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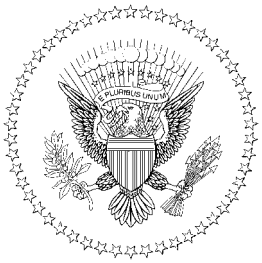
Presidential Documents



Monday, January 5, 2004
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Editor's Note: The President was at the Bush Ranch in Crawford, TX, on January 2, the closing date of this issue. Releases and announcements issued by the Office of the Press Secretary but not received in time for inclusion in this issue will be printed next week.

WEEKLY COMPILATION OF

PRESIDENTIAL DOCUMENTS

Published every Monday by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, the *Weekly Compilation of Presidential Documents* contains statements, messages, and other Presidential materials released by the White House during the preceding week.

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Week Ending Friday, January 2, 2004

The President's Radio Address

December 27, 2003

Good morning. In this week of Christmas, Laura and I send good wishes to the families of America. We hope this season has brought happy reunions, celebration, and new memories to cherish as we approach the new year.

Christmas centers on the birth of a child and on the message of hope and peace. We hear that message in many ways at Christmas, and it never loses the power to lift our hearts. The holidays can also deepen our sense of gratitude for life and for all the family and friends who fill our lives. In this great and prosperous land, we remember how much we have been given and how much we have to share.

We think of those among us who spend the holidays in sadness or solitude. We think of those facing illness or the loss of a loved one or the hardships of poverty or unemployment. And across our country, caring citizens are reaching out to those in need by volunteering their time. By serving a cause greater than themselves, Americans spread hope in our country, and they make our Nation better, one life at a time.

At Christmas, we also think of the men and women of our Armed Forces who are defending freedom around the world. These brave Americans are fighting terrorists in Afghanistan, Iraq, and elsewhere so that we do not meet these killers on our own streets. We are grateful for the courage and commitment of our troops, and we are safer because of their skill and sacrifice. Separation from loved ones is always difficult, especially at this time of year. All our men and women serving abroad can know that their families miss them, millions are praying for them, and their Nation is proud of them.

All who serve others are living out the spirit of the Christmas season. The story of Christmas is familiar to us all, yet it still brings inspiration and comfort and love to people everywhere. The voice first heard 20 centuries ago in Bethlehem stirs churches and communities to open homeless shelters and food pantries and job training centers to help those in need.

This Christmas season comes at a time of great challenge for our country. Yet the story of this holiday reminds us of an eternal promise, that God's purpose is justice, and His plan is peace.

Thank you for listening.

NOTE: The address was recorded at 11:40 a.m. on December 22 in the Cabinet Room at the White House for broadcast at 10:06 a.m. on December 27. The transcript was made available by the Office of the Press Secretary on December 26 but was embargoed for release until the broadcast. The Office of the Press Secretary also released a Spanish language transcript of this address.

Proclamation 7746—To Implement the United States-Chile Free Trade Agreement

December 30, 2003

By the President of the United States of America

A Proclamation

1. On June 6, 2003, the United States entered into the United States-Chile Free Trade Agreement (USCFTA). The Congress approved the USCFTA in section 101(a) of the United States-Chile Free Trade Agreement Implementation Act (the ''USCFTA Act'') (Public Law 108–77, 117 Stat. 909) (19 U.S.C. 3805 note).

2. Section 105 of the USCFTA 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 22 of the USCFTA.

3. Section 201 of the USCFTA 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 3.3 (including the schedule of United States duty reductions with respect to originating goods set forth in Annex 3.3 to the USCFTA), 3.7, 3.9, and 3.20(8), (9), (10), and (11) of the USCFTA.

4. Section 202 of the USCFTA Act provides certain rules for determining whether a good is an originating good for the purpose of implementing tariff treatment under the USCFTA. 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. Consistent with section 201(a)(2) of the USCFTA Act, Chile is to be removed from the enumeration of designated beneficiary developing countries eligible for the benefits of the Generalized System of Preferences (GSP). Further, consistent with section 604 of the Trade Act of 1974 (the ''1974 Act'') (19 U.S.C. 2483), as amended, I have determined that other technical and conforming changes to the HTS are necessary to reflect that Chile is no longer eligible to receive benefits of the GSP.

