request, promptly review and provide advice on a policy or policy implementation action on ocean-related matters proposed by that department or agency;

(d) provide and obtain information and advice to facilitate:

(i) development and implementation of common principles and goals for the conduct of governmental activities on ocean-related matters;

(ii) voluntary regional approaches with respect to ocean-related matters;

(iii) use of science in establishment of policy on ocean-related matters; and

(iv) collection, development, dissemination, and exchange of information on ocean-related matters; and

(e) ensure coordinated government development and implementation of the ocean component of the Global Earth Observation System of Systems.

Sec. 5. Cooperation. To the extent permitted by law and applicable presidential guidance, executive departments and agencies shall provide the Committee such information, support, and assistance as the Committee, through the Chairman, may request.

Sec. 6. Coordination. The Chairman of the Council on Environmental Quality, the Assistant to the President for National Security Affairs, the Assistant to the President for Homeland Security, and, with respect to the inter-agency task force established by Executive Order 13340 of May 18, 2004, the Administrator of the Environmental Protection Agency, shall ensure appropriate coordination of the activities of the Committee under this order and other policy coordination structures relating to ocean or maritime issues pursuant to Presidential guidance.

Sec. 7. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to a executive department or agency or the head thereof; or

(ii) functions assigned by the President to the National Security Council or Homeland Security Council (including subordinate bodies) relating to matters affecting foreign affairs, national security, homeland security, or intelligence.

(b) 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, or legislative proposals.

(c) 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 in equity

by a party against the United States, its departments, agencies, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,
December 17, 2004.

Executive Order 13367 of December 21, 2004

United States-Mexico Border Health Commission

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 1 of the International Organizations Immunities Act (22 U.S.C. 288) (the “Act”), and having found that the United States participates in the United States-Mexico Border Health Commission (USMBHC) pursuant to the United-States Mexico Border Health Commission Act, Public Law 103–400 (22 U.S.C. 290n *et seq.*), I hereby designate the USMBHC as a public international organization for purposes of the International Organizations Immunities Act. I hereby extend to members and employees of the Mexican Section of the USMBHC the same privileges, exemptions, and immunities as are accorded under similar circumstances to officers and employees, respectively, of foreign governments with regard to the laws regulating entry into and departure from the United States as provided for in section 7(a) of the Act (22 U.S.C. 288d(a)). No other privileges, exemptions, or immunities of the Act are extended under this order.

This designation is not intended to abridge in any respect privileges, exemptions, or immunities that the USMBHC otherwise may have acquired or may acquire by law.

GEORGE W. BUSH

The White House,
December 21, 2004.

Executive Order 13368 of December 30, 2004

Adjustments of Certain Rates of Pay

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the laws cited herein, it is hereby ordered as follows:

Section 1. Statutory Pay Systems. The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303(a), are set forth on the schedules attached hereto and made a part hereof: (a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1; (b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and (c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102–40) at Schedule 3.

Sec. 2. *Senior Executive Service.* The ranges of rates of basic pay for senior executives in the Senior Executive Service, as established pursuant to 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

Sec. 3. *Certain Executive, Legislative and Judicial Salaries.* The rates of basic pay or salaries for the following offices and positions are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5312–5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 31) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a), section 140 of Public Law 97–92, and section 306 of Division B of Public Law 108–447) at Schedule 7.

Sec. 4. *Uniformed Services.* Pursuant to section 601(a)–(b) of Public Law 108–375, the rates of monthly basic pay (37 U.S.C. 203(a)) for members of the uniformed services, as adjusted under 37 U.S.C. 1009, and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)) are set forth on Schedule 8 attached hereto and made a part hereof.

Sec. 5. *Locality-Based Comparability Payments.* (a) Pursuant to section 5304 of title 5, United States Code, and section 640 of Division H of Public Law 108–447, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the **Federal Register**.

Sec. 6. *Administrative Law Judges.* The rates of basic pay for administrative law judges, as adjusted under 5 U.S.C. 5372(b)(4), are set forth on Schedule 10 attached hereto and made a part hereof.

Sec. 7. *Effective Dates.* Schedule 8 is effective on January 1, 2005. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 2005.

Sec. 8. *Prior Order Superseded.* Executive Order 13332 of March 3, 2004, is superseded.

GEORGE W. BUSH

The White House,
December 30, 2004.

SCHEDULE 1--GENERAL SCHEDULE

(Effective on the first day of the first applicable pay period
beginning on or after January 1, 2005)

	1	2	3	4	5	6	7	8	9	10
GS-1	\$16,016	\$16,550	\$17,083	\$17,613	\$18,146	\$18,459	\$18,984	\$19,515	\$19,537	\$20,036
GS-2	18,007	18,435	19,031	19,537	19,755	20,336	20,917	21,498	22,079	22,660
GS-3	19,647	20,302	20,957	21,612	22,267	22,922	23,577	24,232	24,887	25,542
GS-4	22,056	22,791	23,526	24,261	24,996	25,731	26,466	27,201	27,936	28,671
GS-5	24,677	25,500	26,323	27,146	27,969	28,792	29,615	30,438	31,261	32,084
GS-6	27,507	28,424	29,341	30,258	31,175	32,092	33,009	33,926	34,843	35,760
GS-7	30,567	31,586	32,605	33,624	34,643	35,662	36,681	37,700	38,719	39,738
GS-8	33,852	34,980	36,108	37,236	38,364	39,492	40,620	41,748	42,876	44,004
GS-9	37,390	38,636	39,882	41,128	42,374	43,620	44,866	46,112	47,358	48,604
GS-10	41,175	42,548	43,921	45,294	46,667	48,040	49,413	50,786	52,159	53,532
GS-11	45,239	46,747	48,255	49,763	51,271	52,779	54,287	55,795	57,303	58,811
GS-12	54,221	56,028	57,835	59,642	61,449	63,256	65,063	66,870	68,677	70,484
GS-13	64,478	66,627	68,776	70,925	73,074	75,223	77,372	79,521	81,670	83,819
GS-14	76,193	78,733	81,273	83,813	86,353	88,893	91,433	93,973	96,513	99,053
GS-15	89,625	92,613	95,601	98,589	101,577	104,565	107,553	110,541	113,529	116,517

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SCHEDULE 2--FOREIGN SERVICE SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2005)

Step	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
1	\$89,625	\$72,622	\$58,845	\$47,682	\$38,636	\$34,540	\$30,878	\$27,604	\$24,677
2	92,314	74,801	60,610	49,112	39,795	35,576	31,804	28,432	25,417
3	95,083	77,045	62,429	50,586	40,989	36,643	32,758	29,285	26,180
4	97,936	79,356	64,302	52,103	42,219	37,743	33,741	30,164	26,965
5	100,874	81,737	66,231	53,667	43,485	38,875	34,753	31,069	27,774
6	103,900	84,189	68,217	55,277	44,790	40,041	35,796	32,001	28,607
7	107,017	86,714	70,264	56,935	46,133	41,243	36,870	32,961	29,466
8	110,227	89,316	72,372	58,643	47,517	42,480	37,976	33,949	30,350
9	113,534	91,995	74,543	60,402	48,943	43,754	39,115	34,968	31,260
10	116,517	94,755	76,779	62,214	50,411	45,067	40,289	36,017	32,198
11	116,517	97,598	79,083	64,081	51,924	46,419	41,497	37,097	33,164
12	116,517	100,526	81,455	66,003	53,481	47,811	42,742	38,210	34,159
13	116,517	103,542	83,899	67,983	55,086	49,246	44,025	39,357	35,184
14	116,517	106,648	86,416	70,023	56,738	50,723	45,345	40,537	36,239

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SCHEDULE 3--VETERANS HEALTH ADMINISTRATION SCHEDULES
DEPARTMENT OF VETERANS AFFAIRS

(Effective on the first day of the first applicable pay period
beginning on or after January 1, 2005)

Schedule for the Office of the Under Secretary for Health
(38 U.S.C. 7306)*

Deputy Under Secretary for Health		\$152,207	**
Associate Deputy Under Secretary for Health		145,786	***
Assistant Under Secretaries for Health		141,488	***

	<u>Minimum</u>	<u>Maximum</u>	
Medical Directors	\$120,718	\$136,818	***
Service Directors	105,113	130,543	
Director, National Center for Preventive Health	89,625	130,543	

Physician and Dentist Schedule

Director Grade	\$105,113	\$130,543
Executive Grade	97,061	123,701
Chief Grade	89,625	116,517
Senior Grade	76,193	99,053
Intermediate Grade	64,478	83,819
Full Grade	54,221	70,484
Associate Grade	45,239	58,811

Clinical Podiatrist, Chiropractor, and Optometrist Schedule

Chief Grade	\$89,625	\$116,517
Senior Grade	76,193	99,053
Intermediate Grade	64,478	83,819
Full Grade	54,221	70,484
Associate Grade	45,239	58,811

Physician Assistant and Expanded-Function
Dental Auxiliary Schedule ****

Director Grade	\$89,625	\$116,517
Assistant Director Grade	76,193	99,053
Chief Grade	64,478	83,819
Senior Grade	54,221	70,484
Intermediate Grade	45,239	58,811
Full Grade	37,390	48,604
Associate Grade	32,175	41,832
Junior Grade	27,507	35,760

- * This schedule does not apply to the Assistant Under Secretary for Nursing Programs or the Director of Nursing Services. Pay for these positions is set by the Under Secretary for Health under 38 U.S.C. 7451.
- ** Pursuant to section 3 of Public Law 108-445 and section 7404(d)(1) of title 38, United States Code, the rate of basic pay payable to this employee is limited to the rate for level IV of the Executive Schedule, which is \$140,300.
- *** Pursuant to section 3 of Public Law 108-445 and section 7404(d)(2) of title 38, United States Code, the rate of basic pay payable to these employees is limited to the rate for level V of the Executive Schedule, which is \$131,400.
- **** Pursuant to section 301(a) of Public Law 102-40, these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b) as in effect on August 14, 1990, with subsequent adjustments.

SCHEDULE 4--SENIOR EXECUTIVE SERVICE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2005)

	<u>Minimum</u>	<u>Maximum</u>
Agencies with a Certified SES Performance Appraisal System	\$107,550	\$162,100
Agencies without a Certified SES Performance Appraisal System	\$107,550	\$149,200

SCHEDULE 5--EXECUTIVE SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2005)

Level I	\$180,100
Level II	162,100
Level III	149,200
Level IV	140,300
Level V	131,400

SCHEDULE 6--VICE PRESIDENT AND MEMBERS OF CONGRESS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2005)

Vice President	\$208,100
Senators	162,100
Members of the House of Representatives	162,100
Delegates to the House of Representatives	162,100
Resident Commissioner from Puerto Rico	162,100
President pro tempore of the Senate	180,100
Majority leader and minority leader of the Senate	180,100
Majority leader and minority leader of the House of Representatives	180,100
Speaker of the House of Representatives	208,100

SCHEDULE 7--JUDICIAL SALARIES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2005)

Chief Justice of the United States	\$208,100
Associate Justices of the Supreme Court	199,200
Circuit Judges	171,800
District Judges	162,100
Judges of the United States Court of International Trade	162,100

Executive Orders

EO 13368

SCHEDULE 8-PAY OF THE UNIFORMED SERVICES
(Effective on January 1, 2005)

Part I-MONTHLY BASIC PAY

YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)

Pay Grade	2 or less	2	3	4	6	8	10	12	14	16	18	20	22	24	26
O-10**	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
O-9	\$8,022.30	\$8,285.10	\$8,459.40	\$8,508.30	\$8,725.50	\$9,089.40	\$9,173.70	\$9,519.00	\$9,618.00	\$9,915.30	\$10,345.50	\$10,742.40	\$11,337.90	\$11,501.10	\$11,737.20
O-8	\$6,666.00	\$6,975.60	\$7,119.00	\$7,233.00	\$7,439.10	\$7,642.50	\$7,878.30	\$8,113.50	\$8,349.00	\$8,689.40	\$9,074.60	\$9,714.60	\$10,007.60	\$10,714.60	\$11,007.60
O-7	\$4,940.70	\$5,427.90	\$5,784.00	\$5,784.00	\$5,805.90	\$6,054.90	\$6,087.90	\$6,433.80	\$6,433.80	\$7,045.50	\$7,404.60	\$7,763.40	\$7,967.70	\$8,174.10	\$8,575.50
O-6	\$4,118.70	\$4,639.80	\$4,961.10	\$5,021.40	\$5,221.50	\$5,341.80	\$5,605.50	\$5,799.00	\$6,048.60	\$6,431.10	\$6,613.20	\$6,793.20	\$6,997.50	\$7,174.10	\$7,575.50
O-5	\$3,553.80	\$4,113.90	\$4,388.40	\$4,449.60	\$4,704.30	\$4,977.60	\$5,317.50	\$5,582.70	\$5,766.60	\$5,872.20	\$5,933.70	\$5,933.70	\$5,933.70	\$5,933.70	\$5,933.70
O-4	\$3,124.50	\$3,542.10	\$3,823.20	\$4,168.20	\$4,367.70	\$4,586.70	\$4,728.60	\$4,962.00	\$5,083.20	\$5,083.20	\$5,083.20	\$5,083.20	\$5,083.20	\$5,083.20	\$5,083.20
O-3***	\$2,699.40	\$3,074.70	\$3,541.20	\$3,660.90	\$3,736.20	\$3,736.20	\$3,736.20	\$3,736.20	\$3,736.20	\$3,736.20	\$3,736.20	\$3,736.20	\$3,736.20	\$3,736.20	\$3,736.20
O-2****	\$2,343.60	\$2,439.00	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10	\$2,948.10
O-1****	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

COMMISSIONED OFFICERS

COMMISSIONED OFFICERS WITH OVER 4 YEARS ACTIVE DUTY SERVICE
AS AN ENLISTED MEMBER AND/OR WARRANT OFFICER****

O-3E	-	-	-	\$4,168.20	\$4,367.70	\$4,586.70	\$4,728.60	\$4,962.00	\$5,158.50	\$5,271.00	\$5,424.60	\$5,424.60	\$5,424.60	\$5,424.60	\$5,424.60
O-2E	-	-	-	\$3,660.90	\$3,736.20	\$3,855.30	\$4,055.70	\$4,211.10	\$4,326.60	\$4,326.60	\$4,326.60	\$4,326.60	\$4,326.60	\$4,326.60	\$4,326.60
O-1E	-	-	-	\$2,948.10	\$3,148.80	\$3,264.90	\$3,383.70	\$3,500.70	\$3,660.90	\$3,660.90	\$3,660.90	\$3,660.90	\$3,660.90	\$3,660.90	\$3,660.90

* Basic pay for these officers is limited to the rate of basic pay for level III of the Executive Schedule, which is \$12,433.20 per month.

** For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (as defined in section 161(c) of title 10, United States Code), basic pay for this grade is calculated to be \$15,146.40 per month, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, actual basic pay for these officers is limited to the rate of basic pay for level III of the Executive Schedule, which is \$12,433.20 per month.

*** Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

**** Reservists with at least 1,460 points as an enlisted member and/or warrant officer which are creditable toward reserve retirement also qualify for these rates.

SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 2)

YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)

Pay Grade	2 or less	2	3	4	6	8	10	12	14	16	18	20	22	24	26
W-5															
W-4	\$3,228.60	\$3,473.40	\$3,573.30	\$3,671.40	\$3,840.30	\$4,007.10	\$4,176.30	\$4,341.00	\$4,511.70	\$4,779.00	\$4,950.00	\$5,117.40	\$5,290.80	\$5,461.80	\$5,636.40
W-3	2,948.40	3,071.70	3,197.40	3,238.80	3,371.10	3,522.30	3,721.80	3,918.90	4,128.30	4,285.50	4,442.10	4,509.30	4,578.90	4,730.10	4,881.30
W-2	2,593.50	2,741.70	2,871.30	2,965.50	3,046.20	3,268.20	3,438.00	3,564.00	3,687.00	3,771.30	3,842.40	3,977.40	4,111.50	4,247.40	4,247.40
W-1	2,290.20	2,477.70	2,603.10	2,684.40	2,900.40	3,030.90	3,146.40	3,275.40	3,360.90	3,438.30	3,564.30	3,659.70	3,659.70	3,659.70	3,659.70

WARRANT OFFICERS

Pay Grade	2 or less	2	3	4	6	8	10	12	14	16	18	20	22	24	26
E-9 *															
E-8	\$2,220.00	\$2,423.10	\$2,515.80	\$2,638.80	\$2,734.50	\$2,899.70	\$3,011.20	\$3,134.80	\$3,422.10	\$3,527.10	\$3,640.50	\$3,845.40	\$4,125.90	\$4,224.00	\$4,465.20
E-7	1,920.30	2,112.60	2,205.90	2,296.50	2,391.00	2,604.30	2,687.10	2,779.20	2,859.90	3,332.40	3,410.70	3,458.70	3,620.40	3,725.10	3,990.00
E-6	1,759.50	1,877.10	1,967.70	2,060.70	2,205.30	2,329.80	2,421.60	2,450.70	2,450.70	2,888.70	2,908.20	2,908.20	2,908.20	2,908.20	2,908.20
E-5	1,612.80	1,695.60	1,787.10	1,877.70	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80
E-4	1,456.20	1,547.70	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00
E-3	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50
E-2	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10
E-1 ***	1,142.70														

ENLISTED MEMBERS

Pay Grade	2 or less	2	3	4	6	8	10	12	14	16	18	20	22	24	26
E-9 *															
E-8	\$2,220.00	\$2,423.10	\$2,515.80	\$2,638.80	\$2,734.50	\$2,899.70	\$3,011.20	\$3,134.80	\$3,422.10	\$3,527.10	\$3,640.50	\$3,845.40	\$4,125.90	\$4,224.00	\$4,465.20
E-7	1,920.30	2,112.60	2,205.90	2,296.50	2,391.00	2,604.30	2,687.10	2,779.20	2,859.90	3,332.40	3,410.70	3,458.70	3,620.40	3,725.10	3,990.00
E-6	1,759.50	1,877.10	1,967.70	2,060.70	2,205.30	2,329.80	2,421.60	2,450.70	2,450.70	2,888.70	2,908.20	2,908.20	2,908.20	2,908.20	2,908.20
E-5	1,612.80	1,695.60	1,787.10	1,877.70	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80
E-4	1,456.20	1,547.70	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00
E-3	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50
E-2	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10
E-1 ***	1,142.70														

* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$6,304.20 per month, regardless of cumulative years of service under section 205 of title 37, United States Code.

** Applies to personnel who have served 4 months or more on active duty.

*** Applies to personnel who have served less than 4 months on active duty.

Executive Orders

EO 13368

SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 3)

Part II-RATE OF MONTHLY CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by section 203(c) of title 37, United States Code, is \$820.20.

Note: As a result of the enactment of sections 602-694 of Public Law 105-85, the National Defense Authorization Act for Fiscal Year 1998, the Secretary of Defense now has the authority to adjust the rates of basic allowances for subsistence and housing. Therefore, these allowances are no longer adjusted by the President in conjunction with the adjustment of basic pay for members of the uniformed services. Accordingly, the tables of allowances included in previous orders are not included here.

SCHEDULE 9--LOCALITY-BASED COMPARABILITY PAYMENTS(Effective on the first day of the first applicable pay period
beginning on or after January 1, 2005)

<u>Locality Pay Area¹</u>	<u>Rate</u>
Atlanta-Sandy Springs-Gainesville, GA-AL	13.87%
Boston-Worcester-Manchester, MA-NH-ME-RI	18.49%
Chicago-Naperville-Michigan City, IL-IN-WI	19.70%
Cincinnati-Middletown-Wilmington, OH-KY-IN	16.04%
Cleveland-Akron-Elyria, OH	14.24%
Columbus-Marion-Chillicothe, OH	13.98%
Dallas-Fort Worth, TX	15.07%
Dayton-Springfield-Greenville, OH	12.86%
Denver-Aurora-Boulder, CO	18.06%
Detroit-Warren-Flint, MI	19.67%
Hartford-West Hartford-Willimantic, CT-MA	19.52%
Houston-Baytown-Huntsville, TX	24.77%
Huntsville-Decatur, AL	12.42%
Indianapolis-Anderson-Columbus, IN	12.01%
Kansas City-Overland Park-Kansas City, MO-KS	12.36%
Los Angeles-Long Beach-Riverside, CA	21.65%
Miami-Fort Lauderdale-Miami Beach, FL	16.77%
Milwaukee-Racine-Waukesha, WI	13.62%
Minneapolis-St. Paul-St. Cloud, MN-WI	15.99%
New York-Newark-Bridgeport, NY-NJ-CT-PA	20.99%
Orlando-The Villages, FL	11.75%
Philadelphia-Camden-Vineland, PA-NJ-DE-MD	16.67%
Pittsburgh-New Castle, PA	12.86%
Portland-Vancouver-Beaverton, OR-WA	15.93%
Richmond, VA	13.15%
Sacramento--Arden-Arcade--Truckee, CA-NV	16.51%
St. Louis-St. Charles-Farmington, MO-IL	12.09%
San Diego-Carlsbad-San Marcos, CA	17.68%
San Jose-San Francisco-Oakland, CA	26.39%
Seattle-Tacoma-Olympia, WA	16.53%
Washington-Baltimore-Northern Virginia, DC-MD-PA-VA-WV	15.98%
Rest of U.S.	11.72%

SCHEDULE 10-ADMINISTRATIVE LAW JUDGES(Effective on the first day of the first applicable pay period
beginning on or after January 1, 2005)

AL-3/A	\$93,500
AL-3/B	100,600
AL-3/C	107,800
AL-3/D	115,000
AL-3/E	122,200
AL-3/F	129,300
AL-2	136,600
AL-1	140,300

¹Locality Pay Areas are defined in 5 CFR 531.603.

OTHER PRESIDENTIAL DOCUMENTS

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Subchapter B— Administrative Orders

Notice of January 5, 2004

Continuation of the National Emergency With Respect to Libya

On January 7, 1986, by Executive Order 12543, President Reagan declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Libya. On January 8, 1986, by Executive Order 12544, the President took additional measures to block Libyan assets in the United States. The President has transmitted a notice continuing this emergency to the Congress and the **Federal Register** every year since 1986.

The crisis between the United States and Libya that led to the declaration of a national emergency on January 7, 1986, has not been fully resolved, although there have been some positive developments.

On September 12, 2003, the United Nations Security Council adopted Resolution 1506 (UNSCR 1506), ending the United Nations sanctions against Libya. These U.N. sanctions were imposed in 1992 and 1993 as a result of Libyan involvement in the terrorist bombings of Pan Am 103 in 1988 and UTA 772 in 1989, and included travel restrictions, an arms embargo, and financial sanctions. The UNSCR 1506 lifted these sanctions after Libya addressed the requirements of the relevant UNSC Resolutions, including accepting responsibility for the actions of its officials in the Pan Am 103 attack and arranging to compensate the families of the victims. The United

Title 3—The President

States abstained from voting on the lifting of U.N. sanctions, and it made clear that it continued to have serious concerns about other Libyan policies and actions, including Libya's pursuit of weapons of mass destruction, Libya's role with respect to terrorism, and Libya's poor human rights record.

On December 19, 2003, Prime Minister Blair and I announced separately that Libya's leader, Colonel Muammar Qadhafi, had agreed to eliminate all elements of Libya's chemical and nuclear weapons program, declare all nuclear activities to the International Atomic Energy Agency (IAEA), accept international inspections to ensure Libya's complete adherence to the Nuclear Nonproliferation Treaty and sign the IAEA Additional Protocol, accede to the Chemical Weapons Convention, eliminate ballistic missiles beyond 300 kilometer range, and immediately and unconditionally allow inspectors from international organizations to enter Libya. Libya's declaration of December 19, 2003, marks an important and welcome step toward addressing the concerns of the world community. As Libya takes tangible steps to address those concerns, the United States will in turn take reciprocal tangible steps to recognize Libya's progress. Libya's agreement marks the beginning of a process of rejoining the community of nations, but its declaration of December 19, 2003, must be followed by verification of concrete steps.

Therefore, consistent with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Libya. This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
January 5, 2004.

Presidential Determination No. 2004–20 of January 5, 2004

Eligibility of the Regional Security System (RSS) to Receive Defense Articles and Services under the Foreign Assistance Act and the Arms Export Control Act

Memorandum for the Secretary of State

Consistent with the provisions of section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, I hereby find that the furnishing of defense articles and services to the RSS will strengthen the security of the United States and promote world peace.

You are authorized and directed to report this finding to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
January 5, 2004.

Other Presidential Documents

Presidential Determination No. 2004–21 of January 15, 2004

Designation of the State of Kuwait as a Major Non-NATO Ally

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 517 of the Foreign Assistance Act of 1961, as amended (the “Act”), I hereby designate the State of Kuwait as a Major Non-NATO Ally of the United States for the purposes of the Act and the Arms Export Control Act.

You are authorized and directed to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, January 15, 2004.

Notice of January 16, 2004

Continuation of the National Emergency With Respect to Terrorists Who Threaten To Disrupt the Middle East Peace Process

On January 23, 1995, by Executive Order 12947, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by grave acts of violence committed by foreign terrorists who threaten to disrupt the Middle East peace process. On August 20, 1998, by Executive Order 13099, the President modified the Annex to Executive Order 12947 to identify four additional persons, including Usama bin Laden, who threaten to disrupt the Middle East peace process.

Because these terrorist activities continue to threaten the Middle East peace process and continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on January 23, 1995, as expanded on August 20, 1998, and the measures adopted on those dates to deal with that emergency must continue in effect beyond January 23, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to foreign terrorists who threaten to disrupt the Middle East peace process.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
January 16, 2004.

Title 3—The President

Presidential Determination No. 2004–22 of February 5, 2004

Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

Memorandum for the Secretary of State

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest of the United States that up to \$12 million be made available from the U.S. Emergency Refugee and Migration Assistance Fund to address unexpected urgent refugee and migration needs, including those of refugees, displaced persons, conflict victims, and other persons at risk from the Sudanese refugee crisis in Chad and to prepare for refugee repatriations to Sudan. These funds may be used, as appropriate, to provide contributions to international, governmental, and nongovernmental organizations.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority, and to arrange for the publication of this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, February 5, 2004.

Notice of February 13, 2004

Notice of Intention To Enter Into a Free Trade Agreement With Australia

Consistent with section 2105(a)(1)(A) of the Trade Act of 2002, I have notified the Congress of my intention to enter into a free trade agreement with the Government of Australia.

Consistent with section 2105(a)(1)(A) of that Act, this notice shall be published in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
February 13, 2004.

Other Presidential Documents

Notice of February 20, 2004

Notice of Intention To Enter Into a Free Trade Agreement With Costa Rica, El Salvador, Honduras, Guatemala, and Nicaragua (the “CAFTA Countries”)

Consistent with section 2105(a)(1)(A) of the Trade Act of 2002, I have notified the Congress of my intention to enter into a Free Trade Agreement with the Governments of the CAFTA countries.

Consistent with section 2105(a)(1)(A) of that Act, this notice shall be published in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
February 20, 2004.

Memorandum of February 23, 2004

Delegation of Certain Authority Under the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions and authority conferred upon the President by sections 202(c), 305, and 313 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), to provide the specified reports to the Congress. In addition, I delegate to you the authority vested in the President by section 101 of Public Law 108–25 to establish a comprehensive, integrated, 5-year strategy to combat global HIV/AIDS and to submit to the appropriate congressional committees a report setting forth the strategy.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, February 23, 2004.

Title 3—The President

Presidential Determination No. 2004–23 of February 25, 2004

Determination Consistent with the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106), to Make Available Assistance for Liberia

Memorandum for the Secretary of State[,] the Secretary of the Treasury[,] the Secretary of Defense[, and] the Administrator, United States Agency for International Development

Consistent with the authority vested in me by the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106), under the heading “International Disaster and Famine Assistance,” I hereby determine that it is in the national interest of the United States and essential to efforts to reduce international terrorism to furnish \$114 million in assistance for Liberia from funds made available under that heading.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, February 25, 2004.

Presidential Determination No. 2004–24 of February 25, 2004

Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

Memorandum for the Secretary of State

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$20 million be made available from the U.S. Emergency Refugee and Migration Assistance Fund as a contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to address unexpected, urgent refugee needs in the West Bank and Gaza.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority, and to arrange for the publication of this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, February 25, 2004.

Other Presidential Documents

Notice of February 26, 2004

Continuation of the National Emergency Relating to Cuba and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Vessels

On March 1, 1996, by Proclamation 6867, a national emergency was declared to address the disturbance or threatened disturbance of international relations caused by the February 24, 1996, destruction by the Cuban government of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba. In July 1996 and on subsequent occasions, the Cuban Government stated its intent to forcefully defend its sovereignty against any U.S.-registered vessels or aircraft that might enter Cuban territorial waters or airspace while involved in a flotilla or peaceful protest. Since these events, the Cuban government has not demonstrated that it will refrain from the future use of reckless and excessive force against U.S. vessels or aircraft that may engage in memorial activities or peaceful protest north of Cuba. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Cuba and the emergency authority relating to the regulation of the anchorage and movement of vessels set out in Proclamation 6867.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
February 26, 2004.

Presidential Determination No. 2004–25 of February 26, 2004

Determination that the Government of Pakistan is Cooperating with the United States in the Global War on Terrorism

Memorandum for the Secretary of State

Consistent with the authority vested in me by the Constitution and laws of the United States, including the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106)(the “Act”), I hereby determine for the purposes of that Act that the Government of Pakistan is cooperating with the United States in the Global War on Terrorism.

You are authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, February 26, 2004.

Title 3—The President

Memorandum of March 1, 2004

Delegation of Certain Reporting Authority

Memorandum for the United States Trade Representative

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions conferred upon the President by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), to provide the specified report to the Congress.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, March 1, 2004.

Notice of March 2, 2004

Continuation of the National Emergency Blocking Property of Persons Undermining Democratic Processes or Institutions in Zimbabwe

On March 6, 2003, by Executive Order 13288, I declared a national emergency blocking the property of persons undermining democratic processes or institutions in Zimbabwe, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions, thus contributing to the deliberate breakdown in the rule of law in Zimbabwe, to politically motivated violence and intimidation in that country, and to political and economic instability in the southern African region.

Because the actions and policies of these persons continue to pose an unusual and extraordinary threat to the foreign policy of the United States, the national emergency declared on March 6, 2003, and the measures adopted on that date to deal with that emergency must continue in effect beyond March 6, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency blocking the property of persons undermining democratic processes or institutions in Zimbabwe.

Other Presidential Documents

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

March 2, 2004.

Memorandum of March 3, 2004

Presidential Determination on Imports of Certain Ductile Iron Waterworks Fittings from the People's Republic of China

Memorandum for the United States Trade Representative

Consistent with section 421 of the Trade Act of 1974, as amended (19 U.S.C. 2451), I have determined the action I will take with respect to the affirmative determination of the United States International Trade Commission (USITC Investigation TA-421-4) regarding imports of certain ductile iron waterworks fittings (pipe fittings) from China. After considering all relevant aspects of the investigation, I have determined that providing import relief for the U.S. pipe fittings industry is not in the national economic interest of the United States. In particular, I find that the import relief would have an adverse impact on the United States economy clearly greater than the benefits of such action.

The facts of this case indicate that imposing the USITC's recommended tariff-rate quota remedy or any other import relief available under section 421 would be ineffective because imports from third countries would likely replace curtailed Chinese imports. The switch to third country imports could occur quickly because the major U.S. importers already import substantial quantities from countries such as India, Brazil, Korea, and Mexico. Because importers' existing inventories of imports will likely cover demand for approximately 6 to 12 months from the imposition of import relief, a switch from China to alternative import sources would not likely lead to significant additional demand for domestically produced pipe fittings, even accounting for a time lag in making that switch. Under these circumstances, import relief would provide no meaningful benefit to domestic producers.

In addition, import relief would cost U.S. consumers substantially more than the increased income that could be realized by domestic producers. Indeed, the USITC estimated that its recommended remedy would generate a negative net domestic welfare effect of between \$2.3 million and \$3.7 million in the first year alone.

While not necessary in reaching my determination that imposing import relief would have an adverse impact on the United States economy clearly greater than the benefits, it is also worth noting two additional points:

Title 3—The President

- First, evidence suggests that domestic producers enjoy a strong competitive position in the U.S. market, and in fact the largest domestic producer recently announced price increases nationwide ranging from 8 to 35 percent. The two smaller domestic producers and the major U.S. importers have publicly indicated that they would follow these price increases.
- Second, in 2002 and 2003, imports of this product have been relatively stable in volume terms and have shown a slight decline in value terms.

The circumstances of this case make clear that the U.S. national economic interest would not be served by the imposition of import relief under section 421. I remain fully committed to exercising the important authority granted to me under section 421 when the circumstances of a particular case warrant it.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, March 3, 2004.

Memorandum of March 5, 2004

Delegation of Certain Reporting Authority

Memorandum for the Administrator of the National Aeronautics and Space Administration

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions conferred upon the President by section 206 of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2476), to provide the specified report to the Congress. Nothing in this delegation shall be construed to impair or otherwise affect the authority of the Director of the Office of Management and Budget with respect to budget, administrative, and legislative proposals.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, March 5, 2004.

