

of that part. An agency requesting modification must show that it has made substantial good faith efforts to comply with that part. The availability and costs of alternative fuels and AFVs can be a factor in OMB's decision to modify the agency's compliance with Part 2 of this order.

Sec. 508. Definitions. Terms used in this order shall have the same definitions as those in the Energy Policy Act of 1992 and Executive Order 13101, unless specifically changed in guidance to be issued by DOE under section 301(b) of this order.

William J. Clinton

The White House,
April 21, 2000.

[Filed with the Office of the Federal Register,
8:45 a.m., April 25, 2000]

NOTE: This Executive order was made available by the Office of the Press Secretary on April 21 but was embargoed for release until 10:06 a.m. on April 22, and it was published in the *Federal Register* on April 26.

Executive Order 13150—Federal Workforce Transportation

April 21, 2000

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Transportation Equity Act for the 21st Century (Public Law 105-178), section 1911 of the Energy Policy Act of 1992 (Public Law 102-486), section 531(a)(1) of the Deficit Reduction Act of 1984 (26 U.S.C. 132), and the Federal Employees Clean Air Incentives Act (Public Law 103-172), and in order to reduce Federal employees' contribution to traffic congestion and air pollution and to expand their commuting alternatives, it is hereby ordered as follows:

Section 1. Mass Transportation and Vanpool Transportation Fringe Benefit Program. (a) By no later than October 1, 2000, Federal agencies shall implement a transportation fringe benefit program that offers qualified Federal employees the option to exclude from taxable wages and compensation, consistent with section 132 of title 26, United States Code, employee commuting costs in-

curred through the use of mass transportation and vanpools, not to exceed the maximum level allowed by law (26 U.S.C. 132 (f)(2)). These agency programs shall comply with the requirements of Internal Revenue Service regulations for qualified transportation fringe benefits under section 1.132-9 of title 26, Code of Federal Regulations, and other guidance.

(b) Federal agencies are encouraged to use any nonmonetary incentive that the agencies may otherwise offer under any other provision of law or other authority to encourage mass transportation and vanpool use, as provided for in section 7905(b)(2)(C) of title 5, United States Code.

Sec. 2. Federal Agencies in the National Capital Region. Federal agencies in the National Capital Region shall implement a "transit pass" transportation fringe benefit program for their qualified Federal employees by no later than October 1, 2000. Under this program, agencies shall provide their qualified Federal employees, in addition to current compensation, transit passes as defined in section 132(f)(5) of title 26, United States Code, in amounts approximately equal to employee commuting costs, not to exceed the maximum level allowed by law (26 U.S.C. 132(f)(2)). The National Capital Region is defined as the District of Columbia; Montgomery, Prince George's, and Frederick Counties in Maryland; Arlington, Fairfax, Loudon, and Prince William Counties in Virginia; and all cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties.

Sec. 3. Nationwide Pilot Program. The Department of Transportation, the Environmental Protection Agency, and the Department of Energy shall implement a "transit pass" transportation fringe benefit program, as described in section 2 of this order, for all of their qualified Federal employees as a 3 year pilot program by no later than October 1, 2000. Before determining whether the program should be extended to other Federal employees nationwide, it shall be analyzed by an entity determined by the agencies identified in section 4 of this order to ascertain, among other things, if it is effective

in reducing single occupancy vehicle travel and local area traffic congestion.

Sec. 4. Guidance. Federal agencies shall develop plans to implement this order in consultation with the Department of the Treasury, the Department of Transportation, the Environmental Protection Agency, the Office of Personnel Management, the General Services Administration, and the Office of Management and Budget. Federal agencies that currently have more generous programs or benefits in place may continue to offer those programs or benefits. Agencies shall absorb the costs of implementing this order within the sums received pursuant to the President's FY 2001 budget request to the Congress.

Sec. 5. Judicial Review. This order is not intended to and does not create any right or benefit, substantive or procedural, enforceable at law by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

William J. Clinton

The White House,
April 21, 2000.

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Remarks on Departure for Camp David, Maryland, and an Exchange With Reporters

April 22, 2000

Elian Gonzalez

Good morning. As all of you know, this morning 6-year-old Elian Gonzalez was re-united with his father, Juan Miguel Gonzalez.

The Department of Justice, under the leadership of Attorney General Reno, went to great lengths to negotiate a voluntary transfer. Even yesterday, the Attorney General worked very hard on this late into the

night, showing great restraint, patience, and compassion. When all efforts failed, there was no alternative but to enforce the decision of the INS and a Federal court that Juan Miguel Gonzalez should have custody of his son. The law has been upheld, and that was the right thing to do.

I am well aware that this has been a difficult time for all the parties involved. But let's remember, as I said from the outset, the most important thing was to treat this in a lawful manner according to the established process. This was, in the end, about a little boy who lost his mother and has not seen his father in more than 5 months. I hope, with time and support, Elian and his father will have the opportunity to be a strong family again.

Thank you very much.

Q. Mr. President, what was your role, and did you give the go-ahead for the operation?

The President. Well, I talked to the Attorney General extensively, especially in the last several days, and I supported the decisions that were made. I think—we talked last evening last, and then I talked to Mr. Podesta two or three times through the night, and I believe that it was the right thing to do.

She made the decision; she managed this, but I fully support what she did. And it was clear to me from our long conversations that we were in agreement about this. She had a special feeling because she was from Miami, she wanted to resolve this in the most patient way possible to minimize the damage to the people and the community that she loves so much. But she felt strongly, and I felt strongly, that the law had to be upheld, and that Elian had to be reunited with his father. And every conceivable alternative was tried for quite a long time.

So I think she did the right thing, and I'm very pleased with the way she handled it.

NOTE: The President spoke at 10:28 a.m. on the South Lawn at the White House. In his remarks, he referred to rescued Cuban youth Elian Gonzalez, who was removed from the house of his Miami relatives by Federal agents and re-united with his father earlier in the morning.