

code of federal regulations

The President

3

1998 COMPILATION

AND

PARTS 100–102

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Title 3 Compilations

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| 1936–1938 | 2161–2286 | 7316–7905 |
| 1938–1943 | 2287–2587 | 7906–9347 |
| 1943–1948 | 2588–2823 | 9348–10025 |
| 1949–1953 | 2824–3041 | 10026–10510 |
| 1954–1958 | 3042–3265 | 10511–10797 |
| 1959–1963 | 3266–3565 | 10798–11134 |
| 1964–1965 | 3566–3694 | 11135–11263 |
| 1966–1970 | 3695–4025 | 11264–11574 |
| 1971–1975 | 4026–4411 | 11575–11893 |
| 1976 | 4412–4480 | 11894–11949 |
| 1977 | 4481–4543 | 11950–12032 |
| 1978 | 4544–4631 | 12033–12110 |
| 1979 | 4632–4709 | 12111–12187 |
| 1980 | 4710–4812 | 12188–12260 |
| 1981 | 4813–4889 | 12261–12336 |
| 1982 | 4890–5008 | 12337–12399 |
| 1983 | 5009–5142 | 12400–12456 |
| 1984 | 5143–5291 | 12457–12497 |
| 1985 | 5292–5424 | 12498–12542 |
| 1986 | 5425–5595 | 12543–12579 |
| 1987 | 5596–5759 | 12580–12622 |
| 1988 | 5760–5928 | 12623–12662 |
| 1989 | 5929–6084 | 12663–12698 |
| 1990 | 6085–6240 | 12699–12741 |
| 1991 | 6241–6398 | 12742–12787 |
| 1992 | 6399–6520 | 12788–12827 |
| 1993 | 6521–6643 | 12828–12890 |
| 1994 | 6644–6763 | 12891–12944 |
| 1995 | 6764–6859 | 12945–12987 |
| 1996 | 6860–6965 | 12988–13033 |
| 1997 | 6966–7061 | 13034–13071 |
| 1998 | 7062–7161 | 13072–13109 |

Beginning with 1976, Title 3 Compilations also include regulations contained in Chapter I, Executive Office of the President.

Supplementary publications include: Presidential documents of the Hoover Administration (two volumes), Proclamations 1870–2037 and Executive Orders 5076–6070; Consolidated Indexes for 1936–1965; and Consolidated Tables for 1936–1965.

Explanation

The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the Executive departments and agencies of the Federal Government. The *Code* is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas.

Each volume of the *Code* is revised at least once each calendar year and issued on a quarterly basis approximately as follows:

| | |
|--------------------------------|-----------------|
| Title 1 through Title 16..... | as of January 1 |
| Title 17 through Title 27..... | as of April 1 |
| Title 28 through Title 41..... | as of July 1 |
| Title 42 through Title 50..... | as of October 1 |

The appropriate revision date is printed on the cover of each volume.

LEGAL STATUS

The contents of the *Federal Register* are required to be judicially noticed (44 U.S.C. 1507). The *Code of Federal Regulations* is prima facie evidence of the text of the original documents (44 U.S.C. 1510).

HOW TO USE THE CODE OF FEDERAL REGULATIONS

The *Code of Federal Regulations* is kept up to date by the individual issues of the *Federal Register*. These two publications must be used together to determine the latest version of any given rule.

To determine whether a *Code* volume has been amended since its revision date (in this case, January 1, 1999), consult the "List of CFR Sections Affected (LSA)," which is issued monthly, and the "Cumulative List of Parts Affected," which appears in the Reader Aids section of the daily *Federal Register*. These two lists will identify the *Federal Register* page number of the latest amendment of any given rule.

EFFECTIVE AND EXPIRATION DATES

Each volume of the *Code* contains amendments published in the *Federal Register* since the last revision of that volume of the *Code*. Source citations for the regulations are referred to by volume number and page number of the *Federal Register* and date of publication. Publication dates and effective dates are usually not the same and care must be exercised by the user in determining the actual effective date. In instances where the effective date is beyond the cut-off date for the *Code* a note has been inserted to reflect the future effective date. In those instances where a regulation published in the *Federal Register* states a date certain for expiration, an appropriate note will be inserted following the text.

OMB CONTROL NUMBERS

The Paperwork Reduction Act of 1980 (Pub. L. 96-511) requires Federal agencies to display an OMB control number with their information collection request.

Many agencies have begun publishing numerous OMB control numbers as amendments to existing regulations in the CFR. These OMB numbers are placed as close as possible to the applicable recordkeeping or reporting requirements.

OBSOLETE PROVISIONS

Provisions that become obsolete before the revision date stated on the cover of each volume are not carried. *Code* users may find the text of provisions in effect on a given date in the past by using the appropriate numerical list of sections affected. For the period before January 1, 1986, consult either the List of CFR Sections Affected, 1949–1963, 1964–1972, or 1973–1985, published in seven separate volumes. For the period beginning January 1, 1986, a “List of CFR Sections Affected” is published at the end of each CFR volume.

CFR INDEXES AND TABULAR GUIDES

A subject index to the *Code of Federal Regulations* is contained in a separate volume, revised annually as of January 1, entitled CFR INDEX AND FINDING AIDS. This volume contains the Parallel Table of Statutory Authorities and Agency Rules (Table I), and Acts Requiring Publication in the *Federal Register* (Table II). A list of CFR titles, chapters, and parts and an alphabetical list of agencies publishing in the CFR are also included in this volume.

An index to the text of “Title 3—The President” is carried within that volume.

The *Federal Register Index* is issued monthly in cumulative form. This index is based on a consolidation of the “Contents” entries in the daily *Federal Register*.

A List of CFR Sections Affected (LSA) is published monthly, keyed to the revision dates of the 50 CFR titles.

REPLICATION OF MATERIAL

There are no restrictions on the republication of material appearing in the *Code of Federal Regulations*.

INQUIRIES

For a legal interpretation or explanation of any regulation in this volume, contact the issuing agency. The issuing agency’s name appears at the top of odd-numbered pages.

For inquiries concerning CFR reference assistance, call 202-523-5227 or write to the Director, Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408 or e-mail info@fedreg.nara.gov.

SALES

The Government Printing Office (GPO) processes all sales and distribution of the CFR. For payment by credit card, call 202-512-1800, M-F 8 a.m. to 4 p.m. e.s.t. or fax your order to 202-512-2233, 24 hours a day. For payment by check, write to the Superintendent of Documents, Attn: New Orders, P.O. Box 371954, Pittsburgh, PA 15250-7954. For GPO Customer Service call 202-512-1803.

ELECTRONIC SERVICES

The texts of the *Code of Federal Regulations*, *The United States Government Manual*, *the Federal Register*, *Public Laws*, *Weekly Compilation of Presidential Documents*, and the *1995 Privacy Act Compilation* are available in electronic format at www.access.gpo.gov/nara/index.html. For more information, contact Electronic Information Dissemination Services, U.S. Government Printing Office. Phone 202-512-1530, or 888-293-6498 (toll-free). E-mail, gpoaccess@gpo.gov.

The Office of the Federal Register maintains a free electronic bulletin board service, FRENED (Federal Register Electronic News Delivery), for public law numbers, *Federal Register* finding aids, and related information. To access by modem: phone, 202-275-0920.

In addition, the *Federal Register's* public inspection list and table of contents are also available on the National Archives and Records Administration's Fax-on-Demand system. Phone, 301-713-6905.

RAYMOND A. MOSLEY,
Director,
Office of the Federal Register.

January 1, 1999.

Explanation of This Title

This volume of “Title 3—The President” contains a compilation of Presidential documents and a codification of regulations issued by the Executive Office of the President.

The 1998 Compilation contains the full text of those documents signed by the President that were required to be published in the *Federal Register*. Signature date rather than publication date is the criterion for inclusion. With each annual volume, the Presidential documents signed in the previous year become the new Compilation.

Chapter I contains regulations issued by the Executive Office of the President. This section is a true codification like other CFR volumes, in that its contents are organized by subject or regulatory area and are updated by individual issues of the *Federal Register*.

Presidential documents in this volume may be cited “3 CFR, 1998 Comp.” Thus, the preferred abbreviated citation for Proclamation 7062 appearing on page 1 of this book, is “3 CFR, 1998 Comp., p. 1.” Chapter I entries may be cited “3 CFR.” Thus, the preferred abbreviated citation for Section 100.735–1, appearing in Chapter I of this book, is “3 CFR 100.735–1.”

This book is one of the volumes in a series that began with Proclamation 2161 of March 19, 1936, and Executive Order 7316 of March 13, 1936, and that has been continued by means of annual compilations and periodic cumulations. The entire Title 3 series, as of January 1, 1999, is encompassed in the volumes listed on page iv.

For readers interested in proclamations and Executive orders prior to 1936, there is a two-volume set entitled *Proclamations and Executive Orders, Herbert Hoover* (March 4, 1929, to March 4, 1933). Codified Presidential documents are published in the *Codification of Presidential Proclamations and Executive Orders* (April 13, 1945—January 20, 1989). Other public Presidential documents not required to be published in the *Federal Register*, such as speeches, messages to Congress, and statements, can be found in the *Weekly Compilation of Presidential Documents* and the *Public Papers of the Presidents* series. Each of these Office of the Federal Register publications is available for sale from the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

This book was prepared in the Presidential Documents and Legislative Division by Anna Glover with the assistance of John S. Ashlin, Karen L. Ashlin, Jennifer S. Mangum, and Karen Thornton.

Would you like to know...

if any changes have been made to the *Code of Federal Regulations* or what documents have been published in the *Federal Register* without reading the *Federal Register* every day? If so, you may wish to subscribe to the *LSA* (List of CFR Sections Affected), the *Federal Register Index*, or both.

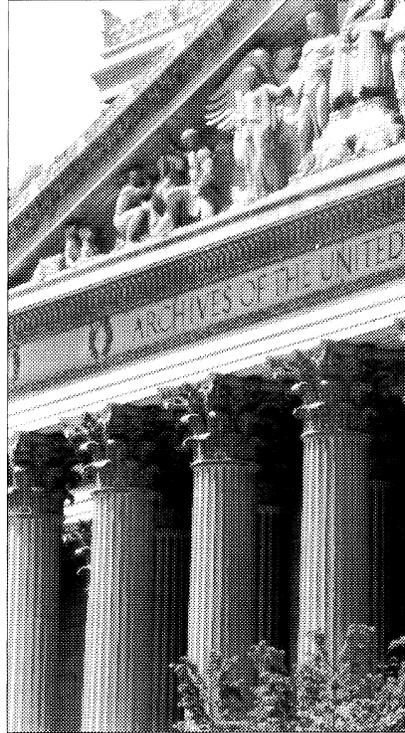
LSA

The LSA (List of CFR Sections Affected) is designed to lead users of the *Code of Federal Regulations* to amendatory actions published in the *Federal Register*. The LSA is issued monthly in cumulative form. Entries indicate the nature of the changes—such as revised, removed, or corrected. \$27 per year.

Federal Register Index

The index, covering the contents of the daily *Federal Register*, is issued monthly in cumulative form. Entries are carried primarily under the names of the issuing agencies. Significant subjects are carried as cross-references. \$25 per year.

A finding aid is included in each publication which lists *Federal Register* page numbers with the date of publication in the *Federal Register*.



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Cite Presidential documents in this volume

3 CFR, 1998 Comp.

thus: **3 CFR, 1998 Comp., p. 1**

Cite Chapter I entries in this volume

3 CFR

thus: **3 CFR 100.735-1**

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1998 Compilation— Presidential Documents

PROCLAMATIONS

Proclamation 7062 of January 14, 1998

**Suspension of Entry as Immigrants and Nonimmigrants of
Persons Who Are Members of the Military Junta in Sierra
Leone and Members of Their Families**

*By the President of the United States of America
A Proclamation*

In light of the refusal of the military junta in *de facto* control in Sierra Leone to permit the return to power of the democratically elected government of that country, and in furtherance of United Nations Security Council Resolution 1132 of October 8, 1997, I have determined that it is in the foreign policy interests of the United States to suspend the entry into the United States of aliens described in section 1 of this proclamation.

NOW, THEREFORE, I, WILLIAM J. CLINTON, by the power vested in me as President of the United States by the Constitution and the laws of the United States of America, including sections 212(f) and 215 of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. 1182(f) and 1185), hereby find that the entry into the United States of aliens described in section 1 of this proclamation, as immigrants or nonimmigrants would, except as provided for in section 2 of this proclamation, be detrimental to the interests of the United States. I do therefore proclaim that:

Section 1. The entry into the United States as immigrants and nonimmigrants of members of the military junta in Sierra Leone and members of their families, is hereby suspended.

Sec. 2. Section 1 shall not apply with respect to any person otherwise covered by section 1 where the entry of such person would not be contrary to the interests of the United States.

Proc. 7063

Title 3—The President

Sec. 3. Persons covered by sections 1 and 2 shall be identified by the Secretary of State.

Sec. 4. This proclamation is effective immediately and shall remain in effect until such time as the Secretary of State determines that it is no longer necessary and should be terminated.

Sec. 5. The Secretary of State is hereby authorized to implement this proclamation pursuant to such procedures as the Secretary of State may establish.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of January, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7063 of January 15, 1998

Religious Freedom Day, 1998

*By the President of the United States of America
A Proclamation*

The right to worship according to one's own conscience is essential to our dignity as human beings. Whatever our religious beliefs, they represent the essence of our personal values and cannot be dictated to us. Recognizing this truth, our founders made religious liberty the first freedom guaranteed in the Bill of Rights. They wisely understood as well that in protecting the free exercise of religion, we must also prohibit the establishment of religion by the state.

Among the early European settlers who came to our shores were many seeking to escape the religious compulsion and persecution they had endured in the lands of their birth. William Penn, Roger Williams, and many others would strive to make their settlements havens for freedom of conscience, laying the foundation for the great tradition of religious liberty that would ultimately find expression in the First Amendment to the Constitution. Since those early days, our continuing aspiration has been to banish lingering prejudice and increase religious understanding and respect among our people.

Today, millions of people of different faiths call America home. The churches, synagogues, temples, mosques, and other houses of worship they have built have become centers of community life and service and a source of strength for our Nation. As our country becomes increasingly diverse, we must reaffirm our efforts to reach out to one another and to see past our differences to the values we hold in common.

My Administration is striving to enhance this climate of acceptance and respect, bringing people together across lines of faith. Two years ago, with the help of a broad coalition of religious and civic leaders, we created guidelines clarifying the nature of religious expression permitted in our public schools and reaffirming that America's young people do not have to

leave their religious beliefs at the schoolhouse door. With the help of that same coalition, I issued additional guidelines last August to reinforce the right of religious expression in the Federal workplace. Building on America's long-standing commitment to freedom and fairness, these guidelines will ensure that Federal employees may engage in personal religious expression to the greatest extent possible, consistent with workplace efficiency and the requirements of law. The guidelines also clarify that Federal employers may not discriminate in employment on the basis of religion and that an agency must reasonably accommodate employees' religious practices.

On Religious Freedom Day this year, as we celebrate and cherish this precious right we enjoy as Americans, we must not forget others who are less fortunate. Throughout the world, in many lands, too many people still suffer and die for their beliefs, and lives, families, and communities are torn apart by old hatreds and prejudices. We must continue to proclaim the fundamental right of all peoples to believe and worship according to their own conscience, to affirm their beliefs openly and freely, and to practice their faith without fear or intimidation. The priceless gift we have inherited from past generations will only grow in value as we share it with others.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 16, 1998, as Religious Freedom Day. I call upon the people of the United States to observe this day with appropriate ceremonies, activities, and programs, and I urge all Americans to reaffirm their devotion to the fundamental principles of religious freedom and religious tolerance.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of January, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7064 of January 16, 1998

Martin Luther King, Jr., Federal Holiday, 1998

*By the President of the United States of America
A Proclamation*

America has been blessed with heroes throughout our history, men and women of vision and courage who have set our feet firmly on the path of freedom and equality. Some became heroes by leading us in times of struggle; some by shaping our values and challenging us to greatness. And a few, like Dr. Martin Luther King, Jr., have done all this and more.

A thoughtful man and one of deep personal faith, his conscience called him into action for the soul of our Nation. He mobilized thousands of other brave and principled Americans—black and white, renowned and unknown—and began a crusade for justice that continues today. In sit-ins, marches, demonstrations, and boycotts, he and many others met violence

with nonviolence and ignorance with determination. They awakened the conscience of our Nation and succeeded in winning passage of historic civil rights legislation: the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968. Pouring out his life in service, Dr. King made enormous and lasting contributions to improve the lives of millions of his fellow Americans.

Almost 35 years have passed since Dr. King challenged us from the steps of the Lincoln Memorial to live out the true meaning of our creed—that all men are created equal—and almost 30 years have passed since he was taken from us after an all-too-brief sojourn on this earth. A generation of young Americans has come of age without experiencing firsthand the power of his vision or the eloquence of his voice. Much has changed for the better in that time, but we still have much to do if we are to finish the work of Martin Luther King, Jr.

Following his example of service, we must build communities where everyone shares an equal opportunity for a good education and a good job, where our children can grow up without living in the shadow of guns, gangs, and drugs, and where we reject separation and isolation and instead celebrate together the blessing of our diversity. Last June, I established my initiative, “One America in the 21st Century,” to encourage a national dialogue among Americans about race and to spur concerted action that will bring Americans together. We must put aside the bitter refrains of accusation and recrimination and instead discuss and implement new ideas for forging a single Nation in the 21st Century out of our ever-increasing racial and ethnic diversity. By learning to talk to one another, to trust one another, and to work together in hope, we can and will come to the time Dr. King foresaw when “justice rolls down like waters.”

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Monday, January 19, 1998, as the Martin Luther King, Jr., Federal Holiday. I call upon the people of the United States to observe this occasion with appropriate programs, ceremonies, and activities and to participate in the many community service activities taking place across the country on this day.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of January, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7065 of January 28, 1998

Year of the Ocean, 1998

By the President of the United States of America

A Proclamation

More than 70 percent of the Earth’s surface is covered by water, and more than half the world’s population lives within 50 miles of a coastline. We

rely on the ocean as both a source and sustenance of life on our planet. It contains a wondrous abundance and diversity of life, from the smallest microorganism to the mammoth blue whale. It is a key source of food, medicine, energy, commerce, and recreation for the peoples of the world, and the more we learn about its influence on climate and weather, the more we realize its impact on our safety and quality of life.

We are only beginning to understand the depths of the ocean's mysteries, but we are quickly learning one crucial lesson: the ocean's resources are limited, and we must work together to preserve them. Many areas are already overfished; decades of pollution, including industrial waste, sewage, and toxic runoff, has taken its toll on the health of the ocean and its living creatures. Many species of fish are threatened with extinction, and even our precious coral reefs, once a safe haven for an amazing variety of animal and plant life, have suffered greatly.

Because the ocean is a treasure that all nations of the world share in common, we must work in partnership to become wise stewards of its many riches. We must strive together—at local, national, and international levels—to preserve the ocean's health, to protect the marine environment, and to ensure the sustainable management of the myriad resources the ocean contains.

Dedicating 1998 as the Year of the Ocean is an important first step in this worldwide endeavor. Throughout the year, individuals, organizations, and governments will participate in activities designed to raise public awareness of the vital role the ocean plays in human life and of the equally vital role that human beings must play in the life of the ocean. The Year of the Ocean provides us with an extraordinary opportunity to learn more about the ocean's unique environment and to collaborate on protecting and preserving its invaluable resources.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim 1998 as the Year of the Ocean. I encourage the Governors of the States and the Commonwealth of Puerto Rico and officials of other areas subject to the jurisdiction of the United States to participate in the observance of this year. I invite all Americans to take this opportunity to learn more about the ocean and its vast biodiversity and to become involved in keeping our coastal waters safe and clean.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of January, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7066 of January 30, 1998**American Heart Month, 1998**

*By the President of the United States of America
A Proclamation*

Fifty years ago, a heart attack meant an end to an active lifestyle, and, for a third of those stricken, it meant death. Thankfully, the past half-century has brought us an array of advances in the prevention and treatment of heart disease. Procedures such as balloon angioplasty and coronary artery bypass grafts, noninvasive diagnostic tests, and drugs that treat high blood pressure and clots and reduce high blood cholesterol have enabled Americans to live longer and healthier lives. Equally important, we have become better educated during the past five decades about heart disease risk factors and how to control them.

This year, two of the groups most responsible for this remarkable progress—the National Heart, Lung, and Blood Institute and the American Heart Association—are celebrating their golden anniversaries. The National Heart, Lung, and Blood Institute, part of the National Institutes of Health, leads the Federal Government's efforts against heart disease by supporting research and education for the public, heart patients, and health care professionals. The American Heart Association plays a crucial role in the fight against heart disease through its research and education programs and its vital network of dedicated volunteers.

Despite the encouraging developments in that fight, we still face many challenges. Heart disease continues to be the leading cause of death in this country, killing more than 700,000 Americans each year. The number of Americans with heart disease or a risk factor for it is staggering. Approximately 58 million have some form of cardiovascular disease, about 50 million have high blood pressure, and about 52 million have high blood cholesterol. Americans are also becoming more overweight and less active—two key factors that increase the risk of heart disease. Most disturbing, for the first time in decades, Americans are losing ground against some cardiovascular diseases. The rate of stroke has risen slightly, the prevalence of heart failure has increased, and the decline in the death rate for those with coronary heart disease has slowed.

Women are particularly hard hit by this disease, in part because public health messages too often have not focused on how this segment of our population can best protect their hearts. The American Heart Association recently discovered that only 8 percent of American women know that heart disease and stroke are the greatest health threats for women, and 90 percent of women polled did not know the most common heart attack signals for women.

For a variety of reasons, including poorer access to preventive health care services, minorities in America have high mortality rates due to heart disease. The American Heart Association reported that, in 1995, cardiovascular disease death rates were about 49 percent greater for African American men than for white men, and about 67 percent higher for African American women than for white women. In addition, the prevalence of diabetes—a major risk factor for heart disease—is very high in some of our Na-

tive American populations, and Asian Americans have a high mortality rate for stroke.

However, both the National Heart, Lung, and Blood Institute and the American Heart Association have undertaken activities to counter these trends. Both groups have initiated major efforts to better inform women and minorities about the threat of heart disease and the steps that can be taken both to prevent and treat it. These fine organizations also continue their efforts to educate health professionals on improving medical practice in heart health and to inform patients and the public about how to reduce their risk of heart disease. As we celebrate their 50th anniversaries, let us resolve to build on their record of accomplishment. By continuing our investment in research, raising public awareness of the symptoms of heart disease, and educating Americans about the importance of a heart-healthy diet and exercise, we can continue our extraordinary progress in saving lives and improving health.

In recognition of these important efforts in the ongoing fight against cardiovascular disease, the Congress, by Joint Resolution approved December 30, 1963 (77 Stat. 843; 36 U.S.C. 169b), has requested that the President issue an annual proclamation designating February as "American Heart Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim February 1998 as American Heart Month. I invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other areas subject to the jurisdiction of the United States, and the American people to join me in reaffirming our commitment to combating cardiovascular disease and stroke.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of January, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7067 of January 30, 1998

National African American History Month, 1998

*By the President of the United States of America
A Proclamation*

African American history is one of the great human chronicles of all time. It is the story of men and women who, with extraordinary courage and faith, prevailed against centuries of slavery and discrimination to build lives for themselves and their families and to contribute immeasurably to the strength and character of our Nation. It is the story of millions of people who arrived on these shores in chains, yet who had the greatness of heart and spirit to love this country for its possibilities. It is the story of generations of heroes who with their labor, voices, vision, and blood sought to change the essence of our society—our laws, institutions, and attitudes—to reflect the fundamental American ideals of freedom, justice, and equality. African American history is ultimately the story of America's struggle to become a more perfect union.

Each year during the month of February, we focus on a particular aspect of African American history to broaden our knowledge and deepen our appreciation of the countless contributions African Americans have made to the life of our Nation. This year's theme, "African Americans in Business: The Path Towards Empowerment," presents an opportunity not only to celebrate these contributions, but also to build on them.

Our Nation's system of free enterprise has been a sure path to inclusion and independence for generations of Americans, and today African American entrepreneurs are reaping its many rewards. In every facet of American endeavor, in the fields of health care, law, government, and education; as artists, bankers, scientists, and computer programmers, African Americans are excelling and adding significantly to the strength of our economy. If current trends continue, African Americans will account for nearly 12 percent of the American labor force by the year 2000. And even more promising, according to the most recent data available from the U.S. Census, the number of businesses owned by African Americans has grown at an impressive annual rate and significantly faster than the number of new U.S. businesses overall. These statistics are a testament to the perseverance, hard work, and energy of African Americans and of their enduring faith in the American Dream.

As we celebrate National African American History Month, let us resolve to build on this record of success. We must ensure that every American shares equal access to a quality education—an education that will offer the knowledge and skills necessary to fill the jobs of the 21st century. We must strive to eradicate every trace of discrimination from our society and the American workplace. And we must work together—government, private industry, community organizations, and concerned citizens—to invest in all our people, providing them with the tools they need to succeed and widening the circle of opportunity.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim February 1998 as National African American History Month. I call upon public officials, educators, librarians, and all the people of the United States to observe this month with appropriate ceremonies, activities, and programs that raise awareness and appreciation of African American history.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of January, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7068 of February 26, 1998**Save Your Vision Week, 1998**

By the President of the United States of America

A Proclamation

The ability to see is a great treasure; but, as with any precious possession, it is vulnerable to loss—through injury, age, or disease. Men and women whose jobs require them to work with chemicals or machinery are at increased risk of eye injury. Macular degeneration takes a dramatic toll on the vision of people aged 60 and over, causing severe visual impairment and even blindness in its victims. Diseases such as glaucoma, cataract, and diabetic retinopathy can silently steal the vision of their victims without pain or other early symptoms to signal the need for immediate medical attention.

The greatest defense we have in protecting our eyesight is early detection and treatment. While many Americans receive regular physical examinations to ensure their overall fitness, they often ignore the health of their eyes. Yet, by the time many patients realize their eyesight is deteriorating, it is often too late to restore vision already lost. Even though they may not be experiencing vision problems, Americans should make a dilated eye examination part of their preventive health care routine. A dilated eye exam can reveal early signs of eye disease and make it possible to treat the affliction and preserve vision.

Good eye care is not solely for those who know they are at high risk for eye disease—it is for everyone. Certain types of eye disease tend to develop primarily in children, while others manifest themselves most often in working-age adults or older men and women. By taking good care of our eyes, we can take the important steps to maintain our quality of life and ensure the full enjoyment of all that our world has to offer.

To remind Americans of the importance of protecting their eyesight, the Congress, by joint resolution approved December 30, 1963 (77 Stat. 629; 36 U.S.C. 169a), has authorized and requested the President to proclaim the first week in March of each year as “Save Your Vision Week.”

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim March 1 through March 7, 1998, as Save Your Vision Week. I urge all Americans to participate by making eye care and eye safety an important part of their lives and to ensure that dilated eye examinations are included in their regular health maintenance programs. I invite eye care professionals, the media, and all public and private organizations dedicated to preserving eyesight to join in activities that will raise awareness of the measures we can take to protect and sustain our vision.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of February, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7069 of February 27, 1998**American Red Cross Month, 1998**

By the President of the United States of America

A Proclamation

Americans share a long tradition of compassion for others and lending aid to those in need. Since our earliest days as a Nation, we have been able to bear the heartbreak of family tragedy, personal hardship, or natural disaster because of the help of caring friends and neighbors. For 117 years, the American Red Cross has been the staunchest of friends and neighbors to millions of people both here at home and around the world, adding its own vital contributions to our history of service.

The American Red Cross brings both comfort and practical assistance to the victims of more than 65,000 disasters each year, from hurricanes and tornadoes affecting thousands of people to a house fire involving a single family. Members of the Red Cross also work on the front lines of armed conflicts and disasters across the globe to relieve suffering and restore human dignity and self-sufficiency. At the same time, they serve alongside our men and women in uniform wherever they are deployed, relaying urgent family messages and providing a precious link with home. And through its Holocaust and War Victims Tracing and Information Center, the Red Cross has helped thousands of families in their search for information about the fate of loved ones from whom they were separated during the Holocaust.

Few of us have remained untouched by the work of the Red Cross. The Red Cross collects, tests, and distributes six million units of donated blood each year, nearly half the Nation's supply. More than 1,300 Red Cross chapters in communities across America teach health and safety courses to 12 million people each year, providing them with knowledge regarding CPR, first aid, water safety, and HIV/AIDS that can—and does—save lives.

The Red Cross has become a simple yet powerful symbol that transcends language and conveys a universally understood message of hope. This symbol draws its strength from the dedication of the more than 1.3 million volunteers who help disaster victims, assist at blood drives, teach health classes, and respond to urgent community needs. I commend the generous spirit of all those who carry out the important work of the American Red Cross, and I encourage all Americans to support their efforts—whether by giving blood, donating funds to help disaster victims, or becoming Red Cross volunteers themselves. In doing so, we will ensure that the American Red Cross will continue its tradition of compassionate service in the 21st century and beyond.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America and Honorary Chairman of the American Red Cross, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 1998 as American Red Cross Month. I urge all the people of the United States to support Red Cross chapters nationwide, and I challenge each of you to become active participants in advancing the noble mission of the Red Cross.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of February, in the year of our Lord nineteen hundred and ninety-eight,

and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7070 of February 27, 1998

Irish-American Heritage Month, 1998

*By the President of the United States of America
A Proclamation*

As it has been for many immigrants, America has always been a beacon of hope for the Irish people, a land of promise beckoning on the far shore of the Atlantic where they could build a better life for themselves and their children. Those who traveled here in the 17th and 18th centuries came primarily to escape religious, social, and political discrimination in their homeland. But millions of Irish immigrants who came to the United States in the 19th century were fleeing not only persecution, but also the specter of starvation and disease brought on by the Great Hunger, the devastating potato famine that began in the 1840s. Many of them did not survive the journey; many of those who did arrive at America's ports were hungry, ill, and crushingly poor.

But the Irish did not come to America empty-handed. They brought with them strong arms and an even stronger spirit that would help to build our Nation's great canals, bridges, and railroads. They would wrest coal from the mines of Pennsylvania and raise the skyscrapers of New York. They brought with them a love of words that enriched American journalism and literature and produced writers such as John Boyle O'Reilly, Ring Lardner, Eugene O'Neill, and Mary McCarthy. They brought as well a great reverence for education and created schools, colleges, and universities across the country renowned for their scholarship and social conscience.

Perhaps their greatest gifts to America have been a abiding love of liberty, and an patriotic spirit. Irish Americans have served with distinction in every American conflict, from the Revolutionary War to the Persian Gulf, and their keen sense of social justice made them among the first and most effective voices for labor reform. From Mary Kenney O'Sullivan to George Meany, they have been in the vanguard of efforts to improve working conditions and wages for all Americans. Generations of Irish Americans entered public service to reach out to those in need—to feed the poor, find jobs for the unemployed, fight for racial equality, and champion social reform. From the Kennedys of Massachusetts to the Daleys of Chicago, from Governor Al Smith to Ambassador Mike Mansfield, Americans of Irish descent have made important and enduring contributions to the public life of our Nation.

The United States continues to draw strength and vision from our multicultural, multiracial society. This month, when citizens across the country celebrate Saint Patrick's Day, we remember with special gratitude the gifts of Irish Americans: faith in God, love of family and community, and an unswerving commitment to freedom and justice that continues to enrich our

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Nation and fulfill the promise envisioned by the first Irish immigrants who turned their eyes and hearts toward America so many years ago.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 1998 as Irish-American Heritage Month. I call upon all the people of the United States to observe this month with appropriate ceremonies, programs, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of February, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7071 of March 2, 1998

Women's History Month, 1998

By the President of the United States of America

A Proclamation

The Preamble to the Constitution begins, "We, the people." Yet that phrase, inspiring as it is, has not always included all Americans. Women's history in America has been the story of the struggle of women of all racial, ethnic, and cultural backgrounds to be included in that simple but powerful statement. It is the story as well of how, in striving to reach their own great potential, women have strengthened and enriched our Nation.

In every era of American history, women have braved enormous challenges to change our world for the better. Women of faith in the early 17th century dared a dangerous journey and the unknown wilderness to seek freedom of conscience in a new land. As our Nation struggled for independence and to establish a new, more enlightened form of government, women like Esther DeBerdt Reed and Sarah Franklin Bache supplied food, clothes, and funds for Washington's soldiers. Freedom fighters like Sojourner Truth and Harriet Tubman led hundreds of enslaved men and women to liberty through the Underground Railroad, and social reformers like Gertrude Bonnin advanced the human rights of American Indians. Suffragists like Susan B. Anthony, Elizabeth Cady Stanton, and Luisa Capetillo challenged the conventions of their times and sought to secure for women one of the most basic rights within our democracy.

This year marks the 150th anniversary of the women's rights movement in America and its immeasurable contributions to our Nation's promise of justice and equality for all. The visionary women and men who gathered in Seneca Falls, New York, in July of 1848 for the first Women's Rights Convention in history gave voice so powerfully to women's aspirations for inclusion and empowerment that their vision continues to shape our world today.

Once disenfranchised, American women now serve at the highest levels of government, as Justices of the Supreme Court and in increasing numbers

in the Cabinet and the United States Congress. Once denied the resources and opportunities to play organized sports, American women made sporting history this year by winning the first-ever Olympic Gold Medal in women's ice hockey. Women are cracking the glass ceilings of corporate management to lead some of our country's most prominent businesses. As parents and partners, entrepreneurs and artists, politicians and scientists, women are helping to build an America in which all citizens, regardless of gender, are free to live out their dreams.

Thanks to the efforts of women leaders, little girls across America today know far fewer limits than did their mothers and grandmothers. But there still remains work to be done to create a more just America, and we must rededicate ourselves to ending the discrimination that women still face. We must continue our efforts to help women succeed at work and at home, to be free from violent crime, and to enjoy quality health care. In doing so, we will confirm our conviction that "We, the people" includes us all.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 1998 as Women's History Month. I encourage all Americans to observe this month with appropriate programs, ceremonies, and activities, and to remember throughout the year the many voices and stories of courageous women who have made our Nation strong.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of March, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7072 of March 5, 1998

National Older Workers Employment Week, 1998

By the President of the United States of America

A Proclamation

Americans are living longer, healthier lives. As a Nation, we are witnessing a dramatic growth in the population of Americans aged 55 and older, a trend that will continue well into the next century. To maintain our dynamic economy and to fill the jobs of the 21st century, we must make the most of the creative potential and productive capacity of this growing segment of our society.

Unfortunately, many Americans aged 55 and older encounter serious difficulty finding employment when they lose their jobs or seek to change careers. Employers too often focus on the age of older workers instead of their qualifications and strong work ethic. By failing to recognize the wealth of skills and experience older workers can bring to their jobs, such employers deny them an equal opportunity to make their own valuable contributions to the American workplace.

To counter these challenges, laws and government programs offer older workers the protections and services they need to ensure fair employment opportunities and practices. The Age Discrimination Act, the Older Americans Act, and the Age Discrimination in Employment Act protect the basic rights of millions of older working Americans. The Department of Labor and the Department of Health and Human Services also assist older workers through such efforts as the Senior Community Service Employment Program and the programs of the Administration on Aging.

Older Americans actively contribute to our communities through their hard work, wisdom, and experience. They have rightly earned our admiration and respect; they have also earned a fair chance at a good job. As we observe National Older Workers Employment Week, I urge all employers, when they hire new workers, to consider carefully the skills and other qualifications of men and women aged 55 and older and to fully utilize this rich national resource.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 8 through March 14, 1998, as National Older Workers Employment Week. I encourage all Americans to recognize the contributions that older workers make to the workplace and to our economy, and I urge public officials responsible for job placement, training, and related services to intensify their efforts throughout the year to help older Americans find suitable jobs and training.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of March, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7073 of March 12, 1998

National Poison Prevention Week, 1998

*By the President of the United States of America
A Proclamation*

Protecting the well-being of our children must always be our highest priority as a people and as a Nation. Innocent and vulnerable, children are eager to explore the world around them, and in our society today, where every home is filled with potentially dangerous chemicals, this can put our children at grave risk. According to the American Association of Poison Control Centers, over one million children are exposed each year to potentially deadly medicines and household chemicals—a danger we must not, and need not, tolerate.

Since the first observance of National Poison Prevention Week 36 years ago, the number of children who have died each year from accidental poisonings has dropped dramatically, from 450 in 1962 to 29 in 1995. This remarkable progress is due in part to the dedicated efforts of the U.S. Consumer Product Safety Commission, the Poison Prevention Week Council,

and our Nation's poison control centers. Nevertheless we still have much work to do if we are to prevent even a single child from suffering or dying due to poisoning. Because poisonings are almost always preventable, there are simple, practical steps we can take to protect our children: use child-resistant packaging correctly; keep toxic materials locked up and out of the reach of children; and, if a poisoning does occur, call a poison control center immediately.

This year, the focus of National Poison Prevention Week is the danger posed by pesticides, which are involved in the poisonings of thousands of young children each year. While the Environmental Protection Agency requires that most pesticides be in child-resistant packaging, it is up to parents and caregivers to make sure that these materials and other household chemicals and medicines are kept locked up and out of the reach of children. By taking a few moments to read labels and store pesticides properly, we can avoid a lifetime of regret.

To encourage the American people to learn more about the dangers of accidental poisonings and to take responsible preventive measures, the Congress, by joint resolution approved September 26, 1961 (75 Stat. 681), has authorized and requested the President to issue a proclamation designating the third week of March of each year as "National Poison Prevention Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim March 15 through March 21, 1998, as National Poison Prevention Week. I call upon all Americans to observe this week by participating in appropriate ceremonies and activities and by learning how to protect our children from poisons.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of March, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7074 of March 12, 1998

Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 1998

*By the President of the United States of America
A Proclamation*

This year, as we mark the 177th anniversary of the advent of Greece's struggle for independence, we celebrate with the Hellenic Republic and recognize the close ties that have long existed between Greece and the United States. Through two centuries, our nations have enjoyed a strong and enduring friendship. For more than half a century, we have stood together in NATO, modern history's most successful alliance.

Our bonds are deeper still, however, for we are joined by blood, culture, and a profound commitment to shared values. Greek ideals of democracy and freedom inspired our Nation's founders and breathed life into Ameri-

ca's experiment with democratic self-government. Generations of Greek Americans have enriched every aspect of our national life—in the arts, sciences, business, politics, and sports. Through hard work, love of family and community, steadfast commitment to principle, and a deep love of liberty, they have contributed greatly to the prosperity and peace we enjoy today.

The bonds between America and Greece, in fact, have never been stronger than they are today. We are partners in the effort to find a lasting, peaceful solution in the Balkans and to build an enlarged NATO that will enhance our common security. As our two nations prepare for the challenges and possibilities of the new millennium, we look forward to building on that partnership so that the seeds of democracy we have nurtured together for so long will bear fruit in a bright future not only for ourselves, but for our global community.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 25, 1998, as Greek Independence Day: A National Day of Celebration of Greek and American Democracy. I call upon all Americans to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of March, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7075 of March 31, 1998

Cancer Control Month, 1998

*By the President of the United States of America
A Proclamation*

While cancer still casts a shadow over the lives of millions of Americans and their families, we can rightfully look back over the 1990s as the decade in which we measurably began to turn the tide against this deadly disease. From 1990 to 1995, the annual number of new cancer cases for every 100,000 Americans dropped slightly but continuously. Perhaps more important, the overall cancer death rate, which rose throughout the 1970s and 1980s, declined between 1991 and 1995, a trend that continues today and that we hope will be sustained into the next century. Thanks to years of dedicated, rigorous scientific study, people with cancer are now leading longer, healthier lives. More than eight million Americans living today have had cancer at some time, and these survivors are a powerful reminder of the importance of maintaining our progress in cancer research, prevention, and control.

My Administration's new cancer initiative proposes an unprecedented \$4.7 billion investment in cancer research through the National Institutes of Health (NIH) over the next 5 years. This significant increase in research

funding has great potential to enhance early detection and diagnoses of cancer, to speed the discovery and development of new treatments, and to provide all cancer patients and their caregivers with improved access to the latest information about their disease. Part of these increased funds will go to NIH's Human Genome Project, which is helping to advance our knowledge in the promising field of cancer genetics. The National Cancer Institute's (NCI) recently unveiled Cancer Genome Anatomy Project website is connecting researchers to information on genetic factors that determine how a particular cancer behaves—how fast it grows, whether it will spread, and whether it will respond to treatment—as they work to develop new ways to prevent, diagnose, and treat cancer.

We are also continuing our aggressive cancer prevention efforts. The Centers for Disease Control and Prevention is entering the eighth year of its landmark National Breast and Cervical Cancer Early Detection program. This program brings critical breast and cervical cancer screening services to previously underserved women, including older women, uninsured or underinsured women, women with low incomes, and women of racial and ethnic minority groups. Medicare now provides coverage for annual mammography screening and for Pap tests, pelvic exams, and colorectal cancer screening. By January 2000, Medicare will also cover the costs of prostate cancer screening tests.

We are taking other important steps toward cancer control as well. The NCI and the Food and Drug Administration are working in partnership to ensure that potentially effective drugs are expedited through the development process so that new anticancer therapies can be made available more rapidly to the patients who need them. We are also proposing, as part of our new cancer initiative, that Medicare beneficiaries have the opportunity to participate in certain cancer clinical trials. This will allow patients to benefit from cutting-edge research and provide scientists with a larger pool of participants in their studies, helping to make the results more statistically meaningful and scientifically sound.

If we follow our present course—investing in research, translating research findings into medical practice, and increasing access to improved diagnostic and treatment programs—we can continue to make significant progress in our crusade against cancer. We must not slacken our efforts until we can fully control this devastating disease and ultimately eradicate it.

In 1938, the Congress of the United States passed a joint resolution requesting the President to issue an annual proclamation declaring April as "Cancer Control Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim April 1998 as Cancer Control Month. I invite the Governors of the 50 States and the Commonwealth of Puerto Rico, the Mayor of the District of Columbia, and the appropriate officials of all other areas under the American flag to issue similar proclamations. I also call upon health care professionals, private industry, community groups, insurance companies, and all interested organizations and individuals to unite in reaffirming our Nation's continuing commitment to controlling cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord nineteen hundred and ninety-eight, and

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of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7076 of April 1, 1998

National Child Abuse Prevention Month, 1998

*By the President of the United States of America
A Proclamation*

All of us at one time or another have been shocked by news reports about a child who has been abused, neglected, or abandoned. Unable to comprehend such a betrayal of trust, we find ourselves hoping that these incidents are isolated and rare. The most recent reports from State child welfare agencies, however, confirm that one million cases of substantiated child abuse or neglect occur in our Nation every year. Of these cases, more than a thousand children—many under the age of four—do not survive; and most die at the hands of a parent or other family member. As a caring society that cherishes our children, we must work together to protect these little ones who cannot protect themselves.

Two of our greatest resources in the crusade against child abuse and neglect are knowledge and compassion. We must raise public awareness that these cases, while often hidden, can occur in any family and community in America. As responsible adults, we must learn more about the signs of child abuse so that we may report suspected incidents as soon as possible. We must support community programs that help to identify families at risk and intervene before abuse becomes deadly. As individuals and as members of our communities, we need to support services, programs, and legislation that will help to relieve the stresses on families that can sometimes lead to violence. We must strengthen the partnerships among schools, social service agencies, religious organizations, law enforcement, and the business community so that child abuse prevention efforts will be comprehensive, swift, and effective.

Backing up such efforts at the State and local level, my Administration is focusing Federal attention and resources on combating child abuse and neglect. We are supporting family-based prevention services that help at-risk families reduce violence in the home. We also are continuing to give the States resources to build and maintain strong protection systems for children in danger. And for those children who cannot remain safely at home, we worked with the Congress to enact the Adoption and Safe Families Act, which makes it easier to place at-risk children more quickly into a permanent and secure environment.

This month, as Americans celebrate spring and its promise of new life, let us reaffirm our commitment to the lives of our Nation's children. I encourage communities across the country to join together to raise awareness of the tragedy of child abuse, to learn more about what we can do to help end such abuse, and to strengthen efforts to support children and their families before the cycle of abuse can begin.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 1998 as National Child Abuse Prevention Month. I call upon all Americans to observe this month by resolving to take every appropriate means to protect our children from abuse and neglect, to restore their shattered trust, and to help them grow into healthy, happy adults.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7077 of April 2, 1998

National Equal Pay Day, 1998

By the President of the United States of America

A Proclamation

Americans have always believed in the value of work and that, if you work hard, you should be able to provide for yourself and your family with dignity. Today, with more jobs, low unemployment, and real wages rising, America's workers are prospering. Yet, there are many women in the workforce whose work is not being fully valued.

This year, National Equal Pay Day falls on April 3, the day on which the typical woman's 1998 earnings, when added to her 1997 wages, will finally equal what the typical man earned in 1997 alone. In other words, the typical woman who works full-time earns just 74 cents for each dollar that the typical man earns. For women of color, the wage gap is even wider—African American women earn only 63 cents for each dollar earned by white men, and Hispanic women earn only 53 cents. While women now hold almost half of all executive and managerial jobs, their wages are only 70 percent of the average pay of their male counterparts. And, according to the Department of Labor's Glass Ceiling Commission report, women in management jobs generally remain at entry-level and mid-level positions. In part, these differences in treatment exist because of differing levels of experience, education, and skill. But study after study shows that, even after legitimate differences are accounted for, a significant pay gap still persists between men and women in similar jobs.

Equal pay not only treats women fairly, it benefits us all—particularly our Nation's families. It empowers women to become more self-sufficient, reducing the dependence of many families on government assistance. It also raises women's purchasing power, increases their pensions, and improves their capacity to save, all of which help to strengthen our economy.

During the past three decades, our Nation has made a strong commitment to ensuring that every American is treated with dignity and equality in the workplace. Legislation such as the Equal Pay Act and Title VII of the Civil Rights Act has helped us make progress in correcting discriminatory prac-

tices. But we still have a long way to go before the wage gap between men and women is eliminated. This year, I proposed an additional \$43 million for the Equal Employment Opportunity Commission (EEOC) and the Department of Labor in order to strengthen enforcement of the laws that prohibit discrimination, including wage discrimination; to encourage mediation; and to help the EEOC reduce the average time it takes to resolve private sector complaints. This additional funding will help all victims of discrimination, including wage discrimination, obtain relief in a more timely manner. And the Women's Bureau at the Department of Labor will continue to make resources available through the Fair Pay Clearinghouse to highlight model pay practices and educate employers about the practical benefits of assuring equal pay for their employees.

As we observe National Equal Pay Day, I urge businesses and State and local governments across our Nation to make a solemn commitment to recognize the value of women's contributions to the workplace and to reward them appropriately. By doing so, we will help provide opportunity and promote equality and justice for all.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States of America, do hereby proclaim April 3, 1998, as National Equal Pay Day. I call upon Government officials, law enforcement agencies, business leaders, educators, and the American people to recognize the full value of the skills and contributions of women in the labor force. I urge all employers to review their wage practices and to ensure that all their employees, including women, are paid equitably for their work.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7078 of April 7, 1998

Education and Sharing Day, U.S.A., 1998

By the President of the United States of America

A Proclamation

As a new century of great promise and possibility approaches, as science and technology advance at astonishing rates, it is clear that now, more than ever, education is the key to our children's future.

We should also recognize that education must serve not only as a path to knowledge, but also as a means to develop the character of our Nation's youth. When expanding educational opportunities, we must ensure that in addition to raising academic standards, we emphasize values, personal responsibility, and community spirit.

A firm believer in nurturing both mind and heart, the Lubavitcher Rebbe, Rabbi Menachem M. Schneerson, devoted his life to helping young people

realize their potential and become visionary leaders and thinkers, as well as concerned, caring, and productive citizens. He established more than 2,000 educational and social institutions in more than 40 States and nearly 60 countries. He was deeply committed to fostering civic pride and moral integrity along with professional success.

On this day, as we remember Rabbi Schneerson's achievements, let us reaffirm our commitment to providing our Nation's children with an education that will enable them to flourish, both intellectually and spiritually.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 7, 1998, as Education and Sharing Day, U.S.A. I invite Government officials, educators, volunteers, and all of the people of the United States to observe this day with appropriate activities, programs, and ceremonies.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7079 of April 9, 1998

National Former Prisoner of War Recognition Day, 1998

*By the President of the United States of America
A Proclamation*

Engraved on the Korean War Veterans Memorial in Washington, D.C., are the words "Freedom Is Not Free." Generations of Americans who have served our Nation in uniform know the truth of this inscription. They have paid freedom's price by leaving behind their homes, families, and civilian lives to serve America around the globe. They have paid the price by suffering injuries and even death. And some have paid the price for our freedom by sacrificing their own as prisoners of war.

While in captivity, American prisoners of war have served our Nation with the same valor, pride, honor, and dedication as their comrades on the battlefield. American POWS have struggled for their freedom, armed with courage, wits, and an indomitable spirit. Enduring long months or years of hunger, abuse, torture, isolation, and the dreadful suspense of not knowing when—or if—they would ever be released, they have remained true to themselves and to our country.

This year we commemorate the 25th anniversary of Operation Homecoming, when we finally achieved the release of our prisoners of war from captivity in Southeast Asia. We also mark the anniversary of Operations Big Switch and Little Switch some 45 years ago, when Americans held captive during the Korean War finally came home. As these heroes returned to the open arms of their families and the grateful hearts of their fellow Americans, we saw written on their faces their deep love for our country

and the faith, determination, and sense of honor that had sustained them through times of unimaginable suffering.

We can never adequately express our gratitude to those who have served our Nation while prisoners of war or to their families who experienced such anguish during years of separation. But on this day, and throughout the year, we can and should pay tribute to these extraordinary American patriots, thank them for their service and their sacrifice, and honor them always in our hearts.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 9, 1998, as National Former Prisoner of War Recognition Day. I call upon all Americans to join me in remembering former American prisoners of war who suffered the hardships of enemy captivity. I also call upon Federal, State, and local government officials and private organizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7080 of April 9, 1998

National D.A.R.E. Day, 1998

*By the President of the United States of America
A Proclamation*

Every child is blessed with infinite potential—potential for loving, for learning, and for making life better for others. Yet each year thousands of young people destroy this potential and risk their lives by using illegal substances. That is why the first goal of my 1998 National Drug Control Strategy is to educate America's young people on the dangers of substance abuse and to help them resist the temptations of drugs, alcohol, and tobacco.

Among our greatest allies in this mission are the parents, teachers, students, and police officers participating in Drug Abuse Resistance Education (D.A.R.E.), the largest substance abuse prevention and safety promotion program in America. This year, millions of children across the United States will benefit from the D.A.R.E. curriculum. Under the guidance of specially trained veteran police officers, America's children from kindergarten through 12th grade learn how to resist peer pressure and live productive lives free from violence and substance abuse. The D.A.R.E. program is currently being used in almost 75 percent of our Nation's school districts and in more than 44 countries around the world. And because it is so critical that we reach our young people during their most impressionable years, D.A.R.E. has pledged to expand into every middle school in our Nation by the year 2001.

Every American should reinforce D.A.R.E.'s efforts by accepting responsibility to join the fight against drugs and violence. Parents must set a good example, teach their children right from wrong, and educate them about the dangers of substance abuse. Young people themselves must have the courage to reject violence and drugs. And we must all support our Nation's D.A.R.E. officers in their mission to help our children reject illegal drugs. It is only by working together that we can create a brighter future for our children, our communities, and our Nation.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 9, 1998, as National D.A.R.E. Day. I call upon our youth, parents, and educators and all people of the United States to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7081 of April 10, 1998

Pan American Day and Pan American Week, 1998

By the President of the United States of America

A Proclamation

Today, the nations of the Americas stand at the forefront of a promising new era of exciting growth and global cooperation. Americans north and south of the equator are communicating, interacting, and trading with one another more than ever before. All the nations in our hemisphere but one enjoy freely elected governments that promote human rights, free enterprise, and sustainable economic development through free trade. These vibrant democracies continue to seek opportunities to work together for the security, prosperity, and general welfare of all our citizens.

In keeping with this spirit of cooperation, the leaders of the 34 American democracies will meet in Santiago, Chile, on April 18 and 19 for the second Summit of the Americas. The United States hosted the first such summit in Miami in December 1994, and we look forward to strengthening our involvement in what is becoming a mature partnership that is fostering increased prosperity and security for our country. We hope to reach agreements in Santiago that will enhance hemispheric collaboration in more than 20 areas—including education, economic integration, democracy, justice, counternarcotics, security, poverty, and human rights.

This month also marks the 50th anniversary of the founding of the Organization of American States (OAS), a cornerstone of cooperation in our hemisphere. The most recent successes of the OAS include agreements against corruption and illegal firearms trafficking and ratification of the Washington Protocol, which provides for the suspension from the OAS of any coun-

try whose democracy has been overthrown by force. We applaud the crucial role the OAS plays in promoting and preserving democracy and human rights in the Americas. We look forward to its continued success in multilateral efforts to deepen the roots of democracy in this hemisphere and create new possibilities for progress in the next millennium.

The peoples of the Americas stand united in a commitment to democratic values and to increased regional cooperation and understanding. The partnership among our countries is laying the foundations for lasting freedom, prosperity, and peace in our hemisphere and bringing to reality our shared vision of a brighter future.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Tuesday, April 14, 1998, as Pan American Day and April 12 through April 18, 1998, as Pan American Week. I urge the Governors of the 50 States, the Governor of the Commonwealth of Puerto Rico, and the officials of other areas under the flag of the United States of America to honor these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7082 of April 15, 1998

National Recall Round-Up Day, 1998

By the President of the United States of America

A Proclamation

More than 21,000 Americans lose their lives each year in accidents involving consumer products, and more than 29 million are injured. These accidents cost our Nation over \$200 billion annually, and the cost in terms of human suffering is immeasurable.

The Consumer Product Safety Commission (CPSC) is on the front line of the Federal Government's efforts to protect the safety and well-being of our citizens, especially our children. The CPSC monitors the performance of more than 15,000 types of consumer products and secures the recall of those that prove to be defective and potentially hazardous. Last year alone, the CPSC negotiated 362 recalls involving over 76 million individual consumer products that presented a significant risk to the public. But getting dangerous products off store shelves is only the first step. The real challenge is getting them out of the homes of people who have already purchased them.

On April 16, the CPSC, in conjunction with State and local governments and community organizations across the country, will conduct the second annual Recall Round-Up Day. This initiative is a public safety campaign to warn Americans that they may still be exposing themselves and their fami-

lies to recalled products that could seriously injure or even kill them. Despite recalls and safety alerts issued by the CPSC, many of these hazardous products are still in consumers' homes or can be purchased at secondhand stores and garage sales.

This year's Recall Round-Up effort will spotlight the dangers associated with five types of previously recalled consumer products: playpens, bunk beds, halogen floor lamps, hand-held hair dryers, and lawn darts. The CPSC encourages government officials, health, safety, and consumer agencies, community organizations, and the media to alert the American people—particularly parents and child care providers—to the importance of repairing, returning, or destroying any of these products if they have been recalled. I encourage all Americans to make use of this vital information to protect the safety and health of their families and to avoid preventable tragedies.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 16, 1998, as National Recall Round-Up Day. I call upon all Americans to observe this day by working with safety, health, and consumer agencies and other appropriate community organizations to organize and conduct local round-ups of dangerous and defective consumer products and to warn parents, child care providers, and the general public about the hazards of using recalled consumer products.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7083 of April 17, 1998

National Organ and Tissue Donor Awareness Week, 1998

By the President of the United States of America

A Proclamation

On December 1, 1997, 14-year-old Nicole Hadley was killed when a classmate opened fire inside her high school in Paducah, Kentucky. When doctors told Gwen and Chuck Hadley that their daughter had no hope for recovery, her parents remembered that Nicole believed strongly in organ donation, and in the midst of their own intense grief, the Hadleys made the courageous decision to honor Nicole's wishes and donate her organs. This decision helped to save the lives of at least two people and allowed Nicole's spirit of grace and generosity to live on after her death.

Thousands of families have made the same selfless decision and have given the gift of life to someone in need of an organ or tissue transplantation. Today, approximately 55,000 Americans are on the national organ transplant waiting list, hoping for a second chance. Yet, every day, 10 people will die because organs are not available. These tragic deaths are unneces-

sary. Our country has a large number of people who qualify as organ donors—but many still have not chosen to become donors.

Last year, to help remedy this situation, Vice President Gore, with the Department of Health and Human Services, launched the National Organ and Tissue Donation Initiative to increase awareness of the urgent need for increased donation. We are working to ensure that all Americans know that by completing and carrying a donor card—and by making their families aware of their decision to donate—they may give the gift of life to other Americans or ease their suffering. And families who have lost their loved ones can gain solace in knowing that they have been able to bring life and comfort to others. This week, I encourage all Americans to honor the memory of Nicole Hadley—and the thousands of other generous people who have donated their organs—by learning more about the benefits of becoming an organ and tissue donor and by filling out a donor card.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 19 through April 25, 1998, as National Organ and Tissue Donor Awareness Week. I urge all health care professionals, educators, the media, public and private organizations concerned with organ donation and transplantation, the clergy, and all Americans to join me in promoting greater awareness and acceptance of this humanitarian action.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7084 of April 20, 1998

National Crime Victims' Rights Week, 1998

By the President of the United States of America

A Proclamation

Every day, thousands of Americans become victims of crime. Many suffer physical injury, and most experience emotional scars that may never fully heal. And all victims of crime, and their families and friends, often remain troubled by feelings of vulnerability and concerned about their personal safety.

Five years ago, my Administration made a commitment to take back our streets from criminals and to combat the crime and violence that affects so many Americans. With the Crime Act, the Brady Act, the Violence Against Women Act, and other tough legislation, we have put into action a comprehensive anticrime strategy that includes community policing, antigang programs, and strong penalties for criminals.

Our strategy is working. Crime rates across the country are at a 25-year low. Violent crimes and property crimes have decreased, and the murder rate is down dramatically. While we can take pride in this progress, we cannot

afford to become complacent. We must build on the anticrime programs we have put into place if we are to win the war against crime.

As part of our continuing efforts, this year the Department of Justice is awarding more than \$135 million in grants under the Violence Against Women program to help State and local authorities reduce domestic violence, stalking, and sexual assault. These funds will enable communities to train more police, hire prosecutors, and provide assistance to the victims of such crimes. Earlier this month, after thorough study, the Secretary of the Treasury concluded that we should ban more than 50 kinds of modified assault weapons because they accept large-capacity military magazines. By keeping these weapons off our streets and out of the hands of criminals, we will take another crucial step toward halting the scourge of gun violence that has taken such a tragic toll on America's children and families.

During National Crime Victims' Rights Week, we call to mind those whose lives have been so abruptly and often violently changed. This annual observance is also a powerful reminder of the extraordinary capacity of our citizens to face adversity and overcome it. Across America, victims of crime have refused to become victims of a criminal justice system that too often ignores or compromises their rights while protecting the rights of criminals.

With courage and determination, crime victims and their dedicated advocates have succeeded in winning constitutional amendments in 29 States that guarantee such fundamental rights as protection from further harm, which includes keeping victims and accused criminals in separate rooms during court proceedings; the right of victims to call upon law enforcement if they feel they are being harassed or intimidated in connection with a pending case; and the right to be notified of a convicted criminal's release from incarceration. And after decades of advocacy, a proposed Federal constitutional amendment for victims now lies before the Congress. We have the opportunity—and the responsibility—to amend the United States Constitution to ensure that the rights of victims are honored in every court throughout our Nation.

This year, our observance of National Crime Victims' Rights Week coincides with the anniversary of the 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City. That tragedy brought home to an entire Nation the extraordinary suffering and grief that can be rendered by a single, senseless, criminal act. In remembering the many victims of this brutal crime, let us pledge to sustain our efforts to reduce violent crime, to provide comfort and support to its victims as they strive to rebuild their lives, and to keep victims' rights a primary concern in America's criminal justice system.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 19 through April 25, 1998, as National Crime Victims' Rights Week. I urge all Americans to remember crime victims and their families by working to reduce violence, to assist those harmed by crime, and to make our homes and communities safer places in which to live and raise our families.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of April, in the year of our Lord nineteen hundred and ninety-eight, and

of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7085 of April 21, 1998

National Volunteer Week, 1998

*By the President of the United States of America
A Proclamation*

Volunteers enrich our lives every day with their generosity and compassion. In recent months, we have witnessed the extraordinary response of America's volunteers to the plight of those who have suffered from the severe weather plaguing much of our country. In communities devastated by mud slides, ice storms, flash floods, or tornadoes, volunteers have opened their hearts and homes to offer shelter, hot meals, building materials, and—most important—the hope and support that people desperately need to begin putting their lives back together. This spirit of citizen service has deep and strong roots in America's past, and by nurturing this spirit we can help to ensure a better future for our Nation.

Just one year ago, at the Presidents' Summit for America's Future in Philadelphia, I called on all Americans to dedicate their volunteer efforts to the well-being of our children and to make the social and educational development of our youngest citizens a national priority. Thousands of individuals and organizations across America pledged their support for this effort; and today, we can be proud that more than 93 million Americans are regularly volunteering to help hundreds of thousands of children in need, serving as leaders, mentors, tutors, and companions. Through their hard work and generous response, this growing army of volunteers is making our streets safer, our schools better, our children healthier, and our future brighter.

We must not only preserve this remarkable spirit of citizen service, but also expand it. By emulating our Nation's many unsung heroes—from the 12-year-old in California who distributed dolls to disadvantaged children, to the businessman in New York who created one of our country's first school-to-work programs—we must strive together to build a society free from crime, poverty, illiteracy, and hopelessness. And by making citizen service the shared experience of all Americans, we can build a sense of common responsibility for our future.

This week and throughout the year, let us salute all those who devote their time and talents to the betterment of our communities and the well-being of our children. Let us honor the work of the thousands of voluntary, civic, religious, school, and neighborhood groups across our Nation who do so much to serve their fellow Americans and improve the quality of life for us all. Let us also recognize and support the efforts of the Corporation for National Service and its programs—AmeriCorps, Learn and Serve America, and the National Senior Service Corps—as well as all the organizations, communities, and individuals who have responded to the Presidents' Summit call to action and are following through on the work begun there.

Proclamations

Proc. 7086

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 19 through April 25, 1998, as National Volunteer Week. I call upon all Americans to observe this week with appropriate programs, ceremonies, and activities to express appreciation to the countless volunteers among us for their commitment to service and to encourage the spirit of volunteerism in our families and communities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7086 of April 22, 1998

National Park Week, 1998

By the President of the United States of America

A Proclamation

Within our national parks, we find all the rich diversity and extraordinary beauty of America's natural heritage. From the majestic Grand Tetons to the mysterious Everglades, our parks preserve for us the treasures of our magnificent country: the astonishing variety of plant and animal life, the tranquility of forests and meadows, and the breathtaking grandeur of our great rivers, deserts, and mountains. Our national park sites also provide us with vital links to our heritage as a people and a Nation. They tell us the stories of the individuals, places, and events that have shaped the American character.

The Statue of Liberty National Monument and Ellis Island are tangible reminders of the more than 12 million immigrants who came to the United States through this small gateway to a new world and a new life. For many Americans, this national park site tells a very personal story of family struggles and triumphs and of the courage it takes to seek freedom.

Many African Americans took a different but equally brave route to freedom. Their story has been preserved for us by the National Park Service in the many historic sites marking the route of the Underground Railroad. In homes, churches, and farms in communities throughout Ohio, Indiana, Pennsylvania, New York, and elsewhere, we can experience the determination and indomitable spirit of African American men and women fleeing the bonds of slavery, and we can learn more about the many heroes like Harriet Tubman who helped them on their dangerous trek north to freedom.

This summer, our Nation will celebrate the 150th anniversary of the first Women's Rights Convention in Seneca Falls, New York. That event will be commemorated at Women's Rights National Historical Park, where we are reminded that the idea that men and women are created equal was once considered radical. On this site, visionaries such as Lucretia Mott, Eliza-

both Cady Stanton, and Frederick Douglass helped our Nation take an important first step toward legal, political, and educational rights for American women.

At these and so many other historic places across our Nation, the National Park Service preserves and protects the American legacy, reminding us not only of who we are as a people, but also of how far we have traveled together on our great American journey. Our national parks are classrooms and laboratories, windows on our past and doorways to our future. As we celebrate National Park Week, I commend all the talented and dedicated men and women of the National Park Service for telling the story of the people and places that have shaped our destiny and for preserving for our children the riches of our natural and cultural heritage.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 20 through April 26, 1998, as National Park Week.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7087 of April 24, 1998

Jewish Heritage Week, 1998

*By the President of the United States of America
A Proclamation*

America's first Jewish immigrants arrived on our shores from Europe more than 100 years before the American Revolution. In subsequent decades, millions more Jewish men and women would follow, fleeing persecution, pogroms, and the horrors of the Holocaust, seeking a new life of freedom and opportunity for themselves and their children. While many came here in poverty, they brought with them the riches of their ancient Jewish heritage: faith in God; a strong commitment to family and community; a tradition of service to others; and a deep love of learning and the arts.

Drawing on these many strengths, Jewish citizens have made extraordinary contributions to every aspect of American life. Acutely conscious of the dangers of racism, prejudice, and political oppression, American Jews have been strong and effective advocates in the cause of social justice. They have dedicated their energies, talents, and resources to ensure that our Nation lives up to its promise of equality, making a lasting impact in the struggle for civil rights, labor reform, and women's equality. The Jewish philanthropic tradition, dating back to ancient times, has flourished in America, bringing hope and help to those in need through numerous Jewish charitable organizations and activities. In public service and education, in science and medicine, in entertainment, law, the arts, and many other fields of endeavor, Jewish men and women strengthen our national commu-

nity and uphold the fundamental American ideals of faith, community, compassion, and responsibility.

Every spring, we set aside this special time to celebrate the many gifts that American Jews bring to our national life. This year, we also join with Jews around the world in celebrating the 50th anniversary of the founding of the modern state of Israel. This milestone is a tribute to the strength and resilience of the Jewish spirit in the face of great adversity. Israel's achievements in the past 5 decades of challenge and conflict continue to inspire all Americans and teach us anew the power of the human spirit to build reality out of our dreams.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 26 through May 3, 1998, as Jewish Heritage Week. I urge all Americans to observe this week with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7088 of April 29, 1998

National Day of Prayer, 1998

By the President of the United States of America

A Proclamation

In every era of American history, devout men and women from every nation have come to our shores seeking the freedom to worship according to their own conscience. Recognizing the sacredness of this fundamental human right, our founders wisely guaranteed it in the First Amendment to the Constitution.

Prayer has always been an integral part of American life. In every city, town, and rural community across our country, people of every religious denomination gather to worship according to their faith. In churches, synagogues, temples, and mosques, Americans come together to pray. We pray for the health and happiness of loved ones; for inner peace and peace among nations; and for the wisdom and courage to face the challenges of the new millennium. And always we raise our voices and hearts in prayers of thanksgiving for the blessing of freedom.

Just as Americans rely on prayer for strength and renewal in private life, so do we turn to it at moments of great joy or crisis in our public life as a Nation. Meeting in Philadelphia to make the momentous decisions that would ultimately determine the nature and form of American Government, the Continental Congress began daily deliberations with a prayer for God's blessings and assistance. In his first inaugural address, President George Washington also prayed for guidance from the Almighty as he began the enormous task of leading a new, untried democracy.

In this century, with America in the throes of the Great Depression and a world teetering on the brink of war, President Franklin Delano Roosevelt concluded his first inaugural address with a fervent prayer: "In this dedication of a Nation we humbly ask the blessing of God. May He protect each and every one of us. May He guide me in the days to come." And today, as we look ahead to the promise of a new century, Americans continue to draw strength from the bedrock of faith and religious freedom upon which our democracy rests.

The Congress, by Public Law 100–307, has called on our citizens to reaffirm the role of prayer in our society and to honor the religious diversity our freedom permits by recognizing annually a "National Day of Prayer."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 7, 1998, as a National Day of Prayer. I encourage the citizens of this great Nation to pray, each in his or her own manner, seeking strength from God to face the problems of today, requesting guidance for the uncertainties of tomorrow, and giving thanks for the rich blessings that our country has enjoyed throughout our history.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7089 of April 30, 1998

Asian/Pacific American Heritage Month, 1998

By the President of the United States of America

A Proclamation

Like millions of others who left their homelands to come to America, the first Asian and Pacific Island immigrants who arrived here in the 19th century were seeking a better life than the one they left behind. Many were poor; many had suffered oppression; but all were strengthened by a rich culture, an ancient heritage, a belief in freedom's promise, and a willingness to work for their share of the American Dream.

For many, however, that dream was deferred. These courageous men and women from Asia and the Pacific Islands were met in America by prejudice as they strived to make a living and establish a home in their adopted country.

These brave new Americans would prevail over every hardship. Whether working in the gold fields of California, laboring on the sugar and pineapple plantations of Hawaii, constructing the transcontinental railway, or creating their own businesses, Asian and Pacific Americans succeeded in building new lives for themselves and their families.

Today, Asian and Pacific Americans are helping to build a vibrant America. They are leaders in medical and scientific research, in the halls of Congress, in the classrooms of our educational institutions, in business, labor,

the arts, and every other human endeavor. They are building economic and technological bridges across the Pacific and beyond, which will ensure America's leadership well into the next millennium. These sons and daughters of Cambodia, China, Indonesia, India, Japan, Korea, Laos, the Philippines, Thailand, Vietnam, and so many other Asian and Pacific lands have enriched our national life and culture with their energy and talents, with their commitment to family and community, and with their enduring reverence for freedom.

As we approach the 21st century, Asian and Pacific Americans are playing an increasingly important role in the life of our Nation, helping us to maintain our leadership in the global economy. More important, they are inspiring us to embrace the wider world, to recognize and appreciate the blessing of our great diversity, and to become one America.

To honor the accomplishments of Asian and Pacific Americans and to recognize their many contributions to our Nation, the Congress, by Public Law 102-450, has designated the month of May as "Asian/Pacific American Heritage Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 1998 as Asian/Pacific American Heritage Month. I call upon the people of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7090 of May 1, 1998

Law Day, U.S.A., 1998

By the President of the United States of America

A Proclamation

In 1787, when the founders of this great Nation set forth the guiding principles of our new democracy in the Preamble to the Constitution, among their primary goals was to "establish Justice." These visionary American leaders revered the law, understanding that its proper practice would simultaneously free us and protect us, enabling us to steer a steady course between the opposing dangers of tyranny and anarchy. Today, our country, built upon the foundation of equal justice for all, is renowned throughout the world for legally enshrining fundamental human rights. Recognizing the importance of law to the life of our Nation, we set aside one day each year to reflect on our judicial system and to celebrate both the security and the freedom it guarantees.

Our laws ensure that the rights set forth in the Constitution and its Amendments are protected in our everyday lives: our right to worship as we choose, to speak freely, to vote in free elections, to be safe from arbitrary arrest. Justice for all is central to our democracy, and we must strive to en-

sure that all Americans have equal access to the judicial system. Unfortunately, each year many of our most vulnerable citizens are denied the legal assistance they need because they cannot afford it.

I am proud that our Federal Government is making an investment to address this problem through the work of the Legal Services Corporation (LSC). For almost 25 years, the LSC has funded local offices that give our citizens access to the legal help they need to secure child support, escape domestic violence, or fight unscrupulous lenders. Last year alone, 4 million poor Americans, the majority of whom were women and children, were helped by LSC offices.

Without laws, our democracy would wither; without access to our legal system, there can be no true justice. We must affirm and strengthen our national legal services system to ensure that all Americans have an equal opportunity to enjoy the rights and liberties guaranteed in our Constitution. As we observe Law Day, let us reaffirm our faith in the rule of law and strive to secure justice for all our people.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, in accordance with Public Law 87–20 of April 7, 1961, do hereby proclaim May 1, 1998, as Law Day. I urge the people of the United States to consider anew how our laws protect our freedoms and contribute to our national well-being. I call upon members of the legal profession, civic associations, educators, librarians, public officials, and the media to promote the observance of this day with appropriate programs and activities. I also call upon public officials to display the flag of the United States on all government buildings throughout the day.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7091 of May 1, 1998

Loyalty Day, 1998

By the President of the United States of America

A Proclamation

More than two centuries ago, our Nation's founders, with clear vision and courageous hearts, fashioned a new form of government for our new country. They created a government that honors human dignity and protects individual rights—a democracy strong enough to withstand external threats, secure enough to allow dissent from within, and responsive enough to help our citizens achieve their dreams. In doing so, America's founders created a Nation that inspired loyalty from its citizens and gave hope to oppressed peoples around the world.

