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Week Ending Friday, January 23, 2004

Statement on the Recess Appointment of Charles W. Pickering To Serve on the United States Court of Appeals for the Fifth Circuit

January 16, 2004

Today I was proud to exercise my constitutional authority to appoint Judge Charles W. Pickering to serve on the United States Court of Appeals for the Fifth Circuit. Judge Pickering has served with distinction as a United States District Judge since he was unanimously confirmed by the Senate in 1990. He is highly qualified to serve on the Court of Appeals and has widespread bipartisan support from those who know him best.

For the past 2½ years, Judge Pickering has been waiting for an up-or-down vote in the Senate. A bipartisan majority of Senators supports his confirmation, and if he were given a vote, he would be confirmed. But a minority of Democratic Senators has been using unprecedented obstructionist tactics to prevent him and other qualified individuals from receiving up-or-down votes. Their tactics are inconsistent with the Senate's constitutional responsibility and are hurting our judicial system.

As a result of today's recess appointment, Judge Pickering will fill a seat on the Fifth Circuit that has been designated a judicial emergency. He will perform a valuable service on a court that needs more judges to do its work with the efficiency the American people deserve and expect. Again I call on the Senate to stop playing politics with the American judicial system and to give my nominees the up-or-down votes they deserve.

NOTE: This item was not received in time for publication in the appropriate issue.

Notice—Continuation of the National Emergency With Respect to Terrorists Who Threaten To Disrupt the Middle East Peace Process

January 16, 2004

On January 23, 1995, by Executive Order 12947, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by grave acts of violence committed by foreign terrorists who threaten to disrupt the Middle East peace process. On August 20, 1998, by Executive Order 13099, the President modified the Annex to Executive Order 12947 to identify four additional persons, including Usama bin Laden, who threaten to disrupt the Middle East peace process.

Because these terrorist activities continue to threaten the Middle East peace process and continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on January 23, 1995, as expanded on August 20, 1998, and the measures adopted on those dates to deal with that emergency must continue in effect beyond January 23, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to foreign terrorists who

threaten to disrupt the Middle East peace process.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

George W. Bush

The White House,
January 16, 2004.

[Filed with the Office of the Federal Register, 9:21 a.m., January 20, 2004]

NOTE: This notice was published in the *Federal Register* on January 21. This item was not received in time for publication in the appropriate issue.

Letter to Congressional Leaders on Continuation of the National Emergency With Respect to Terrorists Who Threaten To Disrupt the Middle East Peace Process

January 16, 2004

Dear Mr. Speaker: (Dear Mr. President:)

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for 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, stating that the emergency declared with respect to foreign terrorists who threaten to disrupt the Middle East peace process is to continue in effect beyond January 23, 2004, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on January 22, 2003 (68 *FR* 3161).

The crisis with respect to the grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process that led to the declaration of a national emergency on January 23, 1995, as expanded on August 20, 1998, has not been resolved. Terrorist groups continue to engage in activities that have the purpose or effect of threatening the Middle East peace process and that are hostile to United States interests in the region. Such actions constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to foreign terrorists who threaten to disrupt the Middle East peace process and to maintain in force the economic sanctions against them to respond to this threat.

Sincerely,

George W. Bush

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate. This item was not received in time for publication in the appropriate issue.

Letter to Congressional Leaders on Review of Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996

January 16, 2004

Dear _____ :

Consistent with section 306(c)(2) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), (the "Act"), I hereby determine and report to the Congress that suspension for 6 months beyond February 1, 2004, of the right to bring an action under title III of the Act is necessary to the national interests of the United States and will expedite a transition to democracy in Cuba.

Sincerely,

George W. Bush

NOTE: Identical letters were sent to Richard G. Lugar, chairman, and Joseph R. Biden, Jr., ranking member, Senate Committee on Foreign Relations; Ted Stevens, chairman, and Robert C. Byrd, ranking member, Senate Committee on Appropriations; Henry J. Hyde, chairman, and Tom Lantos, ranking member, House Committee on International Relations; and C.W. Bill Young, chairman, and David R. Obey, ranking member, House Committee on Appropriations. This item was not received in time for publication in the appropriate issue.