6. Section 208 of the USCFTA Act authorizes the President to direct the Secretary of the Treasury to take certain actions related to verifications conducted consistent with Article 3.21 of the USCFTA.

7. Subtitle B of title III of the USCFTA Act authorizes the President to take certain actions in response to a request by an interested party for relief from imports that are a cause of serious damage, or actual threat thereof, to a domestic industry producing certain textile or apparel articles.

8. 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.

9. Section 604 of the 1974 Act, 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, 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 sections 105, 201, 202, and 208 of the USCFTA Act, section 604 of the 1974 Act, and section 301 of title 3, United States Code, do proclaim that:

(1) In order to provide generally for the preferential tariff treatment being accorded under the USCFTA, 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 USCFTA, to provide certain other treatment to originating goods for the purposes of the USCFTA, to provide tariff-rate quotas with respect to certain originating goods, to reflect Chile's removal from the enumeration of designated beneficiary developing countries for purposes of the GSP, and to make technical and conforming changes in the general notes to the HTS, the HTS is modified as set forth in Annex I of Publication 3652 of the United States International Trade Commission, entitled *Modifications of the Harmonized Tariff Schedule of the United States Implementing the United States-Chile Free Trade Agreement* (Publication 3652), which is incorporated by reference into this proclamation.

(2) In order to implement the initial stage of duty elimination provided for in the USCFTA, and to provide for future staged reductions in duties for products of Chile for purposes of the USCFTA, the HTS is modified as provided in Annex II of Publication 3652, 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 USCFTA Act to establish or designate an office within the Department of Commerce to carry out the functions set forth in that section.

(4) The CITA is authorized to exercise the authority of the President under section 208 of the USCFTA Act with respect to

verifications conducted in a manner consistent with article 3.21 of the USCFTA.

(5) The CITA is authorized to exercise the authority of the President under subtitle B of title III of the USCFTA Act to review requests 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 a Chilean textile or apparel article is being imported into the United States in such increased quantities and under such conditions as to cause 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.

(6)(a) The amendments to the HTS made by paragraph (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 3652.

(b) Except as provided in paragraph (6)(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, 2004.

(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 thirtieth day of December, in the year of our Lord two thousand three, and of the Independence of the United States of America the two hundred and twenty-eighth.

George W. Bush

[Filed with the Office of the Federal Register, 11:33 a.m., December 30, 2003]

NOTE: This proclamation was published in the *Federal Register* on December 31, 2003.

Proclamation 7747—To Implement the United States-Singapore Free Trade Agreement

December 30, 2003

By the President of the United States of America

A Proclamation

1. On May 6, 2003, the President entered into the United States-Singapore Free Trade Agreement (USSFTA). The USSFTA was approved by the Congress in section 101(a) of the United States-Singapore Free Trade Agreement Implementation Act (the ''USSFTA Act'') (Public Law 108–78, 117 Stat. 948) (19 U.S.C. 3805 note).

2. Section 105 of the USSFTA 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 20 of the USSFTA.

3. Section 201 of the USSFTA 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 2.2, 2.5, 2.6, and 2.12 of the USSFTA and the schedule of reductions with respect to the Republic of Singapore (Singapore) set forth in Annex 2B of the USSFTA.

4. Section 202 of the USSFTA Act provides certain rules for determining whether a good is an originating good for the purposes of implementing tariff treatment under the USSFTA. 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 205 of the USSFTA Act authorizes the President to take certain enforcement actions relating to trade with Singapore in textile and apparel goods.

