the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the Federal Register for publication, stating that the national emergency and related measures dealing with the former Liberian regime of Charles Taylor are to continue in effect beyond July 22, 2007.

The actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources, their trafficking of illegal arms, and their formation of irregular militia, continue to undermine Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

George W. Bush

The White House,

NOTE: This message was released by the Office of the Press Secretary on July 20. This item was not received in time for publication in the appropriate issue.

Executive Order 13440—Interpretation of the Geneva Conventions Common Article 3 as Applied to a Program of Detention and Interrogation Operated by the Central Intelligence Agency
July 20, 2007

By the authority vested in me as President and Commander in Chief of the Armed Forces by the Constitution and the laws of the United States of America, including the Authorization for Use of Military Force (Public Law 107–40), the Military Commissions Act of 2006 (Public Law 109–366), and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. General Determinations. (a) The United States is engaged in an armed conflict with al Qaeda, the Taliban, and associated forces. Members of al Qaeda were responsible for the attacks on the United States of September 11, 2001, and for many other terrorist attacks, including against the United States, its personnel, and its allies throughout the world. These forces continue to fight the United States and its allies in Afghanistan, Iraq, and elsewhere, and they continue to plan additional acts of terror throughout the world. On February 7, 2002, I determined for the United States that members of al Qaeda, the Taliban, and associated forces are unlawful enemy combatants who are not entitled to the protections that the Third Geneva Convention provides to prisoners of war. I hereby reaffirm that determination.

(b) The Military Commissions Act defines certain prohibitions of Common Article 3 for United States law, and it reaffirms and reinforces the authority of the President to interpret the meaning and application of the Geneva Conventions.

Sec. 2. Definitions. As used in this order:
(a) “Common Article 3” means Article 3 of the Geneva Conventions.
(b) “Geneva Conventions” means:
(i) the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, done at Geneva August 12, 1949 (6 UST 3114);
(ii) the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, done at Geneva August 12, 1949 (6 UST 3217);
(iii) the Convention Relative to the Treatment of Prisoners of War, done at Geneva August 12, 1949 (6 UST 3316); and
(iv) the Convention Relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949 (6 UST 3516).
(c) “Cruel, inhuman, or degrading treatment or punishment” means the cruel, unusual, and inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States.

Sec. 3. Compliance of a Central Intelligence Agency Detention and Interrogation Program with Common Article 3. (a) Pursuant to the authority of the President under the Constitution and the laws of the United States, including the Military Commissions Act of 2006, this order interprets the meaning and application of the text of Common Article 3 with respect to certain detentions and interrogations, and shall be treated as authoritative for all purposes as a matter of United States law, including satisfaction of the international obligations of the United States. I hereby determine that Common Article 3 shall apply to a program of detention and interrogation operated by the Central Intelligence Agency as set forth in this section. The requirements set forth in this section shall be applied with respect to detainees in such program without adverse distinction as to their race, color, religion or faith, sex, birth, or wealth.

(b) I hereby determine that a program of detention and interrogation approved by the Director of the Central Intelligence Agency fully complies with the obligations of the United States under Common Article 3, provided that:

(i) the conditions of confinement and interrogation practices of the program do not include:
   (A) torture, as defined in section 2340 of title 18, United States Code;
   (B) any of the acts prohibited by section 2441(d) of title 18, United States Code, including murder, torture, cruel or inhuman treatment, mutilation or maiming, intentionally causing serious bodily injury, rape, sexual assault or abuse, taking of hostages, or performing of biological experiments;
   (C) other acts of violence serious enough to be considered comparable to murder, torture, mutilation, and cruel or inhuman treatment, as defined in section 2441(d) of title 18, United States Code;
   (D) any other acts of cruel, inhuman, or degrading treatment or punishment prohibited by the Military Commissions Act (subsection 6(c) of Public Law 109–366) and the Detainee Treatment Act of 2005 (section 1003 of Public Law 109–148 and section 1403 of Public Law 109–163);
   (E) willful and outrageous acts of personal abuse done for the purpose of humiliating or degrading the individual in a manner so serious that any reasonable person, considering the circumstances, would deem the acts to be beyond the bounds of human decency, such as sexual or sexually indecent acts undertaken for the purpose of humiliation, forcing the individual to perform sexual acts or to pose sexually, threatening the individual with sexual mutilation, or using the individual as a human shield; or
   (F) acts intended to denigrate the religion, religious practices, or religious objects of the individual;