Since then, generations of Americans have reaffirmed their loyalty and devotion to our country. During times of war, Americans have fought and died to defend our liberty and promote the ideals of democracy. In times

of peace, we have strived to preserve the rights secured for us in the Constitution and to ensure that every American enjoys the full protection of those rights. And throughout the decades, Americans have strived to build upon the “more perfect Union” envisioned by our country’s founders.

On Loyalty Day, as we formally acknowledge our faith in America and in this great democracy, let us rededicate ourselves to the continuing quest for a more perfect union. Let us have the courage not only to recognize our differences, but also to build on the dreams we share and on the values we hold in common. Let us reaffirm our belief in freedom, equality, justice, and opportunity for all of our people. And let us show to all the world that our diversity is a source of lasting strength and renewal.

The Congress, by Public Law 85–529, has designated May 1 of each year as “Loyalty Day” to remind us of the many blessings we enjoy as citizens of this great land.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 1, 1998, as Loyalty Day. I urge all Americans to recognize the heritage of American freedom, to honor the memory of those who have served and sacrificed in defense of that freedom, and to express our loyalty to our Nation through appropriate patriotic programs, ceremonies, and activities. I also call upon Government officials to display the flag of the United States in support of this national observance.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7092 of May 4, 1998

Older Americans Month, 1998

By the President of the United States of America

A Proclamation

In just over a decade from now, the first of America’s 77 million baby boomers will celebrate their 65th birthdays. Fortunately, visionary programs like Social Security, Medicare, and the Older Americans Act will help to make life easier for them as they reach this milestone.

For more than 60 years, Social Security has provided our older citizens with a measure of economic security. For more than 30 years, Medicare has given them access to quality health care and the latest in medical advances. And older Americans in need of greater assistance have been able to look to programs under the Older Americans Act for the critical home and community-based care services that have enabled millions of elderly men and women to live independently. Together, these farsighted measures have played a major role in dramatically reducing the poverty rate and extending the longevity of older Americans, allowing our citizens to grow old with dignity and peace of mind.

This year's Older Americans Month celebration centers around the theme "Living Longer; Growing Stronger in America." As we enter a new century and address the challenges of an aging America, we must commit ourselves to the health and welfare of our older Americans and to protecting and strengthening Medicare and Social Security. One of the most important achievements of the Balanced Budget Act that I signed last summer was its unprecedented reform of the Medicare program. This bipartisan effort extends the life of the Medicare Trust Fund for a decade, includes new health plan choices, and adds coverage of preventive benefits. The legislation also established the National Bipartisan Commission on the Future of Medicare to, among other things, review and analyze the financial condition of Medicare so that it remains as strong for our children as it has been for our parents.

We must respond with equal resolve to the increasing strains on the Social Security system. Now that we have succeeded in dramatically reducing the Federal budget deficit, I have called on the Congress to reserve all of the anticipated budget surplus until we have a comprehensive plan to strengthen Social Security for the 21st century. We are holding a series of regional conferences throughout the year to engage in a national discussion on the future of Social Security, both to raise awareness of the problem and to allow all Americans to contribute their ideas for a solution. At the end of the year, I will host a bipartisan White House Conference on Social Security to summarize the lessons we learn from this dialogue and to map out an effective strategy that will enable us to ensure that Social Security will be there for future generations of Americans.

During Older Americans Month—and throughout the year—I encourage all Americans to pay tribute to our older citizens and to follow their example by planning for the future. As individuals, we should take care of our health through proper diet, exercise, and appropriate preventive care, and we should plan for our future financial security by participating in retirement and savings programs. As families and communities, we can help older Americans to remain active and independent members of our communities. And as a Nation, we must recognize our obligation to those who will come after us by preserving and strengthening Medicare and Social Security for the 21st century and beyond.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 1998 as Older Americans Month. I call upon Government officials, businesses, communities, educators, volunteers, and all the people of the United States to acknowledge the contributions older Americans have made, and continue to make, to the life of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7093 of May 7, 1998**Mother's Day, 1998**

By the President of the United States of America

A Proclamation

Mothers are the heart of our families and the soul of our society. They are the nurturers of life, our teachers, confidants, counselors, and lifelong friends. They believe in our dreams and help us to achieve them. They help us develop the values, self-esteem, strength of character, and generosity of spirit we need to embrace the wider world beyond the family. Above all, mothers provide us with the blessing of their love.

While this special love between mother and child is unchanging, the challenges of motherhood are not. The role of women in our society has changed dramatically during the past century. Millions of American women today pursue full-time careers in addition to carrying out their duties as parents, balancing family, job, and community responsibilities. Whether they stay home with their children or become working mothers, mothers today care for their families and meet the new demands of our complex society with strength, courage, and quiet selflessness. On Mother's Day, let us honor all mothers—biological or adoptive, foster or step-mother—whose unconditional love has strengthened us and whose many gifts have graced our lives.

The Congress, by a joint resolution approved May 8, 1914 (38 Stat. 770), has designated the second Sunday in May each year as "Mother's Day" and requested the President to call for its appropriate observance.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 10, 1998, as Mother's Day. I urge all Americans to express their love, respect, and appreciation for the contributions mothers have made to all of us, and I call upon all citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7094 of May 8, 1998**National Defense Transportation Day and National Transportation Week, 1998**

By the President of the United States of America

A Proclamation

America's transportation system is the finest in the world. The web of streets, highways, bridges, and railroads that crisscross our Nation and our complex network of shipping lanes and air routes keep us connected to one

another and the world. They enable us to move people and goods swiftly and efficiently across the country and around the globe and fuel the engine of our robust economy. Whether building subways, constructing new highways, or improving airplane safety, the dedicated and hardworking men and women of our national transportation system keep America moving.

As we look forward to a new century, we must build on our record of achievement. As always, our first priority must be the safety of those who use our Nation's transportation system. We have already made great progress in improving highway safety—the traffic fatality rate today is two-and-a-half times less than it was 30 years ago. However, by increasing seat belt use, ensuring that our children are properly secured in our vehicles, and lowering the threshold for drunk driving to a blood alcohol concentration of .08, we can further reduce the number of traffic accidents and the harm they cause.

We also must strive to keep our Nation's transportation system secure and our borders safe from terrorists and drug traffickers. Today, through improved training techniques and advanced technology, we have increased security at our airports, and programs such as the Coast Guard's Operation Frontier Shield have helped to seize tons of illegal drugs and abort numerous drug smuggling attempts.

While recognizing the many benefits we derive from our transportation system, we also acknowledge the need to use and develop it responsibly to ensure the protection of our environment. We are making progress in this goal as well: we have funded many projects to improve transit services and accommodations for bicyclists and pedestrians; we are turning historic railroad terminals into multimodal transportation centers; and funds from transportation programs have helped to support wetlands restoration projects and have aided communities in planning both transit projects and sustainable development. We must build on these efforts by also working to reduce the pollutants and greenhouse gases that our transportation system creates.

Recognizing the need for safety, security, and environmental stewardship in America's transportation system, we also must invest in our transportation infrastructure. Together with the Congress, my Administration has provided funding for construction projects in communities across the country, creating 700,000 new transportation-related jobs in the last 5 years. Our fiscal 1999 budget proposal for transportation infrastructure is 42 percent higher than the average level of investment from 1990 to 1993. The 240 trade agreements we have signed since 1993, including 27 "open skies" aviation agreements in the last 3 years, have opened markets around the world for American products. America's transportation system will enable us to seize these unprecedented opportunities for trade and economic growth.

In recognition of the importance of our Nation's transportation system to our national security and economic success, and in gratitude to the outstanding men and women who ensure its continued excellence, the United States Congress, by joint resolution approved May 16, 1957 (36 U.S.C. 160), has designated the third Friday in May of each year as "National Defense Transportation Day" and, by joint resolution approved May 14, 1962 (36 U.S.C. 166), declared that the week in which that Friday falls be designated "National Transportation Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Friday, May 15, 1998, as National Defense Transportation Day and May 10 through May 16, 1998, as National Transportation Week. I urge all Americans to observe these occasions with appropriate ceremonies and activities, giving due recognition to the individuals and organizations that build, operate, and maintain this country's modern transportation systems.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7095 of May 12, 1998

Peace Officers Memorial Day and Police Week, 1998

By the President of the United States of America

A Proclamation

This week a grateful Nation pauses to honor the more than half a million dedicated law enforcement officers across our country who put their lives on the line each day to protect us. These courageous and dedicated men and women daily wage the timeless battle for right over wrong, peace over conflict, and the rule of law over anarchy.

We ask a great deal of our Federal, State, and local police officers. We ask them to stand between us and the forces of violence and chaos. We ask them to protect our homes and property and to save our lives at the risk of their own. We ask them to patrol our highways and our borders, to keep our children safe from drug dealers and gang leaders, and to bring to justice the murderers, terrorists, rapists, and other criminals who prey on our society. We lean heavily on this thin blue line, and it never breaks.

Last year, in carrying out their awesome responsibilities, 158 law enforcement officers lost their lives—and the lives of their families and friends were changed forever. After several years of decreased violence against our law enforcement community, we face the sobering reality that police officer fatalities rose 27 percent during 1997.

As we honor these heroes—those who still live and work among us, and those who have made the ultimate sacrifice for our well-being—let us reaffirm our efforts to end the violence that has taken such a heavy toll on our Nation's law enforcement community. Let us work to ensure that America's police officers have the training, resources, manpower, and community support they need to carry out the crucial responsibilities with which we charge them. In this way we can best honor the service and sacrifice of the thousands of fallen police officers whose memory we honor and whose devotion to duty has earned our respect and lasting gratitude.

By a joint resolution approved October 1, 1962 (76 Stat. 676), the Congress has authorized and requested the President to designate May 15 of each year as "Peace Officers Memorial Day" and the week in which it falls as

“Police Week,” and, by Public Law 103–322 (36 U.S.C. 175), has directed that the flag be flown at half-staff on Peace Officers Memorial Day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 15, 1998, as Peace Officers Memorial Day and May 10 through May 16, 1998, as Police Week. I call upon the people of the United States to observe these occasions with appropriate ceremonies, programs, and activities. I also request the Governors of the United States and of the Commonwealth of Puerto Rico, as well as the appropriate officials of all units of government, to direct that the flag of the United States be flown at half-staff on Peace Officers Memorial Day on all buildings, grounds, and naval vessels throughout the United States and all areas under its jurisdiction and control. I also invite all Americans to display the flag at half-staff from their homes on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7096 of May 14, 1998

National Safe Boating Week, 1998

*By the President of the United States of America
A Proclamation*

Recreational boating is one of our Nation’s most popular and most rewarding pastimes. Blessed with an abundance of scenic rivers, lakes, streams, and coastal waters, our country is a haven for people who love the water. More than 78 million Americans take to the water each year with family and friends to appreciate nature, relax, and simply escape from the cares of the day. However, while boating can be a wonderful recreational activity, it can also be dangerous for the unprepared.

Tragically, more than 700 Americans die each year in boating-related accidents. In most cases, human error and poor judgment are to blame. Drinking or taking drugs while operating a boat, ignoring safe navigation rules, and failing to wear a life preserver are all examples of poor judgment that can lead to loss of life. The U.S. Coast Guard estimates that last year alone, 80 percent of boating-related fatalities could have been prevented had life jackets been worn. So, the theme of this year’s Safe Boating Week, “Boat Smart from the Start! Wear Your Life Jacket,” is truly a matter of life and death. I encourage all Americans to wear life preservers every time they are on the water—this simple precaution can save hundreds of lives each year.

The National Safe Boating Council, the U.S. Coast Guard, other Federal agencies, State and local governments, and many recreational boating organizations actively promote boating safety and work to save lives on the water. However, it is ultimately up to each individual to take responsibility for his or her own safety and for the safety of friends and family. This year, during National Safe Boating Week, I urge all Americans who use our Na-

tion's waterways to practice safe boating and to educate others about the importance of wearing life jackets, abstaining from drugs and alcohol, and following safe navigation rules. Together we can save lives and ensure that boating remains an enjoyable activity—for ourselves and for our loved ones.

In recognition of the importance of safe boating practices, the Congress, by joint resolution approved June 4, 1958 (36 U.S.C. 161), as amended, has authorized and requested the President to proclaim annually the seven-day period prior to Memorial Day as "National Safe Boating Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 16 through May 22, 1998, as National Safe Boating Week. I encourage the Governors of the 50 States and the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States, to join in observing this occasion and to urge all Americans to practice safe boating not only during this week, but also throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7097 of May 15, 1998

World Trade Week, 1998

*By the President of the United States of America
A Proclamation*

The American economy is experiencing its longest period of sustained growth in more than a generation, with more than 15 million new jobs, the lowest unemployment rate since 1970, and the lowest inflation rate in more than 30 years. Much of this economic expansion can be attributed to our overseas trade. Today, America is the world's leading exporter. Our exports sustain 12 million jobs—jobs that on average, pay more than jobs not tied to exports. The extraordinary vigor of America's economy reflects the 1998 theme of World Trade Week: "Exporting Pays Off."

Our unparalleled capacity to develop and market high-technology products and processes has given us a strong competitive edge in the international marketplace in everything from aerospace to agriculture. Americans have led the world into the Information Age, and we are poised to lead it into an exciting new era of electronic commerce. Also central to our success in the global economy has been our ability to open foreign markets for American goods and services. During the past 5 years, my Administration has negotiated more than 240 new trade agreements and strengthened efforts to eliminate unfair trading practices in order to help American workers and businesses compete in an international arena that is open and fair and where trade rules are enforced.

To keep America growing, and to maintain our leadership in the global economy, we must expand our exports. We must sustain our advantage in information and other technologies by creating a business climate that encourages investment, by continuing our support of education and research in basic science and technology, and by ensuring that American workers are the best-educated and best-trained work force in the world. The Bureau of Labor Statistics estimates that we will need more than a million new high-skilled workers during the next 10 years to power the information technology field. We must provide working Americans with the skills and training they need to seize these promising employment opportunities.

Our exports and our economic strength depend upon our access to an open, stable, and growing world market. The nations of the world are becoming increasingly intertwined in a global economy. We must continue our efforts to remove foreign barriers to American goods and services, to open new markets, and to keep them open. This week, I will travel to Geneva, Switzerland and address the World Trade Organization to underline just how important free and open trade is to our future prosperity. Fast-track trade authority has been a crucial tool in this endeavor in the past, and it will become increasingly important to our ability to compete in the future with other countries for new markets, new contracts, and new jobs. This traditional trading authority will empower us to negotiate pro-growth, pro-American trade agreements that will maintain the momentum of our economy and ensure that American workers and American businesses can compete on a level playing field with the rest of the world.

America's leadership in building an open, fair world trade system is paying off in rewards for entrepreneurial initiative, higher wages for working Americans, incentives for technological advances and artistic creation, and prosperity for our Nation. By embracing the challenges of competing in the global marketplace in the 21st century, we can ensure continued growth for American businesses, prosperity for working Americans, and a brighter future for us all.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 17 through May 23, 1998, as World Trade Week. I invite the people of the United States to observe this week with ceremonies, activities, and programs that celebrate the potential of international trade.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7098 of May 21, 1998**National Maritime Day, 1998**

By the President of the United States of America

A Proclamation

The United States is and has always been a maritime Nation. Our history is tied to the sea—from the *Santa Maria* to the *Mayflower*, from clipper ships to ocean liners, from the Liberty Ships of World War II to the huge, efficient container ships of the 1990s—and our development as a Nation has paralleled the growth of our waterborne commerce.

As we look forward to the challenges of the 21st century, we continue to rely on our Nation's maritime industry and the U.S. Merchant Marine to keep America competitive in an increasingly global economy. Ships and barges carry more than one billion tons of commercial cargo annually between ports within our Nation. Internationally, more than 95 percent of our imports and exports by weight are transported on water—a total of more than one billion metric tons of cargo each year.

We also depend on America's maritime industry and Merchant Marine to fill a crucial role in protecting our national interests and the security of our allies. Throughout our history, in times of conflict or crisis, the owners, operators, and crews of U.S.-flag commercial vessels have provided vital sealift capability in support of our Armed Forces, advancing defense, peacekeeping, and humanitarian missions across the globe.

Our maritime industry has made many important contributions to the economic strength and defense capability of our Nation, and my Administration has worked with the Congress to implement new approaches to ensure the industry's continued viability. Our National Shipbuilding Initiatives are helping to improve the competitiveness of America's maritime industry by seeking to eliminate foreign subsidies, assisting the industry's international marketing efforts, eliminating unnecessary government regulations, and enhancing private sector financing of shipbuilding through Federal loan guarantees. Under the Maritime Security Program, the Federal Government contracts with owners and operators of U.S.-flag vessels to supplement our military sealift capability and gains access to a fleet of modern commercial ships and the sophisticated intermodal transportation system that supports it. Together, these programs protect our Nation's economic interests and our national security by ensuring that U.S.-flag vessels will always sail in the sea lanes of the world.

In recognition of the importance of the U.S. Merchant Marine, the Congress, by a joint resolution approved May 20, 1933, has designated May 22 as "National Maritime Day" and has authorized and requested the President to issue annually a proclamation calling for its appropriate observance.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 22, 1998, as National Maritime Day. I urge all Americans to observe this day with appropriate programs, ceremonies, and activities and by displaying the flag of the United States at their homes and in their communities. I also request that all ships sailing under the American flag dress ship on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7099 of May 22, 1998

Prayer for Peace, Memorial Day, 1998

By the President of the United States of America

A Proclamation

Today Americans live in a time of great hope. Our Nation is free, prosperous, and at peace. While very real dangers and problems still exist in the world, the Cold War is over, democracy is sweeping the globe, and old adversaries are forming new partnerships.

But the blessings we enjoy today are not the happy accidents of history; they are the culmination of promises kept by generations of young Americans and paid for by their courage and sacrifice. The promise of freedom articulated in our Declaration of Independence was made real by a ragtag army of brave Americans who were prepared to die for their convictions. The promise of unity was kept during the Civil War by thousands of Americans, black and white, who were willing to fight to preserve our Union. The promise of democracy was kept by the hundreds of thousands of Americans who fought and died in World War I, World War II, Korea, Vietnam, and the Persian Gulf. On home soil and in foreign lands, lost at sea or brought down from the skies, our young men and women in uniform have given their lives to keep their promise to America: to defend our freedom, to preserve our values, and to advance the ideals of democracy.

On this Memorial Day, we, too, have promises to keep. We remember and honor all those gallant Americans who, in the eloquent words of President Lincoln, “gave the last full measure of devotion” for the well-being of our Nation and their fellow citizens. We express our profound sympathy and gratitude to the families who have lost their sons and daughters in service to America. We promise to keep faith with all those who have died for our country by remaining vigilant in our defense of freedom and democracy. And we promise always to work for permanent peace in the world so that a new generation of Americans will never have to know the horrors of war.

In respect and recognition of the courageous men and women to whom we pay tribute, the Congress, by joint resolution approved on May 11, 1950 (64 Stat. 158), has requested the President to issue a proclamation calling upon the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the American people might unite in prayer.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Memorial Day, May 25, 1998, as a day of prayer for permanent peace, and I designate the hour beginning at 3:00 p.m. EDT of that day as a time to join in prayer. I urge the press,

radio, television, and all other information media to take part in this observance.

I also request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff during this Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control, and I request the people of the United States to display the flag at half-staff from their homes for the customary forenoon period.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7100 of May 29, 1998

Death of Barry M. Goldwater

*By the President of the United States of America
A Proclamation*

As a mark of respect for the memory of Barry M. Goldwater, former Senator from the State of Arizona, I hereby order, by the authority vested in me as President by the Constitution and the laws of the United States of America, that the flag of the United States shall be flown at half-staff upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions on Wednesday, June 3, 1998. I also direct that the flag shall be flown at half-staff on that day at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7101 of May 29, 1998

National Alternative Fuels Week, 1998

*By the President of the United States of America
A Proclamation*

In today's robust and growing economy, the United States faces major challenges in meeting the ever-increasing demand for transportation goods and

services while minimizing the adverse impact on our energy resources, environment, and future prosperity.

Today's American transportation system remains enormously dependent on oil. Highway transportation alone accounts for more than half of our Nation's oil demand, and the number of vehicles and miles driven on our roads is steadily increasing. Transportation is the second largest contributor to U.S. greenhouse gas emissions and will likely be the most significant contributor by the year 2000.

Fortunately, vehicles that are powered by alternatives to conventional gasoline and diesel fuels are already on the market, and domestically produced, renewable alternative fuels are readily available to American consumers. These alternative fuels—such as ethanol, methanol, natural gas, propane, electricity, and biodiesel—can make significant contributions to our energy security and environmental quality. By increasing the use of alternative fuel vehicles (AFVs), we can reduce our demand for imported oil, create new products, jobs, and businesses, and improve air quality by dramatically reducing carbon dioxide emissions as well as the hydrocarbons, nitrogen oxides, and particulate matter that are such major contributors to urban air pollution.

More than 350,000 AFVs are already on the road in the 60 communities participating in the Department of Energy's Clean Cities Program. This program is fostering the development of AFV markets in a network of cities across the country through partnerships among fuel suppliers, vehicle fleet operators, Federal, State, and local governments, and private sector organizations. Through the efforts of program participants, we are moving closer to our goal of building a transportation system for our Nation that meets the energy, economic, and environmental needs of Americans today and of generations yet to come.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 31 through June 6, 1998, as National Alternative Fuels Week. I call upon all Americans to observe this week with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7102 of May 29, 1998

Small Business Week, 1998

By the President of the United States of America

A Proclamation

Our great Nation is renowned worldwide as the land of opportunity. Americans are dedicated to bettering their lives, pursuing the American Dream with entrepreneurial spirit and ingenuity.

Small business owners across our country are among the true heroes of our great American success story. We owe much of today's prosperity to our Nation's 23.6 million small businesses. Small businesses represent 99.7 percent of all employers, account for 47 percent of all sales in the country, employ 53 percent of the private work force, and are responsible for more than half of the private gross domestic product. New business formation reached another record level in 1997, with 884,609 new employer firms—the highest ever, and a 5-percent increase over the last record set in 1996.

Recognizing the extraordinary contributions of small businesses to the strength and continuing growth of our economy, my Administration has worked hard to implement policies and programs designed to help small businesses develop and expand. We are directing tax relief to more small businesses, expanding access to capital, supporting innovation, providing regulatory relief, opening overseas markets to entrepreneurs, and strengthening America's work force through investments in education, training, and better benefits.

The U.S. Small Business Administration plays a key role in my Administration's efforts to help Americans start, build, and grow their small businesses into the 21st century. Since the end of fiscal year 1992, the SBA extended or guaranteed more than \$48 billion in loans to small businesses, more than in the previous 12 years combined. The SBA's current portfolio guarantees \$29 billion in loans to 200,000 small business owners who otherwise would not have access to capital. Realizing the enormous potential of today's revolution in technology, we are leading the world in the development of electronic commerce and in using the Internet to help advance small business opportunities.

As Americans observe Small Business Week, let us pay tribute to the hundreds of thousands of small business owners across our Nation whose energy, innovative spirit, and faith in our system of free enterprise have done so much to generate the unprecedented prosperity and growth we enjoy today.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 31 through June 6, 1998, as Small Business Week. I call upon Government officials and all the people of the United States to observe this week with appropriate ceremonies, activities, and programs that celebrate the achievements of small business owners and encourage the development of new enterprises.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7103 of May 30, 1998**To Facilitate Positive Adjustment to Competition From Imports of Wheat Gluten**

By the President of the United States of America

A Proclamation

1. On March 18, 1998, the United States International Trade Commission (USITC) transmitted to the President a unanimous affirmative determination in its investigation under section 202 of the Trade Act of 1974, as amended (the "Trade Act") (19 U.S.C. 2252), with respect to imports of wheat gluten provided for in subheadings 1109.00.10 and 1109.00.90 of the Harmonized Tariff Schedule of the United States ("HTS"). Under section 202 of the Trade Act, the USITC determined that such wheat gluten is being imported into the United States in such increased quantities as to be a substantial cause of serious injury to the domestic industry producing a like or directly competitive article. Further, the USITC, pursuant to section 311(a) of the North American Free Trade Agreement Implementation Act ("NAFTA Implementation Act") (19 U.S.C. 3371(a)), made negative findings with respect to imports of wheat gluten from Canada and Mexico. The USITC also transmitted its recommendation made pursuant to section 202(e) of the Trade Act with respect to the action that would address the serious injury to the domestic industry and be most effective in facilitating the efforts of the domestic industry to make a positive adjustment to import competition.

2. Pursuant to section 203 of the Trade Act (19 U.S.C. 2253), and taking into account the considerations specified in section 203(a)(2) of the Trade Act, I have determined to implement action of a type described in section 203(a)(3). Such action shall take the form of quantitative limitations on imports of wheat gluten, provided for in HTS subheadings 1109.00.10 and 1109.00.90, imposed for a period of 3 years plus one day, with annual increases in such quota limits of six percent in the second year and in the third year. Except for products of Canada, Mexico, Israel, beneficiary countries under the Caribbean Basin Economic Recovery Act (CBERA) and the Andean Trade Preference Act (ATPA), and other developing countries that have accounted for a minor share of wheat gluten imports, which shall be excluded from any restriction, such quantitative limitations shall apply to imports from all countries and the quota quantity shall be allocated among such countries. Pursuant to section 203(a)(1)(A) of the Trade Act (19 U.S.C. 2253(a)(1)(A)), I have further determined that these actions will facilitate efforts by the domestic industry to make a positive adjustment to import competition and provide greater economic and social benefits than costs.

3. Section 604 of the Trade Act, as amended (19 U.S.C. 2483), authorizes the President to embody in the 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.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to sections

203 and 604 of the Trade Act, and section 301 of title 3, United States Code, do proclaim that:

(1) In order to establish quantitative limitations for wheat gluten classified in HTS subheadings 1109.00.10 and 1109.00.90, subchapter III of chapter 99 of the HTS is modified as provided in the Annex to this proclamation.

(2) Wheat gluten that is the product of Canada, of Mexico, of Israel, of beneficiary countries under the CBERA and the ATPA, and of developing countries listed in general note 4(a) to the HTS shall be excluded from the quantitative limitations established by this proclamation, and such imports shall not be counted toward such limitations for any quota period created herein.

(3) In the event that a quota quantity established by this proclamation and allocated to a country or to "other countries" is significantly underutilized, the United States Trade Representative is authorized to reallocate all or part of the unfilled portion of such quota quantity to any other country or countries and, upon publication of notice in the **Federal Register**, to modify the HTS provisions created by the Annex to this proclamation to reflect any such reallocation.

(4) Any provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(5) The modifications to the HTS made by this proclamation, including the Annex hereto, shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 a.m. EDT on June 1, 1998, and shall continue in effect as provided in the Annex to this proclamation, unless such actions are earlier expressly modified or terminated.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

ANNEX

Modifications to the Harmonized Tariff Schedule of the United States

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after June 1, 1998, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by inserting in numerical sequence the following new U.S. note, subheadings and superior text thereto, with the language inserted in the columns entitled "Heading/Subheading", "Article Description", and "Quota Quantity", and upon the close of June 1, 2002, these provisions and superior text shall be deleted from the HTS:

“ 7. For purposes of subheadings 9903.11.05, 9903.11.06, and 9903.11.07, the term: “*European Community*” means Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxemburg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom.”

Wheat gluten, whether or not dried, except products of Canada, of Mexico, of Israel, of beneficiary countries under the Caribbean Basin Economic Recovery Act (as enumerated in general note 7 to this schedule) or of the Andean Trade Preference Act (as enumerated in general note 11 to this schedule), or of countries enumerated in general note 4(a) to this schedule as that note existed on June 1, 1998 (provided for in subheadings 1109.00.10 and 1109.00.90):

| | | |
|------------|--|---------------|
| 9903.11.05 | If entered during the period from June 1, 1998, through May 31, 1999, inclusive, in the respective aggregate quantity of goods the product of a foreign country specified below, after which no wheat gluten the product of such country may be entered during the remainder of such period: | |
| | Australia | 28,315,000 kg |
| | European Community | 24,513,000 kg |
| | Other countries | 4,693,000 kg |
| 9903.11.06 | If entered during the period from June 1, 1999, through May 31, 2000, inclusive, in the respective aggregate quantity of goods the product of a foreign country specified below, after which no wheat gluten the product of such country may be entered during the remainder of such period: | |
| | Australia | 30,014,000 kg |
| | European Community | 25,983,000 kg |
| | Other countries | 4,975,000 kg |
| 9903.11.07 | If entered during the period from June 1, 2000, through June 1, 2001, inclusive, in the respective aggregate quantity of goods the product of a foreign country specified below, after which no wheat gluten the product of such country may be entered during the remainder of such period: | |
| | Australia | 31,814,000 kg |
| | European Community | 27,543,000 kg |
| | Other countries | 5,273,000 kg“ |

Proclamation 7104 of June 5, 1998**National Homeownership Week, 1998**

By the President of the United States of America

A Proclamation

Homeownership has always been the foundation of the American Dream. Generations of Americans have worked hard and set aside their savings so that they might enjoy the security and stability of owning their own home. The partnership forged between the Federal Government and the private sector during this century has succeeded in bringing that dream closer to reality for all our citizens.

The National Housing Act, which President Franklin Roosevelt signed into law more than 60 years ago, made homeownership available to millions of families who previously could not have afforded to buy their own homes. The G.I. Bill of Rights extended the opportunity of homeownership to a whole new generation of Americans, enabling millions of our service men and women to start a new life in their own homes.

Building on this legacy, in 1995 I convened the National Partners in Homeownership—a coalition of 139 community-based local partnerships and 65 national groups representing the housing industry, lenders, nonprofit organizations, and all sectors of government—to dramatically increase homeownership opportunity in America. And my Administration's economic strategy to reduce the deficit, invest in our people, and open foreign markets has led to lower mortgage rates, more jobs, and higher family incomes. Thanks to the success of our strategy and the efforts of the National Partners in Homeownership, we now have the highest homeownership rate in America's history.

Our Nation's commitment to homeownership has brought us extraordinary rewards, invigorating the construction and related industries, creating new jobs, and enhancing our prosperity. The next generation of American homes will also improve our environment. The new partnership I recently launched with America's building industry—the Partnership for Advancing Technology in Housing—will dramatically improve the energy efficiency of new homes, reducing the greenhouse gases that cause global warming and cutting homeowners' energy bills. Most important, homeownership has encouraged millions of Americans to save and invest, to take pride in their neighborhoods, and to take an active, responsible role in the life of their communities.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 7 through June 13, 1998, as National Homeownership Week. I urge all Americans to observe this week with appropriate programs, ceremonies, and activities that celebrate the rewards of homeownership.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of June, in the year of our Lord nineteen hundred and ninety-eight, and of the

Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7105 of June 12, 1998

Flag Day and National Flag Week, 1998

By the President of the United States of America

A Proclamation

Our country has undergone enormous change since the Continental Congress first adopted the Stars and Stripes as the official Flag of the United States of America in 1777. The new country that struggled for 7 long years to win independence from Great Britain is today the most powerful Nation on Earth. The 13 original colonies huddled close to the Atlantic coast of North America have grown into 50 States, stretching across the continent to the Pacific coast and beyond. From a population of less than 3 million, we have grown to more than 269 million people whose differences in race, religion, cultural traditions, and ethnic background have made us one of the most diverse countries in the world.

Throughout these two centuries of remarkable growth and change, the Stars and Stripes has remained the proud symbol of our fundamental unity. Across the generations, our flag has united Americans in the quest for freedom and peace. Our soldiers first followed it into battle at Brandywine in 1777, and today our Armed Forces carry it on peacekeeping and humanitarian missions around the globe. The American flag accompanied Lewis and Clark on their historic journey of exploration in the early 19th century, and last year Pathfinder carried the image of the Stars and Stripes to the distant landscape of Mars. In schoolyards, on public buildings, and displayed on the front porches of homes across America, our flag is an enduring reminder of the hopes, dreams, and values we all share as Americans, and of the sacrifices so many have made to keep it flying above a Nation that is strong, secure, and free.

Like America, our flag was fashioned to accommodate change without altering its fundamental design. The red and white stripes have remained constant, reminding us of our roots in the 13 colonies. The white stars on a field of blue, shifting in pattern as new States have joined the Union, celebrate our capacity for change. The challenge we have faced in the past and will confront in the 21st century is the same challenge woven into the American flag—to respond creatively to new possibilities while remaining true to our basic ideals of freedom, justice, and human dignity. As we celebrate Flag Day and Flag Week, let us reaffirm our reverence for the American flag, the bright banner that has uplifted the hearts and inspired the finest efforts of Americans for more than 200 years. It has been the symbol of and companion on our American journey thus far, and it will continue to lead us as we embrace the promise of the future.

To commemorate the adoption of our flag, the Congress, by joint resolution approved August 3, 1949 (63 Stat. 492), designated June 14 of each year as “Flag Day” and requested the President to issue an annual proclamation

calling for its observance and for the display of the Flag of the United States on all Federal Government buildings. The Congress also requested the President, by joint resolution approved June 9, 1966 (80 Stat. 194), to issue annually a proclamation designating the week in which June 14 falls as "National Flag Week" and calling upon all citizens of the United States to display the flag during that week.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim June 14, 1998, as Flag Day and the week beginning June 14, 1998, as National Flag Week. I direct the appropriate officials to display the flag on all Federal Government buildings during that week, and I urge all Americans to observe Flag Day and National Flag Week by flying the Stars and Stripes from their homes and other suitable places.

I also call upon the people of the United States to observe with pride and all due ceremony those days from Flag Day through Independence Day, also set aside by the Congress (89 Stat. 211), as a time to honor our Nation, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of June, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7106 of June 17, 1998

Father's Day, 1998

*By the President of the United States of America
A Proclamation*

Fathers hold us close and lift us up in so many ways throughout our lives. Devoted fathers work day in and day out, not only to help provide their families with food, clothing, education, and a good home, but also to give their children the values, guidance, encouragement, and self-esteem to make the most of their lives. With careful planning and many quiet sacrifices, fathers seek to give their children the freedom to dream and the opportunity to make those dreams a reality. Across our Nation, at piano recitals and basketball games, at science fairs and high school graduations, proud fathers rejoice at the achievements of their sons and daughters.

In today's complex and changing society, fathers have taken on new roles and additional responsibilities within their homes, balancing the varied demands of work and family. They are nurturers as well as providers, confidants and best friends as well as heroes and role models. They teach their children how to read, how to drive, and how to live. And, like generations of fathers who came before them, they build a strong foundation of love that enables their sons and daughters to stand taller, see farther, and reach higher. On Father's Day, let us thank the biological fathers, stepfathers, foster fathers, and adoptive fathers across America whose love graces their children's lives and whose character strengthens our Nation.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972 (36 U.S.C. 142a), do hereby proclaim Sunday, June 21, 1998, as Father's Day. I invite the States, communities across the country, and all the citizens of the United States to observe this day with appropriate ceremonies and activities that demonstrate our deep appreciation and abiding love for our fathers.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of June, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Proclamation 7107 of June 30, 1998

To Modify Duty-Free Treatment Under the Generalized System of Preferences

By the President of the United States of America
A Proclamation

1. Pursuant to sections 501, 503(a)(1)(A), and 503(c)(1) of title V of the Trade Act of 1974, as amended ("the 1974 Act") (19 U.S.C. 2461, 2463(a)(1)(A), and 2463(c)(1)), as amended, the President may designate or withdraw designation of specified articles provided for in the Harmonized Tariff Schedule of the United States (HTS) as eligible for preferential tariff treatment under the Generalized System of Preferences (GSP) when imported from designated beneficiary developing countries.

2. 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 pursuant to 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.

3. Pursuant to section 503(c)(2)(C) of the 1974 Act (19 U.S.C. 2463(c)(2)(C)), 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 (19 U.S.C. 2463(c)(2)(A)), during the preceding calendar year.

4. Pursuant to section 503(c)(2)(F) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)), the President may disregard the competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)(i)(II)) with respect to any eligible article if the aggregate appraised value of the imports of such article into the United States during the preceding calendar year does not exceed the applicable amount set forth in section 503(c)(2)(F)(ii) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(ii)).

5. Pursuant to section 503(d) of the 1974 Act (19 U.S.C. 2463(d)), the President may waive the application of the competitive need limitations in section 503(c)(2)(A) with respect to any eligible article of any beneficiary developing country if certain conditions are met.

6. Section 507(2) of the 1974 Act (19 U.S.C. 2467(2)) provides that in the case of an association of countries which is a free trade area or customs union, or which is contributing to comprehensive regional economic integration among its members through appropriate means, including, but not limited to, the reduction of duties, the President may provide that all members of such association other than members which 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 title V of the 1974 Act.

7. Pursuant to sections 501 and 503(a)(1)(A) of the 1974 Act, and after receiving advice from the International Trade Commission in accordance with section 503(e), I have determined to designate certain articles, previously designated under section 503(a)(1)(B), as eligible articles from additional beneficiary developing countries. In order to do so, it is necessary to subdivide and amend the nomenclature of existing subheadings of the HTS. For certain articles, I have decided that the effective date of designation shall be determined by the United States Trade Representative (USTR).

8. Pursuant to section 503(c)(1) of the 1974 Act, I have determined to limit the application of duty-free treatment accorded to certain articles from certain beneficiary developing countries.

9. Pursuant to section 503(c)(2)(A) of the 1974 Act, I have determined that certain beneficiary developing countries should not receive preferential tariff treatment under the GSP with respect to certain eligible articles imported in quantities that exceed the applicable competitive need limitation.

10. Pursuant to section 503(c)(2)(C) of the 1974 Act, I have determined that certain countries should be redesignated as beneficiary developing countries with respect to certain eligible articles that previously had been imported in quantities exceeding the competitive need limitations of section 503(c)(2)(A).

11. Pursuant to section 503(c)(2)(F) of the 1974 Act, I have determined that the competitive need limitation provided in section 503(c)(2)(A)(i)(II) should be waived with respect to certain eligible articles from certain beneficiary developing countries. For certain articles, I have decided that the effective date of the waiver shall be determined by the USTR.

12. Pursuant to section 503(d) of the 1974 Act, I have determined that the competitive need limitations of section 503(c)(2)(A) should be waived with respect to certain eligible articles from certain beneficiary developing countries. I have received the advice of the International Trade Commission on whether any industries in the United States are likely to be adversely affected by such waivers, and I have determined, based on that advice and on the considerations described in sections 501 and 502(c), that such waivers are in the national economic interest of the United States. For a certain article, I have decided that the effective date of the waiver shall be determined by the USTR.

13. Pursuant to section 507(2) of the 1974 Act, I have determined that members of the West African Economic and Monetary Union (WAEMU) should be treated as one country for purposes of title V of the 1974 Act.

14. Pursuant to section 507(2) of the 1974 Act, I have determined that members of the Southern African Development Community (SADC) should be treated as one country for purposes of title V of the 1974 Act. The USTR shall determine which specific members of the SADC are to be included in the designation under section 507(2) of the 1974 Act and shall determine the effective date or dates of the designation. The USTR shall announce by publication in the **Federal Register** the specific SADC members to be included in the designation and the effective date or dates.

15. Pursuant to section 507(2) of the 1974 Act, I have determined that members of the Tripartite Commission for East African Cooperation (EAC) should be treated as one country for purposes of title V of the 1974 Act. The USTR shall determine which specific members of the EAC are to be included in the designation under section 507(2) of the 1974 Act and shall determine the effective date or dates of the designation. The USTR shall announce by publication in the **Federal Register** the specific EAC members to be included in the designation and the effective date or dates.

16. Section 604 of the 1974 Act, as amended (19 U.S.C. 2483), authorizes the President to embody in the 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.

NOW, THEREFORE, I, WILLIAM J. CLINTON, 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 title V and section 604 of the 1974 Act, do proclaim that:

(1) In order to provide that one or more countries that have not been treated as beneficiary developing countries with respect to one or more eligible articles should be designated as beneficiary developing countries with respect to such article or articles for purposes of the GSP, and that one or more countries should not be treated as beneficiary developing countries with respect to one or more eligible articles for purposes of the GSP, general note 4 to the HTS is modified as provided in section A of Annex I and section A of Annex IV to this proclamation.

(2) In order to designate certain articles, previously designated under section 503(a)(1)(B), as eligible articles from additional beneficiary developing countries, the HTS is modified by amending and subdividing the nomenclature of existing HTS subheadings as provided in section B of Annex I to this proclamation.

(3)(a) In order to designate certain articles as eligible articles for purposes of the GSP when imported from any beneficiary developing country, the Rates of Duty 1–Special subcolumn for certain HTS subheadings is modified as provided in section C(1) of Annex I and section B of Annex IV to this proclamation.

(b) In order to designate certain articles, previously designated under section 503(a)(1)(B), as eligible articles from additional beneficiary developing countries, the Rates of Duty 1–Special subcolumn for the HTS subheadings enumerated in section C(2) of Annex I to this proclamation is modified as provided in such section.

(c) In order to provide preferential tariff treatment under the GSP to beneficiary developing countries that have been excluded from the benefits

of the GSP for certain eligible articles, the Rates of Duty 1–Special subcolumn for each of the HTS subheadings enumerated in section C(3) of Annex I to this proclamation is modified as provided in such section.

(d) In order to provide that one or more countries should not be treated as a beneficiary developing country with respect to certain eligible articles for purposes of the GSP, the Rates of Duty 1–Special subcolumn for each of the HTS subheadings enumerated in section C(4) of Annex I to this proclamation is modified as provided in such section.

(4) A waiver of the application of section 503(c)(2)(A) of the 1974 Act shall apply to the eligible articles in the HTS subheadings and to the beneficiary developing countries set forth in Annex II and in section C of Annex IV to this proclamation.

(5) In order to provide for the continuation of previously proclaimed staged reductions of duties in the Rates of Duty 1–General subcolumn for goods that fall in the HTS subheadings modified by section B of Annex I to this proclamation and that are entered, or withdrawn from warehouse for consumption, on or after the dates specified in section A of Annex III to this proclamation, the rate of duty in the HTS set forth in such subcolumn for each of the HTS subheadings enumerated in section A of Annex III to this proclamation is deleted and the rate of duty provided in such section is inserted in lieu thereof.

(6) In order to provide for the continuation of previously proclaimed staged reductions of duties in the Rates of Duty 1–Special subcolumn for certain goods of Mexico that fall in the HTS subheadings modified by section B of Annex I to this proclamation and effective with respect to goods of Mexico under the terms of general note 12 to the HTS that are entered, or withdrawn from warehouse for consumption, on or after the dates specified in section B of Annex III to this proclamation, the rate of duty in the HTS set forth in such subcolumn followed by the symbol “MX” in parentheses for each of the HTS subheadings enumerated in section B of Annex III to this proclamation is deleted and the rate of duty provided in such section is inserted in lieu thereof.

(7) In order to reflect in the HTS the decision that members of the WAEMU should be treated as one country for purposes of title V of the 1974 Act, and to enumerate the member countries, general note 4(a) to the HTS is modified as provided in Annex V to this proclamation.

(8) In order to reflect in the HTS the decision that members of the SADC should be treated as one country for purposes of title V of the 1974 Act, and to enumerate those member countries that should benefit from such designation, general note 4(a) to the HTS is to be modified as set forth in a notice or notices that the USTR shall cause to be published in the **Federal Register**. Such notice or notices should direct the insertion in general note 4(a) of the title of the association and the names of those member countries that should be treated as one country for purposes of title V of the 1974 Act, and should specify the effective date of such designation.

(9) In order to reflect in the HTS the decision that members of the EAC should be treated as one country for purposes of title V of the 1974 Act, and to enumerate those member countries that should benefit from such designation, general note 4(a) to the HTS is to be modified as set forth in a notice or notices that the USTR shall cause to be published in the **Fed-**

eral Register. Such notice or notices should direct the insertion in general note 4(a) of the title of the association and the names of those member countries that should be treated as one country for purposes of title V of the 1974 Act, and should specify the effective date of such designation.

(10) Any provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(11)(a) The modifications made by Annex I to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 1998.

(b) The action taken in Annex II to this proclamation shall be effective on the date of signature of this proclamation.

(c) The modifications made by Annex III to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the dates set forth in such Annex.

(d) The modifications made by Annex IV to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after a date to be announced in the **Federal Register** by the USTR.

(e) The modification made by Annex V to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date of signature of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of June, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON

Annex I

Modifications to the Harmonized Tariff
Schedule of the United States ("HTS")

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 1998.

Section A. General note 4(d) to the Harmonized Tariff Schedule of the United States ("HTS") is modified, as provided in this section.

(1). deleting the following HTS subheadings and the country set out opposite such subheadings:

| | |
|---------------------|-----------------------|
| 0711.40.00 India | 7615.19.10 Thailand |
| 0811.20.20 Chile | 8108.90.60 Russia |
| 4411.19.40 Brazil | 8112.11.60 Kazakhstan |
| 7103.99.10 Thailand | 8409.99.99 Brazil |

(2). by deleting the country set out opposite the following subheading:

2916.31.15 Estonia
8409.99.91 Brazil
9025.11.20 Brazil

(3). by adding, in numerical sequence, the following HTS provisions and countries set out opposite them:

| | |
|--------------------------------|--------------------------------|
| 0202.30.10 Argentina | 7113.19.29 India |
| 0708.90.30 Ecuador | 7117.90.55 Peru |
| 0710.29.30 Ecuador | 7202.50.00 Russia |
| 0711.30.00 Turkey | 7206.90.00 Trinidad and Tobago |
| 0712.90.74 Turkey | 7307.91.30 Brazil |
| 0802.50.20 Turkey | 7401.10.00 India |
| 0802.90.80 Guatemala | 7407.22.30 Russia |
| 1006.30.10 India | 7409.39.50 Hungary |
| 1602.50.09 Argentina | 7411.21.50 Trinidad and Tobago |
| 1604.15.00 Chile | 7614.90.20 Venezuela |
| 1701.91.42 Jamaica | 7904.00.00 South Africa |
| 2002.90.40 Turkey | 8525.20.05 Philippines |
| 2009.30.10 Honduras | 8528.12.16 Thailand |
| 2101.20.32 India | 8534.00.00 Thailand |
| 2106.90.06 Colombia | 8606.30.00 India |
| 2208.90.05 Trinidad and Tobago | 8708.40.50 Brazil |
| 2401.20.57 Indonesia | 9001.30.00 Indonesia |
| 2516.90.00 South Africa | 9614.20.60 Turkey |
| 3204.12.20 Argentina; India | |
| 3204.12.30 Argentina; India | |
| 3204.12.45 Argentina; India | |
| 3204.12.50 Argentina; India | |
| 3824.90.28 India | |
| 3920.62.00 India | |
| 4104.39.40 Argentina | |
| 4409.10.40 Chile | |
| 4412.22.50 Indonesia | |
| 4809.10.20 Guatemala | |
| 6501.00.60 Colombia | |

Annex I (continued)

Section A. (con.)

(4). by adding, in alphabetical order, the country or countries set out opposite the following HTS subheadings:

| | | | |
|------------|--------------|------------|--------------|
| 1604.14.50 | Indonesia | 2901.29.50 | South Africa |
| 1806.10.65 | India | 2907.29.25 | South Africa |
| 2825.30.00 | South Africa | 3817.10.50 | Indonesia |
| 2840.11.00 | Turkey | 4106.12.00 | Pakistan |
| 2840.19.00 | Turkey | 4412.29.45 | Ecuador |
| 2841.90.10 | South Africa | 7113.19.50 | Turkey |
| 2843.30.00 | Colombia | 8531.20.00 | Philippines |
| 2849.90.50 | South Africa | | |

Section B. The Harmonized Tariff Schedule of the United States ("HTS") is modified, as provided in this section.

The following provisions supersedes matter now in the HTS. Bracketed matter is included to assist in the understanding of proclaimed modifications. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special", and "Rates of Duty 2", respectively.

(1). HTS subheading 0712.90.75 is superseded by:

| | | | | |
|--|----------------|-------|----------------------------|-----|
| [Dried vegetables, whole, cut, sliced,...] [Other vegetables; mixtures of...] | | | | |
| *Tomatoes: | | | | |
| 0712.90.74 | In powder..... | 10.1% | Free (A*,CA,E, IL,J,MX) | 35% |
| 0712.90.78 | Other..... | 10.1% | Free (A+,CA,E, IL,J,MX) | 35% |

(2). HTS subheading 2002.90.00 is superseded by:

| | | | | |
|-------------------------------------|----------------|-------|--------------------------------------|-----|
| [Tomatoes prepared or preserved...] | | | | |
| *2002.90 Other: | | | | |
| 2002.90.40 | In powder..... | 12.3% | Free (A*,CA,E, IL,J) 5.7% (MX) | 50% |
| 2002.90.80 | Other..... | 12.3% | Free (A+,CA,E, IL,J) 5.7% (MX) | 50% |

Section C. An article's preferential tariff treatment under the Generalized System of Preferences ("GSP") in the Harmonized Tariff Schedule of the United States ("HTS") is modified as provided in this section.

(1). For HTS subheading 0703.10.40, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A+" in the parentheses following the "Free" rate and by inserting the symbol "A" in lieu thereof.

(2). For the following HTS subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A+" in the parentheses following the "Free" rate and by inserting the symbol "A" in lieu thereof.

| | |
|------------|------------|
| 3204.12.20 | 3204.12.50 |
| 3204.12.30 | 3824.90.28 |
| 3204.12.45 | |

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Annex I (continued)

Section A. (con.)

(3). For the following HTS subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A*" and inserting an "A" in lieu thereof.

| | | | |
|------------|------------|------------|------------|
| 0711.40.00 | 4411.19.40 | 7615.19.10 | 8112.11.60 |
| 0811.20.20 | 7103.99.10 | 8108.90.60 | 8409.99.99 |

(4). For the following HTS provisions, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A" and inserting an "A*" in lieu thereof:

| | | | |
|------------|------------|------------|------------|
| 0202.30.10 | 2009.30.10 | 4809.10.20 | 7411.21.50 |
| 0708.90.30 | 2101.20.32 | 6501.00.60 | 7614.90.20 |
| 0710.29.30 | 2106.90.06 | 7113.19.29 | 7904.00.00 |
| 0711.30.00 | 2208.90.05 | 7117.90.55 | 8525.20.05 |
| 0802.50.20 | 2401.20.57 | 7202.50.00 | 8528.12.16 |
| 0802.90.80 | 2516.90.00 | 7206.90.00 | 8534.00.00 |
| 1006.30.10 | 3920.62.00 | 7307.91.30 | 8606.30.00 |
| 1602.50.09 | 4104.39.40 | 7401.10.00 | 8708.40.50 |
| 1604.15.00 | 4409.10.40 | 7407.22.30 | 9001.30.00 |
| 1701.91.42 | 4412.22.50 | 7409.39.50 | 9614.20.60 |

Annex II

Harmonized Tariff Schedule of the United States ("HTS")
Subheadings and Countries Granted Waivers of the
Application of Section 503(c)(2)(A) of the 1974 Act

| HTS | |
|------------|---------|
| Subheading | Country |
| 0811.20.20 | Chile |
| 1604.30.20 | Russia |
| 2933.71.00 | Russia |
| 8108.90.60 | Russia |

Annex III

Staged Rate Modifications to the Harmonized
Tariff Schedule of the United States ("HTS")

Section A. For the following HTS subheadings, the Rates of Duty 1-General subcolumn is modified on January 1 of each of the years indicated in the table below by deleting the existing rate of duty and inserting in lieu thereof the rate of duty specified for such year.

| HTS Subheading | 1999 | 2000 |
|-------------------|-------|-------|
| 0712.90.74 | 9.4% | 8.7% |
| 0712.90.78 | 9.4% | 8.7% |
| 2002.90.40 | 11.9% | 11.6% |
| 2002.90.80 | 11.9% | 11.6% |

Annex IV (continued)

Section B. For the following HTS subheadings, the Rates of Duty 1-Special subcolumn is modified on January 1 of each of the dates in the table below by deleting the existing rate of duty preceding the symbol "MX" in parentheses in such subcolumn and inserting in lieu thereof the rate of duty specified below for such date.

| HTS Subheading | 1999 | 2000 | 2001 | 2002 | 2003 |
|-------------------|------|------|------|------|------|
| 2002.90.40 | 4.6% | 3.4% | 2.3% | 1.1% | Free |
| 2002.90.80 | 4.6% | 3.4% | 2.3% | 1.1% | Free |

Annex IV

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after a date to be announced in the Federal Register by the United States Trade Representative, the following actions shall take effect.

Section A. General note 4(d) to the Harmonized Tariff Schedule of the United States ("HTS") is modified by deleting the country set out opposite the following HTS subheadings:

| | |
|-------------------------|-------------------------|
| 2825.30.00 South Africa | 2849.90.50 South Africa |
| 2841.90.10 South Africa | 2907.29.25 South Africa |

Section B. Modifications to the Harmonized Tariff Schedule of the United States ("HTS") of an article's preferential tariff treatment under the Generalized System of Preferences ("GSP").

For the following HTS subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A+," in the parentheses following the "Free" rate and by inserting the symbol "A," in lieu thereof.

7108.12.50
7108.13.70
8704.10.50

Section C. A waiver of the application of section 503(c)(2)(A) of the 1974 Act shall apply to imports of eligible articles from South Africa that are provided for in HTS subheading 2849.90.50.

Annex V

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date of signature of this proclamation, general note 4(a) of the Harmonized Tariff Schedule of the United States is modified

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Annex IV (continued)

by adding to the "Association of Countries (treated as one country)", the following:

"Member Countries of the West African Economic and Monetary Union (WAEMU) "

Consisting of:

Benin
Burkina Faso
Cote d'Ivoire
Guinea-Bissau
Mali
Niger
Senegal
Togo"

Proclamation 7108 of July 13, 1998**50th Anniversary of the Integration of the Armed Services,
1998**

By the President of the United States of America

A Proclamation

On July 26, 1948, with the stroke of a pen, President Harry Truman changed the course of American history. By signing Executive Order 9981, “Establishing the President’s Committee on Equality of Treatment and Opportunity in the Armed Services,” he officially declared that “there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin.” His action reflected the growing realization by more and more Americans that our Nation could no longer reconcile segregation with the values we had fought a war to uphold.

The United States had emerged from World War II with a new understanding of the importance of racial and ethnic diversity to our Nation’s strength and unity. Nazi racism and the horrors of the concentration camps shocked Americans and revealed the true dangers of prejudice and discrimination. Hundreds of thousands of our fellow citizens from many different ethnic and racial backgrounds served and sacrificed in the war. The valor of segregated African American soldiers—from the Tuskegee Airmen and the 761st Tank Battalion to individuals like General Benjamin O. Davis and General Daniel “Chappie” James—could not be ignored. These heroes risked their lives for our country overseas, and yet still faced discrimination here at home. By signing Executive Order 9981, President Truman set America on the path to right this wrong.

We have come a long way in the subsequent 50 years, and the United States Armed Forces have been in the vanguard of our crusade to abolish discrimination in our society. Today our men and women in uniform represent so many aspects of the diversity that has made our Nation great, and they have proved that different people, sharing the same values, can work together as a mighty force for peace and freedom at home and around the world. We still have much to accomplish in our journey to become a society that respects our differences, celebrates our diversity, and unites around our shared values, but we should proudly mark the milestones on that journey and rejoice in the progress we have made thus far.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim July 26, 1998, as the 50th Anniversary of the Integration of the Armed Services. I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of July, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7109 of July 20, 1998**Captive Nations Week, 1998**

*By the President of the United States of America
A Proclamation*

Freedom, dignity, equality, and justice: these are words sacred to the American people. They define our lives as citizens of a democratic Nation, and they sum up our hopes for all the peoples of the world. More than 2 centuries ago, our founders articulated these fundamental human rights in the Declaration of Independence, proclaiming the truth of human dignity and the idea that governments derive their power and legitimacy from the consent of the people they serve. We reaffirmed these convictions with the ratification of our Constitution and the Bill of Rights. And 50 years ago, more than four dozen nations joined us in championing these rights and liberties across the globe by adopting the Universal Declaration of Human Rights, which the United Nations General Assembly passed unanimously in December of 1948.

Over the course of the last half-century, the Universal Declaration's call to "expand the circle of full human dignity to all people" has been a wellspring of inspiration. The Declaration has served as a framework for laws, constitutions, and other important efforts to safeguard basic liberties, as well as a yardstick for measuring progress. However, while democracy continues to grow and flourish around the world and millions enjoy fundamental human rights unencumbered by tyranny or restraint, the shadow of oppression still lingers.

The last decade has seen a remarkable transformation. The courage, strength, and determination of men and women struggling for liberty have changed the political landscape of the world. Democracy has blossomed and deepened its roots in many countries, particularly in Central and Eastern Europe and the nations of the former Soviet Union. But, the process of building democracy and strengthening civil society in these nations is far from complete. Moreover, there are countries in Europe and elsewhere where democracy is actively being undermined by authoritarian rule and disrespect for the rule of law. In these regions around the world, people are denied the right to worship freely, speak their thoughts openly, or live without fear of sudden arrest, arbitrary imprisonment, or brutal treatment. The rulers of these captive nations, in denying the tide of freedom rising across the globe, have positioned themselves on the wrong side of history.

This year marks the 40th observance of Captive Nations Week. For four decades these proclamations have served to express America's solidarity with people suffering under communist and other oppressive rule around the world. It is important that we continue to mark this annual observance as a reminder that building and nurturing democracy is an enduring struggle while there are still people in various parts of the world who are captives of tyranny.

The Congress, by Joint Resolution approved July 17, 1959 (73 Stat. 212), has authorized and requested the President to issue a proclamation designating the third week in July of each year as "Captive Nations Week."

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Title 3—The President

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim July 19 through July 25, 1998, as Captive Nations Week. I call upon the people of the United States to observe this week with appropriate ceremonies and activities and to rededicate ourselves to supporting the cause of freedom, human rights, and self-determination for all the peoples of the world.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of July, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7110 of July 24, 1998

National Korean War Veterans Armistice Day, 1998

By the President of the United States of America

A Proclamation

In 1950, the thoughts of most Americans were far from war. With the recent end of World War II and economic recovery in full swing, the American people had resumed their everyday lives—going back to school, starting new jobs, and raising their families. But the tenor of the times changed suddenly and dramatically that summer, as communist North Korea crossed the 38th Parallel to invade its free neighbor to the south.

Once again, the world watched to see if the right of self-determination would prevail in the face of aggression, and once again Americans answered the call to serve. A United Nations force—spearheaded by U.S. air, sea, and ground troops and under a unified command headed by the United States—rushed to the support of South Korea. In the following 38 months, Inchon, the Chosin Reservoir, the Yalu River, and a hundred other locales indelibly etched into the memory of our Korean War veterans were added to the long list of places where Americans have fought and died for freedom. The fighting was brutal; the toll in injuries, lives lost, and those missing in action was heavy. But American forces, fighting side by side with South Koreans and our U.N. allies, halted communist aggression, preserved the Republic of Korea, and won a victory for democratic peoples everywhere.

Yet, for many years, these important achievements and the extraordinary courage and sacrifice of our forces in Korea received little recognition. For too long, overshadowed by the broad dimensions of World War II and the complexities of the Vietnam War, the Korean conflict seemed to be America's forgotten victory.

But in 1995, with the dedication of the Korean War Veterans Memorial in our Nation's capital, America finally paid fitting tribute to those brave Americans whose devotion to duty wrote a crucial chapter in freedom's history and whose valor and determination in battle laid the foundation for our Nation's ultimate triumph in the Cold War. With its haunting column of determined troops, the Memorial has the power to evoke strong memo-

ries within those who served. But it serves another enduring purpose: to teach future generations about America's heroes, the depth of their sacrifice, and the historic contributions they made to the cause of peace and freedom.

The Congress, by Public Law 104-19 (36 U.S.C. 169m), has designated July 27, 1998, as "National Korean War Veterans Armistice Day" and has authorized and requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim July 27, 1998, as National Korean War Veterans Armistice Day. I call upon all Americans to observe this day with appropriate ceremonies and activities that honor and give thanks to our distinguished Korean War veterans. I also ask Federal departments and agencies, interested groups, organizations, and individuals to fly the flag of the United States at half-staff on July 27, 1998, in memory of the Americans who died as a result of their service in Korea.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of July, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7111 of July 24, 1998

Parents' Day, 1998

By the President of the United States of America

A Proclamation

Parents play a central role in the life of our society and our Nation. They are a link with the past, teaching our children the history and values of our individual families and of our national community. They are the stewards of the future, shaping the hearts and minds of the next generation of leaders, thinkers, and workers.

Being a good parent means much more than protecting our children from harm. It means teaching our children how to love and how to learn; it means working to give them the opportunities they need to make the most of their lives; it means fostering their self-esteem and independent spirit so they can make their own contributions to our world. Being a parent is a challenge, a privilege, and a lifelong commitment.

My Administration has worked hard to help parents raise happy, healthy children. With the Family and Medical Leave Act, we gave working parents up to 12 weeks of leave to care for a family member in need. We protected family incomes through an increase in the minimum wage, expansion of the Earned Income Tax Credit, and the new Child Tax Credit. We stood up for reliable health insurance with the Kennedy-Kassebaum law and improved childhood immunization, with our new Children's Health Insurance Program. We opened the doors of higher education to more families by making student loans less expensive and easier to repay and by providing

new tax credits and larger Pell Grant scholarships. We have proposed an historic initiative to ensure that parents have access to quality, affordable child care for their children. I pledge to continue supporting these types of effective programs and legislation so that America's parents have the tools they need to give their children a strong start in life.

Too often in the rush of daily existence, we fail to remember or acknowledge the many blessings we enjoy because of the love of our parents. On Parents' Day, we have an opportunity to express our profound appreciation to our own parents, to remember with love and gratitude those who are no longer with us, and to pay tribute to the millions of men and women across our Nation whose devotion as parents strengthens our society and forms the foundation of a bright future for America.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States and consistent with Public Law 103-362, do hereby proclaim Sunday, July 26, 1998, as Parents' Day. I invite the States, communities, and the people of the United States to join together in observing this day with appropriate ceremonies and activities to honor our Nation's parents.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of July, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7112 of July 30, 1998

Designation of American Heritage Rivers

*By the President of the United States of America
A Proclamation*

In celebration of America's rivers, and to recognize and reward grassroots efforts to restore them, last year I announced the American Heritage Rivers initiative. My goal was to help communities realize their visions for their rivers by making it easier for them to tap existing programs and resources of the Federal Government. From across the country, hundreds of communities answered my call for nominations, asking that their rivers be designated American Heritage Rivers. I applaud all of the communities that have drawn together and dedicated themselves to the goal of healthy rivers, now and forever.

Having reviewed the recommendations of the American Heritage Rivers Initiative Advisory Committee, I am pleased to be able to recognize a select group of rivers and communities that reflect the true diversity and splendor of America's natural endowment, and the tremendous energy and commitment of its citizenry.

Pursuant to Executive Orders 13061, 13080, and 13093, I hereby designate the following American Heritage Rivers:

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- The Blackstone and Woonasquatucket Rivers, in the States of Massachusetts and Rhode Island;
- The Connecticut River, in the States of Connecticut, Massachusetts, New Hampshire, and Vermont;
- The Cuyahoga River, in the State of Ohio;
- The Detroit River, in the State of Michigan;
- The Hanalei River, in the State of Hawaii;
- The Hudson River, in the State of New York;
- The Upper Mississippi River, in the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin;
- The Lower Mississippi River, in the States of Louisiana and Tennessee;
- The New River, in the States of North Carolina, Virginia, and West Virginia;
- The Rio Grande, in the State of Texas;
- The Potomac River, in the District of Columbia and the States of Maryland, Pennsylvania, Virginia, and West Virginia;
- The St. Johns River, in the State of Florida;
- The Upper Susquehanna and Lackawanna Rivers, in the State of Pennsylvania;
- The Willamette River, in the State of Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of July, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7113 of July 31, 1998

To Implement an Accelerated Schedule of Duty Elimination Under the North American Free Trade Agreement

*By the President of the United States of America
A Proclamation*

1. On December 17, 1992, the Governments of Canada, Mexico, and the United States of America entered into the North American Free Trade Agreement (“the NAFTA”). The NAFTA was approved by the Congress in section 101(a) of the North American Free Trade Agreement Implementation Act (“the NAFTA Implementation Act”) (19 U.S.C. 3311(a)) and was implemented with respect to the United States by Presidential Proclamation 6641 of December 15, 1993.

2. Section 201(b) of the NAFTA Implementation Act (19 U.S.C. 3331(b)) authorizes the President, subject to the consultation and layover requirements

of section 103(a) of the NAFTA Implementation Act (19 U.S.C. 3313(a)), to proclaim accelerated schedules for duty elimination that the United States may agree to with Mexico or Canada. Consistent with Article 302(3) of the NAFTA, I, through my duly empowered representative, entered into an agreement with the Government of Mexico and the Government of Canada, dated July 27, 1998, providing for an accelerated schedule of duty elimination for specific goods of Mexico. The consultation and layover requirements of section 103(a) of the NAFTA Implementation Act with respect to such schedule of duty elimination have been satisfied.

3. Pursuant to section 201(b) of the NAFTA Implementation Act, I have determined that the modifications hereinafter proclaimed of duties on goods originating in the territory of a NAFTA party are necessary or appropriate to (i) maintain the general level of reciprocal and mutually advantageous concessions with respect to Canada and Mexico provided for by the NAFTA and (ii) to carry out the agreement with Canada and Mexico providing an accelerated schedule of duty elimination for specific goods.

4. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483) (“the Trade Act”), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (“the HTS”) the substance of the relevant provisions of acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to section 201(b) of the NAFTA Implementation Act and section 604 of the Trade Act, do proclaim that:

(1) In order to provide for an accelerated schedule of duty elimination for specific goods, the tariff treatment set forth in the HTS for certain NAFTA originating goods is modified as provided in the Annex to this proclamation.

(2) Any provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(3) The amendments made to the HTS by the Annex to this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after August 1, 1998.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of July, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamations

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Annex

Modifications to the Harmonized Tariff
Schedule of the United States ("the HTS")

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after August 1, 1998, the Harmonized Tariff Schedule of the United States is modified as follows:

Section A. For the following HTS provisions, the Rates of Duty 1-Special subcolumn is modified by deleting the rate of duty and the "(MX)" following such rate and inserting "MX" in alphabetical order, in the parentheses following the "Free" rate of duty in such subcolumn.

| | | | | |
|------------|------------|------------|------------|------------|
| 2909.49.10 | 5208.12.60 | 5208.52.30 | 5210.41.80 | 5212.23.10 |
| 2909.49.15 | 5208.12.80 | 5208.52.40 | 5210.42.00 | 5212.23.60 |
| 2915.90.14 | 5208.19.40 | 5208.52.50 | 5210.49.20 | 5212.24.10 |
| 2915.90.18 | 5208.19.60 | 5208.59.40 | 5210.49.40 | 5212.24.60 |
| 2916.39.03 | 5208.19.80 | 5208.59.60 | 5210.49.60 | 5212.25.10 |
| 2916.39.06 | 5208.21.20 | 5208.59.80 | 5210.49.80 | 5212.25.60 |
| 2916.39.45 | 5208.21.40 | 5209.11.00 | 5210.51.40 | 5402.10.30 |
| 2916.39.75 | 5208.21.60 | 5209.19.00 | 5210.51.60 | 5402.10.60 |
| 2917.39.70 | 5208.22.40 | 5209.21.00 | 5210.51.80 | 5402.31.30 |
| 2921.22.10 | 5208.22.60 | 5209.29.00 | 5210.59.40 | 5402.31.60 |
| 2922.49.27 | 5208.22.80 | 5209.31.60 | 5210.59.60 | 5402.32.30 |
| 2924.29.75 | 5208.29.40 | 5209.39.00 | 5210.59.80 | 5402.32.60 |
| 2933.40.08 | 5208.29.60 | 5209.41.60 | 5211.11.00 | 5402.33.30 |
| 2933.40.15 | 5208.29.80 | 5209.43.00 | 5211.19.00 | 5402.33.60 |
| 2933.40.20 | 5208.31.40 | 5209.49.00 | 5211.21.00 | 5402.39.30 |
| 2933.40.26 | 5208.31.60 | 5209.51.60 | 5211.29.00 | 5402.39.60 |
| 2933.40.60 | 5208.31.80 | 5209.59.00 | 5211.31.00 | 5402.41.90 |
| 2933.40.70 | 5208.32.30 | 5210.11.40 | 5211.39.00 | 5402.43.10 |
| 2933.90.13 | 5208.32.40 | 5210.11.60 | 5211.41.00 | 5402.43.90 |
| 2934.90.05 | 5208.32.50 | 5210.11.80 | 5211.43.00 | 5402.59.00 |
| 2934.90.06 | 5208.39.40 | 5210.19.40 | 5211.49.00 | 5402.61.00 |
| 2934.90.08 | 5208.39.60 | 5210.19.60 | 5211.51.00 | 5402.62.00 |
| 2934.90.39 | 5208.39.80 | 5210.19.80 | 5211.59.00 | 5402.69.00 |
| 2934.90.44 | 5208.41.40 | 5210.21.40 | 5212.11.10 | 5403.20.60 |
| 3808.30.50 | 5208.41.60 | 5210.21.60 | 5212.11.60 | 5403.39.00 |
| 3811.90.00 | 5208.41.80 | 5210.21.80 | 5212.12.10 | 5403.49.00 |
| 3822.00.50 | 5208.42.30 | 5210.29.40 | 5212.12.60 | 5404.10.80 |
| 3824.90.28 | 5208.42.40 | 5210.29.60 | 5212.13.10 | 5405.00.30 |
| 3824.90.45 | 5208.42.50 | 5210.29.80 | 5212.13.60 | 5406.10.00 |
| 3824.90.90 | 5208.43.00 | 5210.31.40 | 5212.14.10 | 5406.20.00 |
| 5112.11.10 | 5208.49.20 | 5210.31.60 | 5212.14.60 | 5407.10.00 |
| 5112.19.20 | 5208.49.40 | 5210.31.80 | 5212.15.10 | 5407.20.00 |
| 5208.11.20 | 5208.49.60 | 5210.39.40 | 5212.15.60 | 5407.30.10 |
| 5208.11.40 | 5208.49.80 | 5210.39.60 | 5212.21.10 | 5407.30.90 |
| 5208.11.60 | 5208.51.40 | 5210.39.80 | 5212.21.60 | 5407.42.00 |
| 5208.11.80 | 5208.51.60 | 5210.41.40 | 5212.22.10 | 5407.43.10 |
| 5208.12.40 | 5208.51.80 | 5210.41.60 | 5212.22.60 | 5407.43.20 |

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Title 3—The President

Annex (continued)

Section A. (con.)

| | | | | |
|------------|------------|------------|------------|------------|
| 5407.44.00 | 5408.32.10 | 5514.42.00 | 5609.00.10 | 6210.10.50 |
| 5407.53.10 | 5408.32.30 | 5514.43.00 | 5801.10.00 | 6302.21.30 |
| 5407.53.20 | 5408.32.90 | 5514.49.00 | 5801.21.00 | 6302.21.50 |
| 5407.61.11 | 5408.33.05 | 5515.11.00 | 5801.23.00 | 6302.21.70 |
| 5407.61.19 | 5408.33.10 | 5515.12.00 | 5801.24.00 | 6302.21.90 |
| 5407.61.21 | 5408.33.15 | 5515.13.05 | 5801.26.00 | 6302.22.10 |
| 5407.61.29 | 5408.33.30 | 5515.19.00 | 5801.31.00 | 6302.22.20 |
| 5407.61.91 | 5408.33.90 | 5515.21.00 | 5801.33.00 | 6302.29.00 |
| 5407.61.99 | 5408.34.05 | 5515.22.05 | 5801.34.00 | 6302.31.30 |
| 5407.69.10 | 5408.34.10 | 5515.29.00 | 5801.36.00 | 6302.31.50 |
| 5407.69.20 | 5408.34.30 | 5515.91.00 | 5802.11.00 | 6302.31.70 |
| 5407.69.30 | 5408.34.90 | 5515.92.05 | 5802.19.00 | 6302.31.90 |
| 5407.69.40 | 5501.10.00 | 5515.92.10 | 5802.20.00 | 6302.32.10 |
| 5407.69.90 | 5502.00.00 | 5515.99.00 | 5802.30.00 | 6302.32.20 |
| 5407.71.00 | 5503.40.00 | 5516.21.00 | 5803.10.00 | 6302.39.00 |
| 5407.72.00 | 5503.90.90 | 5516.22.00 | 5803.90.11 | 6302.91.00 |
| 5407.73.10 | 5506.90.00 | 5516.23.00 | 5803.90.12 | 6304.19.05 |
| 5407.73.20 | 5512.11.00 | 5516.24.00 | 5803.90.20 | 6304.19.10 |
| 5407.74.00 | 5512.19.00 | 5516.31.05 | 5803.90.30 | 6304.19.15 |
| 5407.81.00 | 5512.91.00 | 5516.32.05 | 5803.90.40 | 6304.19.20 |
| 5407.82.00 | 5512.99.00 | 5516.33.05 | 5811.00.10 | 6304.19.30 |
| 5407.83.00 | 5513.11.00 | 5516.34.05 | 5811.00.20 | 6307.90.30 |
| 5407.84.00 | 5513.12.00 | 5516.34.10 | 5811.00.30 | 6307.90.40 |
| 5407.91.05 | 5513.13.00 | 5516.41.00 | 5811.00.40 | 6307.90.50 |
| 5407.91.10 | 5513.19.00 | 5516.42.00 | 5901.10.10 | 6307.90.60 |
| 5407.91.20 | 5513.21.00 | 5516.43.00 | 5901.10.20 | 6307.90.68 |
| 5407.92.05 | 5513.22.00 | 5516.44.00 | 5901.90.20 | 6307.90.72 |
| 5407.92.10 | 5513.23.00 | 5516.91.00 | 5901.90.40 | 6307.90.75 |
| 5407.92.20 | 5513.29.00 | 5516.92.00 | 5903.20.10 | 6307.90.89 |
| 5407.93.05 | 5513.31.00 | 5516.93.00 | 5903.20.18 | 6505.90.15 |
| 5407.93.10 | 5513.32.00 | 5516.94.00 | 5903.20.25 | 6505.90.20 |
| 5407.93.15 | 5513.33.00 | 5602.21.00 | 5903.20.30 | 6505.90.25 |
| 5407.93.20 | 5513.39.00 | 5603.11.00 | 5903.90.25 | 6505.90.30 |
| 5407.94.05 | 5513.41.00 | 5603.12.00 | 5903.90.30 | 6505.90.40 |
| 5407.94.10 | 5513.42.00 | 5603.13.00 | 5905.00.90 | 6505.90.50 |
| 5407.94.20 | 5513.43.00 | 5603.14.30 | 5906.91.10 | 6505.90.60 |
| 5408.10.00 | 5513.49.00 | 5603.14.90 | 5906.91.25 | 6505.90.70 |
| 5408.21.00 | 5514.11.00 | 5603.91.00 | 5906.91.30 | 6505.90.80 |
| 5408.22.10 | 5514.12.00 | 5603.92.00 | 5906.99.10 | 6505.90.90 |
| 5408.22.90 | 5514.13.00 | 5603.93.00 | 5906.99.25 | 7216.22.00 |
| 5408.23.11 | 5514.19.00 | 5603.94.10 | 5906.99.30 | 7219.21.00 |
| 5408.23.19 | 5514.21.00 | 5603.94.30 | 5907.00.15 | 7219.22.00 |
| 5408.23.21 | 5514.22.00 | 5603.94.90 | 5907.00.35 | 7220.11.00 |
| 5408.23.29 | 5514.23.00 | 5604.20.00 | 5907.00.60 | 7223.00.10 |
| 5408.24.10 | 5514.29.00 | 5604.90.00 | 5907.00.80 | 7223.00.50 |
| 5408.24.90 | 5514.31.00 | 5607.50.25 | 5908.00.00 | 7223.00.90 |
| 5408.31.05 | 5514.32.00 | 5608.11.00 | 5909.00.20 | 7229.10.00 |
| 5408.31.10 | 5514.33.00 | 5608.19.10 | 5910.00.90 | 8544.51.90 |
| 5408.31.20 | 5514.39.00 | 5608.19.20 | 5911.31.00 | 9101.11.40 |
| 5408.32.05 | 5514.41.00 | 5608.90.10 | 5911.32.00 | 9101.11.80 |

Proclamations

Proc. 7113

Annex (continued)

Section A. (con.)