6. Subtitle B of title III of the USSFTA Act authorizes the President to take certain

actions in response to a request by an interested party for relief from imports that constitute a substantial cause of 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, 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 sections 105, 201, 202, 205, and 321–328 of the USSFTA Act, section 301 of title 3, United 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 USSFTA, 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 USSFTA, to provide certain other treatment to originating goods for the purposes of the USSFTA, and to provide tariff-rate quotas with respect to certain originating goods, the HTS is modified as set forth in Annex I of Publication 3651 of the United States International Trade Commission, entitled *Modifications to the Harmonized Tariff Schedule of the United States Implementing the United States-Singapore Free Trade Agreement* (Publication 3651), which is incorporated by reference into this proclamation.

(2) In order to implement the initial stage of duty elimination provided for in the USSFTA and to provide for future staged reductions in duties for products of Singapore for purposes of the USSFTA, the HTS is modified as provided in Annex II of Publication 3651, 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 USSFTA 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 3651.

(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, 2004.

(5) The CITA is authorized to exercise the authority of the President under section 205 of the USSFTA 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, textile and apparel 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 subtitle B of title III of the USSFTA Act to review requests 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 a Singaporean textile or apparel article constitute a substantial cause of 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.

(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 thirtieth day of December, in the year of our Lord two thousand three, and of the Independence of the United States of America the two hundred and twenty-eighth.

George W. Bush

[Filed with the Office of the Federal Register, 11:33 a.m., December 30, 2003]

NOTE: This proclamation was published in the *Federal Register* on December 31, 2003.

Proclamation 7748—To Take Certain Actions Under the African Growth and Opportunity Act, and for Other Purposes

December 30, 2003

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. In Proclamation 7350 of October 2, 2000, President Clinton designated the State of Eritrea (Eritrea) and the Central African Republic as beneficiary sub-Saharan African countries pursuant to section 506A(a) of the 1974 Act and provided that they would be considered lesser developed beneficiary sub-Saharan African countries for purposes of section 112(b)(3)(B) of the AGOA.

5. 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.

6. Pursuant to section 104 of the AGOA and section 506A(a)(1) of the 1974 Act, I have determined that the Republic of Angola (Angola) meets the eligibility requirements set forth or referenced therein, and I have decided to designate Angola as an eligible sub-Saharan African country and as a beneficiary sub-Saharan African country.

7. Angola satisfies the criterion for treatment as a ''lesser developed beneficiary sub-Saharan African country'' under section 112(b)(3)(B) of the AGOA.

8. Pursuant to section 506A(a)(3) of the 1974 Act, I have determined that Eritrea and the Central African Republic are 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 Eritrea and the Central African Republic as beneficiary sub-Saharan African countries for purposes of section 506A of the 1974 Act, effective on January 1, 2004.

9. 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.

10. Section 203(e)(2)(A) of the Andean Trade Preference Act, as amended (ATPA) (19 U.S.C. 3202(e)(2)(A)), requires the President to publish in the *Federal Register* notice of any action he proposes to take under section 203(e)(1) of the ATPA (19 U.S.C. 3202(e)(1)) at least 30 days before taking the action. Section 212(e)(2)(A) of the Caribbean Basin Economic Recovery Act, as amended (CBERA) (19 U.S.C. 2702(e)(2)(A)), requires the President to publish in the *Federal Register* notice of any action he proposes to take under section 212(e)(1) of the CBERA (19 U.S.C. 2702(e)(1)) at least 30 days before taking the action. Proclamation 7616 of October 31, 2002, provided for the assignment of a publication function under these sections to the United States Trade Representative (USTR), but did not precisely specify the function assigned.

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, section 104 of the AGOA, and section 301 of title 3, United States Code, do proclaim that:

(1) Angola 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 ''Republic of Angola.''

(3) For purposes of section 112(b)(3)(B) of the AGOA, Angola is a lesser developed beneficiary sub-Saharan African country.

(4) The designation of Eritrea and the Central African Republic as beneficiary sub-Saharan African countries for purposes of section 506A of the 1974 Act is terminated, effective on January 1, 2004.