Other Presidential Documents

Notice of March 8, 2004

Notice of Intention To Enter Into a Free Trade Agreement With Morocco

Consistent with section 2105(a)(1)(A) of the Trade Act of 2002, I have notified the Congress of my intention to enter into a free trade agreement with the Kingdom of Morocco.

Consistent with section 2105(a)(1)(A) of that Act, this notice shall be published in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
March 8, 2004.

Notice of March 10, 2004

Continuation of the National Emergency With Respect to Iran

On March 15, 1995, by Executive Order 12957, the President declared a national emergency with respect to Iran pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Government of Iran, including its support for international terrorism, efforts to undermine the Middle East peace process, and acquisition of weapons of mass destruction and the means to deliver them. On May 6, 1995, the President issued Executive Order 12959 imposing more comprehensive sanctions to further respond to this threat, and on August 19, 1997, the President issued Executive Order 13059 consolidating and clarifying the previous orders.

Because the actions and policies of the Government of Iran continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on March 15, 1995, must continue in effect beyond March 15, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Iran. Because the emergency declared by Executive Order 12957 constitutes an emergency separate from that declared on November 14, 1979, by Executive Order 12170, this renewal is distinct from the emergency renewal of November 2003. This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
March 10, 2004.

Title 3—The President

Memorandum of March 18, 2004

Delegation of Certain Authority Under the National Defense Authorization Act for Fiscal Year 2004, Public Law 108–136

Memorandum for the Secretary of Homeland Security

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions and authority conferred upon the President by section 1034 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136) to provide the specified report to the Congress. In addition, I direct you to coordinate with the Secretary of Defense and the Secretary of Transportation regarding the contents of this report.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, March 18, 2004.

Notice of March 24, 2004

Notice of Intention To Enter Into a Free Trade Agreement With the Dominican Republic

Consistent with section 2105(a)(1)(A) of the Trade Act of 2002, I have notified the Congress of my intention to enter into a free trade agreement with the Government of the Dominican Republic.

In accordance with section 2105(a)(1)(A) of that Act, this notice shall be published in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, March 24, 2004.

Other Presidential Documents

Presidential Determination No. 2004–26 of March 24, 2004

Determination to Waive Military Coup-Related Provision of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004, with Respect to Pakistan

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and laws of the United States, including Public Law 107–57, as amended by section 2213 of Public Law 108–106, I hereby determine that, with respect to Pakistan, a waiver of any provision of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004 (section 508 of Public Law 108–199, Division D), that prohibits direct assistance to the government of any country whose duly elected head of government was deposed by decree or military coup:

- would facilitate the transition to democratic rule in Pakistan; and
- is important to United States efforts to respond to, deter, or prevent acts of international terrorism.

Accordingly, I hereby waive, with respect to Pakistan, any such provision.

You are authorized and directed to transmit this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, March 24, 2004.

Presidential Determination No. 2004–27 of April 6, 2004

Waiving Prohibition on United States Military Assistance to Parties to the Rome Statute Establishing the International Criminal Court

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 2007 of the American Servicemembers' Protection Act of 2002 (the "Act"), title II of Public Law 107–206 (22 U.S.C 7421 *et seq.*) I hereby:

- Determine that the Central African Republic and Guinea have each entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against U.S. personnel present in such countries; and
- Waive the prohibition of section 2007 (a) of the Act with respects to these countries for as long as such agreement remains in force.

Title 3—The President

You are authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, April 6, 2004.

Presidential Determination No. 2004–28 of April 14, 2004

Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization

Memorandum for the Secretary of State

Pursuant to the authority vested in me under section 534(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004, Public Law 108–199, I hereby determine and certify that it is important to the national security interests of the United States to waive the provisions of section 1003 of the Anti-Terrorism Act of 1987, Public Law 100–204.

This waiver shall be effective for a period of 6 months from the date hereof. You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, April 14, 2004.

Presidential Determination No. 2004–29 of April 21, 2004

Presidential Determination on the Sudan Peace Act

Memorandum for the Secretary of State

Consistent with section 6(b)(1)(A) of the Sudan Peace Act (Public Law 107–245), I hereby determine and certify that the Government of Sudan and the Sudan People’s Liberation Movement are negotiating in good faith and that negotiations should continue.

You are authorized and directed to notify the Congress of this determination and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, April 21, 2004.

Other Presidential Documents

Presidential Determination No. 2004–30 of April 23, 2004

Determination and Certification under Section 8(b) of the Iran and Libya Sanctions Act

Memorandum for the Secretary of State

Pursuant to section 8(b) of the Iran and Libya Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note), as amended (Public Law 107–24), I hereby determine and certify that Libya has fulfilled the requirements of United Nations Security Council Resolution 731, adopted January 21, 1992, United Nations Security Council Resolution 748, adopted March 31, 1992, and United Nations Security Council Resolution 883, adopted November 11, 1993.

You are authorized and directed to transmit this determination and certification to the appropriate congressional committees and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, April 23, 2004.

Notice of May 17, 2004

Continuation of the National Emergency With Respect to Burma

On May 20, 1997, the President issued Executive Order 13047, certifying to the Congress under section 570(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104–208), that the Government of Burma has committed large-scale repression of the democratic opposition in Burma after September 30, 1996, thereby invoking the prohibition on new investment in Burma by United States persons contained in that section. The President also declared a national emergency to deal with the threat posed to the national security and foreign policy of the United States by the actions and policies of the Government of Burma, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.* On July 28, 2003, I issued Executive Order 13310 taking additional steps with respect to that national emergency by putting in place an import ban required by the Burmese Freedom and Democracy Act of 2003 and prohibiting exports of financial services to Burma and the dealing in property in which certain designated Burmese persons have an interest.

Because actions and policies of the Government of Burma continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on May 20, 1997, and the measures adopted on that date to deal with that emergency must continue in effect beyond May 20, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Burma.

Title 3—The President

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

May 17, 2004.

Notice of May 20, 2004

Continuation of the National Emergency Protecting the Development Fund for Iraq and Certain Other Property in Which Iraq Has an Interest

On May 22, 2003, by Executive Order 13303, I declared a national emergency protecting the Development Fund for Iraq and certain other property in which Iraq has an interest, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq constituted by the threat of attachment or other judicial process against the Development Fund for Iraq, Iraqi petroleum and petroleum products, and interests therein, and proceeds, obligations, or any financial instruments of any nature whatsoever arising from or related to the sale or marketing thereof.

On August 28, 2003, in Executive Order 13315, I expanded the scope of this national emergency to block the property of the former Iraqi regime, its senior officials and their family members as the removal of Iraqi property from that country by certain senior officials of the former Iraqi regime and their immediate family members constitutes an obstacle to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq.

Because these obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on May 22, 2003, and the measures adopted on that date and on August 28, 2003, to deal with that emergency, must continue in effect beyond May 22, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency protecting the Development Fund for Iraq and certain other property in which Iraq has an interest.

Other Presidential Documents

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

May 20, 2004.

Presidential Determination No. 2004–31 of May 25, 2004

Waiving Prohibition on United States Military Assistance With Respect to Burkina Faso and Dominica

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 2007 of the American Servicemembers' Protection Act of 2002 (the "Act"), title II of Public Law 107–206 (22 U.S.C. 7421 *et seq.*), I hereby:

- Determine that Burkina Faso and Dominica have each entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from processing against U.S. personnel present in such countries; and
- Waive the prohibition of section 2007(a) of the Act with respect to these countries for as long as such agreement remains in force.

You are authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

Washington, May 25, 2004.

Memorandum of June 3, 2004

Command and Control of National Guard for 2004 Group of Eight ("G8") Summit

Memorandum for the Secretary of Defense

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions and authority of the President contained in section 325 of title 32, United States Code, with respect to activities related to the G8 Summit.

Title 3—The President

You are further authorized and directed to make necessary arrangements to fund this activity from the proper appropriation and to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 3, 2004.

Memorandum of June 3, 2004

Secret Service Protection for Distinguished Foreign Visitors to the 2004 Group of Eight (“G8”) Summit

Memorandum for the Secretary of Homeland Security

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions and authority of the President contained in section 3056 of title 18, United States Code, with respect to protecting distinguished foreign visitors to the 2004 Group of Eight (“G8”) Summit.

You are further authorized and directed to make necessary arrangements to fund this activity from the proper appropriation and to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 3, 2004.

Presidential Determination No. 2004–32 of June 3, 2004

Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority for Turkmenistan

Memorandum for the Secretary of State

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93–618, 88 Stat. 1978 (hereinafter the “Act”), I determine, pursuant to section 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by section 402 of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to Turkmenistan will substantially promote the objectives of section 402 of the Act.

Other Presidential Documents

You are authorized and directed to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 3, 2004.

Presidential Determination No. 2004–33 of June 3, 2004

Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority for the Republic of Belarus

Memorandum for the Secretary of State

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93–618, 88 Stat. 1978 (hereinafter the “Act”), I determine, pursuant to section 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by section 402 of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to the Republic of Belarus will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 3, 2004.

Presidential Determination No. 2004–34 of June 3, 2004

Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority for Vietnam

Memorandum for the Secretary of State

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93–618, 88 Stat. 1978 (hereinafter the “Act”), I determine, pursuant to subsection 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by section 402 of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to Vietnam will substantially promote the objectives of section 402 of the Act.

Title 3—The President

You are authorized and directed to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 3, 2004.

Presidential Determination No. 2004–35 of June 3, 2004

Designation of the Kingdom of Morocco as a Major Non-NATO Ally

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 517 of the Foreign Assistance Act of 1961, as amended (the “Act”), I hereby designate the Kingdom of Morocco as a Major Non-NATO Ally of the United States for the purposes of the Act and the Arms Export Control Act.

You are authorized and directed to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 3, 2004.

Memorandum of June 14, 2004

Certification Concerning U.S. Participation in the United Nations Stabilization Mission in Haiti Consistent with Section 2005 of the American Servicemembers’ Protection Act

Memorandum for the Secretary of State

Consistent with section 2005 of the American Servicemembers’ Protection Act of 2002 (Public Law 107–206; 22 U.S.C. 7421 *et seq.*), concerning the participation of members of the Armed Forces of the United States in certain U.N. peacekeeping and peace enforcement operations, I hereby certify that members of the U.S. Armed Forces participating in the United Nations Stabilization Mission in Haiti (MINUSTAH) are without risk of criminal prosecution or other assertion of jurisdiction by the International Criminal Court because Haiti has entered into an agreement in accordance with Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against members of the Armed Forces of the United States present in that country.

Other Presidential Documents

You are authorized and directed to submit this certification to the Congress and arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 14, 2004.

Notice of June 15, 2004

Notice of Intention To Enter Into a Free Trade Agreement With Bahrain

Consistent with section 2105(a)(1)(A) of the Trade Act of 2002, I have notified the Congress of my intention to enter into a free trade agreement with the Kingdom of Bahrain.

Consistent with section 2105(a)(1)(A) of that Act, this notice shall be published in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
June 15, 2004.

Presidential Determination No. 2004–36 of June 15, 2004

Suspension of Limitations Under the Jerusalem Embassy Act

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 7(a) of the Jerusalem Embassy Act of 1995 (Public Law 104–45) (the “Act”), I hereby determine that it is necessary to protect the national security interests of the United States to suspend for a period of 6 months the limitations set forth in sections 3(b) and 7(b) of the Act. My Administration remains committed to beginning the process of moving our embassy to Jerusalem.

You are hereby authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 7(a) of the Act, and to publish the determination in the **Federal Register**.

This suspension shall take effect after transmission of this determination and report to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 15, 2004.

Title 3—The President

Notice of June 16, 2004

Continuation of the National Emergency With Respect to the Risk of Nuclear Proliferation Created by the Accumulation of Weapons-Usable Fissile Material in the Territory of the Russian Federation

On June 21, 2000, the President issued Executive Order 13159 (the “Order”) blocking property and interests in property of the Government of the Russian Federation that are in the United States, that hereafter come within the United States, or that are or hereinafter come within the possession or control of United States persons that are directly related to the implementation of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons, dated February 18, 1993, and related contracts and agreements (collectively, the “HEU Agreements”). The HEU Agreements allow for the downblending of highly enriched uranium derived from nuclear weapons to low enriched uranium for peaceful commercial purposes. The Order invoked the authority, *inter alia*, of the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.*, and declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation.

A major national security goal of the United States is to ensure that fissile material removed from Russian nuclear weapons pursuant to various arms control and disarmament agreements is dedicated to peaceful uses (such as downblending to low enriched uranium for peaceful commercial uses), subject to transparency measures, and protected from diversion to activities of proliferation concern. Pursuant to the HEU Agreements, weapons-grade uranium extracted from Russian nuclear weapons is converted to low enriched uranium for use as fuel in commercial nuclear reactors. The Order blocks and protects from attachment, judgment, decree, lien, execution, garnishment, or other judicial process the property and interests in property of the Government of the Russian Federation that are directly related to the implementation of the HEU Agreements and that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons.

The national emergency declared on June 21, 2000, must continue beyond June 21, 2004, to provide continued protection from attachment, judgment, decree, lien, execution, garnishment, or other judicial process for the property and interests in property of the Government of the Russian Federation that are directly related to the implementation of the HEU Agreements and subject to U.S. jurisdiction. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to weapons-usable fissile material

Other Presidential Documents

in the territory of the Russian Federation. This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
June 16, 2004.

Presidential Determination No. 2004–37 of June 16, 2004

Designation of the Islamic Republic of Pakistan as a Major Non-NATO Ally

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 517 of the Foreign Assistance Act of 1961, as amended (the “Act”), I hereby designate the Islamic Republic of Pakistan as a Major Non-NATO Ally of the United States for the purposes of the Act and the Arms Export Control Act.

You are authorized and directed to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 16, 2004.

Notice of June 24, 2004

Continuation of the National Emergency With Respect to the Western Balkans

On June 26, 2001, by Executive Order 13219, I declared a national emergency with respect to the Western Balkans pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the former Yugoslav Republic of Macedonia, and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo. Subsequent to the declaration of the national emergency, the actions of persons obstructing implementation of the Ohrid Framework Agreement of 2001 in the former Yugoslav Republic of Macedonia also became a pressing concern. I amended Executive Order 13219 on May 28, 2003, in Executive Order 13304 to address this concern and to take additional steps with respect to the national emergency. Because the actions of persons threatening the peace and international stabilization efforts in the Western Balkans continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on June 26, 2001, and the measures adopted on that

Title 3—The President

date and thereafter to deal with that emergency, must continue in effect beyond June 26, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the Western Balkans.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
June 24, 2004.

Presidential Determination No. 2004–38 of June 24, 2004

Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

Memorandum for the Secretary of State

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$34 million be made available from the U.S. Emergency Refugee and Migration Assistance Fund to meet unexpected urgent refugee and migration needs, including those of refugees, displaced persons, conflict victims, and other persons at risk, from the crises in the West Bank and Gaza, Sudan, and Chad. These funds may be used, as appropriate, to provide contributions to international, governmental, and nongovernmental organizations, and, as necessary, for administrative expenses of the Bureau of Population, Refugees, and Migration.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority, and to arrange for the publication of this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 24, 2004.

Presidential Determination No. 2004–39 of June 25, 2004

Imposition and Waiver of Sanctions Under Section 604 of the FY 2003 Foreign Relations Authorization Act (Public Law 107–228)

Memorandum for the Secretary of State

Consistent with the authority contained in section 604 of the FY 2003 Foreign Relations Authorization Act (Public Law 107–228) (the “Act”), and with reference to the determinations set out in the report to Congress transmitted herewith, consistent with section 603 of that Act, regarding non-

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compliance by the PLO and the Palestinian Authority with certain commitments, I hereby impose the sanction set out in section 604(a)(2) "Downgrade in Status of the PLO Office in the United States." This sanction is imposed for a period of 180 days from the date hereof or until such time as the next report required by section 603 of the Act is transmitted to the Congress, whichever is later.

You are authorized and directed to transmit to the appropriate Congressional committees the initial report described in section 603 of the Act.

Furthermore, I hereby determine that it is in the national security interest of the United States to waive that sanction, pursuant to section 604 of the Act. This waiver shall be effective for a period of 180 days from the date hereof or until such time as the next report required by section 603 of the Act is transmitted to the Congress, whichever is later. You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 25, 2004.

Memorandum of June 29, 2004

Administration of Certain Appropriations Relating to Iraq

Memorandum for the Secretary of State[,] the Secretary of Defense[, and] the Director of the Office of Management and Budget

By the authority vested in me by the Constitution and the laws of the United States of America, including section 632 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2392), I hereby direct as follows:

1. The unobligated balances as of the end of June 30, 2004, of the funds appropriated to the President under the heading, "Operating Expenses of the Coalition Provisional Authority," in the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106) and any funds appropriated to the President under that heading in any Act enacted subsequent to Public Law 108-106 are transferred to the Secretary of State. Such amounts shall exclude those made available to the Inspector General of the Coalition Provisional Authority, and the amount reapportioned to "Operating Expenses of the Coalition Provisional Authority" on June 25, 2004. The Secretary of State shall ensure use of such funds in a manner consistent with Presidential guidance concerning United States Government operations in Iraq.

