

and airmen and Coast Guard men and women, folks in the Air Force—who represent the United States of America. May God continue to bless them.

Thank you all very much.

NOTE: The President spoke at 11:59 a.m. at the Bush Ranch. In his remarks, he referred to Secretary of Defense Robert M. Gates.

Statement on Signing the Office of National Drug Control Policy Reauthorization Act of 2006

December 29, 2006

Today I have signed into law H.R. 6344, the “Office of National Drug Control Policy Reauthorization Act of 2006” (the “Act”). The Act amends the Office of National Drug Control Policy Reauthorization Act of 1998 (Title VII in Division C of Public Law 105–277) (the “1998 Act”) and adjusts the authorities and duties of the Director of the Office of National Drug Control Policy.

The executive branch shall construe section 704(f)(5) of the 1998 Act, as amended by section 103(e) of the Act, which prohibits taking certain action if it is contrary to the expressed intent of the Congress, as referring to action contrary to a law. The executive branch shall also construe provisions of the Act that refer to submission of requests to the Congress for reprogramming or transfer of funds, or to obtaining congressional committee approval, such as sections 708(c)(6) and 709(b)(2) of the 1998 Act, as enacted by sections 401 and 501 of the Act, as requiring only notification. Any other construction of these provisions would be inconsistent with the constitutional principles enunciated by the Supreme Court of the United States in *INS v. Chadha*.

The executive branch shall construe provisions of the Act that purport to authorize or require executive branch officials to submit legislative recommendations to the Congress in a manner consistent with the constitutional authority of the President to supervise the

unitary executive branch and to recommend for congressional consideration such measures as the President shall judge necessary and expedient. Such provisions include section 711(a)(4) of the 1998 Act as enacted by section 103(f) of the Act and sections 1103(2)(D) and 1110(c) of the Act.

The executive branch shall construe provisions of the Act that concern the making of reports or the submission of classified national security information to the Congress in a manner consistent with the constitutional authority of the President to supervise the unitary executive branch and to withhold information the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive’s constitutional duties. Such provisions include sections 704(c)(2)(A), 706, 711(a)(4), and 711(b)(4) of the 1998 Act, as enacted by sections 103(f), 105(b), and 201 of the Act, and sections 1104, 1109, and 1110 of the Act.

The executive branch shall construe provisions of the Act, including sections 704(c)(1)(C) and 704(c)(3)(C) of the 1998 Act, as enacted by section 105 of the Act, that purport to regulate the content of executive agency budget submissions to an officer within the executive branch in the development of the President’s annual budget submission, in a manner consistent with the constitutional authority of the President to require the written opinions of the principal officers of the executive departments and to supervise the unitary executive branch.

George W. Bush

The White House,
December 29, 2006.

NOTE: At the time of publication, H.R. 6344, approved December 29, had not been received by the Office of the Federal Register in time for assignment of a Public Law number. An original was not available for verification of the content of this statement.

Proclamation 8095—To Eliminate Tariffs on Certain Pharmaceuticals and Chemical Intermediates

December 29, 2006

By the President of the United States of America

A Proclamation

1. During the Uruguay Round of Multilateral Trade Negotiations (the “Uruguay Round”), a group of major trading countries agreed to reciprocal elimination of tariffs on certain pharmaceuticals and chemical intermediates, and that participants in this agreement would revise periodically the list of products subject to duty-free treatment. On December 13, 1996, at the Ministerial Conference of the World Trade Organization (WTO), the United States and 16 other major trading countries agreed to eliminate tariffs on additional pharmaceuticals and chemical intermediates. On April 1, 1997, the United States implemented this agreement in Proclamation 6982. The second revision to the list of products was negotiated under the auspices of the WTO in 1998. The United States implemented this revision on July 1, 1999, in Proclamation 7207. In 2006, the United States and 30 other WTO members concluded negotiations, under the auspices of the WTO, on a further revision to the list of pharmaceuticals and chemical intermediates to receive duty-free treatment.

2. Section 111(b) of the Uruguay Round Agreements Act (URAA)(19 U.S.C. 3521(b)) authorizes the President under specified circumstances to proclaim the modification of any duty or staged rate reduction of any duty set forth in Schedule XX-United States of America, annexed to the Marrakesh Protocol to the GATT 1994 (Schedule XX) for products that were the subject of reciprocal duty elimination negotiations during the Uruguay Round, if the United States agrees to such action in a multilateral negotiation under the auspices of the WTO. Section 111(b) also authorizes the President to proclaim such modifications as are necessary to correct technical errors in, or make other rectifications to, Schedule XX.

3. On October 3, 2006, consistent with section 115 of the URAA, the United States

Trade Representative (USTR) submitted a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate (the “Committees”) that set forth the proposed further revision to the list of products subject to tariff eliminations.

4. Section 604 of the Trade Act, as amended (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.

5. Pursuant to section 111(b) of the URAA, I have determined that Schedule XX should be modified to reflect the implementation by the United States of the multilateral agreement on certain pharmaceuticals and chemical intermediates negotiated under the auspices of the WTO. In addition, I have determined that the pharmaceuticals appendix to the HTS should be modified to reflect the duty eliminations provided for in that agreement and to make certain technical corrections in the manner in which Schedule XX identifies particular products in order to ensure that they are accorded the intended duty treatment.

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 section 111(b) of the URAA and section 604 of the 1974 Act, do proclaim that:

(1) In order to implement the multilateral agreement negotiated under the auspices of the WTO to eliminate tariffs on certain pharmaceutical products and chemical intermediates, and to make technical corrections in the tariff treatment accorded to such products, the HTS is modified as set forth in the Annex to this proclamation.

(2) Such modifications to the HTS shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date set forth in the Annex for the respective actions taken.