- 9102.11.10
- 9102.11.25
- 9102.11.30
- 9102.11.45
- 9102.11.50
- 9102.11.65
- 9102.11.70
- 9102.11.95
- 9102.91.40
- 9102.91.80
- 9108.11.40
- 9108.11.80

Section B. Subchapter VI of chapter 99 is modified as provided in this section.

(1). Subheadings 9906.29.24, 9906.29.40, 9906.38.22, 9906.52.08, 9906.54.01, 9906.55.01, 9906.55.02, 9906.56.01, 9906.59.03 and 9906.63.02 are deleted.

(2). The superior text preceding subheading 9906.38.03 which reads "Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:", the superior text immediately preceding subheading 9906.38.03, and subheadings 9906.38.03 and 9906.38.04 are all deleted.

(3). The following new subheadings are inserted in numerical sequence:

| | | |
|-------------|--|------------|
| | [Goods of Mexico,....] | |
| "9906.54.10 | Solution dyed high tenacity single yarn of viscose rayon, the foregoing certified by the importer to be solution dyed (provided for in subheading 5403.10.30)..... | Free (MX) |
| 9906.54.20 | Other solution dyed single yarn of viscose rayon, untwisted or with a twist not exceeding 120 turns/m, the foregoing certified by the importer to be solution dyed (provided for in subheading 5403.31)..... | Free (MX)" |

Proclamation 7114 of August 5, 1998**Designating Klondike Gold Rush International Historical Park**

By the President of the United States of America

A Proclamation

A century ago, the Klondike Gold Rush began a migration that forever changed Alaska and the Yukon Territory. More than 100,000 people headed north during 1897 and 1898, catapulting a little-known region from obscurity to the center of the world stage. While the Klondike was not the first or largest western gold rush, coming nearly 50 years after the 1848 gold discovery at Sutter's Mill, California, it is remembered for the sheer drama by which it was announced to the world and for its century-long influence on Alaska and the upper Yukon River basin.

The United States and Canada have been engaged for 30 years in joint planning and cooperation to commemorate the Klondike Gold Rush and preserve historic structures and trails on both sides of the international boundary. In 1976, the Government of the United States established Klondike Gold Rush National Historical Park, consisting of a Seattle unit, a Skagway unit, a Chilkoot Pass unit, and a White Pass unit, to preserve the historic structures and trails. The Government of Canada has recognized the national significance of the Chilkoot Trail and Dawson Historical Complex by designating them as National Historic Sites. It has also designated a section of the Yukon River as a Canadian Heritage River and taken other steps to commemorate the rich history of this region.

It is the desire of the United States to join our Canadian neighbors in celebrating our shared history on the occasion of the centennial of the Klondike Gold Rush and to reaffirm the commitment of the United States to continuing the joint efforts of both nations to preserve our shared Klondike history.

In 1996, Canadian Prime Minister Jean Chretien proclaimed that, "the governments of Canada and the United States and of Yukon and Alaska in a long-standing spirit of cooperation have agreed to establish the Klondike Gold Rush International Historic Park, incorporating the resources of the Chilkoot Trail National Historic Site in British Columbia and the Klondike Gold Rush National Historical Park in Alaska . . ."

Section 3(a) of U.S. Public Law 94-323 states, "At such time . . . that planning, development, and protection of the adjacent or related historic and scenic resources in Canada have been accomplished by the Government of Canada in a manner consistent with the purposes for which the park was established, and upon enactment of a provision similar to this section by the proper authority of the Canadian Government, the President is authorized to issue a proclamation designating and including the park as a part of an international historical park to be known as Klondike Gold Rush International Historical Park."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by section 3(a) of Public Law 94-323 of June 30, 1976, do proclaim that Klondike Gold Rush National Historical Park is designated and included as part of an

international historical park to be known as Klondike Gold Rush International Historical Park.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of August, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7115 of August 7, 1998

Victims of the Bombing Incidents in Africa

*By the President of the United States of America
A Proclamation*

As a mark of respect for those killed in the bombing incidents outside the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, I hereby order, by the authority vested in me as President of the United States of America by section 175 of title 36 of the United States Code, that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, Sunday, August 9, 1998. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of August, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7116 of August 20, 1998

Women's Equality Day, 1998

*By the President of the United States of America
A Proclamation*

Since the earliest days of our democracy, Americans have taken great pride and found great purpose in our pursuit of equality. It is a right for which many have bravely struggled and the ideal that challenges us even today to build a more perfect union and to forge a future in which our children know no boundaries to their dreams. Each year, on Women's Equality Day, we rededicate ourselves to the pursuit of full equality for women and girls in our society.

This year, as we reflect on the magnificent journey and the extraordinary heroines and heroes of the women's rights movement in America, we celebrate the 150th anniversary of the first women's rights convention, which took place in Seneca Falls, New York, in 1848 and set our Nation on a course toward equality. It was at this historic gathering that pioneers such as Elizabeth Cady Stanton, Lucretia Mott, Mary Ann McClintock, and Frederick Douglass signed the Declaration of Sentiments—a document unequivocally affirming that all men and women are created equal. Encouraged by the truth of their convictions, these determined women and men set out to make equality for women a reality in America.

In the decades following the convention at Seneca Falls, many of the rights expressed in the prophetic Declaration of Sentiments became law. The ratification of the 19th Amendment to the Constitution secured a woman's right to vote; the passage of the Civil Rights Act of 1964 barred employment discrimination; and the enactment of Title IX of the Education Amendments of 1972 guaranteed equal opportunity in education and sports.

This year, we recognize another milestone on the road to women's equality: the 35th anniversary of the enactment of the Equal Pay Act, which for the first time in our Nation's history guaranteed equal pay to women who perform the same jobs as men. Only a generation ago, a woman could legally be paid less for her time and talent solely because of her gender. Today, we realize that the denial of equal pay not only unfairly limits a woman's ability to provide for her family's economic security, but also diminishes her dignity by belittling the value of her labor.

While we have made progress in closing this pay gap in the 35 years since the enactment of the Equal Pay Act, women today continue to make less than men for the same work—earning 76 cents for every dollar paid to a man. As we celebrate the Equal Pay Act's anniversary, we must reaffirm our commitment to making equal pay for equal work a reality in the workplace. My Administration supports new proposed legislation that will close the pay gap completely, strengthen enforcement of the Equal Pay Act, and toughen penalties for violations.

My Administration is striving to ensure women's equality in other areas of our society. We have dramatically increased the funding for research, prevention, and treatment of diseases that predominantly affect women. Through the Family and Medical Leave Act that I signed and our proposed child care initiative, we are working to help women balance their responsibilities at home and on the job. During the past 5 years, the Small Business Administration has tripled loans to women-owned businesses, and we have strengthened enforcement of Title IX to ensure that education programs, activities, and institutions receiving Federal funds do not discriminate on the basis of gender.

On Women's Equality Day, as we look back on what we have accomplished, we also recognize how far we have to go before we complete the journey that began so long ago. As women continue to distinguish themselves in boardrooms, classrooms, courtrooms, and family rooms across America, we must renew our efforts to empower all women with the rights and opportunities promised by our founders and fought for by the heroic women and men whose achievements we honor today.

Proclamations

Proc. 7118

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim August 26, 1998, as Women's Equality Day. I call upon the citizens of our great Nation to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of August, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7117 of August 25, 1998

Death of Lewis F. Powell, Jr.

*By the President of the United States of America
A Proclamation*

As a mark of respect for the memory of Lewis F. Powell, Jr., retired Associate Justice of the Supreme Court of the United States, I hereby order, by the authority vested in me as President by the Constitution and laws of the United States of America, that the flag of the United States shall be flown at half-staff on the day of his interment. On such day the flag shall be flown at half-staff until sunset upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions; and at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of August, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7118 of September 9, 1998

America Goes Back to School, 1998

*By the President of the United States of America
A Proclamation*

Across America, millions of children are beginning a new school year with a sense of excitement and anticipation, taking another important step toward their future. As caring parents and responsible citizens, we must work together to nurture their love of learning and to ensure that the education they receive provides them with the knowledge and skills they need to succeed in the 21st century.

The Partnership for Family Involvement in Education is taking a leadership role in this important endeavor. The partners in this effort include the Department of Education and more than 4,000 schools, colleges, and universities; community, cultural, and religious groups; businesses; elected officials; policymakers; and the men and women of our Armed Forces. They have pledged to support our initiative, entitled "America Goes Back to School: Get Involved! Stay Involved!" Across the country, the Partnership is working to encourage family and community involvement in children's learning and to create innovative solutions to education issues at the grass-roots level.

I have set ambitious goals for America's educational system, and we must pursue them with vigor if we are to prepare our Nation for the challenges and possibilities of the next century. We must have strong standards of achievement and discipline and well-trained, dedicated teachers in every classroom. We must work to reduce class size so all our children get the individual attention they need, especially in the critical early grades. We must build new schools, modernize existing ones, and expand public school choice by strengthening Federal support for charter schools. We must bring computers, communications technology, and the latest educational software into the classroom so that every American student is technologically literate and can take advantage of today's information revolution.

My Administration is also committed to making our schools safe and orderly places where teachers can teach and children can learn. With the Safe and Drug-Free Schools program, we have supported schools and communities that offer antitruancy, curfew, school uniform, and dress code policies. We have strictly enforced the policy of zero tolerance for guns. Last year alone, more than 6,000 students had guns taken from them and were sent home. This month, we will begin distributing a guide—*Early Warning, Timely Response: A Guide to Safe Schools*—to help all schools prevent violence before it starts. At my direction, the Secretary of Education and the Attorney General developed this guide to help school officials recognize and respond to the early signs of student violence. Later this fall, we will hold the first ever White House Conference on School Safety to develop effective strategies to keep our schools safe, disciplined, and drug-free.

My Administration also supports legislative initiatives that encourage literacy and learning at every age—from expanding the Head Start program for preschoolers to providing trained reading tutors to elementary school children to offering college aid for low-income students. We are working with the Congress to fund the Administration's proposal to strengthen teacher training programs and provide scholarships to 35,000 well-prepared teachers who commit to teaching in underserved urban or rural schools.

The quality of America's educational system will determine the shape of our children's future and the success of our Nation. As America's students go back to school this year, let us renew our commitment to ensuring that the doors of every classroom open onto a future bright with possibility for every child.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 6

through September 12, 1998, as a time when America Goes Back to School. I encourage parents, schools, community and State leaders, businesses, civic and religious organizations, and the people of the United States to observe this week with appropriate ceremonies and activities expressing support for high academic standards and meaningful involvement in schools and colleges and the students and families they serve.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7119 of September 10, 1998

Minority Enterprise Development Week, 1998

By the President of the United States of America

A Proclamation

America's free enterprise system has always been a path to inclusion and empowerment. Under this system, generations of Americans have built good lives for themselves and their families—rising as high as their skills, effort, and determination can take them. But for minority entrepreneurs, the path has not always been free of obstacles. Sometimes held back by economic, social, and educational disadvantages, too often denied opportunities because of racial and ethnic prejudice, many minority men and women have had to struggle for equal access to the capital, tools, training, and services they need to build and maintain successful businesses.

My Administration remains committed to providing opportunities for all entrepreneurs, and we are determined to ensure the full inclusion of minority business enterprises in the economic mainstream of our Nation. The Minority Business Development Agency at the Department of Commerce continues to promote minority business growth and to create new initiatives to ensure that minority business men and women have access to the capital, information, and training they need to compete in today's domestic and global markets. Last year, the Small Business Administration (SBA) made a record \$2.6 billion in loans to more than 10,000 minority-owned businesses; over the last 4 years, loans to minority borrowers have nearly tripled. And earlier this year, the SBA entered into partnership agreements with three leading minority business organizations as part of a 3-year outreach initiative. This initiative is designed to increase dramatically the SBA's financial, technical, and procurement assistance for minority entrepreneurs. These efforts will help to ensure that America's growing number of minority entrepreneurs are equipped to succeed.

Strong and successful minority enterprises benefit us all. The goods and services produced by minority-owned firms create jobs, spark community reinvestment and neighborhood pride, and increase America's productivity. With their imagination, innovative spirit, and willingness to take risks, minority entrepreneurs have made important contributions to the remarkable growth of our economy during the past 5 years. Since the beginning of my

Administration, we have created more than 16 million new jobs and unemployment has reached its lowest level in 30 years. But to sustain and build on this success, we must utilize the energy and creativity of every American.

As we observe Minority Enterprise Development Week, we recognize and honor the extraordinary contributions that minority entrepreneurs make to our Nation's strength and prosperity, and we reaffirm our determination to help them make the most of today's dynamic economy.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 20 through September 26, 1998, as Minority Enterprise Development Week, and I call upon all Americans to join together with minority business entrepreneurs across the country in appropriate observances.

IN WITNESS WHEREOF, I have hereunto set my hand this Tenth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7120 of September 12, 1998

Ovarian Cancer Awareness Week, 1998

*By the President of the United States of America
A Proclamation*

We have many weapons at hand in our war against cancer, and among the most effective is early diagnosis. With ovarian cancer in particular—sometimes called the “silent killer” because it shows no obvious signs or symptoms until late in its development—early diagnosis can mean the difference between life and death. Of the estimated 26,000 American women who were diagnosed with ovarian cancer last year, an estimated 14,000 died. Currently, almost 70 percent of women with ovarian cancer are not diagnosed until the disease is in its advanced stages; in many cases, the cancer has already spread by the time it is discovered.

We know relatively little about why some women develop this deadly disease. While every woman is at risk, we do know that ovarian cancer occurs somewhat more frequently in women who have never been pregnant. Women who have had breast cancer or who have a family history of breast or ovarian cancer are also at increased risk. There are other genetic factors as well that can affect the incidence of ovarian cancer.

We do have hope in our fight against this cancer. Scientists at medical centers and hospitals across our Nation are developing significant new information that holds promise for the future, particularly for research in genetic susceptibility and prevention, diagnostic imaging, screening and diagnosis, and treatment. For example, because of their knowledge about the ovarian cancer risk genes, researchers are now able to work on developing prevention and screening with women in families at high risk. Researchers

are also making progress in the area of treatment through improvements in existing chemotherapy regimens.

While we take heart from these promising developments, we also recognize the need for an increased awareness and understanding of ovarian cancer. As we observe Ovarian Cancer Awareness Week and affirm our national commitment to fighting this devastating disease, I encourage all American women and their families to learn more about ovarian cancer, and I urge health care professionals to emphasize to their patients the importance of regular examinations. By doing so, we can build on the progress we have made in our crusade against cancer and ensure healthier, longer lives for women.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 13 through September 19, 1998, as Ovarian Cancer Awareness Week. I encourage the American people to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7121 of September 15, 1998

National Hispanic Heritage Month, 1998

*By the President of the United States of America
A Proclamation*

The presence of Hispanics on this continent predates the founding of our Nation, and, as among the first to settle in the New World, Hispanics and their descendants have had a profound and lasting influence on American history, values, and culture. Since the arrival of the earliest Spanish settlers more than 400 years ago, millions of Hispanic men and women have come to the United States from Mexico, Puerto Rico, Cuba and other Caribbean regions, Central America, South America, and Spain, in search of peace, freedom, and a more prosperous future. They brought with them a deep commitment to family and community, a strong work ethic, and an unwavering belief in the American Dream.

In a Nation that derives so much of its strength from many cultures and races, Hispanic Americans are a thriving force in our society and a vital part of our economy. For example, businesses started and operated by Hispanic women constitute one of the fastest-growing categories of small business in the United States today. This entrepreneurial spirit has contributed to the strongest U.S. economy in a generation.

As we approach the 21st century and face the challenges of a global economy, we recognize that the success of our Nation is closely tied to the success of our citizens of Hispanic heritage, who are a large and increasing

segment of our population. My Administration is committed to ensuring that Hispanic Americans have the opportunities they need to realize their dreams of a better life.

The key to those dreams is education. We must continue to reach out to Hispanic youth, encouraging them to stay in school, graduate from high school, and go on to college so that they can compete successfully for good jobs and take advantage of promising career opportunities. As part of these efforts, my Administration is committed to ensuring that our \$600 million Hispanic Education Action Plan is fully funded. This initiative will provide the investments needed to help Hispanic students master basic skills and become proficient in English. It will also assist schools in implementing reforms to reduce dropout rates, enable adults to receive basic skills training and participate in English-as-a-second-language programs, and offer assistance to colleges and universities that serve large numbers of Hispanic students.

This month, as we remember with special gratitude the gifts that Hispanic Americans bring to every aspect of our national life, let us reaffirm our efforts to ensure that all Hispanic American families have the tools and opportunities they need to make the most of their lives. Working together, we can meet the challenges of the 21st century in a way that will celebrate our differences and unite us around our common values.

To honor Hispanic Americans for their many contributions to our Nation and our culture, the Congress, by Public Law 100-402, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as "National Hispanic Heritage Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim September 15 through October 15, 1998, as National Hispanic Heritage Month. I call upon all government officials, educators, and the people of the United States to honor this observance with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7122 of September 15, 1998

National Historically Black Colleges and Universities Week, 1998

*By the President of the United States of America
A Proclamation*

Education has always been at the heart of opportunity in America. That has never been more true than today, when a revolution in technology is fundamentally changing the way we live and work and learn. In this new era of dynamic challenge and possibility, we recognize that the best opportunities for personal and professional success will go to those who are well

educated. Our Nation's Historically Black Colleges and Universities (HBCUs) play a vital role in helping to extend access to a quality education.

Established before and just after the Civil War to educate free black students, these institutions have been African Americans' primary route—and for many the only route—to higher education. Struggling to exist in a segregated society, striving to keep tuition affordable despite limited financial resources, these schools nonetheless upheld their mission of academic excellence and equal opportunity.

Even after the 1954 Supreme Court ruling that ended legal segregation of America's public schools, the need for HBCUs did not disappear. These schools continue to provide young African Americans and other students with a nurturing and affirming environment. Today, America's 105 HBCUs are educating almost 300,000 African Americans, and they count among their graduates the majority of our Nation's African American military officers, physicians, Federal judges, elected officials, and business executives. The distinguished faculty members at HBCUs serve as role models and mentors, challenging students to reach their full potential and to refuse to set limits on their dreams. HBCUs are a source of great pride and a symbol of economic, social, and political growth.

As our Nation grows increasingly diverse in race, culture, and ethnic background, these institutions are a valuable source of knowledge about the history and heritage of African Americans, serving as keepers of significant archives and centers for the study of African Americans' many contributions to the life of our Nation. Most important, these schools continue to champion the cause of equal access to education. With a notable past, a dynamic present, and a promising future, America's HBCUs are helping to prepare our Nation's young people for the challenges and opportunities of the new millennium.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 20 through September 26, 1998, as National Historically Black Colleges and Universities Week. I call upon the people of the United States, including government officials, educators, and administrators, to observe this week with appropriate programs, ceremonies, and activities honoring America's Historically Black Colleges and Universities and their graduates.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7123 of September 16, 1998**Citizenship Day and Constitution Week, 1998**

By the President of the United States of America

A Proclamation

Two hundred eleven years ago, on September 17, 1787, our Nation's Founders signed the Constitution that established our system of government. This extraordinary document, the product of passionate debate and grudging compromise, was crafted by a handful of individuals in the late 18th century; yet it has safely charted America's course through more than two centuries of enormous change and growth and has served as the model for democratic governments around the globe.

The United States Constitution has endured in large part because of its remarkable fairness and flexibility. It created an inspired balance of powers and responsibilities among the executive, legislative, and judicial branches of government and among the Federal Government, the States, and individual citizens. It also provided for a system of amendment that allows our democracy to correct past errors and omissions and to respond to new challenges. As we mark this anniversary of the signing of the Constitution, we celebrate the effort, the dedication, and the wisdom of our Founders and the blessings of liberty that resulted from their labors.

We also celebrate those who have struggled to move America closer to fulfilling the first and fundamental purpose expressed in the Constitution: “. . . to form a more perfect Union.” Among these heroes were the thousands who fought and died during the Civil War to keep our Nation united and to banish slavery from our land. The 13th Amendment to the Constitution is the fruit of their sacrifice: “Neither slavery nor involuntary servitude . . . shall exist within the United States.” The courageous women and men who met at Seneca Falls, New York, 150 years ago also set the highest standards of citizenship. Recognizing that women, too, are entitled to share in America's promise of equality, they began a crusade that resulted in the ratification of the 19th Amendment, guaranteeing women the right to vote. Likewise, we honor American citizens of our century, black and white, who worked together, faced danger together, and sometimes died together in the struggle to end racial injustice in our society and move our Nation closer to the constitutional ideal of equality under the law. The 24th Amendment, guaranteeing all citizens the right to vote, reflects their spirit and commitment to true democracy.

As we seek to form a more perfect union at home, we also bear the responsibilities of citizenship in our world community. Throughout our history, we have sought to secure the blessings of liberty not only for ourselves, but for all people everywhere. We remember the Americans who fought two world wars against tyranny and oppression and who triumphed in the Cold War through faith in the promise of democracy. These men and women cared so intensely about our Nation and their fellow human beings that they were willing to forego their own comfort and sometimes even to sacrifice their own lives for the ideal of freedom envisioned by our Founders.

In commemoration of the signing of the Constitution and in recognition of the importance of active, responsible citizenship in preserving the Constitution's blessings for our Nation, the Congress, by joint resolution of February

29, 1952 (36 U.S.C. 153), designated September 17 as "Citizenship Day," and by joint resolution of August 2, 1956 (36 U.S.C. 159), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as "Constitution Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim September 17, 1998, as Citizenship Day and September 17 through September 23, 1998, as Constitution Week. I call upon Federal, State, and local officials, as well as leaders of civic, educational, and religious organizations, to conduct meaningful ceremonies and programs in our schools, houses of worship, and other community centers to foster a greater understanding and appreciation of the Constitution and the rights and duties of citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7124 of September 17, 1998

National POW/MIA Recognition Day, 1998

By the President of the United States of America

A Proclamation

For more than two centuries, America has been blessed by the service and sacrifice of the men and women of our Armed Forces. Often leaving home and family, they have fought to preserve our freedom, protect our national interests, and advance American values and ideals around the globe. These valiant heroes have risked—and many have lost—their lives in service to our Nation and for the well-being of their fellow Americans.

Each year, on National POW/MIA Recognition Day, we acknowledge with special gratitude and profound respect those who paid for our freedom with their own, and we remember with deep sorrow those whose fate has never been resolved. Americans who were held as prisoners of war throughout our history endured the indignities and brutality of captivity without surrendering their devotion to duty, honor, and country. With steadfast hearts and indomitable spirit, these patriots never gave up on America because they knew that America, and the American people, would never give up on them.

In the same way, we will never give up on our efforts to obtain the fullest possible accounting of every American missing in service to our country. We reaffirm our pledge to their families to search unceasingly for information about those missing and to seek the repatriation of those who have died and whose remains have not been recovered. By doing so we keep faith with our men and women in the Armed Forces and with the families who have suffered the anguish of not knowing the fate of their loved ones.

On September 18, 1998, the flag of the National League of Families of American Prisoners of War and Missing in Southeast Asia, a black and

white banner symbolizing America's missing and our fierce determination to account for them, will be flown over the White House, the U.S. Capitol, the Departments of State, Defense, and Veterans Affairs, the Selective Service System Headquarters, the Vietnam Veterans Memorial, the Korean War Veterans Memorial, national cemeteries, and other locations across our country.

NOW, THEREFORE, I, WILLIAM J. CLINTON, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 18, 1998, as National POW/MIA Recognition Day. I ask all Americans to join me in honoring former American prisoners of war and those whose fate is still undetermined. I also encourage the American people to remember with compassion and concern the courageous families who persevere in their quest to know the fate of their missing loved ones.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7125 of September 18, 1998

To Modify Certain Provisions of the Special Textile and Apparel Regime Implemented Under the North American Free Trade Agreement

*By the President of the United States of America
A Proclamation*

1. On December 17, 1992, the Governments of Canada, Mexico, and the United States entered into the North American Free Trade Agreement ("the NAFTA"). The NAFTA was approved by the Congress in section 101(a) of the North American Free Trade Agreement Implementation Act ("the NAFTA Implementation Act") (19 U.S.C. 3311(a)), and was implemented with respect to the United States by Presidential Proclamation 6641 of December 15, 1993.

2. Section 201(b)(1)(A) of the NAFTA Implementation Act (19 U.S.C. 3331(b)(1)(A)) authorizes the President to proclaim such modifications or continuation of any duty as the President determines to be necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Canada or Mexico provided for by the NAFTA, subject to the consultation and layover requirements of section 103(a) of the NAFTA Implementation Act (19 U.S.C. 3313(a)). Among the provisions previously proclaimed to implement the NAFTA schedule of concessions is heading 9802.00.90 of the Harmonized Tariff Schedule of the United States ("HTS"), which affords duty-free entry into the United States of certain textile and apparel goods assembled in Mexico, in which all fabric components were wholly formed and cut in the United States and then exported to Mexico ready for assembly and there assembled and returned to the U.S. customs territory.

3. In order to maintain the general level of reciprocal and mutually advantageous concessions under the NAFTA, I have determined that new provisions should be added to chapter 99 of the HTS to provide that specified apparel articles, which are assembled in Mexico using interlining fabrics that are cut but not formed in the United States, and which otherwise meet the conditions set forth in HTS heading 9802.00.90, may enter the United States free of duty on a temporary basis because the necessary interlining fabrics for such apparel are no longer formed in the United States. The consultation and layover requirements provided for in section 103(a) of the NAFTA Implementation Act have been observed.

4. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483) (“Trade Act”), authorizes the President to embody in the 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.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including, but not limited to, sections 103(a) and 201(b) of the NAFTA Implementation Act, section 604 of the Trade Act, and section 301 of title 3, United States Code, do proclaim that:

(1) Subchapter VI of chapter 99 of the HTS is modified as provided in the Annex to this proclamation.

(2) Any provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(3)(a) The modifications to the HTS made by this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the fifteenth day after the signing of this proclamation.

(b) At the close of the effective period specified therefor in the Annex, HTS subheadings 9906.98.02 and 9906.98.03 shall cease to apply to imported articles, except that goods described in such subheadings that were shipped and in transit on a through bill of lading on such specified date shall be eligible for the tariff treatment specified therein as if entered on the last day of such effective period. At the close of the day that is one year from the close of the effective period specified in such HTS subheadings, U.S. note 28 to subchapter VI of chapter 99, such subheadings and their immediately superior text beginning with the word “Apparel” shall all be deleted from the HTS.

(c) The United States Trade Representative is authorized, after obtaining advice from the appropriate advisory committees established under section 135 of the Trade Act (19 U.S.C. 2155), to extend the effective period of the new tariff provisions for one additional year, upon publication in the **Federal Register** of a notice modifying the new HTS subheadings accordingly.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of September, in the year of our Lord nineteen hundred and ninety-eight,

and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Annex

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the fifteenth day after the President signs this Proclamation, the Harmonized Tariff Schedule of the United States (“HTS”) is modified by inserting in numerical sequence in subchapter VI of chapter 99 the following new U.S. note, tariff subheadings and superior text, with language inserted in columns of the HTS headed “Heading/Subheading”, “Article Description”, “Rates of Duty 1–Special”, and “Effective Period”, and with the new superior text inserted at the same level of indentation as the article description in subheading 9906.73.02:

[U.S. Note:]
“28.

For purposes of subheadings 9906.98.02 and 9906.98.03, the term “*interlining fabrics*” refers to the following:

(a) A chest plate, “hymo” piece or “sleeve header” of woven or weft-inserted warp knit construction, the foregoing of coarse animal hair or man-made filaments, of a type used in the manufacture of men’s, boys’, women’s or girls’ tailored suit jackets and suit-type jackets;

(b) A weft-inserted warp knit fabric that contains and exhibits properties of elasticity and resilience which render the fabric especially suitable for attachment by fusing with a thermoplastic adhesive to the coat-front, side body or back of men’s or boys’ tailored suit jackets and suit-type jackets; or

(c) A woven fabric that contains and exhibits properties of resiliency which render the fabric especially suitable for attachment by fusing with a thermo-plastic adhesive to the coat-front, side body or back of men’s, boys’, women’s or girls’ tailored suit jackets and suit-type jackets.”

[HTS subheadings:]

“Apparel articles assembled in Mexico in which all fabric components were wholly formed and cut in the United States except interlining fabrics of a type described in U.S. note 28 to this subchapter that were cut in the United States but not formed therein and that are incorporated in such articles, the foregoing of a type otherwise described in heading 9802.00.90 of the tariff schedule:

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| | | | |
|------------|--|-----------|------------------------|
| 9906.98.02 | Men's or boys' suit-type jackets, whether or not imported as parts of suits or ensembles, the foregoing of wool or fine animal hair or of man-made fibers or subject to wool restraints or to man-made fiber restraints (provided for in subheadings 6103.11.00, 6103.12.10, 6103.12.20, 6103.19.10, 6103.19.15, 6103.19.90, 6103.21.00, 6103.23.00, 6103.29.10, 6103.31.00, 6103.33.10, 6103.33.20, 6103.39.10, 6103.39.80, 6203.11.10, 6203.11.20, 6203.12.10, 6203.12.20, 6203.19.20, 6203.19.30, 6203.19.90, 6203.21.00, 6203.23.00, 6203.29.20, 6203.31.00, 6203.33.10, 6203.33.20, 6203.39.10, 6203.39.20, or 6203.39.90) | Free (MX) | On or before 08/31/99 |
| 9906.98.03 | Women's or girls' suit-type jackets, whether or not imported as parts of suits or ensembles, the foregoing of wool or fine animal hair or of man-made fibers or subject to wool restraints or to man-made fiber restraints (provided for in subheadings 6104.11.00, 6104.13.10, 6104.13.20, 6104.19.10, 6104.19.15, 6104.19.80, 6104.21.00, 6104.23.00, 6104.29.10, 6104.29.20, 6104.31.00, 6104.33.10, 6104.33.20, 6104.39.10, 6104.39.20, 6204.11.00, 6204.13.10, 6204.13.20, 6204.19.10, 6204.19.20, 6204.19.80, 6204.21.00, 6204.23.00, 6204.29.20, 6204.29.40, 6204.31.10, 6204.31.20, 6204.33.10, 6204.33.20, 6204.33.40, 6204.33.50, 6204.39.20, 6204.39.30, or 6204.39.80) | Free (MX) | On or before 08/31/99' |

Proclamation 7126 of September 18, 1998

National Farm Safety and Health Week, 1998

By the President of the United States of America

A Proclamation

America's agricultural industry plays an important role in our Nation's economy. It provides us with an ample supply of high-quality food and fiber and a rewarding form of employment for millions of Americans. However, farming and ranching remain among our Nation's most dangerous occupations, demanding an understanding of complex agricultural equipment, strict attention to detail, and careful performance of farm and ranch work.

Among the most hazardous duties on farms and ranches is the operation of farm tractors and machinery. This work is even more dangerous with extra riders, and all farm equipment operators should avoid carrying people on their machinery who are not necessary to their work. Using tractors and machinery can be especially dangerous during planting and harvesting seasons, when farmers and ranchers must use public highways to gain access

to production fields or to bring the harvested crop to market. During these times, all vehicle and equipment operators must exercise special caution on our roadways.

After school, during the summer, and other times of the year when children have more unsupervised time, can be very hazardous to our next generation of farmers and ranchers. Since many agricultural operations are family-oriented, this work can bring younger family members into contact with the mechanical, chemical, and environmental hazards their more knowledgeable parents and older siblings face daily with appropriate caution. Adults should strive to set good examples for younger, inexperienced workers and always carefully monitor children's activities.

Because of the environment they work in, agricultural workers also face serious health concerns. Noisy equipment and inadequate hearing protection frequently cause permanent hearing loss among farm and ranch employees, and skin cancer rates among agricultural workers are exceedingly high, due to long exposure to the sun and chemicals. In every farm environment, workers need to use protective gear to avoid health and safety hazards. This is not only for their personal benefit—it also sends the right message to the young people who are the future agricultural workers of our Nation.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 20 through September 26, 1998, as National Farm Safety and Health Week. I call upon government agencies, businesses, and professional associations that serve our agricultural sector to strengthen their efforts to promote safety and health programs among our Nation's farm and ranch workers. I ask agricultural workers to take advantage of the many diverse education and training programs and technical advancements that can help them avoid injury and illness. I also call upon our Nation to recognize Wednesday, September 23, 1998, as a day to focus on the risks facing young people on farms and ranches. Finally, I call upon the citizens of our Nation to reflect on the bounty we enjoy thanks to the labor and dedication of agricultural workers across our land.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7127 of September 25, 1998

Gold Star Mother's Day, 1998

By the President of the United States of America

A Proclamation

Throughout our Nation's history, brave Americans have put on the uniforms of our Armed Services and placed themselves in harm's way to preserve our cherished freedoms and advance the ideals of democracy. In the

brutality of war, many have sacrificed their lives, bringing devastating pain and grief to their families and friends. No one feels such a loss more acutely than do the mothers and fathers of these patriots who have paid so dearly to serve our country. To bear and nurture children, to give them life and unbounded love, to raise them with care to adulthood, only to lose them to the fatal grip of war, brings an abiding sorrow.

Yet, with strength and determination, a group of extraordinary women has transformed sorrow into service to others. Since 1928, America's Gold Star Mothers have worked together to serve their communities and our Nation. They bring comfort and hope to disabled veterans and their families, to keep alive the memory of all Americans who have paid the ultimate price for our freedom, and to promote harmony among all the peoples of the world. Their quest for peace is especially poignant because they know better than most the cruel costs of war. Every Gold Star Mother has faced the inevitable and unyielding truth that the proud son or daughter who marched off to battle will never come home to her loving arms. Bound by sorrow yet filled with compassion, America's Gold Star Mothers are a noble example of love, dedication, and patriotism.

As a Nation, we have a sacred duty to remember those who have died in service to our country, but we have an important responsibility to the living as well. America's Gold Star Mothers deserve our unfailing gratitude and profound respect, not only for their courage and compassion in the face of great personal sadness, but also for their constant love for our country and their fellow Americans. That is why the Congress, by Senate Joint Resolution 115 of June 23, 1936 (49 Stat. 1895), has designated the last Sunday in September as "Gold Star Mother's Day" and authorized and requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim September 27, 1998, as Gold Star Mother's Day. I call on all government officials to display the United States flag on government buildings on this day. I also urge the American people to display the flag and to hold appropriate meetings in their homes, places of worship, or other suitable places, as a public expression of the sympathy and the respect that our Nation holds for its Gold Star Mothers.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7128 of September 29, 1998

National Disability Employment Awareness Month, 1998

By the President of the United States of America

A Proclamation

Today America is enjoying great prosperity, with the prospect of an even brighter future in the 21st century. Our economy is the strongest it has

been in a generation. We have created more than 16 million new jobs in the past 5 years, and we are witnessing the lowest inflation rate in three decades, the lowest unemployment rate in 28 years, and the smallest welfare rolls in 29 years. But we cannot consider ourselves truly successful until all Americans, including the 30 million working-age adults with disabilities, have access to the tools and opportunities they need to achieve economic independence.

The Americans with Disabilities Act (ADA) is making it possible for millions of Americans to participate more fully in our society. However, 8 years after the ADA's passage, the unemployment rate among people with disabilities is still far too high. Almost 75 percent of working-age Americans with severe disabilities remain unemployed. If America is to live up to its promise of equal opportunity, and if our economy is to continue to strengthen and expand, we must be able to draw on the untapped energy, talents, and creativity of this large and capable segment of our population.

Last March, I issued an Executive order to establish the National Task Force on Employment of Adults with Disabilities and begin to break down the remaining barriers for people with disabilities. I charged the Task Force with creating a coordinated and aggressive national strategy to make equality of opportunity, full participation, inclusion, and economic self-sufficiency a reality for all working-age Americans with disabilities. I have also directed the Attorney General, the Chair of the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration to increase public awareness of rights and responsibilities under the ADA. It is particularly important to reach out in this effort to the small business community, because it employs most of our Nation's private work force.

Employment is the best path to economic security and to personal and professional fulfillment. I salute disability community leaders, business and labor leaders, government officials, community organizations, and concerned citizens who are working together to remove the remaining obstacles on that path so that all Americans with disabilities have the opportunity to contribute to our national life.

To recognize the great potential of people with disabilities and to encourage all Americans to work toward their full integration in the work force, the Congress, by joint resolution approved August 11, 1945, as amended (36 U.S.C. 155), has designated October of each year as "National Disability Employment Awareness Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 1998 as National Disability Employment Awareness Month. I call upon government officials, educators, labor leaders, employers, and the people of the United States to observe this month with appropriate programs and activities that reaffirm our determination to fulfill both the letter and the spirit of the Americans with Disabilities Act.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7129 of September 30, 1998**National Domestic Violence Awareness Month, 1998**

By the President of the United States of America

A Proclamation

Domestic violence is a leading cause of injury to American women, and teenage girls between the ages of 16 and 19 experience one of the highest rates of such violence. A woman is battered every 15 seconds in the United States, and 30 percent of female murder victims are killed by current or former partners. Equally disturbing is the impact of domestic violence on children. Witnessing such violence has a devastating emotional effect on children, and between 50 and 70 percent of men who abuse their female partners abuse their children as well. From inner cities to rural communities, domestic violence affects individuals of every age, culture, class, gender, race, and religion.

Combatting the violence that threatens many of our Nation's families is among my highest priorities as President. Through the Violence Against Women Act (VAWA), included in the historic Crime Bill I signed into law, we have more than tripled funding for programs that combat domestic violence and sexual abuse—investing over half a billion dollars since 1994. The Violence Against Women Office at the Department of Justice, which coordinates the Federal Government's implementation of the Act, is leading a comprehensive national effort to combine tough Federal laws with assistance to State and local programs designed to fight domestic violence and aid its victims. With VAWA grants, communities across our country have been able to hire more prosecutors and improve domestic violence training among police officers, prosecutors, and health and social service professionals.

My Administration has also worked to enact other important legislation that sends the clear message that family violence is a serious crime. The Interstate Stalking Punishment and Prevention Act of 1996 stiffens the penalties against perpetrators who pursue women across State lines to stalk, threaten, or abuse them; and an extension of the Brady Law prohibits anyone convicted of a domestic violence offense from owning a firearm. Since 1996, the 24-hour National Domestic Violence Hotline (1-800-799-SAFE) we established has provided immediate crisis intervention, counseling, and referrals for those in need, responding to as many as 10,000 calls each month.

In observing the month of October as National Domestic Violence Awareness Month, we also recognize the dedicated efforts of professionals and volunteers who take up this cause every day, offering protection, guidance, encouragement, and compassion to the survivors of family violence. We reaffirm our pledge to strengthen our collective national response to crimes of domestic violence. Most important, we strengthen our commitment to raise public awareness of the frequency of domestic violence, recognize the signs of such violence, and intervene before it escalates. If we are ever to erase the pain of these heinous crimes, we must help victims become survivors and, once and for all, end the scourge of violence in America's homes.

Proc. 7130

Title 3—The President

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 1998 as National Domestic Violence Awareness Month. I call upon government officials, law enforcement agencies, health professionals, educators, community leaders, and the American people to join together to end the domestic violence that threatens so many of our people.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7130 of October 1, 1998

National Breast Cancer Awareness Month, 1998

By the President of the United States of America

A Proclamation

For the millions of us who have lost loved ones to breast cancer, this annual observance brings with it both sorrow and hope—sorrow that medical breakthroughs came too late to save a beloved relative or friend, and hope that new efforts in research, prevention, and treatment will protect other families from suffering the impact of this devastating disease. Recent declines in the rate of breast cancer deaths among American women reflect the progress we have made in early detection and improved treatment. But it is urgent that we continue to build on that progress. This year alone, another 180,000 cases of breast cancer will be diagnosed, and some 44,000 women will die from the disease.

We are waging America's crusade against breast cancer on many fronts. Spearheading the effort is the National Action Plan on Breast Cancer (NAPBC)—the product of a conference convened by Secretary of Health and Human Services (HHS) Donna Shalala that included advocates, women with breast cancer, their families, clinicians, researchers, members of Congress, educators, and the media. The NAPBC is helping to coordinate the national response to breast cancer by fostering communication, cooperation, and collaboration among experts both inside and outside of the Government.

The lead Government agency conducting breast cancer research and control programs is the National Cancer Institute (NCI) at HHS. By developing an index of genes involved in breast and other cancers, the NCI is improving our understanding of the disease at the molecular level. Research into the relationship between breast cancer and genes such as BRCA1 and BRCA2 is helping us to better comprehend how the disease develops, allowing researchers to understand more precisely the risk of breast cancer caused by mutations in these genes. The most encouraging advance thus far in prevention research came from the landmark Breast Cancer Prevention Trial. This study, a national clinical trial sponsored by the NCI, found that women at high risk for breast cancer reduced that risk by taking the drug

tamoxifen, demonstrating that breast cancer can actually be prevented. The NCI is now developing an educational program to help physicians and patients decide who should consider taking tamoxifen.

Researchers are also making advances in breast cancer treatment and have found ways to combine chemotherapy drugs to make treatment more effective for patients whose cancer has spread. Drugs have also been developed to alleviate some of the side effects of chemotherapy. But these breakthroughs in cancer research and treatment can only help if women are informed about them. During this month, I invite all Americans to take part in our national effort to save lives. Let us join together to make sure that women and their families hear the message about the importance of screening and early detection, receive recommended screening mammograms, and have access to appropriate treatment. We have won important battles in our war on breast cancer, and we have cause to celebrate; nevertheless, we must remain focused on gaining the ultimate victory—an America free from breast cancer.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 1998 as National Breast Cancer Awareness Month. I call upon government officials, businesses, communities, health care professionals, educators, volunteers, and all the people of the United States to publicly reaffirm our Nation's strong and continuing commitment to controlling and curing breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7131 of October 2, 1998

Fire Prevention Week, 1998

By the President of the United States of America

A Proclamation

Fire claims more than 4,000 American lives each year, a tragic loss of life that we can and must prevent. Nearly 80 percent of these deaths occur in the home, where smoke and poisonous gases often kill people long before flames can reach them.

Underestimating fire's deadly speed has cost many Americans their lives. Smoke alarms are one of the most effective safety tools available to ensure sufficient escape time, and research shows that by installing and maintaining working smoke alarms, we can reduce the risk of fire-related death by nearly 50 percent. Another important safety measure is a home fire escape plan, which enables everyone in the household to exit quickly during a fire emergency.

As sponsor of Fire Prevention Week for more than 70 years, the National Fire Protection Association (NFPA) has selected "Fire Drills—The Great

Escape!” as the theme for this year’s Fire Prevention Week. Together with the Federal Emergency Management Agency, the NFPA reminds us to take responsibility for our personal safety and practice our home escape plans. On Wednesday, October 7, 1998, fire departments across America will coordinate home fire drills in support of National Fire Prevention Week. Community fire departments will signal the start of the “Great Escape Fire Drill” by sounding their stations’ fire alarms at 6:00 p.m.

As we focus on fire safety this week, let us also pay tribute to the courage and commitment of our Nation’s fire and emergency services personnel. These dedicated men and women devote themselves, day in and day out, to protecting our lives and property from the ravages of fire. All America watched in awe this summer as thousands of firefighters from across the Nation battled the wildfires that raged through Florida for so many weeks. Leaving their own homes and families, these heroes put their lives on the line as street by street, house by house, they worked to save the homes of their fellow Americans. It is fitting that on Sunday, October 4, 1998, at the 17th annual National Fallen Firefighters Memorial Service in Emmitsburg, Maryland, our Nation will honor once again the valiant men and women across our country whose commitment to protecting our families and communities from fire cost them their lives.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 4 through October 10, 1998, as Fire Prevention Week. I encourage people of the United States to take an active role in fire prevention not only this week, but also throughout the year. I also call upon every citizen to pay tribute to the members of our fire and emergency services who have lost their lives or been injured in service to their communities, and to those men and women who carry on their noble tradition.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7132 of October 5, 1998

Child Health Day, 1998

*By the President of the United States of America
A Proclamation*

As caring parents and citizens, we must do all we can to ensure that our children, our Nation’s greatest resource, lead safe and healthy lives. Today, thanks to scientific breakthroughs and increased public awareness, we have the ability to prevent many of the childhood illnesses and disorders of the past. We have raised immunization rates to an all-time high, ensured that prescription drugs will be adequately tested for children, conducted research to help protect children from environmental health risks, and established protections so that mothers can stay in hospitals with their

newborns until they and their doctors decide they are ready to leave. Although we can be heartened by these important achievements, we must do more if we are to overcome the many health challenges our children still face.

Recent studies show that children without health insurance are more likely to be sick as newborns, less likely to be immunized, and less likely to receive treatment for recurring illnesses. One of the great accomplishments of my Administration has been the creation of the Children's Health Insurance Program (CHIP), which I called for in my 1997 State of the Union and signed into law just a year ago. CHIP provides \$24 billion to help States offer affordable health insurance to children in eligible working families—the single largest investment in children's health since the passage of Medicaid in 1965. CHIP will provide health care coverage, including prescription drugs, and vision, hearing, and mental health services, to as many as 5 million uninsured children; and in its first year, nearly four out of five States already are participating in CHIP. We are also working hard to identify and enroll in Medicaid the more than 4 million children who are currently eligible to receive health care through that program but are not enrolled. The challenge before us now is to realize the promise of CHIP and Medicaid by reaching out to families to inform them of their options for health care coverage.

Due to recent breakthroughs in medical knowledge, we know that the decisions we make even before our children are born can have a significant impact on their future health. That is why we are committed to fighting, among other afflictions, the tragic consequences of Fetal Alcohol Syndrome. In this country, thousands of infants are born each year suffering from the physical and mental effects of this disorder. Because its effects are devastating, causing permanent damage, the simplest and best measure that expectant mothers can take for the safety of their babies is to abstain from drinking alcohol throughout their pregnancies.

As part of my Administration's ongoing efforts to protect our children from the effects of alcohol and other substance abuse, Secretary of Health and Human Services Donna Shalala recently announced a new campaign, "Your Time—Their Future," to recruit adults to help children and adolescents develop healthy and useful skills and interests. Research shows that the guidance and example of caring adults can play an important part in helping young people resist the attraction of alcohol and other harmful or illegal substances.

To acknowledge the importance of our children's health, the Congress, by joint resolution approved May 18, 1928, as amended (36 U.S.C. 143), has called for the designation of the first Monday in October as "Child Health Day" and has requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Monday, October 5, 1998, as Child Health Day. I call upon families, schools, communities, and governments to dedicate themselves to protecting the health and well-being of all our children.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of

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the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7133 of October 5, 1998

German-American Day, 1998

By the President of the United States of America

A Proclamation

From the time our republic was born, German Americans have enriched our national life and culture. Many, seeking religious freedom, first settled in and around Philadelphia more than 300 years ago; and to this day, one of the largest neighborhoods in that city is called Germantown. Throughout the colonial period, more Germans arrived on these shores and made their homes throughout the Thirteen Colonies. Today, almost a quarter of the American people can trace their roots back to Germany.

German Americans have had an important and lasting impact not only on the growth of our Nation, but also on the formation of many of our deepest values. As skilled and industrious farmers, German Americans have shared their love for the land and a strong sense of family and community. With a deep respect for education and the arts, they have broadened the cultural life of the communities in which they live. And, from their earliest days in this country, Germans and German Americans have revered freedom, as epitomized by the service of General Friedrich von Steuben during America's struggle for independence and by the dedication of the entirely German American Provost Corps which, under the command of Major Bartholomew von Heer, served as General Washington's personal guard unit during the Revolutionary War.

All of us can take pride in the accomplishments of German Americans—as soldiers and statesmen, scientists and musicians, artisans and educators. It is fitting that we set aside this special day to remember and celebrate how much German Americans have done to preserve our ideals, enrich our culture, and strengthen our democracy.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim Tuesday, October 6, 1998, as German-American Day. I encourage all Americans to recognize and celebrate the many gifts that millions of people of German descent have brought to this Nation and that have enriched the lives of our citizens.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7134 of October 7, 1998**National Day of Concern About Young People and Gun Violence, 1998**

By the President of the United States of America

A Proclamation

During the past 18 months, Americans have been stunned by gun violence among our youth, including the tragic incidents of students shooting their classmates and teachers in Jonesboro, Arkansas; Pearl, Mississippi; Paducah, Kentucky; Edinboro, Pennsylvania; and Springfield, Oregon. In communities across the country, some young people are trying to resolve their conflicts and problems by taking a gun into their schools or onto the streets—guns that, although they are generally illegal for children to possess, are still too easy to get.

While recent data indicate that the overwhelming majority of American schools are safe and that the rate of youth violence is beginning to decline, we must not relax our efforts to protect our children from such violence. Since the beginning of my Administration, we have worked hard to make our schools and communities safe places for children to learn and grow. We have put more community police in our neighborhoods, encouraged the use of curfews, school uniforms, and tough truancy policies, and proposed funding for after-school programs that provide children and young people with wholesome activities that keep them interested, engaged, and off the streets. We instituted a policy of zero tolerance for guns in schools that is now the law in all 50 States. We have issued a guidebook to help teachers, principals, and parents recognize the early warning signs of troubled students and intervene before despair or anger gives way to violence. Later this month, I will host the first-ever White House Conference on School Safety to focus on the causes and prevention of youth violence and to share effective strategies that we can put into practice nationwide. Through these and many other measures, we have strived to protect America's youth from being either the perpetrators or the victims of gun violence.

While government can and must be an active partner in the effort to prevent youth violence, the real key to ending the killing is in the hands of young Americans themselves. Every young person must assume personal responsibility for avoiding violent confrontation, have the strength of character to walk away from a dispute before it turns deadly, and have the courage and common sense to refuse to participate in gang activities, to use drugs, or to carry or use a gun.

As part of our nationwide observance of National Day of Concern About Young People and Gun Violence, I urge students across America to voluntarily sign a "Student Pledge Against Gun Violence" as an acknowledgment of these responsibilities. This pledge is a solemn promise by young people never to bring a gun to school, never to use a gun to settle a dispute, and to discourage their friends from using guns. By keeping this promise and giving one another the chance to grow to healthy, productive adulthood, young Americans will be taking an enormous step toward a stronger, safer future for themselves and our Nation.

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NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 8, 1998, as a National Day of Concern About Young People and Gun Violence. On this day, I call upon all Americans to commit themselves anew to helping our young people avoid violence, to setting a good example, and to restoring our schools and neighborhoods as safe havens for learning and recreation.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7135 of October 8, 1998

Leif Erikson Day, 1998

*By the President of the United States of America
A Proclamation*

Almost a thousand years ago, the great Norse explorer Leif Erikson first set foot on the North American continent. In commemorating Leif Erikson Day each year, we honor the pioneering spirit of this son of Iceland and grandson of Norway. We recall the daring of the Viking seafarers, who saw the ocean not as a boundary but as a gateway to another world, and we pay tribute to the courage of their descendants who, centuries later would brave their own ocean journeys to find a new life in America.

This thirst for adventure has remained a fundamental trait of the American character since our earliest days as a Nation. But men and women of the Nordic countries brought other important strengths to their adopted land as well: resourcefulness, self-reliance, determination, a willingness to work hard, a love of freedom, and a belief in human dignity.

Leif Erikson's arrival in North America brought not only the explorer's passion to our country, but also laid the foundations of the friendship the United States enjoys today with the Nordic countries. Building on the values we share, our nations have made a powerful commitment to protect and expand political, religious, and economic freedom to peoples around the world. Staunch allies in times of peace and war, the United States and the countries of Scandinavia look forward to the year 2000 when we will commemorate together the 1000th anniversary of Leif Erikson's historic voyage to our continent and celebrate the important and lasting contributions the sons and daughters of Iceland, Norway, Sweden, Denmark, and Finland have made to the history and heritage of our Nation.

In honor of Leif Erikson, the Congress, by joint resolution approved on September 2, 1964 (Public Law 88-566), has authorized and requested the President to proclaim October 9 of each year as "Leif Erikson Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 9, 1998, as Leif Erikson Day.

I encourage the people of the United States to observe this occasion with appropriate ceremonies and activities commemorating our rich Nordic-American heritage.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7136 of October 9, 1998

Columbus Day, 1998

By the President of the United States of America

A Proclamation

Today our Nation stands on the threshold of a new millennium, an uncharted time of great challenge and opportunity. To fulfill the promise of this new era, we must be adventurous, willing to leave known shores, and eager to embrace change. To find inspiration for this momentous journey, we need only look to the example of Christopher Columbus, who helped usher in a similar Age of Discovery more than 500 years ago.

A skilled and experienced seaman, Columbus pushed back the boundaries of the known world and charted a safe course across the ocean to a new continent. He was a master at reading and using the winds and discovered the best westward and eastward passages between Europe and North America. As Daniel Boorstin wrote in *The Discoverers*, “. . . a sailing vessel today, after all that has been learned in the last five centuries, could not do better than follow Columbus’ route.” Explorers, adventurers, and traders from many nations would follow his lead across the Atlantic, as would millions of immigrants in the centuries following his voyages. Although both a dreamer and a visionary, Columbus—a son of Italy whose enterprise was funded by the Spanish crown—could never have foreseen the multicultural, multiracial Nation that would ultimately emerge in the New World he helped to discover.

As we enter a new era, let us embrace Columbus’ spirit of discovery and embrace as well the great diversity of cultures, religions, and ethnic traditions that we enjoy because so many have followed his course to this great land.

In tribute to Columbus’ many achievements, the Congress, by joint resolution of April 30, 1934 (48 Stat. 657), and an Act of June 28, 1968 (82 Stat. 250), has requested the President to proclaim the second Monday in October of each year as “Columbus Day.”

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 12, 1998, as Columbus Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities. I also direct that the flag of the United States be displayed on all public buildings on the appointed day in honor of Christopher Columbus.

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IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7137 of October 9, 1998

National School Lunch Week, 1998

By the President of the United States of America

A Proclamation

When the National School Lunch Program was established by President Truman in 1946, it built upon decades of local commitment by parents, educators, and community leaders who recognized a simple but important fact: hungry children can't learn. Today, for millions of students, the National School Lunch Program provides nutritious meals that serve as a vital foundation for learning and growing. Many of these children receive their only nutritious meal of the day at school. Thanks to this practical and effective program, children and adolescents in school cafeterias across our country not only have the opportunity to enjoy a wholesome and balanced meal each day, but they also begin to understand the importance of making healthy eating choices.

Unfortunately, the eating habits of America's children and adolescents often fall short. Parents, educators, school administrators, food service professionals, and community leaders must work in partnership to ensure that our youth learn the importance of good nutrition to overall good health. Learning about nutrition in school and having the daily opportunity to eat a well-balanced meal can help children develop the eating habits necessary to excel in the classroom and in life.

In recognition of the contributions of the National School Lunch Program to the health, education, and well-being of our Nation's children, the Congress, by joint resolution of October 9, 1962 (Public Law 87-780), has designated the week beginning on the second Sunday in October of each year as "National School Lunch Week" and has requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 11 through October 17, 1998, as National School Lunch Week. I call upon all Americans to join the dedicated individuals who lead child nutrition programs at the State and local levels in appropriate activities and celebrations that promote these programs.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7138 of October 9, 1998**General Pulaski Memorial Day, 1998**

By the President of the United States of America

A Proclamation

Two hundred nineteen years ago, General Casimir Pulaski selflessly gave his life on an American battlefield, far from his native soil, in a struggle dedicated to the principles of freedom and self-governance. Each year on October 11, America solemnly marks the anniversary of the death of this hero, a man whose devotion to liberty recognized no national boundary.

Born in Poland in 1747, Pulaski first joined the fight against tyranny and oppression at his father's side, defending their beloved homeland against Prussian and Imperial Russian aggression. At the age of 21, Pulaski took command of a detachment of rebel forces and proved his valor and strategic skill as he led freedom fighters into numerous battles. Struggling against insurmountable odds, he and his fellow rebels were ultimately defeated, and Pulaski was forced into exile.

Carrying the cause of freedom to foreign shores, Pulaski came to America to offer his services to George Washington in our country's struggle for independence. He wrote to General Washington, "I came here, where freedom is being defended, to serve it, and to live or die for it." He proved true to his word. Washington was so impressed with Pulaski's abilities during the battle of Brandywine Creek that he recommended that the Continental Congress appoint Pulaski as general of the American cavalry. Pulaski and the special infantry and cavalry unit he formed fought bravely at the front lines of the Revolutionary War. And during the siege of Savannah, Casimir Pulaski gave his life so that our Nation might live in freedom.

Every year on this date, Americans across our country commemorate General Pulaski and draw inspiration from his life and the principles for which he fought. As we reflect on how far liberty and democracy have advanced across the globe, we know that General Pulaski's gallant and determined spirit continues to live. It is this very spirit that kept alive the dream of freedom in the hearts and minds of the Polish people during the darkest days of Nazi and Communist oppression. Today, thanks to the enduring resolve and sacrifices of modern heroes following Pulaski's example, Europe is free, and the United States and Poland, as staunch friends and future NATO allies, look forward to a new millennium bright with the prospects of peace and prosperity.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Sunday, October 11, 1998, as General Pulaski Memorial Day. I encourage all Americans to commemorate this occasion with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7139 of October 9, 1998**National Children’s Day, 1998**

*By the President of the United States of America
A Proclamation*

One of the most important measures of our success as a Nation is the well-being of our children. As a society, we have no more important responsibility than to help our families raise healthy, happy, loving children in an environment that allows kids to reach their full potential. My Administration is committed to this goal, and we have made significant progress over the past five and a half years through initiatives and legislation designed to strengthen families, protect our children’s health, and invest in their education.

By providing a tax credit of \$500 per child to 26 million families, increasing the minimum wage, and cutting taxes through extending the Earned Income Tax Credit, we have helped millions of working families. We have dramatically increased Federal funding for child care and proposed additional subsidies and tax credits to help families pay for such care.

Through the Family and Medical Leave Act, we have made it easier for working parents to take as much as 12 weeks of unpaid leave to care for a new baby or a sick child without jeopardizing their jobs. And the landmark Adoption and Safe Families Act I signed into law last year helps the thousands of children in foster care by working to reunite them with their families, where possible, or move them more quickly into secure, permanent adoptive families when that is the best option.

To meet our commitment to the health of all our children, we have extended health care coverage to millions of previously uninsured children through the Children’s Health Insurance Program (CHIP), the largest national investment in children’s health care in more than 30 years. Children with health insurance get a healthier start in life because they receive regular checkups and routine immunizations. We are working with the States to ensure that every child eligible for CHIP is enrolled, and we are focusing on enrolling the more than 4 million uninsured children who are currently eligible for health coverage under the Medicaid program.

To empower America’s children with the skills and knowledge they need to make the most of their lives, our Nation has also made the largest investment in education in more than a generation. Today, more than 800,000 children are enrolled in Head Start, receiving the attention and training they need to start school ready to learn. We are also working with the Congress to pass legislation that will provide public schools with more teachers, smaller class sizes, new or renovated buildings, and the latest in information technology.

Children are our greatest blessing, and raising them well is the most challenging and rewarding task any of us will ever undertake. On National Children’s Day, let us recommit ourselves—as loving parents and caring citizens—to ensure that all of America’s children grow up in truly nurturing environments where their needs are met and where they have every opportunity to make the most of their lives.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 11, 1998, as National Children's Day. I urge the American people to express their love and appreciation for children on this day and on every day throughout the year. I invite Federal officials, local governments, communities, and particularly all American families to join together in observing this day with appropriate ceremonies and activities that honor our Nation's children. I also urge all Americans to reflect upon the importance of children to our families, the importance of strong families to our children, and the importance of each to America.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7140 of October 15, 1998

White Cane Safety Day, 1998

By the President of the United States of America

A Proclamation

The white cane is both a simple tool and a powerful symbol. For people who are blind or visually impaired, it can be the key to greater mobility, giving them information about their surroundings and allowing them to travel safely whether crossing the street or crossing the country. For those who are sighted, the white cane shows that blind or visually impaired people have the ability, the desire, and the right to participate in every aspect of our national life. It is also a reminder that, whether as pedestrians or drivers, we should respond with care and courtesy to people using a white cane. And for all of us, the white cane symbolizes the independence every citizen needs and deserves if he or she is to contribute fully to society.

Our annual observance of White Cane Safety Day gives us the opportunity not only to celebrate the accomplishments of those who use the white cane, but also to renew our commitment to removing those barriers, both physical and attitudinal, that prevent people with disabilities from reaching their full potential. Since passage of the Rehabilitation Act, the Individuals with Disabilities Education Act, the Fair Housing Amendments Act, the Americans with Disabilities Act (ADA), and the Telecommunications Act, we have made great progress in our efforts to ensure that all people with disabilities enjoy equal access to employment opportunities, education, public accommodations, housing, transportation, telecommunications, emerging technologies, and other aspects of our society.

We still have a long way to go, however, before we achieve the full inclusion, empowerment, and independence of all Americans with disabilities. The public and private sectors must work in partnership to raise awareness of the rights protected by the ADA and other laws, as well as the responsibilities and obligations these laws mandate. It is crucial that we pursue

a comprehensive strategy to enable people with all types of disabilities to obtain and sustain competitive employment in our Nation's thriving economy. Men and women with disabilities have much to offer, and their energy, creativity, and hard work can greatly strengthen our Nation and our economy. As we observe White Cane Safety Day and acknowledge the importance of the white cane as an instrument of personal freedom, let us reaffirm our determination to ensure equal opportunity for every American, including people who are blind or visually impaired.

To honor the many achievements of blind and visually impaired citizens and to recognize the white cane's significance in advancing independence, the Congress, by joint resolution approved October 6, 1964, has designated October 15 of each year as "White Cane Safety Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 15, 1998, as White Cane Safety Day. I call upon the people of the United States, government officials, educators, and business leaders to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7141 of October 16, 1998

National Character Counts Week, 1998

*By the President of the United States of America
A Proclamation*

As Americans, we are a people full of hope, confident in our capacity to make life better for ourselves and others. We look forward to the promise of the future, and we have high goals for the 21st century: to remain the world's leading force for peace, freedom, prosperity, and security; to keep the American Dream alive for everyone willing to work for it; to come together across lines of race, religion, and other individual differences to become one America. But everything we hope to accomplish depends, as it always has, on the hearts and minds of the American people.

One of the greatest building blocks of character is citizen service. We must do more as individuals and as a society to encourage all Americans—especially our young people—to share their time, skills, enthusiasm, and energy with their communities. Whether we teach children to read, mentor young people, work at a food bank or homeless shelter, or care for people living with AIDS, citizen service calls forth the best from each of us. It builds a sense of community, compassion, acceptance of others, and a willingness to do the right thing—all hallmarks of character.

We can take great pride today in the numbers of energetic, idealistic Americans who are participating in service activities across our country and around the world. Almost 90,000 young men and women have served their

communities through AmeriCorps during the past 4 years, tutoring students, mentoring children, building homes, fighting drug abuse. Through our America Reads initiative, Americans of all ages are volunteering their time to help children learn to read independently by the end of the third grade. Through Learn and Serve America, the Corporation for National and Community Service encourages America's schools to add service learning to their curricula so that all students—from kindergarten through graduate school—can develop their character, skills, and self-confidence while making their own unique contributions to the life of their communities. In the National Senior Service Corps and the Peace Corps, in religious, school, community, and charitable organizations, Americans strengthen the character of our Nation by volunteering to improve the quality of life for their fellow human beings. During National Character Counts Week, let us reaffirm to our children that the future belongs to those who have the strength of character to live a life of service to others.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 18 through October 24, 1998, as National Character Counts Week. I call upon the people of the United States, government officials, educators, religious, community, and business leaders, and the States to commemorate this week with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7142 of October 16, 1998

National Forest Products Week, 1998

By the President of the United States of America

A Proclamation

Our Nation has been blessed with abundant natural resources, and among the most precious of these are our forests. Because forests cover about one-third of the land area of the United States, their splendor is not limited to one region, but is shared by our entire country. All Americans can experience the variety and beauty of our forests, parks, and woodlands and share the joys of hiking, camping, bird watching, and other recreational activities. Likewise, all Americans benefit from the essentials for life that forests provide: clean water, clean air, soil stability, pollution reduction, and a rich habitat for plants and animals. Forests also supply us with products vital to our society and economy, from building materials to paper products to medicines.

Maintaining the health of our Nation's forests is an important and delicate task. As we continue to grow, both in terms of population and in land developed, we put increased pressure on our forests and woodland areas. In the past, such growth occurred without regard to its impact and often

threatened the very existence of our forests and the diverse wildlife they support. Learning from our mistakes, today we use wise forest management strategies and careful stewardship to ensure that our forests will remain both healthy and productive.

Such management requires strong cooperation among private citizens, government agencies, and the forestry industry. Half of our Nation's forestlands belong to private landowners, the Federal Government and State governments own 40 percent, and the forest products industry owns the remaining 10 percent. All three groups have been working together to ensure the sustainable development of our forests and woodlands. State Foresters and Cooperative State Extension Agents, with assistance from the U.S. Department of Agriculture, play a vital role in this endeavor, helping private landowners properly manage their forestlands through technical assistance, educational programs, and voluntary incentives. Working in partnership, government, industry, and private citizens are making progress in the vital task of preserving the health of America's forests and woodlands while providing essential products to the American people.

To recognize the importance of our forests in ensuring the long-term welfare of our Nation, the Congress, by Public Law 86-753 (36 U.S.C. 163), has designated the week beginning on the third Sunday in October of each year as "National Forest Products Week" and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 18 through October 24, 1998, as National Forest Products Week. I call upon all Americans to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7143 of October 23, 1998

United Nations Day, 1998

*By the President of the United States of America
A Proclamation*

Every year on October 24, we celebrate the United Nations, a unique institution conceived in the crucible of World War II. Although the U.N. is an international body, the term "United Nations" was coined by an American, President Franklin Delano Roosevelt, who vigorously advocated for the creation of an assembly, composed of representatives from nations around the globe, devoted to the promotion of world peace and prosperity.

The member countries of the United Nations are large and small, with diverse social, cultural, and political values, but each has a voice in shaping the world's destiny. Maintaining peace and security; promoting democracy, development, and human rights—this is the noble mission put forth in the

U.N. Charter. The U.N. has been effective in fulfilling this formidable mission, winning Nobel Peace Prizes for its peace-keeping operations, its promotion of children's and workers' rights, and its assistance to refugees. The U.N. has also enabled people in more than 45 countries to participate in free and fair elections by providing electoral advice and assistance and monitoring results. Its day-to-day operations—supplying safe drinking water, fighting disease, giving food and shelter to victims of emergencies and political tumult—have made a difference in the lives of millions of people around the world.

This year marks the 50th anniversary of the Universal Declaration of Human Rights, one of the first major achievements of the U.N. The Declaration has become the standard for international human rights law, beginning with the uncompromising statement: "All human beings are born free and equal in dignity and rights." Over the years, the Declaration has been used countless times in countless ways to advance and defend human rights. As Secretary General Kofi Annan has stated, "Human rights are universal, indivisible, and interdependent and lie at the heart of all that the United Nations aspires to achieve in peace and development."

Despite the U.N.'s extraordinary accomplishments, many challenges lie before us. Lasting peace can be realized only through wide social and economic development. Today, three-fourths of the world's people live in developing countries, and 1.3 billion live in abject poverty. The ever-widening gap between the world's richest and poorest countries remains one of our most pressing challenges. The U.N. and its agencies, including the World Bank and the International Monetary Fund, provide vital assistance to developing countries through grants and loans of over \$25 billion a year. With the current disruption in the world financial markets, the U.N. also plays a pivotal role as a stabilizing force, attracting investment in emerging economies in the developing world by promoting political stability, transparency, and good governance. And the U.N. continues to serve the world as an effective forum for instant consultation and cooperation among governments when attacking such shared threats as terrorism, drug trafficking, environmental degradation, and infectious disease.