(5) In order to reflect in the HTS that beginning January 1, 2004, Eritrea and the Central African Republic shall no longer be designated as beneficiary sub-Saharan African countries, general note 16(a) to the HTS is modified by deleting ''State of Eritrea'' and ''Central African Republic'' from the list of beneficiary sub-Saharan African countries. Further, note 2(d) to subchapter XIX of chapter 98 of the HTS is modified by deleting ''State of Eritrea'' and ''Central African Republic'' from the list of lesser developed beneficiary sub-Saharan African countries.

(6) 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, 2004.

(7) In order to assign to the USTR the publication function set forth in section 203(e)(2)(A) of the ATPA and section 212(e)(2)(A) of the CBERA, paragraph (3) of Proclamation 7616 of October 31, 2002, is revised by deleting the phrase ''of this proclamation'' and inserting in lieu thereof the phrase ''of an action he proposes to take.''

(8) 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 thirtieth day of December, in the year of our Lord two thousand three, and of the Independence of the United States of America the two hundred and twenty-eighth.

George W. Bush

[Filed with the Office of the Federal Register, 11:22 a.m., December 31, 2003]

NOTE: This proclamation was published in the *Federal Register* on January 2, 2004.

Executive Order 13322—Adjustments of Certain Rates of Pay

December 30, 2003

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(b), 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, 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 sections 5304 and 5304a of title 5, United States Code, 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, 2004. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 2004.

Sec. 8. *Prior Order Superseded.* Executive Order 13282 of December 31, 2002, as amended by Executive Order 13291 of March 21, 2003, is superseded.

George W. Bush

The White House,
December 30, 2003.

[Filed with the Office of the Federal Register, 11:22 a.m., December 31, 2003]

NOTE: This Executive order and the attached annexes were published in the *Federal Register* on January 2, 2004.

Executive Order 13323—Assignment of Functions Relating to Arrivals in and Departures From the United States

December 30, 2003

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 215 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1185), and section 301 of title 3, United States Code, and to strengthen the national security of the United States through procedures and systems to manage and control the arrival and departure of persons from the United States, it is hereby ordered as follows:

Section 1. *Functions of the Secretary of Homeland Security*. The Secretary of Homeland Security is assigned the functions of the President under section 215(a) of the INA with respect to persons other than citizens of the United States. In exercising these functions, the Secretary of Homeland Security shall not issue, amend, or revoke any rules, regulations, or orders without first obtaining the concurrence of the Secretary of State.

Sec. 2. *Functions of the Secretary of State.* The Secretary of State is assigned the functions of the President under section 215(a) and (b) of the INA with respect to citizens of the United States, including those functions concerning United States passports. In

addition, the Secretary may amend or revoke part 46 of title 22, Code of Federal Regulations, which concerns * persons other than citizens of the United States. In exercising these functions, the Secretary of State shall not issue, amend, or revoke any rules, regulations, or orders without first consulting with the Secretary of Homeland Security.

Sec. 3. *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,
December 30, 2003.

[Filed with the Office of the Federal Register, 11:22 a.m., December 31, 2003]

NOTE: This Executive order was published in the *Federal Register* on January 2, 2004.

Memorandum on Designation of the Kingdom of Thailand as a Major Non-NATO Ally

December 30, 2003

Presidential Determination No. 2004–16

Memorandum for the Secretary of State

Subject: Designation of the Kingdom of Thailand as a Major Non-NATO Ally

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 Thailand 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

Memorandum Waiving Prohibition on United States Military Assistance to Parties to the Rome Statute Establishing the International Criminal Court

December 30, 2003

Presidential Determination No. 2004–17

Memorandum for the Secretary of State

Subject: Waiving Prohibition on United States Military Assistance to Parties to the Rome Statute Establishing the International Criminal Court

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 Belize, Former Yugoslav Republic of Macedonia, Panama, and Fiji 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

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* White House correction.