2. Effective at the end of June 30, 2004, this memorandum supersedes paragraph 1 of the Presidential Memorandum entitled, "Transfer of Funds Appropriated to the President under the heading Operating Expenses of the Coalition Provisional Authority, and Delegation of the Functions of the President under the heading Iraq Relief and Reconstruction Fund, in the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004" (December 5, 2003).

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The Secretary of State is authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, June 29, 2004.

Memorandum of July 2, 2004

Delegation of Certain Reporting Authority

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions and authority conferred upon the President by section 4 of the Authorization for Use of Military Force Against Iraq Resolution of 2002, Public Law 107–243, and by section 3 of the Authorization for Use of Military Force Against Iraq Resolution, Public Law 102–1, to make the specified reports to the Congress.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, July 2, 2004.

Memorandum of July 5, 2004

Delegation of Authority Under Section 517(a) of the National Defense Authorization Act for Fiscal Year 2004

Memorandum for the Secretary of Defense

By the authority vested in me the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to you the authority vested in the President under section 517(a) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136).

The authority delegated by this memorandum may be redelegated in writing no lower than the Under Secretary of Defense level.

Any reference in this memorandum to the provision of any Act shall be deemed to include references to any hereafter-enacted provision of law that

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is the same or substantially the same as such provision. You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, July 5, 2004.

Memorandum of July 8, 2004

Delegation of Responsibility under Section 1523 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, As Amended

Memorandum for the Secretary of State

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to you the functions conferred upon the President by section 1523 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261), as amended (the “Act”).

Any reference in this memorandum to the provision of any Act shall be deemed to include references to any hereafter-enacted provision of law that is the same or substantially the same as such provision.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, July 8, 2004.

Presidential Determination No. 2004–40 of July 21, 2004

Eligibility of Iraq to Receive Defense Articles and Services Under the Foreign Assistance Act of 1961, as Amended, and the Arms Export Control Act, as Amended

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and the laws of the United States, including section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, as amended, I hereby find that the furnishing of defense articles and services to Iraq will strengthen the security of the United States and promote world peace.

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You are authorized and directed to report this finding to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, July 21, 2004.

Memorandum of July 23, 2004

National Guard Support for 2004 Democratic and Republican National Conventions and Other Appropriate Events

Memorandum for the Secretary of Defense

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions and authority of the President contained in section 325 of title 32, United States Code, with respect to activities related to the 2004 Democratic and Republican National Conventions, and other appropriate events as you determine from time to time in consultation with the Assistant to the President for Homeland Security.

You are further authorized and directed to make necessary arrangements to fund this activity from the proper appropriations and to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, July 23, 2004.

Notice of August 6, 2004

Continuation of Emergency Regarding Export Control Regulations

On August 17, 2001, consistent with the authority provided me under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), I issued Executive Order 13222. In that order, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States in light of the expiration of the Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 *et seq.*). Because the Export Administration Act has not been renewed by the Congress, the national emergency declared on August 17,

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2001, and renewed on August 14, 2002, and on August 7, 2003, must continue in effect beyond August 17, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13222.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, August 6, 2004.

Presidential Determination No. 2004–41 of August 6, 2004

Waiving Prohibition on United States Military Assistance with Respect to the Republic of the Congo

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 2007 of the American Servicemembers' Protection Act of 2002 (the "Act"), title II of Public Law 107–206 (22 U.S.C. 7421 *et seq.*), I hereby:

- Determine that the Republic of the Congo has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against U.S. personnel present in such countries; and
- Waive the prohibition of section 2007(a) of the Act with respect to this country for as long as such agreement remains in force.

You are authorized and directed to report this determination to the Congress, and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, August 6, 2004.

Presidential Determination No. 2004–42 of August 17, 2004

Continuation of U.S. Drug Interdiction Assistance to the Government of Colombia

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by section 1012 of the National Defense Authorization Act for Fiscal Year 1995, as amended (22 U.S.C. 2291–4), I hereby certify, with respect to Colombia, that: (1) interdiction of aircraft reasonably suspected to be primarily engaged in illicit drug trafficking in that country's airspace is necessary because of the extraordinary threat posed by illicit drug trafficking to the national security of that country; and

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(2) that country has appropriate procedures in place to protect against innocent loss of life in the air and on the ground in connection with such interdiction, which shall at a minimum include effective means to identify and warn an aircraft before the use of force is directed against the aircraft.

The Secretary of State is authorized and directed to publish this determination in the **Federal Register** and to notify the Congress of this determination.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, August 17, 2004.

Presidential Determination No. 2004–43 of August 20, 2004

Determination to Make Available Assistance for Liberia

Memorandum for the Secretary of State[,] the Secretary of Defense[,] the Secretary of the Treasury[, and] the Administrator, United States Agency for International Development

Consistent with the authority vested in me under the Act Making Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106), under the heading “International Disaster and Famine Assistance,” I hereby determine that it is in the national interest and essential to efforts to reduce international terrorism to furnish \$86 million in assistance for Liberia from funds made available under that heading.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, August 20, 2004.

Notice of September 10, 2004

Continuation of the National Emergency With Respect to Certain Terrorist Attacks

Consistent with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency I declared on September 14, 2001, in Proclamation 7463, with respect to the terrorist attacks at the World Trade Center, New York, New York, and the Pentagon, and the continuing and immediate threat of further attacks on the United States.

By Executive Order 13223 of September 14, 2001, and Executive Order 13253 of January 16, 2002, I delegated authority to the Secretary of Defense

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and the Secretary of Transportation to order members of the Reserve Components to active duty and to waive certain statutory military personnel requirements. By Executive Order 13235 of November 16, 2001, I delegated authority to the Secretary of Defense to exercise certain emergency construction authority. By Executive Order 13286 of February 28, 2003, I transferred the authority delegated to the Secretary of Transportation in Executive Order 13223 to the Secretary of Homeland Security.

Because the terrorist threat continues, the national emergency declared on September 14, 2001, and the measures taken on September 14, 2001, November 16, 2001, and January 16, 2002, to deal with that emergency, must continue in effect beyond September 14, 2004. Therefore, I am continuing in effect for an additional year the national emergency I declared on September 14, 2001, with respect to the terrorist threat.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 10, 2004.

Presidential Determination No. 2004–44 of September 10, 2004

Presidential Determination and Certification Concerning Libya Under Section 101 and 102(b) of the Arms Export Control Act and Determination on Export-Import Bank Support for U.S. Exports to Libya

Memorandum for the Secretary of State

Pursuant to section 101 of the Arms Export Control Act, I hereby determine that Libya received nuclear enrichment equipment, material, or technology after August 4, 1977. I hereby determine and certify that the continued termination of assistance, as required by this section, would have a serious adverse effect on vital United States interests and that I have received reliable assurances that Libya will not acquire or develop nuclear weapons or assist other nations in doing so.

Pursuant to section 102(b) of the Arms Export Control Act, I hereby determine that Libya, a non-nuclear weapon state, sought and received design information that I determine to be important to, and intended by Libya for use in, the development or manufacture of a nuclear explosive device. I hereby determine and certify that the application of sanctions, as required by this section, would have a serious adverse effect on vital United States interests.

Pursuant to section 2(b)(4) of the Export-Import Bank Act of 1945, as amended, I hereby determine and certify that it is in the national interest for the Export-Import Bank to guarantee, insure, or extend credit, or participate in the extension of credit in support of United States exports to Libya.

You are directed to report this determination to the Congress and to provide copies of the justification explaining the basis for this determination.

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You are further directed to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 10, 2004.

Presidential Determination No. 2004–45 of September 10, 2004

Continuation of the Exercise of Certain Authorities under the Trading with the Enemy Act

Memorandum for the Secretary of State [and] the Secretary of the Treasury
Under section 101(b) of Public Law 95–223 (91 Stat. 1625; 50 U.S.C. App. 5(b) note), and a previous determination on September 12, 2003 (68 *Fed. Reg.* 54325), the exercise of certain authorities under the Trading with the Enemy Act is scheduled to terminate on September 14, 2004.

I hereby determine that the continuation for 1 year of the exercise of those authorities with respect to the applicable countries is in the national interest of the United States.

Therefore, pursuant to the authority vested in me by section 101(b) of Public Law 95–223, I continue for 1 year, until September 14, 2005, the exercise of those authorities with respect to countries affected by:

- (1) the Foreign Assets Control Regulations, 31 C.F.R. part 500;
- (2) the Transaction Control Regulations, 31 C.F.R. part 505; and
- (3) the Cuban Assets Control Regulations, 31 C.F.R. part 515.

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

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 10, 2004.

Presidential Determination No. 2004–46 of September 10, 2004

Presidential Determination with Respect to Foreign Governments' Efforts Regarding Trafficking in Persons

Memorandum for the Secretary of State

Consistent with section 110 of the Trafficking Victims Protection Act of 2000 (Division A of Public Law 106–386), as amended, (the “Act”), I hereby:

Make the determination provided in section 110(d)(1)(A)(i) of the Act, with respect to Equatorial Guinea and Venezuela, not to provide certain funding for those countries' governments for fiscal year 2005, until such government complies with the minimum standards or makes significant efforts to

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bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;

Make the determination provided in section 110(d)(1)(A)(ii) of the Act, with respect to Burma, Cuba, Sudan, and North Korea, not to provide certain funding for those countries' governments for fiscal year 2005, until such government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;

Make the determination provided in section 110(d)(3) of the Act, concerning the determinations of the Deputy Secretary of State with respect to Bangladesh, Ecuador, Guyana, and Sierra Leone;

Determine, consistent with section 110(d)(4) of the Act, with respect to Equatorial Guinea, for the implementation of programs, projects, or activities regarding police professionalization, business responsibility, and promotion of the rule of law, that provision to Equatorial Guinea of the assistance described in section 110(d)(1)(A)(i) of the Act for such programs, projects, or activities would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Sudan, for all programs, projects, or activities of assistance as may be necessary to implement a North/South peace accord and to address the crisis in Darfur, that provision to Sudan of the assistance described in section 110(d)(1)(B) of the Act for such programs, projects, or activities would promote the purposes of the Act or is otherwise in the national interest of the United States; and

Determine, consistent with section 110(d)(4) of the Act, with respect to Venezuela, for all programs, projects, or activities designed to strengthen the democratic process, including strengthening of political parties and supporting electoral observation and monitoring, that provision to Venezuela of the assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act for such programs, projects, or activities would promote the purposes of the Act or is otherwise in the national interest of the United States.

The certification required by section 110(e) of the Act is provided herewith.

You are hereby authorized and directed to submit this determination to the Congress, and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 10, 2004.

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Presidential Determination No. 2004–47 of September 15, 2004

Presidential Determination on Major Drug Transit or Major Illicit Drug Producing Countries for FY05

Memorandum for the Secretary of State

Pursuant to section 706(1) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) (FRAA), I hereby identify the following countries as major drug-transit or major illicit drug producing countries: Afghanistan, The Bahamas, Bolivia, Brazil, Burma, China, Colombia, Dominican Republic, Ecuador, Guatemala, Haiti, India, Jamaica, Laos, Mexico, Nigeria, Pakistan, Panama, Paraguay, Peru, Venezuela, and Vietnam.

The Majors List applies by its terms to “countries.” The United States Government interprets the term broadly to include entities that exercise autonomy over actions or omissions that could lead to a decision to place them on the list and, subsequently, to determine their eligibility for certification. A country’s presence on the Majors List is not necessarily an adverse reflection of its government’s counternarcotics efforts or level of cooperation with the United States. Consistent with the statutory definition of a major drug-transit or drug-producing country set forth in section 481(e)(5) of the Foreign Assistance Act of 1961, as amended (FAA), one of the reasons that major drug-transit or illicit drug producing countries are placed on the list is the combination of geographical, commercial, and economic factors that allow drugs to transit or be produced despite the concerned government’s most assiduous enforcement measures.

Pursuant to section 706(2)(A) of the FRAA, I hereby designate Burma as a country that has failed demonstrably during the previous 12 months to adhere to its obligations under international counternarcotics agreements and take the measures set forth in section 489(a)(1) of the FAA. Attached to this report is a justification (statement of explanation) for the determination on Burma, as required by section 706(2)(B).

I have removed Thailand from the list of major drug-transit or major illicit drug producing countries. Thailand’s opium poppy cultivation is well below the levels specified in the FRAA; no heroin processing laboratories have been found in Thailand for several years, and Thailand is no longer a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States; nor is it a country through which such drugs or substances are transported.

In contrast to the Government of Haiti’s dismal performance last year under the Aristide regime, the new Interim Government of Haiti (IGOH), headed by Prime Minister Latortue, has taken substantive—if limited—counternarcotics actions in the few months it has been in office. Nevertheless, we remain deeply concerned about the ability of Haitian law enforcement to reorganize and restructure sufficiently to carry out sustained counternarcotics efforts.

The decreased use of MDMA (Ecstasy) among young people in the United States is a hopeful sign, but we continue to place priority on stopping the threat of club drugs, including MDMA, of which The Netherlands continues to be the dominant source country. The Government of The Netherlands is an enthusiastic and capable partner, and we commend its efforts.

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We continue to be concerned, however, by obstacles to mutual legal assistance and extradition from The Netherlands. There is a need to work more deliberately to disrupt the criminal organizations responsible for the production and trafficking of synthetic drugs. Specifically, we urge enhanced use of financial investigation, including full exploitation of anti-money laundering statutes and financial investigators to identify and dismantle trafficking organizations, and to seize and forfeit the assets acquired from the drug trade.

While the vast majority of illicit drugs entering the United States continue to come from South America and Mexico, we remain concerned about the substantial flow of illicit drugs from Canada. I commend Canada for its successful efforts to curb the diversion of precursor chemicals used in methamphetamine production. We are now working intensively with Canadian authorities to address the increase in the smuggling of Canadian-produced marijuana into the United States; however we are concerned the lack of significant judicial sanctions against marijuana producers is resulting in greater involvement in the burgeoning marijuana industry by organized criminal groups. Canada has expressed concern to us about the flow of cocaine and other illicit substances through the United States into Canada. United States and Canadian law enforcement personnel have collaborated on a number of investigations that have led to the dismantling of several criminal organizations. The two governments will continue to work closely in the year ahead to confront these shared threats.

Nigeria put measures in place to increase the effectiveness of the National Drug Law Enforcement Agency, and also arrested a trafficker wanted by the United States, which met the agreed-upon interdiction targets. However, Nigeria must take significant and decisive action to investigate and prosecute political corruption, which continues to undermine the transparency of its government. President Obasanjo took steps to address corruption at the G-8 meetings in Sea Island, Georgia, by entering into a Compact to Promote Transparency and Combat Corruption. Positive transparent measures will in turn benefit Nigeria's anti-narcotics efforts, the rule of law, and all democratic institutions.

Despite good faith efforts on the part of the central Afghanistan government, we are concerned about increased opium crop production in the provinces.

We are deeply concerned about heroin and methamphetamine linked to North Korea being trafficked to East Asian countries. We consider it highly likely that state agents and enterprises in North Korea are involved in the narcotics trade. While we know that some opium poppy is cultivated in North Korea, reliable information confirming the extent of opium production is currently lacking. There are also clear indications that North Koreans traffic in, and probably manufacture, methamphetamine. In recent years, authorities in the region have routinely seized shipments of methamphetamine and/or heroin that had been transferred to traffickers' ships from North Korean vessels. The April 2003 seizure of 125 kilograms of heroin smuggled to Australia aboard the North Korean-owned vessel "Pong Su" is the latest and largest seizure of heroin pointing to North Korean complicity in the drug trade. Although there is no evidence that narcotics originating in or transiting North Korea reach the United States, we are

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working closely with our partners in the region to stop North Korean involvement in illicit narcotics production and trafficking.

We appreciate the efforts of China, Hong Kong, Taiwan, and others in the region to stop the diversion of pseudoephedrine and ephedrine used to manufacture methamphetamine. However, considering the growing methamphetamine problem in North America and Asia, additional collaborative efforts to control these precursor chemicals are necessary.

You are hereby authorized and directed to submit this report under section 706 of the FRAA, transmit it to the Congress, and publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 15, 2004.