The United States can best honor and celebrate the good work and many accomplishments of the United Nations by ensuring its continued strength and effectiveness. The U.N. has made great strides in streamlining its programs and cutting its costs. I applaud this progress, and I deeply regret the failure of this Congress to agree to pay our overdue U.N. dues. I pledge to work with the next Congress to meet our financial treaty obligations to the U.N. America played a vital role in the birth of the United Nations more than 50 years ago, and, if we are to remain true to our values and goals, we must work constructively with this great institution and maintain our vote in its deliberations.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 24, 1998, as United Nations Day. I encourage all Americans to acquaint themselves with the activities and accomplishments of the United Nations and to observe this day with appropriate ceremonies, programs, and activities furthering the goal of international cooperation.

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Title 3—The President

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7144 of October 29, 1998

National American Indian Heritage Month, 1998

By the President of the United States of America

A Proclamation

American Indians and Alaska Natives—the first Americans—have made enormous contributions to the life of our country. When the first Europeans arrived on this continent, they did not find an empty land; they found instead a land of diverse peoples with a rich and complex system of governments, languages, religions, values, and traditions that have shaped and influenced American history and heritage. Generations of American Indians have served and sacrificed to defend our freedom, and no segment of our population has sent a larger percentage of its young men and women to serve in our Armed Forces. But American Indians are not just an important part of our country's past; they are also a vital part of today's America and will play an even more important role in America's future.

There are more than 2 million American Indians living in our country today, from the hardwood forests of Maine to the Florida Everglades, across the Great Plains to the Pacific Coast, and throughout the State of Alaska. Through a variety of innovative enterprises, many tribes are sharing in the unprecedented prosperity our country enjoys today, prosperity that is reflected in the construction of community centers, schools, museums, and other cultural centers. However, many people who live in Indian Country are caught in a cycle of poverty made worse by poor health care and a lack of educational and employment opportunity. If we are to honor the United States Government's long-standing obligations to Indian tribes, we must do all in our power to ensure that American Indians have access to the tools and opportunities they need to make the most of their lives.

As part of this endeavor, my Administration has strengthened the special government-to-government relationship between the Federal Government and the sovereign nations of Indian Country, expanded the role of American Indians and Alaska Natives in the Administration, and sought to increase educational opportunities and economic development throughout Indian Country. Earlier this year, I signed an Executive order directing the Federal Government to work together with tribal and State governments to improve Native American achievement in math and reading, raise high school graduation rates, increase the number of Native American youth attending college, improve science education, and expand the use of educational technology. We are also striving to boost economic development in Indian Country by working with tribal governments to meet their technology infrastructure needs, to coordinate and strengthen existing Native

American economic development initiatives, and to help Native Americans obtain loans more easily for building homes and starting new businesses.

Today's Native Americans are among the youngest segments of our population—a new, large generation of young people who, if empowered with the education, skills, opportunity, and encouragement they need to thrive, can lead Indian Country into a future as bright and promising as its extraordinary past. As we observe National American Indian Heritage Month, let us resolve to work together to make that future a reality.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 1998 as National American Indian Heritage Month. I urge all Americans, as well as their elected representatives at the Federal, State, local, and tribal levels, to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7145 of October 29, 1998

National Adoption Month, 1998

By the President of the United States of America

A Proclamation

Every child deserves a safe and loving family. But each year, thousands of American children grow up without such families, lacking the stability and sense of permanency they need to thrive. More than 100,000 such children— orphaned, abandoned, abused, or unable to remain at home for other serious reasons—will need homes in the next few years. Although foster care provides a good supportive temporary environment for these children, adoption can provide them with the sustained love and care of permanent families and can give adults the chance to open their hearts and homes to a child they will cherish.

My Administration has worked hard both to improve the experience of children awaiting adoption and to increase their chances of adoption. Last November, I signed into law the Adoption and Safe Families Act of 1997, which made sweeping changes in our Nation's child welfare system. This legislation underscores the importance of safety and permanency for children awaiting adoption and focuses on the urgency of finding adoptive families. In addition to achieving passage of this landmark legislation, we have made adoption easier by barring discrimination by race or ethnicity, by providing a tax credit for newly adoptive parents, and by ensuring that adoptive parents are covered by the Family and Medical Leave Act.

We must strengthen such efforts if we are to meet our national goal of doubling the number of adoptions by the year 2002. In addition, while adop-

tion in America has increased in recent years, more than 25,000 young Americans each year reach the age of 18 and leave the child welfare system without permanent homes or families. This statistic tells us that we still have much to do. We must not only secure the placement of young children in families, but also move aggressively to place in permanent families our older children, as well. I have directed the Federal Government to work with State and local governments to continue identifying and removing the barriers that prevent young people from moving from our child welfare system into adoptive families.

Working together—policymakers, government officials, family welfare agencies, religious and community organizations, and families—we can make a difference in the lives of thousands of children. My Administration will continue to support efforts to recruit and strengthen adoptive families and to shorten the time it takes to move children from foster care to permanent homes; to reduce the backlogs in our Nation's juvenile and family court systems; and to promote strong, supportive adoption programs that meet the needs of every child.

During National Adoption Month, let us recommit ourselves to the goal of finding a safe, permanent, and loving home for every child in need. Let us also honor the many caring families across our Nation who have opened their arms and their hearts to a child through adoption. By making such a profound and loving commitment to our Nation's most vulnerable children, they are also making a lasting investment in America's future.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 1998 as National Adoption Month. I urge all Americans to observe this month with appropriate programs and activities to honor adoptive families and to participate in efforts to find permanent, loving homes for waiting children.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of October, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7146 of November 9, 1998

Veterans Day, 1998

*By the President of the United States of America
A Proclamation*

This year on Veterans Day, we celebrate the 80th anniversary of the armistice that finally silenced the guns of World War I. Millions of brave Americans marched into Europe and into the brutality of trench warfare to fight that war. Although President Woodrow Wilson recognized that "it is a fearful thing to lead this great peaceful people into war," he also realized that it was important to do so "for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to au-

thority to have a voice in their own Governments” The veterans of the First World War accepted this burden and privilege, which American men and women in uniform have borne throughout the decades and still bear today.

At Cantigny, St. Mihiel, Chateau-Thierry, Belleau Wood, and the Meuse-Argonne, American soldiers withstood the onslaughts of the enemy and, with extraordinary valor and unbending determination, turned the tide of battle and won a signal victory for democracy. Our Nation has been truly blessed by the service of these veterans who set an extraordinary example of courage and devotion to country that inspired the generations of Americans who followed them into the Armed Forces.

Through two world wars, through long and costly struggles against aggression in Korea and Vietnam, through conflict in the Persian Gulf, and in numerous peacekeeping and humanitarian missions, America’s veterans have risked their lives and spilled their blood to keep faith with our Nation’s fundamental values of freedom, democracy, and human dignity. We owe an enormous debt of gratitude to these patriots, whose service and sacrifice have allowed us to raise our children in a country blessed with peace and prosperity and to shape a brighter future for nations around the world.

In grateful recognition of the contributions of those who have served in our Armed Forces, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor America’s veterans. On Veterans Day, we honor all those who have served in our Armed Forces, and we remember with deep respect those who paid the ultimate price for our freedom. America’s veterans have answered the highest calling of citizenship, and they continue to inspire us with the depth of their patriotism and the generosity of their service.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Wednesday, November 11, 1998, as Veterans Day. I urge all Americans to acknowledge the courage and sacrifice of our veterans through appropriate public ceremonies and private prayers. I call upon Federal, State, and local officials to display the flag of the United States and to encourage and participate in patriotic activities in their communities. I invite civic and fraternal organizations, places of worship, schools, businesses, unions, and the media to support this national observance with suitable commemorative expressions and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of November, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7147 of November 17, 1998**National Farm-City Week, 1998**

*By the President of the United States of America
A Proclamation*

Thanks in large part to our Nation's farmers, the quality of life the American people enjoy today is the envy of the world. Farmers and ranchers provide us with a safe, abundant, and affordable supply of food and fiber. American agriculture remains one of our country's most important and productive industries, generating more than 22 million jobs and contributing a trillion dollars to the American economy each year. Today's farmers and ranchers also serve as guardians of our precious environment. Using modern technology and environmentally responsible methods, they have improved our Nation's water supply, worked to reduce soil erosion, and restored thousands of acres of wetlands.

This remarkable record of achievement would not be possible, however, without the essential farm-city partnerships that contribute so much to the productivity of America's farms and ranches. From seed and fertilizer merchants to agricultural processors, from research scientists in the laboratory to extension agents in the field, from shippers and manufacturers to inspectors and grocers, urban and rural Americans work together to share the bounty of this land with their fellow citizens and with people around the world.

For more than 40 years, Americans have set aside this special week to recognize and reflect upon the importance of these partnerships in sustaining our Nation's strength and prosperity. As we celebrate Thanksgiving with family and friends, let us remember to count among our many blessings America's agricultural abundance and the collaboration between rural and urban communities that has contributed so much to the quality of our lives.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 20 through November 26, 1998, as National Farm-City Week. I call upon all Americans, in rural and urban communities alike, to join in recognizing the accomplishments of our farmers and all the hardworking individuals who cooperate to produce a wealth of affordable, quality agricultural goods that strengthen and enrich our country.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of November, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7148 of November 17, 1998**Thanksgiving Day, 1998**

*By the President of the United States of America
A Proclamation*

Thanksgiving Day is one of America's most beloved and widely celebrated holidays. Whether descendants of the original colonists or new citizens, Americans join with family and friends to give thanks to a provident God for the blessings of freedom, peace, and plenty.

We are a Nation of people who have come from many countries, cultures, and creeds. The colonial Thanksgiving at Plymouth in 1621, when the Pilgrims of the Old World mingled in fellowship and celebration with the American Indians of the New World, foreshadowed the challenge and opportunity that such diversity has always offered us: to live together in peace with respect and appreciation for our differences and to draw on one another's strengths in the work of building a great and unified Nation.

And so at Thanksgiving we must also remember to be thankful for the many contributions each generation of Americans has made to preserve our blessings. We are thankful for the brave patriots who have fought and died to defend our freedom and uphold our belief in human dignity. We are thankful for the men and women who have worked this land throughout the decades, from the stony farms of New England to the broad wheat fields of the Great Plains to the fertile vineyards of California, sharing our country's bounty with their fellow Americans and people around the world. We are thankful for the leaders and visionaries who have challenged us through the years to fulfill America's promise for all our people, to make real in our society our fundamental ideals of freedom, equality, and justice. We are thankful for the countless quiet heroes and heroines who work hard each day, raise their families with love and care, and still find time and energy to make their communities better places in which to live. Each of us has reason to be proud of our part in building America, and each of us has reason to be grateful to our fellow Americans for the success of these efforts.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Thursday, November 26, 1998, as a National Day of Thanksgiving. I encourage all the people of the United States to assemble in their homes, places of worship, or community centers to share the spirit of goodwill and prayer; to express heartfelt thanks to God for the many blessings He has bestowed upon us; and to reach out in true gratitude and friendship to our brothers and sisters across this land who, together, comprise our great American family.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of November, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7149 of November 19, 1998**National Great American Smokeout Day, 1998**

By the President of the United States of America

A Proclamation

One of the greatest public health threats facing Americans today is tobacco addiction and all the related health disorders that come with it. More Americans die every year from tobacco-related diseases than from AIDS, illegal drugs, alcohol, fires, car accidents, murders, and suicides combined. Although we have heard for decades the Surgeon General's warning that smoking kills, each day more than 3,000 young Americans become regular smokers—and more than 1,000 of them will die prematurely as a result.

This past April, the Surgeon General issued a new report on tobacco that underscores the urgent need for comprehensive legislation to reduce youth smoking. Over the past 6 years, youth smoking has grown by one-third, increasing by an alarming 80 percent among African American youth. Currently, more than 36 percent of high school students smoke, and recent statistics released by the Centers for Disease Control also reaffirm what we already know: nicotine creates an addiction that is extremely difficult to overcome. Unfortunately, 86 percent of our young people who smoke daily and try to quit are unsuccessful, and casual teenage smokers—even those who smoke as few as three cigarettes a month—often go on to become regular smokers.

My Administration has worked hard for comprehensive and effective tobacco legislation that will cut teen smoking. We will continue our efforts until the Congress has acted to pass such legislation. Our 1999 budget also includes an unprecedented increase in funding for research at the National Institutes of Health, and the National Cancer Institute plans to allocate millions of those dollars for research into prevention and cessation programs to reduce tobacco use.

Each year, the Great American Smokeout gives us the opportunity to do what we should do every day: raise awareness among all Americans—but especially among children and teens—of the dangers of smoking. Through such youth-related promotions as the Great American SmokeScream and the Great American Smokeout Pledge, we can encourage young people who smoke to stop, and we can convince those who don't smoke that they should never start. Adult smokers should also remember the power of personal example and make a sincere effort to stop smoking on this special day, taking an important step toward a better, healthier future.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 19, 1998, as National Great American Smokeout Day. I call upon all Americans to join together in an effort to educate our children about the dangers of tobacco use, and I urge both smokers and nonsmokers to take this opportunity to begin healthier lifestyles that set a positive example for young people.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of November, in the year of our Lord nineteen hundred and ninety-eight,

and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7150 of November 20, 1998

World Fisheries Day, 1998

By the President of the United States of America

A Proclamation

As a coastal Nation, America has a proud fishing heritage, and we have long benefited from the bounty of the oceans. Generations of our people have made their living from the sea, fishing for cod off the rocky coast of New England, shrimp in the Gulf of Mexico, or Pacific salmon along the West Coast and Alaska. In this Year of the Ocean, it is fitting that we set aside a special day to celebrate one of our Nation's oldest industries and the source of so much of our sustenance.

World Fisheries Day is not only an occasion for celebration, it is also a time to raise awareness of the plight of so many of the world's fish resources. A recent United Nations study reported that more than two-thirds of the world's fisheries have been overfished or are fully harvested and more than one third are in a state of decline because of factors like the loss of essential fish habitats, pollution, and global warming.

My Administration is committed to restoring our marine resources and preserving their diversity through careful stewardship. At the National Oceans Conference in June of this year, I announced our goal of creating sustainable fisheries and rebuilding fish stocks by working with industry to improve fishing practices and technologies that catch only targeted species, devoting additional resources to fisheries research, and protecting essential fish habitats. We have also launched the Clean Water Action Plan that, among other things, reduces the runoff from farms and city streets that flow into our streams, rivers, and oceans.

While these efforts are important, the United States acting alone cannot preserve the health of the world's oceans and their marine life. It will take concerted international action—both at the government level and from fish harvesters, workers, and consumers themselves—and a commitment to scientifically based fishing limits to rebuild the world's fisheries and ensure that future generations will benefit from their abundance.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the Constitution and laws of the United States, do hereby proclaim Saturday, November 21, 1998, as World Fisheries Day. I call upon Government officials, fishing industry professionals, scientists, environmental experts, and the people of the United States to observe this day and to recognize the importance of conserving the world's fisheries, sustaining the health of the oceans, and protecting their precious and abundant variety of marine life.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of November, in the year of our Lord nineteen hundred and ninety-eight,

and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7151 of November 20, 1998

National Family Caregivers Week, 1998

*By the President of the United States of America
A Proclamation*

As American families enjoy Thanksgiving this year, millions of aging parents and grandparents or relatives with disabilities will be able to join these celebrations because of the loving support of family caregivers. Each day these generous women and men devote their time and energies to care for family members who can no longer live independently or who need assistance to remain in the familiar surroundings of their own homes.

The need for such caregivers in our Nation is growing. We are blessed to live in a time when medicine and technology have helped us live longer; as a result, people 85 years of age and older constitute America's fastest-growing age group. For these older Americans, however, the blessing of longevity also brings with it an increased likelihood of disability and chronic disease, reduced physical and mental agility, and higher risk of injury or illness—all of which create a greater need for care.

Families across our country have quickly responded to this need, but often at great financial, physical, and emotional sacrifice. Family members, working without pay, are the major providers of long-term care in the United States, and half of all caregivers today are over the age of 65 and are often themselves in declining health. Women, who tend to be the primary family caregivers in our society, often must juggle full-time work and family schedules with their caregiving responsibilities.

The contributions that family caregivers make to our society are best gauged by the impact they have in improving the quality of life of the family members for whom they care. Thanks to family caregivers, those they serve retain a measure of independence, remain with friends and relatives, and continue making contributions to our Nation.

This week, as we celebrate Thanksgiving and reflect with gratitude on our many blessings, let us remember to give thanks for the family caregivers among us whose love and care make life brighter for so many and whose dedication and generosity contribute so much to the strength and well-being of our Nation.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 22 through November 28, 1998, as National Family Caregivers Week. I call upon Government officials, businesses, communities, educators, volunteers, and the people of the United States to pay tribute to and acknowledge the heroic efforts of caregivers this special week and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of November, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7152 of November 20, 1998

National Family Week, 1998

By the President of the United States of America

A Proclamation

Of all the blessings that Americans enjoy, our families are perhaps the most precious. It is within the family that we first gain an understanding of who we are and learn to respect the individuality of others. It is to our families that we turn for the unconditional love, acceptance, comfort, and support we need. And it is our families who teach us how to give that love and support to others, helping us to grow into strong, caring adults who can contribute to the well-being of our communities and our world.

In the broad and diverse America of today, families take many different forms, but they all share a need for security and stability. If we are to maintain strong families as the cornerstone of our society and our hope for the future, it is our responsibility as individuals to strengthen and protect our own families—and it is our responsibility as Americans to reach out with compassion to help other families in need.

My Administration has worked hard to help provide America's families with the tools they need to thrive. Our economic policies have brought dignity, security, and opportunity to millions of families by creating new jobs and reducing unemployment.

The most important work, however, is always done in the hearts and homes of individuals. During this week, I encourage all Americans to reflect upon the many blessings of family life and to join in our national effort to promote strong, loving families across our country. By strengthening and supporting the American family, we are ensuring that the future will be bright for our children, our Nation, and the world.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 22 through November 28, 1998, as National Family Week. I call upon Federal, State, and local officials to honor American families with appropriate programs and activities. I encourage educators, community organizations, and religious leaders to celebrate the strength and values we draw from family relationships, and I urge all the people of the United States to reaffirm their own family ties and to reach out to other families in friendship and goodwill.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of November, in the year of our Lord nineteen hundred and ninety-eight,

and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7153 of December 1, 1998

World AIDS Day, 1998

By the President of the United States of America

A Proclamation

On World AIDS Day, we are heartened by the knowledge that our unprecedented investments in AIDS research have resulted in new treatments that are prolonging the lives of many people living with the disease. Thousands of scientists, health care professionals, and patients themselves have joined together to advance our understanding of HIV and AIDS and improve treatment options. Because of the heroic efforts of these people, fewer and fewer Americans are losing their lives to AIDS, and for that we are immensely thankful.

But the AIDS epidemic is far from over. Within racial and ethnic minority communities, HIV and AIDS are a severe and ongoing crisis. While the number of deaths in our country attributed to AIDS has declined for 2 consecutive years, AIDS remains the leading killer of African American men aged 25–44 and the second leading killer of African American women in the same age group. African Americans, who comprise only 13 percent of the U.S. population, accounted for 43 percent of new AIDS cases in 1997 and 36 percent of all AIDS cases. Hispanic Americans represent just 10 percent of our population, but they account for more than 20 percent of new AIDS cases; and AIDS is also becoming a critical concern to Native American and Asian American communities. Young people of every racial and ethnic community are also disproportionately impacted by AIDS, both in the number of new AIDS cases and in the number of new HIV infections. In fact, the Centers for Disease Control and Prevention estimate that approximately half of all new HIV infections in the United States occur in people under age 25 and that one-quarter occur in people under age 22.

Across the world, the situation is even more grim. As with other epidemics before it, AIDS hits hardest in areas where knowledge about the disease is scarce and poverty is high. Of the nearly 6 million people newly infected with HIV each year, more than 90 percent live in the poorest nations of the world. Entire communities are threatened by this epidemic, and the growing number of children who will lose parents to AIDS will have a devastating impact on these societies. By the year 2010, there may be as many as 40 million children who will have been orphaned by AIDS, and developing nations will have to struggle to deal with the overwhelming needs of a generation of young people left without parents.

This year's World AIDS Day theme, "Be A Force For Change," is a reminder that each of us has a role to play in bringing the AIDS epidemic to an end. Our response must be comprehensive and ongoing. It must also be a collaborative one, bringing together governments and communities in a shared effort to expand prevention efforts, raise awareness among young

people of the risks of HIV infection and how to avoid it, increase access to lifesaving therapies, and ensure that those who are living with HIV and AIDS receive the care and services they need.

Developing a vaccine for HIV is perhaps our best hope of eradicating this terrible disease and stemming the tide of pain and desolation it has wrought. The global community has joined together in making the development of an HIV vaccine a top international priority. Within the next decade, we hope to have the means to stop this deadly virus, but until we reach that day we must remain strong in our crusade to prevent the spread of HIV and AIDS and to care for those living with the disease. In this way we can best honor the memory of the many loved ones we have lost to AIDS.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 1, 1998, as World AIDS Day. I invite the Governors of the States, the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, and the American people to join me in reaffirming our commitment to defeating HIV and AIDS. I encourage every American to participate in appropriate commemorative programs and ceremonies in workplaces, houses of worship, and other community centers and to reach out to protect and educate our children and to help and comfort all people who are living with HIV and AIDS.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7154 of December 3, 1998

To Terminate Temporary Duties on Imports of Broom Corn Brooms

*By the President of the United States of America
A Proclamation*

1. On July 2, 1996, the United States International Trade Commission ("USITC") made an affirmative determination in its investigation under section 202 of the Trade Act of 1974, as amended ("Trade Act") (19 U.S.C. 2252), with respect to imports of broom corn brooms provided for in heading 9603 of the Harmonized Tariff Schedule of the United States ("HTS"). Under section 202 of the Trade Act, the USITC determined that such brooms were being imported into the United States in such increased quantities as to be a substantial cause of serious injury to the domestic industry producing a like or directly competitive article. Further, pursuant to section 311(a) of the North American Free Trade Agreement Implementation Act ("the NAFTA Implementation Act") (19 U.S.C. 3371(a)), the USITC found that imports of such brooms produced in Mexico, considered individually, accounted for a substantial share of total imports of broom corn brooms

and contributed importantly to the serious injury caused by imports, but that such brooms produced in Canada did not so account or contribute. The USITC's determination and its recommendations to address the serious injury were reported to me on August 1, 1996.

2. On November 28, 1996, pursuant to section 203 of the Trade Act (19 U.S.C. 2253), I issued Proclamation 6961, which temporarily increased or imposed duties on imported brooms (except whisk brooms), wholly or in part of broom corn and provided for in HTS subheading 9603.10.50 and, with respect to imports that exceeded certain specified annual levels, HTS subheading 9603.10.60. The increase in, or imposition of, duties was made effective for a three-year period for imports from all countries, except Canada and Israel and developing countries that account for less than three percent of the relevant imports over a recent representative period. Pursuant to section 203(a)(1)(A) of the Trade Act (19 U.S.C. 2253(a)(1)(A)), I determined that this action would facilitate efforts by the domestic industry to make a positive adjustment to import competition and would provide greater economic and social benefits than costs. On January 27, 1997, I issued Proclamation 6969, making certain technical corrections to the HTS provisions covered by Proclamation 6961.

3. On May 11, 1998, acting under my delegation of authority, and pursuant to section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)), the United States Trade Representative asked the USITC to provide a report on developments with respect to the domestic broom corn broom industry since November 28, 1996, including the progress and specific efforts made by workers and firms in the industry to make a positive adjustment to import competition. The USITC report in Investigation Number 332-394, issued August 10, 1998, has been provided to me.

4. Following issuance of the USITC report, I received advice from the Secretary of Commerce and the Secretary of Labor, as well as from other interested agencies, regarding the effectiveness of efforts undertaken by the domestic broom corn broom industry to make a positive adjustment to import competition.

5. Section 204(b)(1)(A) of the Trade Act (19 U.S.C. 2254(b)(1)(A)) authorizes the President to reduce, modify, or terminate a safeguard action if, after taking into account any report or advice submitted by the USITC and receiving advice from the Secretary of Commerce and the Secretary of Labor, the President determines that changed circumstances warrant the reduction, modification, or termination. The President's determination may be made, *inter alia*, on the basis that the domestic industry has not made adequate efforts to make a positive adjustment to import competition. Under section 201(b) of the Trade Act (19 U.S.C. 2251(b)), a positive adjustment occurs when the domestic industry is able to compete successfully with imports after the termination of the import relief or when the domestic industry experiences an orderly transfer of resources to other productive pursuits, and when dislocated workers in the industry experience an orderly transition to productive pursuits.

6. In view of the information provided in the USITC's report, and based on advice from the Secretary of Commerce and the Secretary of Labor, I find that the broom corn broom industry has not made adequate efforts to make a positive adjustment to import competition. Accordingly, I have determined pursuant to section 204(b)(1)(A) of the Trade Act that termination

of the action I took under section 203 of that Act with respect to broom corn broom imports is warranted.

7. Section 604 of the Trade Act (19 U.S.C. 2483), authorizes the President to embody in the 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.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including, but not limited to, sections 204 and 604 of the Trade Act, do proclaim that:

(1) The HTS is modified as provided in the Annex to this proclamation.

(2) Any provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(3) The modifications to the HTS made by this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the date specified in the Annex hereto.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

ANNEX

Modifications to the Harmonized Tariff Schedule of the United States

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the date of signature of this proclamation, chapters 96 and 99 of the Harmonized Tariff Schedule of the United States are hereby modified as follows:

a. Subheading 9603.10.50 is modified by inserting in alphabetical sequence in the parenthetical expression in column 1-special the symbol “,MX”.

b. Subheadings 9903.96.01 through 9903.96.19, inclusive, and any superior text related thereto are deleted.

c. Subheading 9906.96.02 is modified by striking “32.5%” from column 1-special and by inserting in lieu thereof “22.4%”. The provisions of Presidential Proclamation 6961 suspending previously proclaimed concessions regarding brooms, wholly or in part of broom corn, that are goods of Mexico under the terms of general note 12 to the tariff schedule are terminated, and all such previously proclaimed concessions, under Proclamation 6641 of December 15, 1993, shall be implemented as scheduled in such Proclamation.

Proclamation 7155 of December 4, 1998**National Drunk and Drugged Driving Prevention Month,
1998**

By the President of the United States of America

A Proclamation

For most Americans, driving an automobile has become a practical necessity. Whether in an urban, suburban, or rural setting, the daily routine of modern life requires that we have access to reliable and affordable transportation from our homes to our offices, schools, shopping, and elsewhere. But the right to drive a vehicle brings with it the responsibility to drive safely. A fundamental part of this responsibility is the need to stay free from alcohol and drugs when driving. Driving under the influence of alcohol or mind-altering drugs can turn an automobile into a lethal weapon.

The Department of Transportation released some encouraging data earlier this year regarding injuries and fatalities caused by drunk or drugged drivers. The number of Americans killed in alcohol-related crashes last year dropped to an all-time low, representing a decline of more than 30 percent since 1982. Drunk-driving deaths accounted for less than 40 percent of all traffic deaths, and alcohol-related fatalities among 15- to 20-year-olds dropped by 5 percent last year alone. We have achieved this progress because of stronger laws, tougher enforcement, and increased public awareness. These statistics also reflect the effectiveness of the legislation I fought for and signed into law 3 years ago to help ensure zero tolerance for underage drinking and driving.

But there is more we must do. Last year, more than 16,000 Americans lost their lives to impaired driving, and hundreds of thousands more were injured. Research shows that the risk of being involved in a fatal car crash is 11 times greater when drivers have a blood alcohol content (BAC) exceeding .08. By passing a tough national standard of impaired driving at .08 BAC—an important measure I continue to challenge the Congress to enact—we could save additional lives. At my direction, the Secretary of Transportation developed a plan to make .08 BAC the standard on Federal property, such as national parks and military bases, and included in his plan a strategy to raise public awareness of the risks associated with drinking and driving. Federal agencies currently are implementing the Secretary's recommendations.

In memory of the thousands who have lost their lives to drunk and drugged drivers, I ask all motorists to participate in "National Lights on for Life Day" on Friday, December 18, 1998, by driving with vehicle headlights illuminated. By doing so, we will call attention to this critical national problem and remind others on the road of the responsibility to drive free of the influence of drugs and alcohol.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 1998 as National Drunk and Drugged Driving Prevention Month. I urge all Americans who drive to take responsibility for themselves, their loved ones, guests, and passengers; to stop anyone under the influence of alcohol or

mind-altering drugs from getting behind the wheel; and to help teach our young people safe and alcohol- and drug-free driving behavior.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7156 of December 4, 1998

National Pearl Harbor Remembrance Day, 1998

By the President of the United States of America

A Proclamation

Fifty-seven years ago, at 7:55 on Sunday morning, December 7, 1941, Imperial Japan launched a surprise attack on American forces at Pearl Harbor, thrusting the United States into the crucible of World War II. From the vantage point of history, we now know that the events of that day would transform our Nation and the course of world history.

Attacking in two waves, Japanese aircraft killed or wounded almost 3,600 Americans—over 1,000 of them aboard the battleship ARIZONA—sank or badly damaged most of our Pacific Fleet, and destroyed or damaged almost all U.S. aircraft in the area. In his historic speech to the Congress on the following day, President Franklin Roosevelt requested and the Congress approved a declaration of war against Japan. With characteristic optimism and confidence in the spirit of the American people, he predicted that “No matter how long it may take us . . . the American people in their righteous might will win through to absolute victory.”

President Roosevelt proved to be right, although he would not live to see the ultimate triumph of freedom. After almost 4 long years of struggle and sacrifice by the men and women of our Armed Forces, sustained by the prayers of their families and the efforts of determined working men and women throughout our land who built our Nation into the “Arsenal of Democracy,” the United States and our allies prevailed over the forces of fascism and oppression.

To understand and appreciate the magnitude of our victory in World War II, we have only to remember Pearl Harbor. We have only to remember the indomitable spirit of the American forces there who, despite the death and destruction engulfing them, individually and collectively responded with courage and selflessness. We remember the sailors who raced to their battle stations and opened fire on the attacking Japanese planes even as their ships were ablaze and sinking. We remember the small, valiant band of Army pilots who managed to take off during the second wave of bombing and, though hopelessly outnumbered, shot down several enemy aircraft. We remember the crew of the crippled OKLAHOMA cheering their comrades on the NEVADA as she made a desperate dash down the harbor channel to safety. These heroes of Pearl Harbor were an inspiration to our entire country—and they remain so today. It is fitting that each year, on

this day, we remember them and give thanks for their courage, their sacrifice, and their refusal to be defeated. Because of them, and the millions of other Americans like them who have served our Nation in uniform, America is free, strong, and at peace.

To pay tribute to these heroes and to honor our solemn obligation to those who sacrificed their lives to defend our freedom that fateful Sunday morning, the Congress, by Public Law 103-308, has designated December 7, 1998, as "National Pearl Harbor Remembrance Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim December 7, 1998, as National Pearl Harbor Remembrance Day. I urge all Americans to observe this day with appropriate programs, ceremonies, and activities in honor of the Americans who served at Pearl Harbor. I also ask all Federal departments and agencies, organizations, and individuals to fly the flag of the United States at half-staff on this day in honor of those Americans who died as a result of the attack on Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7157 of December 7, 1998

Death of Albert Gore, Sr.

*By the President of the United States of America
A Proclamation*

Albert Gore, Sr., was the embodiment of everything public service ought to be. The Nation has lost a great patriot and a true role model for young people everywhere.

As a mark of respect for the memory of Albert Gore, Sr., former Senator from the State of Tennessee, I hereby order, by the authority vested in me as President by the Constitution and the laws of the United States of America, that the flag of the United States shall be flown at half-staff upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions on Tuesday, December 8, 1998. I also direct that the flag shall be flown at half-staff on that day at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7158 of December 10, 1998**Human Rights Day, Bill of Rights Day, and Human Rights Week, 1998**

By the President of the United States of America

A Proclamation

Thanks to the foresight of our Founding Fathers and their commitment to human rights, we live in a Nation founded upon the principles of equality, justice, and freedom—principles guaranteed to us by our Constitution. With the memory of tyranny fresh in their minds, the members of the First Congress of the United States proposed constitutional amendments known as the Bill of Rights, making explicit and forever protecting our Nation’s cherished freedoms of religion, speech, press, and assembly.

But human rights have never been solely a domestic concern. Americans have always sought to share these rights with oppressed people around the world. In his annual message to the Congress, on January 6, 1941, President Franklin Delano Roosevelt articulated this desire: “In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms. The first is freedom of speech and expression—everywhere in the world. The second is freedom of every person to worship God in his own way—everywhere in the world. The third is freedom from want The fourth is freedom from fear . . . anywhere in the world The world order which we seek is the cooperation of free countries, working together in a friendly, civilized society.”

Fifty years ago, on December 10, 1948, the world reached a major milestone toward FDR’s vision when the United Nations adopted the Universal Declaration of Human Rights. This Declaration—drafted by the U.N. Commission on Human Rights under the leadership of Eleanor Roosevelt—established an international standard that recognized the “inherent dignity” and the “equal and inalienable rights of all members of the human family” It denounced past “disregard and contempt for human rights [that] have resulted in barbarous acts which have outraged the conscience of mankind”

Today, a majority of the world’s people live in democracies and exercise their right to freely choose their own governments. International war crimes tribunals seek justice for victims and their families by working to ensure that war crimes, crimes against humanity, and genocide do not go unpunished. And we are heartened by the progress toward peace made in Northern Ireland, the Middle East, and elsewhere, which advances the cause of human rights. But there are still many areas where human rights abuses are committed with impunity—unchecked and unpunished.

To reaffirm our Nation’s unequivocal commitment to upholding human rights, today I am issuing an Executive order to create an interagency working group to help enforce the human rights treaties we have already ratified and to make recommendations on treaties we have yet to ratify. In addition, my Administration is working to establish a genocide early warning center and to fund nongovernmental organizations that respond rapidly in human rights emergencies. The Department of State is working to provide additional assistance for Afghan women and girls under the oppressive rule of

the Taliban. We are also supporting the work of the International Labor Organization in its efforts to eliminate child labor. Finally, the Immigration and Naturalization Service is issuing guidelines on how to handle cases where children seek asylum in the United States.

This year, as we come together to celebrate the Declaration's 50th anniversary, let us not forget the driving force behind its creation. We are grateful that Eleanor Roosevelt brought her prodigious energies and talents to this task. And it is fitting that we have established the Eleanor Roosevelt Award for Human Rights, honoring others for their important contributions to protecting human rights around the world.

Eleanor Roosevelt once said that "the future belongs to those who believe in the beauty of their dreams." Her accomplishments serve as an inspiration to us all, and each of us can play a part in preserving and promoting her enduring legacy. Let us each embrace the Declaration's promise by striving to uphold its principles and defending the rights it embodies.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 10, 1998, as Human Rights Day; December 15, 1998, as Bill of Rights Day; and the week beginning December 10, 1998, as Human Rights Week. I call upon the people of the United States to celebrate these observances with appropriate activities, ceremonies, and programs that demonstrate our national commitment to the Bill of Rights, the Universal Declaration of Human Rights, and the promotion and protection of human rights for all people.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7159 of December 11, 1998

National Children's Memorial Day, 1998

By the President of the United States of America

A Proclamation

There is nothing more devastating to a family than the death of a child. Each year, thousands of America's families face this tragedy, losing their children to illness, injury, or accident. Our whole society experiences this loss as well, for we are all diminished by the death of every one of our young people, whose love, laughter, talents, and achievements bring so much joy to our lives and so much promise to our future.

The holiday season is an especially painful time for parents who have lost a child, so it is fitting that we set aside a special day during this month to acknowledge the grief of these families and to pay tribute to the lives and memories of their children. On National Children's Memorial Day, let us all reach out, whether as individuals or as members of caring commu-

nities, to offer bereaved families the compassion, support, and understanding they need to begin the process of healing.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 13, 1998, as National Children's Memorial Day. I call upon the American people to observe this day with appropriate programs and activities in remembrance of the infants, children, teenagers, and young adults who have died and to bring comfort to their families.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7160 of December 17, 1998

Wright Brothers Day, 1998

*By the President of the United States of America
A Proclamation*

On a December morning 95 years ago, over the windswept sands of Kitty Hawk, North Carolina, Orville and Wilbur Wright turned humanity's age-old dream of powered flight into reality. The two brothers, bicycle mechanics by trade and visionaries by nature, had worked painstakingly for years to construct the first power-driven craft that was heavier than air and capable of controlled, sustained flight. After persevering through many trials and discouraging setbacks, they made their fourth trip to Kitty Hawk in 1903 and, on December 17, with Orville at the controls and Wilbur running alongside, their airplane took flight and took us into a new era. The achievement of the Wright brothers was not only a great personal success and a vindication of years of creative effort and methodical experimentation—it was also a feat of historic significance for the future of humankind.

Almost a century later, the same passion and power of imagination that spurred the Wright brothers are fueling the dreams of a new generation of Americans. From John Glenn's second historic space flight to the construction of the International Space Station, we continue to open new frontiers and expand our horizons. Just as the Wright brothers' inventions and achievements created a new industry and revolutionized transportation, commerce, and communication, today's missions into space hold great promise for the development of new technologies and industries to benefit all humanity and strengthen our hopes for lasting peace and prosperity for nations across the globe.

This November, I was pleased to sign into law the Centennial of Flight Commemoration Act, which establishes a commission to coordinate the celebration in 2003 of the 100th anniversary of the Wright brothers' first flight. The commission's activities will raise public awareness of the enor-

mous contributions of the Wright brothers to human progress; remind the world of the triumph of American ingenuity, inventiveness, and diligence in developing new technologies; and inspire all Americans to recognize that the daring, creativity, and spirit of adventure reflected in the achievement of the Wright brothers will be crucial to the success of our Nation in the 21st century.

The Congress, by a joint resolution approved December 17, 1963 (77 Stat. 402; 36 U.S.C. 169), has designated December 17 of each year as “Wright Brothers Day” and has authorized and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim December 17, 1998, as Wright Brothers Day.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

Proclamation 7161 of December 23, 1998

Extending United States Copyright Protections to the Works of the Socialist Republic of Vietnam

*By the President of the United States of America
A Proclamation*

Section 104(b)(5) of title 17 of the United States Code provides that when the President finds that a particular foreign nation extends, to works by authors who are nationals or domiciliaries of the United States of America or to works first published in the United States, copyright protection on substantially the same basis as that on which the foreign nation extends protection to works of its own nationals and domiciliaries and works first published in that nation, the President may by proclamation extend protection under that title to works of which one or more of the authors is, on the date of first publication, a national, domiciliary, or sovereign authority of that nation, or which are first published in that nation. Section 104A(g) of title 17 of the United States Code provides that when the President finds that a particular foreign nation extends, to works by authors who are nationals or domiciliaries of the United States, restored copyright protection on substantially the same basis as provided under that section, the President may by proclamation extend the restored protection provided under that section to any work of which one or more of the authors is, on the date of first publication, a national, domiciliary, or sovereign authority of that nation, or which was first published in that nation.

Satisfactory assurances have been received that as of the date of entry into force, December 23, 1998, of the Agreement between the Government of the United States of America and the Government of the Socialist Republic of

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Vietnam on the Establishment of Copyright Relations (the "Copyright Agreement"), Vietnam will extend, to works of United States nationals and domiciliaries and works first published in the United States, copyright protection in the Socialist Republic of Vietnam on substantially the same basis as works of Vietnamese nationals and domiciliaries and works first published in Vietnam, and that Vietnam will extend, to works by authors who are nationals or domiciliaries of the United States, restored copyright protection on substantially the same basis as provided under section 104A of title 17 of the United States Code.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by the authority vested in me by section 104(b)(5) and section 104A(g) of title 17 of the United States Code, do declare and proclaim that, as of the date of entry into force of the Copyright Agreement, the conditions specified in section 104(b)(5) and section 104A(g) of title 17 of the United States Code have been satisfied in the Socialist Republic of Vietnam with respect to works of which one or more of the authors is, on the date of first publication, a national or domiciliary of the United States of America, or which are first published in the United States, and that as of the date of entry into force of the Copyright Agreement, works of which one or more of the authors is, on the date of first publication, a national, domiciliary, or sovereign authority of Vietnam, or which are first published in Vietnam, are entitled to copyright protection and restored copyright protection under title 17 of the United States Code.

I hereby request the Secretary of State to notify the Government of the Socialist Republic of Vietnam that the date on which works of which one or more of the authors is, on the date of first publication, a national, domiciliary, or sovereign authority of Vietnam, or which are first published in Vietnam, are entitled to copyright protection and restored copyright protection under title 17 of the United States Code is December 23, 1998, the date on which the Copyright Agreement enters into force.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of December, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-third.

WILLIAM J. CLINTON

EXECUTIVE ORDERS

Executive Order 13072 of February 2, 1998

White House Millennium Council

By the authority vested as me as President by the Constitution and the laws of the United States of America, and in order to announce the formation of a Council to recognize national and local projects that commemorate the millennium, it is hereby ordered as follows:

Section 1. Policy. The White House, the Department of Education, and all executive branch agencies shall lead the country in a national and educational celebration of our culture, democracy, and citizenry. The Federal Government has a special responsibility to inspire the American people to reflect upon and commemorate the achievements of this country's past and to celebrate the possibilities of the future. To carry forward this country's great democratic tradition and enrich the lives of our children and the children of the 21st century, the Federal Government shall encourage Americans to make plans to mark the new millennium in communities across America. By leading this country in a grand educational celebration of the past and future, the Federal Government has an unprecedented opportunity to energize and unite the Nation with a renewed sense of optimism in the accomplishments and promise of America.

Sec. 2. White House Millennium Council. (a) To enable the White House, the Department of Education, and executive branch agencies to provide national leadership in this historic time, I hereby announce the formation of the White House Millennium Council.

(b) The White House Millennium Council shall be composed of a Director, Deputy Director, administrative staff, and a representative from each of the following:

- (1) Department of State;
- (2) Department of the Treasury;
- (3) Department of Defense;
- (4) Department of Justice;
- (5) Department of the Interior;
- (6) Department of Agriculture;
- (7) Department of Commerce;

- (8) Department of Labor;
- (9) Department of Health and Human Services;
- (10) Department of Housing and Urban Development;
- (11) Department of Transportation;
- (12) Department of Energy;
- (13) Department of Education;
- (14) Department of Veterans Affairs;
- (15) Environmental Protection Agency;
- (16) Office of Management and Budget;
- (17) Small Business Administration;
- (18) United States Information Agency; and
- (19) General Services Administration.

At the Director's discretion, the Director may request other agencies to be represented on the Council.

(c) The mission of the Council is to lead the country in a celebration of the new millennium by initiating and recognizing national and local projects that contribute in educational, creative, and productive ways to America's commemoration of this historic time. To these ends, the Council shall:

- (1) Mark the 200th anniversary of the occupancy of the White House by American Presidents, the 200th anniversary of the establishment of the Federal capital city in Washington, D.C., and the 200th anniversary of the first meeting of the Congress in the Capitol, celebrating these events in the year 2000 as milestones in our democratic system of government;
- (2) Plan events to recognize the history and past accomplishments of America that reflect upon the present forces shaping society and that encourage thoughtful planning for the future;
- (3) Produce informational and resource materials to educate the American people concerning our Nation's past and to inspire thought concerning the future;
- (4) Encourage communities and citizens to initiate and to participate in local projects that inspire Americans to remember their past achievements, understand the present challenges to society, and make concrete contributions to the next generations of their families, communities, and country;
- (5) Work with Federal agencies, the Congress, elected officials, and all citizens to plan activities and programs that will unite the American people in contemplation and celebration of the next century and the new millennium;
- (6) Make recommendations to the Secretary of the Interior regarding the provision of assistance from funds made available for Save America's Treasures in the Historic Preservation Fund to public and private entities that are protecting America's threatened cultural treasures. These treasures include significant documents, works of art, maps, journals, and historic structures that document and illuminate the history and culture of the United States;

- (7) Encourage Federal agencies to develop programs to commemorate and celebrate the new millennium in ways consistent with their individual agency missions and that advance a more unified America in the 21st century;
- (8) Encourage Federal agencies, through local branches and offices, to reach out into communities and inspire citizens to participate in grassroots activities and to give permanent gifts to the future;
- (9) Work in partnership with private-sector and nonprofit entities that initiate productive and worthwhile national and community-based efforts to commemorate the new millennium and encourage citizen participation, volunteerism, and philanthropy;
- (10) Highlight public and private millennium initiatives that promote the goals of the Council; and
- (11) Cooperate with other nations that are planning millennium events to expand the opportunities for international communication and understanding.

Sec. 3. Administration. To the extent permitted by law, the heads of executive departments and agencies shall provide such information and assistance as may be necessary for the Council to carry out its functions.

Sec. 4. Judicial Review. This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any other person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
February 2, 1998.

Executive Order 13073 of February 4, 1998

Year 2000 Conversion

The American people expect reliable service from their Government and deserve the confidence that critical government functions dependent on electronic systems will be performed accurately and in a timely manner. Because of a design feature in many electronic systems, a large number of activities in the public and private sectors could be at risk beginning in the year 2000. Some computer systems and other electronic devices will misinterpret the year "00" as 1900, rather than 2000. Unless appropriate action is taken, this flaw, known as the "Y2K problem," can cause systems that support those functions to compute erroneously or simply not run. Minimizing the Y2K problem will require a major technological and managerial effort, and it is critical that the United States Government do its part in addressing this challenge.

Accordingly, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. (a) It shall be the policy of the executive branch that agencies shall:

- (1) assure that no critical Federal program experiences disruption because of the Y2K problem;

(2) assist and cooperate with State, local, and tribal governments to address the Y2K problem where those governments depend on Federal information or information technology or the Federal Government is dependent on those governments to perform critical missions;

(3) cooperate with the private sector operators of critical national and local systems, including the banking and financial system, the telecommunications system, the public health system, the transportation system, and the electric power generation system, in addressing the Y2K problem; and

(4) communicate with their foreign counterparts to raise awareness of and generate cooperative international arrangements to address the Y2K problem.

(b) As used in this order, “agency” and “agencies” refer to Federal agencies that are not in the judicial or legislative branches.

Sec. 2. Year 2000 Conversion Council. There is hereby established the President’s Council on Year 2000 Conversion (the “Council”).

(a) The Council shall be led by a Chair who shall be an Assistant to the President, and it shall be composed of one representative from each of the executive departments and from such other Federal agencies as may be determined by the Chair of the Council (the “Chair”).

(b) The Chair shall appoint a Vice Chair and assign other responsibilities for operations of the council as he or she deems necessary.

(c) The Chair shall oversee the activities of agencies to assure that their systems operate smoothly through the year 2000, act as chief spokesperson on this issue for the executive branch in national and international fora, provide policy coordination of executive branch activities with State, local, and tribal governments on the Y2K problem, and promote appropriate Federal roles with respect to private sector activities in this area.

(d) The Chair and the Director of the Office of Management and Budget shall report jointly at least quarterly to me on the progress of agencies in addressing the Y2K problem.

(e) The Chair shall identify such resources from agencies as the Chair deems necessary for the implementation of the policies set out in this order, consistent with applicable law.

Sec. 3. Responsibilities of Agency Heads. (a) The head of each agency shall:

(1) assure that efforts to address the Y2K problem receive the highest priority attention in the agency and that the policies established in this order are carried out; and

(2) cooperate to the fullest extent with the Chair by making available such information, support, and assistance, including personnel, as the Chair may request to support the accomplishment of the tasks assigned herein, consistent with applicable law.

(b) The heads of executive departments and the agencies designated by the Chair under section 2(a) of this order shall identify a responsible official to represent the head of the executive department or agency on the Council with sufficient authority and experience to commit agency resources to address the Y2K problem.

Sec. 4. Responsibilities of Interagency and Executive Office Councils. Interagency councils and councils within the Executive Office of the President, including the President's Management Council, the Chief Information Officers Council, the Chief Financial Officers Council, the President's Council on Integrity and Efficiency, the Executive Council on Integrity and Efficiency, the National Science and Technology Council, the National Performance Review, the National Economic Council, the Domestic Policy Council, and the National Security Council shall provide assistance and support to the Chair upon the Chair's request.

Sec. 5. Judicial Review. This Executive order is intended only to improve the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, or instrumentalities, its officers or employees, or any other person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
February 4, 1998.

Executive Order 13074 of February 9, 1998

Amendment to Executive Order 12656

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to reflect the appropriate allocation of funding responsibilities for Noncombatant Evacuation Operations, it is hereby ordered that Executive Order 12656 is amended by adding a new section 501(16) to read as follows:

“Subject to the direction of the President, and pursuant to procedures to be developed jointly by the Secretary of Defense and the Secretary of State, be responsible for the deployment and use of military forces for the protection of United States citizens and nationals and, in connection therewith, designated other persons or categories of persons, in support of their evacuation from threatened areas overseas.”

WILLIAM J. CLINTON

THE WHITE HOUSE,
February 9, 1998.

Executive Order 13075 of February 19, 1998

Special Oversight Board for Department of Defense Investigations of Gulf War Chemical and Biological Incidents

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App.), it is hereby ordered as follows:

Section 1. Establishment. (a) There is hereby established the Special Oversight Board for Department of Defense Investigations of Gulf War Chemical and Biological Incidents (“Special Oversight Board”). The Special Oversight Board shall be composed of not more than seven members appointed by the President. The members of the Special Oversight Board shall have expertise relevant to the functions of the Special Oversight Board and shall not be full-time officials or employees of the executive branch of the Federal Government.

(b) The President shall designate a Chairperson and a Vice Chairperson from among the members of the Special Oversight Board.

Sec. 2. Functions. (a) The Special Oversight Board shall report to the President through the Secretary of Defense.

(b) The Special Oversight Board shall provide advice and recommendations based on its review of Department of Defense investigations into possible detections of, and exposures to, chemical or biological weapons agents and environmental and other factors that may have contributed to Gulf War illnesses.

(c) It shall not be a function of the Special Oversight Board to conduct scientific research.

(d) It shall not be a function of the Special Oversight Board to provide advice or recommendations on any legal liability of the Federal Government for any claims or potential claims against the Federal Government.

(e) The Special Oversight Board shall submit an interim report within 9 months of its first meeting and a final report within 18 months of its first meeting, unless otherwise directed by the President.

Sec. 3. Administration. (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide the Special Oversight Board with such information as it may require for purposes of carrying out its functions.

(b) Special Oversight Board members may be allowed travel expenses, including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in the Government service (5 U.S.C. 5701–5707). The administrative staff for the Special Oversight Board shall be compensated in accordance with Federal law.

(c) To the extent permitted by law, and subject to the availability of appropriations, the Department of Defense shall provide the Special Oversight Board with such funds as may be necessary for the performance of its functions.

Sec. 4. General Provisions. (a) Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended, that are applicable to the Special Oversight Board, except that of reporting annually to the Congress, shall be performed by the Secretary of Defense, in accordance with the guidelines and procedures established by the Administrator of General Services.

(b) The Special Oversight Board shall terminate 30 days after submitting its final report.

(c) This order is intended only to improve the internal management of the executive branch and it is not intended, and shall not be construed, to create any right, benefit, or trust responsibility, substantive or procedural,

enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
February 19, 1998.

Executive Order 13076 of February 24, 1998

Ordering the Selected Reserve of the Armed Forces to Active Duty

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 121 and 12304 of title 10, United States Code, I hereby determine that it is necessary to augment the active armed forces of the United States for the effective conduct of operations in and around Southwest Asia. Further, under the stated authority, I hereby authorize the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Department of the Navy, to order to active duty any units, and any individual members not assigned to a unit organized to serve as a unit, of the Selected Reserve.

This order is intended only to improve the internal management of the executive branch and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
February 24, 1998.

Executive Order 13077 of March 10, 1998

Further Amendment to Executive Order 13010, Critical Infrastructure Protection

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to provide for the review of the report by the President's Commission on Critical Infrastructure Protection, and appropriate implementation, it is hereby ordered that Executive Order 13010, as amended, is further amended as follows:

Section 6. Section 6(f), as amended, shall be further amended by deleting "March 15, 1998" and inserting "September 30, 1998" in lieu thereof.

EO 13078

Title 3—The President

Section 7. Section 7(a) shall be amended by deleting “March 15, 1998” and inserting “September 30, 1998” in lieu thereof.

WILLIAM J. CLINTON

THE WHITE HOUSE,

March 10, 1998.

Executive Order 13078 of March 13, 1998

Increasing Employment of Adults With Disabilities

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to increase the employment of adults with disabilities to a rate that is as close as possible to the employment rate of the general adult population and to support the goals articulated in the findings and purpose section of the Americans with Disabilities Act of 1990, it is hereby ordered as follows:

Section 1. Establishment of National Task Force on Employment of Adults with Disabilities.

(a) There is established the “National Task Force on Employment of Adults with Disabilities” (“Task Force”). The Task Force shall comprise the Secretary of Labor, Secretary of Education, Secretary of Veterans Affairs, Secretary of Health and Human Services, Commissioner of Social Security, Secretary of the Treasury, Secretary of Commerce, Secretary of Transportation, Director of the Office of Personnel Management, Administrator of the Small Business Administration, the Chair of the Equal Employment Opportunity Commission, the Chairperson of the National Council on Disability, the Chair of the President’s Committee on Employment of People with Disabilities, and such other senior executive branch officials as may be determined by the Chair of the Task Force.

(b) The Secretary of Labor shall be the Chair of the Task Force; the Chair of the President’s Committee on Employment of People with Disabilities shall be the Vice Chair of the Task Force.

(c) The purpose of the Task Force is to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate that is as close as possible to that of the general adult population. The Task Force shall develop and recommend to the President, through the Chair of the Task Force, a coordinated Federal policy to reduce employment barriers for persons with disabilities. Policy recommendations may cover such areas as discrimination, reasonable accommodations, inadequate access to health care, lack of consumer-driven, long-term supports and services, transportation, accessible and integrated housing, telecommunications, assistive technology, community services, child care, education, vocational rehabilitation, training services, job retention, on-the-job supports, and economic incentives to work. Specifically, the Task Force shall:

- (1) analyze the existing programs and policies of Task Force member agencies to determine what changes, modifications, and innovations may be necessary to remove barriers to work faced by people with disabilities;
- (2) develop and recommend options to address health insurance coverage as a barrier to employment for people with disabilities;
- (3) subject to the availability of appropriations, analyze State and private disability systems (e.g., workers' compensation, unemployment insurance, private insurance, and State mental health and mental retardation systems) and their effect on Federal programs and employment of adults with disabilities;
- (4) consider statistical and data analysis, cost data, research, and policy studies on public subsidies, employment, employment discrimination, and rates of return-to-work for individuals with disabilities;
- (5) evaluate and, where appropriate, coordinate and collaborate on, research and demonstration priorities of Task Force member agencies related to employment of adults with disabilities;
- (6) evaluate whether Federal studies related to employment and training can, and should, include a statistically significant sample of adults with disabilities;
- (7) subject to the availability of appropriations, analyze youth programs related to employment (e.g., Employment and Training Administration programs, special education, vocational rehabilitation, school-to-work transition, vocational education, and Social Security Administration work incentives and other programs, as may be determined by the Chair and Vice Chair of the Task Force) and the outcomes of those programs for young people with disabilities;
- (8) evaluate whether a single governmental entity or program should be established to provide computer and electronic accommodations for Federal employees with disabilities;
- (9) consult with the President's Committee on Mental Retardation on policies to increase the employment of people with mental retardation and cognitive disabilities; and
- (10) recommend to the President any additional steps that can be taken to advance the employment of adults with disabilities, including legislative proposals, regulatory changes, and program and budget initiatives.

(d)(1) The members of the Task Force shall make the activities and initiatives set forth in this order a high priority within their respective agencies within the levels provided in the President's budget.

(2) The Task Force shall issue its first report to the President by November 15, 1998. The Task Force shall issue a report to the President on November 15, 1999, November 15, 2000, and a final report on July 26, 2002, the 10th anniversary of the initial implementation of the employment provisions of the Americans with Disabilities Act of 1990. The reports shall describe the actions taken by, and progress of, each member of the Task Force in carrying out this order. The Task Force shall terminate 30 days after submitting its final report.

(e) As used herein, an adult with a disability is a person with a physical or mental impairment that substantially limits at least one major life activity.

Sec. 2. Specific activities by Task Force members and other agencies.

(a) To ensure that the Federal Government is a model employer of adults with disabilities, by November 15, 1998, the Office of Personnel Management, the Department of Labor, and the Equal Employment Opportunity Commission shall submit to the Task Force a review of Federal Government personnel laws, regulations, and policies and, as appropriate, shall recommend or implement changes necessary to improve Federal employment policy for adults with disabilities. This review shall include personnel practices and actions such as: hiring, promotion, benefits, retirement, workers' compensation, retention, accessible facilities, job accommodations, layoffs, and reductions in force.

(b) The Departments of Justice, Labor, Education, and Health and Human Services shall report to the Task Force by November 15, 1998, on their work with the States and others to ensure that the Personal Responsibility and Work Opportunity Reconciliation Act is carried out in accordance with section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, so that individuals with disabilities and their families can realize the full promise of welfare reform by having an equal opportunity for employment.

(c) The Departments of Education, Labor, Commerce, and Health and Human Services, the Small Business Administration, and the President's Committee on Employment of People with Disabilities shall work together and report to the Task Force by November 15, 1998, on their work to develop small business and entrepreneurial opportunities for adults with disabilities and strategies for assisting low-income adults, including those with disabilities to create small businesses and micro-enterprises. These same agencies, in consultation with the Committee for Purchase from People Who Are Blind or Severely Disabled, shall assess the impact of the Randolph-Sheppard Act vending program and the Javits-Wagner-O'Day Act on employment and small business opportunities for people with disabilities.

(d) The Departments of Transportation and Housing and Urban Development shall report to the Task Force by November 15, 1998, on their examination of their programs to see if they can be used to create new work incentives and to remove barriers to work for adults with disabilities.

(e) The Departments of Justice, Education, and Labor, the Equal Employment Opportunity Commission, and the Social Security Administration shall work together and report to the Task Force by November 15, 1998, on their work to propose remedies to the prevention of people with disabilities from successfully exercising their employment rights under the Americans with Disabilities Act of 1990 because of the receipt of monetary benefits based on their disability and lack of gainful employment.

(f) The Bureau of Labor Statistics of the Department of Labor and the Census Bureau of the Department of Commerce, in cooperation with the Departments of Education and Health and Human Services, the National Council on Disability, and the President's Committee on Employment of People with Disabilities shall design and implement a statistically reliable and accurate method to measure the employment rate of adults with disabilities as soon as possible, but no later than the date of termination of the Task Force. Data derived from this methodology shall be published on as frequent a basis as possible.

(g) All executive agencies that are not members of the Task Force shall: (1) coordinate and cooperate with the Task Force; and (2) review their pro-

grams and policies to ensure that they are being conducted and delivered in a manner that facilitates and promotes the employment of adults with disabilities. Each agency shall file a report with the Task Force on the results of its review on November 15, 1998.

Sec. 3. Cooperation. All efforts taken by executive departments and agencies under sections 1 and 2 of this order shall, as appropriate, further partnerships and cooperation with public and private sector employers, organizations that represent people with disabilities, organized labor, veteran service organizations, and State and local governments whenever such partnerships and cooperation are possible and would promote the employment and gainful economic activities of individuals with disabilities.

Sec. 4. Judicial Review. This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 13, 1998.

Executive Order 13079 of April 7, 1998

Waiver Under the Trade Act of 1974 With Respect to Vietnam

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 402(c)(2) of the Trade Act of 1974, as amended ("Act") (19 U.S.C. 2432(c)(2)), which continues to apply to Vietnam pursuant to section 402(d) of the Act, and having made the report to the Congress required by section 402(c)(2) of the Act, I hereby waive the application of sections 402(a) and 402(b) of the Act with respect to Vietnam.

WILLIAM J. CLINTON

THE WHITE HOUSE,
April 7, 1998.

Executive Order 13080 of April 7, 1998

American Heritage Rivers Initiative Advisory Committee

By the authority vested in me as President by the Constitution and the laws of the United States, including the Federal Advisory Committee Act, 5 U.S.C. App., as amended, it is hereby ordered as follows:

Section 1. Establishment. There is hereby established the American Heritage Rivers Initiative Advisory Committee ("Committee"). The Committee shall consist of up to 20 members appointed by the President from the public and private sectors. Each member of the Committee shall be a person who, as a result of his or her training, experience, and attainments, is well

qualified to appraise the quality of nominations for selection of rivers as American Heritage Rivers submitted by communities across the country. The expertise of members of the Committee shall be in areas such as natural, cultural, and historic resources; water quality; public health; scenic and recreation interests; tourism and economic development interests; industry; and agriculture. The President shall designate a Chair from among the members of the Committee.

Sec. 2. (a) The Committee shall review nominations from communities and recommend to the President up to 20 rivers for consideration for designation as American Heritage Rivers. From the rivers recommended for consideration, the President shall designate ten as American Heritage Rivers.

(b) In its review of nominations submitted by communities, the Committee shall provide its assessment of:

- (1) The scope of each nomination's application and the adequacy of its design to achieve the community's goals;
- (2) Whether the natural, economic (including agricultural), scenic, historic, cultural, and/or recreational resources featured in the application are distinctive or unique;
- (3) The extent to which the community's plan of action is clearly defined and the extent to which the plan addresses all three American Heritage Rivers objectives—natural resource and environmental protection, economic revitalization, and historic and cultural preservation—either through planned actions or past accomplishments, as well as any other characteristics of the proposals that distinguish a nomination, such as:
 - (A) Community vision and partnership;
 - (B) Sustainability of products and projects, including project maintenance;
 - (C) Resources, both committed and anticipated, including means of generating additional support from both private and public sources;
 - (D) Anticipated Federal role as defined by the applicants;
 - (E) Schedule or timeline;
 - (F) Citizen involvement;
 - (G) Public education relating to the designation of the river;
 - (H) Logistical support, operating procedures, and policies;
 - (I) Prior accomplishments, if relevant, and relationship to existing plans and projects in the area; and
 - (J) Measures of performance.
- (4) The strength and diversity of support for the nomination and plan of action as evidenced by letters from local and State governments, Indian tribes, elected officials, any and all parties who participate in the life and health of the area to be nominated, or who have an interest in the economic life and cultural and environmental vigor of the involved community.

(c) The Committee also should seek to recommend the selection of rivers that as a group:

- (1) Represent the natural, historic, cultural, social, economic, and agricultural diversity of American rivers;
- (2) Showcase a variety of stream sizes and an assortment of urban, rural, and mixed settings from around the country, including both relatively pristine and degraded rivers;
- (3) Highlight a variety of innovative programs in such areas as historic preservation, sustainable development through tourism, wildlife management, fisheries restoration, recreation, community revitalization, agricultural practices, and flood plain and watershed management;
- (4) Include community efforts in early stages of development as well as those that are more well established; and
- (5) Stand to benefit from targeted Federal assistance.

(d) The Committee shall report its recommendations for selection of rivers as American Heritage Rivers to the President through the Chair of the Council on Environmental Quality.

Sec. 3. Administration. (a) The heads of executive departments and agencies shall provide the Committee, to the extent practicable and permitted by law, such information with respect to river revitalization as the Committee requires to fulfill its functions.

(b) The Committee shall be supported both administratively and financially by the Secretary of Defense, acting through the Assistant Secretary of the Army for Civil Works.

Sec. 4. General. The Committee shall terminate no later than 2 years from the date of this order. The Chair of the Committee, with the approval of the designated Federal officer, shall call meetings of the American Heritage Rivers Initiative Advisory Committee.

WILLIAM J. CLINTON

THE WHITE HOUSE,
April 7, 1998.

Executive Order 13081 of April 30, 1998

Amendment to Executive Order No. 13038, Advisory Committee on Public Interest Obligations of Digital Television Broadcasters

By the authority vested in me as President by the Constitution and the laws of the United States of America and in order to extend the reporting deadline of the Advisory Committee on Public Interest Obligations of Digital Television Broadcasters, it is hereby ordered that Executive Order 13038, as amended, is further amended by deleting "June 1, 1998" in section 2 and inserting "October 1, 1998" in lieu thereof.

WILLIAM J. CLINTON

THE WHITE HOUSE,
April 30, 1998.

Executive Order 13082 of May 8, 1998**Joint Mexican-United States Defense Commission**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to add a member of the Joint Staff to the Joint-Mexican-United States Defense Commission, it is hereby ordered that the third paragraph of Executive Order 9080 of February 27, 1942, as amended by Executive Order 10692 of December 22, 1956, and by Executive Order 12377 of August 6, 1982, is further amended to read as follows:

“The United States membership of the Commission shall consist of an Army member, a Navy member, an Air Force member, a Marine Corps member, and a Joint Staff member, each of whom shall be designated by the Secretary of Defense and serve during the pleasure of the Secretary. The Secretary shall designate from among the United States members a Chair thereof and may designate alternate United States members of the Commission.”

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 8, 1998.

Executive Order 13083 of May 14, 1998**Federalism**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to guarantee the division of governmental responsibilities, embodied in the Constitution, between the Federal Government and the States that was intended by the Framers and application of those principles by the Executive departments and agencies in the formulation and implementation of policies, it is hereby ordered as follows:

Section 1. Definitions. For purposes of this order:

(a) “State” or “States” refer to the States of the United States of America, individually or collectively, and, where relevant, to State governments, including units of local government and other political subdivisions established by the States.

(b) “Policies that have federalism implications” refers to Federal regulations, proposed legislation, and other policy statements or actions that have substantial direct effects on the States or on the relationship, or the distribution of power and responsibilities, between the Federal Government and the States.

(c) “Agency” means any authority of the United States that is an “agency” under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).

Sec. 2. *Fundamental Federalism Principles.* In formulating and implementing policies that have federalism implications, agencies shall be guided by the following fundamental federalism principles:

(a) The structure of government established by the Constitution is premised upon a system of checks and balances.

(b) The Constitution created a Federal Government of supreme, but limited, powers. The sovereign powers not granted to the Federal Government are reserved to the people or to the States, unless prohibited to the States by the Constitution.

(c) Federalism reflects the principle that dividing power between the Federal Government and the States serves to protect individual liberty. Preserving State authority provides an essential balance to the power of the Federal Government, while preserving the supremacy of Federal law provides an essential balance to the power of the States.

(d) The people of the States are at liberty, subject only to the limitations in the Constitution itself or in Federal law, to define the moral, political, and legal character of their lives.

(e) Our constitutional system encourages a healthy diversity in the public policies adopted by the people of the several States according to their own conditions, needs, and desires. States and local governments are often uniquely situated to discern the sentiments of the people and to govern accordingly.

(f) Effective public policy is often achieved when there is competition among the several States in the fashioning of different approaches to public policy issues. The search for enlightened public policy is often furthered when individual States and local governments are free to experiment with a variety of approaches to public issues. Uniform, national approaches to public policy problems can inhibit the creation of effective solutions to those problems.

(g) Policies of the Federal Government should recognize the responsibility of—and should encourage opportunities for—States, local governments, private associations, neighborhoods, families, and individuals to achieve personal, social, environmental, and economic objectives through cooperative effort.

Sec. 3. *Federalism Policymaking Criteria.* In addition to adhering to the fundamental federalism principles set forth in section 2 of this order, agencies shall adhere, to the extent permitted by law, to the following criteria when formulating and implementing policies that have federalism implications:

(a) There should be strict adherence to constitutional principles. Agencies should closely examine the constitutional and statutory authority supporting any Federal action that would limit the policymaking discretion of States and local governments, and should carefully assess the necessity for such action.

(b) Agencies may limit the policymaking discretion of States and local governments only after determining that there is constitutional and legal authority for the action.

(c) With respect to Federal statutes and regulations administered by States and local governments, the Federal Government should grant States

and local governments the maximum administrative discretion possible. Any Federal oversight of such State and local administration should not unnecessarily intrude on State and local discretion.

(d) It is important to recognize the distinction between matters of national or multi-state scope (which may justify Federal action) and matters that are merely common to the States (which may not justify Federal action because individual States, acting individually or together, may effectively deal with them). Matters of national or multi-state scope that justify Federal action may arise in a variety of circumstances, including:

(1) When the matter to be addressed by Federal action occurs interstate as opposed to being contained within one State's boundaries.

(2) When the source of the matter to be addressed occurs in a State different from the State (or States) where a significant amount of the harm occurs.

(3) When there is a need for uniform national standards.

(4) When decentralization increases the costs of government thus imposing additional burdens on the taxpayer.

(5) When States have not adequately protected individual rights and liberties.

(6) When States would be reluctant to impose necessary regulations because of fears that regulated business activity will relocate to other States.

(7) When placing regulatory authority at the State or local level would undermine regulatory goals because high costs or demands for specialized expertise will effectively place the regulatory matter beyond the resources of State authorities.

(8) When the matter relates to Federally owned or managed property or natural resources, trust obligations, or international obligations.

(9) When the matter to be regulated significantly or uniquely affects Indian tribal governments.

Sec. 4. Consultation. (a) Each agency shall have an effective process to permit elected officials and other representatives of State and local governments to provide meaningful and timely input in the development of regulatory policies that have federalism implications.

(b) To the extent practicable and permitted by law, no agency shall promulgate any regulation that is not required by statute, that has federalism implications, and that imposes substantial direct compliance costs on States and local governments, unless:

(1) funds necessary to pay the direct costs incurred by the State or local government in complying with the regulation are provided by the Federal Government; or

(2) the agency, prior to the formal promulgation of the regulation,

(A) in a separately identified portion of the preamble to the regulation as it is to be issued in the **Federal Register**, provides to the Director of the Office of Management and Budget a description of the extent of the agency's prior consultation with representatives of affected States and local governments, a summary of the nature of their con-

cerns, and the agency's position supporting the need to issue the regulation; and

(B) makes available to the Director of the Office of Management and Budget any written communications submitted to the agency by States or local governments.

Sec. 5. *Increasing Flexibility for State and Local Waivers.* (a) Agencies shall review the processes under which States and local governments apply for waivers of statutory and regulatory requirements and take appropriate steps to streamline those processes.

(b) Each agency shall, to the extent practicable and permitted by law, consider any application by a State or local government for a waiver of statutory or regulatory requirements in connection with any program administered by that agency with a general view toward increasing opportunities for utilizing flexible policy approaches at the State or local level in cases in which the proposed waiver is consistent with applicable Federal policy objectives and is otherwise appropriate.

(c) Each agency shall, to the extent practicable and permitted by law, render a decision upon a complete application for a waiver within 120 days of receipt of such application by the agency. If the application for a waiver is not granted, the agency shall provide the applicant with timely written notice of the decision and the reasons therefor.

(d) This section applies only to statutory or regulatory requirements that are discretionary and subject to waiver by the agency.

Sec. 6. *Independent Agencies.* Independent regulatory agencies are encouraged to comply with the provisions of this order.

Sec. 7. *General Provisions.* (a) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(b) This order shall supplement but not supersede the requirements contained in Executive Order 12866 ("Regulatory Planning and Review"), Executive Order 12988 ("Civil Justice Reform"), and OMB Circular A-19.

(c) Executive Order 12612 of October 26, 1987, and Executive Order 12875 of October 26, 1993, are revoked.

(d) The consultation and waiver provisions in sections 4 and 5 of this order shall complement the Executive order entitled, "Consultation and Coordination with Indian Tribal Governments," being issued on this day.

(e) This order shall be effective 90 days after the date of this order.

WILLIAM J. CLINTON

THE WHITE HOUSE,

May 14, 1998.

Executive Order 13084 of May 14, 1998

Consultation and Coordination With Indian Tribal Governments

The United States has a unique legal relationship with Indian tribal governments as set forth in the Constitution of the United States, treaties, statutes, Executive orders, and court decisions. Since the formation of the Union, the United States has recognized Indian tribes as domestic dependent nations under its protection. In treaties, our Nation has guaranteed the right of Indian tribes to self-government. As domestic dependent nations, Indian tribes exercise inherent sovereign powers over their members and territory. The United States continues to work with Indian tribes on a government-to-government basis to address issues concerning Indian tribal self-government, trust resources, and Indian tribal treaty and other rights.

Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish regular and meaningful consultation and collaboration with Indian tribal governments in the development of regulatory practices on Federal matters that significantly or uniquely affect their communities; to reduce the imposition of unfunded mandates upon Indian tribal governments; and to streamline the application process for and increase the availability of waivers to Indian tribal governments; it is hereby ordered as follows:

Section 1. Definitions. For purposes of this order:

(a) “State” or “States” refer to the States of the United States of America, individually or collectively, and, where relevant, to State governments, including units of local government and other political subdivisions established by the States.