(ii) the conditions of confinement and interrogation practices are to be used with an alien detainee who is determined by the Director of the Central Intelligence Agency:
   (A) to be a member or part of or supporting al Qaeda, the Taliban, or associated organizations; and
   (B) likely to be in possession of information that:
      (1) could assist in detecting, mitigating, or preventing terrorist attacks, such as attacks within the United States or against its Armed Forces or other personnel, citizens, or facilities, or against allies or other countries cooperating in the war on terror with the United States, or their armed forces or other personnel, citizens, or facilities; or
      (2) could assist in locating the senior leadership of al Qaeda, the Taliban, or associated forces;

(iii) the interrogation practices are determined by the Director of the Central Intelligence Agency, based upon professional advice, to be safe for use
with each detainee with whom they
are used; and
(iv) detainees in the program receive the
basic necessities of life, including ade-
quate food and water, shelter from
the elements, necessary clothing, pro-
tection from extremes of heat and
cold, and essential medical care.

(c) The Director of the Central Intel-
ligence Agency shall issue written policies to
govern the program, including guidelines for
Central Intelligence Agency personnel that
implement paragraphs (i)(C), (E), and (F) of
subsection 3(b) of this order, and including
requirements to ensure:
(i) safe and professional operation of the
program;
(ii) the development of an approved plan
of interrogation tailored for each de-
tainee in the program to be interro-
gated, consistent with subsection
3(b)(iv) of this order;
(iii) appropriate training for interrogators
and all personnel operating the pro-
gram;
(iv) effective monitoring of the program,
including with respect to medical
matters, to ensure the safety of those
in the program; and
(v) compliance with applicable law and
this order.

Sec. 4. Assignment of Function. With re-
spect to the program addressed in this order,
the function of the President under section
6(c)(3) of the Military Commissions Act of
2006 is assigned to the Director of National
Intelligence.

Sec. 5. General Provisions. (a) Subject to
subsection (b) of this section, 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 departments, agencies, or
other entities, its officers or employees, or
any other person.

(b) Nothing in this order shall be con-
strued to prevent or limit reliance upon this
order in a civil, criminal, or administrative
proceeding, or otherwise, by the Central In-
telligence Agency or by any individual acting
on behalf of the Central Intelligence Agency
in connection with the program addressed in
this order.

George W. Bush
The White House,

[Filed with the Office of the Federal Register,
10:16 a.m., July 23, 2007]

NOTE: This Executive order was published in the
Federal Register on July 24. This item was not
received in time for publication in the appropriate
issue.

The President’s Radio Address
July 21, 2007

Good morning. On Friday, I met with a
group of veterans and military families who
support our troops and our mission in Iraq.
These men and women know the tremen-
dous sacrifices that our troops and their fami-
lies are making. And I appreciate the good
work their organizations are doing to support
our men and women in uniform in their im-
portant mission to protect the United States.

This week, Americans saw more evidence
of how difficult that mission is and how cen-
tral it is to our security. The Director of Na-
tional Intelligence released a summary of an
important document called the National In-
telligence Estimate on the “Terrorist Threat
to the US Homeland.” This assessment
brings together the analysis of our entire in-
telligence community and provides policy-
makers with an up-to-date picture of the
threat we face.

I know you are hearing a lot about this
document. Some of its assessments are en-
couraging, and others are cause for concern.
Most importantly, this document reminds us
that America faces “a persistent and evolv-
ing” threat from Islamic terrorist groups and
cells, especially Al Qaida.

Since Al Qaida attacked us on 9/11, the
United States has taken many steps to keep
the American people safe. We’ve gone on the
offense, taking the fight to the terrorists
around the world. We’ve worked with part-
ners overseas to monitor terrorist move-
ments, disrupt their finances, and bring them
to justice. Here at home, we’ve strengthened
security at borders and vital infrastructure