Presidential Determination No. 2004–48 of September 20, 2004

Intention to Grant Waiver of the Application of Section 901(j) of the Internal Revenue Code with Respect to Libya

Memorandum for the Secretary of the Treasury

By virtue of the authority vested in me by the Constitution and the laws of the United States, including section 901(j)(5) of the Internal Revenue Code (the “Code”) and section 301 of title 3, United States Code:

(a) I hereby determine that the waiver of the application of section 901(j)(1) of the Code with respect to Libya is in the national interest of the United States and will expand trade and investment opportunities for U.S. companies in Libya;

(b) I intend to grant such a waiver with respect to Libya; and

(c) I authorize and direct you to report to the Congress in accordance with section 901(j)(5)(B) of the Code my intention to grant the waiver and the reason for this determination and to arrange for publication of this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 20, 2004.

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Presidential Determination No. 2004–49 of September 20, 2004

Determination and Waiver of Application of Section 908(a)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 with Respect to Libya

Memorandum for the Secretary of State[,] the Secretary of Agriculture[, and] the Secretary of Commerce

By virtue of the authority vested in me by the Constitution and laws of the United States, including section 908(a)(3) of the Trade Sanctions Reform and Export Enhancement Act of 2000, title IX, Public Law 106–387 (TSRA), I hereby determine that waiver of the application of section 908(a)(1) of TSRA with respect to Libya is in the national security interest of the United States and hereby waive the application of that section with respect to Libya.

The Secretary of State is hereby authorized and directed to report this determination and waiver to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 20, 2004.

Notice of September 21, 2004

Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism

On September 23, 2001, by Executive Order 13224, I declared a national emergency with respect to persons who commit, threaten to commit, or support terrorism, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks in New York, in Pennsylvania, and against the Pentagon committed on September 11, 2001, and the continuing and immediate threat of further attacks against United States nationals or the United States. Because the actions of these persons who commit, threaten to commit, or support terrorism continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on September 23, 2001, and the measures adopted on that date to deal with that emergency, must continue in effect beyond September 23, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to persons who commit, threaten to commit, or support terrorism.

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This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

Washington, September 21, 2004.

Presidential Determination No. 2004–50 of September 24, 2004

Presidential Determination on Eligibility of the African Union to Receive Defense Articles and Services Under the Foreign Assistance Act of 1961, as Amended, and the Arms Export Control Act, as Amended

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and the laws of the United States, including section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, as amended, I hereby find that the furnishing of defense articles and services to the African Union will strengthen the security of the United States and promote world peace.

You are authorized and directed to report this finding to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

Washington, September 24, 2004.

Presidential Determination No. 2004–51 of September 24, 2004

Determination to Make Available Assistance for Sudan

Memorandum for the Secretary of State[,] the Secretary of the Treasury[,] the Secretary of Defense[, and] the Administrator, United States Agency for International Development

Consistent with the authority vested in me by the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106), under the heading “International Disaster and Famine Assistance,” I hereby determine that it is in the national interest of the United States and essential to efforts to reduce international terrorism to furnish \$20 million in assistance for Sudan from funds made available under that heading.

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The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 24, 2004.

Presidential Determination No. 2004–52 of September 24, 2004

Certification Permitting Rescission of Iraq as a Sponsor of Terrorism

Memorandum for the Secretary of State

On September 13, 1990, Acting Secretary of State Eagleburger designated Iraq as a state sponsor of terrorism (55 *Fed. Reg.* 37793–01).

Consistent with section 6(j)(4)(A) of the Export Administration Act of 1979, Public Law 96–72, as amended, and as continued in effect by Executive Order 13222 of August 17, 2001, 66 *Fed. Reg.* 44025, I hereby certify that:

- (1) There has been a fundamental change in the leadership and policies of the Government of Iraq;
- (2) Iraq's government is not supporting acts of international terrorism; and
- (3) Iraq's government has provided assurances that it will not support acts of international terrorism in the future.

Accordingly, the prerequisites for your determination to rescind Iraq's designation as a state sponsor of terrorism will be satisfied once you have transmitted this certification to the Congress.

This certification shall also satisfy the provisions of section 620A(c)(1) of the Foreign Assistance Act of 1961, Public Law 87–195, as amended, and section 40(f)(1)(A) of the Arms Export Control Act, Public Law 90–629, as amended.

You are authorized and directed to report this certification to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, September 24, 2004.

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Presidential Determination No. 2004–53 of September 30, 2004

Presidential Determination on FY 2005 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended

Memorandum for the Secretary of State

In accordance with section 207 of the Immigration and Nationality Act (the “Act”) (8 U.S.C. 1157), as amended, and after appropriate consultations with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 70,000 refugees to the United States during FY 2005 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be understood as including persons admitted to the United States during FY 2005 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided below.

The 70,000 admissions numbers shall be allocated among refugees of special humanitarian concern to the United States in accordance with the following regional allocations; provided, however, that the number allocated to the East Asia region shall include persons admitted to the United States during FY 2005 with Federal refugee resettlement assistance under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as contained in section 101(e) of Public Law 100–202 (Amerasian immigrants and their family members); provided further that the number allocated to the former Soviet Union shall include persons admitted who were nationals of the former Soviet Union, or in the case of persons having no nationality, who were habitual residents of the former Soviet Union, prior to September 2, 1991:

Africa	20,000
East Asia	13,000
Europe and Central Asia	9,500
Latin America/Caribbean	5,000
Near East/South Asia	2,500
Unallocated Reserve	20,000

The 20,000 unallocated refugee numbers shall be allocated to regional ceilings as needed. Upon providing notification to the Judiciary Committees of the Congress, you are hereby authorized to use unallocated numbers in regions where the need for additional numbers arises.

Additionally, upon notification to the Judiciary Committees of the Congress, you are further authorized to transfer unused numbers allocated to a particular region to one or more other regions, if there is a need for greater numbers for the region or regions to which the numbers are being transferred. Consistent with section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, I hereby determine that assistance to or on behalf of persons applying for admission to the United States as part of the

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overseas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

An additional 10,000 refugee admissions numbers shall be made available during FY 2005 for the adjustment to permanent resident status under section 209(b) of the Immigration and Nationality Act (8 U.S.C. 1159(b)) of aliens who have been granted asylum in the United States under section 208 of the Act (8 U.S.C. 1158), as this is justified by humanitarian concerns or is otherwise in the national interest.

In accordance with section 101(a)(42) of the Act (8 U.S.C. 1101(a)(42)), and after appropriate consultation with the Congress, I also specify that, for FY 2005, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

- a. Persons in Vietnam
- b. Persons in Cuba
- c. Persons in the former Soviet Union
- d. In exceptional circumstances, persons identified by a U.S. Embassy in and location

You are authorized and directed to report this determination to the Congress immediately and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

Washington, September 30, 2004.

Presidential Determination No. 2004–54 of September 30, 2004

Transfer of Funds under Section 610 of the Foreign Assistance Act

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 610 of the Foreign Assistance Act of 1961, as amended (the “Act”), I hereby determine it necessary for the purposes of the Act that \$24,852,500 made available under Chapter 3 of Part I of the Act for Fiscal Year 2004 be transferred to, and consolidated with, funds made available under Chapter 4 of Part II of the Act, and such funds are hereby transferred and consolidated.

You are hereby authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

Washington, September 30, 2004.

Title 3—The President

Presidential Determination No. 2005–01 of October 7, 2004

Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

Memorandum for the Secretary of State

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$8 million be made available from the U.S. Emergency Refugee and Migration Assistance Fund to meet unexpected urgent refugee and migration needs related to the Burundi refugee repatriation and reintegration. These funds may be used, as appropriate, to provide contributions to international, governmental, and nongovernmental organizations, and, as necessary, for administrative expenses of the Bureau of Population, Refugees, and Migration.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority, and to arrange for the publication of this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, October 7, 2004.

Presidential Determination No. 2005–02 of October 14, 2004

Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization

Memorandum for the Secretary of State

Pursuant to the authority and conditions contained in section 534(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004, Public Law 108–199, as provided for in the Joint Resolution Making Continuing Appropriations for the Fiscal Year 2005, and for other Purposes (Public Law 108–309), I hereby determine and certify that it is important to the national security interests of the United States to waive the provisions of section 1003 of the Anti-Terrorism Act of 1987, Public Law 100–204.

This waiver shall be effective for a period of 6 months from the date hereof. You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, October 14, 2004.

Other Presidential Documents

Presidential Determination No. 2005-03 of October 16, 2004

Provision of U.S. Drug Interdiction Assistance to the Government of Brazil

Memorandum for the Secretary of State, [and] the Secretary of Defense

Pursuant to the authority vested in me by section 1012 of the National Defense Authorization Act for Fiscal Year 1995, as amended (22 U.S.C. 2291-4), I hereby certify, with respect to Brazil, that: (1) interdiction of aircraft reasonably suspected to be primarily engaged in illicit drug trafficking in that country's airspace is necessary because of the extraordinary threat posed by illicit drug trafficking to the national security of that country; and (2) that country has appropriate procedures in place to protect against innocent loss of life in the air and on the ground in connection with such interdiction, which shall at a minimum include effective means to identify and warn an aircraft before the use of force is directed against the aircraft.

The Secretary of State is authorized and directed to publish this determination in the **Federal Register** and to notify the Congress of this determination.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, October 16, 2004.

Notice of October 19, 2004

Continuation of the National Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia

On October 21, 1995, by Executive Order 12978, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant narcotics traffickers centered in Colombia, and the extreme level of violence, corruption, and harm such actions cause in the United States and abroad.

The order blocks all property and interests in property that are in the United States or within the possession or control of United States persons or foreign persons listed in an annex to the order, as well as of foreign persons determined to play a significant role in international narcotics trafficking centered in Colombia. The order similarly blocks all property and interests in property of foreign persons determined to materially assist in, or provide financial or technological support for or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to the order, or persons determined to be owned or controlled by, or to act for or on behalf of, persons designated in or pursuant to the order. The order also prohibits any transaction or dealing by United States persons or within the United States in such property or interests in property.

Title 3—The President

Because the actions of significant narcotics traffickers centered in Colombia continue to threaten the national security, foreign policy, and economy of the United States and to cause an extreme level of violence, corruption, and harm in the United States and abroad, the national emergency declared on October 21, 1995, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond October 21, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to significant narcotics traffickers centered in Colombia. This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, October 19, 2004.

Presidential Determination No. 2005–04 of October 20, 2004

Presidential Determination on Use of Cooperative Threat Reduction Funds in Albania under Section 1308 of the National Defense Authorization Act for Fiscal Year 2004

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 1308 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136) (the “Act”), I hereby determine that the obligation and expenditure of Cooperative Threat Reduction (CTR) funds for the destruction of chemical warfare agents stockpiled in Albania, will permit the United States to take advantage of an opportunity to achieve long-standing nonproliferation goals. I also determine that this project to destroy the chemical warfare agents stockpiled in Albania will be completed within a short period of time and that the Department of Defense is the entity of the Federal Government that is most capable of carrying out this project.

You are authorized and directed to transmit this determination, along with the justification and project description required by section 1308(d)(2) of the Act, to the Congress no later than 10 days after the obligation of funds for this project and to arrange for the publication of this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, October 20, 2004.

Other Presidential Documents

Presidential Determination No. 2005-05 of October 20, 2004

Presidential Determination Relating to Obligation of Cooperative Threat Reduction Funds in Albania under Section 1308 of the National Defense Authorization Act for Fiscal Year 2004

Memorandum for the Secretary of State

Pursuant to section 1308(e) of the National Defense Authorization Act for Fiscal Year 2004 (Title XIII of Public Law 108-136) and the authority vested in me by section 1203(d) of the Cooperative Threat Reduction Act of 1993 (Title XII of Public Law 103-160), as amended (CTR Act), I hereby certify that Albania is committed to the courses of action enumerated in section 1203(d) of the CTR Act.

I have also enclosed the justification for this certification.

You are authorized and directed to transmit this certification and justification to the Congress and to arrange for the publication of this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, October 20, 2004.

Memorandum of October 21, 2004

Delegation of Certain Functions Related to the Sudan Peace Act

Memorandum for the Secretary of State

By virtue of the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the determination, certification, and reporting functions conferred upon the President by sections 6(b)(1) and 6(c) of the Sudan Peace Act (Public Law 107-245).

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, October 21, 2004.

Title 3—The President

Memorandum of October 21, 2004

Designation and Authorization to Perform Functions Under Section 319F-2 of the Public Health Service Act

Memorandum for the Director of the Office of Management and Budget

By the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby direct you to perform the functions vested in the President under section 319F-2(c)(6) of the Public Health Service Act, 42 U.S.C. 247d-6b(c)(6).

Any reference in this memorandum to the provision of any Act shall be deemed to include references to any hereafter-enacted provision of law that is the same or substantially the same as such provision.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, October 21, 2004.

Presidential Determination No. 2005-06 of October 22, 2004

Drawdown of Commodities and Services from the Department of Defense to Support African Union Peacekeeping in Darfur, Sudan

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 552(c)(2) of the Foreign Assistance Act of 1961, as amended (FAA), I hereby determine that:

- (1) as a result of an unforeseen emergency, the provision of assistance under Chapter 6 of Part II of the Act in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States; and
- (2) such unforeseen emergency requires the immediate provision of assistance under Chapter 6 of Part II of the Act.

I therefore direct the drawdown of up to \$2,500,000 in commodities and services from the Department of Defense to support the transportation of African Union forces to Darfur, Sudan.

The Secretary of State is authorized and directed to report this determination to the Congress and to publish it in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, October 22, 2004.

Other Presidential Documents

Notice of November 1, 2004

Continuation of the National Emergency With Respect to Sudan

On November 3, 1997, by Executive Order 13067, the President declared a national emergency with respect to Sudan pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Sudan. Because the actions and policies of the Government of Sudan continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on November 3, 1997, and the measures adopted on that date to deal with that emergency must continue in effect beyond November 3, 2004. Therefore, consistent with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Sudan.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, November 1, 2004.

Notice of November 4, 2004

Continuation of Emergency Regarding Weapons of Mass Destruction

On November 14, 1994, by Executive Order 12938, President Clinton declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons (weapons of mass destruction) and the means of delivering such weapons. On July 28, 1998, the President issued Executive Order 13094 to amend Executive Order 12938 to respond more effectively to the worldwide threat of proliferation of weapons of mass destruction and the means of delivering such weapons. Because the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency first declared on November 14, 1994, must continue in effect beyond November 14, 2004. In accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 12938, as amended.

Title 3—The President

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, November 4, 2004.

Notice of November 9, 2004

Continuation of the National Emergency With Respect to Iran

On November 14, 1979, by Executive Order 12170, the President declared a national emergency with respect to Iran pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the situation in Iran. Because our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway, the national emergency declared on November 14, 1979, must continue in effect beyond November 14, 2004. Therefore, consistent with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year this national emergency with respect to Iran.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, November 9, 2004.

Presidential Determination No. 2005–07 of November 29, 2004

Presidential Determination on Waiver of Conditions on Obligation and Expenditure of Funds for Planning, Design, and Construction of a Chemical Weapons Destruction Facility in Russia

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 1303 of the National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) (the “Act”), I hereby certify that waiving the conditions described in section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), as amended, is important to the national security interests of the United States, and include herein, for submission to the Congress, the statement, justification, and plan described in section 1303 of the Act. This waiver shall apply through the remainder of calendar year 2004 and for all of calendar year 2005.

Other Presidential Documents

You are authorized and directed to transmit this certification, including the statement, justification, and plan, to the Congress and to arrange for the publication of this certification in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, November 29, 2004.

Presidential Determination No. 2005–08 of November 29, 2004

Waiving Prohibition on United States Military Assistance with Respect to Burundi, Guyana, and Liberia

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 2007 of the American Servicemembers' Protection Act of 2002 (the "Act"), title II of Public Law 107–206 (22 U.S.C. 7421 *et seq.*), I hereby:

- Determine that Burundi, Guyana, and Liberia have each entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against U.S. personnel present in such countries; and
- Waive the prohibition of section 2007(a) of the Act with respect to these countries for as long as such agreement remains in force.

You are authorized and directed to report this determination to the Congress, and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, November 29, 2004.

Presidential Determination No. 2005–09 of December 6, 2004

Waiver of Restrictions on Assistance to Russia under the Cooperative Threat Reduction Act of 1993 and Title V of the FREEDOM Support Act

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 1306 of the national Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314), I hereby certify that waiving the restrictions contained in subsection (d) of section 1203 of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952), as amended, and the requirements contained in section 502 of the FREEDOM Support Act (22 U.S.C. 5852) during Fiscal Year 2005 with respect to the Russian Federation is important to the national security interests of the United States.

You are authorized and directed to transmit to the Congress this certification and the associated report (including its classified annex) that has

Title 3—The President

been prepared by my Administration consistent with section 1306(b) of Public Law 107–314. You are further authorized and directed to arrange for the publication of this certification in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 6, 2004.