(b) “Indian tribe” means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a.

(c) “Agency” means any authority of the United States that is an “agency” under 44 U.S.C. 3502(1), other than those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(5).

Sec. 2. Policymaking Criteria. In formulating policies significantly or uniquely affecting Indian tribal governments, agencies shall be guided, to the extent permitted by law, by principles of respect for Indian tribal self-government and sovereignty, for tribal treaty and other rights, and for responsibilities that arise from the unique legal relationship between the Federal Government and Indian tribal governments.

Sec. 3. Consultation. (a) Each agency shall have an effective process to permit elected officials and other representatives of Indian tribal governments to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.

(b) To the extent practicable and permitted by law, no agency shall promulgate any regulation that is not required by statute, that significantly or uniquely affects the communities of the Indian tribal governments, and that imposes substantial direct compliance costs on such communities, unless:

(1) funds necessary to pay the direct costs incurred by the Indian tribal government in complying with the regulation are provided by the Federal Government; or

(2) the agency, prior to the formal promulgation of the regulation,

(A) in a separately identified portion of the preamble to the regulation as it is to be issued in the **Federal Register**, provides to the Director of the Office of Management and Budget a description of the extent of the agency's prior consultation with representatives of affected Indian tribal governments, a summary of the nature of their concerns, and the agency's position supporting the need to issue the regulation; and

(B) makes available to the Director of the Office of Management and Budget any written communications submitted to the agency by such Indian tribal governments.

Sec. 4. *Increasing Flexibility for Indian Tribal Waivers.* (a) Agencies shall review the processes under which Indian tribal governments apply for waivers of statutory and regulatory requirements and take appropriate steps to streamline those processes.

(b) Each agency shall, to the extent practicable and permitted by law, consider any application by an Indian tribal government for a waiver of statutory or regulatory requirements in connection with any program administered by that agency with a general view toward increasing opportunities for utilizing flexible policy approaches at the Indian tribal level in cases in which the proposed waiver is consistent with the applicable Federal policy objectives and is otherwise appropriate.

(c) Each agency shall, to the extent practicable and permitted by law, render a decision upon a complete application for a waiver within 120 days of receipt of such application by the agency. The agency shall provide the applicant with timely written notice of the decision and, if the application for a waiver is not granted, the reasons for such denial.

(d) This section applies only to statutory or regulatory requirements that are discretionary and subject to waiver by the agency.

Sec. 5. *Cooperation in developing regulations.* On issues relating to tribal self-government, trust resources, or treaty and other rights, each agency should explore and, where appropriate, use consensual mechanisms for developing regulations, including negotiated rulemaking.

Sec. 6. *Independent agencies.* Independent regulatory agencies are encouraged to comply with the provisions of this order.

Sec. 7. *General provisions.* (a) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(b) This order shall supplement but not supersede the requirements contained in Executive Order 12866 ("Regulatory Planning and Review"), Executive Order 12988 ("Civil Justice Reform"), OMB Circular A-19, and the Executive Memorandum of April 29, 1994, on Government-to-Government Relations with Native American Tribal Governments.

EO 13085

Title 3—The President

(c) This order shall complement the consultation and waiver provisions in sections 4 and 5 of the Executive order, entitled “Federalism,” being issued on this day.

(d) This order shall be effective 90 days after the date of this order.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 14, 1998.

Executive Order 13085 of May 26, 1998

Establishment of the Enrichment Oversight Committee

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to further the national security and other interests of the United States with regard to uranium enrichment and related businesses after the privatization of the United States Enrichment Corporation (USEC), it is ordered as follows:

Section 1. Establishment. There is hereby established an Enrichment Oversight Committee (EOC).

Sec. 2. Objectives. The EOC shall monitor and coordinate United States Government efforts with respect to the privatized USEC and any successor entities involved in uranium enrichment and related businesses in furtherance of the following objectives:

(a) The full implementation of the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium (HEU) Extracted from Nuclear Weapons, dated February 18, 1993 (“HEU Agreement”), and related contracts and agreements by the USEC as executive agent or by any other executive agents;

(b) The application of statutory, regulatory, and contractual restrictions on foreign ownership, control, or influence in the USEC, any successor entities, and any other executive agents;

(c) The development and implementation of United States Government policy regarding uranium enrichment and related technologies, processes, and data; and

(d) The collection and dissemination of information relevant to any of the foregoing on an ongoing basis, including from the Central Intelligence Agency and the Federal Bureau of Investigation.

Sec. 3. Organization. (a) The EOC shall be Chaired by a senior official from the National Security Council (NSC). The Chair shall coordinate the carrying out of the purposes and policy objectives of this order. The EOC shall meet as often as appropriate, but at least quarterly, and shall submit reports to the Assistant to the President for National Security Affairs semiannually, or more frequently as appropriate. The EOC shall prepare annually the report for the President’s transmittal to the Congress pursuant to section 3112 of the USEC Privatization Act, Public Law 104–134, title III, 3112(b)(10), 110 Stat. 1321–344, 1321–346 (1996).

(b) The EOC shall consist of representatives from the Departments of State, the Treasury, Defense, Justice, Commerce, Energy, and the Office of Management and Budget, the NSC, the National Economic Council, the Council of Economic Advisers, and the Intelligence Community. The EOC shall formulate internal guidelines for its operations, including guidelines for convening meetings.

(c) The EOC shall coordinate sharing of information and provide direction, while operational responsibilities resulting from the EOC's oversight activities will rest with EOC member agencies.

(d) At the request of the EOC, appropriate agencies, including the Department of Energy, shall provide day-to-day support for the EOC.

Sec. 4. *HEU Agreement Oversight.* The EOC shall form an HEU Agreement Oversight Subcommittee (the "Subcommittee") in order to continue coordination of the implementation of the HEU Agreement and related contracts and agreements, monitor actions taken by the executive agent, and make recommendations regarding steps designed to facilitate full implementation of the HEU Agreement, including changes with respect to the executive agent. The Subcommittee shall be chaired by a senior official from the NSC and shall include representatives of the Departments of State, Defense, Justice, Commerce, and Energy, and the Office of Management and Budget, the National Economic Council, the Intelligence Community, and, as appropriate, the United States Trade Representative, and the Council of Economic Advisers. The Subcommittee shall meet as appropriate to review the implementation of the HEU Agreement and consider steps to facilitate full implementation of that Agreement. In particular, the Subcommittee shall:

(a) have access to all information concerning implementation of the HEU Agreement and related contracts and agreements;

(b) monitor negotiations between the executive agent or agents and Russian authorities on implementation of the HEU Agreement, including the proposals of both sides on delivery schedules and on price;

(c) monitor sales of the natural uranium component of low-enriched uranium derived from Russian HEU pursuant to applicable law;

(d) establish procedures for designating alternative executive agents to implement the HEU Agreement;

(e) coordinate policies and procedures regarding the full implementation of the HEU purchase agreement and related contracts and agreements, consistent with applicable law; and

(f) coordinate the position of the United States Government on any issues that arise in the implementation of the Memorandum of Agreement with the USEC for the USEC to serve as the United States Government Executive Agent under the HEU Agreement.

Sec. 5. *Foreign Ownership, Control, or Influence (FOCI).* The EOC shall collect information and monitor issues relating to foreign ownership, control, or influence of the USEC or any successor entities. Specifically, the EOC shall:

(a) monitor the application and enforcement of the FOCI requirements of the National Industrial Security Program established by Executive Order 12829 with respect to the USEC and any successor entities (see National

Industrial Security Program Operating Manual, Department of Defense 2–3 (Oct. 1994));

(b) monitor and review reports and submissions relating to FOCI issues made by the USEC or any successor entity to the Nuclear Regulatory Commission (NRC) under the Atomic Energy Act of 1954, 42 U.S.C. 2011 *et seq.* (1994), and the USEC Privatization Act, Public Law 104–134, title III, 110 Stat. 1321–335 *et seq.* (1996);

(c) ensure coordination with the Intelligence Community of the collection and analysis of intelligence and ensure coordination of intelligence with other information related to FOCI issues; and

(d) ensure coordination with the Committee on Foreign Investment in the United States.

Sec. 6. *Domestic Enrichment Services.* The EOC shall collect and analyze information related to the maintenance of domestic uranium mining, enrichment, and conversion industries, provided that such activities shall be undertaken in a manner that provides appropriate protection for such information. In particular, the EOC shall:

(a) collect and review all public filings made by or with respect to the USEC or any successor entities with the Securities and Exchange Commission;

(b) collect information from all available sources necessary for the preparation of the annual report to the Congress required by section 3112 of the USEC Privatization Act, as noted in section 3(a) of this order, including information relating to plans by the USEC or any successor entities to expand or contract materially the enrichment of uranium-using gaseous diffusion technology;

(c) collect information relating to the development and implementation of atomic vapor laser isotope separation technology;

(d) to the extent permitted by law, and as necessary to fulfill the EOC's oversight functions, collect proprietary information from the USEC, or any successor entities, provided that the collection of such information shall be undertaken so as to minimize disruption to the normal functioning of the private corporation. For example, such information would include the USEC's financial statements prepared in accordance with standards applicable to public registrants and the executive summary of the USEC's strategic plan as shared with its Board of Directors, as well as timely information on its unit production costs, capacity utilization rates, average pricing and sales for the current year and for new contracts, employment levels, overseas activities, and research and development initiatives. Such information shall be collected on an annual basis, with quarterly updates as appropriate; and

(e) coordinate with relevant agencies in monitoring the levels of natural and enriched uranium and enrichment services imported into the United States.

Sec. 7. *Coordination with the Nuclear Regulatory Commission.* Upon notification by the NRC that it seeks the views of other agencies of the executive branch regarding determinations necessary for the issuance, reissuance, or renewal of a certificate of compliance or license to the privatized USEC, the EOC shall convey the relevant views of these other agencies of the ex-

ecutive branch, including whether the applicant's performance as the United States agent for the HEU Agreement is acceptable, on a schedule consistent with the NRC's need for timely action on such regulatory decisions.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 26, 1998.

Executive Order 13086 of May 27, 1998

1998 Amendments to the Manual for Courts-Martial, United States

By the authority vested in me as President by the Constitution and the laws of the United States of America, including chapter 47 of title 10, United States Code (Uniform Code of Military Justice, 10 U.S.C. 801-946), in order to prescribe amendments to the Manual for Courts-Martial, United States, prescribed by Executive Order No. 12473, as amended by Executive Order No. 12484, Executive Order No. 12550, Executive Order No. 12586, Executive Order No. 12708, Executive Order No. 12767, Executive Order No. 12888, Executive Order No. 12936, and Executive Order No. 12960, it is hereby ordered as follows:

Section 1. Part II of the Manual for Courts-Martial, United States, is amended as follows:

a. R.C.M. 305(g) through 305(k) are amended to read as follows:

“(g) *Who may direct release from confinement.* Any commander of a prisoner, an officer appointed under regulations of the Secretary concerned to conduct the review under subsections (i) and/or (j) of this rule or, once charges have been referred, a military judge detailed to the court-martial to which the charges against the accused have been referred, may direct release from pretrial confinement. For the purposes of this subsection, “any commander” includes the immediate or higher commander of the prisoner and the commander of the installation on which the confinement facility is located.

(h) *Notification and action by commander.*

(1) *Report.* Unless the commander of the prisoner ordered the pretrial confinement, the commissioned, warrant, noncommissioned, or petty officer into whose charge the prisoner was committed shall, within 24 hours after that commitment, cause a report to be made to the commander that shall contain the name of the prisoner, the offenses charged against the prisoner, and the name of the person who ordered or authorized confinement.

(2) *Action by commander.*

(A) *Decision.* Not later than 72 hours after the commander's ordering of a prisoner into pretrial confinement or, after receipt of a report that a member of the commander's unit or organization has been confined, whichever situation is applicable, the commander shall decide whether pretrial

confinement will continue. A commander's compliance with this subsection may also satisfy the 48-hour probable cause determination of subsection R.C.M. 305(i)(1) below, provided the commander is a neutral and detached officer and acts within 48 hours of the imposition of confinement under military control. Nothing in subsections R.C.M. 305(d), R.C.M. 305(i)(1), or this subsection prevents a neutral and detached commander from completing the 48-hour probable cause determination and the 72-hour commander's decision immediately after an accused is ordered into pretrial confinement.

(B) *Requirements for confinement.* The commander shall direct the prisoner's release from pretrial confinement unless the commander believes upon probable cause, that is, upon reasonable grounds, that:

- (i) An offense triable by a court-martial has been committed;
- (ii) The prisoner committed it; and
- (iii) Confinement is necessary because it is foreseeable that:
 - (a) The prisoner will not appear at trial, pretrial hearing, or investigation, or
 - (b) The prisoner will engage in serious criminal misconduct; and
 - (iv) Less severe forms of restraint are inadequate.

Serious criminal misconduct includes intimidation of witnesses or other obstruction of justice, serious injury to others, or other offenses that pose a serious threat to the safety of the community or to the effectiveness, morale, discipline, readiness, or safety of the command, or to the national security of the United States. As used in this rule, "national security" means the national defense and foreign relations of the United States and specifically includes: military or defense advantage over any foreign nation or group of nations; a favorable foreign relations position; or a defense posture capable of successfully resisting hostile or destructive action from within or without, overt or covert.

(C) *72-hour memorandum.* If continued pretrial confinement is approved, the commander shall prepare a written memorandum that states the reasons for the conclusion that the requirements for confinement in subsection (h)(2)(B) of this rule have been met. This memorandum may include hearsay and may incorporate by reference other documents, such as witness statements, investigative reports, or official records. This memorandum shall be forwarded to the 7-day reviewing officer under subsection (i)(2) of this rule. If such a memorandum was prepared by the commander before ordering confinement, a second memorandum need not be prepared; however, additional information may be added to the memorandum at any time.

(i) *Procedures for review of pretrial confinement.*

(1) *48-hour probable cause determination.* Review of the adequacy of probable cause to continue pretrial confinement shall be made by a neutral and detached officer within 48 hours of imposition of confinement under military control. If the prisoner is apprehended by civilian authorities and remains in civilian custody at the request of military authorities, reasonable efforts will be made to bring the prisoner under military control in a timely fashion.

(2) *7-day review of pretrial confinement.* Within 7 days of the imposition of confinement, a neutral and detached officer appointed in accordance with regulations prescribed by the Secretary concerned shall review the probable cause determination and necessity for continued pretrial confinement. In calculating the number of days of confinement for purposes of this rule, the initial date of confinement under military control shall count as one day and the date of the review shall also count as one day.

(A) *Nature of the 7-day review.*

(i) *Matters considered.* The review under this subsection shall include a review of the memorandum submitted by the prisoner's commander under subsection (h)(2)(C) of this rule. Additional written matters may be considered, including any submitted by the accused. The prisoner and the prisoner's counsel, if any, shall be allowed to appear before the 7-day reviewing officer and make a statement, if practicable. A representative of the command may also appear before the reviewing officer to make a statement.

(ii) *Rules of evidence.* Except for Mil. R. Evid., Section V (Privileges) and Mil. R. Evid. 302 and 305, the Military Rules of Evidence shall not apply to the matters considered.

(iii) *Standard of proof.* The requirements for confinement under subsection (h)(2)(B) of this rule must be proved by a preponderance of the evidence.

(B) *Extension of time limit.* The 7-day reviewing officer may, for good cause, extend the time limit for completion of the review to 10 days after the imposition of pretrial confinement.

(C) *Action by 7-day reviewing officer.* Upon completion of review, the reviewing officer shall approve continued confinement or order immediate release.

(D) *Memorandum.* The 7-day reviewing officer's conclusions, including the factual findings on which they are based, shall be set forth in a written memorandum. A copy of the memorandum and of all documents considered by the 7-day reviewing officer shall be maintained in accordance with regulations prescribed by the Secretary concerned and provided to the accused or the Government on request.

(E) *Reconsideration of approval of continued confinement.* The 7-day reviewing officer shall upon request, and after notice to the parties, reconsider the decision to confine the prisoner based upon any significant information not previously considered.

(j) *Review by military judge.* Once the charges for which the accused has been confined are referred to trial, the military judge shall review the propriety of the pretrial confinement upon motion for appropriate relief.

(1) *Release.* The military judge shall order release from pretrial confinement only if:

(A) The 7-day reviewing officer's decision was an abuse of discretion, and there is not sufficient information presented to the military judge justifying continuation of pretrial confinement under subsection (h)(2)(B) of this rule;

(B) Information not presented to the 7-day reviewing officer establishes that the prisoner should be released under subsection (h)(2)(B) of this rule; or

(C) The provisions of subsection (i)(1) or (2) of this rule have not been complied with and information presented to the military judge does not establish sufficient grounds for continued confinement under subsection (h)(2)(B) of this rule.

(2) *Credit.* The military judge shall order administrative credit under subsection (k) of this rule for any pretrial confinement served as a result of an abuse of discretion or failure to comply with the provisions of subsections (f), (h), or (i) of this rule.

(k) *Remedy.* The remedy for noncompliance with subsections (f), (h), (i), or (j) of this rule shall be an administrative credit against the sentence adjudged for any confinement served as the result of such noncompliance. Such credit shall be computed at the rate of 1 day credit for each day of confinement served as a result of such noncompliance. The military judge may order additional credit for each day of pretrial confinement that involves an abuse of discretion or unusually harsh circumstances. This credit is to be applied in addition to any other credit to which the accused may be entitled as a result of pretrial confinement served. This credit shall be applied first against any confinement adjudged. If no confinement is adjudged, or if the confinement adjudged is insufficient to offset all the credit to which the accused is entitled, the credit shall be applied against adjudged hard labor without confinement, restriction, fine, and forfeiture of pay, in that order, using the conversion formula under R.C.M. 1003(b)(6) and (7). For purposes of this subsection, 1 day of confinement shall be equal to 1 day of total forfeitures or a like amount of fine. The credit shall not be applied against any other form of punishment.”

b. R.C.M. 405(e) is amended to read as follows:

“(e) *Scope of investigation.* The investigating officer shall inquire into the truth and form of the charges, and such other matters as may be necessary to make a recommendation as to the disposition of the charges. If evidence adduced during the investigation indicates that the accused committed an uncharged offense, the investigating officer may investigate the subject matter of such offense and make a recommendation as to its disposition, without the accused first having been charged with the offense. The accused’s rights under subsection (f) are the same with regard to investigation of both charged and uncharged offenses.”

c. R.C.M. 706(c)(2)(D) is amended to read as follows:

“(D) Is the accused presently suffering from a mental disease or defect rendering the accused unable to understand the nature of the proceedings against the accused or to conduct or cooperate intelligently in the defense of the case?”

d. R.C.M. 707(b)(3) is amended by adding subsection (E) which reads as follows:

“(E) *Commitment of the incompetent accused.* If the accused is committed to the custody of the Attorney General for hospitalization as provided in R.C.M. 909(f), all periods of such commitment shall be excluded when determining whether the period in subsection (a) of this rule has run. If, at the end of the period of commitment, the accused is returned to the

custody of the general court-martial convening authority, a new 120-day time period under this rule shall begin on the date of such return to custody.”

e. R.C.M. 707(c) is amended to read as follows:

“(c) *Excludable delay.* All periods of time during which appellate courts have issued stays in the proceedings, or the accused is hospitalized due to incompetence, or is otherwise in the custody of the Attorney General, shall be excluded when determining whether the period in subsection (a) of this rule has run. All other pretrial delays approved by a military judge or the convening authority shall be similarly excluded.”

f. R.C.M. 809(b)(1) is amended by deleting the last sentence, which reads:

“In such cases, the regular proceedings shall be suspended while the contempt is disposed of.”

g. R.C.M. 809(c) is amended to read as follows:

“(c) *Procedure.* The military judge shall in all cases determine whether to punish for contempt and, if so, what the punishment shall be. The military judge shall also determine when during the court-martial the contempt proceedings shall be conducted; however, if the court-martial is composed of members, the military judge shall conduct the contempt proceedings outside the members’ presence. The military judge may punish summarily under subsection (b)(1) only if the military judge recites the facts for the record and states that they were directly witnessed by the military judge in the actual presence of the court-martial. Otherwise, the provisions of subsection (b)(2) shall apply.”

h. R.C.M. 908(a) is amended to read as follows:

“(a) *In general.* In a trial by a court-martial over which a military judge presides and in which a punitive discharge may be adjudged, the United States may appeal an order or ruling that terminates the proceedings with respect to a charge or specification, or excludes evidence that is substantial proof of a fact material in the proceedings, or directs the disclosure of classified information, or that imposes sanctions for nondisclosure of classified information. The United States may also appeal a refusal by the military judge to issue a protective order sought by the United States to prevent the disclosure of classified information or to enforce such an order that has previously been issued by the appropriate authority. However, the United States may not appeal an order or ruling that is, or amounts to, a finding of not guilty with respect to the charge or specification.”

i. R.C.M. 909 is amended to read as follows:

“(a) *In general.* No person may be brought to trial by court-martial if that person is presently suffering from a mental disease or defect rendering him or her mentally incompetent to the extent that he or she is unable to understand the nature of the proceedings against them or to conduct or cooperate intelligently in the defense of the case.

(b) *Presumption of capacity.* A person is presumed to have the capacity to stand trial unless the contrary is established.

(c) *Determination before referral.* If an inquiry pursuant to R.C.M. 706 conducted before referral concludes that an accused is suffering from a mental disease or defect that renders him or her mentally incompetent to stand trial, the convening authority before whom the charges are pending for disposition may disagree with the conclusion and take any action au-

thorized under R.C.M. 401, including referral of the charges to trial. If that convening authority concurs with the conclusion, he or she shall forward the charges to the general court-martial convening authority. If, upon receipt of the charges, the general court-martial convening authority similarly concurs, then he or she shall commit the accused to the custody of the Attorney General. If the general court-martial convening authority does not concur, that authority may take any action that he or she deems appropriate in accordance with R.C.M. 407, including referral of the charges to trial.

(d) *Determination after referral.* After referral, the military judge may conduct a hearing to determine the mental capacity of the accused, either *sua sponte* or upon request of either party. If an inquiry pursuant to R.C.M. 706 conducted before or after referral concludes that an accused is suffering from a mental disease or defect that renders him or her mentally incompetent to stand trial, the military judge shall conduct a hearing to determine the mental capacity of the accused. Any such hearing shall be conducted in accordance with paragraph (e) of this rule.

(e) *Incompetence determination hearing.*

(1) *Nature of issue.* The mental capacity of the accused is an interlocutory question of fact.

(2) *Standard.* Trial may proceed unless it is established by a preponderance of the evidence that the accused is presently suffering from a mental disease or defect rendering him or her mentally incompetent to the extent that he or she is unable to understand the nature of the proceedings or to conduct or cooperate intelligently in the defense of the case. In making this determination, the military judge is not bound by the rules of evidence except with respect to privileges.

(3) If the military judge finds the accused is incompetent to stand trial, the judge shall report this finding to the general court-martial convening authority, who shall commit the accused to the custody of the Attorney General.

(f) *Hospitalization of the accused.* An accused who is found incompetent to stand trial under this rule shall be hospitalized by the Attorney General as provided in section 4241(d) of title 18, United States Code. If notified that the accused has recovered to such an extent that he or she is able to understand the nature of the proceedings and to conduct or cooperate intelligently in the defense of the case, then the general court-martial convening authority shall promptly take custody of the accused. If, at the end of the period of hospitalization, the accused's mental condition has not so improved, action shall be taken in accordance with section 4246 of title 18, United States Code.

(g) *Excludable delay.* All periods of commitment shall be excluded as provided by R.C.M. 707(c). The 120-day time period under R.C.M. 707 shall begin anew on the date the general court-martial convening authority takes custody of the accused at the end of any period of commitment."

j. R.C.M. 916(b) is amended to read as follows:

"(b) *Burden of proof.* Except for the defense of lack of mental responsibility and the defense of mistake of fact as to age as described in Part IV, para. 45c.(2) in a prosecution for carnal knowledge, the prosecution shall

have the burden of proving beyond a reasonable doubt that the defense did not exist. The accused has the burden of proving the defense of lack of mental responsibility by clear and convincing evidence, and has the burden of proving mistake of fact as to age in a carnal knowledge prosecution by a preponderance of the evidence.”

k. R.C.M. 916(j) is amended to read as follows:

“(j) *Ignorance or mistake of fact.*

(1) *Generally.* Except as otherwise provided in this subsection, it is a defense to an offense that the accused held, as a result of ignorance or mistake, an incorrect belief of the true circumstances such that, if the circumstances were as the accused believed them, the accused would not be guilty of the offense. If the ignorance or mistake goes to an element requiring premeditation, specific intent, willfulness, or knowledge of a particular fact, the ignorance or mistake need only have existed in the mind of the accused. If the ignorance or mistake goes to any other element requiring only general intent or knowledge, the ignorance or mistake must have existed in the mind of the accused and must have been reasonable under all the circumstances. However, if the accused’s knowledge or intent is immaterial as to an element, then ignorance or mistake is not a defense.

(2) *Carnal knowledge.* It is a defense to a prosecution for carnal knowledge that, at the time of the sexual intercourse, the person with whom the accused had sexual intercourse was at least 12 years of age, and the accused reasonably believed the person was at least 16 years of age. The accused must prove this defense by a preponderance of the evidence.”

l. R.C.M. 920(e)(5)(D) is amended to read as follows:

“(D) The burden of proof to establish the guilt of the accused is upon the Government. [When the issue of lack of mental responsibility is raised, add: The burden of proving the defense of lack of mental responsibility by clear and convincing evidence is upon the accused. When the issue of mistake of fact as to age in a carnal knowledge prosecution is raised, add: The burden of proving the defense of mistake of fact as to age in carnal knowledge by a preponderance of the evidence is upon the accused.]”

m. R.C.M. 1005(e) is amended to read as follows:

“(e) *Required Instructions.* Instructions on sentence shall include:

(1) A statement of the maximum authorized punishment that may be adjudged and of the mandatory minimum punishment, if any;

(2) A statement of the effect any sentence announced including a punitive discharge and confinement, or confinement in excess of six months, will have on the accused’s entitlement to pay and allowances;

(3) A statement of the procedures for deliberation and voting on the sentence set out in R.C.M. 1006;

(4) A statement informing the members that they are solely responsible for selecting an appropriate sentence and may not rely on the possibility of any mitigating action by the convening or higher authority; and

(5) A statement that the members should consider all matters in extenuation, mitigation, and aggravation, whether introduced before or after findings, and matters introduced under R.C.M. 1001(b)(1), (2), (3), and (5).”

n. The heading for R.C.M. 1101 is amended as follows:

“Rule 1101. Report of result of trial; post-trial restraint; deferment of confinement, forfeitures and reduction in grade; waiver of Article 58b forfeitures”

o. R.C.M. 1101(c) is amended as follows:

“(c) *Deferment of confinement, forfeitures or reduction in grade.*

(1) *In general.* Deferment of a sentence to confinement, forfeitures, or reduction in grade is a postponement of the running of a sentence.

(2) *Who may defer.* The convening authority or, if the accused is no longer in the convening authority’s jurisdiction, the officer exercising general court-martial jurisdiction over the command to which the accused is assigned, may, upon written application of the accused at any time after the adjournment of the court-martial, defer the accused’s service of a sentence to confinement, forfeitures, or reduction in grade that has not been ordered executed.

(3) *Action on deferment request.* The authority acting on the deferment request may, in that authority’s discretion, defer service of a sentence to confinement, forfeitures, or reduction in grade. The accused shall have the burden of showing that the interests of the accused and the community in deferral outweigh the community’s interest in imposition of the punishment on its effective date. Factors that the authority acting on a deferment request may consider in determining whether to grant the deferment request include, where applicable: the probability of the accused’s flight; the probability of the accused’s commission of other offenses, intimidation of witnesses, or interference with the administration of justice; the nature of the offenses (including the effect on the victim) of which the accused was convicted; the sentence adjudged; the command’s immediate need for the accused; the effect of deferment on good order and discipline in the command; the accused’s character, mental condition, family situation, and service record. The decision of the authority acting on the deferment request shall be subject to judicial review only for abuse of discretion. The action of the authority acting on the deferment request shall be in writing and a copy shall be provided to the accused.

(4) *Orders.* The action granting deferment shall be reported in the convening authority’s action under R.C.M. 1107(f)(4)(E) and shall include the date of the action on the request when it occurs prior to or concurrently with the action. Action granting deferment after the convening authority’s action under R.C.M. 1107 shall be reported in orders under R.C.M. 1114 and included in the record of trial.

(5) *Restraint when deferment is granted.* When deferment of confinement is granted, no form of restraint or other limitation on the accused’s liberty may be ordered as a substitute form of punishment. An accused may, however, be restricted to specified limits or conditions may be placed on the accused’s liberty during the period of deferment for any other proper reason, including a ground for restraint under R.C.M. 304.

(6) *End of deferment.* Deferment of a sentence to confinement, forfeitures, or reduction in grade ends when:

(A) The convening authority takes action under R.C.M. 1107, unless the convening authority specifies in the action that service of confinement after the action is deferred;

(B) The confinement, forfeitures, or reduction in grade are suspended;

(C) The deferment expires by its own terms; or

(D) The deferment is otherwise rescinded in accordance with subsection (c)(7) of this rule. Deferment of confinement may not continue after the conviction is final under R.C.M. 1209.

(7) Rescission of deferment.

(A) *Who may rescind.* The authority who granted the deferment or, if the accused is no longer within that authority's jurisdiction, the officer exercising general court-martial jurisdiction over the command to which the accused is assigned, may rescind the deferment.

(B) *Action.* Deferment of confinement, forfeitures, or reduction in grade may be rescinded when additional information is presented to a proper authority which, when considered with all other information in the case, that authority finds, in that authority's discretion, is grounds for denial of deferment under subsection (c)(3) of this rule. The accused shall promptly be informed of the basis for the rescission and of the right to submit written matters on the accused's behalf and to request that the rescission be reconsidered. However, the accused may be required to serve the sentence to confinement, forfeitures, or reduction in grade pending this action.

(C) *Execution.* When deferment of confinement is rescinded after the convening authority's action under R.C.M. 1107, the confinement may be ordered executed. However, no such order to rescind a deferment of confinement may be issued within 7 days of notice of the rescission of a deferment of confinement to the accused under subsection (c)(7)(B) of this rule, to afford the accused an opportunity to respond. The authority rescinding the deferment may extend this period for good cause shown. The accused shall be credited with any confinement actually served during this period.

(D) *Orders.* Rescission of a deferment before or concurrently with the initial action in the case shall be reported in the action under R.C.M. 1107(f)(4)(E), which action shall include the dates of the granting of the deferment and the rescission. Rescission of a deferment of confinement after the convening authority's action shall be reported in supplementary orders in accordance with R.C.M. 1114 and shall state whether the approved period of confinement is to be executed or whether all or part of it is to be suspended."

p. R.C.M. 101 is amended by adding the following new subparagraph (d):

"(d) *Waiving forfeitures resulting from a sentence to confinement to provide for dependent support.*

(1) With respect to forfeiture of pay and allowances resulting only by operation of law and not adjudged by the court, the convening authority may waive, for a period not to exceed six months, all or part of the forfeitures for the purpose of providing support to the accused's dependent(s).

The convening authority may waive and direct payment of any such forfeitures when they become effective by operation of Article 57(a).

(2) Factors that may be considered by the convening authority in determining the amount of forfeitures, if any, to be waived include, but are not limited to, the length of the accused's confinement, the number and age(s) of the accused's family members, whether the accused requested waiver, any debts owed by the accused, the ability of the accused's family members to find employment, and the availability of transitional compensation for abused dependents permitted under 10 U.S.C. 1059.

(3) For the purposes of this Rule, a "dependent" means any person qualifying as a "dependent" under 37 U.S.C. 401."

q. The following new rule is added after R.C.M. 1102:

"Rule 1102A. Post-trial hearing for person found not guilty only by reason of lack of mental responsibility

(a) *In general.* The military judge shall conduct a hearing not later than forty days following the finding that an accused is not guilty only by reason of a lack of mental responsibility.

(b) *Psychiatric or psychological examination and report.* Prior to the hearing, the military judge or convening authority shall order a psychiatric or psychological examination of the accused, with the resulting psychiatric or psychological report transmitted to the military judge for use in the post-trial hearing.

(c) *Post-trial hearing.*

(1) The accused shall be represented by defense counsel and shall have the opportunity to testify, present evidence, call witnesses on his or her behalf, and to confront and cross-examine witnesses who appear at the hearing.

(2) The military judge is not bound by the rules of evidence except with respect to privileges.

(3) An accused found not guilty only by reason of a lack of mental responsibility of an offense involving bodily injury to another, or serious damage to the property of another, or involving a substantial risk of such injury or damage, has the burden of proving by clear and convincing evidence that his or her release would not create a substantial risk of bodily injury to another person or serious damage to property of another due to a present mental disease or defect. With respect to any other offense, the accused has the burden of such proof by a preponderance of the evidence.

(4) If, after the hearing, the military judge finds the accused has satisfied the standard specified in subsection (3) of this section, the military judge shall inform the general court-martial convening authority of this result and the accused shall be released. If, however, the military judge finds after the hearing that the accused has not satisfied the standard specified in subsection (3) of this section, then the military judge shall inform the general court-martial convening authority of this result and that authority may commit the accused to the custody of the Attorney General."

r. R.C.M. 1105(b) is amended to read as follows:

"(b) *Matters that may be submitted.*

(1) The accused may submit to the convening authority any matters that may reasonably tend to affect the convening authority's decision whether to disapprove any findings of guilt or to approve the sentence. The convening authority is only required to consider written submissions.

(2) Submissions are not subject to the Military Rules of Evidence and may include:

(A) Allegations of errors affecting the legality of the findings or sentence;

(B) Portions or summaries of the record and copies of documentary evidence offered or introduced at trial;

(C) Matters in mitigation that were not available for consideration at the court-martial; and

(D) Clemency recommendations by any member, the military judge, or any other person. The defense may ask any person for such a recommendation."

s. R.C.M. 1107(b)(4) is amended to read as follows:

"(4) *When proceedings resulted in a finding of not guilty or not guilty only by reason of lack of mental responsibility, or there was a ruling amounting to a finding of not guilty.* The convening authority shall not take action disapproving a finding of not guilty, a finding of not guilty only by reason of lack of mental responsibility, or a ruling amounting to a finding of not guilty. When an accused is found not guilty only by reason of lack of mental responsibility, the convening authority, however, shall commit the accused to a suitable facility pending a hearing and disposition in accordance with R.C.M. 1102A."

t. The subheading for R.C.M. 1107(d)(3) is amended to read as follows:

"(3) *Deferring service of a sentence to confinement.*"

u. R.C.M. 1107(d)(3)(A) is amended to read as follows:

"(A) In a case in which a court-martial sentences an accused referred to in subsection (B), below, to confinement, the convening authority may defer service of a sentence to confinement by a court-martial, without the consent of the accused, until after the accused has been permanently released to the armed forces by a state or foreign country."

v. R.C.M. 1109 is amended to read as follows:

"Rule 1109. Vacation of suspension of sentence

(a) *In general.* Suspension of execution of the sentence of a court-martial may be vacated for violation of the conditions of the suspension as provided in this rule.

(b) *Timeliness.*

(1) *Violation of conditions.* Vacation shall be based on a violation of the conditions of suspension that occurs within the period of suspension.

(2) *Vacation proceedings.* Vacation proceedings under this rule shall be completed within a reasonable time.

(3) *Order vacating the suspension.* The order vacating the suspension shall be issued before the expiration of the period of suspension.

(4) *Interruptions to the period of suspension.* Unauthorized absence of the probationer or the commencement of proceedings under this rule to vacate suspension interrupts the running of the period of suspension.

(c) *Confinement of probationer pending vacation proceedings.*

(1) *In general.* A probationer under a suspended sentence to confinement may be confined pending action under subsection (d)(2) of this rule, in accordance with the procedures in this subsection.

(2) *Who may order confinement.* Any person who may order pretrial restraint under R.C.M. 304(b) may order confinement of a probationer under a suspended sentence to confinement.

(3) *Basis for confinement.* A probationer under a suspended sentence to confinement may be ordered into confinement upon probable cause to believe the probationer violated any conditions of the suspension.

(4) *Review of confinement.* Unless proceedings under subsection (d)(1), (e), (f), or (g) of this rule are completed within 7 days of imposition of confinement of the probationer (not including any delays requested by probationer), a preliminary hearing shall be conducted by a neutral and detached officer appointed in accordance with regulations of the Secretary concerned.

(A) *Rights of accused.* Before the preliminary hearing, the accused shall be notified in writing of:

(i) The time, place, and purpose of the hearing, including the alleged violation(s) of the conditions of suspension;

(ii) The right to be present at the hearing;

(iii) The right to be represented at the hearing by civilian counsel provided by the probationer or, upon request, by military counsel detailed for this purpose; and

(iv) The opportunity to be heard, to present witnesses who are reasonably available and other evidence, and the right to confront and cross-examine adverse witnesses unless the hearing officer determines that this would subject these witnesses to risk or harm. For purposes of this subsection, a witness is not reasonably available if the witness requires reimbursement by the United States for cost incurred in appearing, cannot appear without unduly delaying the proceedings or, if a military witness, cannot be excused from other important duties.

(B) *Rules of evidence.* Except for Mil. R. Evid. Section V (Privileges) and Mil. R. Evid. 302 and 305, the Military Rules of Evidence shall not apply to matters considered at the preliminary hearing under this rule.

(C) *Decision.* The hearing officer shall determine whether there is probable cause to believe that the probationer violated the conditions of the probationer's suspension. If the hearing officer determines that probable cause is lacking, the hearing officer shall issue a written order directing that the probationer be released from confinement. If the hearing officer determines that there is probable cause to believe that the probationer violated the conditions of suspension, the hearing officer shall set forth that decision in a written memorandum, detailing therein the evidence relied upon and reasons for making the decision. The hearing officer shall forward the original memorandum or release order to the probationer's com-

mander and forward a copy to the probationer and the officer in charge of the confinement facility.

(d) *Vacation of suspended general court-martial sentence.*

(1) *Action by officer having special court-martial jurisdiction over probationer.*

(A) *In general.* Before vacation of the suspension of any general court-martial sentence, the officer having special court-martial jurisdiction over the probationer shall personally hold a hearing on the alleged violation of the conditions of suspension. If there is no officer having special court-martial jurisdiction over the probationer who is subordinate to the officer having general court-martial jurisdiction over the probationer, the officer exercising general court-martial jurisdiction over the probationer shall personally hold a hearing under subsection (d)(1) of this rule. In such cases, subsection (d)(1)(D) of this rule shall not apply.

(B) *Notice to probationer.* Before the hearing, the officer conducting the hearing shall cause the probationer to be notified in writing of:

(i) The time, place, and purpose of the hearing;

(ii) The right to be present at the hearing;

(iii) The alleged violation(s) of the conditions of suspension and the evidence expected to be relied on;

(iv) The right to be represented at the hearing by civilian counsel provided by the probationer or, upon request, by military counsel detailed for this purpose; and

(v) The opportunity to be heard, to present witnesses and other evidence, and the right to confront and cross-examine adverse witnesses, unless the hearing officer determines that there is good cause for not allowing confrontation and cross-examination.

(C) *Hearing.* The procedure for the vacation hearing shall follow that prescribed in R.C.M. 405(g), (h)(1), and (i).

(D) *Record and recommendation.* The officer who conducts the vacation proceeding shall make a summarized record of the proceeding and forward the record and that officer's written recommendation concerning vacation to the officer exercising general court-martial jurisdiction over the probationer.

(E) *Release from confinement.* If the special court-martial convening authority finds there is not probable cause to believe that the probationer violated the conditions of the suspension, the special court-martial convening authority shall order the release of the probationer from confinement ordered under subsection (c) of this rule. The special court-martial convening authority shall, in any event, forward the record and recommendation under subsection (d)(1)(D) of this rule.

(2) *Action by officer exercising general court-martial jurisdiction over probationer.*

(A) *In general.* The officer exercising general court-martial jurisdiction over the probationer shall review the record produced by and the recommendation of the officer exercising special court-martial jurisdiction over the probationer, decide whether the probationer violated a condition

of suspension, and, if so, decide whether to vacate the suspended sentence. If the officer exercising general court-martial jurisdiction decides to vacate the suspended sentence, that officer shall prepare a written statement of the evidence relied on and the reasons for vacating the suspended sentence.

(B) *Execution.* Any unexecuted part of a suspended sentence ordered vacated under this subsection shall, subject to R.C.M. 1113(c), be ordered executed.

(e) *Vacation of a suspended special court-martial sentence wherein a bad-conduct discharge was not adjudged.*

(1) *In general.* Before vacating the suspension of a special court-martial punishment that does not include a bad-conduct discharge, the special court-martial convening authority for the command in which the probationer is serving or assigned shall cause a hearing to be held on the alleged violation(s) of the conditions of suspension.

(2) *Notice to probationer.* The person conducting the hearing shall notify the probationer, in writing, before the hearing of the rights specified in subsection (d)(1)(B) of this rule.

(3) *Hearing.* The procedure for the vacation hearing shall follow that prescribed in R.C.M. 405(g), (h)(1), and (i).

(4) *Authority to vacate suspension.* The special court-martial convening authority for the command in which the probationer is serving or assigned shall have the authority to vacate any punishment that the officer has the authority to order executed.

(5) *Record and recommendation.* If the hearing is not held by the commander with authority to vacate the suspension, the person who conducts the hearing shall make a summarized record of the hearing and forward the record and that officer's written recommendation concerning vacation to the commander with authority to vacate the suspension.

(6) *Decision.* The special court-martial convening authority shall review the record produced by and the recommendation of the person who conducted the vacation proceeding, decide whether the probationer violated a condition of suspension, and, if so, decide whether to vacate the suspended sentence. If the officer exercising jurisdiction decides to vacate the suspended sentence, that officer shall prepare a written statement of the evidence relied on and the reasons for vacating the suspended sentence.

(7) *Execution.* Any unexecuted part of a suspended sentence ordered vacated under this subsection shall be ordered executed.

(f) *Vacation of a suspended special court-martial sentence that includes a bad-conduct discharge.*

(1) The procedure for the vacation of a suspended approved bad-conduct discharge shall follow that set forth in subsection (d) of this rule.

(2) The procedure for the vacation of the suspension of any lesser special court-martial punishment shall follow that set forth in subsection (e) of this rule.

(g) *Vacation of a suspended summary court-martial sentence.*

(1) Before vacation of the suspension of a summary court-martial sentence, the summary court-martial convening authority for the command in

which the probationer is serving or assigned shall cause a hearing to be held on the alleged violation(s) of the conditions of suspension.

(2) *Notice to probationer.* The person conducting the hearing shall notify the probationer before the hearing of the rights specified in subsections (d)(1)(B)(i), (ii), (iii), and (v) of this rule.

(3) *Hearing.* The procedure for the vacation hearing shall follow that prescribed in R.C.M. 405(g), (h)(1), and (i).

(4) *Authority to vacate suspension.* The summary court-martial convening authority for the command in which the probationer is serving or assigned shall have the authority to vacate any punishment that the officer had the authority to order executed.

(5) *Record and recommendation.* If the hearing is not held by the commander with authority to vacate the suspension, the person who conducts the vacation proceeding shall make a summarized record of the proceeding and forward the record and that officer's written recommendation concerning vacation to the commander with authority to vacate the suspension.

(6) *Decision.* A commander with authority to vacate the suspension shall review the record produced by and the recommendation of the person who conducted the vacation proceeding, decide whether the probationer violated a condition of suspension, and, if so, decide whether to vacate the suspended sentence. If the officer exercising jurisdiction decides to vacate the suspended sentence, that officer shall prepare a written statement of the evidence relied on and the reasons for vacating the suspended sentence.

(7) *Execution.* Any unexecuted part of a suspended sentence ordered vacated under this subsection shall be ordered executed."

w. R.C.M. 1201(b)(3)(A) is amended to read as follows:

"(A) *In general.* Notwithstanding R.C.M. 1209, the Judge Advocate General may, *sua sponte* or upon application of the accused or a person with authority to act for the accused, vacate or modify, in whole or in part, the findings, sentence, or both of a court-martial that has been finally reviewed, but has not been reviewed either by a Court of Criminal Appeals or by the Judge Advocate General under subsection (b)(1) of this rule, on the ground of newly discovered evidence, fraud on the court-martial, lack of jurisdiction over the accused or the offense, error prejudicial to the substantial rights of the accused, or the appropriateness of the sentence."

x. R.C.M. 1203(c)(1) is amended to read as follows:

"(1) *Forwarding by the Judge Advocate General to the Court of Appeals for the Armed Forces.* The Judge Advocate General may forward the decision of the Court of Criminal Appeals to the Court of Appeals for the Armed Forces for review with respect to any matter of law. In such a case, the Judge Advocate General shall cause a copy of the decision of the Court of Criminal Appeals and the order forwarding the case to be served on the accused and on appellate defense counsel. While a review of a forwarded case is pending, the Secretary concerned may defer further service of a sentence to confinement that has been ordered executed in such a case."

y. R.C.M. 1210(a) is amended by adding at the end thereof the following sentence:

“A petition for a new trial of the facts may not be submitted on the basis of newly discovered evidence when the petitioner was found guilty of the relevant offense pursuant to a guilty plea.”

Sec. 2. Part III of the Manual for Courts-Martial, United States, is amended as follows:

a. M.R.E. 412 is amended to read as follows:

“Rule 412. Nonconsensual sexual offenses; relevance of victim’s behavior or sexual predisposition

(a) *Evidence generally inadmissible.* The following evidence is not admissible in any proceeding involving alleged sexual misconduct except as provided in subdivisions (b) and (c) of this rule:

(1) Evidence offered to prove that any alleged victim engaged in other sexual behavior; and

(2) Evidence offered to prove any alleged victim’s sexual predisposition.

(b) *Exceptions.*

(1) In a proceeding, the following evidence is admissible, if otherwise admissible under these rules:

(A) Evidence of specific instances of sexual behavior by the alleged victim offered to prove that a person other than the accused was the source of semen, injury, or other physical evidence;

(B) Evidence of specific instances of sexual behavior by the alleged victim with respect to the person accused of the sexual misconduct offered by the accused to prove consent or by the prosecution; and

(C) Evidence the exclusion of which would violate the constitutional rights of the accused.

(c) *Procedure to determine admissibility.*

(1) A party intending to offer evidence under subdivision (b) of this rule must:

(A) file a written motion at least 5 days prior to entry of pleas specifically describing the evidence and stating the purpose for which it is offered unless the military judge, for good cause shown, requires a different time for filing or permits filing during trial; and

(B) serve the motion on the opposing party and the military judge and notify the alleged victim or, when appropriate, the alleged victim’s guardian or representative.

(2) Before admitting evidence under this rule, the military judge must conduct a hearing, which shall be closed. At this hearing, the parties may call witnesses, including the alleged victim, and offer relevant evidence. The victim must be afforded a reasonable opportunity to attend and be heard. In a case before a court-martial composed of a military judge and members, the military judge shall conduct the hearing outside the presence of the members pursuant to Article 39(a). The motion, related papers, and the record of the hearing must be sealed and remain under seal unless the court orders otherwise.

(3) If the military judge determines on the basis of the hearing described in paragraph (2) of this subdivision that the evidence that the accused seeks to offer is relevant and that the probative value of such evidence outweighs the danger of unfair prejudice, such evidence shall be admissible in the trial to the extent an order made by the military judge specifies evidence that may be offered and areas with respect to which the alleged victim may be examined or cross-examined.

(d) For purposes of this rule, the term “sexual behavior” includes any sexual behavior not encompassed by the alleged offense. The term “sexual predisposition” refers to an alleged victim’s mode of dress, speech, or lifestyle that does not directly refer to sexual activities or thoughts but that may have a sexual connotation for the factfinder.

(e) A “nonconsensual sexual offense” is a sexual offense in which consent by the victim is an affirmative defense or in which the lack of consent is an element of the offense. This term includes rape, forcible sodomy, assault with intent to commit rape or forcible sodomy, indecent assault, and attempts to commit such offenses.”

b. M.R.E. 413 is added to read as follows:

“Rule 413. Evidence of Similar Crimes in Sexual Assault Cases

(a) In a court-martial in which the accused is charged with an offense of sexual assault, evidence of the accused’s commission of one or more offenses of sexual assault is admissible and may be considered for its bearing on any matter to which it is relevant.

(b) In a court-martial in which the Government intends to offer evidence under this rule, the Government shall disclose the evidence to the accused, including statements of witnesses or a summary of the substance of any testimony that is expected to be offered, at least 5 days before the scheduled date of trial, or at such later time as the military judge may allow for good cause.

(c) This rule shall not be construed to limit the admission or consideration of evidence under any other rule.

(d) For purposes of this rule, “offense of sexual assault” means an offense punishable under the Uniform Code of Military Justice, or a crime under Federal law or the law of a State that involved—

(1) any sexual act or sexual contact, without consent, proscribed by the Uniform Code of Military Justice, Federal law, or the law of a State;

(2) contact, without consent of the victim, between any part of the accused’s body, or an object held or controlled by the accused, and the genitals or anus of another person;

(3) contact, without consent of the victim, between the genitals or anus of the accused and any part of another person’s body;

(4) deriving sexual pleasure or gratification from the infliction of death, bodily injury, or physical pain on another person; or

(5) an attempt or conspiracy to engage in conduct described in paragraphs (1) through (4).

(e) For purposes of this rule, the term “sexual act” means:

(1) contact between the penis and the vulva or the penis and the anus, and for purposes of this rule, contact occurs upon penetration, however slight, of the penis into the vulva or anus;

(2) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;

(3) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or

(4) the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

(f) For purposes of this rule, the term “sexual contact” means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

(g) For purposes of this rule, the term “State” includes a State of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, and any other territory or possession of the United States.”

c. M.R.E. 414 is added to read as follows:

“Rule 414. Evidence of Similar Crimes in Child Molestation Cases

(a) In a court-martial in which the accused is charged with an offense of child molestation, evidence of the accused’s commission of one or more offenses of child molestation is admissible and may be considered for its bearing on any matter to which it is relevant.

(b) In a court-martial in which the Government intends to offer evidence under this rule, the Government shall disclose the evidence to the accused, including statements of witnesses or a summary of the substance of any testimony that is expected to be offered, at least 5 days before the scheduled date of trial or at such later time as the military judge may allow for good cause.

(c) This rule shall not be construed to limit the admission or consideration of evidence under any other rule.

(d) For purposes of this rule, “child” means a person below the age of sixteen, and “offense of child molestation” means an offense punishable under the Uniform Code of Military Justice, or a crime under Federal law or the law of a State that involved—

(1) any sexual act or sexual contact with a child proscribed by the Uniform Code of Military Justice, Federal law, or the law of a State;

(2) any sexually explicit conduct with children proscribed by the Uniform Code of Military Justice, Federal law, or the law of a State;

(3) contact between any part of the accused’s body, or an object controlled or held by the accused, and the genitals or anus of a child;

(4) contact between the genitals or anus of the accused and any part of the body of a child;

(5) deriving sexual pleasure or gratification from the infliction of death, bodily injury, or physical pain on a child; or

(6) an attempt or conspiracy to engage in conduct described in paragraphs (1) through (5) of this subdivision.

(e) For purposes of this rule, the term “sexual act” means:

(1) contact between the penis and the vulva or the penis and the anus, and for purposes of this rule contact occurs upon penetration, however slight, of the penis into the vulva or anus;

(2) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;

(3) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or

(4) the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

(f) For purposes of this rule, the term “sexual contact” means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

(g) For purpose of this rule, the term “sexually explicit conduct” means actual or simulated:

(1) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;

(2) bestiality;

(3) masturbation;

(4) sadistic or masochistic abuse; or

(5) lascivious exhibition of the genitals or pubic area of any person.

(h) For purposes of this rule, the term “State” includes a State of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, and any other territory or possession of the United States.”

d. M.R.E. 1102 is amended to read as follows:

“Amendments to the Federal Rules of Evidence shall apply to the Military Rules of Evidence 18 months after the effective date of such amendments, unless action to the contrary is taken by the President.”

Sec. 3. Part IV of the Manual for Courts-Martial, United States, is amended as follows:

a. Paragraph 19 is amended to read as follows:

“19. Article 95—Resistance, flight, breach of arrest, and escape

a. *Text.*

“Any person subject to this chapter who—

- (1) resists apprehension;
- (2) flees from apprehension;
- (3) breaks arrest; or
- (4) escapes from custody or confinement shall be punished as a court-martial may direct.”

b. *Elements.*

(1) *Resisting apprehension.*

- (a) That a certain person attempted to apprehend the accused;
- (b) That said person was authorized to apprehend the accused; and
- (c) That the accused actively resisted the apprehension.

(2) *Flight from apprehension.*

- (a) That a certain person attempted to apprehend the accused;
- (b) That said person was authorized to apprehend the accused; and
- (c) That the accused fled from the apprehension.

(3) *Breaking arrest.*

- (a) That a certain person ordered the accused into arrest;
 - (b) That said person was authorized to order the accused into arrest;
- and
- (c) That the accused went beyond the limits of arrest before being released from that arrest by proper authority.

(4) *Escape from custody.*

- (a) That a certain person apprehended the accused;
- (b) That said person was authorized to apprehend the accused; and
- (c) That the accused freed himself or herself from custody before being released by proper authority.

(5) *Escape from confinement.*

- (a) That a certain person ordered the accused into confinement;
- (b) That said person was authorized to order the accused into confinement; and
- (c) That the accused freed himself or herself from confinement before being released by proper authority. [Note: If the escape was from post-trial confinement, add the following element]
- (d) That the confinement was the result of a court-martial conviction.

c. *Explanation.*

(1) *Resisting apprehension.*

- (a) *Apprehension.* Apprehension is the taking of a person into custody. See R.C.M. 302.
- (b) *Authority to apprehend.* See R.C.M. 302(b) concerning who may apprehend. Whether the status of a person authorized that person to appre-

hend the accused is a question of law to be decided by the military judge. Whether the person who attempted to make an apprehension had such a status is a question of fact to be decided by the factfinder.

(c) *Nature of the resistance.* The resistance must be active, such as assaulting the person attempting to apprehend. Mere words of opposition, argument, or abuse, and attempts to escape from custody after the apprehension is complete, do not constitute the offense of resisting apprehension although they may constitute other offenses.

(d) *Mistake.* It is a defense that the accused held a reasonable belief that the person attempting to apprehend did not have authority to do so. However, the accused's belief at the time that no basis existed for the apprehension is not a defense.

(e) *Illegal apprehension.* A person may not be convicted of resisting apprehension if the attempted apprehension is illegal, but may be convicted of other offenses, such as assault, depending on all the circumstances. An attempted apprehension by a person authorized to apprehend is presumed to be legal in the absence of evidence to the contrary. Ordinarily the legality of an apprehension is a question of law to be decided by the military judge.

(2) *Flight from apprehension.* The flight must be active, such as running or driving away.

(3) *Breaking arrest.*

(a) *Arrest.* There are two types of arrest: pretrial arrest under Article 9 (see R.C.M. 304), and arrest under Article 15 (see paragraph 5c.(3), Part V, MCM). This article prohibits breaking any arrest.

(b) *Authority to order arrest.* See R.C.M. 304(b) and paragraphs 2 and 5b, Part V, MCM, concerning authority to order arrest.

(c) *Nature of restraint imposed by arrest.* In arrest, the restraint is moral restraint imposed by orders fixing the limits of arrest.

(d) *Breaking.* Breaking arrest is committed when the person in arrest infringes the limits set by orders. The reason for the infringement is immaterial. For example, innocence of the offense with respect to which an arrest may have been imposed is not a defense.

(e) *Illegal arrest.* A person may not be convicted of breaking arrest if the arrest is illegal. An arrest ordered by one authorized to do so is presumed to be legal in the absence of some evidence to the contrary. Ordinarily, the legality of an arrest is a question of law to be decided by the military judge.

(4) *Escape from custody.*

(a) *Custody.* "Custody" is restraint of free locomotion imposed by lawful apprehension. The restraint may be physical or, once there has been a submission to apprehension or a forcible taking into custody, it may consist of control exercised in the presence of the prisoner by official acts or orders. Custody is temporary restraint intended to continue until other restraint (arrest, restriction, confinement) is imposed or the person is released.

(b) *Authority to apprehend.* See subparagraph (1)(b) above.

(c) *Escape*. For a discussion of escape, see subparagraph c(5)(c), below.

(d) *Illegal custody*. A person may not be convicted of this offense if the custody was illegal. An apprehension effected by one authorized to apprehend is presumed to be lawful in the absence of evidence to the contrary. Ordinarily, the legality of an apprehension is a question of law to be decided by the military judge.

(e) *Correctional custody*. See paragraph 70.

(5) *Escape from confinement*.

(a) *Confinement*. Confinement is physical restraint imposed under R.C.M. 305, 1101, or paragraph 5b, Part V, MCM. For purposes of the element of post-trial confinement (subparagraph b(5)(d), above) and increased punishment therefrom (subparagraph e(4), below), the confinement must have been imposed pursuant to an adjudged sentence of a court-martial, and not as a result of pretrial restraint or nonjudicial punishment.

(b) *Authority to order confinement*. See R.C.M. 304(b), 1101, and paragraphs 2 and 5b, Part V, MCM, concerning who may order confinement.

(c) *Escape*. An escape may be either with or without force or artifice, and either with or without the consent of the custodian. However, where a prisoner is released by one with apparent authority to do so, the prisoner may not be convicted of escape from confinement. See also paragraph 20c.(l)(b). Any completed casting off of the restraint of confinement, before release by proper authority, is an escape, and lack of effectiveness of the restraint imposed is immaterial. An escape is not complete until the prisoner is momentarily free from the restraint. If the movement toward escape is opposed, or before it is completed, an immediate pursuit follows, there is no escape until opposition is overcome or pursuit is eluded.

(d) *Status when temporarily outside confinement facility*. A prisoner who is temporarily escorted outside a confinement facility for a work detail or other reason by a guard, who has both the duty and means to prevent that prisoner from escaping, remains in confinement.

(e) *Legality of confinement*. A person may not be convicted of escape from confinement if the confinement is illegal. Confinement ordered by one authorized to do so is presumed to be lawful in the absence of evidence to the contrary. Ordinarily, the legality of confinement is a question of law to be decided by the military judge.

d. *Lesser included offenses*.

(1) *Resisting apprehension*. Article 128—assault; assault consummated by a battery

(2) *Breaking arrest*.

(a) Article 134—breaking restriction

(b) Article 80—attempts

(3) *Escape from custody*. Article 80—attempts

(4) *Escape from confinement*. Article 80—attempts

e. *Maximum punishment*.

(1) *Resisting apprehension.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 1 year.

(2) *Flight from apprehension.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 1 year.

(3) *Breaking arrest.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 6 months.

(4) *Escape from custody, pretrial confinement, or confinement on bread and water or diminished rations imposed pursuant to Article 15.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 1 year.

(5) *Escape from post-trial confinement.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 5 years.

f. *Sample specifications.*

(1) *Resisting apprehension.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____, 19____, resist being apprehended by _____, (an armed force policeman) (_____), a person authorized to apprehend the accused.

(2) *Flight from apprehension.*

In that _____ (personal jurisdiction data), did (at/on board—location) (subject matter jurisdiction data, if required), on or about _____ 19____, flee apprehension by _____ (an armed force policeman) (_____), a person authorized to apprehend the accused.

(3) *Breaking arrest.*

In that _____ (personal jurisdiction data), having been placed in arrest (in quarters) (in his/her company area) (_____) by a person authorized to order the accused into arrest, did, (at/on board—location) on or about _____ 19____, break said arrest.

(4) *Escape from custody.*

In that _____ (personal jurisdiction data), did, (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 19____, escape from the custody of _____, a person authorized to apprehend the accused.

(5) *Escape from confinement.*

In that _____ (personal jurisdiction data), having been placed in (post-trial) confinement in (place of confinement), by a person authorized to order said accused into confinement did, (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 19____, escape from confinement.”

b. The following new paragraph is added after paragraph 97:

“97a. Article 134—(Parole, Violation of)

a. *Text.* See paragraph 60.

b. *Elements.*

- (1) That the accused was a prisoner as the result of a court-martial conviction or other criminal proceeding;
- (2) That the accused was on parole;
- (3) That there were certain conditions of parole that the parolee was bound to obey;
- (4) That the accused violated the conditions of parole by doing an act or failing to do an act; and
- (5) That, under the circumstances, the conduct of the accused was to the prejudice of good order and discipline in the armed forces or was of a nature to bring discredit upon the armed forces.

c. *Explanation.*

(1) “Prisoner” refers only to those in confinement resulting from conviction at a court-martial or other criminal proceeding.

(2) “Parole” is defined as “word of honor.” A prisoner on parole, or parolee, has agreed to adhere to a parole plan and conditions of parole. A “parole plan” is a written or oral agreement made by the prisoner prior to parole to do or refrain from doing certain acts or activities. A parole plan may include a residence requirement stating where and with whom a parolee will live, and a requirement that the prisoner have an offer of guaranteed employment. “Conditions of parole” include the parole plan and other reasonable and appropriate conditions of parole, such as paying restitution, beginning or continuing treatment for alcohol or drug abuse, or paying a fine ordered executed as part of the prisoner’s court-martial sentence. In return for giving his or her “word of honor” to abide by a parole plan and conditions of parole, the prisoner is granted parole.

d. *Lesser included offense.* Article 80—attempts.

e. *Maximum punishment.* Bad-conduct discharge, confinement for 6 months, and forfeiture of two-thirds pay per month for 6 months.

f. *Sample specification.*

In that _____ (personal jurisdiction data), a prisoner on parole, did, (at/on board—location), on or about _____, 19____, violate the conditions of his/her parole by _____.”

c. Paragraph 45.a and b are amended to read as follows:

“45. Article 120—Rape and carnal knowledge

a. *Text.*

“(a) Any person subject to this chapter who commits an act of sexual intercourse by force and without consent, is guilty of rape and shall be punished by death or such other punishment as a court-martial may direct.

(b) Any person subject to this chapter who, under circumstances not amounting to rape, commits an act of sexual intercourse with a person—

(1) who is not his or her spouse; and

(2) who has not attained the age of sixteen years; is guilty of carnal knowledge and shall be punished as a court-martial may direct.

(c) Penetration, however slight, is sufficient to complete either of these offenses.

(d)(1) In a prosecution under subsection (b), it is an affirmative defense that—

(A) the person with whom the accused committed the act of sexual intercourse had at the time of the alleged offense attained the age of twelve years; and

(B) the accused reasonably believed that the person had at the time of the alleged offense attained the age of 16 years.

(2) The accused has the burden of proving a defense under subparagraph (d)(1) by a preponderance of the evidence.”

b. *Elements.*

(1) *Rape.*

(a) That the accused committed an act of sexual intercourse; and

(b) That the act of sexual intercourse was done by force and without consent.

(2) *Carnal knowledge.*

(a) That the accused committed an act of sexual intercourse with a certain person;

(b) That the person was not the accused’s spouse; and

(c) That at the time of the sexual intercourse the person was under 16 years of age.”

d. Paragraph 45c.(2) is amended to read as follows:

“(2) *Carnal knowledge.* “Carnal knowledge” is sexual intercourse under circumstances not amounting to rape, with a person who is not the accused’s spouse and who has not attained the age of 16 years. Any penetration, however slight, is sufficient to complete the offense. It is a defense, however, which the accused must prove by a preponderance of the evidence, that at the time of the act of sexual intercourse, the person with whom the accused committed the act of sexual intercourse was at least 12 years of age, and that the accused reasonably believed that this same person was at least 16 years of age.”

e. Paragraph 54e.(l) is amended to read as follows:

“(1) *Simple Assault.*

(A) *Generally.* Confinement for 3 months and forfeiture of two-thirds pay per month for 3 months.

(B) *When committed with an unloaded firearm.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 3 years.”

Sec. 4. These amendments shall take effect on May 27, 1998, subject to the following:

(a) The amendments made to Military Rules of Evidence 412, 413, and 414 shall apply only to courts-martial in which arraignment has been completed on or after June 26, 1998.

(b) Nothing contained in these amendments shall be construed to make punishable any act done or omitted prior to June 26, 1998, which was not punishable when done or omitted.

(c) The amendment made to Part IV, para. 45c.(2), authorizing a mistake of fact defense as to age in carnal knowledge prosecutions is effective in all cases in which the accused was arraigned on the offense of carnal knowledge, or for a greater offense that is later reduced to the lesser included offense of carnal knowledge, on or after February 10, 1996.

(d) Nothing in these amendments shall be construed to invalidate any nonjudicial punishment proceeding, restraint, investigation, referral of charges, trial in which arraignment occurred, or other action begun prior to May 27, 1998, and any such nonjudicial punishment proceeding, restraint, investigation, referral of charges, trial or other action may proceed in the same manner and with the same effect as if these amendments had not been prescribed.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 27, 1998.

CHANGES TO THE DISCUSSION ACCOMPANYING THE MANUAL FOR COURTS-MARTIAL, UNITED STATES.

a. The Discussion following R.C.M. 103 is amended by adding the following two sections at the end of the Discussion:

“(14) “Classified information” (A) means any information or material that has been determined by an official of the United States pursuant to law, an Executive Order, or regulation to require protection against unauthorized disclosure for reasons of national security, and (B) any restricted data, as defined in section 2014(y) of title 42, United States Code.

(15) “National security” means the national defense and foreign relations of the United States.”

b. The Discussion following R.C.M. 405(e) is amended by adding the following paragraph at the end of the Discussion:

“In investigating uncharged misconduct identified during the pretrial investigation, the investigating officer will inform the accused of the general nature of each uncharged offense investigated, and otherwise afford the accused the same opportunity for representation, cross examination, and presentation afforded during the investigation of any charged offense.”

c. The Discussion following R.C.M. 703(e)(2)(G)(i) is amended by adding the following sentence at the end of the second paragraph:

“Failing to comply with such a subpoena is a felony offense, and may result in a fine or imprisonment, or both, at the discretion of the district court.”

d. The following Discussion is inserted after the first two sentences of R.C.M. 707(c):

“Periods during which the accused is hospitalized due to incompetence or otherwise in the custody of the Attorney General are excluded when determining speedy trial under this rule.”

e. The following Discussion is added after R.C.M. 909(f):

“Under section 4241(d) of title 18, the initial period of hospitalization for an incompetent accused shall not exceed four months. However, in determining whether there is a substantial probability the accused will attain the capacity to permit the trial to proceed in the foreseeable future, the accused may be hospitalized for an additional reasonable period of time.

This additional period of time ends either when the accused’s mental condition is improved so that trial may proceed, or when the pending charges against the accused are dismissed. If charges are dismissed solely due to the accused’s mental condition, the accused is subject to hospitalization as provided in section 4246 of title 18.”

f. The Discussion following R.C.M. 916(j) is amended by inserting the following paragraph after the third paragraph in the Discussion:

“Examples of offenses in which the accused’s intent or knowledge is immaterial include: carnal knowledge (if the victim is under 12 years of age, knowledge or belief as to age is immaterial) and improper use of counter-sign (mistake as to authority of person to whom disclosed not a defense). However, such ignorance or mistake may be relevant in extenuation and mitigation.”

g. The Discussion following R.C.M. 1003(b)(2) is amended by inserting the following paragraph after the first paragraph in the Discussion:

“Forfeitures of pay and allowances adjudged as part of a court-martial sentence, or occurring by operation of Article 58b are effective 14 days after the sentence is adjudged or when the sentence is approved by the convening authority, whichever is earlier.”

h. The Discussion following R.C.M. 1003(b)(2) is amended by adding the following at the end of the Discussion:

“Forfeiture of pay and allowances under Article 58b is not a part of the sentence, but is an administrative result thereof.

At general courts-martial, if both a punitive discharge and confinement are adjudged, then the operation of Article 58b results in total forfeiture of pay and allowances during that period of confinement. If only confinement is adjudged, then if that confinement exceeds six months, the operation of Article 58b results in total forfeiture of pay and allowances during that period of confinement. If only a punitive discharge is adjudged, Article 58b has no effect on pay and allowances. A death sentence results in total forfeiture of pay and allowances.

At a special court-martial, if a bad-conduct discharge and confinement are adjudged, then the operation of Article 58b results in a forfeiture of two-thirds of pay only during that period of confinement. If only confinement is adjudged, however, then Article 58b has no effect on adjudged forfeitures.

If the sentence, as approved by the convening authority or other competent authority, does not result in forfeitures by the operation of Article 58b, then only adjudged forfeitures are effective.

Article 58b has no effect on summary courts-martial.”

i. The Discussion following R.C.M. 1101(c)(6) is amended to read as follows:

“When the sentence is ordered executed, forfeitures or reduction in grade may be suspended, but may not be deferred; deferral of confinement

may continue after action in accordance with R.C.M. 1107. A form of punishment cannot be both deferred and suspended at the same time. When deferment of confinement, forfeitures, or reduction in grade ends, the sentence to confinement, forfeitures, or reduction in grade begins to run or resumes running, as appropriate. When the convening authority has specified in the action that confinement will be deferred after the action, the deferment may not be terminated, except under subsections (6)(B), (C), or (D), until the conviction is final under R.C.M. 1209.

See R.C.M. 1203 for deferment of a sentence to confinement pending review under Article 67(a)(2).”

j. The following Discussion is added after R.C.M. 1101(d):

“Forfeitures resulting by operation of law, rather than those adjudged as part of a sentence, may be waived for six months or for the duration of the period of confinement, whichever is less. The waived forfeitures are paid as support to dependent(s) designated by the convening authority. When directing waiver and payment, the convening authority should identify by name the dependent(s) to whom the payments will be made and state the number of months for which the waiver and payment shall apply. In cases where the amount to be waived and paid is less than the jurisdictional limit of the court, the monthly dollar amount of the waiver and payment should be stated.”

k. The Discussion following R.C.M. 1105(b) is amended by adding the following at the end of the Discussion:

“Although only written submissions must be considered, the convening authority may consider any submission by the accused, including, but not limited to, videotapes, photographs, and oral presentations.”

l. The following Discussion is added after R.C.M. 1107(b)(4):

“Commitment of the accused to the custody of the Attorney General for hospitalization is discretionary.”

m. The Discussion following R.C.M. 1109(d)(1)(E) is amended to read as follows:

“See Appendix 18 for a sample of a Report of Proceedings to Vacate Suspension of a General Court-Martial Sentence under Article 72, UCMJ, and R.C.M. 1109 (DD Form 455).”

n. The following Discussion is added after R.C.M. 1109(f):

“An officer exercising special court-martial jurisdiction may vacate any suspended punishments other than an approved suspended bad-conduct discharge, regardless of whether they are contained in the same sentence as a bad-conduct discharge.

See Appendix 18 for a sample of a Report of Proceedings to Vacate Suspension of a Special Court-Martial Sentence including a bad-conduct discharge under Article 72, UCMJ, and R.C.M. 1109 (DD Form 455).”

CHANGES TO THE ANALYSIS ACCOMPANYING THE MANUAL FOR COURTS-MARTIAL, UNITED STATES.