Memorandum on Extension of Waiver of Section 907 of the FREEDOM Support Act With Respect to Assistance to the Government of Azerbaijan

December 30, 2003

Presidential Determination No. 2004–18

Memorandum for the Secretary of State

Subject: Extension of Waiver of Section 907 of the FREEDOM Support Act with respect to Assistance to the Government of Azerbaijan

Consistent with the authority contained in title II of the Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (Public Law 107–115), I hereby determine and certify that extending the waiver of section 907 of the FREEDOM Support Act of 1992 (Public Law 102–511):

- is necessary to support United States efforts to counter international terrorism;
- is necessary to support the operational readiness of United States Armed Forces or coalition partners to counter international terrorism;
- is important to Azerbaijan's border security; and
- will not undermine or hamper ongoing efforts to negotiate a peaceful settlement between Armenia and Azerbaijan or be used for offensive purposes against Armenia.

Accordingly, I hereby extend the waiver of section 907 of the FREEDOM Support Act.

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

Memorandum on 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

December 30, 2003

Presidential Determination No. 2004–19

Memorandum for the Secretary of State

Subject: 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

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 2004 with respect to the Republic of Uzbekistan is important to the national security interests of the United States.

I have enclosed the unclassified report described in section 1306(b)(1) of the National Defense Authorization Act for Fiscal Year 2003, together with a classified annex.

You are authorized and directed to transmit this certification and report with its classified annex to the Congress and to arrange for the publication of this certification in the *Federal Register.*

George W. Bush

Letter to the Speaker of the House of Representatives on Notification of a Federal Credit Instrument for World Airways, Inc.

December 30, 2003

Dear Mr. Speaker:

Consistent with provisions of Public Law 107–42, the Air Transportation Safety and System Stabilization Act, 2001, I hereby notify the Congress of a $30 million Federal credit instrument for World Airways, Inc.

The details of this request are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Sincerely,

George W. Bush

Message on the Observance of New Year's Day, 2004

December 31, 2003

The past year has been a time of accomplishment and progress. Working together, our citizens have made America a safer, more prosperous, and better country. In the New Year, we will build on these successes, embracing the challenges and opportunities ahead.

We have seen our brave men and women in uniform defend America and liberate the oppressed. We pray for their safety, and we are grateful for their service and the support of their families.

In the past year, millions of people have answered the call to serve their neighbors in need. Americans from every walk of life are building a culture of compassion by devoting their time and talents to help others. In the New Year, I ask all Americans to answer the call to bring hope to those who are less fortunate.

I encourage every American to give thanks to God for His many blessings and to reaffirm our commitment to peace and freedom around the world. Laura joins me in wishing all Americans a Happy New Year. May God bless you, and may God continue to bless the United States of America.

George W. Bush

NOTE: An original was not available for verification of the content of this message.

Remarks on New Year's Day and an Exchange With Reporters in Falfurrias, Texas

January 1, 2004

The President. Wish everybody a happy New Year. It's a good way to start the new year, outdoors—in my case, with my dad. And it's—I know this part of Texas real well. It's a spectacular part of our State. And we were just on a ranch with—owned by a lady who knows it's important to protect the environment by taking care of the land. And as a result of her taking care of the land, worrying about bird habitats, we happened to see a lot of birds today. But most importantly, I was with my dad. It's a great way to start 2004.

I'm looking forward to 2004. We'll continue to stay focused on our economy, so people can find work, and stay focused on working to keep the peace and—by spreading freedom and by holding people to account who are willing to harm innocent people around the world. But it's a—I think 2004 is going to be a great year.

And in the spirit of great years, I'll answer a few questions.

President's Hunting Trip

Q. How was the hunt?

The President. It was good fun. You know, when you hunt quail, you get a lot of exercise. As you know, I like exercise. And so my dad and I and Ms. Negley, whose ranch we were on, walked a lot of territory, watched the dogs work, and knocked down some birds.