Memorandum of December 8, 2004

Assignment of Functions Implementing the HELP Commission Act

Memorandum for the Secretary of State [and] the Administrator of the United States Agency for International Development

By the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3, United States Code:

1. The functions of the President under subsection 637(k) of the Commerce, Justice and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (Division B, Public Law 108–199)(22 U.S.C. 2394b(k))(the “Act”) are assigned to the Secretary of State (Secretary).
2. The Administrator of the United States Agency for International Development shall provide support to assist the Secretary in the performance of functions assigned by this memorandum, and the heads of executive departments and agencies with information concerning assistance programs shall furnish promptly to the Secretary, consistent with applicable law, such information as the Secretary may request to assist in fulfillment of these responsibilities for the preparation of the report to which subsection 637 (k) refers.
3. The Secretary shall coordinate the receipt by departments and agencies of requests from the HELP Commission under section 637(e) of the Act for information and their responses to such requests. Such departments and agencies shall provide relevant information and responses promptly. The Secretary shall ensure that such responses occur in a manner consistent with the President’s constitutional authority to withhold information that could impair foreign relations, national security, the deliberate processes of the Executive, or the performance of the Executive’s constitutional duties.
4. Heads of executive departments and agencies shall assist the Secretary in the implementation of this memorandum.
5. The Secretary is authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 8, 2004.

Other Presidential Documents

Memorandum of December 8, 2004

Delegation of Certain Reporting Authority

Memorandum for the Chairman of the Federal Labor Relations Authority

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to the member who has been designated by the President as Chairman the functions conferred upon the President by 5 U.S.C. 7104(e) to provide the specified report to the Congress.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 8, 2004.

Memorandum of December 8, 2004

Delegation of Certain Reporting Authority

Memorandum for the Chairperson of the National Endowment for the Arts

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions conferred upon the President in the National Foundation on the Arts and Humanities Act of 1965, as amended (20 U.S.C. 959(d)) to provide the specified report relating to the National Endowment for the Arts to the Congress.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 8, 2004.

Memorandum of December 8, 2004

Delegation of Certain Reporting Authority

Memorandum for the Chairperson of the National Endowment for the Humanities

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code,

Title 3—The President

I hereby delegate to you the functions conferred upon the President in the National Foundation on the Arts and Humanities Act of 1965, as amended (20 U.S.C. 959(d)) to provide the specified report relating to the National Endowment for the Humanities to the Congress.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 8, 2004.

Memorandum of December 8, 2004

Delegation of Certain Reporting Authority

Memorandum for the Secretary of Agriculture

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions conferred upon the President by section 13 of Public Law 806, 80th Congress (15 U.S.C. 714k), to provide the specified report to the Congress.

You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 8, 2004.

Presidential Determination No. 2005–10 of December 8, 2004

Waiver of Restrictions on Providing Funds to the Palestinian Authority

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and laws of the United States, including section 552(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004 (Div. D, Public Law 108–199) (the “Act”), as carried forward under Public Law 108–309, as amended, I hereby certify that it is important to the national security interests of the United States to waive the provisions of section 552(a) of the Act, as carried forward, in order to provide funds appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of

Other Presidential Documents

1961 to the Ministry of Finance of the Palestinian Authority for budget support.

You are authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 552(d) of the Act, and to publish the determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

Washington, December 8, 2004.

Presidential Determination No. 2005–11 of December 10, 2004

Renewal of Trade Agreement with the Socialist Republic of Vietnam

Memorandum for the United States Trade Representative

Pursuant to my authority under subsection 405(b)(1)(B) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)(B)), I have determined that actual or foreseeable reductions in U.S. tariffs and nontariff barriers to trade resulting from multilateral negotiations are being satisfactorily reciprocated by the Socialist Republic of Vietnam. I have further found that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement on Trade Relations between the United States of America and the Socialist Republic of Vietnam.

You are authorized and directed to publish this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,

Washington, December 10, 2004.

Presidential Determination No. 2005–12 of December 10, 2004

Presidential Determination to Waive the Application of Section 901(j) of the Internal Revenue Code with Respect to Libya

Memorandum for the Secretary of the Treasury

By virtue of the authority vested in me by the Constitution and the laws of the United States, including section 901(j)(5) of the Internal Revenue Code (the “Code”), I hereby waive the application of section 901(j)(1) of the Code with respect to Libya.

Title 3—The President

I hereby authorize and direct you to arrange for publication of this determination in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 10, 2004.

Presidential Determination No. 2005–13 of December 14, 2004

Waiver of Restrictions on Assistance to the Republic of Uzbekistan under the Cooperative Threat Reduction Act of 1993 and Title V of the FREEDOM Support Act

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 1306 of the National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314), I hereby certify that waiving the restrictions contained in subsection (d) of section 1203 of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952), as amended, and the requirements contained in section 502 of the FREEDOM Support Act (22 U.S.C. 5852) during Fiscal Year 2005 with respect to the Republic of Uzbekistan is important to the national security interests of the United States.

You are authorized and directed to transmit to the Congress this certification and the associated report (including its classified annex) that has been prepared by my Administration consistent with section 1306(b) of Public Law 107–314. You are further authorized and directed to arrange for the publication of this certification in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 14, 2004.

Presidential Determination No. 2005–14 of December 15, 2004

Suspension of Limitations Under the Jerusalem Embassy Act

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 7(a) of the Jerusalem Embassy Act of 1995 (Public Law 104–45) (the “Act”), I hereby determine that it is necessary to protect the national security interests of the United States to suspend for a period of 6 months the limitations set forth in sections 3(b) and 7(b) of the Act. My Administration remains committed to beginning the process of moving our embassy to Jerusalem.

You are hereby authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 7(a) of the Act, and to publish the determination in the **Federal Register**.

Other Presidential Documents

This suspension shall take effect after transmission of this determination and report to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 15, 2004.

Presidential Determination No. 2005–15 of December 21, 2004

Provision of Aviation Insurance Coverage for Commercial Air Carrier Service in Domestic and International Operations

Memorandum for the Secretary of Transportation

By the authority vested in me by 49 U.S.C. 44302, *et seq.*, I hereby:

1. determine that continuation of U.S.-flag commercial air service is necessary in the interest of air commerce, national security, and the foreign policy of the United States.
2. approve provision by the Secretary of Transportation of insurance or reinsurance to U.S.-flag air carriers against loss or damage arising out of any risk from the operation of an aircraft in the manner and to the extent provided in Chapter 443 of 49 U.S.C.:
 - (a) until August 31, 2005;
 - (b) after August 31, 2005, but no later than December 31, 2005, when he determines that such insurance or reinsurance cannot be obtained on reasonable terms and conditions from any company authorized to conduct an insurance business in a State of the United States; and
3. delegate to the Secretary of Transportation the authority, vested in me by 49 U.S.C. 44306(c), to extend this determination for additional periods beyond August 31, 2005, but no later than December 31, 2005, when he finds that the continued operation of aircraft to be insured or reinsured is necessary in the interest of air commerce or the national security, or to carry out the foreign policy of the United States Government.

You are directed to bring this determination immediately to the attention of all air carriers within the meaning of 49 U.S.C. 40102(2), and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,
Washington, December 21, 2004.

CHAPTER I—EXECUTIVE OFFICE OF THE PRESIDENT

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PART 100—STANDARDS OF CONDUCT

AUTHORITY: 5 U.S.C. 7301.

SOURCE: 64 FR 12881, Mar. 16, 1999, unless otherwise noted.

§ 100.1 Ethical conduct standards and financial disclosure regulations.

Employees of the Executive Office of the President are subject to the executive branch-wide standards of ethical conduct at 5 CFR part 2635, and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

PART 101—PUBLIC INFORMATION PROVISIONS OF THE ADMINISTRATIVE PROCEDURES ACT

Sec.

- 101.1 Executive Office of the President.
- 101.2 Office of Management and Budget.
- 101.3 Office of Administration.
- 101.4 National Security Council.
- 101.5 Council on Environmental Quality.
- 101.6 Office of National Drug Control Policy.
- 101.7 Office of Science and Technology Policy.
- 101.8 Office of the United States Trade Representative.

AUTHORITY: 5 U.S.C. 552.

SOURCE: 40 FR 8061, Feb. 25, 1975 and 55 FR 46067, November 1, 1990, unless otherwise noted.

§ 101.1 Executive Office of the President.

Until further regulations are promulgated, the remainder of the entities within the Executive Office of the President, to the extent that 5 U.S.C. 552 is applicable, shall follow the procedures set forth in the regulations applicable to the Office of Management and Budget (5 CFR Ch. III). Requests for information from these other entities should be submitted directly to such entity.

§ 101.2 Office of Management and Budget.

Freedom of Information regulations for the Office of Management and Budget appear at 5 CFR Ch. III.

§ 101.3 Office of Administration.

Freedom of Information regulations for the Office of Administration appear at 5 CFR part 2502.

[55 FR 46037, Nov. 1, 1990]

§ 101.4 National Security Council.

Freedom of Information regulations for the National Security Council appear at 32 CFR Ch. XXI.

§ 101.5 Council on Environmental Quality.

Freedom of Information regulations for the Council on Environmental Quality appear at 40 CFR Ch. V.

[42 FR 65131, Dec. 30, 1977]

§ 101.6 Office of National Drug Control Policy.

Freedom of Information regulations for the Office of National Drug Control Policy appear at 21 CFR parts 1400-1499.

[55 FR 46037, Nov. 1, 1990]

§ 101.7 Office of Science and Technology Policy.

Freedom of Information regulations for the Office of Science and Technology Policy appear at 32 CFR part 2402.

[55 FR 46037, Nov. 1, 1990]

§ 101.8 Office of the United States Trade Representative.

Freedom of Information regulations for the Office of the United States Trade Representative appear at 15 CFR part 2004.

[55 FR 46037, Nov. 1, 1990]

PART 102—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE EXECUTIVE OFFICE OF THE PRESIDENT

Sec.

- 102.101 Purpose.
- 102.102 Application.
- 102.103 Definitions.
- 102.104-102.109 [Reserved]
- 102.110 Self-evaluation.
- 102.111 Notice.
- 102.112-102.129 [Reserved]

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- 102.130 General prohibitions against discrimination.
- 102.131–102.139 [Reserved]
- 102.140 Employment.
- 102.141–102.148 [Reserved]
- 102.149 Program accessibility: Discrimination prohibited.
- 102.150 Program accessibility: Existing facilities.
- 102.151 Program accessibility: New construction and alterations.
- 102.152–102.159 [Reserved]
- 102.160 Communications.
- 102.161–102.169 [Reserved]
- 102.170 Compliance procedures.
- 102.171–102.999 [Reserved]

AUTHORITY: 29 U.S.C. 794.

SOURCE: 53 FR 25879, July 8, 1988, unless otherwise noted.

§ 102.101 Purpose.

The purpose of this regulation is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.

§ 102.102 Application.

This regulation (§§ 102.101–102.170) applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with handicaps in the United States.

§ 102.103 Definitions.

For purposes of this regulation, the term—

Agency means, for purposes of this regulation only, the following entities in the Executive Office of the President: the White House Office, the Office of the Vice President, the Office of Management and Budget, the Office of Policy Development, the National Security Council, the Office of Science and Technology Policy, the Office of the United States Trade Representative, the Council on Environmental Quality, the Council of Economic Advisers, the Office of Administration, the Office of Federal Procurement Policy, and any committee, board, com-

mission, or similar group established in the Executive Office of the President.

Agency head or *head of the agency*; as used in §§ 102.150(a)(3), 102.160(d) and 102.170 (i) and (j), shall be a three-member board which will include the Director, Office of Administration, the head of the Executive Office of the President, agency in which the issue needing resolution or decision arises and one other agency head selected by the two other board members. In the event that an issue needing resolution or decision arises within the Office of Administration, one of the board members shall be the Director of the Office of Management and Budget.

Assistant Attorney General means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

Auxiliary aids means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the agency. For example, auxiliary aids useful for persons with impaired vision include readers, Brailled materials, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, notetakers, written materials, and other similar services and devices.

Complete complaint means a written statement that contains the complainant's name and address and describes the agency's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of section 504. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

Facility means all or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other conveyances, or other real or personal property.

Historic preservation programs means programs conducted by the agency that

have preservation of historic properties as a primary purpose.

Historic properties means those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under a statute of the appropriate State or local government body.

Individual with handicaps means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

As used in this definition, the phrase:

(1) *Physical or mental impairment* includes—

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or

(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and drug addiction and alcoholism.

(2) *Major life activities* includes functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) *Has a record of such an impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) *Is regarded as having an impairment* means—

(i) Has a physical or mental impairment that does not substantially limit major life activities but is treated by the agency as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by the agency as having such an impairment.

Qualified individual with handicaps means—

(1) With respect to preschool, elementary, or secondary education services provided by the agency, an individual with handicaps who is a member of a class of persons otherwise entitled by statute, regulation, or agency policy to receive education services from the agency;

(2) With respect to any other agency program or activity under which a person is required to perform services or to achieve a level of accomplishment, an individual with handicaps who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the agency can demonstrate would result in a fundamental alteration in its nature;

(3) With respect to any other program or activity, an individual with handicaps who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity; and

(4) “Qualified handicapped person” as that term is defined for purposes of employment in 29 CFR 1613.702(f), which is made applicable to this regulation by §102.140.

Section 504 means section 504 of the Rehabilitation Act of 1973 (Pub. L. 93–112, 87 Stat. 394 (29 U.S.C. 794)), as amended by the Rehabilitation Act Amendments of 1974 (Pub. L. 93–516, 88 Stat. 1617); the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (Pub. L. 95–602, 92 Stat. 2955); and the Rehabilitation Act Amendments of 1986 (Pub. L. 99–506, 100 Stat. 1810). As used in this regulation, section 504 applies only to programs or activities conducted by Executive agencies and not to federally assisted programs.

Substantial impairment means a significant loss of the integrity of finished

materials, design quality, or special character resulting from a permanent alteration.

§§ 102.104–102.109 [Reserved]

§ 102.110 Self-evaluation.

(a) The agency shall, by September 6, 1989, evaluate its current policies and practices, and the effects thereof, that do not or may not meet the requirements of this regulation and, to the extent modification of any such policies and practices is required, the agency shall proceed to make the necessary modifications.

(b) The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the self-evaluation process by submitting comments (both oral and written).

(c) The agency shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspection:

- (1) A description of areas examined and any problems identified; and
- (2) A description of any modifications made.

§ 102.111 Notice.

The agency shall make available to employees, applicants, participants, beneficiaries, and other interested persons such information regarding the provisions of this regulation and its applicability to the programs or activities conducted by the agency, and make such information available to them in such manner as the head of the agency finds necessary to apprise such persons of the protections against discrimination assured them by section 504 and this regulation.

§§ 102.112–102.129 [Reserved]

§ 102.130 General prohibitions against discrimination.

(a) No qualified individual with handicaps shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

(b)(1) The agency, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap—

(i) Deny a qualified individual with handicaps the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified individual with handicaps an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified individual with handicaps with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;

(iv) Provide different or separate aid, benefits, or services to individuals with handicaps or to any class of individuals with handicaps than is provided to others unless such action is necessary to provide qualified individuals with handicaps with aid, benefits, or services that are as effective as those provided to others;

(v) Deny a qualified individual with handicaps the opportunity to participate as a member of planning or advisory boards;

(vi) Otherwise limit a qualified individual with handicaps in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service.

(2) The agency may not deny a qualified individual with handicaps the opportunity to participate in programs or activities that are not separate or different, despite the existence of permissibly separate or different programs or activities.

(3) The agency may not, directly or through contractual or other arrangements, utilize criteria or methods of administration the purpose or effect of which would—

(i) Subject qualified individuals with handicaps to discrimination on the basis of handicap; or

(ii) Defeat or substantially impair accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

§§ 102.131–102.139

(4) The agency may not, in determining the site or location of a facility, make selections the purpose or effect of which would—

(i) Exclude individuals with handicaps from, deny them the benefits of, or otherwise subject them to discrimination under any program or activity conducted by the agency; or

(ii) Defeat or substantially impair the accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

(5) The agency, in the selection of procurement contractors, may not use criteria that subject qualified individuals with handicaps to discrimination on the basis of handicap.

(6) The agency may not administer a licensing or certification program in a manner that subjects qualified individuals with handicaps to discrimination on the basis of handicap, nor may the agency establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with handicaps to discrimination on the basis of handicap. However, the programs or activities of entities that are licensed or certified by the agency are not, themselves, covered by this regulation.

(c) The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or Executive order to individuals with handicaps or the exclusion of a specific class of individuals with handicaps from a program limited by Federal statute or Executive order to a different class of individuals with handicaps is not prohibited by this regulation.

(d) The agency shall administer programs and activities in the most integrated setting appropriate to the needs of qualified individuals with handicaps.