1. Changes to Appendix 21, the Analysis accompanying the Rules for Courts-Martial (Part II, MCM).

a. R.C.M. 103. The analysis accompanying R.C.M. 103 is amended by inserting the following at the end thereof:

“1998 Amendment:” The Discussion was amended to include new definitions of “classified information” in (14) and “national security” in (15). They are identical to those used in the Classified Information Procedures Act (18 U.S.C. App. III § 1, *et. seq.*). They were added in connection with the change to Article 62(a)(1) (Appeals Relating to Disclosure of Classified Information). See R.C.M. 908 (Appeal by the United States) and M.R.E. 505 (Classified Information).”

b. R.C.M. 405. The analysis accompanying R.C.M. 405(e) is amended by inserting the following at the end thereof:

“1998 Amendment:” This change is based on the amendments to Article 32 enacted by Congress in section 1131, National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106, 110 Stat. 186, 464 (1996). It authorizes the Article 32 investigating officer to investigate uncharged offenses when, during the course of the Article 32 investigation, the evidence indicates that the accused may have committed such offenses. Permitting the investigating officer to investigate uncharged offenses and recommend an appropriate disposition benefits both the government and the accused. It promotes judicial economy while still affording the accused the same rights the accused would have in the investigation of preferred charges.”

c. R.C.M. 703. The analysis accompanying R.C.M. 703(e)(2)(G)(i) is amended by inserting the following at the end thereof:

“1998 Amendment:” The Discussion was amended to reflect the amendment of Article 47, UCMJ, in section 1111 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106, 110 Stat. 186, 461 (1996). The amendment removes limitations on the punishment that a federal district court may impose for a civilian witness’ refusal to honor a subpoena to appear or testify before a court-martial. Previously, the maximum sentence for a recalcitrant witness was “a fine of not more than \$500.00, or imprisonment for not more than six months, or both.” The law now leaves the amount of confinement or fine to the discretion of the federal district court.”

d. R.C.M. 706. The analysis accompanying R.C.M. 706 is amended by inserting the following at the end thereof:

“1998 Amendment:” Subsection (c)(2)(D) was amended to reflect the standard for incompetence set forth in Article 76b, UCMJ.”

e. R.C.M. 707(c). The analysis accompanying R.C.M. 707(c) is amended by inserting the following at the end thereof:

“1998 Amendment:” In creating Article 76b, UCMJ, Congress mandated the commitment of an incompetent accused to the custody of the Attorney General. As an accused is not under military control during any such period of custody, the entire time period is excludable delay under the 120-day speedy trial rule.”

f. R.C.M. 809. The analysis accompanying R.C.M. 809 is amended by adding the following at the end thereof:

“1998 Amendment:” R.C.M. 809 was amended to modernize military contempt procedures, as recommended in *United States v. Burnett*, 27 M.J. 99, 106 (C.M.A. 1988). Thus, the amendment simplifies the contempt procedure in trials by courts-martial by vesting contempt power in the military

judge and eliminating the members' involvement in the process. The amendment also provides that the court-martial proceedings need not be suspended while the contempt proceedings are conducted. The proceedings will be conducted by the military judge in all cases, outside of the members' presence. The military judge also exercises discretion as to the timing of the proceedings and, therefore, may assure that the court-martial is not otherwise unnecessarily disrupted or the accused prejudiced by the contempt proceedings. *See Sacher v. United States*, 343 U.S. 1, 10, 72 S. Ct. 451, 455, 96 L. Ed. 717, 724 (1952). The amendment also brings court-martial contempt procedures into line with the procedure applicable in other courts."

g. R.C.M. 908. The analysis accompanying R.C.M. 908 is amended by inserting the following at the end thereof:

"*1998 Amendment:*" The change to R.C.M. 908(a) resulted from the amendment to Article 62, UCMJ, in section 1141, National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104-106, 110 Stat. 186, 466-67 (1996). It permits interlocutory appeal of rulings disclosing classified information."

h. R.C.M. 909. The analysis accompanying R.C.M. 909 is amended by inserting the following at the end thereof:

"*1998 Amendment:*" The rule was changed to provide for the hospitalization of an incompetent accused after the enactment of Article 76b, UCMJ, in section 1133 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104-106, 110 Stat. 186, 464-66 (1996)."

i. R.C.M. 916(b). The analysis accompanying R.C.M. 916(b) is amended by inserting the following at the end thereof:

"*1998 Amendment:*" In enacting section 1113 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104-106, 110 Stat. 186, 462 (1996), Congress amended Article 120, UCMJ, to create a mistake of fact defense to a prosecution for carnal knowledge. The accused must prove by a preponderance of the evidence that the person with whom he or she had sexual intercourse was at least 12 years of age, and that the accused reasonably believed that this person was at least 16 years of age. The changes to R.C.M. 916(b) and (j) implement this amendment."

j. R.C.M. 916(j). The analysis accompanying R.C.M. 916(j) is amended by inserting the following at the end thereof:

"*1998 Amendment:*" In enacting section 1113 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104-106, 110 Stat. 186, 462 (1996), Congress amended Article 120, UCMJ, to create a mistake of fact defense to a prosecution for carnal knowledge. The accused must prove by a preponderance of the evidence that the person with whom he or she had sexual intercourse was at least 12 years of age, and that the accused reasonably believed that this person was at least 16 years of age. The changes to R.C.M. 916(b) and (j) implement this amendment."

k. R.C.M. 920(e). The analysis accompanying R.C.M. 920(e) is amended by inserting the following at the end thereof:

"*1998 Amendment:*" This change to R.C.M. 920(e) implemented Congress' creation of a mistake of fact defense for carnal knowledge. Article 120(d), UCMJ, provides that the accused must prove by a preponderance of the evidence that the person with whom he or she had sexual inter-

course was at least 12 years of age, and that the accused reasonably believed that this person was at least 16 years of age.”

l. R.C.M. 1005(e). The analysis accompanying R.C.M. 1005(e) is amended by inserting the following at the end thereof:

“*1998 Amendment:*” The requirement to instruct members on the effect a sentence including a punitive discharge and confinement, or confinement exceeding six months, may have on adjudged forfeitures was made necessary by the creation of Article 58b, UCMJ, in section 1122, National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106, 110 Stat. 186, 463 (1996).”

m. R.C.M. 1101. The analysis accompanying R.C.M. 1101(c) is amended by inserting the following at the end thereof:

“*1998 Amendment:*” In enacting section 1121 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106, 110 Stat. 186, 462, 464 (1996), Congress amended Article 57(a) to make forfeitures of pay and allowances and reductions in grade effective either 14 days after being adjudged by a court-martial, or when the convening authority takes action in the case, whichever was earlier in time. Until this change, any forfeiture or reduction in grade adjudged by the court did not take effect until convening authority action, which meant the accused often retained the privileges of his or her rank and pay for up to several months. The intent of the amendment to Article 57(a) was to change this situation so that the desired punitive and rehabilitative impact on the accused occurred more quickly.

Congress, however, desired that a deserving accused be permitted to request a deferment of any adjudged forfeitures or reduction in grade, so that a convening authority, in appropriate situations, might mitigate the effect of Article 57(a).

This change to R.C.M. 1101 is in addition to the change to R.C.M. 1203. The latter implements Congress’ creation of Article 57a, giving the Service Secretary concerned the authority to defer a sentence to confinement pending review under Article 67(a)(2).”

n. R.C.M. 1101(d). The analysis accompanying R.C.M. 1101(d) is added as follows:

“*1998 Amendment:*” This new subsection implements Article 58b, UCMJ, created by section 1122, National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106, 110 Stat. 186, 463 (1996). This article permits the convening authority (or other person acting under Article 60) to waive any or all of the forfeitures of pay and allowances forfeited by operation of Article 58b(a) for a period not to exceed six months. The purpose of such waiver is to provide support to some or all of the accused’s dependent(s) when circumstances warrant. The convening authority directs the waiver and identifies those dependent(s) who shall receive the payment(s).”

o. R.C.M. 1102A. The analysis accompanying R.C.M. 1102A is added as follows:

“*1998 Amendment:*” This new Rule implements Article 76b(b), UCMJ. Created in section 1133 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106, 110 Stat. 186, 464–66 (1996), it provides for a post-trial hearing within forty days of the finding that the ac-

cused is not guilty only by reason of a lack of mental responsibility. Depending on the offense concerned, the accused has the burden of proving either by a preponderance of the evidence, or by clear and convincing evidence, that his or her release would not create a substantial risk of bodily injury to another person or serious damage to property of another due to a present mental disease or defect. The intent of the drafters is for R.C.M. 1102A to mirror the provisions of sections 4243 and 4247 of title 18, United States Code.”

p. R.C.M. 1107(b). The analysis accompanying R.C.M. 1107(b) is amended by inserting the following at the end thereof:

“*1998 Amendment:*” Congress created Article 76b, UCMJ in section 1133 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106, 110 Stat. 186, 464–66 (1996). It gives the convening authority discretion to commit an accused found not guilty only by reason of a lack of mental responsibility to the custody of the Attorney General.”

q. R.C.M. 1107(d). The analysis accompanying R.C.M. 1107(d) is amended by inserting the following at the end thereof:

“*1998 Amendment:*” All references to “postponing” service of a sentence to confinement were changed to use the more appropriate term, “defer.”

r. R.C.M. 1109. The analysis accompanying R.C.M. 1109 is amended by inserting the following at the end thereof:

“*1998 Amendment:*” The Rule is amended to clarify that “the suspension of a special court-martial sentence which as approved includes a bad-conduct discharge,” permits the officer exercising special court-martial jurisdiction to vacate any suspended punishments other than an approved suspended bad-conduct discharge.”

s. R.C.M. 1203(c). The analysis accompanying R.C.M. 1203(c) is amended by inserting the following at the end thereof:

“*1998 Amendment:*” The change to the rule implements the creation of Article 57a, UCMJ, contained in section 1123 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106, 110 Stat. 186, 463–64 (1996). A sentence to confinement may be deferred by the Secretary concerned when it has been set aside by a Court of Criminal Appeals and a Judge Advocate General certifies the case to the Court of Appeals for the Armed Forces for further review under Article 67(a)(2). Unless it can be shown that the accused is a flight risk or a potential threat to the community, the accused should be released from confinement pending the appeal. *See Moore v. Akins*, 30 M.J. 249 (C.M.A. 1990).”

t. R.C.M. 1210. The analysis accompanying R.C.M. 1210 is amended by inserting the following at the end thereof:

“*1998 Amendment:*” R.C.M. 1210(a) was amended to clarify its application consistent with interpretations of Fed. R. Crim. P. 33 that newly discovered evidence is never a basis for a new trial of the facts when the accused has pled guilty. *See United States v. Lambert*, 603 F.2d 808, 809 (10th Cir. 1979); *see also United States v. Gordon*, 4 F.3d 1567, 1572 n.3 (10th Cir. 1993), *cert. denied*, 510 U.S. 1184 (1994); *United States v. Collins*, 898 F. 2d 103 (9th Cir. 1990)(per curiam); *United States v. Prince*, 533 F.2d 205 (5th Cir. 1976); *Williams v. United States*, 290 F.2d 217 (5th Cir. 1961). *But see United States v. Brown*, 11 U.S.C.M.A. 207, 211, 29 C.M.R. 23, 27 (1960)(per Latimer, J.)(newly discovered evidence could be used to attack guilty plea on appeal in era prior to the guilty plea examination

mandated by *United States v. Care*, 18 U.S.C.M.A. 535, 40 C.M.R. 247 (1969) and R.C.M. 910(e)). Article 73 authorizes a petition for a new trial of the facts when there has been a trial. When there is a guilty plea, there is no trial. See R.C.M. 910(j). The amendment is made in recognition of the fact that it is difficult, if not impossible, to determine whether newly discovered evidence would have an impact on the trier of fact when there has been no trier of fact and no previous trial of the facts at which other pertinent evidence has been adduced. Additionally, a new trial may not be granted on the basis of newly discovered evidence unless “[t]he newly discovered evidence, if considered by a court-martial in the light of all other pertinent evidence, would probably produce a substantially more favorable result for the accused.” R.C.M. 1210(f)(2)(C).”

2. Changes to Appendix 22, the Analysis accompanying the Military Rules of Evidence (Part III, MCM).

a. M.R.E. 412. The analysis accompanying M.R.E. 412 is amended by inserting the following at the end thereof:

“*1998 Amendment:*” The revisions to Rule 412 reflect changes made to Federal Rule of Evidence 412 by section 40141 of the Violent Crime Control and Law Enforcement Act of 1994, Pub L. No. 103-322, 108 Stat. 1796, 1918-19 (1994). The purpose of the amendments is to safeguard the alleged victim against the invasion of privacy and potential embarrassment that is associated with public disclosure of intimate sexual details and the infusion of sexual innuendo into the factfinding process.

The terminology “alleged victim” is used because there will frequently be a factual dispute as to whether the sexual misconduct occurred. Rule 412 does not, however, apply unless the person against whom the evidence is offered can reasonably be characterized as a “victim of alleged sexual misconduct.”

The term “sexual predisposition” is added to Rule 412 to conform military practice to changes made to the Federal Rule. The purpose of this change is to exclude all other evidence relating to an alleged victim of sexual misconduct that is offered to prove a sexual predisposition. It is designed to exclude evidence that does not directly refer to sexual activities or thoughts but that the accused believes may have a sexual connotation for the factfinder. Admission of such evidence would contravene Rule 412’s objectives of shielding the alleged victim from potential embarrassment and safeguarding the victim against stereotypical thinking. Consequently, unless an exception under (b)(1) is satisfied, evidence such as that relating to the alleged victim’s mode of dress, speech, or lifestyle is inadmissible.

In drafting Rule 412, references to civil proceedings were deleted, as these are irrelevant to courts-martial practice. Otherwise, changes in procedure made to the Federal Rule were incorporated, but tailored to military practice. The Military Rule adopts a 5-day notice period, instead of the 14-day period specified in the Federal Rule. Additionally, the military judge, for good cause shown, may require a different time for such notice or permit notice during trial. The 5-day period preserves the intent of the Federal Rule that an alleged victim receive timely notice of any attempt to offer evidence protected by Rule 412, however, given the relatively short time period between referral and trial, the 5-day period is deemed more compatible with courts-martial practice.

Similarly, a closed hearing was substituted for the in camera hearing required by the Federal Rule. Given the nature of the in camera procedure used in Military Rule of Evidence 505(i)(4), and that an in camera hearing in the district courts more closely resembles a closed hearing conducted pursuant to Article 39(a), the latter was adopted as better suited to trial by courts-martial. Any alleged victim is afforded a reasonable opportunity to attend and be heard at the closed Article 39(a) hearing. The closed hearing, combined with the new requirement to seal the motion, related papers, and the record of the hearing, fully protects an alleged victim against invasion of privacy and potential embarrassment.”

b. M.R.E. 413. The analysis accompanying M.R.E. 413 is added as follows:

“*1998 Amendment:*” This amendment is intended to provide for more liberal admissibility of character evidence in criminal cases of sexual assault where the accused has committed a prior act of sexual assault.

Rule 413 is nearly identical to its Federal Rule counterpart. A number of changes were made, however, to tailor the Rule to military practice. First, all references to Federal Rule 415 were deleted, as it applies only to civil proceedings. Second, military justice terminology was substituted where appropriate (e.g. accused for defendant, court-martial for case). Third, the 5-day notice requirement in Rule 413(b) replaced a 15-day notice requirement in the Federal Rule. A 5-day requirement is better suited to military discovery practice. This 5-day notice requirement, however, is not intended to restrict a military judge’s authority to grant a continuance under R.C.M. 906(b)(1). Fourth, Rule 413(d) has been modified to include violations of the Uniform Code of Military Justice. Also, the phrase “without consent” was added to Rule 413(d)(1) to specifically exclude the introduction of evidence concerning adultery or consensual sodomy. Last, all incorporation by way of reference was removed by adding subsections (e), (f), and (g). The definitions in those subsections were taken from title 18, United States Code §§ 2246(2), 2246(3), and 513(c)(5), respectively.

Although the Rule states that the evidence “is admissible,” the drafters intend that the courts apply Rule 403 balancing to such evidence. Apparently, this also was the intent of Congress. The legislative history reveals that “the general standards of the rules of evidence will continue to apply, including the restrictions on hearsay evidence and the court’s authority under evidence rule 403 to exclude evidence whose probative value is substantially outweighed by its prejudicial effect.” 140 Cong. Rec. S12,990 (daily ed. Sept. 20, 1994)(Floor Statement of the Principal Senate Sponsor, Senator Bob Dole, Concerning the Prior Crimes Evidence Rules for Sexual Assault and Child Molestation Cases).

When “weighing the probative value of such evidence, the court may, as part of its rule 403 determination, consider proximity in time to the charged or predicate misconduct; similarity to the charged or predicate misconduct; frequency of the other acts; surrounding circumstances; relevant intervening events; and other relevant similarities or differences.” (Report of the Judicial Conference of the United States on the Admission of Character Evidence in Certain Sexual Misconduct Cases).”

c. M.R.E. 414. The analysis accompanying M.R.E. 414 is added as follows:

“*1998 Amendment:*” This amendment is intended to provide for more liberal admissibility of character evidence in criminal cases of child moles-

tation where the accused has committed a prior act of sexual assault or child molestation.

Rule 414 is nearly identical to its Federal Rule counterpart. A number of changes were made, however, to tailor the Rule to military practice. First, all references to Federal Rule 415 were deleted, as it applies only to civil proceedings. Second, military justice terminology was substituted where appropriate (e.g. accused for defendant, court-martial for case). Third, the 5-day notice requirement in Rule 414(b) replaced a 15-day notice requirement in the Federal Rule. A 5-day requirement is better suited to military discovery practice. This 5-day notice requirement, however, is not intended to restrict a military judge's authority to grant a continuance under R.C.M. 906(b)(1). Fourth, Rule 414(d) has been modified to include violations of the Uniform Code of Military Justice. Last, all incorporation by way of reference was removed by adding subsections (e), (f), (g), and (h). The definitions in those subsections were taken from title 18, United States Code §§ 2246(2), 2246(3), 2256(2), and 513(c)(5), respectively.

Although the Rule states that the evidence "is admissible," the drafters intend that the courts apply Rule 403 balancing to such evidence. Apparently, this was also the intent of Congress. The legislative history reveals that "the general standards of the rules of evidence will continue to apply, including the restrictions on hearsay evidence and the court's authority under evidence rule 403 to exclude evidence whose probative value is substantially outweighed by its prejudicial effect." 140 Cong. Rec. S12,990 (daily ed. Sept. 20, 1994)(Floor Statement of the Principal Senate Sponsor, Senator Bob Dole, Concerning the Prior Crimes Evidence Rules for Sexual Assault and Child Molestation Cases).

When "weighing the probative value of such evidence, the court may, as part of its rule 403 determination, consider proximity in time to the charged or predicate misconduct; similarity to the charged or predicate misconduct; frequency of the other acts; surrounding circumstances; relevant intervening events; and other relevant similarities or differences." (Report of the Judicial Conference of the United States on the Admission of Character Evidence in Certain Sexual Misconduct Cases)."

d. M.R.E. 1102. The analysis accompanying M.R.E. 1102 is amended by inserting the following at the end thereof:

"1998 Amendment:" The Rule is amended to increase to 18 months the time period between changes to the Federal Rules of Evidence and automatic amendment of the Military Rules of Evidence. This extension allows for the timely submission of changes through the annual review process."

3. Changes to Appendix 23, the Analysis accompanying the Punitive Articles (Part IV, MCM).

a. Article 95—Resistance, flight, breach of arrest and escape. The following analysis is inserted after the analysis to Article 95:

"1998 Amendment:" Subparagraphs a, b, c and f were amended to implement the amendment to 10 U.S.C. § 895 (Article 95, UCMJ) contained in section 1112 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104-106, 110 Stat. 186, 461 (1996). The amendment proscribes fleeing from apprehension without regard to whether the accused otherwise resisted apprehension. The amendment responds to the U.S. Court of Appeals for the Armed Forces decisions in *United States v. Harris*,

29 M.J. 169 (C.M.A. 1989), and *United States v. Burgess*, 32 M.J. 446 (C.M.A. 1991). In both cases, the court held that resisting apprehension does not include fleeing from apprehension, contrary to the then-existing explanation in Part IV, paragraph 19c.(1)(c), MCM, of the nature of the resistance required for resisting apprehension. The 1951 and 1969 Manuals for Courts-Martial also explained that flight could constitute resisting apprehension under Article 95, an interpretation affirmed in the only early military case on point, *United States v. Mercer*, 11 C.M.R. 812 (A.F.B.R. 1953). Flight from apprehension should be expressly deterred and punished under military law. Military personnel are specially trained and routinely expected to submit to lawful authority. Rather than being a merely incidental or reflexive action, flight from apprehension in the context of the armed forces may have a distinct and cognizable impact on military discipline.”

b. Article 120—Rape and carnal knowledge. The following analysis is inserted after the analysis to Article 120:

“*1998 Amendment:*” In enacting section 1113 of the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106, 110 Stat. 186, 462 (1996), Congress amended Article 120, UCMJ, to make the offense gender neutral and create a mistake of fact as to age defense to a prosecution for carnal knowledge. The accused must prove by a preponderance of the evidence that the person with whom he or she had sexual intercourse was at least 12 years of age, and that the accused reasonably believed that this person was at least 16 years of age.”

c. Article 128—Assault. The following analysis is inserted after the analysis to Article 128, para. e:

“*1998 Amendment:*” A separate maximum punishment for assault with an unloaded firearm was created due to the serious nature of the offense. Threatening a person with an unloaded firearm places the victim of that assault in fear of losing his or her life. Such a traumatic experience is a far greater injury to the victim than that sustained in the course of a typical simple assault. Therefore, it calls for an increased punishment.”

d. Article 134—(Parole, Violation of). The following new analysis paragraph is inserted after paragraph 97:

“97a. Article 134—(Parole, Violation of)

1998 Amendment: The addition of paragraph 97a to Part IV, Punitive Articles, makes clear that violation of parole is an offense under Article 134, UCMJ. Both the 1951 and 1969 Manuals for Courts-Martial listed the offense in their respective Table of Maximum Punishments. No explanatory guidance, however, was contained in the discussion of Article 134, UCMJ in the Manual for Courts-Martial. The drafters added paragraph 97a to ensure that an explanation of the offense, to include its elements and a sample specification, is contained in the Manual for Courts-Martial, Part IV, Punitive Articles. See generally *United States v. Faist*, 41 C.M.R. 720 (A.C.M.R. 1970); *United States v. Ford*, 43 C.M.R. 551 (A.C.M.R. 1970).”

Executive Order 13087 of May 28, 1998**Further Amendment to Executive Order 11478, Equal Employment Opportunity in the Federal Government**

By the authority vested in me as President by the Constitution and the laws of the United States, and in order to provide for a uniform policy for the Federal Government to prohibit discrimination based on sexual orientation, it is hereby ordered that Executive Order 11478, as amended, is further amended as follows:

Section 1. The first sentence of section 1 is amended by substituting “age, or sexual orientation” for “or age”.

Sec. 2. The second sentence of section 1 is amended by striking the period and adding at the end of the sentence “, to the extent permitted by law.”.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 28, 1998.

Executive Order 13088 of June 9, 1998**Blocking Property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting New Investment in the Republic of Serbia in Response to the Situation in Kosovo**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (IEEPA) (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, WILLIAM J. CLINTON, President of the United States of America, find that the actions and policies of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Serbia with respect to Kosovo, by promoting ethnic conflict and human suffering, threaten to destabilize countries of the region and to disrupt progress in Bosnia and Herzegovina in implementing the Dayton peace agreement, and therefore constitute an unusual and extraordinary threat to the national security and foreign policy of the United States, and hereby declare a national emergency to deal with that threat.

I hereby order:

Section 1. (a) Except to the extent provided in section 2 of this order, section 203(b) of IEEPA (50 U.S.C. 1702(b)), and in regulations, orders, directives, or licenses that may hereafter be issued pursuant to this order, all property and interests in property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and

the Republic of Montenegro that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, including their overseas branches, are hereby blocked.

(b) The blocking of property and property interests in paragraph (a) of this section includes the prohibition of financial transactions with, including trade financing for, the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro by United States persons.

Sec. 2. Nothing in section 1 of this order shall prohibit financial transactions, including trade financing, by United States persons within the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) if (a) conducted exclusively through the domestic banking system within the Federal Republic of Yugoslavia (Serbia and Montenegro) in local currency (dinars), or (b) conducted using bank notes or barter.

Sec. 3. Except as otherwise provided in regulations, orders, directives, or licenses that may hereafter be issued pursuant to this order, all new investment by United States persons in the territory of the Republic of Serbia, and the approval or other facilitation by United States persons of other persons' new investment in the territory of the Republic of Serbia, are prohibited.

Sec. 4. Any transaction by a United States person that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order is prohibited.

Sec. 5. For the purposes of this order:

(a) The term "person" means an individual or entity;

(b) The term "entity" means a partnership, association, trust, joint venture, corporation, or other organization;

(c) The term "new investment" means (i) the acquisition of debt or equity interests in, (ii) a commitment or contribution of funds or other assets to, or (iii) a loan or other extension of credit to, a public or private undertaking, entity, or project, including the Government of the Republic of Serbia, other than donations of funds for purely humanitarian purposes to charitable organizations;

(d) The term "United States person" means any United States citizen, permanent resident alien, juridical person organized under the laws of the United States (including foreign branches), or any person in the United States;

(e) The term "Government of the Federal Republic of Yugoslavia (Serbia and Montenegro)" means the government of the Federal Republic of Yugoslavia (Serbia and Montenegro), its agencies, instrumentalities, and controlled entities, including all financial institutions and state-owned and socially owned entities organized or located in the Federal Republic of Yugoslavia (Serbia and Montenegro) as of June 9, 1998, any successors to such entities, and their respective subsidiaries and branches, wherever located, and any persons acting or purporting to act for or on behalf of any of the foregoing;

(f) The term “Government of the Republic of Serbia” means the government of the Republic of Serbia, including any subdivisions thereof or local governments therein, its agencies, instrumentalities, and controlled entities, including all financial institutions and state-owned and socially owned entities organized or located in the Republic of Serbia as of June 9, 1998, any successors to such entities, and their respective subsidiaries and branches, wherever located, and any persons acting or purporting to act for or on behalf of any of the foregoing;

(g) The term “Government of the Republic of Montenegro” means the government of the Republic of Montenegro, including any subdivisions thereof or local governments therein, its agencies, instrumentalities, and controlled entities, including all financial institutions and state-owned and socially owned entities organized or located in the Republic of Montenegro as of June 9, 1998, any successors to such entities, and their respective subsidiaries and branches, wherever located, and any persons acting or purporting to act for or on behalf of any of the foregoing.

Sec. 6. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act, 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, all agencies of which are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order, including suspension or termination of licenses or other authorizations in effect as of the effective date of this order.

Sec. 7. The Secretary of the Treasury, in consultation with the Secretary of State, shall give special consideration to the circumstances of the Government of the Republic of Montenegro and persons located in and organized under the laws of the Republic of Montenegro in the implementation of this order.

Sec. 8. Nothing contained in this order shall confer any substantive or procedural right or privilege on any person or organization, enforceable against the United States, its agencies or its officers.

Sec. 9. (a) This order is effective at 12:01 a.m. eastern daylight time on June 10, 1998.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
June 9, 1998.

Executive Order 13089 of June 11, 1998

Coral Reef Protection

By the authority vested in me as President by the Constitution and the laws of the United States of America and in furtherance of the purposes of the

Clean Water Act of 1977, as amended (33 U.S.C. 1251, *et seq.*), Coastal Zone Management Act (16 U.S.C. 1451, *et seq.*), Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801, *et seq.*), National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321, *et seq.*), National Marine Sanctuaries Act, (16 U.S.C. 1431, *et seq.*), National Park Service Organic Act (16 U.S.C. 1, *et seq.*), National Wildlife Refuge System Administration Act (16 U.S.C. 668dd-ee), and other pertinent statutes, to preserve and protect the biodiversity, health, heritage, and social and economic value of U.S. coral reef ecosystems and the marine environment, it is hereby ordered as follows:

Section 1. Definitions. (a) “U.S. coral reef ecosystems” means those species, habitats, and other natural resources associated with coral reefs in all maritime areas and zones subject to the jurisdiction or control of the United States (e.g., Federal, State, territorial, or commonwealth waters), including reef systems in the south Atlantic, Caribbean, Gulf of Mexico, and Pacific Ocean. (b) “U.S. Coral Reef Initiative” is an existing partnership between Federal agencies and State, territorial, commonwealth, and local governments, nongovernmental organizations, and commercial interests to design and implement additional management, education, monitoring, research, and restoration efforts to conserve coral reef ecosystems for the use and enjoyment of future generations. The existing U.S. Islands Coral Reef Initiative strategy covers approximately 95 percent of U.S. coral reef ecosystems and is a key element of the overall U.S. Coral Reef Initiative. (c) “International Coral Reef Initiative” is an existing partnership, founded by the United States in 1994, of governments, intergovernmental organizations, multilateral development banks, nongovernmental organizations, scientists, and the private sector whose purpose is to mobilize governments and other interested parties whose coordinated, vigorous, and effective actions are required to address the threats to the world’s coral reefs.

Sec. 2. Policy. (a) All Federal agencies whose actions may affect U.S. coral reef ecosystems shall: (a) identify their actions that may affect U.S. coral reef ecosystems; (b) utilize their programs and authorities to protect and enhance the conditions of such ecosystems; and (c) to the extent permitted by law, ensure that any actions they authorize, fund, or carry out will not degrade the conditions of such ecosystems.

(b) Exceptions to this section may be allowed under terms prescribed by the heads of Federal agencies:

- (1) during time of war or national emergency;
- (2) when necessary for reasons of national security, as determined by the President;
- (3) during emergencies posing an unacceptable threat to human health or safety or to the marine environment and admitting of no other feasible solution; or
- (4) in any case that constitutes a danger to human life or a real threat to vessels, aircraft, platforms, or other man-made structures at sea, such as cases of *force majeure* caused by stress of weather or other act of God.

Sec. 3. Federal Agency Responsibilities. In furtherance of section 2 of this order, Federal agencies whose actions affect U.S. coral reef ecosystems, shall, subject to the availability of appropriations, provide for implementation of measures needed to research, monitor, manage, and restore affected

ecosystems, including, but not limited to, measures reducing impacts from pollution, sedimentation, and fishing. To the extent not inconsistent with statutory responsibilities and procedures, these measures shall be developed in cooperation with the U.S. Coral Reef Task Force and fishery management councils and in consultation with affected States, territorial, commonwealth, tribal, and local government agencies, nongovernmental organizations, the scientific community, and commercial interests.

Sec. 4. U.S. Coral Reef Task Force. The Secretary of the Interior and the Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, shall co-chair a U.S. Coral Reef Task Force ("Task Force"), whose members shall include, but not be limited to, the Administrator of the Environmental Protection Agency, the Attorney General, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of State, the Secretary of Transportation, the Director of the National Science Foundation, the Administrator of the Agency for International Development, and the Administrator of the National Aeronautics and Space Administration. The Task Force shall oversee implementation of the policy and Federal agency responsibilities set forth in this order, and shall guide and support activities under the U.S. Coral Reef Initiative ("CRI"). All Federal agencies whose actions may affect U.S. coral reef ecosystems shall review their participation in the CRI and the strategies developed under it, including strategies and plans of State, territorial, commonwealth, and local governments, and, to the extent feasible, shall enhance Federal participation and support of such strategies and plans. The Task Force shall work in cooperation with State, territorial, commonwealth, and local government agencies, nongovernmental organizations, the scientific community, and commercial interests.

Sec. 5. Duties of the U.S. Coral Reef Task Force.

(a) *Coral Reef Mapping and Monitoring.* The Task Force, in cooperation with State, territory, commonwealth, and local government partners, shall coordinate a comprehensive program to map and monitor U.S. coral reefs. Such programs shall include, but not be limited to, territories and commonwealths, special marine protected areas such as National Marine Sanctuaries, National Estuarine Research Reserves, National Parks, National Wildlife Refuges, and other entities having significant coral reef resources. To the extent feasible, remote sensing capabilities shall be developed and applied to this program and local communities should be engaged in the design and conduct of programs.

(b) *Research.* The Task Force shall develop and implement, with the scientific community, research aimed at identifying the major causes and consequences of degradation of coral reef ecosystems. This research shall include fundamental scientific research to provide a sound framework for the restoration and conservation of coral reef ecosystems worldwide. To the extent feasible, existing and planned environmental monitoring and mapping programs should be linked with scientific research activities. This Executive order shall not interfere with the normal conduct of scientific studies on coral reef ecosystems.

(c) *Conservation, Mitigation, and Restoration.* The Task Force, in cooperation with State, territorial, commonwealth, and local government agencies, nongovernmental organizations, the scientific community and

commercial interests, shall develop, recommend, and seek or secure implementation of measures necessary to reduce and mitigate coral reef ecosystem degradation and to restore damaged coral reefs. These measures shall include solutions to problems such as land-based sources of water pollution, sedimentation, detrimental alteration of salinity or temperature, over-fishing, over-use, collection of coral reef species, and direct destruction caused by activities such as recreational and commercial vessel traffic and treasure salvage. In developing these measures, the Task Force shall review existing legislation to determine whether additional legislation is necessary to complement the policy objectives of this order and shall recommend such legislation if appropriate. The Task Force shall further evaluate existing navigational aids, including charts, maps, day markers, and beacons to determine if the designation of the location of specific coral reefs should be enhanced through the use, revision, or improvement of such aids.

(d) *International Cooperation.* The Secretary of State and the Administrator of the Agency for International Development, in cooperation with other members of the Coral Reef Task Force and drawing upon their expertise, shall assess the U.S. role in international trade and protection of coral reef species and implement appropriate strategies and actions to promote conservation and sustainable use of coral reef resources worldwide. Such actions shall include expanded collaboration with other International Coral Reef Initiative (“ICRI”) partners, especially governments, to implement the ICRI through its Framework for Action and the Global Coral Reef Monitoring Network at regional, national, and local levels.

Sec. 6. This order does not create any right or benefit, substantive or procedural, enforceable in law or equity by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
June 11, 1998.

Executive Order 13090 of June 29, 1998

President’s Commission on the Celebration of Women in American History

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App.), and in order to celebrate the role of women in American history, it is hereby ordered as follows:

Section 1. Establishment. There is established the President’s Commission on the Celebration of Women in American History (“Commission”). The Commission shall be composed of not more than 11 members appointed by the President from the public and private sectors. The public sector members shall include such persons as the President deems appropriate, including (a) the Assistant to the President and Director of Communications and (b) a person recommended by and who shall be the representative of the Administrator of General Services. The President may designate two mem-

bers as Co-Chairs of the Commission. The private sector members shall represent entities interested in the Commission's work on American history, particularly the history of women in America. These entities may include, but need not be limited to, academic institutions, business entities, labor organizations, public interest organizations, arts and humanities institutions, State and local governments, athletic groups, and organizations devoted to civil rights and opportunities for minorities and women. The private sector members shall not be considered special Government employees.

Sec. 2. Functions. (a) The Commission shall make recommendations to the President, through the Co-Chairs of the Commission, on ways to best acknowledge and celebrate the roles and accomplishments of women in American history. Recommendations may include, among other things, the feasibility of a focal point for women's history located in Washington, D.C., and the use of the latest technology to connect existing and planned women's history sites, museums, and libraries.

(b) The Commission shall meet to carry out its work concerning the celebration of women in American history.

(c) The Commission shall report its recommendations, through the Co-Chairs of the Commission, in a final report to the President by March 1, 1999.

Sec. 3. Administration. (a) The heads of executive departments and agencies shall, to the extent permitted by law and where practicable, provide the Co-Chairs of the Commission with such information with respect to women's history in America as the Co-Chairs may request.

(b) Members of the Commission shall serve without compensation for their work on the Commission. While engaged in the work of the Commission, members appointed from the private sector may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service (5 U.S.C. 5701-5707).

(c) To the extent permitted by law and subject to the availability of appropriations, the General Services Administration shall provide the Commission with funding, administrative services, facilities, staff, and other support services necessary for the performance of the functions of the Commission. With respect to the Commission, the Administrator of General Services shall perform the administrative functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress.

(d) The Commission shall terminate 60 days after the submission of its final report.

WILLIAM J. CLINTON

THE WHITE HOUSE,
June 29, 1998.

Executive Order 13091 of June 29, 1998**Administration of Arms Export Controls and Foreign Assistance**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and in order to delegate certain authority to the Secretary of State and the Secretary of Defense, it is hereby ordered as follows:

Section 1. Section 1 of Executive Order 11958, as amended, is further amended as follows:

(a) in subsection (k), by inserting after “State.” “Those under Section 36(e) of the Act, as added by Public Law 104-164 with respect to transmittals pursuant to Section 36(b) to the Secretary of Defense, and with respect to transmittals pursuant to Section 36(c), to the Secretary of State.”, and

(b) by redesignating subsections (n) through (s) as subsections (o) through (t), respectively, and inserting the following after subsection (m):

“(n) Those under Section 40A of the Act, as added by Public Law 104-164, to the Secretary of State insofar as they relate to commercial exports licensed under the Act, and to the Secretary of Defense insofar as they relate to defense articles and defense services sold, leased, or transferred under the Foreign Military Sales Program.”

Sec. 2. Section 1-201 of Executive Order 12163, as amended, is further amended as follows:

(a) in subsection (a)(13),

(1) by inserting the following before “and sections”:

“, section 620G as added by Public Law 104-164”; and

(2) by inserting the following after “law”:

“, except that the functions under section 620G as added by Public Law 104-164 shall be exercised in consultation with the Secretary of Defense”;

(b) in subsection (a)(23), by deleting “, except” and all that follows through “thereof”;

(c) by redesignating subsections (a)(18) through (36) as (a)(19) through (37), respectively; and

(d) by inserting the following new subsection after subsection (a)(17):

“(18) section 655 of the Act, insofar as they relate to defense articles and defense services licensed for export under section 38 of the Arms Export Control Act.”.

Sec. 3. Section 1-301 of Executive Order 12163, as amended, is further amended by:

(a) redesignating subsections (e) through (g) as subsections(f) through (h), respectively; and

(b) inserting the following new subsection (e):

“(e) the functions under section 655 of the Act insofar as they relate to defense articles, defense services, and international military education

and training furnished by grant or sale by the Secretary of Defense, except to the extent otherwise delegated.”

Sec. 4. Section 1–501 of Executive Order 12163, as amended, is further amended:

- (a) in subsection (a)(2) by striking “and”; and
- (b) in subsection (a)(3) after “1754)” by inserting the following:
“; and (4) section 655(c) of the Act”.

WILLIAM J. CLINTON

THE WHITE HOUSE,
June 29, 1998.

Executive Order 13092 of July 24, 1998

**President’s Information Technology Advisory Committee,
Amendments to Executive Order 13035**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the High-Performance Computing Act of 1991 (Public Law 102–194), and in order to add five more members to, and to change the name of the Advisory Committee on High-Performance Computing and Communications, Information Technology, and the Next Generation Internet, it is hereby ordered that Executive Order 13035 of February 11, 1997, is amended as follows:

1. In section 1, the words “Advisory Committee on High Performance Computing and Communications, Information Technology, and the Next Generation Internet” are deleted and the words “President’s Information Technology Advisory Committee” are inserted in lieu thereof at the end of the first sentence of section 1; and
2. In section 1, the words “25 nonfederal members” are deleted and the words “30 nonfederal members” are inserted in lieu thereof.

WILLIAM J. CLINTON

THE WHITE HOUSE,
July 24, 1998.

Executive Order 13093 of July 27, 1998

**American Heritage Rivers, Amending Executive Orders
13061 and 13080**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to increase the number of rivers that the President may designate as American Heritage Rivers, it is hereby ordered that the second sentence of both section 2(d)(1) of Execu-

EO 13094

Title 3—The President

tive Order 13061 and of section 2(a) of Executive Order 13080 are amended by deleting “ten” and inserting “up to 20” in lieu thereof.

WILLIAM J. CLINTON

THE WHITE HOUSE,
July 27, 1998.

Executive Order 13094 of July 28, 1998

Proliferation of Weapons of Mass Destruction

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), the Arms Export Control Act (22 U.S.C. 2751 *et seq.*) (AECA), and section 301 of title 3, United States Code, I, WILLIAM J. CLINTON, President of the United States of America, in order to take additional steps with respect to the proliferation of weapons of mass destruction and means of delivering them and the national emergency described and declared in Executive Order 12938 of November 14, 1994, hereby order:

Section 1. Amendment of Executive Order 12938.

(a) Section 4 of Executive Order 12938 of November 14, 1994, is revised to read as follows:

“Sec. 4. Measures Against Foreign Persons.

(a) *Determination by Secretary of State; Imposition of Measures.* Except to the extent provided in section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)), where applicable, if the Secretary of State determines that a foreign person, on or after November 16, 1990, the effective date of Executive Order 12735, the predecessor order to Executive Order 12938, has materially contributed or attempted to contribute materially to the efforts of any foreign country, project, or entity of proliferation concern to use, acquire, design, develop, produce, or stockpile weapons of mass destruction or missiles capable of delivering such weapons, the measures set forth in subsections (b), (c), and (d) of this section shall be imposed on that foreign person to the extent determined by the Secretary of State in consultation with the implementing agency and other relevant agencies. Nothing in this section is intended to preclude the imposition on that foreign person of other measures or sanctions available under this order or under other authorities.

(b) *Procurement Ban.* No department or agency of the United States Government may procure, or enter into any contract for the procurement of, any goods, technology, or services from any foreign person described in subsection (a) of this section.

(c) *Assistance Ban.* No department or agency of the United States Government may provide any assistance to any foreign person described in subsection (a) of this section, and no such foreign person shall be eligible to participate in any assistance program of the United States Government.

(d) *Import Ban.* The Secretary of the Treasury shall prohibit the importation into the United States of goods, technology, or services produced or provided by any foreign person described in subsection (a) of this section, other than information or informational materials within the meaning of section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)).

(e) *Termination.* Measures pursuant to this section may be terminated against a foreign person if the Secretary of State determines that there is reliable evidence that such foreign person has ceased all activities referred to in subsection (a) of this section.

(f) *Exceptions.* Departments and agencies of the United States Government, acting in consultation with the Secretary of State, may, by license, regulation, order, directive, exception, or otherwise, provide for:

(i) Procurement contracts necessary to meet U.S. operational military requirements or requirements under defense production agreements; intelligence requirements; sole source suppliers, spare parts, components, routine servicing and maintenance of products for the United States Government; and medical and humanitarian items; and

(ii) Performance pursuant to contracts in force on the effective date of this order under appropriate circumstances.”

(b) Section 6 of Executive Order 12938 of November 14, 1994, is amended by deleting “4(c)” and inserting “4(e)” in lieu thereof.

Sec. 2. *Preservation of Authorities.* Nothing in this order is intended to affect the continued effectiveness of any rules, regulations, orders, licenses, or other forms of administrative action issued, taken, or continued in effect heretofore or hereafter under the authority of IEEPA, AECA, the Nuclear Non-Proliferation Act of 1978, the Nuclear Proliferation Prevention Act of 1994, the Atomic Energy Act, the Export Administration Act (50 U.S.C. App. 2401 *et seq.*), Executive Order 12730 of September 30, 1990, Executive Order 12735 of November 16, 1990, Executive Order 12924 of August 18, 1994, Executive Order 12930 of September 29, 1994, or Executive Order 12938 of November 14, 1994.

Sec. 3. *Judicial Review.* Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 4. *Effective Date.*

(a) This order is effective at 12:01 a.m. eastern daylight time on July 29, 1998.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,

July 28, 1998.

Executive Order 13095 of August 5, 1998**Suspension of Executive Order 13083**

By the authority vested in me as President by the Constitution and the laws of the United States of America and in order to enable full and adequate consultation with State and local elected officials, their representative organizations, and other interested parties, it is hereby ordered that Executive Order 13083, entitled “Federalism,” is suspended.

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 5, 1998.

Executive Order 13096 of August 6, 1998**American Indian and Alaska Native Education**

By the authority vested in me as President by the Constitution and the laws of the United States of America, in affirmation of the unique political and legal relationship of the Federal Government with tribal governments, and in recognition of the unique educational and culturally related academic needs of American Indian and Alaska Native students, it is hereby ordered as follows:

Section 1. Goals. The Federal Government has a special, historic responsibility for the education of American Indian and Alaska Native students. Improving educational achievement and academic progress for American Indian and Alaska Native students is vital to the national goal of preparing every student for responsible citizenship, continued learning, and productive employment. The Federal Government is committed to improving the academic performance and reducing the dropout rate of American Indian and Alaska Native students. To help fulfill this commitment in a manner consistent with tribal traditions and cultures, Federal agencies need to focus special attention on six goals: (1) improving reading and mathematics; (2) increasing high school completion and postsecondary attendance rates; (3) reducing the influence of long-standing factors that impede educational performance, such as poverty and substance abuse; (4) creating strong, safe, and drug-free school environments; (5) improving science education; and (6) expanding the use of educational technology.

Sec. 2. Strategy. In order to meet the six goals of this order, a comprehensive Federal response is needed to address the fragmentation of government services available to American Indian and Alaska Native students and the complexity of intergovernmental relationships affecting the education of those students. The purpose of the Federal activities described in this order is to develop a long-term, comprehensive Federal Indian education policy that will accomplish those goals.

(a) *Interagency Task Force.* There is established an Interagency Task Force on American Indian and Alaska Native Education (Task Force) to oversee the planning and implementation of this order. The Task Force shall confer with the National Advisory Council on Indian Education

(NACIE) in carrying out activities under this order. The Task Force shall consult with representatives of American Indian and Alaska Native tribes and organizations, including the National Indian Education Association (NIEA) and the National Congress of American Indians (NCAI), to gather advice on implementation of the activities called for in this order.

(b) *Composition of the Task Force.* (1) The membership of the Task Force shall include representatives of the Departments of the Treasury, Defense, Justice, the Interior, Agriculture, Commerce, Labor, Health and Human Services, Housing and Urban Development, Transportation, Energy, and Education, as well as the Environmental Protection Agency, the Corporation for National and Community Service, and the National Science Foundation. With the agreement of the Secretaries of Education and the Interior, other agencies may participate in the activities of the Task Force.

(2) Within 30 days of the date of this order, the head of each participating agency shall designate a senior official who is responsible for management or program administration to serve as a member of the Task Force. The official shall report directly to the agency head on the agency's activities under this order.

(3) The Assistant Secretary for Elementary and Secondary Education of the Department of Education and the Assistant Secretary for Indian Affairs of the Department of the Interior shall co-chair the Task Force.

(c) *Interagency plan.* The Task Force shall, within 90 days of the date of this order, develop a Federal interagency plan with recommendations identifying initiatives, strategies, and ideas for future interagency action supportive of the goals of this order.

(d) *Agency participation.* To the extent consistent with law and agency priorities, each participating agency shall adopt and implement strategies to maximize the availability of the agency's education-related programs, activities, resources, information, and technical assistance to American Indian and Alaska Native students. In keeping with the spirit of the Executive Memorandum of April 29, 1994, on Government-to-Government Relations with Native American Tribal Governments and Executive Order 13084 of May 14, 1998, each participating agency shall consult with tribal governments on their education-related needs and priorities, and on how the agency can better accomplish the goals of this order. Within 6 months, each participating agency shall report to the Task Force regarding the strategies it has developed to ensure such consultation.

(e) *Interagency resource guide.* The Task Force shall identify, within participating Federal agencies, all education-related programs and resources that support the goals of this order. Within 12 months, the Task Force, in conjunction with the Department of Education, shall develop, publish, and widely distribute a guide that describes those programs and resources and how American Indians and Alaska Natives can benefit from them.

(f) *Research.* The Secretary of Education, through the Office of Educational Research and Improvement and the Office of Indian Education, and in consultation with NACIE and participating agencies, shall develop and implement a comprehensive Federal research agenda to:

(1) establish baseline data on academic achievement and retention of American Indian and Alaska Native students in order to monitor improvements;

(2) evaluate promising practices used with those students; and

(3) evaluate the role of native language and culture in the development of educational strategies. Within 1 year, the Secretary of Education shall submit the research agenda, including proposed timelines, to the Task Force.

(g) *Comprehensive Federal Indian education policy.*

(1) The Task Force shall, within 2 years of the date of this order, develop a comprehensive Federal Indian education policy to support the accomplishment of the goals of this order. The policy shall be designed to:

(A) improve Federal interagency cooperation;

(B) promote intergovernmental collaboration; and

(C) assist tribal governments in meeting the unique educational needs of their children, including the need to preserve, revitalize, and use native languages and cultural traditions.

(2) In developing the policy, the Task Force shall consider ideas in the Comprehensive Federal Indian Education Policy Statement proposal developed by the NIEA and the NCAI.

(3) The Task Force shall develop recommendations to implement the policy, including ideas for future interagency action.

(4) As appropriate, participating agencies may develop memoranda of agreement with one another to enable and enhance the ability of tribes and schools to provide, and to coordinate the delivery of, Federal, tribal, State, and local resources and services, including social and health-related services, to meet the educational needs of American Indian and Alaska Native students.

(h) *Reports.* The Task Force co-chairs shall submit the comprehensive Federal Indian education policy, and report annually on the agencies' activities, accomplishments, and progress toward meeting the goals of this order, to the Director of the Office of Management and Budget.

Sec. 3. *Regional partnership forums.* The Departments of Education and the Interior, in collaboration with the Task Force and Federal, tribal, State, and local government representatives, shall jointly convene, within 18 months, a series of regional forums to identify promising practices and approaches on how to share information, provide assistance to schools, develop partnerships, and coordinate intergovernmental strategies supportive of accomplishing the goals of this order. The Departments of Education and the Interior shall submit a report on the forums to the Task Force, which may include recommendations relating to intergovernmental relations.

Sec. 4. *School pilot sites.* The Departments of Education and the Interior shall identify a reasonable number of schools funded by the Bureau of Indian Affairs (BIA) and public schools that can serve as a model for schools with American Indian and Alaska Native students, and provide them with comprehensive technical assistance in support of the goals of this order. A special team of technical assistance providers, including Federal staff, shall provide assistance to these schools. Special attention shall be given, where appropriate, to assistance in implementing comprehensive school reform demonstration programs that meet the criteria for those programs established by the Departments of Labor, Health and Human Services, and Edu-

cation, and Related Agencies Appropriations Act, 1998 (Public Law 105–78), and to providing comprehensive service delivery that connects and uses diverse Federal agency resources. The team shall disseminate effective and promising practices of the school pilot sites to other local educational agencies. The team shall report to the Task Force on its accomplishments and its recommendations for improving technical support to local educational agencies and schools funded by the BIA.

Sec. 5. Administration. The Department of Education shall provide appropriate administrative services and staff support to the Task Force. With the consent of the Department of Education, other participating agencies may provide administrative support to the Task Force, consistent with their statutory authority, and may detail agency employees to the Department of Education, to the extent permitted by law.

Sec. 6. Termination. The Task Force established under section 2 of this order shall terminate not later than 5 years from the date of this order.

Sec. 7. General provisions. This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person. This order is not intended to preclude, supersede, replace, or otherwise dilute any other Executive order relating to American Indian and Alaska Native education.

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 6, 1998.

Executive Order 13097 of August 7, 1998

Interparliamentary Union

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 1 of the International Organizations Immunities Act (22 U.S.C. 288), and having found that the Interparliamentary Union is a public international organization in which the United States participates within the meaning of the International Organizations Immunities Act, I hereby designate the Interparliamentary Union as a public international organization entitled to enjoy the privileges, exemptions, and immunities conferred by the International Organizations Immunities Act. This designation is not intended to abridge in any respect privileges, exemptions, or immunities that such organization may have acquired or may acquire by international agreements or by congressional action.

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 7, 1998.

Executive Order 13098 of August 18, 1998**Blocking Property of UNITA and Prohibiting Certain Transactions With Respect to UNITA**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c) (UNPA), and section 301 of title 3, United States Code, in view of United Nations Security Council Resolutions 1173 of June 12, 1998, and 1176 of June 24, 1998, and in order to take additional steps with respect to the actions and policies of the National Union for the Total Independence of Angola (UNITA) and the national emergency declared in Executive Order 12865, I, WILLIAM J. CLINTON, President of the United States of America, hereby order:

Section 1. Except to the extent provided in regulations, orders, directives, or licenses issued pursuant to this order, and notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted prior to the effective date of this order, all property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, of UNITA, or of those senior officials of UNITA, or adult members of their immediate families, who are designated pursuant to section 5 of this order, are hereby blocked.

Sec. 2. Except to the extent provided in regulations, orders, directives, or licenses issued pursuant to this order, and notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted prior to the effective date of this order, the following are prohibited:

(a) the direct or indirect importation into the United States of all diamonds exported from Angola on or after the effective date of this order that are not controlled through the Certificate of Origin regime of the Angolan Government of Unity and National Reconciliation;

(b) the sale or supply by United States persons or from the United States or using U.S.-registered vessels or aircraft, of equipment used in mining, regardless of origin, to the territory of Angola other than through a point of entry designated pursuant to section 5 of this order;

(c) the sale or supply by United States persons or from the United States or using U.S.-registered vessels or aircraft, of motorized vehicles, watercraft, or spare parts for the foregoing, regardless of origin, to the territory of Angola other than through a point of entry designated pursuant to section 5 of this order; and

(d) the sale or supply by United States persons or from the United States or using U.S.-registered vessels or aircraft, of mining services or ground or waterborne transportation services, regardless of origin, to persons in areas of Angola to which State administration has not been extended, as designated pursuant to section 5 of this order.

Sec. 3. Any transaction by a United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order is prohibited.

Sec. 4. For the purposes of this order:

(a) the term “person” means an individual or entity;

(b) the term “entity” means a partnership, association, trust, joint venture, corporation, or other organization;

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States;

(d) the term “UNITA” includes:

(i) the Uniao Nacional para a Independencia Total de Angola (UNITA), known in English as the “National Union for the Total Independence of Angola;”

(ii) the Forças Armadas para a Libertação de Angola (FALA), known in English as the “Armed Forces for the Liberation of Angola;” and

(iii) any person acting or purporting to act for or on behalf of any of the foregoing, including the Center for Democracy in Angola (CEDA);

(e) the term “controlled through the Certificate of Origin regime of the Angolan Government of Unity and National Reconciliation” means accompanied by any documentation that demonstrates to the satisfaction of the United States Customs Service that the diamonds were legally exported from Angola with the approval of the Angolan Government of Unity and National Reconciliation.

Sec. 5. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including designating senior officials of UNITA and adult members of their immediate families for purposes of section 1 of this order, designating points of entry in Angola and areas of Angola to which State administration has not been extended for purposes of section 2 of this order, establishing exemptions from the prohibitions set forth in this order for medical and humanitarian purposes, and promulgating rules and regulations, and to employ all powers granted to the President by IEEPA and UNPA, 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. 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, including suspension or termination of licenses or other authorizations in effect as of the effective date of this order.

Sec. 6. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 7. (a) This order is effective at 12:01 a.m., eastern daylight time on August 19, 1998.

EO 13099

Title 3—The President

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 18, 1998.

Executive Order 13099 of August 20, 1998

Prohibiting Transactions With Terrorists Who Threaten To Disrupt the Middle East Peace Process

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code, I, WILLIAM J. CLINTON, President of the United States of America, in order to take additional steps with respect to grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process and the national emergency described and declared in Executive Order 12947 of January 23, 1995, hereby order:

Section 1. The title of the Annex to Executive Order 12947 of January 23, 1995, is revised to read "TERRORISTS WHO THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS."

Sec. 2. The Annex to Executive Order 12947 of January 23, 1995, is amended by adding thereto the following persons in appropriate alphabetical order:

Usama bin Muhammad bin Awad bin Ladin (a.k.a. Usama bin Ladin)

Islamic Army (a.k.a. Al-Qaida, Islamic Salvation Foundation, The Islamic Army for the Liberation of the Holy Places, The World Islamic Front for Jihad Against Jews and Crusaders, and The Group for the Preservation of the Holy Sites)

Abu Hafs al-Masri

Rifa'i Ahmad Taha Musa

Sec. 3. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

Sec. 4. (a) This order is effective at 12:01 a.m., eastern daylight time on August 21, 1998.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 20, 1998.

Executive Order 13100 of August 25, 1998**President's Council on Food Safety**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to improve the safety of the food supply through science-based regulation and well-coordinated inspection, enforcement, research, and education programs, it is hereby ordered as follows:

Section 1. *Establishment of President's Council on Food Safety.* (a) There is established the President's Council on Food Safety ("Council"). The Council shall comprise the Secretaries of Agriculture, Commerce, Health and Human Services, the Director of the Office of Management and Budget (OMB), the Administrator of the Environmental Protection Agency, the Assistant to the President for Science and Technology/Director of the Office of Science and Technology Policy, the Assistant to the President for Domestic Policy, and the Director of the National Partnership for Reinventing Government. The Council shall consult with other Federal agencies and State, local, and tribal government agencies, and consumer, producer, scientific, and industry groups, as appropriate.

(b) The Secretaries of Agriculture and of Health and Human Services and the Assistant to the President for Science and Technology/Director of the Office of Science and Technology Policy shall serve as Joint Chairs of the Council.

Sec. 2. *Purpose.* The purpose of the Council shall be to develop a comprehensive strategic plan for Federal food safety activities, taking into consideration the findings and recommendations of the National Academy of Sciences report "Ensuring Safe Food from Production to Consumption" and other input from the public on how to improve the effectiveness of the current food safety system. The Council shall make recommendations to the President on how to advance Federal efforts to implement a comprehensive science-based strategy to improve the safety of the food supply and to enhance coordination among Federal agencies, State, local, and tribal governments, and the private sector. The Council shall advise Federal agencies in setting priority areas for investment in food safety.

Sec. 3. *Specific Activities and Functions.* (a) The Council shall develop a comprehensive strategic Federal food safety plan that contains specific recommendations on needed changes, including measurable outcome goals. The principal goal of the plan should be the establishment of a seamless, science-based food safety system. The plan should address the steps necessary to achieve this goal, including the key public health, resource, and management issues regarding food safety. The planning process should consider both short-term and long-term issues including new and emerging threats and the special needs of vulnerable populations such as children and the elderly. In developing this plan, the Council shall consult with all interested parties, including State and local agencies, tribes, consumers, producers, industry, and academia.

(b) Consistent with the comprehensive strategic Federal food safety plan described in section 3(a) of this order, the Council shall advise agencies of priority areas for investment in food safety and ensure that Federal agencies annually develop coordinated food safety budgets for submission to

the OMB that sustain and strengthen existing capacities, eliminate duplication, and ensure the most effective use of resources for improving food safety. The Council shall also ensure that Federal agencies annually develop a unified budget for submission to the OMB for the President's Food Safety Initiative and such other food safety issues as the Council determines appropriate.

(c) The Council shall ensure that the Joint Institute for Food Safety Research (JIFSR), in consultation with the National Science and Technology Council, establishes mechanisms to guide Federal research efforts toward the highest priority food safety needs. The JIFSR shall report to the Council on a regular basis on its efforts: (i) to develop a strategic plan for conducting food safety research activities consistent with the President's Food Safety Initiative and such other food safety activities as the JIFSR determines appropriate; and (ii) to coordinate efficiently, within the executive branch and with the private sector and academia, all Federal food safety research.

Sec. 4. Cooperation. All actions taken by the Council shall, as appropriate, promote partnerships and cooperation with States, tribes, and other public and private sector efforts wherever possible to improve the safety of the food supply.

Sec. 5. General Provisions. This order is intended only to improve the internal management of the executive branch and is not intended to, nor does it, create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers or any person. Nothing in this order shall affect or alter the statutory responsibilities of any Federal agency charged with food safety responsibilities.

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 25, 1998.

Executive Order 13101 of September 14, 1998

Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Solid Waste Disposal Act, Public Law 89-272, 79 Stat. 997, as amended by the Resource Conservation and Recovery Act (RCRA), Public Law 94-580, 90 Stat. 2795, as amended (42 U.S.C. 6901-6907), section 301 of title 3, United States Code, and in order to improve the Federal Government's use of recycled products and environmentally preferable products and services, it is hereby ordered as follows:

PART 1—PREAMBLE

Section 101. Consistent with the demands of efficiency and cost effectiveness, the head of each executive agency shall incorporate waste prevention and recycling in the agency's daily operations and work to increase and expand markets for recovered materials through greater Federal Government preference and demand for such products. It is the national policy to prefer

pollution prevention, whenever feasible. Pollution that cannot be prevented should be recycled; pollution that cannot be prevented or recycled should be treated in an environmentally safe manner. Disposal should be employed only as a last resort.

Sec. 102. Consistent with policies established by the Office of Federal Procurement Policy (OFPP) Policy Letter 92-4, agencies shall comply with executive branch policies for the acquisition and use of environmentally preferable products and services and implement cost-effective procurement preference programs favoring the purchase of these products and services.

Sec. 103. This order creates a Steering Committee, a Federal Environmental Executive (FEE), and a Task Force, and establishes Agency Environmental Executive (AEE) positions within each agency, to be responsible for ensuring the implementation of this order. The FEE, AEEs, and members of the Steering Committee and Task Force shall be full-time Federal Government employees.

PART 2—DEFINITIONS

For purposes of this order:

Sec. 201. “Environmentally preferable” means products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service.

Sec. 202. “Executive agency” or “agency” means an executive agency as defined in 5 U.S.C. 105. For the purpose of this order, military departments, as defined in 5 U.S.C. 102, are covered under the auspices of the Department of Defense.

Sec. 203. “Postconsumer material” means a material or finished product that has served its intended use and has been discarded for disposal or recovery, having completed its life as a consumer item. “Postconsumer material” is a part of the broader category of “recovered material.”

Sec. 204. “Acquisition” means the acquiring by contract with appropriated funds for supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated. Acquisition begins at the point when agency needs are established and includes the description of requirements to satisfy agency needs, solicitation and selection of sources, award of contracts, contract financing, contract performance, contract administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract.

Sec. 205. “Recovered materials” means waste materials and by-products that have been recovered or diverted from solid waste, but such term does not include those materials and by-products generated from, and commonly reused within, an original manufacturing process (42 U.S.C. 6903 (19)).

Sec. 206. “Recyclability” means the ability of a product or material to be recovered from, or otherwise diverted from, the solid waste stream for the purpose of recycling.

Sec. 207. “Recycling” means the series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use in the form of raw materials in the manufacture of new products other than fuel for producing heat or power by combustion.

Sec. 208. “Waste prevention” means any change in the design, manufacturing, purchase, or use of materials or products (including packaging) to reduce their amount or toxicity before they are discarded. Waste prevention also refers to the reuse of products or materials.

Sec. 209. “Waste reduction” means preventing or decreasing the amount of waste being generated through waste prevention, recycling, or purchasing recycled and environmentally preferable products.

Sec. 210. “Life cycle cost” means the amortized annual cost of a product, including capital costs, installation costs, operating costs, maintenance costs, and disposal costs discounted over the lifetime of the product.

Sec. 211. “Life cycle assessment” means the comprehensive examination of a product’s environmental and economic aspects and potential impacts throughout its lifetime, including raw material extraction, transportation, manufacturing, use, and disposal.

Sec. 212. “Pollution prevention” means “source reduction” as defined in the Pollution Prevention Act of 1990 (42 U.S.C. 13102), and other practices that reduce or eliminate the creation of pollutants through: (a) increased efficiency in the use of raw materials, energy, water, or other resources; or (b) protection of natural resources by conservation.

Sec. 213. “Biobased product” means a commercial or industrial product (other than food or feed) that utilizes biological products or renewable domestic agricultural (plant, animal, and marine) or forestry materials.

Sec. 214. “Major procuring agencies” shall include any executive agency that procures over \$50 million per year of goods and services.

PART 3—THE ROLES AND DUTIES OF THE STEERING COMMITTEE, FEDERAL ENVIRONMENTAL EXECUTIVE, TASK FORCE, AND AGENCY ENVIRONMENTAL EXECUTIVES

Sec. 301. Committees, Executives, and Task Force. (a) Steering Committee. There is hereby established a Steering Committee on Greening the Government through Waste Prevention and Recycling (“Steering Committee”). The Steering Committee shall be composed of the Chair of the Council on Environmental Quality (CEQ), the Federal Environmental Executive (FEE), and the Administrator for Federal Procurement Policy (OFPP). The Steering Committee, which shall be chaired by the Chair of the CEQ, is directed to charter a Task Force to facilitate implementation of this order, and shall provide the Task Force with policy direction in such implementation.

(b) Federal Environmental Executive. A Federal Environmental Executive, Environmental Protection Agency, shall be designated by the President. The FEE shall chair the Task Force described in subsection (c), take all actions necessary to ensure that the agencies comply with the requirements of this order, and generate a biennial report to the President.

(c) Task Force. The Steering Committee shall charter a Task Force on Greening the Government through Waste Prevention and Recycling (“Task Force”), which shall be chaired by the FEE and composed of staff from the

major procuring agencies. The Steering Committee, in consultation with the agencies, shall determine the necessary staffing and resources for the Task Force. The major procuring agencies shall provide, to the extent practicable and permitted by law, resources and support to the Task Force and the FEE, upon request from the Steering Committee. The Task Force shall have the duty of assisting the FEE and the agencies in implementing this order, subject to policy direction provided by the Steering Committee. The Task Force shall report through the FEE to the Chair of the Steering Committee.

(d) Agency Environmental Executives (AEEs). Within 90 days after the date of this order, the head of each major procuring agency shall designate an AEE from among his or her staff, who serves at a level no lower than the Assistant Secretary level or equivalent, and shall notify the Chair of CEQ and the FEE of such designation.

Sec. 302. Duties. (a) The Federal Environmental Executive. The FEE, working through the Task Force, and in consultation with the AEEs, shall:

(1) Develop a Government-wide Waste Prevention and Recycling Strategic Plan ("Strategic Plan") to further implement this order. The Strategic Plan should be initially developed within 180 days of the date of this order and revised as necessary thereafter. The Strategic Plan should include, but is not limited to, the following elements:

- (a) direction and initiatives for acquisition of recycled and recyclable products and environmentally preferable products and services;
- (b) development of affirmative procurement programs;
- (c) review and revision of standards and product specifications;
- (d) assessment and evaluation of compliance;
- (e) reporting requirements;
- (f) outreach programs to promote adoption of practices endorsed in this order; and
- (g) development and implementation of new technologies that are of environmental significance.

(2) Prepare a biennial report to the President on the actions taken by the agencies to comply with this order. The report also may incorporate information from existing agency reports regarding Government-wide progress in implementing the following Executive Orders: 12843, Procurement Requirements and Policies for Federal Agencies for Ozone Depleting Substances; 13031, Federal Alternative Fueled Vehicle Leadership; 12845, Requiring Agencies to Purchase Energy Efficient Computer Equipment; 12856, Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements; 12902, Energy Efficiency and Water Conservation at Federal Facilities; and 12969, Federal Acquisition and Community Right-to-Know.

(3) In coordination with the Office of Federal Procurement Policy, the Environmental Protection Agency (EPA), the General Services Administration (GSA), and the Department of Agriculture (USDA), convene a group of acquisition/procurement managers and environmental State, and local government managers to work with State and local governments to improve the Federal, State, and local governments' use of recycled products and environmentally preferable products and services.

(4) Coordinate appropriate Government-wide education and training programs for agencies.

(5) Establish committees and work groups, as needed, to identify, assess, and recommend actions to be taken to fulfill the goals, responsibilities, and initiatives of the FEE. As these committees and work groups are created, agencies are requested to designate appropriate personnel in the areas of procurement and acquisition, standards and specifications, electronic commerce, facilities management, pollution prevention, waste prevention, recycling, and others as needed to staff and work on these initiatives. An initial group shall be established to develop recommendations for tracking and reporting requirements, taking into account the costs and benefits of such tracking and reporting. The Steering Committee shall consult with the AEEs before approving these recommendations.

(b) Agency Environmental Executives. The AEEs shall:

(1) translate the Government-wide Strategic Plan into specific agency and service plans;

(2) implement the specific agency and service plans;

(3) report to the FEE on the progress of plan implementation;

(4) work with the FEE and the Task Force in furthering implementation of this order; and

(5) track agencies' purchases of EPA-designated guideline items and report agencies' purchases of such guideline items to the FEE per the recommendations developed in subsection 302(a)(5) of this order. Agency acquisition and procurement personnel shall justify in writing to the file and to the AEE the rationale for not purchasing such items, above the micropurchase threshold (as set out in the Office of Federal Procurement Policy Act at 41 U.S.C. 428), and submit a plan and timetable for increasing agency purchases of the designated item(s).

(6) one year after a product is placed on the USDA Biobased Products List, estimate agencies' purchases of products on the list and report agencies' estimated purchases of such products to the Secretary of Agriculture.

PART 4—ACQUISITION PLANNING, AFFIRMATIVE PROCUREMENT PROGRAMS, AND FEDERAL FACILITY COMPLIANCE

Sec. 401. Acquisition Planning. In developing plans, drawings, work statements, specifications, or other product descriptions, agencies shall consider, as appropriate, a broad range of factors including: elimination of virgin material requirements; use of biobased products; use of recovered materials; reuse of product; life cycle cost; recyclability; use of environmentally preferable products; waste prevention (including toxicity reduction or elimination); and ultimate disposal. These factors should be considered in acquisition planning for all procurement and in the evaluation and award of contracts, as appropriate. Program and acquisition managers should take an active role in these activities.

Sec. 402. Affirmative Procurement Programs. (a) The head of each executive agency shall develop and implement affirmative procurement programs in accordance with section 6002 of RCRA (42 U.S.C. 6962) and this order and consider use of the procurement tools and methods described in 7 U.S.C. 5909. Agencies shall ensure that responsibilities for preparation, im-

plementation, and monitoring of affirmative procurement programs are shared between the program personnel and acquisition and procurement personnel. For the purposes of all purchases made pursuant to this order, EPA, in consultation with such other executive agencies as appropriate, shall endeavor to maximize environmental benefits, consistent with price, performance, and availability considerations, and constraints imposed by law, and shall adjust solicitation guidelines as necessary in order to accomplish this goal.

(b) Agencies shall establish affirmative procurement programs for all EPA-designated guideline items purchased by their agency. For newly designated items, agencies shall revise their internal programs within 1 year from the date the EPA designated the new items.

(c) Exclusive of the biobased products described in section 504, for the EPA-designated guideline items, which are contained in 40 CFR part 247, and for all future designated guideline items, agencies shall ensure that their affirmative procurement programs require 100 percent of their purchases of products to meet or exceed the EPA guideline unless written justification is provided that a product is not available competitively within a reasonable time frame, does not meet appropriate performance standards, or is only available at an unreasonable price. Written justification is not required for purchases below the micropurchase threshold. For micropurchases, agencies shall provide guidance regarding purchase of EPA-designated guideline items. This guidance should encourage consideration of aggregating purchases when this method would promote economy and efficiency.

(d) Within 90 days after the date of this order, the head of each executive agency that has not implemented an affirmative procurement program shall ensure that the affirmative procurement program has been established and is being implemented to the maximum extent practicable.

Sec. 403. Federal Facility Compliance. (a) Within 6 months of the date of this order, the Administrator of the EPA shall, in consultation with the Federal Environmental Executive, prepare guidance for use in determining Federal facility compliance with section 6002 of RCRA and the related requirements of this order.

(b) EPA inspections of Federal facilities conducted pursuant to RCRA and the Federal Facility Compliance Act and EPA “multi-media” inspections carried out at Federal facilities will include, where appropriate, evaluation of facility compliance with section 6002 of RCRA and any implementing guidance.

(c) Where inspections of Federal facilities are carried out by authorized States pursuant to RCRA and the Federal Facility Compliance Act, the Administrator of the EPA will encourage those States to include evaluation of facility compliance with section 6002 of RCRA in light of EPA guidance prepared pursuant to subsection (a), where appropriate, similar to inspections performed by the EPA. The EPA may provide information and technical assistance to the States to enable them to include such considerations in their inspection.

(d) The EPA shall report annually to the Federal Environmental Executive on the results of inspections performed by the EPA to determine Federal facility compliance with section 6002 of RCRA not later than February 1st for those inspections conducted during the previous fiscal year.

PART 5—STANDARDS, SPECIFICATIONS, AND DESIGNATION OF ITEMS

Sec. 501. Specifications, Product Descriptions, and Standards. When developing, reviewing, or revising Federal and military specifications, product descriptions (including commercial item descriptions), and standards, executive agencies shall consider recovered materials and any environmentally preferable purchasing criteria developed by the EPA, and ensure the criteria are complied with in developing or revising standards. Agencies shall report annually to the FEE on their compliance with this section for incorporation into the biennial report to the President referred to in section 302(a)(2) of this order. (a) If an inconsistency with section 6002 of RCRA or this order is identified in a specification, standard, or product description, the FEE shall request that the Environmental Executive of the pertinent agency advise the FEE as to why the specification cannot be revised or submit a plan for revising it within 60 days.

(b) If an agency is able to revise an inconsistent specification but cannot do so within 60 days, it is the responsibility of that AEE to monitor and implement the plan for revising it.

