

hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA 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 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. 8. 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. 9. (a) This order is effective at 12:01 a.m. eastern daylight time on June 29, 2005.

(b) This order shall be transmitted to the Congress and published in the *Federal Register*.

George W. Bush

The White House,
June 28, 2005.

[Filed with the Office of the Federal Register, 9:31 a.m., June 30, 2005]

NOTE: This Executive order was released by the Office of the Press Secretary on June 29, and it and its attached annex were published in the *Federal Register* on July 1.

Memorandum on Strengthening the Ability of the Department of Justice To Meet Challenges to the Security of the Nation

June 28, 2005

Memorandum for the Vice President, the Secretary of State, the the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Director of the Office of Management and Budget, the Director of National Intelligence, Assistant to the President for National Security Affairs, Assistant to the President for Homeland Security and Counterterrorism

Subject: Strengthening the Ability of the Department of Justice to Meet Challenges to the Security of the Nation

The United States Department of Justice has a vital role in the protection of the American people from threats to their security, including threats of terrorist attack. The Department of Justice and its subordinate elements, including the Federal Bureau of Investigation (FBI), have made substantial progress toward strengthening their national security capabilities and coordinating effectively with other elements of the Government with related responsibilities, but further prompt action is necessary to meet challenges to the security of the United States.

The Report of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (March 31, 2005) (chapter 10) recommended:

To ensure that the FBI's *intelligence elements* are responsive to the Director of National Intelligence, and to capitalize on the FBI's progress, we recommend the creation of a new National Security Service within the FBI under a single Executive Assistant Director. This service would include the Bureau's Counterterrorism and Counterintelligence Divisions and the Directorate of Intelligence. The service would be subject to the coordination and budget authorities of the DNI as well as the same Attorney General authorities that apply to other Bureau divisions.

The Department of Justice's primary national security elements—the Office of Intelligence Policy and Review, and the Counterterrorism and Counterespionage sections—should be placed under a new Assistant Attorney General for National Security.

I approve the above recommendations of the Commission and direct the Attorney General to implement them, coordinating with the Director of National Intelligence (DNI), the Director of the Office of Management and Budget, and as appropriate, the heads of other agencies. In implementing such recommendations with respect to the FBI, the Attorney General shall:

1. Combine the missions, capabilities, and resources of the counterterrorism, counterintelligence, and intelligence elements of the FBI into a new National Security Service headed by an Executive Assistant Director or other senior FBI official of an equivalent or higher level of authority, experience, and responsibility;
2. Obtain the concurrence of the DNI before an individual is appointed as the head of the FBI's National Security Service;
3. Assign to the FBI's National Security Service, subject to the authority of the Director of the FBI, principal responsibility within the FBI for the collection, processing, analysis, and dissemination of intelligence to further enhance the security of the Nation;
4. Ensure that the FBI National Security Service's intelligence activities, both at headquarters and in the field, are funded through the National Intelligence Program (except to the extent otherwise agreed by the Attorney General and the DNI, or directed by the President) consistent with the DNI's statutory authorities;
5. Develop procedures to ensure the DNI, through the head of the FBI's National Security Service, can effectively communicate with the FBI's field offices, resident agencies, and any other personnel in the National Security Service, to ensure that the activities of the service are appropriately coordinated, consistent with the authorities of the Attorney General and the DNI granted by law or by the President; and
6. Establish programs to build an FBI National Security Service workforce, including special agents, intelligence analysts, and as appropriate, other personnel, necessary to the effective performance of the national security missions of the FBI.

The Attorney General, after coordination with the DNI, shall submit a report to me, through the Director of the Office of Management and Budget, the Assistant to the President for National Security Affairs, and the Assistant to the President for Homeland Security and Counterterrorism, within 60 days of the date of this memorandum setting forth steps taken to implement this memorandum and further steps planned to implement it, including a schedule with milestones for completion of implementation. In addition, within 180 days of the date of this memorandum, the Attorney General shall prepare, coordinate with the DNI, and submit, in the same manner as described above, a report of progress in implementing this memorandum.

The Attorney General shall implement this memorandum subject to the availability of appropriations and in a manner consistent with applicable law, including the Constitution and laws protecting the freedom and information privacy of Americans.

George W. Bush

NOTE: This memorandum was released by the Office of the Press Secretary on June 29.

Proclamation 7912—To Modify Duty-Free Treatment Under the Generalized System of Preferences and Certain Rules of Origin Under the North American Free Trade Agreement, and For Other Purposes
June 29, 2005

By the President of the United States of America

A Proclamation

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

2. In Proclamation 6425 of April 29, 1992, the President suspended duty-free treatment for certain eligible articles imported from India after considering the factors set forth in sections 501 and 502(c) of the 1974 Act (19 U.S.C. 2461, 2462(c)), in particular section 502(c)(5) of the 1974 Act (19 U.S.C. 2462(c)(5)) on the extent to which India provides adequate and effective protection of intellectual property rights.

3. In Proclamation 6942 of October 17, 1996, the President suspended duty-free treatment for certain eligible articles imported from Pakistan because of insufficient progress on affording workers in that country internationally recognized worker rights.

4. Pursuant to sections 501 and 503(a)(1)(A) of the 1974 Act (19 U.S.C. 2463(a)(1)(A)), the President may designate articles as eligible for preferential tariff treatment under the GSP.

5. 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 as provided in 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.

6. 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) of the 1974 Act during the preceding calendar year.

7. Section 503(c)(2)(F)(i) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(i)) 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) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(ii)).

8. Pursuant to section 503(d)(1) of the 1974 Act (19 U.S.C. 2463(d)(1)) and after giving great weight to the considerations in section 503(d)(2) of the 1974 Act (19 U.S.C. 2463(d)(2)), the President may, subject to the limitations set out in section 503(d)(4) (19 U.S.C. 2463(d)(4)), waive the application of the competitive need limitations in section 503(c)(2)(A) of the 1974 Act with respect to any eligible article from any beneficiary developing country, if after receiving advice from the United States International Trade Commission (USITC), he determines that such waiver is in the national economic interest of the United States.

9. Section 507(2) of the 1974 Act (19 U.S.C. 2467(2)) provides that in the case of an association of countries that is a free trade area or customs union, or that is contributing to a comprehensive regional economic integration among its members through appropriate means, the President may provide that all members of such association other than members that are barred from designation under section 502(b) of the 1974 Act (19 U.S.C. 2462(b)) shall be treated as one country for purposes of the GSP.

10. Pursuant to section 502 of the 1974 Act (19 U.S.C. 2462) and taking into account the factors set forth in section 502(c) of the 1974 Act, I have decided to designate Serbia