§§ 102.131–102.139 [Reserved]

§ 102.140 Employment.

No qualified individual with handicaps shall, on the basis of handicap, be subject to discrimination in employment under any program or activity conducted by the agency. The definitions, requirements, and procedures of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791), as established by the Equal Employment Opportunity

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Commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities.

§ 102.141–102.148 [Reserved]

§ 102.149 Program accessibility: Discrimination prohibited.

Except as otherwise provided in §102.150, no qualified individual with handicaps shall, because the agency's facilities are inaccessible to or unusable by individuals with handicaps, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

§ 102.150 Program accessibility: Existing facilities.

(a) *General.* The agency shall operate each program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with handicaps. This paragraph does not—

(1) Necessarily require the agency to make each of its existing facilities accessible to and usable by individuals with handicaps;

(2) In the case of historic preservation programs, require the agency to take any action that would result in a substantial impairment of significant historic features of an historic property; or

(3) Require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with §102.150(a) would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity, and must be accompanied by a written statement of the reasons

forreaching that conclusion. If an action would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with handicaps receive the benefits and services of the program or activity.

(b) *Methods*—(1) *General*. The agency may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock, or any other methods that result in making its programs or activities readily accessible to and usable by individuals with handicaps. The agency is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. The agency, in making alterations to existing buildings, shall meet accessibility requirements to the extent compelled by the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), and any regulations implementing it. In choosing among available methods for meeting the requirements of this section, the agency shall give priority to those methods that offer programs and activities to qualified individuals with handicaps in the most integrated setting appropriate.

(2) *Historic preservation programs*. In meeting the requirements of § 102.150(a) in historic preservation programs, the agency shall give priority to methods that provide physical access to individuals with handicaps. In cases where a physical alteration to an historic property is not required because of § 102.150(a) (2) or (3), alternative methods of achieving program accessibility include—

(i) Using audio-visual materials and devices to depict those portions of an historic property that cannot otherwise be made accessible;

(ii) Assigning persons to guide individuals with handicaps into or through portions of historic properties that

cannot otherwise be made accessible; or

(iii) Adopting other innovative methods.

(c) *Time period for compliance*. The agency shall comply with the obligations established under this section by November 7, 1988, except that where structural changes in facilities are undertaken, such changes shall be made by September 6, 1991, but in any event as expeditiously as possible.

(d) *Transition plan*. In the event that structural changes to facilities will be undertaken to achieve program accessibility, the agency shall develop, by March 6, 1989, a transition plan setting forth the steps necessary to complete such changes. The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the development of the transition plan by submitting comments (both oral and written). A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum—

(1) Identify physical obstacles in the agency's facilities that limit the accessibility of its programs or activities to individuals with handicaps;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the official responsible for implementation of the plan.

§ 102.151 Program accessibility: New construction and alterations.

Each building or part of a building that is constructed or altered by, on behalf of, or for the use of the agency shall be designed, constructed, or altered so as to be readily accessible to and usable by individuals with handicaps. The definitions, requirements, and standards of the Architectural Barriers Act (42 U.S.C. 4151–4157), as established in 41 CFR 101–19.600 to 101–19.607,

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apply to buildings covered by this section.

§§ 102.152–102.159 [Reserved]

§ 102.160 Communications.

(a) The agency shall take appropriate steps to ensure effective communication with applicants, participants, personnel of other Federal entities, and members of the public.

(1) The agency shall furnish appropriate auxiliary aids where necessary to afford an individual with handicaps an equal opportunity to participate in, and enjoy the benefits of, a program or activity conducted by the agency.

(i) In determining what type of auxiliary aid is necessary, the agency shall give primary consideration to the requests of the individual with handicaps.

(ii) The agency need not provide individually prescribed devices, readers for personal use or study, or other devices of a personal nature.

(2) Where the agency communicates with applicants and beneficiaries by telephone, telecommunication devices for deaf persons (TDD's) or equally effective telecommunication systems shall be used to communicate with persons with impaired hearing.

(b) The agency shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.

(c) The agency shall provide signage at a primary entrance to each of its inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each primary entrance of an accessible facility.

(d) This section does not require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving

that compliance with § 102.160 would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action required to comply with this section would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with handicaps receive the benefits and services of the program or activity.

§§ 102.161–102.169 [Reserved]

§ 102.170 Compliance procedures.

(a) Except as provided in paragraph (b) of this section, this section applies to all allegations of discrimination on the basis of handicap in programs and activities conducted by the agency.

(b) The agency shall process complaints alleging violations of section 504 with respect to employment according to the procedures established by the Equal Employment Opportunity Commission in 29 CFR part 1613 pursuant to section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791).

(c) The Director, Facilities Management, Office of Administration, Executive Office of the President, shall be responsible for coordinating implementation of this section. Complaints may be sent to the Director at the following address: Room 486, Old Executive Office Building, 17th and Pennsylvania Ave. NW., Washington, DC 20500.

(d) The agency shall accept and investigate all complete complaints for which it has jurisdiction. All complete complaints must be filed within 180 days of the alleged act of discrimination. The agency may extend this time period for good cause.

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(e) If the agency receives a complaint over which it does not have jurisdiction, it shall promptly notify the complainant and shall make reasonable efforts to refer the complaint to the appropriate Government entity.

(f) The agency shall notify the Architectural and Transportation Barriers Compliance Board upon receipt of any complaint alleging that a building or facility that is subject to the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), is not readily accessible to and usable by individuals with handicaps.

(g) Within 180 days of the receipt of a complete complaint for which it has jurisdiction, the agency shall notify the complainant of the results of the investigation in a letter containing—

(1) Findings of fact and conclusions of law;

(2) A description of a remedy for each violation found; and

(3) A notice of the right to appeal.

(h) Appeals of the findings of fact and conclusions of law or remedies must be filed by the complainant within 90 days

of receipt from the agency of the letter required by §102.170(g). The agency may extend this time for good cause.

(i) Timely appeals shall be accepted and processed by the head of the agency.

(j) The head of the agency shall notify the complainant of the results of the appeal within 60 days of the receipt of the request. If the head of the agency determines that additional information is needed from the complainant, he or she shall have 60 days from the date of receipt of the additional information to make his or her determination on the appeal.

(k) The time limits cited in paragraphs (g) and (j) of this section may be extended with the permission of the Assistant Attorney General.

(l) The agency may delegate its authority for conducting complaint investigations to other Federal agencies, except that the authority for making the final determination may not be delegated to another agency.

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13342	June 1 ..	Responsibilities of the Departments of Commerce and Veterans Affairs and the Small Business Administration With Respect to Faith-Based and Community Initiatives.	31509
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13344	July 7 ...	Amending Executive Order 13261 on the Order of Succession in the Environmental Protection Agency.	41747
13345	July 8 ...	Assigning Foreign Affairs Functions and Implementing the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act.	41901
13346	July 8 ...	Delegation of Certain Waiver, Determination, Certification, Recommendation, and Reporting Functions.	41905
13347	July 22	Individuals With Disabilities in Emergency Preparedness.	44573
13348	July 22	Blocking Property of Certain Persons and Prohibiting the Importation of Certain Goods from Liberia.	44885
13349	July 23	Amending Executive Order 13226 To Designate the President's Council of Advisors on Science and Technology To Serve as the National Nanotechnology Advisory Panel.	44891
13350	July 29	Termination of Emergency Declared in Executive Order 12722 With Respect to Iraq and Modification of Executive Order 13290, Executive Order 13303, and Executive Order 13315.	46055
13351	Aug. 9 ..	Establishing an Emergency Board To Investigate a Dispute Between the Southeastern Pennsylvania Transportation Authority and Its Conductors Represented by the United Transportation Union.	50047
13352	Aug. 26	Facilitation of Cooperative Conservation ..	52989
13353	Aug. 27	Establishing the President's Board on Safeguarding Americans' Civil Liberties.	53585
13354	Aug. 27	National Counterterrorism Center	53589
13355	Aug. 27	Strengthened Management of the Intelligence Community.	53593

Table 2—Executive Orders

No.	Signature Date	Subject	69 FR Page
		2004	
13356	Aug. 27	Strengthening the Sharing of Terrorism Information To Protect Americans.	53599
13357	Sep. 20	Termination of Emergency Declared in Executive Order 12543 With Respect to the Policies and Actions of the Government of Libya and Revocation of Related Executive Orders.	56665
13358	Sep. 28	Assignment of Functions Relating to Certain Appointments, Promotions, and Commissions in the Armed Forces.	58797
13359	Oct. 20	Amendment to Executive Order 13173, Interagency Task Force on the Economic Development of the Central San Joaquin Valley.	62391
13360	Oct. 20	Providing Opportunities for Service-Disabled Veteran Businesses To Increase Their Federal Contracting and Subcontracting.	62549
13361	Nov. 16	Assignment of Functions Under the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003.	67633
13362	Nov. 29	Designation of Additional Officers for the Department of Homeland Security Order of Succession.	70173
13363	Nov. 29	Establishing the Afghanistan and Iraq Campaign Medals.	70175
13364	Nov. 29	Modifying the Protection Granted to the Development Fund for Iraq and Certain Property in Which Iraq Has an Interest and Protecting the Central Bank of Iraq.	70177
13365	Dec 3 ...	2004 Amendments to the Manual for Courts-Martial, United States.	71333
13366	Dec. 17	Committee on Ocean Policy	76591
13367	Dec. 21	United States-Mexico Border Health Commission.	77605
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13368	Dec. 30	Adjustments of Certain Rates of Pay	1147

Table 3—OTHER PRESIDENTIAL DOCUMENTS

Signature Date	Subject	69 FR Page
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Jan. 5	Notice: Continuation of the National Emergency With Respect to Libya.	847
Jan. 5	Presidential Determination No. 04–20: Eligibility of the Regional Security System (RSS) To Receive Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act.	2477
Jan. 15	Presidential Determination No. 04–21: Designation of the State of Kuwait as a Major Non-NATO Ally.	4843
Jan. 16	Notice: Continuation of the National Emergency With Respect to Terrorists Who Threaten To Disrupt the Middle East Peace Process.	2991
Feb. 5	Presidential Determination No. 04–22: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended.	8323
Feb. 13	Notice: Notice of Intention To Enter Into a Free Trade Agreement With Australia.	7677
Feb. 20	Notice: Notice of Intention To Enter Into a Free Trade Agreement With Costa Rica, El Salvador, Honduras, Guatemala, and Nicaragua (the “CAFTA Countries”).	8543
Feb. 23	Memorandum: Delegation of Certain Authority Under the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003.	9509
Feb. 25	Presidential Determination No. 04–23: Determination Consistent With the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106), To Make Available Assistance for Liberia.	9915
Feb. 25	Presidential Determination No. 04–24: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended.	9917
Feb. 26	Notice: Continuation of the National Emergency Relating to Cuba and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Vessels.	9513
Feb. 26	Presidential Determination No. 04–25: Determination that the Government of Pakistan is Cooperating With the United States in the Global War on Terrorism.	10595
Mar. 1	Memorandum: Delegation of Certain Reporting Authority ...	10133
Mar. 2	Notice: Continuation of the National Emergency Blocking Property of Persons Undermining Democratic Processes or Institutions in Zimbabwe.	10313
Mar. 3	Memorandum: Presidential Determination on Imports of Certain Ductile Iron Waterworks Fittings From the People’s Republic of China.	10597
Mar. 5	Memorandum: Delegation of Certain Reporting Authority ...	11489
Mar. 8	Notice: Notice of Intention To Enter Into a Free Trade Agreement With Morocco.	11491
Mar. 10	Notice: Continuation of the National Emergency With Respect to Iraq.	12051

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Mar. 18	Memorandum: Delegation of Certain Authority Under the National Defense Authorization Act for Fiscal Year 2004, Public Law 108–136.	13211
Mar. 24	Notice: Notice of Intention To Enter Into a Free Trade Agreement With the Dominican Republic.	16161
Mar. 24	Presidential Determination No. 04–26: Determination To Waive Military Coup-Related Provision of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004, With Respect to Pakistan.	21675
Apr. 6	Presidential Determination No. 04–27: Waiving Prohibition on United States Military Assistance to Parties to the Rome Statute Establishing the International Criminal Court.	21677
Apr. 14	Presidential Determination No. 04–28: Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization.	21679
Apr. 21	Presidential Determination No. 04–29: Presidential Determination on the Sudan Peace Act.	24905
Apr. 23	Presidential Determination No. 04–30: Determination and Certification Under Section 8(b) of the Iran and Libya Sanctions Act.	24907
May 17	Notice: Continuation of the National Emergency With Respect to Burma.	29041
May 20	Notice: Continuation of the National Emergency Protecting the Development Fund for Iraq and Certain Other Property in Which Iraq Has an Interest.	29409
May 25	Presidential Determination No. 04–31: Waiving Prohibition on United States Military Assistance With Respect to Burkina Faso and Dominica.	31511
June 3	Memorandum: Command and Control of the National Guard for 2004 Group of Eight (“G8”) Summit.	32833
June 3	Memorandum: Secret Service Protection for Distinguished Foreign Visitors to the 2004 Group of Eight (“G8”) Summit.	32235
June 3	Presidential Determination No. 04–32: Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority for Turkmenistan.	32429
June 3	Presidential Determination No. 04–33: Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority for the Republic of Belarus.	32431
June 3	Presidential Determination No. 04–34: Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority for Vietnam.	32433
June 3	Presidential Determination No. 04–35: Designation of the Kingdom of Morocco as a Major Non-NATO Ally.	34049
June 14	Memorandum: Certification Concerning U.S. Participation in the United Nations Stabilization Mission in Haiti Consistent With Section 2005 of the American Servicemembers’ Protection Act.	34043
June 15	Notice: Notice of Intention To Enter Into a Free Trade Agreement With Bahrain.	34045
June 15	Presidential Determination No. 04–36: Suspension of Limitations Under the Jerusalem Embassy Act.	38795

Table 3—Other Presidential Documents

Signature Date	Subject	69 FR Page
2004		
June 16	Notice: Continuation of the National Emergency With Respect to the Risk of Nuclear Proliferation Created by the Accumulation of Weapons-Usable Fissile Material in the Territory of the Russian Federation.	34047
June 16	Presidential Determination No. 04–37: Designation of the Islamic Republic of Pakistan as a Major Non-NATO Ally.	38797
June 24	Notice: Continuation of the National Emergency With Respect to the Western Balkans.	36005
June 24	Presidential Determination No. 04–38: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended.	40305
June 25	Presidential Determination No. 04–39: Imposition and Waiver of Sanctions Under Section 604 of the FY 2003 Foreign Relations Authorization Act (Public Law 107–228).	40761
June 29	Memorandum: Administration of Certain Appropriations Relating to Iraq.	40531
July 2	Memorandum: Delegation of Certain Reporting Authority ...	43723
July 5	Memorandum: Delegation of Authority Under Section 517(a) of the National Defense Authorization Act for Fiscal Year 2004.	42087
July 8	Memorandum: Delegation of Responsibility Under Section 1523 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, as Amended.	43725
July 21	Presidential Determination No. 04–40: Eligibility of Iraq to Receive Defense Articles and Services Under the Foreign Assistance Act of 1961, as Amended, and the Arms Export Control Act, as Amended.	46399
July 23	Memorandum: National Guard Support for 2004 Democratic and Republican National Conventions and Other Appropriate Events.	46397
Aug. 6	Notice: Continuation of Emergency Regarding Export Control Regulations.	48763
Aug. 6	Presidential Determination No. 04–41: Waiving Prohibition on United States Military Assistance With Respect to the Republic of the Congo.	50049
Aug. 17	Presidential Determination No. 04–42: Continuation of U.S. Drug Interdiction Assistance to the Government of Colombia.	52807
Aug. 20	Presidential Determination No. 04–43: Determination To Make Available Assistance for Liberia.	52809
Sept. 10	Notice: Continuation of the National Emergency With Respect to Certain Terrorist Attacks.	55313
Sept. 10	Presidential Determination No. 04–44: Presidential Determination and Certification Concerning Libya Under Section 101 and 102(b) of the Arms Export Control Act and Determination on Export-Import Bank Support for U.S. Exports to Libya.	56153
Sept. 10	Presidential Determination No. 04–45: Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act.	55497
Sept. 10	Presidential Determination No. 04–46: Presidential Determination With Respect to Foreign Governments' Efforts Regarding Trafficking in Persons.	56155