Sec. 502. Designation of Items that Contain Recovered Materials. In order to expedite the process of designating items that are or can be made with recovered materials, the EPA shall use the following process for designating these items in accordance with section 6002(e) of RCRA. (a) The EPA shall designate items that are or can be made with recovered material, by promulgating amendments to the Comprehensive Procurement Guideline (CPG). The CPG shall be updated every 2 years or as appropriate after an opportunity for public comment.

(b) Concurrent with the issuance of the CPG, the EPA shall publish for comment in the **Federal Register** Recovered Materials Advisory Notices that present the range of recovered materials content levels within which the designated items are currently available. These levels shall be updated periodically, after opportunity for public comment, to reflect changes in market conditions.

(c) Once items containing recovered materials have been designated by the EPA in the CPG, agencies shall modify their affirmative procurement programs to require that, to the maximum extent practicable, their purchases of products meet or exceed the EPA guidelines unless written justification is provided that a product is not available competitively, not available within a reasonable time frame, does not meet appropriate performance standards, or is only available at an unreasonable price.

Sec. 503. Guidance on Acquisition of Environmentally Preferable Products and Services. (a) The EPA shall develop guidance within 90 days from the date of this order to address environmentally preferable purchasing. The guidance may be based on the EPA's September 1995 Proposed Guidance on the Acquisition of Environmentally Preferable Products and Services and comments received thereon. The guidance should be designed for Government-wide use and targeted towards products and services that have the most effect. The guidance may also address the issues of use of the technical expertise of nongovernmental entities and tools such as life cycle assessment in decisions on environmentally preferable purchasing. The EPA shall update this guidance every 2 years, or as appropriate.

(b) Agencies are encouraged to immediately test and evaluate the principles and concepts contained in the EPA's Guidance on the Acquisition

of Environmentally Preferable Products and Services through pilot projects to provide practical information to the EPA for further updating of the guidance. Specifically:

(1) These pilot projects shall be focused around those product and service categories, including printing, that have wide use within the Federal Government. Priorities regarding which product and service categories to pilot shall be developed by the individual agencies and the EPA, in consultation with the OFPP, the FEE, and the appropriate agency procurement executives. Any policy disagreements shall be resolved by the Steering Committee.

(2) Agencies are encouraged to use all of the options available to them to determine the environmentally preferable attributes of products and services in their pilot and demonstration projects, including the use of technical expertise of nongovernmental entities such as labeling, certification, or standards-developing organizations, as well as using the expertise of the National Institute of Standards and Technology.

(3) Upon request and to the extent practicable, the EPA shall assist executive agencies in designing, implementing, and documenting the results of these pilot and demonstration projects.

(4) The EPA, in coordination with other executive agencies, shall develop a database of information about these projects, including, but not limited to, the number and status of pilot projects, examples of agencies' policy directives, revisions to specifications, solicitation procedures, and grant/contract policies that facilitate adoption of environmentally preferable purchasing practices, to be integrated on a commonly available electronic medium (e.g., Internet Web site). These data are to be reported to the FEE.

(c) Executive agencies shall use the principles and concepts in the EPA Guidance on Acquisition of Environmentally Preferable Products and Services, in addition to the lessons from the pilot and demonstration projects, to the maximum extent practicable, in identifying and purchasing environmentally preferable products and services and shall modify their procurement programs as appropriate.

Sec. 504. Designation of Biobased Items by the USDA. The USDA Biobased Products Coordination Council shall, in consultation with the FEE, issue a Biobased Products List. (a) The Biobased Products List shall be published in the **Federal Register** by the USDA within 180 days after the date of this order and shall be updated biannually after publication to include additional items.

(b) Once the Biobased Products List has been published, agencies are encouraged to modify their affirmative procurement program to give consideration to those products.

Sec. 505. Minimum Content Standard for Printing and Writing Paper. Executive agency heads shall ensure that their agencies meet or exceed the following minimum materials content standards when purchasing or causing the purchase of printing and writing paper: (a) For high speed copier paper, offset paper, forms bond, computer printout paper, carbonless paper, file folders, white wove envelopes, writing and office paper, book paper, cotton fiber paper, and cover stock, the minimum content standard shall be no less than 30 percent postconsumer materials beginning December 31, 1998.

If paper containing 30 percent postconsumer material is not reasonably available, does not meet reasonable performance requirements, or is only available at an unreasonable price, then the agency shall purchase paper containing no less than 20 percent postconsumer material. The Steering Committee, in consultation with the AEEs, may revise these levels if necessary.

(b) As an alternative to meeting the standards in sections 505(a), for all printing and writing papers, the minimum content standard shall be no less than 50 percent recovered materials that are a waste material byproduct of a finished product other than a paper or textile product that would otherwise be disposed of in a landfill, as determined by the State in which the facility is located.

(c) Effective January 1, 1999, no executive branch agency shall purchase, sell, or arrange for the purchase of, printing and writing paper that fails to meet the minimum requirements of this section.

Sec. 506. Revision of Brightness Specifications and Standards. The GSA and other executive agencies are directed to identify, evaluate, and revise or eliminate any standards or specifications unrelated to performance that present barriers to the purchase of paper or paper products made by production processes that minimize emissions of harmful byproducts. This evaluation shall include a review of unnecessary brightness and stock clause provisions, such as lignin content and chemical pulp requirements. The GSA shall complete the review and revision of such specifications within 6 months after the date of this order, and shall consult closely with the Joint Committee on Printing during such process. The GSA shall also compile any information or market studies that may be necessary to accomplish the objectives of this provision.

Sec. 507. Procurement of Re-refined Lubricating Oil and Retread Tires. (a) Agencies shall implement the EPA procurement guidelines for re-refined lubricating oil and retread tires. Fleet and commodity managers shall take immediate steps, as appropriate, to procure these items in accordance with section 6002 of RCRA. This provision does not preclude the acquisition of biobased (e.g., vegetable) oils.

(b) The FEE shall work to educate executive agencies about the new Department of Defense Cooperative Tire Qualification Program, including the Cooperative Approval Tire List and Cooperative Plant Qualification Program, as they apply to retread tires.

PART 6—AGENCY GOALS AND REPORTING REQUIREMENTS

Sec. 601. Agency Goals. (a)(1) Each agency shall establish either a goal for solid waste prevention and a goal for recycling or a goal for solid waste diversion to be achieved by January 1, 2000. Each agency shall further ensure that the established goals include long-range goals to be achieved by the years 2005 and 2010. These goals shall be submitted to the FEE within 180 days after the date of this order. (2) In addition to white paper, mixed paper/cardboard, aluminum, plastic, and glass, agencies should incorporate into their recycling programs efforts to recycle, reuse, or refurbish pallets and collect toner cartridges for remanufacturing. Agencies should also include programs to reduce or recycle, as appropriate, batteries, scrap metal, and fluorescent lamps and ballasts.

(b) Agencies shall set goals to increase the procurement of products that are made with recovered materials, in order to maximize the number of recycled products purchased, relative to non-recycled alternatives.

(c) Each agency shall set a goal for increasing the use of environmentally preferable products and services for those products and services for which the agency has completed a pilot program.

(d) Agencies are encouraged to incorporate into their Government Performance Results Act annual performance plans the goals listed in subsections (a), (b), and (c) above, starting with the submittal to the Office of Management and Budget of the plan accompanying the FY 2001 budget.

(e) Progress on attaining these goals should be reported by the agencies to the FEE for the biennial report specified in section 302(a)(2) of this order.

PART 7—APPLICABILITY AND OTHER REQUIREMENTS

Sec. 701. Contractor Applicability. Contracts that provide for contractor operation of a Government-owned or -leased facility and/or contracts that provide for contractor or other support services at Government-owned or -operated facilities awarded by executive agencies after the date of this order, shall include provisions that obligate the contractor to comply with the requirements of this order within the scope of its operations.

Sec. 702. Real Property Acquisition and Management. Within 90 days after the date of this order, and to the extent permitted by law and where economically feasible, executive agencies shall ensure compliance with the provisions of this order in the acquisition and management of Federally owned and leased space. The GSA and other executive agencies shall also include environmental and recycling provisions in the acquisition and management of all leased space and in the construction of new Federal buildings.

Sec. 703. Retention of Funds. (a) The Administrator of General Services shall continue with the program that retains for the agencies the proceeds from the sale of materials recovered through recycling or waste prevention programs and specifying the eligibility requirements for the materials being recycled.

(b) Agencies in non-GSA managed facilities, to the extent permitted by law, should develop a plan to retain the proceeds from the sale of materials recovered through recycling or waste prevention programs.

Sec. 704. Model Facility Programs. Each executive agency shall establish a model demonstration program incorporating some or all of the following elements as appropriate. Agencies are encouraged to demonstrate and test new and innovative approaches such as incorporating environmentally preferable and bio-based products; increasing the quantity and types of products containing recovered materials; expanding collection programs; implementing source reduction programs; composting organic materials when feasible; and exploring public/private partnerships to develop markets for recovered materials.

Sec. 705. Recycling Programs. (a)(1) Each executive agency that has not already done so shall initiate a program to promote cost-effective waste prevention and recycling of reusable materials in all of its facilities. The recy-

cling programs implemented pursuant to this section must be compatible with applicable State and local recycling requirements.

(2) Agencies shall designate a recycling coordinator for each facility or installation. The recycling coordinator shall implement or maintain waste prevention and recycling programs in the agencies' action plans.

(b) Executive agencies shall also consider cooperative ventures with State and local governments to promote recycling and waste reduction in the community.

Sec. 706. Review of Implementation. The President's Council on Integrity and Efficiency shall request that the Inspectors General periodically review agencies' implementation of this order.

PART 8—AWARENESS

Sec. 801. Training. (a) Within 180 days of the date of this order, the FEE and OFPP should evaluate the training courses provided by the Federal Acquisition Institute and the Defense Acquisition University and recommend any appropriate curriculum changes to ensure that procurement officials are aware of the requirements of this order.

(b) Executive agencies shall provide training to program management and requesting activities as needed to ensure awareness of the requirements of this order.

Sec. 802. Internal Agency Awards Programs. Each agency shall develop an internal agency-wide awards program, as appropriate, to reward its most innovative environmental programs. Among others, winners of agency-wide awards will be eligible for the White House Awards Program.

Sec. 803. White House Awards Program. A Government-wide award will be presented annually by the White House to the best, most innovative programs implementing the objectives of this order to give greater visibility to these efforts so that they can be incorporated Government-wide. The White House Awards Program will be administered jointly by the FEE and the CEQ.

PART 9—REVOCATION, LIMITATION, AND IMPLEMENTATION

Sec. 901. Executive Order 12873 of October 20, 1993, is hereby revoked.

Sec. 902. This order is intended only to improve the internal management of the executive branch and is not intended to create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any other person.

Sec. 903. The policies and direction expressed in the EPA guidance to be developed pursuant to section 503 of this order shall be implemented and incorporated in the Federal Acquisition Regulation within 180 days after issuance of the guidance.

WILLIAM J. CLINTON

THE WHITE HOUSE,

September 14, 1998.

Executive Order 13102 of September 25, 1998**Further Amendment to Executive Order 13038, Advisory Committee on Public Interest Obligations of Digital Television Broadcasters**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to extend the reporting deadline of the Advisory Committee on Public Interest Obligations of Digital Television Broadcasters, it is hereby ordered that Executive Order 13038, as previously amended, is further amended by deleting "October 1, 1998" in section 2 and inserting "December 31, 1998" in lieu thereof.

WILLIAM J. CLINTON

THE WHITE HOUSE,
September 25, 1998.

Executive Order 13103 of September 30, 1998**Computer Software Piracy**

The United States Government is the world's largest purchaser of computer-related services and equipment, purchasing more than \$20 billion annually. At a time when a critical component in discussions with our international trading partners concerns their efforts to combat piracy of computer software and other intellectual property, it is incumbent on the United States to ensure that its own practices as a purchaser and user of computer software are beyond reproach. Accordingly, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. It shall be the policy of the United States Government that each executive agency shall work diligently to prevent and combat computer software piracy in order to give effect to copyrights associated with computer software by observing the relevant provisions of international agreements in effect in the United States, including applicable provisions of the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights, the Berne Convention for the Protection of Literary and Artistic Works, and relevant provisions of Federal law, including the Copyright Act.

(a) Each agency shall adopt procedures to ensure that the agency does not acquire, reproduce, distribute, or transmit computer software in violation of applicable copyright laws.

(b) Each agency shall establish procedures to ensure that the agency has present on its computers and uses only computer software not in violation of applicable copyright laws. These procedures may include:

(1) preparing agency inventories of the software present on its computers;

(2) determining what computer software the agency has the authorization to use; and

(3) developing and maintaining adequate recordkeeping systems.

(c) Contractors and recipients of Federal financial assistance, including recipients of grants and loan guarantee assistance, should have appropriate systems and controls in place to ensure that Federal funds are not used to acquire, operate, or maintain computer software in violation of applicable copyright laws. If agencies become aware that contractors or recipients are using Federal funds to acquire, operate, or maintain computer software in violation of copyright laws and determine that such actions of the contractors or recipients may affect the integrity of the agency's contracting and Federal financial assistance processes, agencies shall take such measures, including the use of certifications or written assurances, as the agency head deems appropriate and consistent with the requirements of law.

(d) Executive agencies shall cooperate fully in implementing this order and shall share information as appropriate that may be useful in combating the use of computer software in violation of applicable copyright laws.

Sec. 2. *Responsibilities of Agency Heads.* In connection with the acquisition and use of computer software, the head of each executive agency shall:

(a) ensure agency compliance with copyright laws protecting computer software and with the provisions of this order to ensure that only authorized computer software is acquired for and used on the agency's computers;

(b) utilize performance measures as recommended by the Chief Information Officers Council pursuant to section 3 of this order to assess the agency's compliance with this order;

(c) educate appropriate agency personnel regarding copyrights protecting computer software and the policies and procedures adopted by the agency to honor them; and

(d) ensure that the policies, procedures, and practices of the agency related to copyrights protecting computer software are adequate and fully implement the policies set forth in this order.

Sec. 3. *Chief Information Officers Council.* The Chief Information Officers Council ("Council") established by section 3 of Executive Order No. 13011 of July 16, 1996, shall be the principal interagency forum to improve executive agency practices regarding the acquisition and use of computer software, and monitoring and combating the use of unauthorized computer software. The Council shall provide advice and make recommendations to executive agencies and to the Office of Management and Budget regarding appropriate government-wide measures to carry out this order. The Council shall issue its initial recommendations within 6 months of the date of this order.

Sec. 4. *Office of Management and Budget.* The Director of the Office of Management and Budget, in carrying out responsibilities under the Clinger-Cohen Act, shall utilize appropriate oversight mechanisms to foster agency compliance with the policies set forth in this order. In carrying out these responsibilities, the Director shall consider any recommendations made by the Council under section 3 of this order regarding practices and policies to be instituted on a government-wide basis to carry out this order.

Sec. 5. Definition. “Executive agency” and “agency” have the meaning given to that term in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).

Sec. 6. National Security. In the interest of national security, nothing in this order shall be construed to require the disclosure of intelligence sources or methods or to otherwise impair the authority of those agencies listed at 50 U.S. 401a(4) to carry out intelligence activities.

Sec. 7. Law Enforcement Activities. Nothing in this order shall be construed to require the disclosure of law enforcement investigative sources or methods or to prohibit or otherwise impair any lawful investigative or protective activity undertaken for or by any officer, agent, or employee of the United States or any person acting pursuant to a contract or other agreement with such entities.

Sec. 8. Scope. Nothing in this order shall be construed to limit or otherwise affect the interpretation, application, or operation of 28 U.S.C. 1498.

Sec. 9. Judicial Review. This Executive order is intended only to improve the internal management of the executive branch and does not create any right or benefit, substantive or procedural, at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
September 30, 1998.

Executive Order 13104 of October 19, 1998

Amendment to Executive Order 13021, Tribal Colleges and Universities

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), and in order to provide for the continuation of the President’s Board of Advisors on Tribal Colleges and Universities, it is hereby ordered that section 7 of Executive Order 13021 is amended to read “The Board shall terminate on September 30, 1999, unless the Board is renewed by the President prior to that date.”

WILLIAM J. CLINTON

THE WHITE HOUSE,
October 19, 1998.

Executive Order 13105 of November 2, 1998**Open Enrollment Season for Participants in the Foreign Service Retirement and Disability System and the Central Intelligence Agency Retirement and Disability System**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 827 of the Foreign Service Act of 1980 (22 U.S.C. 4067) and section 292 of the Central Intelligence Agency Retirement Act of 1964 (50 U.S.C. 2141), and in order to conform further the Foreign Service Retirement and Disability System and the Central Intelligence Agency Retirement and Disability System to the Civil Service Retirement and Disability System, it is hereby ordered as follows:

Section 1. In conjunction with section 860 of the Foreign Service Act of 1980 (22 U.S.C. 4071i), the Secretary of State shall issue regulations providing for an open enrollment period from November 1, 1998, to April 30, 1999, during which employee participants in the Foreign Service Retirement and Disability System may elect to become subject to the Foreign Service Pension System.

Sec. 2. In conjunction with section 307(a) of the Central Intelligence Agency Retirement Act of 1964 (50 U.S.C. 2157(a)), the Director shall provide for an open enrollment period from November 1, 1998, to April 30, 1999, during which employee participants in the Central Intelligence Agency Retirement and Disability System may elect to become subject to the Federal Employees' Retirement System, comparable to the election for civil service employees provided for by the Federal Employees' Retirement System Open Enrollment Act of 1997, Public Law 105-61.

WILLIAM J. CLINTON

THE WHITE HOUSE,
November 2, 1998.

Executive Order 13106 of December 7, 1998**Adjustments of Certain Rates of Pay and Delegation of a Federal Pay Administration Authority**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the laws cited herein, it is hereby ordered as follows:

Section 1. Statutory Pay Systems. The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303(a), in accordance with section 647(a) of the Treasury and General Government Appropriations Act, 1999, as incorporated in Division A, section 101(h) of Public Law 105-277, are set forth on the schedules attached hereto and made a part hereof:

- (a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;
- (b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

(c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102-40) at Schedule 3.

Sec. 2. *Senior Executive Service.* The rates of basic pay for senior executives in the Senior Executive Service, as adjusted under 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

Sec. 3. *Executive Salaries.* The rates of basic pay or salaries for the following offices and positions, which remain unchanged pursuant to section 621 of the Treasury and General Government Appropriations Act, 1999, as incorporated in Division A, section 101(h) of Public Law 105-277, are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5312-5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 31) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a)) at Schedule 7.

Sec. 4. *Uniformed Services.* Pursuant to sections 601 and 604 of Public Law 105-85, the rates of monthly basic pay (37 U.S.C. 203(a)) for members of the uniformed services and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)) are set forth on Schedule 8 attached hereto and made a part hereof.

Sec. 5. *Locality-Based Comparability Payments.* (a) Pursuant to section 5304 of title 5, United States Code, and in accordance with section 647(a) of the Treasury and General Government Appropriations Act, 1999, as incorporated in Division A, section 101(h) of Public Law 105-277, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the **Federal Register**.

Sec. 6. *Effective Dates.* Schedule 8 is effective on January 1, 1999. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 1999.

Sec. 7. *Prior Order Superseded.* Executive Order 13071 of December 29, 1997, is superseded.

Sec. 8. *Delegation of a Federal Pay Administration Authority.* Executive Order 12748, as amended, is further amended in section 2(c) by deleting "5304(h)" and inserting "5304(g)-(h)" in lieu thereof.

WILLIAM J. CLINTON

THE WHITE HOUSE,

December 7, 1998.

SCHEDULE 1--GENERAL SCHEDULE

(Effective on the first day of the first applicable pay period
beginning on or after January 1, 1999)

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| GS-1 | \$13,362 | \$13,807 | \$14,252 | \$14,694 | \$15,140 | \$15,401 | \$15,838 | \$16,281 | \$16,299 | \$16,718 |
| 2 | 15,023 | 15,380 | 15,878 | 16,299 | 16,482 | 16,967 | 17,452 | 17,937 | 18,422 | 18,907 |
| 3 | 16,392 | 16,938 | 17,484 | 18,030 | 18,576 | 19,122 | 19,668 | 20,214 | 20,760 | 21,306 |
| 4 | 18,401 | 19,014 | 19,627 | 20,240 | 20,853 | 21,466 | 22,079 | 22,692 | 23,305 | 23,918 |
| 5 | 20,588 | 21,274 | 21,960 | 22,646 | 23,332 | 24,018 | 24,704 | 25,390 | 26,076 | 26,762 |
| 6 | 22,948 | 23,713 | 24,478 | 25,243 | 26,008 | 26,773 | 27,538 | 28,303 | 29,068 | 29,833 |
| 7 | 25,501 | 26,351 | 27,201 | 28,051 | 28,901 | 29,751 | 30,601 | 31,451 | 32,301 | 33,151 |
| 8 | 28,242 | 29,183 | 30,124 | 31,065 | 32,006 | 32,947 | 33,888 | 34,829 | 35,770 | 36,711 |
| 9 | 31,195 | 32,235 | 33,275 | 34,315 | 35,355 | 36,395 | 37,435 | 38,475 | 39,515 | 40,555 |
| 10 | 34,353 | 35,498 | 36,643 | 37,788 | 38,933 | 40,078 | 41,223 | 42,368 | 43,513 | 44,658 |
| 11 | 37,744 | 39,002 | 40,260 | 41,518 | 42,776 | 44,034 | 45,292 | 46,550 | 47,808 | 49,066 |
| 12 | 45,236 | 46,744 | 48,252 | 49,760 | 51,268 | 52,776 | 54,284 | 55,792 | 57,300 | 58,808 |
| 13 | 53,793 | 55,586 | 57,379 | 59,172 | 60,965 | 62,758 | 64,551 | 66,344 | 68,137 | 69,930 |
| 14 | 63,567 | 65,686 | 67,805 | 69,924 | 72,043 | 74,162 | 76,281 | 78,400 | 80,519 | 82,638 |
| 15 | 74,773 | 77,265 | 79,757 | 82,249 | 84,741 | 87,233 | 89,725 | 92,217 | 94,709 | 97,201 |

SCHEDULE 2--FOREIGN SERVICE SCHEDULE

(Effective on the first day of the first applicable pay period
beginning on or after January 1, 1999)

| Step | Executive Orders | | | | | | | | | EO 13106 |
|------|------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | Class 1 | Class 2 | Class 3 | Class 4 | Class 5 | Class 6 | Class 7 | Class 8 | Class 9 | |
| 1 | \$74,773 | \$60,589 | \$49,095 | \$39,782 | \$32,235 | \$28,817 | \$25,761 | \$23,030 | \$20,588 | |
| 2 | 77,016 | 62,407 | 50,568 | 40,975 | 33,202 | 29,682 | 26,534 | 23,721 | 21,206 | |
| 3 | 79,327 | 64,279 | 52,085 | 42,205 | 34,198 | 30,572 | 27,330 | 24,433 | 21,842 | |
| 4 | 81,706 | 66,207 | 53,647 | 43,471 | 35,224 | 31,489 | 28,150 | 25,166 | 22,497 | |
| 5 | 84,158 | 68,193 | 55,257 | 44,775 | 36,281 | 32,434 | 28,994 | 25,920 | 23,172 | |
| 6 | 86,682 | 70,239 | 56,915 | 46,118 | 37,369 | 33,407 | 29,864 | 26,698 | 23,867 | |
| 7 | 89,283 | 72,346 | 58,622 | 47,502 | 38,490 | 34,409 | 30,760 | 27,499 | 24,583 | |
| 8 | 91,961 | 74,517 | 60,381 | 48,927 | 39,645 | 35,441 | 31,683 | 28,324 | 25,321 | |
| 9 | 94,720 | 76,752 | 62,192 | 50,395 | 40,834 | 36,505 | 32,633 | 29,174 | 26,080 | |
| 10 | 97,201 | 79,055 | 64,058 | 51,906 | 42,059 | 37,600 | 33,612 | 30,049 | 26,863 | |
| 11 | 97,201 | 81,427 | 65,980 | 53,464 | 43,321 | 38,728 | 34,621 | 30,950 | 27,669 | |
| 12 | 97,201 | 83,869 | 67,959 | 55,068 | 44,621 | 39,889 | 35,659 | 31,879 | 28,499 | |
| 13 | 97,201 | 86,385 | 69,998 | 56,720 | 45,959 | 41,086 | 36,729 | 32,835 | 29,354 | |
| 14 | 97,201 | 88,977 | 72,098 | 58,421 | 47,338 | 42,319 | 37,831 | 33,820 | 30,234 | |

**SCHEDULE 3--VETERANS HEALTH ADMINISTRATION SCHEDULES
DEPARTMENT OF VETERANS AFFAIRS**

(Effective on the first day of the first applicable pay period
beginning on or after January 1, 1993)

Schedule for the Office of the Under Secretary for Health
(38 U.S.C. 7306)*

| | | |
|---|----------------|----------------|
| Deputy Under Secretary for Health | \$126,986 | ** |
| Associate Deputy Under Secretary for Health | 121,628 | *** |
| Assistant Under Secretaries for Health | 118,043 | *** |
| | <u>Minimum</u> | <u>Maximum</u> |
| Medical Directors | \$100,715 | \$114,146 *** |
| Service Directors | 87,696 | 108,911 |
| Director, National Center for Preventive Health | 74,773 | 108,911 |
| Physician and Dentist Schedule | | |
| Director Grade | \$87,696 | \$108,911 |
| Executive Grade | 80,978 | 103,203 |
| Chief Grade | 74,773 | 97,201 |
| Senior Grade | 63,567 | 82,638 |
| Intermediate Grade | 53,793 | 69,930 |
| Full Grade | 45,236 | 58,808 |
| Associate Grade | 37,744 | 49,066 |
| Clinical Podiatrist and Optometrist Schedule | | |
| Chief Grade | \$74,773 | \$97,201 |
| Senior Grade | 63,567 | 82,638 |
| Intermediate Grade | 53,793 | 69,930 |
| Full Grade | 45,236 | 58,808 |
| Associate Grade | 37,744 | 49,066 |
| Physician Assistant and Expanded-Function Dental Auxiliary Schedule **** | | |
| Director Grade | \$74,773 | \$97,201 |
| Assistant Director Grade | 63,567 | 82,638 |
| Chief Grade | 53,793 | 69,930 |
| Senior Grade | 45,236 | 58,808 |
| Intermediate Grade | 37,744 | 49,066 |
| Full Grade | 31,195 | 40,555 |
| Associate Grade | 26,844 | 34,899 |
| Junior Grade | 22,948 | 29,833 |

* This schedule does not apply to the Assistant Under Secretary for Nursing Programs or the Director of Nursing Services. Pay for these positions is set by the Under Secretary for Health under 38 U.S.C. 7451.

** Pursuant to section 7404(d)(1) of title 38, United States Code, the rate of basic pay payable to this employee is limited to the rate for level IV of the Executive Schedule, which is \$118,400.

*** Pursuant to section 7404(d)(2) of title 38, United States Code, the rate of basic pay payable to these employees is limited to the rate for level V of the Executive Schedule, which is \$110,700.

**** Pursuant to section 301(a) of Public Law 102-40, these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b) as in effect on August 14, 1990, with subsequent adjustments.

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SCHEDULE 4--SENIOR EXECUTIVE SERVICE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1999)

| | |
|----------------|-----------|
| ES-1 | \$102,300 |
| ES-2 | 107,100 |
| ES-3 | 112,000 |
| ES-4 | 118,000 |
| ES-5 | 118,400 |
| ES-6 | 118,400 |

SCHEDULE 5--EXECUTIVE SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1999)

| | |
|---------------------|-----------|
| level I | \$151,800 |
| level II | 136,700 |
| level III | 125,900 |
| level IV | 118,400 |
| level V | 110,700 |

SCHEDULE 6--VICE PRESIDENT AND MEMBERS OF CONGRESS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1999)

| | |
|---|-----------|
| Vice President | \$175,400 |
| Senators | 136,700 |
| Members of the House of Representatives | 136,700 |
| Delegates to the House of Representatives | 136,700 |
| Resident Commissioner from Puerto Rico | 136,700 |
| President pro tempore of the Senate | 151,800 |
| Majority leader and minority leader of the Senate | 151,800 |
| Majority leader and minority leader of the House of Representatives | 151,800 |
| Speaker of the House of Representatives | 175,400 |

SCHEDULE 7--JUDICIAL SALARIES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1999)

| | |
|--|-----------|
| Chief Justice of the United States | \$175,400 |
| Associate Justices of the Supreme Court | 167,900 |
| Circuit Judges | 145,000 |
| District Judges | 136,700 |
| Judges of the Court of International Trade | 136,700 |

SCHEDULE B—PAY OF THE UNIFORMED SERVICES
(Effective on January 1, 1999)

Part I—MONTHLY BASIC PAY

YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)

| Pay Grade | 2 or less | Over 2 | Over 3 | Over 4 | Over 6 | Over 8 | Over 10 | Over 12 | Over 14 | Over 16 | Over 18 | Over 20 | Over 22 | Over 24 | Over 26 |
|-----------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|-------------|--------------|--------------|--------------|--------------|
| O-10 ** | \$7,838.70 | \$9,114.40 | \$8,114.40 | \$9,114.40 | \$8,114.40 | \$8,425.80 | \$8,425.80 | \$8,892.60 | \$8,892.60 | \$9,528.90* | \$9,528.90* | \$10,167.00* | \$10,167.00* | \$10,167.00* | \$10,800.00* |
| O-9 | 6,947.10 | 7,129.20 | 7,281.00 | 7,281.00 | 7,281.00 | 7,466.10 | 7,466.10 | 7,776.90 | 7,776.90 | 8,425.80 | 8,425.80 | 8,892.60 | 8,892.60 | 8,892.60 | 9,528.90* |
| O-8 | 6,292.20 | 6,481.20 | 6,634.50 | 6,634.50 | 6,634.50 | 7,129.20 | 7,129.20 | 7,466.10 | 7,466.10 | 8,114.40 | 8,114.40 | 8,425.80 | 8,425.80 | 8,425.80 | 9,169.70 |
| O-7 | 5,228.40 | 5,583.90 | 5,883.90 | 5,883.90 | 5,883.90 | 6,172.50 | 6,172.50 | 6,481.20 | 6,481.20 | 7,129.20 | 7,129.20 | 7,619.70 | 7,619.70 | 7,619.70 | 8,364.20 |
| O-6 | 3,875.10 | 4,257.30 | 4,536.60 | 4,536.60 | 4,536.60 | 4,836.60 | 4,836.60 | 5,142.20 | 5,142.20 | 5,432.40 | 5,432.40 | 5,834.40 | 5,834.40 | 5,834.40 | 6,694.20 |
| O-5 | 3,099.60 | 3,639.30 | 3,891.00 | 3,891.00 | 3,891.00 | 4,008.00 | 4,008.00 | 4,224.30 | 4,224.30 | 4,444.80 | 4,444.80 | 4,666.60 | 4,666.60 | 4,666.60 | 5,162.40 |
| O-4 | 2,612.40 | 3,181.20 | 3,393.30 | 3,393.30 | 3,393.30 | 3,456.30 | 3,456.30 | 3,608.70 | 3,608.70 | 3,855.30 | 3,855.30 | 4,071.90 | 4,071.90 | 4,071.90 | 4,444.80 |
| O-3 *** | 2,427.60 | 2,714.10 | 2,901.90 | 2,901.90 | 2,901.90 | 3,036.40 | 3,036.40 | 3,164.50 | 3,164.50 | 3,364.50 | 3,364.50 | 3,549.50 | 3,549.50 | 3,549.50 | 3,949.50 |
| O-2 *** | 2,117.10 | 2,312.10 | 2,477.70 | 2,477.70 | 2,477.70 | 2,530.40 | 2,530.40 | 2,630.40 | 2,630.40 | 2,830.40 | 2,830.40 | 2,930.40 | 2,930.40 | 2,930.40 | 3,349.50 |
| O-1 *** | 1,838.10 | 1,913.10 | 2,013.10 | 2,013.10 | 2,013.10 | 2,112.10 | 2,112.10 | 2,212.10 | 2,212.10 | 2,312.10 | 2,312.10 | 2,412.10 | 2,412.10 | 2,412.10 | 2,812.10 |

COMMISSIONED OFFICERS

COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE
AS AN ENLISTED MEMBER OR WARRANT OFFICER

| | | | | | | | | | | | | | | | |
|------|---|---|---|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| O-2E | - | - | - | 3,210.60 | 3,364.50 | 3,464.80 | 3,673.80 | 3,855.30 | 4,008.00 | 4,008.00 | 4,008.00 | 4,008.00 | 4,008.00 | 4,008.00 | 4,008.00 |
| O-2E | - | - | - | 2,871.30 | 2,930.40 | 3,023.40 | 3,181.20 | 3,303.00 | 3,393.30 | 3,393.30 | 3,393.30 | 3,393.30 | 3,393.30 | 3,393.30 | 3,393.30 |
| O-1E | - | - | - | 2,312.10 | 2,469.90 | 2,560.80 | 2,653.80 | 2,745.90 | 2,871.30 | 2,871.30 | 2,871.30 | 2,871.30 | 2,871.30 | 2,871.30 | 2,871.30 |

* Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule, which is \$9,225.00 per month.

** For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is calculated to be \$11,916.60 per month, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, actual basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule, which is \$9,225.00 per month.

*** Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

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SCHEDULE 8--PAY OF THE UNIFORMED SERVICES (PAGE 2)
YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)

| Pay Grade | 2 or Less | 2 | 3 | 4 | 6 | 8 | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 |
|-----------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| W-5 | \$2,473.20 | \$2,653.80 | \$2,653.80 | \$2,714.10 | \$2,838.00 | \$2,962.80 | \$3,087.30 | \$3,212.40 | \$3,337.50 | \$3,462.60 | \$3,587.70 | \$3,712.80 | \$3,837.90 | \$3,963.00 | \$4,088.10 |
| W-4 | 2,247.80 | 2,438.40 | 2,438.40 | 2,499.70 | 2,623.60 | 2,747.50 | 2,871.40 | 2,995.30 | 3,119.20 | 3,243.10 | 3,367.00 | 3,490.90 | 3,614.80 | 3,738.70 | 3,862.60 |
| W-3 | 1,968.90 | 2,130.30 | 2,130.30 | 2,191.60 | 2,315.50 | 2,439.40 | 2,563.30 | 2,687.20 | 2,811.10 | 2,935.00 | 3,058.90 | 3,182.80 | 3,306.70 | 3,430.60 | 3,554.50 |
| W-2 | 1,640.40 | 1,880.70 | 1,880.70 | 1,941.00 | 2,064.90 | 2,188.80 | 2,312.70 | 2,436.60 | 2,560.50 | 2,684.40 | 2,808.30 | 2,932.20 | 3,056.10 | 3,180.00 | 3,303.90 |
| W-1 | 887.70 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 |
| E-9 * | 1,604.80 | 1,818.90 | 1,818.90 | 1,880.20 | 1,994.10 | 2,108.00 | 2,221.90 | 2,335.80 | 2,449.70 | 2,563.60 | 2,677.50 | 2,791.40 | 2,905.30 | 3,019.20 | 3,133.10 |
| E-8 | 1,479.30 | 1,578.80 | 1,578.80 | 1,630.10 | 1,744.00 | 1,857.90 | 1,971.80 | 2,085.70 | 2,199.60 | 2,313.50 | 2,427.40 | 2,541.30 | 2,655.20 | 2,769.10 | 2,883.00 |
| E-7 | 1,371.90 | 1,458.40 | 1,458.40 | 1,509.70 | 1,623.60 | 1,737.50 | 1,851.40 | 1,965.30 | 2,079.20 | 2,193.10 | 2,307.00 | 2,420.90 | 2,534.80 | 2,648.70 | 2,762.60 |
| E-6 | 1,274.70 | 1,351.20 | 1,351.20 | 1,402.50 | 1,516.40 | 1,630.30 | 1,744.20 | 1,858.10 | 1,972.00 | 2,085.90 | 2,199.80 | 2,313.70 | 2,427.60 | 2,541.50 | 2,655.40 |
| E-5 | 1,177.80 | 1,254.30 | 1,254.30 | 1,305.60 | 1,419.50 | 1,533.40 | 1,647.30 | 1,761.20 | 1,875.10 | 1,989.00 | 2,102.90 | 2,216.80 | 2,330.70 | 2,444.60 | 2,558.50 |
| E-4 | 1,075.80 | 1,152.30 | 1,152.30 | 1,203.60 | 1,317.50 | 1,431.40 | 1,545.30 | 1,659.20 | 1,773.10 | 1,887.00 | 2,000.90 | 2,114.80 | 2,228.70 | 2,342.60 | 2,456.50 |
| E-3 | 959.40 | 1,035.90 | 1,035.90 | 1,087.20 | 1,201.10 | 1,315.00 | 1,428.90 | 1,542.80 | 1,656.70 | 1,770.60 | 1,884.50 | 1,998.40 | 2,112.30 | 2,226.20 | 2,340.10 |
| E-2 | 887.70 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 |
| E-1 *** | 887.70 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 | 959.40 |

WARRANT OFFICERS

ENLISTED MEMBERS

* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$4,503.00 per month, regardless of cumulative years of service under section 205 of title 37, United States Code.

** Applies to personnel who have served 4 months or more on active duty.

*** Applies to personnel who have served less than 4 months on active duty.

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SCHEDULE 8--PAY OF THE UNIFORMED SERVICES (PAGE 3)

Part II--RATE OF MONTHLY CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by section 203(c) of title 37, United States Code, is \$600.00.

Note: As a result of the enactment of sections 602-604 of Public Law 105-85, the National Defense Authorization Act for Fiscal Year 1998, the Secretary of Defense now has the authority to adjust the rates of basic allowances for subsistence and housing. Therefore, these allowances are no longer adjusted by the President in conjunction with the adjustment of basic pay for members of the uniformed services. Accordingly, the tables of allowances included in previous orders are not included here.

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SCHEDULE 9--LOCALITY-BASED COMPARABILITY PAYMENTS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1999)

| <u>Locality Pay Area¹</u> | <u>Rate</u> |
|---|-------------|
| Atlanta, GA | 6.67% |
| Boston-Worcester-Lawrence, MA-NH,ME,CT | 9.32% |
| Chicago-Gary-Kenosha, IL-IN-WI | 9.98% |
| Cincinnati-Hamilton, OH-KY-IN | 8.31% |
| Cleveland-Akron, OH | 6.92% |
| Columbus, OH | 7.46% |
| Dallas-Fort Worth, TX | 7.47% |
| Dayton-Springfield, OH | 6.67% |
| Denver-Boulder-Greeley, CO | 9.16% |
| Detroit-Ann Arbor-Flint, MI | 10.13% |
| Hartford, CT | 9.85% |
| Houston-Galveston-Brazoria, TX | 12.92% |
| Huntsville, AL | 6.31% |
| Indianapolis, IN | 6.08% |
| Kansas City, MO-KS | 6.51% |
| Los Angeles-Riverside-Orange County, CA | 11.14% |
| Miami-Fort Lauderdale, FL | 8.51% |
| Milwaukee-Racine, WI | 6.74% |
| Minneapolis-St. Paul, MN-WI | 7.92% |
| New York-Northern New Jersey-Long Island, NY-NJ-CT-PA | 10.55% |
| Orlando, FL | 5.87% |
| Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD | 8.30% |
| Pittsburgh, PA | 6.68% |
| Portland-Salem, OR-WA | 7.80% |
| Richmond-Petersburg, VA | 6.61% |
| Sacramento-Yolo, CA | 8.27% |
| St. Louis, MO-IL | 6.17% |
| San Diego, CA | 8.62% |
| San Francisco-Oakland-San Jose, CA | 13.06% |
| Seattle-Tacoma-Bremerton, WA | 7.96% |
| Washington-Baltimore, DC-MD-VA-WV | 7.87% |
| Rest of U.S. | 5.87% |

¹Locality Pay Areas are defined in 5 CFR 531.603.

Executive Order 13107 of December 10, 1998**Implementation of Human Rights Treaties**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and bearing in mind the obligations of the United States pursuant to the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), and other relevant treaties concerned with the protection and promotion of human rights to which the United States is now or may become a party in the future, it is hereby ordered as follows:

Section 1. *Implementation of Human Rights Obligations.* (a) It shall be the policy and practice of the Government of the United States, being committed to the protection and promotion of human rights and fundamental freedoms, fully to respect and implement its obligations under the international human rights treaties to which it is a party, including the ICCPR, the CAT, and the CERD.

(b) It shall also be the policy and practice of the Government of the United States to promote respect for international human rights, both in our relationships with all other countries and by working with and strengthening the various international mechanisms for the promotion of human rights, including, *inter alia*, those of the United Nations, the International Labor Organization, and the Organization of American States.

Sec. 2. *Responsibility of Executive Departments and Agencies.* (a) All executive departments and agencies (as defined in 5 U.S.C. 101–105, including boards and commissions, and hereinafter referred to collectively as “agency” or “agencies”) shall maintain a current awareness of United States international human rights obligations that are relevant to their functions and shall perform such functions so as to respect and implement those obligations fully. The head of each agency shall designate a single contact officer who will be responsible for overall coordination of the implementation of this order. Under this order, all such agencies shall retain their established institutional roles in the implementation, interpretation, and enforcement of Federal law and policy.

(b) The heads of agencies shall have lead responsibility, in coordination with other appropriate agencies, for questions concerning implementation of human rights obligations that fall within their respective operating and program responsibilities and authorities or, to the extent that matters do not fall within the operating and program responsibilities and authorities of any agency, that most closely relate to their general areas of concern.

Sec. 3. *Human Rights Inquiries and Complaints.* Each agency shall take lead responsibility, in coordination with other appropriate agencies, for responding to inquiries, requests for information, and complaints about violations of human rights obligations that fall within its areas of responsibility or, if the matter does not fall within its areas of responsibility, referring it to the appropriate agency for response.

Sec. 4. *Interagency Working Group on Human Rights Treaties.* (a) There is hereby established an Interagency Working Group on Human Rights Treaties for the purpose of providing guidance, oversight, and coordination

with respect to questions concerning the adherence to and implementation of human rights obligations and related matters.

(b) The designee of the Assistant to the President for National Security Affairs shall chair the Interagency Working Group, which shall consist of appropriate policy and legal representatives at the Assistant Secretary level from the Department of State, the Department of Justice, the Department of Labor, the Department of Defense, the Joint Chiefs of Staff, and other agencies as the chair deems appropriate. The principal members may designate alternates to attend meetings in their stead.

(c) The principal functions of the Interagency Working Group shall include:

(i) coordinating the interagency review of any significant issues concerning the implementation of this order and analysis and recommendations in connection with pursuing the ratification of human rights treaties, as such questions may from time to time arise;

(ii) coordinating the preparation of reports that are to be submitted by the United States in fulfillment of treaty obligations;

(iii) coordinating the responses of the United States Government to complaints against it concerning alleged human rights violations submitted to the United Nations, the Organization of American States, and other international organizations;

(iv) developing effective mechanisms to ensure that legislation proposed by the Administration is reviewed for conformity with international human rights obligations and that these obligations are taken into account in reviewing legislation under consideration by the Congress as well;

(v) developing recommended proposals and mechanisms for improving the monitoring of the actions by the various States, Commonwealths, and territories of the United States and, where appropriate, of Native Americans and Federally recognized Indian tribes, including the review of State, Commonwealth, and territorial laws for their conformity with relevant treaties, the provision of relevant information for reports and other monitoring purposes, and the promotion of effective remedial mechanisms;

(vi) developing plans for public outreach and education concerning the provisions of the ICCPR, CAT, CERD, and other relevant treaties, and human rights-related provisions of domestic law;

(vii) coordinating and directing an annual review of United States reservations, declarations, and understandings to human rights treaties, and matters as to which there have been nontrivial complaints or allegations of inconsistency with or breach of international human rights obligations, in order to determine whether there should be consideration of any modification of relevant reservations, declarations, and understandings to human rights treaties, or United States practices or laws. The results and recommendations of this review shall be reviewed by the head of each participating agency;

(viii) making such other recommendations as it shall deem appropriate to the President, through the Assistant to the President for National Security Affairs, concerning United States adherence to or implementation of human rights treaties and related matters; and

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Title 3—The President

(ix) coordinating such other significant tasks in connection with human rights treaties or international human rights institutions, including the Inter-American Commission on Human Rights and the Special Rapporteurs and complaints procedures established by the United Nations Human Rights Commission.

(d) The work of the Interagency Working Group shall not supplant the work of other interagency entities, including the President's Committee on the International Labor Organization, that address international human rights issues.

Sec. 5. *Cooperation Among Executive Departments and Agencies.* All agencies shall cooperate in carrying out the provisions of this order. The Interagency Working Group shall facilitate such cooperative measures.

Sec. 6. *Judicial Review, Scope, and Administration.* (a) Nothing in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(b) This order does not supersede Federal statutes and does not impose any justiciable obligations on the executive branch.

(c) The term "treaty obligations" shall mean treaty obligations as approved by the Senate pursuant to Article II, section 2, clause 2 of the United States Constitution.

(d) To the maximum extent practicable and subject to the availability of appropriations, agencies shall carry out the provisions of this order.

WILLIAM J. CLINTON

THE WHITE HOUSE,
December 10, 1998.

Executive Order 13108 of December 11, 1998

Further Amendment to Executive Order 13037, Commission To Study Capital Budgeting

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to extend the reporting deadline for, and the expiration date of, the Commission to Study Capital Budgeting, it is hereby ordered that Executive Order 13037, as amended, is further amended by deleting in section 3 of that order "within 1 year from its first meeting" and inserting in lieu thereof "by February 1, 1999" and by deleting in section 5 of that order "30 days after submitting its report" and inserting in lieu thereof "on September 30, 1999".

WILLIAM J. CLINTON

THE WHITE HOUSE,
December 11, 1998.

Executive Order 13109 of December 17, 1998

Half-Day Closing of Executive Departments and Agencies of the Federal Government on Thursday, December 24, 1998

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. All executive departments and agencies of the Federal Government shall be closed and their employees excused from duty for the last half of the scheduled workday on Christmas Eve, December 24, 1998, except as provided in section 2 below.

Sec. 2. The heads of executive departments and agencies may determine that certain offices and installations of their organizations, or parts thereof, must remain open and that certain employees must remain on duty for the full scheduled workday on December 24, 1998, for reasons of national security or defense or for other essential public reasons.

Sec. 3. Thursday, December 24, 1998, shall be considered as falling within the scope of Executive Order 11582 and of 5 U.S.C. 5546 and 6103(b) and other similar statutes insofar as they relate to the pay and leave of employees of the United States.

Sec. 4. This order shall apply to executive departments and agencies of the Federal Government only and is not intended to direct or otherwise implicate departments or agencies of State or local governments.

WILLIAM J. CLINTON

THE WHITE HOUSE,
December 17, 1998.

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Subchapter B—Administrative Orders

Notice of January 2, 1998

Continuation of Libyan Emergency

On January 7, 1986, by Executive Order 12543, President Reagan declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Libya. On January 8, 1986, by Executive Order 12544, the President took additional measures to block Libyan assets in the United States. The President has transmitted a notice continuing this emergency to the Congress and the **Federal Register** every year since 1986.

The crisis between the United States and Libya that led to the declaration of a national emergency on January 7, 1986, has not been resolved. The Government of Libya has continued its actions and policies in support of terrorism, despite the calls by the United Nations Security Council, in Resolutions 731 (1992), 748 (1992), and 883 (1993), that it demonstrate by concrete actions its renunciation of terrorism. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)),

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I am continuing the national emergency with respect to Libya. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
January 2, 1998.

Presidential Determination No. 98-9 of January 6, 1998

Designation of Argentina as a Major Non-NATO Ally

Memorandum for the Secretary of State

I hereby designate the Republic of Argentina a major non-NATO ally of the United States pursuant to section 517 of the Foreign Assistance Act of 1961, as amended, for the purposes of the Foreign Assistance Act of 1961, as amended, and the Arms Export Control Act.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 6, 1998.

Presidential Determination No. 98-10 of January 12, 1998

Certification Pursuant to Section (b)(1) of Public Law 99-183 and to Section 902(a)(6)(B) of Public Law 101-246

Memorandum for the Secretary of State

Pursuant to section (b)(1) of Public Law 99-183 of December 16, 1985, relating to the approval and implementation of the Agreement for Cooperation Between the United States and the People's Republic of China, I hereby certify that:

(A) the reciprocal arrangements made pursuant to Article 8 of the Agreement have been designed to be effective in ensuring that any nuclear material, facilities, or components provided under the Agreement shall be utilized solely for intended peaceful purposes as set forth in the Agreement;

(B) the Government of the People's Republic of China has provided additional information concerning its nuclear nonproliferation policies and that, based on this and all other information available to the United States Government, the People's Republic of China is not in violation of paragraph (2) of section 129 of the Atomic Energy Act of 1954; and

(C) the obligation to consider favorably a request to carry out activities described in Article 5(2) of the Agreement shall not prejudice the decision of the United States to approve or disapprove such a request.

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Pursuant to section 902(a)(6)(B)(i) of Public Law 101-246, I hereby certify that the People's Republic of China has provided clear and unequivocal assurances to the United States that it is not assisting and will not assist any nonnuclear-weapon state, either directly or indirectly, in acquiring nuclear explosive devices or the material and components for such devices.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 12, 1998.

Notice of January 21, 1998

Continuation of Emergency Regarding Terrorists Who Threaten To Disrupt the Middle East Peace Process

On January 23, 1995, by Executive Order 12947, I declared a national emergency 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 that disrupt the Middle East peace process. By Executive Order 12947 of January 23, 1995, I blocked the assets in the United States, or in the control of United States persons, of foreign terrorists who threaten to disrupt the Middle East peace process. I also prohibited transactions or dealings by United States persons in such property. In 1996 and 1997, I transmitted notices of the continuation of this national emergency to the Congress and the **Federal Register**. Last year's notice of continuation was published in the **Federal Register** on January 22, 1997. Because terrorist activities continue to threaten the Middle East peace process and vital interests of the United States in the Middle East, the national emergency declared on January 23, 1995, and the measures that took effect on January 24, 1995, to deal with that emergency must continue in effect beyond January 23, 1998. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing 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.

WILLIAM J. CLINTON

THE WHITE HOUSE,
January 21, 1998.

Title 3—The President

Presidential Determination No. 98-12 of January 28, 1998

Determination Pursuant to Section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118)

Memorandum for the Secretary of State

Pursuant to section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118), I hereby certify that withholding from international financial institutions and other international organizations and programs funds appropriated or otherwise made available pursuant to that Act is contrary to the national interest of the United States.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 28, 1998.

Presidential Determination No. 98-13 of January 30, 1998

Renewal of Trade Agreement With the People's Republic of China

Memorandum for the United States Trade Representative

Pursuant to my authority under subsection 405(b)(1)(B) of the Trade Act of 1974 (19 U.S.C. 2435(b)(1)(B)), I have determined that actual or foreseeable reductions in United States tariffs and nontariff barriers to trade resulting from multilateral negotiations are being satisfactorily reciprocated by the People's Republic of China. I have further found that a satisfactory balance of concessions in trade and services has been maintained during the life of the Agreement on Trade Relations between the United States of America and the People's Republic of China.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, January 30, 1998.

Other Presidential Documents

Presidential Determination No. 98-14 of February 9, 1998

**U.S. Contribution to the Korean Peninsula Energy
Development Organization (KEDO)**

Memorandum for the Secretary of State

Pursuant to the requirements set forth under the heading "Nonproliferation, Anti-Terrorism, Demining and Related Programs" in title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118), I certify that:

- (1)(A) the parties to the Agreed Framework are taking steps to assure that progress is made on the implementation of the January 1, 1992, Joint Declaration on the Denuclearization of the Korean Peninsula and the implementation of the North-South dialogue, and (B) North Korea is complying with the other provisions of the Agreed Framework between North Korea and the United States and with the Confidential Minute;
- (2) North Korea is cooperating fully in the canning and safe storage of all spent fuel from its graphite-moderated nuclear reactors and that such canning and safe storage is scheduled to be completed by April 1, 1998; and
- (3) North Korea has not significantly diverted assistance provided by the United States for purposes for which it was not intended.

You are authorized and directed to report this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 9, 1998.

Notice of February 25, 1998

**Continuation of the National Emergency Relating to Cuba
and of the Emergency Authority Relating to the Regulation
of the Anchorage and Movement of Vessels**

On March 1, 1996, by Proclamation 6867, I declared a national emergency to address the disturbance or threatened disturbance of international relations caused by the February 24, 1996, destruction by the Government of Cuba of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba. In July 1995, the Government of Cuba demonstrated a ready and reckless use of force against U.S.-registered vessels that entered into Cuban territorial waters that resulted in damage and injury to persons on board. In July 1996, the Government of Cuba stated its intent to forcefully defend its sovereignty against any U.S.-registered vessels or aircraft that might enter Cuban territorial waters or airspace while involved in a memorial flotilla and peaceful protest. Since these events, the Government of Cuba has not demonstrated that it will refrain from the future use of reckless and excessive force against U.S. vessels or aircraft that may engage

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in memorial activities or peaceful protest north of Cuba. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Cuba and the emergency authority relating to the regulation of the anchorage and movement of vessels set out in Proclamation 6867.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
February 25, 1998.

Presidential Determination No. 98-15 of February 26, 1998

Certification for Major Illicit Drug Producing and Drug Transit Countries

Memorandum for the Secretary of State

By virtue of the authority vested in me by section 490(b)(1)(A) of the Foreign Assistance Act of 1961, as amended, ("the Act"), I hereby determine and certify that the following major illicit drug producing and/or major illicit drug transit countries/dependent territories have cooperated fully with the United States, or have taken adequate steps on their own, to achieve full compliance with the goals and objectives of the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances:

Aruba, The Bahamas, Belize, Bolivia, Brazil, China, Dominican Republic, Ecuador, Guatemala, Haiti, Hong Kong, India, Jamaica, Laos, Malaysia, Mexico, Panama, Peru, Taiwan, Thailand, Venezuela, and Vietnam.

By virtue of the authority vested in me by section 490(b)(1)(B) of the Act, I hereby determine that it is in the vital national interests of the United States to certify the following major illicit drug producing and/or major illicit drug transit countries:

Cambodia, Colombia, Pakistan, and Paraguay.

Analysis of the relevant U.S. vital national interests, as required under section 490(b)(3) of the Act, is attached.

I have determined that the following major illicit drug producing and/or major illicit drug transit countries do not meet the standards set forth in section 490(b) for certification:

Afghanistan, Burma, Iran, and Nigeria.

In making these determinations, I have considered the factors set forth in section 490 of the Act, based on the information contained in the International Narcotics Control Strategy Report of 1998. Given that the performance of each of these countries/dependent territories has differed, I have attached an explanatory statement for each of the countries/dependent territories subject to this determination.

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You are hereby authorized and directed to report this determination to the Congress immediately and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, February 26, 1998.

STATEMENTS OF EXPLANATION

Aruba

Aruba is a major trafficking and staging point for international narcotics trafficking organizations which transship cocaine and heroin from Colombia, Venezuela and Suriname to the United States and Europe. Its key position near the Venezuelan coast with air and sea links to South America, Europe, Puerto Rico and other Caribbean locations makes it a prime transshipment point. Drug shipments are made primarily via containerized cargo, but commercial airlines and cruise ships are also used.

Money laundering organizations use legitimate companies as fronts to invest in land development and other construction projects. The Government of Aruba's (GOA) Free Trade Zone (FTZ), casinos and resort complexes are reported to be attractive venues for money laundering and smuggling. Legislation recommended by four joint Aruba-Dutch commissions to enhance monitoring of the FTZ, casinos, import and export of money, and legal entities is pending.

Although Aruba is a part of the Kingdom of the Netherlands (GON), it has autonomy over its internal affairs and has independent decision-making ability in many drug policy areas. In 1997, the GOA passed and implemented a new criminal procedural code which allows for expanded investigative powers for local law enforcement as well as for extradition of nationals subject to service of sentences in Aruba. The change in criminal procedure removed one of the last remaining barriers to the GOA's full compliance with the 1988 UN Drug Convention standards. The GOA has yet to ask the Kingdom of the Netherlands (GON), a party to the 1988 UN Drug Convention, to extend it to Aruba.

The GOA, as part of a joint Netherlands-Netherlands Antilles-Aruba Coast Guard, received two small fast patrol boats to patrol the coastal waters and interdict drug shipments. The GOA established money transaction monitoring entities to review unusual transactions in the banking sector. Aruban law enforcement officials participated in USG-sponsored training courses for drug enforcement during 1997.

Indications of corruption still hinder the effectiveness of GOA efforts against international narcotics traffickers and money launderers. The withdrawal of the OLA party from the Eman coalition government and the government's subsequent fall in late 1997 was linked in the press to the efforts of elements within Aruban society and political circles who are seeking to halt or reverse recent government actions, including progress in transnational crime, counternarcotics and money laundering issues. Elections in December returned no one party with a parliamentary majority and efforts to form a new coalition government have moved slowly. Progress in imple-

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menting anti-drug measures approved in 1997 may be delayed as a result of the political impasse.

Despite these problems, Aruba generally cooperated in 1997 with the USG to meet the goals and objectives of the 1988 UN Drug Convention.

The Bahamas

The USG and the Government of the Commonwealth of The Bahamas (GCOB) have enjoyed an excellent, cooperative working relationship on counternarcotics over the past decade. The GCOB places a high priority on combating drug transshipments through its archipelago, as demonstrated by the extensive resources it devotes to this initiative. Nevertheless, significant quantities of illicit drugs continue to transit The Bahamas en route to the U.S., and The Bahamas remains a major drug transit country. The GCOB cooperates very closely with the USG on Operation Bahamas and Turks and Caicos (OPBAT). U.S. and Bahamian law enforcement agencies worked diligently together throughout the year to respond to increases in air and maritime transshipment incidents.

The first country to ratify the 1988 UN Drug Convention, The Bahamas continues to take steps to implement it. Following passage of anti-money laundering legislation (March 1996) and implementing regulations (December 1996), in November 1997 The Bahamas submitted its strong anti-money laundering regime to mutual evaluation by the Caribbean Financial Action Task Force (CFATF).

During the year, the GCOB continued to strengthen its judicial system, with assistance from the USG. However, procedural delays continue to plague the court system, leading to delays in drug cases. The Bahamas needs to improve the effectiveness of its court system in disposing of drug cases more expeditiously.

The GCOB should also put greater emphasis on forfeiture of the proceeds of crime and trafficker assets, including early disposal of commodities used in trafficking before they lose value. The Bahamas has not yet designated the U.S. under the Bahamian law concerning execution of foreign forfeiture orders in The Bahamas, despite repeated U.S. requests since 1993. In past years, The Bahamas has prosecuted and convicted some middle- and low-level officials on charges of narcotics corruption.

Belize

The Government of Belize (GOB) recognizes the problem of drug transit through its territory and the effect drug trafficking has on domestic crime. Anti-narcotics activities are centralized in a committee consisting of various components of the Belize Police Force (BPF) and the Belize Defense Force (BDF), with a dedicated group of investigative police and a rapid response force called the Dragon Unit. They are active in the fight against drugs and work closely with the USG. The GOB is party to the 1988 UN Drug Convention.

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With USG help, the GOB continued to work to upgrade the professionalism and equipment of the BPF to combat violent crime and narcotics trafficking. A new two-officer money-laundering unit has recently completed training with USG support. The GOB has continued its support of cooperative efforts to reduce drug trafficking through its borders and to combat the crime associated with such trafficking. The GOB has also maintained its support of regional and unilateral counternarcotics efforts.

1997 was a record year for cocaine interdiction with more than two metric tons seized. Indications are that marijuana cultivation remained stable. The efforts of the Belizean security forces to control narco-traffic have been hampered by the lack of manpower, training and equipment, corruption within the ranks, and the relatively large expanse of uninhabited territory of the country.

This improved performance, however, was tempered by the mixed record of convictions and sentencing, including the dismissal of an important case involving Colombian, Mexican, and Belizean defendants. The Belizean judicial system remains weak, understaffed, and underfunded. Although the GOB and the USG reached tentative agreement on a new extradition treaty and a MLAT in late 1996, the GOB subsequently raised new concerns about certain aspects of these treaties and negotiations were stalled during 1997. While the new extradition treaty has not been completed, Belize continues to extradite alleged criminals to the United States under the 1972 US-UK extradition treaty.

The GOB needs to continue to fully cooperate with the USG and take action to meet the goals and objectives of the 1988 UN Drug Convention and other UN drug conventions. Of particular importance, the GOB should improve its prosecution of major drug cases, provide more support for the judicial branch, and conclude negotiations on mutual legal assistance and extradition treaties with the US. A renewed commitment to confronting corruption is essential.

Bolivia

Bolivia is the world's second leading producer of cocaine hydrochloride, and has an illegal coca-cocaine industry, including sophisticated operations to smuggle essential chemicals, that is increasingly under the control of Bolivians. The participation of foreigners is more and more relegated to the refining of base into cocaine hydrochloride and to transporting cocaine out of Bolivia, however, this will diminish as Bolivian traffickers improve their refining capabilities.

The former GOB never implemented an eradication program in the Yungas, and quickly discontinued its policy of arresting and prosecuting persons who plant new coca. The new Banzer government has promised prompt action on both issues. Additionally, although eradication slowed in April and did not effectively resume until early October, Bolivia exceeded its gross eradication goal for 1997 of 7,000 hectares and produced a net reduction in coca cultivation of 2 percent. This is an improvement over the one percent net reduction in 1996 and was largely conducted after the inauguration of the new Banzer government.

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Bolivia's new government is building a consensus, via a series of national dialogues, for the country's first national counternarcotics strategy. Their five-year plan includes the goal of totally eliminating illicit coca cultivation by the year 2002.

Total narcotics-related arrests increased substantially in 1997, as did seizures of cocaine products and essential chemicals. The Special Investigative Units—vetted and trained in the U.S.—have returned to Bolivia and are actively engaged in their own operations and in supporting the ongoing investigations of other Bolivian counternarcotics units. The Bolivian Navy's Blue Devil Task Force has been granted law enforcement authority, a change which will almost certainly result in greatly improved interdiction results on the country's waterways.

The legislature is considering critical judicial reforms, including revisions to Law 1008, Bolivia's basic counternarcotics law, which will, when enacted, greatly improve the country's court system and result in a fairer and more transparent judicial system.

Alternative development initiatives have been highly successful in providing farmers viable, licit alternatives and have helped solidify public opinion against coca cultivation.

In 1998, the Bolivian government must act to prevent new coca plantings and conduct eradication efforts in a sustained and intensified manner. A net reduction of 20 percent (or 7,000 hectares) of coca plantings must be achieved in 1998 if the Bolivians are to garner success for their 5-year plan to eliminate illicit coca. They must eliminate individually compensated eradication for controlling the cultivation of new coca fields and prosecute those who plant them. The Blue Devil Task Force must implement their new law enforcement authority to effect seizures of narcotics and chemicals, and arrests of narco-traffickers on Bolivia's waterways. Enforcement of recently enacted legislation criminalizing money laundering was delayed, in 1997, pending clarification of lines of authority and identification of funding sources. Bolivia must move forward to vigorously implement these laws.

Brazil

Brazil is a major transit country for cocaine shipped by air, river, and maritime routes from Bolivia, Peru, and Colombia to the U.S. and Europe. Because of increased interdiction of trafficker aircraft in Peru (along the Peru/Colombia air corridor), traffickers have shifted illicit narcotics flights into Brazilian air space. Brazil's vast and sparsely populated Amazon region provides ample opportunity for traffickers to transship drugs and chemicals by air and riverine routes. A southern "drug route" also exists along Brazil's borders with Paraguay and Bolivia.

While not a significant cultivation country, Brazil is a major producer of essential/precursor chemicals and synthetic drugs. There is also a growing domestic drug consumption and addiction problem, primarily among young people. Several key pieces of counter-narcotics legislation, including an anti-money laundering law, are under review in the congress. Brazil's

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bank secrecy laws and its highly developed financial networks make it fertile ground for money laundering of drug profits.

Although police drug seizures in 1997 were only slightly above those in 1996, anti-narcotics law enforcement units stepped up interdiction activities in the Amazon region and along the southern "drug route." The government implemented a new national defense policy (since 1996) to allow the military to assist police anti-drug operations in the Amazon. During two major operations in that region, the police put a majority of all clandestine airfields out of operation. In cooperation with neighboring countries, Brazilian police carried out investigations which disrupted several major drug smuggling organizations. Brazil also continues to cooperate in extradition cases of non-Brazilian citizens.

To signal its continued resolve to deal with narcotics trafficking problems, Brazil signed a new Letter of Agreement (LOU) for bilateral cooperation in narcotics control with the U.S. in 1997. Brazil has bilateral narcotics control agreements with all its South American neighbors as well as Germany and Italy. During a visit by President Clinton in October, Brazil signed a mutual legal assistance treaty (MLAT) with the U.S. In another positive step, the government incorporated anti-money laundering provisions in a packet of emergency measures sent to Congress in conjunction with a growing economic/fiscal crisis. This packet has cleared the lower house of the legislature and is still being considered by the Brazilian senate with passage possible in early 1998. Senior government officials made clear to U.S. interlocutors during 1997 that Brazil was fully committed to working with the U.S. and other nations in reducing the traffic in illicit drugs in South America.

China

China both remains a major transit route for Southeast Asian heroin destined for the U.S. and other Western markets and has had increasingly to deal with the phenomenon of itself becoming such a market. China continues to take a strong stand to battle this trend. In 1997, it further intensified its nation-wide efforts to combat drugs by focusing special attention on anti-drug education. Narcotics seizures also increased, as did the monitoring of precursor chemicals: there was a four-fold increase over 1996 in the seizures of such chemicals. China also moved to strengthen anti-drug legislation and for the first time identified money laundering as a crime. In 1997, China signed a Mutual Legal Assistance Agreement with India which placed special emphasis on narcotics trafficking. China is also a party to all of the UN narcotics conventions.

USG-PRC cooperation on counternarcotics issues improved in 1997. In October, as part of the Joint Statement issued during the Summit between Presidents Jiang and Clinton, China agreed to the opening of reciprocal drug enforcement offices in Beijing and Washington and to the establishment of a Joint Liaison Group on Law Enforcement which specifically included narcotics trafficking as one of the issues to be addressed. China hosted two Drug Enforcement Administration seminars on chemical control, sent officials to the United States to take part in airport interdiction training and continued working-level exchanges of information on inter-

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national drug trafficking cases with USG law enforcement officials. A direct e-mail link with DEA to facilitate information exchange on drug cases has been established. In April, China transferred to the U.S. for prosecution on drug trafficking charges a Burmese national in its custody.

China continues to struggle with the corruption and greed which have accompanied economic success and prosperity. The Government has passed specific laws to deal with officials guilty of the use, manufacture, or delivery of narcotics. Penalties for such transgressions include execution. There is no evidence of high-level official involvement in the drug trade. The juxtaposition, however, of low-paid law enforcement and other officials with the lucrative drug business creates the potential for corruption.

Chinese officials have noted that 90 percent of the heroin flowing into China comes from Burma. China's close trade and political relationship with Burma has facilitated misuse of their shared 2,000-kilometer border by drug traffickers. China has pledged cooperation in helping the Burmese fight narcotics production and has supported international programs to wean Burmese farmers away from drug production. China's success—or its failure—with regard to addressing the problem of Burmese drug production has serious implications for China, for the rest of Asia and for the West.

Dominican Republic

The Dominican Republic is an active transshipment point for drugs destined for the United States and Europe. Traffickers smuggle narcotics through Dominican territory by air, sea, and along the country's porous border with Haiti. A weak Dominican judicial system continues to hamper efforts to combat the narcotics trade, but a promising reform process began in 1997.

The Government of the Dominican Republic (GODR) continued to cooperate with the United States Government (USG) on counternarcotics objectives and goals. The GODR is party to the 1988 United Nations Drug Convention. It has enacted a money laundering and asset forfeiture law that complies with the Organization of American States (OAS)/Inter-American Drug Abuse Control Commission (CICAD) model. The GODR and the USG have a bilateral maritime agreement that allows for consensual boarding of sea vessels by host country authorities. Dominican authorities cooperate closely on drug investigation matters with the USG. The GODR had a mixed record of drug-related seizures and arrests. There was a decrease in marijuana seizures and arrests for drug-related offenses (1,481 arrests) in 1997, but an increase in heroin seizures (8.3 kgs). Cocaine seizures rose slightly from 1996 to 1,354 kgs. in 1997.

This cooperation has been marred by the disappointing record of judicial and legislative reforms. Dominican law prohibits the extradition of Dominican nationals, creating a refuge in the Dominican Republic for Dominican nationals who are believed to have committed serious crimes in the U.S. Pursuant to an extraordinary and rarely used Executive Order, the GODR did extradite two Dominican nationals to the United States in August 1997 to stand trial on charges of narcotics trafficking and homicide. Dominican judicial authorities have yet to act on more than two dozen additional U.S.

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extradition requests. An absence of effective government supervision of exchange houses or remittance operations and the presence of large cash flows, which could hide money laundering activity, continue to make the Dominican Republic vulnerable to further money laundering. Money laundering is not likely to diminish until the GODR aggressively implements the money laundering legislation.

Neither the GODR itself nor senior government officials encourage, facilitate, or engage in drug trafficking or money laundering as a matter of government policy. No evidence exists that senior government officials are involved in drug distribution or money laundering. No senior government official has been indicted for drug-related corruption in 1997.

Ecuador

Ecuador continues to be a major transit country for the shipment of cocaine from Colombia to the United States and Europe. Ecuador is also used by traffickers for money laundering of drug profits and to transit essential/precursor chemicals destined for Colombian drug labs. Cocaine is shipped primarily by road from the Colombian border to major Ecuadorian ports where it is concealed in bulk cargo transported in large ocean-going commercial vessels.

In 1997, Ecuador increased the number of interdiction checkpoints along inland transit routes leading to ports. With U.S. aid, Ecuador is establishing a Joint Information Coordination Center (JICC) in the major port city of Guayaquil. Ecuador also hosted a U.S. Customs/U.S. Coast Guard team which assessed port operations for top government officials. The Ecuadorian Congress passed legislation authorizing the forfeiture of drug assets and the use of forfeiture funds in support of prevention, rehabilitation, and police counter-narcotics activities. Police assigned personnel for U.S.-sponsored training to form a "controlled chemical" investigative unit. The government submitted new legislation to help police carry out money laundering investigations.

There is a long tradition of cooperation between Ecuadorian National Police and U.S. law enforcement in the area of narcotics control. Still, the police lack many of the resources needed to deal effectively with a narcotics trade directed by powerful criminal organizations in its neighbor to the north, Colombia, and, to a lesser extent, in Peru to the south. Cooperation between the Ecuadorian and Peruvian governments is complicated by an on-going, serious, and occasionally violent border dispute.

Ecuador cooperated with the U.S. to eradicate most of its coca crop in the 1980's and thus avoided the production problems that currently plague its neighbors Colombia and Peru. In 1997, Ecuador continued to demonstrate its willingness to work closely with the U.S. in dealing with other narcotics issues including major vulnerabilities such as cocaine transshipments, chemical diversions, money laundering, and judicial corruption/inefficiency. The police's canine unit, for instance, was created with U.S. assistance and had a number of outstanding successes in interdicting cocaine shipments in 1997. Ecuador has also signalled a willingness to discuss and work out ways in the near future to cooperate with the U.S. in maritime interdiction.

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Guatemala

With peace a reality after thirty six-years of internal conflict, President Arzu has made public security a top priority and has shown special interest in ensuring maximum cooperation with the United States in combatting counternarcotics trafficking through Guatemala and in the region.

Guatemala is located half way between the U.S. and Colombia and continues to be a transshipment and storage point for cocaine destined for the US via Mexico. There has been a marked increase in the use of truck and shipping containers. Guatemala has made major improvements to a self-financed port security program which expanded operations.

A major initiative resulted in the transition from the old national and treasury police forces to the new National Civilian Police (PNC) and the consolidation of various paramilitary law enforcement agencies. The Department of Anti-Narcotics Operations (DOAN), a specially equipped civilian police command, was transferred to the PNC after re-training and a major pay increase. With USG assistance, the DOAN seized almost 6 metric tons of cocaine in 1997. There was also steady progress in the successful prosecution of narcotics-related crimes with over 90 per cent of those accused being convicted.