Q. How many?

The President. I think I shot five. The limit in Texas, I believe, is 15. I'm not that good a shot, but it was a lot of fun.

Iraqi Debt Relief

Q. Did you talk to Mr. Baker?

The President. Pardon me?

Q. Did you talk to Secretary Baker?

The President. I did talk to Secretary Baker. He came by for lunch. First, I thanked him for spending as much time as he did on the road for our country. As you know, he went to Europe first and then recently went to the Far East. He reported on his visits with Prime Minister Koizumi and President Hu Jintao. And he was very positive about his meetings. He's going to come back up and brief Condi and me in a little bit of time.

Yes, ma'am.

Special Presidential Envoy James A. Baker III's Upcoming Travel

Q. Where's he going next?

The President. Where's he going next? He's yet to go to the Middle East, and he's going to let me know when he thinks the timing is good for that.

Iranian Earthquake

Q. Can I ask you about what you did for Iran, in terms of the easing restrictions for humanitarian aid?

The President. Yes.

Q. Does this ease—represent an easing of our relationship with Iran?

The President. What we're doing in Iran is we're showing the Iranian people the American people care, that we've got great compassion for human suffering. And I eased restrictions in order to be able to get humanitarian aid into the country. The Iranian Government must listen to the voices of those who long for freedom, must turn over Al Qaida that are in their custody, and must abandon their nuclear weapons program. In the meantime, we appreciate the fact the Iranian Government is willing to allow our humanitarian aid flights into their country. And it's a good thing to do. It's right to take care of people when they hurt, and we're doing that.

Iran-U.S. Relations

Q. Do you see any signs that the Iranian Government is doing any of the things that could lead to a stronger relationship?

The President. My hope is, is that they will hand over Al Qaida to their countries of origin, that they will get rid of their nuclear weapons program in a verifiable way, that they will listen to the IAEA and the United Nations and get rid of the programs they said that they're willing to do.

And as well it's very important for them to listen to those voices in their country who are demanding freedom. And we stand strongly with those who demand freedom.

Yes, Mark [Mark Knoller, CBS Radio].

Assassination Attempts on Pakistani President Pervez Musharraf

Q. Mr. President, how worried are you about the attempts on the life of President Musharraf, and what does it mean for the security of Pakistan's nuclear weapons?

The President. Well, I appreciated talking to President Musharraf. I told him how much I was hopeful that he continued to join us in the war on terror. Obviously, terrorists are after him. And he sounded very confident that his security forces would be able to deal with the threat.

President Musharraf has been a friend of the United States. He's been a standup guy when it comes to dealing with the terrorists. We are making progress against the Al Qaida because of his cooperation. We need to do more, particularly on the Pakistan-Afghan border. He sounded confident, and therefore I feel confident about his security situation.

Pakistan-India Relations

Q. And what about Pakistan's nuclear weapons? Are they secure?

The President. Yes, they are secure. He is—and that's important. It's also important that India as well have a secure nuclear weapons program. We're hopeful that the Indians and the Pakistanis in upcoming meetings will be able to begin a dialog on a variety of issues. It looks like they're making progress toward reconciling differences. Slowly but surely, positive things are taking place, and I commend the leaders of both countries for taking steps toward a peaceful reconciliation of major issues that have divided them.

CIA Employee Identity Disclosure Investigation

Q. Did Attorney General Ashcroft take too long to recuse himself from the leak investigation?

The President. Did he take too long?

Q. Why did he take so long to recuse himself?

The President. You're going to have to ask him. I mean, I don't know the details which caused him to recuse himself. That's up to people inside of DC to tell you what's going on with the case. He doesn't talk to me about it; he doesn't brief me on it. My only point is, is that I'd like to find out the truth as quickly as possible.