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2004		
Sept. 15	Presidential Determination No. 04–47: Presidential Determination on Major Drug Transit or Major Illicit Drug Producing Countries for FY05.	57809
Sept. 20	Presidential Determination No. 04–49: Determination and Waiver of Application of Section 908(a)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 With Respect to Libya.	58035
Sept. 21	Notice: Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism.	56923
Sept. 24	Presidential Determination No. 04–50: Presidential Determination on Eligibility of the African Union To Receive Defense Articles and Services Under the Foreign Assistance Act of 1961, as Amended, and the Arms Export Control Act, as Amended.	58789
Sept. 24	Presidential Determination No. 04–51: Determination To Make Available Assistance for Sudan.	58791
Sept. 24	Presidential Determination No. 04–52: Certification Permitting Rescission of Iraq as a Sponsor of Terrorism.	58793
Sept. 30	Presidential Determination No. 04–53: Presidential Determination on FY 2005 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended.	60943
Sept. 30	Presidential Determination No. 04–54: Transfer of Funds Under Section 610 of the Foreign Assistance Act.	60945
Oct. 7	Presidential Determination No. 05–01: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended.	62793
Oct. 14	Presidential Determination No. 05–02: Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization.	62795
Oct. 16	Presidential Determination No. 05–03: Provision of U.S. Drug Interdiction Assistance to the Government of Brazil.	62797
Oct. 19	Notice: Continuation of the National Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia.	61733
Oct. 20	Presidential Determination No. 05–04: Presidential Determination on Use of Cooperative Threat Reduction Funds in Albania Under Section 1308 of the National Defense Authorization Act for Fiscal Year 2004.	63037
Oct. 20	Presidential Determination No. 05–05: Presidential Determination Relating to Obligation of Cooperative Threat Reduction Funds in Albania Under Section 1308 of the National Defense Authorization Act for Fiscal Year 2004.	63917
Oct. 21	Memorandum: Delegation of Certain Functions Related to the Sudan Peace Act.	63039
Oct. 21	Memorandum: Designation and Authorization To Perform Functions Under Section 319F–2 of the Public Health Service Act.	70349
Oct. 22	Presidential Determination No. 05–06: Drawdown of Commodities and Services from the Department of Defense To Support African Union Peacekeeping in Darfur, Sudan.	64475

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Signature Date	Subject	69 FR Page
2004		
Nov. 1	Notice: Continuation of the National Emergency With Respect to Sudan.	63915
Nov. 4	Notice: Continuation of Emergency Regarding Weapons of Mass Destruction.	64637
Nov. 9	Notice: Continuation of the National Emergency With Respect to Iran.	65513
Nov. 29	Presidential Determination No. 05–07: Presidential Determination on Waiver of Conditions on Obligation and Expenditure of Funds for Planning, Design, and Construction of a Chemical Weapons Destruction Facility in Russia.	72109
Nov. 29	Presidential Determination No. 05–08: Waiving Prohibition on United States Military Assistance With Respect to Burundi, Guyana, and Liberia.	74931
Dec. 6	Presidential Determination No. 05–09: Waiver of Restrictions on Assistance to Russia Under the Cooperative Threat Reduction Act of 1993 and Title V of the FREEDOM Support Act.	74933
Dec. 8	Memorandum: Assignment of Functions Implementing the HELP Commission Act.	78847
Dec. 8	Memorandum: Delegation of Certain Reporting Authority ...	74935
Dec. 8	Memorandum: Delegation of Certain Reporting Authority ...	74937
Dec. 8	Memorandum: Delegation of Certain Reporting Authority ...	74939
Dec. 8	Memorandum: Delegation of Certain Reporting Authority ...	74941
Dec. 8	Presidential Determination No. 05–10: Waiver of Restrictions on Providing Funds to the Palestinian Authority.	78849
Dec. 10	Presidential Determination No. 05–11: Renewal of Trade Agreement With the Socialist Republic of Vietnam.	76587
Dec. 15	Presidential Determination No. 05–14: Suspension of Limitations Under the Jerusalem Embassy Act.	78851
Dec. 21	Presidential Determination No. 05–15: Provision of Aviation Insurance Coverage for Commercial Air Carrier Service in Domestic and International Operations.	77607
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Sept. 20	Presidential Determination No. 04–48: Intention To Grant Waiver of the Application of Section 901(j) of the Internal Revenue Code With Respect to Libya.	1783
Dec. 10	Presidential Determination No. 05–12: Presidential Determination To Waive the Application of Section 901(j) of the Internal Revenue Code With Respect to Libya.	1785
Dec. 14	Presidential Determination No. 05–13: Waiver of Restrictions on Assistance to the Republic of Uzbekistan Under the Cooperative Threat Reduction Act of 1993 and Title V of the FREEDOM Support Act.	1

**Table 4—PRESIDENTIAL DOCUMENTS AFFECTED
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Editorial note: The following abbreviations are used in this table:

EO	Executive Order
FR	Federal Register
PLO	Public Land Order (43 CFR, Appendix to Chapter II)
Proc.	Proclamation
Pub. L.	Public Law
Stat.	U.S. Statutes at Large
WCPD	Weekly Compilation of Presidential Documents

Proclamations

<i>Date or Number</i>	<i>Comment</i>
6867	See Proc. 7757; Notice of Feb. 26, p. 263
7350	See Proc. 7858
7463	See Notice of Sept. 10, p. 286
7561	Amended by Proc. 7858

Executive Orders

<i>Date or Number</i>	<i>Comment</i>
December 18, 1849	Revoked by PLO 7606
July 14, 1875	Partially revoked by PLO 7600
10485	See EO 13337
10530	See EO 13337
11023	Amended by EO 13341
11269	See EO 13345
11423	Amended by EO 13337
11582	See EO 13343
12163	Amended by EOs 13346, 13361
12170	See Notices of Mar. 10, p. 267; Nov. 9, p. 304
12293	Amended by EO 13325
12333	Amended by EO 13355; See EOs 13354, 13356
12473	Amended by EO 13365
12512	Revoked by EO 13327

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<i>Date or Number</i>	<i>Comment</i>
12538	Revoked by EO 13357
12543	See Notice of Jan. 5, p.257; Re- voked by EO 13357
12544	See Notice of Jan. 5, p. 257; Re- voked by EO 13357
12722	Revoked by EO 13350
12724	Revoked by EO 13350
12734	Revoked by EO 13350
12743	Revoked by EO 13350
12751	Revoked by EO 13350
12757	Revoked by EO 13345
12801	Revoked by EO 13357
12817	Revoked by EO 13350
12823	Revoked by EO 13345
12938	See Notice of Nov. 4, p. 303
12947	See Notice of Jan. 16, p. 259
12957	See Notice of Mar. 10, p. 267
12958	See EOs 13328, 13329, 13354, 13356
12959	See Notice of Mar. 10, p. 267
12978	See Notice of Oct. 19, p. 299
13028	Revoked by EO 13345
13047	See Notice of May 17, p. 271
13059	See Notice of Mar. 10, p. 267
13067	See Notice of Nov. 1, p. 303
13094	See Notice of Nov. 4, p. 303
13096	Revoked by EO 13336
13099	See Notice of Jan. 16, p. 259
13131	Revoked by EO 13345
13148	See EO 13327
13159	See Notice of June 16, p. 278
13173	Amended by EO 13359
13175	See EO 13336
13194	Revoked by EO 13324
13212	See EO 13337
13213	Revoked by EO 13324
13219	See Notice of June 24, p. 279
13222	See Notice of August 6, p. 284; Presidential Determination No. 04-52, p. 295
13223	See Notice of Sept. 10, p. 286
13224	See EO 13338; Notice of Sept. 21, p. 293
13226	Amended by EO 13349
13235	See Notice of Sept. 10, p. 286
13253	See Notice of Sept. 10, p. 286
13257	Amended by EO 13333
13261	Amended by EO 13344
13263	See Proc. 7804
13277	Amended by EO 13346

Table 4—Presidential Documents Affected

Executive Orders—Continued

<i>Date or Number</i>	<i>Comment</i>
13286	See EO 13362; Notice of Sept. 10, p. 286
13287	See EO 13327
13288	See Notice of Mar. 2, p. 267
13289	See EO 13363
13290	Amended by EO 13350
13303	Amended by EO 13364; See EO 13350; Notice of May 20, p. 272
13304	See Notice of June 24, p. 279
13310	See Notice of May 17, p. 271
13311	See EO 13356
13315	Superseded in part by EO 13350; See EO 13364; Notice of May 20, p. 272
13322	Superseded by EO 13332
13330	See Proc. 7804
13332	Superseded by EO 13368
13334	See EO 13351
13347	See Proc. 7804
13350	See EO 13364

Table 5—STATUTES CITED AS AUTHORITY FOR PRESIDENTIAL DOCUMENTS

Editorial note: Statutes which were cited as authority for the issuance of Presidential documents contained in this volume are listed under one of these headings. For authority cited for hortatory proclamations, see the text of each proclamation:

United States Code
United States Statutes at Large
Public Laws
Short Title of Act

Citations have been set forth in the style in which they appear in the documents. Since the form of citations varies from document to document, users of this table should search under all headings for pertinent references.

UNITED STATES CODE

<i>U.S. Code Citation</i>	<i>Presidential Document</i>
3 U.S.C. 301	Procs. 7750, 7757, 7857, 7858; EOs 13337, 13338, 13341, 13345, 13346, 13348, 13350, 13357, 13358, 13361, 13364; Presidential Determination No. 04–48, p. 292; Memorandums of Feb. 23, p. 261; Mar. 1, p. 264; Mar. 5, p. 266; Mar. 18, p. 268; June 3, p. 273; June 3, p. 274; July 2, p. 282; July 5, p. 282; July 8, p. 283; July 23, p. 284; Oct. 21, p. 301; Oct. 21, p. 302; Dec. 8, p. 306; Dec. 8, p. 307; Dec. 8, p. 307; Dec. 8, p. 307; Dec. 8, p. 308
5 U.S.C. 3345, <i>et seq.</i>	EOs 13344, 13362
8 U.S.C. 1157	Presidential Determination No. 04–53, p. 296
8 U.S.C. 1182(f)	Proc. 7750
10 U.S.C. 801–946	EO 13365
15 U.S.C. 631 <i>et seq.</i> ..	EO 13329
19 U.S.C. 2112 Note ...	Proc. 7826
19 U.S.C. 2432(d)(1) ...	Presidential Determination Nos. 04–32, p. 274; 04–34, p. 275
19 U.S.C. 2435(b)(1)(B).	Presidential Determination No. 05–11, p. 309
19 U.S.C. 2451	Memorandum of Mar. 3, p. 265
19 U.S.C. 2461–7	Proc. 7800
19 U.S.C. 2461–67	Proc. 7758
19 U.S.C. 2466a(a)(1)	Procs. 7853, 7858
19 U.S.C. 2483	Procs. 7758, 7800, 7826, 7857, 7858
19 U.S.C. 3805 note ...	Proc. 7857
22 U.S.C. 287c	EOs 13324, 13348, 13350, 13357, 13364
22 U.S.C. 288	EO 13367

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<i>U.S. Code Citation</i>	<i>Presidential Document</i>
22 U.S.C. 2291-4	Presidential Determination Nos. 04-42, p. 285; 05-03, p. 299
22 U.S.C. 2349aa-8	EO 13357
22 U.S.C. 2349aa-9	EO 13357
22 U.S.C. 2392	Memorandum of June 29, p. 281
22 U.S.C. 2601(c)(1) ...	Presidential Determination Nos. 04-22, p. 260; 04-24, p. 262; 04-38, p. 280; 05-01, p. 298
22 U.S.C. 7101 <i>et seq.</i>	EO 13333
22 U.S.C. 7421 <i>et seq.</i>	Memorandum of June 14, p. 276 Presidential Determination Nos. 04-27, p. 269; 04-31, p. 273; 04-41, p. 285; 05-08, p. 305
40 U.S.C. 121(a)	EO 13327
45 U.S.C. 159(a)	EOs 13334, 13351
49 U.S.C. 40106	EO 13357
49 U.S.C. 44302 <i>et seq.</i>	Presidential Determination No. 05-15, p. 311
50 U.S.C. 191	Proc. 7757
50 U.S.C. 1601 <i>et seq.</i>	Proc. 7757; EOs 13324, 13338, 13348, 13350, 13357, 13364,
50 U.S.C. 1622(d)	Notices of Jan. 5, p. 257; Jan. 16, p. 259; Feb. 26, p. 263; Mar. 2, p. 264; Mar. 10, p. 267; May 20, p. 272; June 16, p. 278; June 24, p. 279; Aug. 6, p. 284; Sept. 10, p. 286; Sept. 21, p. 293; Oct. 19, p. 299; Nov. 1, p. 303; Nov. 4, p. 303; Nov. 9, p. 304
50 U.S.C. 1701 <i>et seq.</i>	EOs 13324, 13338, 13348, 13350, 13357, 13364
50 U.S.C. 1701 note ...	Presidential Determination No. 04-30, p. 271

PUBLIC LAWS

<i>Law Number</i>	<i>Presidential Document</i>
95-223	Presidential Determination No. 04-45, p. 288
96-72	Presidential Determination No. 04-52, p. 295
103-160	Presidential Determination No. 05-05, p. 301
104-45	Presidential Determination Nos. 04-36, p. 277; 05-14, p. 310
106-200	Proc. 7853
106-386	Presidential Determination No. 04-46, p. 288
106-387	Presidential Determination No. 04-49, p. 293
107-57	Presidential Determination No. 04-26, p. 269
107-245	Presidential Determination No. 04-29, p. 270
107-228	Presidential Determination Nos. 04-39, p. 280; 04-47, p. 290
107-314	Presidential Determination Nos. 05-09, p. 305; 05-13, p. 310
108-106	Presidential Determination Nos. 04-23, p. 262; 04-25, p. 263; 04-43, p. 286; 04-51, p. 294
108-136	Presidential Determination Nos. 05-04, p. 300; 05-05, p. 301
108-153	EO 13349
108-175	EO 13338
108-199	Presidential Determination Nos. 04-28, p. 270; 05-02, p. 298; 05-10, p. 308
108-234	EO 13363
108-375	Presidential Determination No. 05-07, p. 304

Table 5—Statutes Cited As Authority

SHORT TITLE OF ACT

<i>Title</i>	<i>Presidential Document</i>
Agricultural Trade Development and Assistance Act of 1954.	EO 13345
African Growth and Opportunity Act.	Proc. 7853
AGOA Acceleration Act of 2004 ...	Proc. 7808
Arms Export Control Act	Presidential Determination Nos. 04–20, p. 258; 04–40, p. 283; 04–44, p. 287; 04–50, p. 294
Export-Import Bank Act of 1945 ...	Presidential Determination No. 04–44, p. 287
Foreign Assistance Act of 1961	EO 13345; Presidential Determination Nos. 04–20, p. 258; 04–21, p. 259; 04–35, p. 276; 04–37, p. 279; 04–40, p. 283; 04–50, p. 294; 04–54, p. 297; 05–06, p. 302
Foreign Service Act of 1980	EO 13325
NAFTA Implementation Act	Proc. 7808
National Security Act of 1947	EOs 13354, 13355
Trade Act of 1974	Proc. 7853
Trade Act of 1975	Proc. 7808
Trade Act of 2002	Notices of Feb. 13, p. 260; Feb. 20, p. 261; Mar. 8, p. 267; Mar. 24, p. 268; June 15, p. 277

LIST OF CFR SECTIONS AFFECTED

EDITORIAL NOTE: All changes in this volume of the Code of Federal Regulations which were made by documents published in the **Federal Register** since January 1, 2001, are enumerated in the following list. Entries indicate the nature of the changes effected. Page numbers refer to **Federal Register** pages. The user should consult the entries for chapters and parts as well as sections for revisions.

For the period before January 1, 2001, see the "List of CFR Sections Affected, 1949–1963, 1964–1972, 1973–1985, and 1986–2000," published in 11 separate volumes.

Presidential documents affected during 2004 are set forth in Table 4 on page 339.

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- Access and Mobility, Interagency Coordinating Council on; establishment (E.O. 13330)
- Adoption Month, National (Proc. 7838)
- Aeronautics and Space Administration, National; delegation of certain reporting authority to the Administrator (Memorandum of Mar. 5, p. 266)
- Afghanistan Campaign Medal; establishment (E.O. 13363)
- Afghanistan; narcotics certification (Presidential Determination No. 04-47, p. 290)
- African American History Month, National (Proc. 7756)
- African Growth and Opportunity Act; termination of designations under (Proc. 7858)
- African Union
- Drawdown authorization to support Sudan peacekeeping (Presidential Determination No. 05-06, p. 302)
 - Eligibility to receive defense articles and services (Presidential Determination No. 04-50, p. 294)
- Agency for International Development, United States; assignment of functions to the Administrator implementing the HELP Commission Act (Memorandum of Dec. 8, p. 306)
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The two finding aids on the following pages, the “Table of CFR Titles and Chapters” and the “Alphabetical List of Agencies Appearing in the CFR” apply to all 50 titles of the *Code of Federal Regulations*. Reference aids specific to this volume appear in the section entitled “Title 3 Finding Aids,” found on page 323.

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