Q. Are you concerned that it's taking as long as it is?

The President. I'm not involved with the investigation in any way, shape, or form. I've told the members of the White House to totally cooperate. I think you'll find that there has been total cooperation. And the Justice Department and the investigative team—which, by the way, is a team comprised of professionals who have done this in the past—will proceed at a pace necessary to find out the truth. And the sooner they find out the truth, the better, as far as I'm concerned.

Last question, and then we've got to go back to Crawford.

Mad Cow Disease

Q. Your administration has announced some measures with regard to mad cow.

The President. Did we do what?

Q. With regard to mad cow, do you think there is more that needs to be done, and——

The President. Well, I've talked to Secretary Veneman about this issue. I told her that I want her to take the steps necessary to make sure that the food supply is safe and that the American consumer can be confident. And she is looking at different ways to do that. As a matter of fact, she announced some measures the other day.

Q. How much time do you think Americans can feel safe eating beef?

The President. I think they should be. As a matter of fact, I ate beef today and will continue to eat beef.

Thank you all very much.

President's New Year's Resolution

Q. What are you going to do for your New Year's resolution?

The President. Oh, my New Year's resolution this year is to work—stay physically fit to the point where I can run—in other words, rehab my knee. I miss running. The elliptical machine is good, but it just doesn't have that same sense of—that running gave me. So that's one of my resolutions, which may require eating less desserts, kind of getting a little trimmer, to take the pressure off the knee.

I wish everybody a happy New Year, and 2004 is going to be a great year for this country. It's going to be a year in which the world will become more peaceful and more people will be able to find work, and that's important.

Thank you all.

NOTE: The President spoke at 2:32 p.m. at the Brooks County Airport. In his remarks, he referred to Prime Minister Junichiro Koizumi of Japan; and President Hu Jintao of China. A tape was not available for verification of the content of these remarks.

Digest of Other White House Announcements

The following list includes the President's public schedule and other items of general interest announced by the Office of the Press Secretary and not included elsewhere in this issue.

December 27

In the morning, at the Bush Ranch in Crawford, TX, the President had an intelligence briefing.

December 28

During the day, the President had a telephone conversation with Secretary of Agriculture Ann M. Veneman concerning the recent incidence of bovine spongiform encephalitis (also known as mad cow disease) in Washington State.

December 29

In the morning, the President had an intelligence briefing.

December 30

In the morning, the President had an intelligence briefing.

During the day, the President participated in an interview with author Ken Walsh.

December 31

In the morning, the President had an intelligence briefing.

January 1

In the morning, the President had an intelligence briefing.

Also in the morning, the President traveled to Falfurrias, TX, where he had lunch with

his personal envoy on the issue of Iraqi debt, James A. Baker III, to discuss Presidential Envoy Baker's recent trips to Europe and Asia.

In the afternoon, the President returned to the Bush Ranch in Crawford, TX. Later, he participated in briefings with Presidential Envoy Baker and National Security Adviser Condoleezza Rice.

January 2

In the morning, the President had an intelligence briefing.

Nominations Submitted to the Senate

NOTE: No nominations were submitted to the Senate during the period covered by this issue.

Checklist of White House Press Releases

The following list contains releases of the Office of the Press Secretary that are neither printed as items nor covered by entries in the Digest of Other White House Announcements.

Released December 27

Statement by the Press Secretary on the U.S. Government's deployment of humanitarian assistance to the people of Iran following the earthquake in Bam

Released December 29

Transcript of a press gaggle by Deputy Press Secretary Trent Duffy

Released December 30

Transcript of a press gaggle by Deputy Press Secretary Trent Duffy

Statement by the Deputy Press Secretary announcing that the President approved the designation of 37 sub-Saharan African countries as eligible for tariff preferences under the African Growth and Opportunity Act

Released December 31

Statement by the Deputy Press Secretary announcing that the President directed the Secretary of State and Secretary of the Treasury to take significant steps to expedite disaster relief and humanitarian aid operations in response to the earthquake in Bam, Iran

Acts Approved by the President

NOTE: No acts approved by the President were received by the Office of the Federal Register during the period covered by this issue.