Guatemala works closely with USG organizations to stem the flow of drugs through Guatemala, but has not yet enacted necessary legislation to implement all the provisions of the 1988 UN Convention on narco-trafficking. The Government of Guatemala (GOG) does not encourage or facilitate illicit production or distribution of narcotic or psychotropic drugs or controlled substances.

Guatemalan studies show that drug use is on the rise in most age groups with cocaine use increasing rapidly. However, Guatemala has recently completed a comprehensive national drug plan which is scheduled to be implemented starting in January 1998 and which includes an ambitious demand reduction program.

Haiti

Already confronted by a wide array of issues that compete for the attention of its limited professional and managerial talent, the Government of Haiti (GOH) and its criminal justice institutions are severely strained by increased international narcotics trafficking activities. Haiti's fledgling national police force is hampered by a lack of manpower, training, equipment, and experience. The poorest nation in the Western Hemisphere, Haiti is particularly vulnerable to the corrosive effects of narcotics-related corruption. Haiti's weak and ineffective judicial system has a poor track record of narcotics prosecutions. Haiti is a party to the 1988 UN Drug Convention.

Because of a significant increase in the detected activities of Colombian drug trafficking organizations in Haiti in 1994, Haiti was added to the list of major drug producing and transit countries in 1995. Due in measure to effective USG interdiction efforts around Puerto Rico and the Virgin Islands in 1997, traffickers have increasingly targeted Haiti's long, undefended coastline for narcotics deliveries intended for transshipment (often through

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the Dominican Republic) to the US. In response to this growing threat, the GOH, within its existing capacity, cooperated fully with the United States Government (USG) in counternarcotics efforts in 1997. The GOH must build upon the positive steps it has already taken to more aggressively seize narcotics shipments, pursue and prosecute narcotics traffickers, and investigate all allegations of governmental corruption with a view to effective prosecution.

The GOH is slowly but incrementally putting into place the legal mechanisms and governmental policies to counter organized trafficking elements. This effort has been hampered overall by the ongoing political impasse over a parliamentary quorum. In 1997, the GOH and the USG signed a Maritime Counterdrug Agreement. In 1997, the Haitian Coast Guard (HCG) and the U.S. Coast Guard (USCG) cooperated in four separate maritime interdictions that yielded over 2 metric tons of cocaine and five tons of marijuana. With USG support, the Counternarcotics Unit of the Haitian National Police (CNU) was staffed, trained and partially deployed in 1997. A fully-deployed CNU is scheduled to move to a permanent headquarters facility at the Port au Prince airport in 1998.

In response to allegations of drug-related corruption within the Haitian government, the Haitian National Police arrested 21 police and judicial officials for suspected complicity in narcotics trafficking in 1997. A Ministry of Justice (MOJ) Special Advisor on Narcotics Matters drafted a national narcotics strategic plan, completed draft legislation on money laundering, and updated archaic Haitian narcotics laws. That said, corruption remains an important USG concern, as does the need for successful prosecutions of narcotics trafficking cases.

In 1997, the GOH continued to give USG officials high-level assurances of its commitment to drug control, and those assurances have been supported by progress in establishing Haitian counter-drug institutions. However, Haiti still has a number of major goals to achieve before it will be able to take significant, independent action in counternarcotics.

Once a new Prime Minister and a new government are installed, the Maritime Counterdrug Agreement and the MOJ's legislation can be submitted for Parliamentary approval and a National Narcotics Plan approved at the cabinet level. The USG will continue to work with the GOH to achieve Parliamentary passage of pending and planned legislation and its vigorous implementation, continued training the CNU, and the institution of anti-corruption steps within the ranks in further compliance with the goals and objectives of the 1988 UN Drug Convention and the terms of our bilateral agreements and treaties.

The USG will remain engaged in increasing the capacity of the HCG and CNU to meet the threat posed by traffickers. The USG will also help improve the overall security of the Port-au-Prince Airport to inhibit the flow of drugs via air links to the U.S. Additional counternarcotics objectives for Haiti include targeting at least one major international narcotics organization for significant interdiction efforts and enacting civil and administrative asset forfeiture provisions to facilitate targeting of trafficker assets and companion legislation requiring use of the forfeited funds solely for counternarcotics interdiction and enforcement operations.

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Hong Kong Special Administrative Region

The Hong Kong Special Administrative Region remains a target point for money launderers and drug traffickers. USG officials believe that Hong Kong traffickers control large portions of Southeast Asian narcotics destined for the West, including the United States. In 1997, however, there were no seizures of heroin destined for the U.S. which could be tied to Hong Kong itself. Hong Kong has strengthened money laundering guidelines applicable to its financial institutions, securities firms and the insurance sector. It also enacted the 1997 Drug Trafficking Order, which allows for the enforcement of confiscation orders issued by countries that are signatories to the 1988 UN Drug Convention, thus enhancing Hong Kong's ability to recover the proceeds of drug trafficking. With Hong Kong's reversion to Chinese sovereignty in July 1997, the 1988 UN Drug Convention has for the first time been made applicable to Hong Kong. The U.S.-Hong Kong Extradition Agreement was ratified by the U.S. in November 1997 and came into force in January of this year. The new U.S.-Hong Kong Mutual Legal Assistance Agreement awaits Senate action.

Close cooperation between Hong Kong law enforcement agencies and the Public Security Bureau of Guangdong Province resulted in increased seizures on the mainland of heroin which would otherwise have entered Hong Kong. In conformity with the 1988 UN Drug Convention, Hong Kong amended Schedules 1 and 2 of its Control of Chemicals Ordinance to place the salts of 17 chemicals under licensing control. Hong Kong also issues pre-export notifications to destination countries of precursor chemical shipments so as to prevent diversions. As noted by the International Narcotics Control Board, Hong Kong stopped three suspicious chemical shipments in 1997. Hong Kong will face the second review of its system by the Financial Action Task Force in 1998 and has carefully reviewed its existing body of narcotics-related legislation and practices in preparation for that review.

There is no reported narcotics-related corruption among senior government or law enforcement officials in Hong Kong. Cooperation between the U.S. and Hong Kong on counternarcotics matters remains both wide-ranging and excellent. Hong Kong and USG personnel conducted several joint narcotics investigations in 1997, resulting in a number of arrests and drug seizures, as well as in financial seizures. In August, U.S., Hong Kong and Mexican officials also successfully coordinated a controlled delivery to Mexico of 150 kilograms of pseudoephedrine originating in China. Hong Kong Customs and Excise authorities provided two instructors to assist DEA's diversion training team in conducting two one-week seminars in China. Locally posted DEA officers continue to provide monthly briefings at the Hong Kong Police Command School.

India

India, an important producer both of licit and illicit narcotics, is a crossroads for international narcotics trafficking. It is the world's largest producer of licit opiates for pharmaceutical use and the only producer of licit gum opium. Some opium is diverted from the country's legal production, although it is difficult to ascertain the exact amount. The Government of India estimates diversion at about 10 percent, although it may be as high

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as 30 per cent. Illicit poppy cultivation declined significantly in the past year, from 47 metric tons (mts) to 30 mts, according to USG estimates. India's location between the two main sources of illicitly grown opium, Burma and Afghanistan, as well as its well-developed transportation infrastructure, makes it an ideal transit point but heroin transshipment is not as significant as in neighboring Pakistan, Thailand and China and there is no evidence that opiates transshipped through India reach the U.S. in significant amounts.

As a licit producer of opium, India must meet an additional certification requirement. In accordance with Section 490(c) of the Foreign Assistance Act, it must maintain licit production and stockpiles at levels no higher than those consistent with licit market demand and take adequate steps to prevent significant diversion of its licit cultivation and production into illicit markets and to prevent illicit cultivation and production.

Indian opium gum, the principal source of thebaine, and alkaloid essential to certain pharmaceuticals, is purchased by U.S. pharmaceutical firms. Between 1994 and 1996, India had difficulty meeting its production goals and satisfying the world demand for this narcotic raw material. Reduction in acreage, a severe drought which limited crops and inaccurate physical inventories over the last 20 years led to a depleted stockpile and large discrepancies in inventory which were discovered in 1994.

Starting in 1995, India took a number of steps to increase licit opium productivity and the licit opium stockpile. To increase future inventory accuracy, the traditional method of storing liquid opium in large, open vats, resulting in undetermined losses due to evaporation, was changed to a system of sealed cans. To ensure a more secure stockpile, the GOI increased the opium crop by increasing each year the minimum qualifying yield per hectare with which each farmer must comply. Opium output grew each year, from 833 mts in 1995 to 849 mts in 1996 to 1,341 mts in 1997. The GOI also sharply increased its seizures of diverted licit opium. Greater GOI attention to increasing licit opium yields both increased the amount of narcotic raw material available to purchasers and ensured a more stable stockpile. Following years of an inadequate supply, this year's increased production finally gives India a licit stockpile consistent with market demand.

In 1997, India took five important steps to increase licit opium production to meet market demand while curtailing the diversion of licit opium. These steps include: A) raising the minimum qualifying yield (MQY) for relicensing to cultivate opium poppy from 48 to 52 kilograms per hectare; B) increasing GOI vigilance of poppy farmers with direct farm visitation by enforcement personnel to ensure all harvested opium is turned in to government warehouses; C) seizing 11 mts of raw opium harvested by licit cultivators, but not declared to the government in 1997 as opposed to the 2 mts of diverted licit opium seized in 1996; D) quickly averting the harmful effects of a cultivator strike by licensing new farmers to replace the striking cultivators; and E) making offenses relating to cultivation and embezzlement of opium by licensing cultivators on par with other trafficking offenses, resulting in long prison terms and heavy fines upon conviction.

While these are adequate steps to curb diversion, the USG believes even more could be done and will work with the GOI to increase diversion controls. USG offers to help the Government of India (GOI) with a survey of the licit opium fields have not yet been acted upon. A well-designed crop

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study would provide accurate data on crop yields and would be an important step in establishing practicable levels of minimum qualifying yield. The data could also be used to extrapolate the level of diversion. The USG hopes to work with the GOI on a future joint opium crop yield survey. Scientists from the U.S. Department of Agriculture and the GOI have collaborated on the design of a poppy survey.

India also has illicit cultivation, primarily in Jammu and Kashmir, where GOI control is challenged by insurgent groups and in the remote hills of Uttar Pradesh. USG surveys between 1994 and 1997 indicated illicit cultivation of opium poppy decreased steadily, with the estimated yield declining from 82 mts of opium to 30 mts. The GOI locates and destroys illicit cultivation with vigor, but in some areas, such as Jammu and Kashmir, GOI control is challenged by insurgencies. The USG supplies satellite data along with coordinates of suspected areas of illicit poppy cultivation and the GOI has carried out extensive field surveys and some random aerial surveys, some with DEA assistance.

The GOI has made significant progress in controlling the production and export of precursor chemicals. Trafficking in illegally produced methaqualone (mandrax), a popular drug in Africa, is still a major problem. The GOI has a cooperative relationship with the DEA, which is appreciative of Indian efforts to control trafficking in precursor chemicals. However, authorities have had limited success in prosecuting major narcotics offenders because of the lack of enforcement funding and weaknesses in the intelligence infrastructure.

India met formally several times in 1997 with Pakistan to discuss narcotics matters and is committed to continuing consultations in 1998. Although these meetings have produced limited results, they are an important step toward much-needed regional narcotics cooperation. India has also met with Burmese officials along the border.

India is party to the 1988 UN Drug Convention, but has not yet enacted supporting legislation on asset seizures or money laundering. The substantive steps India has taken in controlling illicit narcotics growth and in increasing the harvest of licit opium while at the same time tightening controls on the licit crop to prevent diversion qualify India for certification.

Jamaica

Jamaica is a producer of marijuana and an increasingly significant cocaine transshipment country. The Government of Jamaica (GOJ) made some progress during 1997 toward meeting the goals and objectives of the 1988 UN Drug Convention, to which it became a party in December 1995, and of our bilateral cooperation agreements and treaties. Counterdrug cooperation between DEA and the Jamaica Constabulary Force (JCF) remained at high levels, and cannabis eradication increased from 473 hectares in 1996 to 683 hectares in 1997, despite severe resource constraints. In October, parliament passed a master national drug abuse prevention and control plan which complies with the OAS/CICAD model. Many important actions, however, still remain to be taken by the GOJ to fully meet the counterdrug goals and objectives.

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During 1997, the GOJ extradited to the U.S. three Jamaican national fugitives from U.S. justice, compared to 1996, when the GOJ returned one Jamaican national under a waiver of extradition, one U.S.-Jamaican dual national who returned voluntarily and six U.S. national fugitives who returned voluntarily or were deported to the U.S. One U.S. national died in Jamaica in 1996 while extradition proceedings were pending. The U.S. seeks early resolution of the 26 active extradition cases currently pending with Jamaica. Although both countries have begun to utilize the bilateral Mutual Legal Assistance Treaty (MLAT), Jamaica needs to speed up its execution of U.S. mutual legal assistance requests.

By year's end, the GOJ had not yet tabled in parliament any precursor and essential chemical control legislation. In September 1997, however, the GOJ signed with the USG a letter of agreement (LOA) which details USG counternarcotics assistance to be provided and GOJ actions to be taken. This agreement includes a GOJ commitment to introduce into parliament a precursor chemical control law by April 1998.

In November 1997, the GOJ amended its 1996 anti-money laundering law to mandate reporting of all cash transactions of U.S. \$10,000 equivalent or more. Previously, the law incorporated a threshold reporting requirement for all transaction types. Further amendments are required to bring Jamaica into full compliance with the recommendations of the Caribbean Financial Action Task Force (CFATF). Although there are four cases pending, to date there has been no adjudication of money laundering cases. In February 1998, a Jamaican court granted the first forfeiture order, under the 1994 law, of assets of a convicted drug dealer; however, Jamaica has not provided for earmarking of forfeited assets for counterdrug purposes.

In the area of drug enforcement, GOJ drug arrests and cocaine and hashish oil seizures increased in 1997 from 1996 levels, but marijuana seizures were down substantially. A maritime law enforcement cooperation agreement was signed by the GOJ and USG in May 1997; on February 24, 1998, the GOJ notified the USG that it had completed its constitutional requirements for the entry into force of the agreement. A return notification from the USG brings the agreement into force. The United States hopes that, with the agreement in force, maritime cooperation with Jamaica will improve. The GOJ needs to reinvigorate the previously successful joint Jamaica Constabulary Force (JCF)-DEA Operation Prop Lock, which seized only one trafficker plane during 1997, and that had to be returned to its owner for lack of probable cause.

Drugs in export shipments continued to threaten Jamaica's legitimate commerce during 1997. At GOJ invitation, U.S. agencies conducted an export security assessment and recommended remedial actions to improve security at air- and seaports. The GOJ needs to carry out these recommendations. During 1997, there were reports in the Jamaican media about drug-related corruption of police and a resident magistrate, the latter of whom was arrested on corruption charges. The GOJ also needs to take strong steps to control drug-related public corruption. A wide-ranging bill dealing with corruption of public officials was tabled in parliament, with passage expected in early 1998.

Parliamentary passage of introduced and planned legislation and its vigorous implementation will be necessary for Jamaica to meet fully the goals

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and objectives of the 1988 UN Drug Convention and the terms of our bilateral agreements and treaties.

Laos

Laos remains the world's third largest producer of illicit opium. Despite concerted efforts by the government, Laos' estimated potential production as a result of the 1997 growing season was 210 metric tons, up 5 percent from 1996. Cultivation increased by 12 percent, with most of the increase in the more isolated northwest of the country. Opium production remained low, however, within the USG-funded Houaphanh alternative development project area. Laos' proximity to important ports and trade routes also places it on the trafficking routes for drugs destined for the West, including the U.S. Recognizing the phenomenon of "economic opportunism" suggested by UNDCP experts as contributing to increased opium production, Lao authorities agreed in 1997 to a USG proposal to begin, for the first time, an eradication program in areas where alternative development projects are in place. Lao law enforcement officials made their largest heroin seizure ever (62.3 kilograms) in Luang Prabhang Province in May, highlighting the increased effectiveness of Laos' counternarcotics enforcement efforts. Laos also ratified the 1971 UN Convention on Psychotropic Substances and has indicated it may ratify the 1988 UN Drug Convention in 1998, after passage of required legislation.

In keeping with its plan to address all aspects of the drug problem in Laos, the Government of Laos has emerged as an increasingly active player in regional and international counternarcotics efforts. In July, it hosted a trilateral ministerial meeting with Burma and Thailand to address problems of illicit drug production and trafficking. Laos also signed bilateral counternarcotics cooperation agreements with Burma and the Philippines. It was selected to serve a four-year term on the UN Commission on Narcotic Drugs, which began this January.

USG-Lao counternarcotics cooperation remains a center point of the overall relationship and continues to be excellent. USG counternarcotics assistance to Laos has increased as the Lao have moved toward a counternarcotics policy which seeks to balance alternative development, law enforcement, eradication and demand reduction regimes. In order for Laos to avoid the stigma attached to narco-societies, it must control opium cultivation, production and trafficking before modernization exacerbates those problems. It will also have to deal with the problems posed by corruption, including possible narcotics-related corruption, among military and government officials. The USG's commitment to Laos has been made both in response to the determination thus far shown by the Government of Laos and in recognition of Laos' need for assistance in accomplishing its stated counternarcotics goals.

Malaysia

For geographic and historical reasons Malaysia remains, and likely will remain for some time, a significant transit country for U.S. and European-

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bound heroin. Top Malaysian leaders, including the Prime Minister, are deeply concerned by Malaysia's drug problem and have made combating illicit drugs one of Malaysia's top national priorities. Police, armed with stiff anti-trafficking laws that provide for detention without trial and, in some cases, mandatory death sentences, prosecute drug crimes vigorously. The Anti-Narcotics Division of the police now enjoys department status. Unlike some of its neighbors, Malaysia is prepared to move against corruption. Several police officers were arrested and prosecuted for drugs-related corruption. Police also arrested several mid-level police officers and other government officials including a Malaysian diplomat, who was later acquitted of drug smuggling charges. A newly amended anti-corruption act gave the police additional powers to prosecute corruption in 1997.

The government has also devoted new resources to drug rehabilitation. In 1997 Malaysian authorities launched new initiatives aimed at combatting drug use among the young, improving drug rehabilitation techniques, and combatting the spread of psychotropic pills. Cooperation with the USG on combatting drug trafficking has been excellent. The U.S.-Malaysian Extradition Treaty came into force in 1997. Positive discussions on a Mutual Legal Assistance Treaty continued. Malaysia is working on legislation governing asset forfeiture and management of seized assets to complement the MLAT. Malaysia is a party to the 1961 UN Single Convention and its 1972 Protocol, the 1971 UN Convention on Psychotropic Substances and the 1988 UN Drug Convention.

Mexico

The issue of illicit narcotics trafficking, and related crimes, remains at the top of the bilateral agenda between the U.S. and Mexico. These issues figured prominently in meetings in which Presidents Clinton and Zedillo approved documents which form the basis of counternarcotics cooperation between the United States and Mexico. In May, the two Presidents issued the "Declaration of the U.S.-Mexico Alliance Against Drugs" and released the *Bi-National Drug Threat Assessment*. In November, the two Presidents approved a summary of a binational drug strategy. Both leaders have committed to strengthen their governments' respective anti-drug efforts and to continue to work toward closer and more effective bilateral anti-drug cooperation.

The U.S./Mexico High-Level Contact Group on Narcotics Control (HLCG) and the Senior Law Enforcement Plenary continued to serve as the principal senior-level fora for expanding and enhancing bilateral counter-drug cooperation. The HLCG met three times in 1997, the Plenary twice, and their technical working groups, which cover issues ranging from chemical control to demand reduction, met throughout the year. The HLCG supervised the preparation of the bilateral threat analysis and the *United States/Mexico Binational Drug Strategy*, which was released on February 6, 1998.

During 1997, the Government of Mexico (GOM) took steps to begin implementing the important legislative reforms of 1996 to advance its national efforts against drug trafficking and organized crime. It developed a number of specialized investigative units, such as the Organized Crime and Financial Intelligence Units, to implement those laws. The Bilateral Border Task

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Forces, created in 1996, had to be reconstituted in 1997, however; Mexican personnel are assigned and working in these units, but are cooperating with U.S. law enforcement counterparts on a limited basis. Agents assigned to the new Special Prosecutor's Office and to the elite investigative units underwent more rigorous screening and background checks than their predecessors and the process is being expanded to all parts of the Office of the Attorney General (PGR). The GOM improved training for the new agents, and plans to improve salaries and benefits as well. The U.S. provided training, technical and material support.

The GOM published regulations needed to implement anti-money laundering legislation passed in 1996 and began to work with financial institutions to improve the effectiveness of its national reporting system for suspicious and large currency transactions. The Mexican Congress began its review of new asset forfeiture legislation. In December, the Mexican Congress passed a comprehensive chemical control bill enabling the GOM to regulate all aspects of commerce in precursor and essential chemicals to prevent their diversion to illicit drug production. The Chemical Experts Working Group promotes bilateral cooperation and information sharing.

The GOM wrestled with very serious corruption issues in 1997, including an internal investigation which implicated General Jesus Gutierrez Rebollo, the head of its federal drug law enforcement agency. He and a number of co-conspirators are being prosecuted, and the agency he headed was replaced by a new institution. Mexico is seeking both to uncover ongoing cases of corruption as well as to strengthen justice sector institutions to withstand corrupting influences and pressures. President Zedillo has made this a national priority, but acknowledged that lasting reform will take time.

Drug seizures in 1997 generally increased over 1996 levels. Mexican authorities seized 34.9 MT of cocaine, 115 kgs of heroin, 343 kgs of opium gum, 1,038 MT of marijuana, 39 kgs of methamphetamine, and destroyed 8 clandestine laboratories. The GOM's massive drug crop eradication effort reduced net production of opium gum from an estimated 54 MT in 1996 to 46 MT in 1997, and of marijuana from 3,400 MT in 1996 to 2,500 MT in 1997. Authorities arrested 10,742 suspects on drug-related charges. At least eight individuals considered by U.S. law enforcement authorities to be major traffickers were tried and sentenced to prison terms of 9 to 40 years, including Joaquin Guzman Loera (21 years), Hector Luis Palma Salazar (22 years), Miguel Angel Felix Gallardo (12 years), Raul Valladares del Angel (29 years). Unfortunately, Humberto Garcia Abrego was released and Rafael Caro Quintero succeeded in obtaining a reduction in his sentence.

In 1997, the U.S. and Mexico made further progress in the return of fugitives. A new Protocol to the Extradition Treaty, signed at the time of President Zedillo's visit to Washington in November, will aid the two governments in their efforts to combat transnational crime by permitting "temporary" extradition of fugitives sentenced in one country to face criminal charges in the other. The GOM approved the extradition of 27 fugitives from U.S. justice (12 for drug charges) although nine (all Mexican nationals, five facing drug charges) are appealing the GOM's extradition order, or face charges in Mexico. Thirteen fugitives (seven on drug charges) were formally extradited; ten other fugitives (eight U.S. citizens and two third-

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country nationals) were expelled by the GOM to the U.S. in lieu of extradition.

Mexico made progress in its anti-drug effort in 1997 and cooperated well with the United States. Nevertheless, the problems that Mexico faces in countering powerful criminal organizations, and the persistent corrupting influence that they exert within the justice sector, cannot be minimized. There are also areas of bilateral cooperation which must be improved for the two governments to achieve greater success in attacking and dismantling the trans-border drug trafficking organizations. The U.S. is convinced, however, of the Zedillo Administration's firm intention to persist in its campaign against the drug cartels and its broad-sweeping reform effort. Through daily interaction between agencies of the two governments, formal discussions in the HLCG and other bilateral groups, as well as collaboration in multilateral fora, the two governments are finding increasingly productive ways to work together against the common threats our nations face.

Panama

Panama is major transit point for Colombian cocaine and heroin on its way to the United States. Cocaine passes through Panamanian territorial waters concealed in fishing boats or "go-fast" boats. Some of it is off-loaded on the Panamanian coast and then transported by truck up the Pan-American Highway into Costa Rica where it is then bound for the US. It is also carried by "mules" traveling by air to the US and Europe. There is no evidence that any senior official of the Government of Panama is involved in any drug scenarios nor does government policy encourage or facilitate drug-related criminal activity. However, the amount of drugs seized by Costa Rican border officials from tractor trailers entering from Panama is suggestive of either inadequate inspections or corruption on the part of Panamanian border officials. Corruption in the Judiciary remains a concern, particularly because judges are vulnerable to political influence and are susceptible to threats.

Panama continued to cooperate with U.S. in counternarcotics efforts in 1997. In 1997, they took steps to implement its counternarcotics masterplan, which was developed by the National Commission for the Study and Prevention of Drug Related Crimes, a part of their public ministry. The plan deals with prevention, treatment, rehabilitation, and re-entry into the workforce; control of supply; and illicit trafficking. It encompasses state and non-governmental organizations. Panama also hosted the "First Hemispheric Congress on the Prevention of Money Laundering" and became the first Latin American country to be admitted to the Egmont Group, an alliance of 30 nations with centralized financial analysis units to combat money laundering. Panama is also an active participant in the Commission Against Addiction and Illicit Trafficking of Drugs (CICAD), the Caribbean Financial Action Task Force (CFATF) and the Basel Committee's Offshore Group of Bank Supervisors.

In 1997, Panamanian officials seized 21.62 metric tons (MT) of illegal drugs, including 7 MT of cocaine. Although Panama gives law enforcement a high priority, this is not reflected by the scant resources and low wages

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it provides some of its law enforcement agencies which lack equipment, training and base facilities.

Panama needs to sign the maritime interdiction treaty with the U.S. that was negotiated and approved by the General Directorate of Consular and Maritime Affairs earlier this year. They need to undertake a fundamental and wide-ranging reform of the judicial system to ensure it is protected from political influence and corruption. Panama needs to sign the agreement with the U.S. to establish a Multinational Counternarcotics Center (MCC) at Howard Air Force Base. Negotiations were essentially completed on this agreement in late 1997, when the GOP raised new concerns. The GOP also needs to enact bank reforms it announced in 1997 and enact legislation to extend the existing law against drug money laundering to include the proceeds from all serious crimes.

Peru

Following the 1996 reduction in coca cultivation, Peruvian coca cultivation declined dramatically in 1997, from 115,300 hectares (with the potential to produce 460 metric tons of cocaine) in 1995 to less than 69,000 hectares (with the potential to produce 325 metric tons of cocaine) in 1997. The 1997 percentage decrease in the total area under coca cultivation was 27 percent, following the 18 percent decline in 1996. A strong commitment by the Government of Peru (GOP) to forcibly eradicate illicit mature coca in national parks and other areas by manual labor means resulted in over 3,462 hectares destroyed in 1997, a 175 percent increase over 1996.

This success was the offspring of a combined Peruvian Air Force (FAP) and Peruvian National Police Drug Directorate (DINANDRO) "airbridge denial" interdiction program and increasingly effective narcotics law enforcement. These two USG-supported programs continued to deter traffickers from using their preferred method of exporting large quantities of cocaine base by air for further refining into cocaine hydrochloride (HCl) in Colombia and elsewhere. "Airbridge denial" success maintained a cocaine base glut in the coca cultivation zones and below-production-cost farmgate coca prices. The collapse of coca leaf prices spurred greater numbers of farmers to accept the economic alternatives to coca offered by the USG-Peru alternative development project, which expanded in 1997.

The joint U.S.-GOP alternative development program was successful in strengthening local governments, providing access to basic health services and promoting licit economic activities, thereby establishing the social and economic basis for the permanent elimination of coca. A total of 239 communities have signed coca reduction agreements to reduce coca by approximately 16,300 hectares over the next five years.

Responding to traffickers developing new smuggling methods on Peru's rivers, across land borders and via maritime routes, Peruvian counternarcotics agencies, in particular DINANDRO and the Peruvian Coast Guard, established several riverine counternarcotics bases and increased resources for riverine anti-drug operations. Cooperating with USG law enforcement partners and advisors, DINANDRO worked extensively with drug police from Colombia and Brazil to share counternarcotics intelligence and to par-

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ticipate in joint law enforcement operations in the Amazonian tri-border area.

In 1997, the Government of Peru (GOP) cooperated fully with the USG in fulfilling the objectives of the USG-Peruvian counternarcotics framework agreement and of the 1988 UN Drug Convention, to which Peru is a party. Counternarcotics activities remained a GOP national priority, and Peru's 1997 "National Plan for Alternative Development, Drug Prevention and Rehabilitation" set goals of reducing illicit coca production by approximately 50 percent within five years.

Taiwan

Given trafficking patterns in the region and Taiwan's role as a shipping center, the U.S. believes Taiwan remains a transit point for drugs significantly affecting the U.S. While Taiwan authorities dispute this assessment, there is no disagreement with regard to the fact that individuals from Taiwan continue to be involved in international narcotics trafficking. Some 67 percent of all drugs smuggled into Taiwan are believed to come from China. Whatever their belief about Taiwan's transit role, Taiwan authorities continue to mount an aggressive counternarcotics campaign that involves both social rehabilitation programs and harsh sentences for narco-trafficking. Although Taiwan is not a UN member and cannot be a signatory to the 1988 UN Drug Convention, it tries to meet Convention goals regarding precursor chemicals via an active program to control the products of its large chemical industry. In addition, Taiwan authorities have come to recognize that money laundering is a growing problem. In 1997, a Money Laundering Prevention Center was established under the auspices of the Ministry of Justice Investigation Bureau.

Cooperation between USG law enforcement agencies (under the auspices of the American Institute in Taiwan) and Taiwan law enforcement institutions continued to expand in 1997. Drug Enforcement Administration (DEA) and Financial Crimes Enforcement Network officials have led training seminars for Taiwan counterparts and have broadened their range of contacts within Taiwan's law enforcement community. Taiwan authorities have generally responded positively and constructively to U.S. requests on counternarcotics issues. With the opening of the Money Laundering Prevention Center, authorities have started sharing with USG law enforcement officials Taiwan-originated information related to money laundering cases where the flow of money leads to the U.S. In addition, Taiwan Ministry of Justice investigation officers assisted DEA agents with a case involving a shipment of drugs to Guam.

Taiwan's counternarcotics enforcement activities led to a 19.1 percent increase in drug convictions in the first ten months of 1997 over all of 1996. Drug seizures also increased. The Money Laundering Prevention Center pursued investigations in all 360 cases of reported suspicious transactions. Taiwan also continues to prosecute cases of public corruption. There are, however, no known cases of official involvement in narcotics trafficking.

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Thailand

Throughout 1997 Thailand continued its long tradition of cooperation with the United States and the international community in anti-drug programs. The U.S.-Thai Mutual Legal Assistance Treaty has been in effect since the middle of 1993, and USG requests for assistance under the Treaty have been consistently honored by the RTG. Cooperation between the USG and Thailand in a number of areas, not specifically covered by formal agreements, is long standing, close and productive. DEA works closely with Thai drug authorities in investigating major heroin trafficking organizations, providing training and developing Thai drug enforcement capabilities. The U.S. Customs Service and Department of Defense have cooperated with various agencies on anti-smuggling projects. DOD is also supporting training initiatives with selected Border Patrol and Narcotics Police units, and has assisted development of the regional Drug Task Forces.

In another example of responsive drug enforcement cooperation, after the illegal release on bail of a major drug fugitive awaiting extradition to the United States, Thai authorities moved quickly to secure his return from Burma, expedited his extradition and ultimately removed the judge responsible for granting the bail. Thailand's continuing cooperation on extraditions involved sending 17 individuals to the U.S., all but one of whom were defendants in drug cases, and some of whom were Thai nationals or claimed Thai citizenship.

USG experts estimated that Thai opium production in the 1996-97 growing season declined seventeen percent from the previous year's production, to 25 metric tons. Control programs have resulted in a reduction of the amount of poppy grown from an estimate of up to 200 metric tons in the 1970's, to an estimated 25 metric tons in 1997.

Although Thailand has yet to become a party to the 1988 UN Drug Convention due to its lack of anti-money laundering laws, progress was achieved with money laundering legislation, previously approved in Cabinet, introduced in Parliament and passed through the first of three readings. Thai officials have committed to the passage of the laws during upcoming parliamentary sessions. Thailand is generally in compliance with the 1988 UN Drug Convention except for enacting anti-money laundering statutes. It enforces laws against the cultivation, production, distribution, sale, transport, and financing of illicit drugs. Last year penalties for possession of methamphetamines were increased. As of October 1997, 282 cases opened under the asset seizure and conspiracy statutes amounted to over 17 million dollars seized or frozen. Thai authorities do, however, need to strengthen the conspiracy law and create additional legal tools to make prosecutions of higher level offenders possible. Thailand's level of international and bilateral cooperation on drug control is expected to remain high, with the Kingdom setting an example regionally for effective drug control programs, despite current economic difficulties.

Venezuela

Venezuela continues to be a major transit country for cocaine shipped from South America to the United States and Europe. Law enforcement

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agencies estimate that over 100 metric tons (mt) of cocaine transit yearly. Venezuela is also a transit country for chemicals used in the production of drugs in source countries. Venezuela is not a significant producer of illegal drugs, but small-scale opium poppy cultivation occurs near the country's border with Colombia. In recent years, Venezuela's relatively vulnerable financial institutions have become targets for money laundering of illegal drug profits.

In 1997, Venezuela took significant steps to improve its counter-narcotics activity. A new drug czar (appointed at the end of 1996) received ministerial rank and a mandate to step up implementation of Venezuela's comprehensive 1993 anti-drug law. Seizure statistics increased more than 150 percent over those in 1996. Venezuela's congress passed legislation to control gambling casinos (a prime money laundering target) and the government adopted new banking regulations with strict reporting requirements. The National Anti-Drug Commission (CNA, formerly CONACUID) released a national anti-narcotics strategy containing a comprehensive set of goals for the next four years. These goals include judicial reform and a new organized crime bill with conspiracy, asset forfeiture, and additional anti-money laundering provisions.

Bilateral cooperation between Venezuela and the U.S. received a boost during the October 1997 visit of President Clinton to Caracas. The two countries signed a joint declaration of "Strategic Alliance Against Drugs." The declaration addressed most of the areas of the 1988 UN Convention (ratified by Venezuela in 1991) and specific areas of bilateral concern raised in the course of bilateral discussions during the year. During this visit, the two countries also signed a mutual legal assistance treaty (MLAT). 1997 also saw increased cooperation between Venezuela and the U.S. in maritime interdiction of illegal drug shipments.

Some problem areas remain. Narcotics-related corruption in law enforcement, the judiciary, financial institutions, and the prison system are continuing concerns. The Government of Venezuela does not as a matter of policy or practice encourage or facilitate drug trafficking or money laundering, nor do its senior officials engage in, encourage, or facilitate such activities. Port control needs to be improved. The new anti-money laundering legislation needs to be implemented with an effective control regime and organized-crime/asset forfeiture legislation should be given a high priority. Venezuela continues to lack an effective air interdiction strategy.

Nevertheless, Venezuela demonstrated a high-level political commitment to combat narcotics trafficking and related crime during 1997. The U.S. will support Venezuela's stepped-up counternarcotics effort and will work closely with Venezuela in areas of common concern as money laundering and diversion of precursor/essential chemicals. The U.S. will also seek ways to support judicial reform and to enhance cooperation in maritime interdiction efforts.

Vietnam

Drug trafficking through Vietnam and domestic drug abuse continue to increase, particularly among young people with rising incomes. At the same time, intense media coverage of narcotics arrests and trials, especially

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stiff sentences, including several executions, highlighted a “get tough” approach with traffickers and corrupt mid-and-lower level government officials. Law enforcement authorities also increased drug seizures, investigations, and prosecutions, generally. The number of drug arrests increased by 25 percent in the first six months of 1997, compared with the same period last year. This followed an even larger increase (66 per cent) in 1996. Some 70 percent of the cases involved heroin. A spot raid in Ho Chi Minh City netted 96 youngsters (mostly age 15–16) who were dealing in heroin. In another incident, a judge in Ky Son District (the area of heaviest drug production and transit) was arrested in March for trafficking in opium, but he later escaped. A Haiphong Court also imposed stiff sentences on several drug pushers said to have lured teenagers into heroin use. Traffickers seem to have modified their transit routes somewhat in response to these stepped-up enforcement efforts.

The Socialist Republic of Vietnam (SRV) took two major initiatives during 1997: it established an Anti-Narcotics Division (AND) of the People’s Police and reorganized and elevated responsibility for drug policy coordination, which is now under a Deputy Prime Minister. It also ratified the 1988 UN Drug Convention in November. After considerable success reducing opium poppy cultivation in the past few years, cultivation may once again be increasing. Vietnam claims to have reduced poppy cultivation from over 20,000 hectares in the late 1980’s and early 1990’s to 2,885 hectares in 1995/96. USG experts, however, estimated an increase from 3,150 hectares in 1996 to 6,150 hectares in 1997. The United States and Vietnam are negotiating a narcotics cooperation letter of agreement. During 1997, the Vietnamese welcomed a visit by the Drug Enforcement Administration’s (DEA) Chief of International Operations. There were also regular visits by DEA officers based in Embassy Bangkok.

VITAL NATIONAL INTERESTS JUSTIFICATIONS

Cambodia

A transit point for Southeast Asian heroin as well as a source country for marijuana, Cambodia experienced violent internal conflict in early July 1997. This conflict, and the high-level political infighting leading up to it, disrupted USG counternarcotics efforts aimed at helping to build a credible counternarcotics and law enforcement infrastructure. Indeed, all direct USG assistance to the government has been suspended, although some humanitarian and democracy-building programs continue.

In recent months, Cambodia appears to have begun to try to refocus its counternarcotics efforts. Counternarcotics agencies appear to be targeting trafficking organizations more aggressively, but their staffs remain poorly trained and equipped. Military and police personnel have been arrested for their involvement in narcotics-related activities, suggesting an effort at rooting out at least some drug corruption. DEA, U.S. Customs and other USG agencies continue to have access to Cambodian counterparts and generally characterize cooperation as good, in that interlocutors are willing to share information and to respond, to the extent possible, to requests for assistance.

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However, the continuing instability has politicized the counternarcotics effort. Various Cambodian factions have charged political opponents with engaging in illegal narcotics activities, often with the objective of drawing US personnel into appearing to support one or another party or individual. Politicization of the counternarcotics effort has undermined some of the value of USG assistance and harmed cooperation. Moreover, little has been done by the Royal Government of Cambodia (RGC) to assuage international concerns about allegations of high-level government corruption, leaving Cambodia's commitment to counternarcotics efforts in doubt at this time.

The US, jointly with ASEAN and the UN, is now engaged in a diplomatic effort to urge the RGC to restore the Paris Peace Accords' framework by permitting free and fair elections this year. Should this effort to promote accountable democratic governance in Cambodia succeed, it will be vital to maintain our ability to provide all types of counternarcotics, as well as other assistance, if appropriate, to strengthen independent judicial systems and foster accountable institutions of civil society in Cambodia. Assistance to support democratic development and long-term economic stability in Cambodia is a key element of our overall long-term commitment to stability and openness in the Asia-Pacific region. Cambodia figures in our own strategic interest in ASEAN's long-term political and economic stability, especially since Cambodia continues to have an interest in becoming a member of ASEAN. Accordingly, while it is not appropriate at this time to certify Cambodia as either fully cooperating with the United States or taking adequate steps on its own to combat drug production and trafficking, the risks posed by inadequate counternarcotics performance are outweighed by the risks posed to US vital national interest if assistance is not available.

Colombia

As in previous years, Colombia remained the world's leading producer and distributor of cocaine and an important supplier of heroin and marijuana. Notwithstanding significant eradication in the Guaviare region, coca cultivation in southern Colombia grew markedly, leading to an increase in coca cultivation overall.

In November 1997, the Colombian Congress passed a constitutional amendment reversing the 1991 Constitutional ban on the extradition of Colombian citizens. This represents significant progress, and is due in large part to effective lobbying of the Government of Colombia (GOC) and the Colombian Congress and Senate by the Colombian private sector. Unfortunately, the final bill falls short because it contains a ban on retroactive application. The Government and members of the Colombian Congress have filed challenges to this ban. However, if the ban is upheld by Colombia's Constitutional Court, then the Cali kingpins would be placed beyond the reach of U.S. justice for crimes committed before December 1997. Moreover, the constitutional bill may also require implementing legislation, which the GOC has promised to seek before President Samper leaves office in August 1998. This legislation could give opponents of extradition another opportunity to weaken extradition.

In early 1997, Colombia passed excellent legislation which stiffened sentences for narcotics traffickers, strengthened regulations affecting money-

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laundering and permitted forfeiture of the assets of narcotics traffickers. Implementation of these strong laws by the GOC has been disappointingly slow and the GOC has yet to apply them aggressively.

The GOC also took measures to improve prison security in Colombia, giving the Colombian National Police (CNP) responsibility for security in the maximum security pavilions housing the major narcotics traffickers, a great improvement. However, continued attention has not been given to the problem. The U.S. Embassy has heard fewer reports of traffickers carrying out their illicit business activities with impunity from their cells, but there are still indications that the drug kingpins maintain some ability to operate their criminal enterprises and exert influence from prison.

The Colombian Government made only limited progress in 1997 against narcotics-related corruption. Several former congressmen and the mayor of Cali were sentenced on corruption charges stemming from the "Caso 8000" investigation. The GOC has demonstrated little inclination to root out official corruption and to strengthen democratic institutions from the corrupting influence of narco-traffickers.

The Colombian National Police and selected units of the military involved in counternarcotics activities produced impressive results in 1997. Figures for both eradication and seizures were up, despite significant challenges from heavily-armed narcotics traffickers and several elements of the guerrilla movements which support them. The maritime agreement signed in early 1997 has been successfully implemented and resulted in interdiction of several cocaine shipments.

Although the GOC has made important progress in some areas this year, the USG cannot certify Colombia as fully cooperating with the United States on drug control, or as having taken adequate steps on its own to meet the goals and objectives of the 1988 UN Drug Convention. Poor government performance in the extradition debate, lack of a concentrated effort to combat official narcotics-related corruption and still lagging enforcement of strong counternarcotics laws all argue against certification.

However, the vital national interests of the United States requires that U.S. assistance to Colombia be provided. The continuing dominance of Colombian cartels in the cocaine industry, their growing role in the heroin trade and the growing role of the guerrillas in shielding and protecting illicit drug production make the challenges in Colombia greater than ever before. To meet these challenges, we need to work even more closely with the GOC to expand joint eradication efforts in new coca growing areas in southern Colombia and in opium cultivation zones, to enhance interdiction, and to strengthen law enforcement. The GOC would not likely approve such an expanded program if denied certification for a third straight time. We have a unique opportunity with significant US-supplied assets deployed and the commitment of the CNP and elements of the armed forces to strong efforts in these areas. However, they will need increased resources and training to perform these tasks adequately. Strong leadership must come from the Colombian government to reform and defend essential democratic institutions, such as the country's judiciary. The coming elections may provide opportunities for further cooperation.

Moreover, key elements of US assistance which could help in this effort, such as potential foreign military financing (FMF) and international military education and training (IMET), could not be provided to our allies for

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counternarcotics operations if Colombia were denied certification again. Indeed, this year the President deemed necessary the provision of FY97 IMET and previous year FMF by means of a waiver under Section 614(b) of the FAA.

U.S. economic engagement is also a critical element in counterbalancing the influence of drug money in the Colombian economy. After two years of denial of certification, U.S. companies, without access to OPIC and EXIM Bank financing, have lost significant business to competitors. With a vital national interest certification, U.S. companies will be able to compete on a level playing field for up to \$10 billion in upcoming major contracts.

In making the decision to provide a vital national interests certification to Colombia this year, we were mindful of the deteriorating security and human rights environment in Colombia, the threat to that country's democracy, and the threat posed to Colombia's neighbors and to regional stability. The cumulative effects of Colombia's forty-year old insurgency, narco-corruption, the rise of paramilitaries, the growing number of internally displaced Colombians, growing incidents of human rights abuses, and the potential threat that Colombia's violence and instability pose to the region all require a vital national interests certification. Such a certification is necessary so that the USG can provide assistance in order to broaden and deepen its engagement with this and the next Colombian government in an effort to effectively confront and eliminate narcotrafficking. The threats to U.S. vital national interests posed by a bar on assistance outweigh the risks posed by Colombia's inadequate counternarcotics performance.

Pakistan

Pakistan is a major producer and an important transit country for opiates and cannabis destined for international markets. In 1997, Pakistan produced approximately 85 metric tons (mts) of opium, an estimated increase of 13.3% from 1996. Heroin and opium seizures increased, but the overall record of law enforcement action continued to be poor. Seizures of precursor chemicals improved substantially. The Nawaz Sharif government, which took office in February 1997, voiced greater concern about Pakistan's narcotics problems, although this has not yet manifested itself in essential counternarcotics actions.

The 1997 counternarcotics efforts of the Government of Pakistan (GOP) were seriously deficient. The two major accomplishments were passage of the comprehensive drug control legislation and destruction of heroin processing laboratories in Pakistan's Northwest Frontier Province. One major arrest requested by the USG took place, but there were no known trials of previously arrested drug kingpins and no extraditions of the 23 individuals requested by the USG for narcotics-related offenses. Opium and heroin seizures increased and acetic anhydride seizures sharply increased, but the GOP did not interdict any large opiate smuggling caravans on the well-traveled Baluchistan route from Afghanistan into Iran.

The GOP made no progress in crop eradication. Poppy cultivation increased 21% and opium production increased 13%, despite USG programs and USG-assisted UNDCP programs which had made steady progress in de-

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creasing production and poppy cultivation in the past five years. The increase was primarily due to the GOP's failure to enforce the poppy ban in Dir District, the site of highest opium poppy growth, despite warnings from both UNDCP and the USG that the GOP must continue to press tribal groups living in that district to eradicate illicit opium poppy. The GOP also made no progress in demand reduction. There were no new programs designed to control Pakistan's addict population, estimated to be between 3 and 5 million. The GOP estimates the addict population growth at 7% a year.

USG/GOP law enforcement cooperation was severely strained by the arrest, torture, courtmartial and conviction of a DEA employee involved in an operation which identified Pakistani Air Force Officers involved in drug smuggling to the U.S. These steps were taken by elements of the GOP with the full involvement of the country's Anti Narcotics Force (ANF). Recently, the GOP reduced the DEA employee's prison sentence on appeal. The Administration remains engaged with the GOP in seeking the release of this employee from prison.

Pakistan is a party to the 1988 UN Drug Convention, which it ratified in October 1991, but implementing legislation on money laundering has not yet been drafted. While Pakistan's Control of Narcotics Substances Act, passed in 1997, deals with drug-related money laundering, Pakistan must still criminalize money laundering from non-drug related offenses.

The USG/GOP bilateral agreement provides funding for law enforcement, roads and crop substitution in the NWFP, and demand reduction activities. The GOP made very little progress in meeting the goals of the bilateral agreement and 1988 UN Drug Convention in 1997. The continued detention of the DEA employee, despite repeated urgings at the highest levels for his release, seriously complicates the counternarcotics relationship. Because of this and because of the GOP's poor counternarcotics law enforcement record and the substantial upsurge in illicit poppy growth, Pakistan cannot be judged to have cooperated fully with the USG or taken adequate steps on its own to meet the requirements of the 1988 U.N. Drug Convention.

However, vital U.S. national interests would be damaged if Pakistan were to be denied certification. Implementing sanctions would vitiate the broader U.S. policy of high-level engagement, including strong support for Prime Minister Sharif's commitment to hold a dialogue with India as well as to strengthen democracy and reform the economy.

Helping the GOP to strengthen its economy and to move towards a more liberal, broader-based market economy is one of the USG's major goals. Yet, a number of new or potential initiatives would be halted or thrown into question by denial of certification. This could include such fundamental programs such as those funded by OPIC and EX-IM, PL 480 projects involving commodities other than food, and possibly the funding of NGOs. Certification denial would also require the U.S. to vote against Pakistan in multilateral development banks ("MDBs") at a time when Pakistan is vulnerable to a financial crisis. The combination of such negative votes and removal of possible assistance could weaken Pakistan's investment climate, increase its prospects for sliding into financial insolvency and sharply inhibit our ability to help the GOP modernize its economy.

In addition to this statutory basis for a vital national interests certification, it should also be recognized that denial of certification could jeop-

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ardize broader interests between the U.S. and Pakistan, including the ability to achieve meaningful progress with the GOP on such important goals as nonproliferation and Afghanistan.

Accordingly, while it is not appropriate at this time to certify Pakistan as either fully cooperating with the United States or taking adequate steps on its own to combat drug production and trafficking, the risks posed by inadequate counternarcotics performance are outweighed by the risks posed to US vital national interests if U.S. assistance was no longer available and the U.S. was required to vote against loans to Pakistan in MDBs, thus justifying a vital national interests certification.

Paraguay

A determination to decertify Paraguay would be justified in view of its substantial lack of achievement in meeting its counternarcotics goals in 1997. However, the vital national interests of the United States require certification, so that the assistance, withheld pursuant to provisions of the Foreign Assistance Act of 1961, can be provided.

Paraguay is a transit country for cocaine, primarily Bolivian, en route to Argentina, Brazil, the United States, Europe and Africa, as well as a source country for high-quality marijuana. Paraguay was fully certified for 1996, after the Government of Paraguay (GOP) adopted a national drug control strategy, promulgated an anti-money laundering law, and increased its counternarcotics cooperation with the United States and regional countries. Paraguay's counternarcotics goals for 1997 included investigating major cocaine traffickers, making significant seizures and arrests, preventing the escape of arrested drug traffickers, implementing the money laundering law and provisions of the anti-drug law (Law 1340/88) aimed at punishing and preventing official corruption, enacting legislation authorizing controlled deliveries and undercover operations, as well as criminalizing drug-related conspiracy.

Unfortunately, Paraguay did not come close to meeting any of these objectives. Responsibility for the failure to do so is shared by all branches of the Paraguayan government. There were no successful investigations of significant traffickers. Although cocaine seizures showed a minimal increase over 1996, all involved minor traffickers. The largest seizure was accompanied by the arrest of four suspects caught in possession of over 21 kilos of cocaine. However, a criminal court judge freed all four on what appear to be spurious grounds; this judge received a minor disciplinary sanction and continues to serve in office. Judicial corruption was also suspected in connection with Paraguay's refusal to extradite a suspected narcotics trafficker to France. In that case, a lawyer was recorded accepting an alleged bribe to pass on to an appellate judge; the judge subsequently was removed from office for his actions in yet another case.

Paraguay is a major money laundering center, but it is unclear what portion is drug-related. The promulgation of the 1996 money laundering law, and the creation of an anti-money laundering secretariat (SEPRELAV), in January 1997, now provides the GOP with the legal tools necessary to move against this criminal activity, but little has been done so far to apply the

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law. SEPRELAV also has not been provided with a budget to enable it to operate as an independent organization.

The Paraguayan Congress, controlled by the opposition parties, made no progress on a major revision of the anti-drug law, which was submitted by the GOP in 1995. The GOP did not submit new legislation to authorize controlled deliveries, undercover operations or criminalize drug-related conspiracy. It also failed to complete a precursor chemical monitoring survey that was promised in 1996.

In part, these failures were due to the GOP's allowing itself to become distracted by election-year politics, particularly by its opposition to the presidential candidacy of former Army Commander, and unsuccessful 1996 coup plotter, Lino Oviedo. The GOP and opposition parties also demonstrated reduced political will to confront the politically influential and economically powerful frontier commercial and contraband interests during an election year.

The GOP, realizing its shortfalls on counternarcotics cooperation and cognizant of the USG decision on certification, recently has reaffirmed its political will to prioritize counternarcotics efforts, including taking law enforcement action against significant narco-traffickers, agreeing to negotiate a new bilateral extradition treaty with the USG, and preparing a draft law to explicitly authorize controlled deliveries. While positive steps, these measures have yet to bear fruit; their possible fulfillment will have a bearing on next year's certification decision, not this year's.

Denial of certification would, however, cut off assistance programs designed to meet the priority US goal of strengthening Paraguay's democratic institutions, at precisely the moment when those institutions are being severely tested by the stress of hotly-contested presidential, congressional and gubernatorial election campaigns. Denial of certification at this time could have an unintended negative impact on the ongoing election campaign. Denial of certification would also jeopardize ongoing cooperation and assistance programs with the GOP against other international crimes (smuggling, intellectual property piracy, terrorism). Moreover, vital national interests certification would help to promote the political will and positive action against narcotics trafficking that we will seek from the next GOP.

The risks posed to all of these US interests (promoting democracy, cooperation against other crimes and continued counter-terrorism cooperation) by a cutoff of bilateral assistance outweigh the risks posed by Paraguay's failure to cooperate fully with the USG, or to take adequate steps to combat narcotics on its own.

STATEMENTS OF EXPLANATION

Afghanistan

Afghanistan continued as the world's second largest producer of opium poppy, according to USG estimates. Land under poppy cultivation and opium production rose 3 percent in 1997 according to US satellite surveys. Continued warfare, destruction of the economic infrastructure and the absence of a recognized central government with control over the entire country remain obstacles to effective drug control.

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The inaction and lack of political will of the Taliban faction, which controls 96 per cent of Afghanistan's opium-growing areas, as well as substantial drug trade involvement on the part of some local Taliban authorities impede meaningful counternarcotics progress as well. The Taliban, formed by religious students, began its military campaign in Afghanistan in 1994 and assumed effective control over two thirds of the country in fall 1996. There is no evidence that the Taliban or any other faction controlling Afghan territory took substantive law enforcement or crop eradication action in 1997.

Although the Taliban condemned illicit drug cultivation, production, trafficking and use in 1997, there is no evidence that Taliban authorities took action to decrease poppy cultivation, arrest and prosecute major narcotics traffickers, interdict large shipments of illicit drugs or precursor chemicals or to eliminate opiate processing laboratories anywhere in Afghanistan in 1997. Narcotics remain Afghanistan's largest source of income, and some Taliban authorities reportedly benefit financially from the trade and provide protection to heroin laboratories. There are numerous reports of drug traffickers operating in Taliban territory with the consent or involvement of some Taliban officials. Taliban authorities called for international alternative development assistance as a precondition to eradicating opium poppy cultivation. Afghanistan is a party to the 1988 UN Drug Convention.

In November 1997, the Taliban responded to a UNDCP initiative by agreeing to eliminate poppy cultivation in districts where alternative development was provided, to control poppy cultivation in areas where poppy was not previously grown and to eliminate morphine and heroin laboratories when these sites were brought to their attention. To date, these commitments have not been tested.

The USG strongly supports the UN Secretary General's Special Envoy for Afghanistan, Ambassador Lakhdar Brahimi, and the UN Special Mission to Afghanistan in their efforts to promote a cease-fire, followed by negotiations leading to a broad-based government that can address the problems of narcotics, terrorism and humanitarian concerns. We assist the peoples of Afghanistan, subject to resource availability, primarily through UN programs aimed at humanitarian relief, reconstruction and counternarcotics. In 1997, USG transferred \$1.6 million in FY-95 and FY-96 funds earmarked for UNDCP to help finance UNDCP's capacity building project and poppy reduction projects in Afghanistan. The USG also provided an initial \$269,202 of a \$772,905 poppy reduction/alternative development project being implemented by an American non-governmental organization (NGO), Mercy Corps International (MCI) in Helmand Province.

Since U.S. legislation makes special allowance for continuation of such assistance generally, notwithstanding any other provision of law, denying certification of Afghanistan would have minimal effect in terms of implementation of this policy.

Continuation of large-scale opium cultivation and trafficking in Afghanistan, plus the failure of the authorities to initiative law enforcement actions, preclude a determination that Afghanistan has taken adequate steps on its own or that it has sufficiently cooperated with USG counternarcotics efforts to meet the goals and objectives of the UN 1988 Drug Convention,

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to which Afghanistan is a party. Accordingly, denial of certification is appropriate.

Burma

Burma continues to be the world's largest source of illicit opium and heroin. In 1997, production declined slightly from the previous year's levels; estimates indicated there were 155,150 hectares under cultivation, which could yield a maximum of 2,365 metric tons of opium.

On the law enforcement front, the Government of Burma (GOB) seized more opium and heroin, and raided more laboratories than in the past. These were welcome developments, but, given the extent of the problem, they were insufficient to make noticeable inroads against drug trafficking and production. Seizures of amphetamines and the precursor chemical acetic anhydride declined. There were no arrests of major traffickers. Drug lord Chang Qifu (Khun Sa), who "surrendered" to Burmese authorities in 1996, was not brought to justice, and the GOB continued to refuse to render him to the United States. The GOB did return a U.S. fugitive to Thailand, which extradited him to the United States.

Several ethnic groups declared that they would establish opium free zones in their territories by the year 2000, and the GOB undertook some eradication efforts as well. Establishment of opium free zones would require considerable time and investment of resources. The Government of Burma approved a United Nations Drug Control Program, a five-year alternative development project in the ethnic Wa region; as the year closed, UNDCP was making arrangements to initiate work.

Money laundering and the return of narcotics profits laundered elsewhere appear to be a significant factor in the overall Burmese economy. An underdeveloped banking system and lack of enforcement against money laundering have created a business and investment environment conducive to the use of drug-related proceeds in legitimate commerce. The GOB has encouraged leading narcotics traffickers systematically to invest in infrastructure and other domestic projects.

USG counternarcotics cooperation with the Burmese regime is restricted to basic law enforcement operations and involves no bilateral material or training assistance. The USG remains concerned over Burma's commitment to effective counternarcotics measures, human rights, and political reform. The USG is prepared to consider resuming appropriate assistance contingent upon the GOB's unambiguous demonstration of a strong commitment to counternarcotics, the rule of law, punishment of traffickers and major trafficking organizations (including asset forfeiture and seizure), anti-corruption, eradication of opium cultivation, destruction of drug processing laboratories, and enforcement of money laundering legislation.

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Iran

Iran has strengthened its counternarcotics performance during the past year—particularly in the area of interdiction—but direct information is limited because the United States has no diplomatic presence in the country.

Iran's interdiction efforts are apparently vigorous, if partially effective. Costly physical barriers and aggressive patrolling of its eastern borders have led to Iranian claims of record narcotics seizures of nearly 200 tons last year—and significant Iranian casualties as well. But with an estimated 1,000 tons of opiates crossing the country each year, Iran remains the major transit route for opiates from Afghanistan and Pakistan to the West, although we do not have recent data on the amount that may reach the United States. Punishment of traffickers is harsh but drug trafficking continues on a large scale.

Cultivation of opium poppies continues in Iran, but the extent of cultivation is difficult to ascertain conclusively. The 1993 United States Government survey of opium cultivation in Iran estimated that 3,500 hectares were under cultivation. U.S. crop estimates were a major factor in placing Iran on the majors' list of drug producing and transit countries. Iran claims complete eradication of the opium poppy crop. Recent statements by the Dublin Group that opium cultivation has markedly decreased give at least partial credence to the Iranian claims, but a new crop survey would help—and will be undertaken—to confirm such eradication.

Iran has taken some steps to confront corruption among customs, police and military personnel. Observers have noted several convictions of corrupt officials but the corruption of low-level officials continues; multi-ton shipments of opiates could not traverse Iran without assistance from complicit law enforcement or military personnel. There have been no recent, credible reports concerning high-level complicity in narcotics trafficking and high-ranking officials of the GOI have clearly stated Iran's official aversion to narcotics trafficking.

Iran has ratified the 1988 UN Drug Convention, but the United States Government and other observers remain unaware of implementing legislation to bring Iran into full compliance with the Convention. A 1997 proposal approved by the Expediency Council appears to allow for stronger drug laws and demand reduction programs, but the extent to which the proposal helps Iran to comply with the Convention cannot be predicted before the proposal is enacted as unforceable laws or regulations. No bilateral narcotics agreement exists between Iran and the United States.

Iran has recently stated, at the highest level, a desire to cooperate in international counternarcotics programs. With the exception of the Iran/Pakistan/UNDCP border interdiction program and a UNDCP demand reduction survey, however, Iran does not yet participate in important cooperative counternarcotics efforts. Such programs of international cooperation would add significantly to external understanding of Iran's narcotics problems and counter-narcotics efforts.

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Nigeria

Nigeria is the hub of African narcotics trafficking and the headquarters for global poly-crime organizations. Nigerian narcotics traffickers operate worldwide networks that transport heroin from Asia to Africa, the NIS and the United States, and cocaine from South America to Europe, Africa and East Asia. Nigerian traffickers are responsible for a significant portion of the heroin that is abused in the United States. Marijuana is the only narcotic cultivated in Nigeria; large quantities are exported to other African nations and to Europe, but have little impact upon the United States.

The need to repatriate their criminal gains has motivated Nigerian traffickers to develop a sophisticated and flexible money laundering system capable of handling not only narcotics profits, but the ill-gotten gains of Nigerian sponsored financial fraud as well. The dislocations of Nigeria's economy have helped to engender a vast informal commercial sector, immune to most regulation and well suited to illegal activities.

The record of Nigerian law enforcement against the narcotics trade is, at best, mixed. The one force capable of making headway against narcotics, the Nigerian Drug Law Enforcement Agency (NDLEA), has been handicapped by deficiencies in political and financial support. The NDLEA arrests many couriers, but few organization leaders. NDLEA efforts at Nigeria's international airports have led to increased seizures of narcotics, and may be a factor contributing to traffickers's expansion into bulk shipments and across borders into Nigeria's neighbors.

The Government of Nigeria has failed to react responsibly to the ease with which criminals function in Nigeria. Appropriate criminal narcotics and money-laundering legislation has been enacted, but remains unenforced, with no evidence that prosecutions, convictions or asset seizures have been made against any major criminal figures. Nigeria failed to provide consistent policy advice to its law enforcement organs, lacked the political will to attack pervasive corruption, and again neglected to provide sufficient material support for even the most basic operations of its law enforcement agencies.

Nigeria again failed to meet its obligations to the United States and other nations with regard to extraditions and other forms of counter-narcotics cooperation. Even direct promises of action have remained unredeemed. A December, 1996, United States mission to Nigeria received the Government of Nigeria's assurance that extraditions of criminals to the United States could resume immediately. No action has been taken on extraditions over one year later.

Notice of March 4, 1998

Continuation of Iran Emergency

On March 15, 1995, by Executive Order 12957, I declared a national emergency with respect to Iran pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701-1706) to deal with the threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Government of Iran, including

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its support for international terrorism, efforts to undermine the Middle East peace process, and acquisition of weapons of mass destruction and the means to deliver them. On May 6, 1995, I issued Executive Order 12959 imposing more comprehensive sanctions to further respond to this threat, and on August 19, 1997, I issued Executive Order 13059 consolidating and clarifying these previous orders.

Because the actions and policies of the Government of Iran continue to threaten the national security, foreign policy, and economy of the United States, the national emergency declared on March 15, 1995, must continue in effect beyond March 15, 1998. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iran. Because the emergency declared by Executive Order 12957 constitutes an emergency separate from that declared on November 14, 1979, by Executive Order 12170, this renewal is distinct from the emergency renewal of October 1997. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 4, 1998.

Presidential Determination No. 98-16 of March 4, 1998

Vietnamese Cooperation in Accounting for United States Prisoners of War and Missing in Action (POW/MIA)

Memorandum for the Secretary of State

As provided under section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998, Public Law 105-119, I hereby determine, based on all information available to the United States Government, that the Government of the Socialist Republic of Vietnam is fully cooperating in good faith with the United States in the following four areas related to achieving the fullest possible accounting for Americans unaccounted for as a result of the Vietnam War:

- (1) resolving discrepancy cases, live sightings, and field activities;
- (2) recovering and repatriating American remains;
- (3) accelerating efforts to provide documents that will help lead to the fullest possible accounting of POW/MIAs; and
- (4) providing further assistance in implementing trilateral investigations with Laos.

I further determine that the appropriate laboratories associated with POW/MIA accounting are thoroughly analyzing remains, material, and other information, and fulfilling their responsibilities as set forth in subsection (B) of section 609, and information pertaining to this accounting is being made available to immediate family members in compliance with 50 U.S.C. 435 note.

I have been advised by the Department of Justice and believe that section 609 is unconstitutional because it purports to use a condition on appropria-

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tions as a means to direct my execution of responsibilities that the Constitution commits exclusively to the President. I am providing this determination as a matter of comity, while reserving the position that the condition enacted in section 609 is unconstitutional.

In making this determination I have taken into account all information available to the United States Government as reported to me, the full range of ongoing accounting activities in Vietnam, including joint and unilateral Vietnamese efforts, and the concrete results we have attained as a result.

Finally, in making this determination, I wish to reaffirm my continuing personal commitment to the entire POW/MIA community, especially to the immediate families, relatives, friends, and supporters of these brave individuals, and to reconfirm that the central, guiding principle of my Vietnam policy is to achieve the fullest possible accounting of our prisoners of war and missing in action.

You are authorized and directed to report this determination to the appropriate committees of the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, March 4, 1998.

Memorandum of March 5, 1998

Delegation of Authority With Respect to Reporting Obligations Regarding Counterterrorism and Antiterrorism Programs and Activities

Memorandum for the Director of the Office of Management and Budget

By the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, and section 1051(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85), I hereby delegate to you the reporting function vested in me by section 1051(b) of that Act.

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, March 5, 1998.

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Presidential Determination No. 98-17 of March 9, 1998

Presidential Determination on Section 402(c)(2)(A) of the Trade Act of 1974—Vietnam

Memorandum for the Secretary of State

Pursuant to section 402(c)(2)(A) of the Trade Act of 1974 (Public Law 93-618, January 3, 1975; 88 Stat. 1978, 19 U.S.C. 2432(c)(2)(A)) as amended (the "Act"), I determine that a waiver by Executive order of the application of subsections (a) and (b) of section 402 of the Act with respect to Vietnam will substantially promote the objectives of section 402.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, March 9, 1998.

Presidential Determination No. 98-18 of March 9, 1998

Presidential Determination Under Subsection 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended—Vietnam

Memorandum for the Secretary of State

Pursuant to subsection 2(b)(2)(D) of the Export-Import Bank Act of 1945, as amended, I determine that it is in the national interest for the Export-Import Bank of the United States to guarantee, insure, extend credit, and participate in the extension of credit in connection with the purchase or lease of any product or service by, for use in, or for sale or lease to Vietnam.

You are authorized and directed to report this determination to the Congress and publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, March 9, 1998.

Presidential Determination No. 98-19 of March 13, 1998

Military Drawdown for Jordan

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by the laws and Constitution of the United States, including Title III (Military Assistance) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118) ("Title III"), I hereby direct the drawdown of defense articles from the stocks of the Department of Defense, defense services of

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the Department of Defense, and military education and training of an aggregate value of \$25,000,000 under the authority of the fifth proviso under the heading “Foreign Military Financing Program” in Title III for Jordan for the purposes of part II of the Foreign Assistance Act of 1961.

The Secretary of State is authorized and directed to report this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, March 13, 1998.

Presidential Determination No. 98–20 of April 3, 1998

Use of Nonproliferation, Anti-Terrorism, Demining and Related Programs Account Funds for the U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO)

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2364(a)(1), I hereby determine that it is important to the security interests of the United States to furnish up to \$30 million in funds made available under the heading “Nonproliferation, Anti-Terrorism, Demining and Related Programs” in title II of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 1998 (Public Law 105–118) for the United States contribution to the Korean Peninsula Energy Development Organization without regard to any provision of law within the scope of section 614(a)(1). I hereby authorize the furnishing of such assistance.

You are hereby authorized and directed to transmit this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, April 3, 1998.

Presidential Determination No. 98–21 of April 28, 1998

Presidential Determination on the Proposed Agreement for Cooperation Between the United States of America and Ukraine Concerning Peaceful Uses of Nuclear Energy

Memorandum for the Secretary of State [and] the Secretary of Energy

I have considered the proposed Agreement for Cooperation Between the United States of America and Ukraine Concerning Peaceful Uses of Nuclear Energy, along with the views, recommendations, and statements of the interested agencies.

Other Presidential Documents

I have determined that the performance of the agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b)), I hereby approve the proposed agreement and authorize you to arrange for its execution.

The Secretary of State is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, April 28, 1998.

Presidential Determination No. 98-22 of May 13, 1998

Sanctions Against India for Detonation of a Nuclear Explosive Device

Memorandum for the Secretary of State

In accordance with section 102(b)(1) of the Arms Export Control Act, I hereby determine that India, a non-nuclear-weapon state, detonated a nuclear explosive device on May 11, 1998. The relevant agencies and instrumentalities of the United States Government are hereby directed to take the necessary actions to impose the sanctions described in section 102(b)(2) of that Act.

You are hereby authorized and directed to transmit this determination to the appropriate committees of the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, May 13, 1998.

Notice of May 18, 1998

Continuation of Emergency With Respect to Burma

On May 20, 1997, I issued Executive Order 13047, effective at 12:01 a.m. eastern daylight time on May 21, 1997, certifying to the Congress under section 570(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104-208), that the Government of Burma has committed large-scale repression of the democratic opposition in Burma after September 30, 1996, thereby invoking the prohibition on new investment in Burma by United States persons, contained in that section. I also declared a national emergency to deal with the threat posed to the national security and foreign policy of the United States by the actions and policies of the Government of Burma, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act (50 U.S.C. 1701-1706).

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The national emergency declared on May 20, 1997, must continue beyond May 20, 1998, as long as the Government of Burma continues its policies of committing large-scale repression of the democratic opposition in Burma. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Burma. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 18, 1998.

Presidential Determination No. 98-23 of May 23, 1998

Assistance Program for the Government of the Russian Federation

Memorandum for the Secretary of State

Pursuant to section 577(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118), I hereby determine and certify that the Government of the Russian Federation has implemented no statute, executive order, regulation, or similar government action that would discriminate, or would have as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party. During the period under review, the Government of Russia has applied the new Russian Law on Religion in a manner that is not in conflict with its international obligations on religious freedom. However, this issue requires continued and close monitoring as the Law on Religion furnishes regional officials with an instrument that can be interpreted and used to restrict the activities of religious minorities.

You are authorized and directed to notify the Congress of this determination and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, May 23, 1998.

Memorandum of Justification Regarding Determination Under Section 577(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118)

Summary: During the period under review, the Government of Russia has applied the new Law on Religion in a manner that is not in conflict with its international obligations on religious freedom. To the extent that violations of internationally recognized rights have occurred, they have been the consequence of actions taken by regional or local officials and do not appear to be a manifestation of federal government policy.

Other Presidential Documents

At the same time, the Law on Religion furnishes regional officials with an instrument that can be interpreted and used to restrict the activities of religious minorities. Thus, this issue requires continued and close monitoring.

1. The New Law on Religion: On October 1, 1997, the Russian Federation enacted a restrictive and potentially discriminatory law "On Freedom of Conscience and Religious Associations" (Law on Religion). The new law is complex, with many ambiguous and contradictory provisions.

The law accords more favorable legal status and privileges to religions that have been present in Russia for an extended period of time. New religious associations must wait 15 years before acquiring all of the rights of a juridical person, such as the right to own property and open a bank account, as well as the right to engage in a range of religious activities. Article 27(3) of the law is also controversial because it applies certain aspects of the 15-year rule to religious organizations that enjoyed full legal status under prior legislation. Portions of the law appear inconsistent with Russia's constitution and civil code as well as its international commitments. Some Russian officials had indicated that the implementing regulations would clarify ambiguities, but the regulations share the ambiguities of the law.

2. Key Concern: Through its acceptance and accession to international human rights instruments, the Government of Russia has committed itself to respecting freedom of association and assembly and, more specifically, freedom of thought, conscience and religion, including freedom to change religion or belief and freedom to manifest religion or belief in worship, teaching, practice and observance. The Law on Religion is of great concern because it could be applied to restrict the ability of communities of believers to establish organizations with full legal rights.

3. Application: Over the past year, Russian government officials, including President Yeltsin and then-Prime Minister Chernomyrdin, pledged to Vice President Gore that the new law would not result in any erosion of religious freedom in Russia. Officials in the Presidential Administration and the Cabinet of Ministers have echoed and clarified Yeltsin's promises. In particular, the Ministry of Justice has adopted a permissive approach to registering religious organizations with full legal rights, effectively bypassing elements of the 15-year rule. In addition, Presidential Administration officials have announced the establishment of two consultative mechanisms to facilitate government interaction with religious communities and to monitor application of the new law.

The Presidential Administration and the Ministry of Justice have also promised to support efforts now underway by nongovernmental organizations to challenge the constitutionality of the law's retroactive provisions (article 27(3)) before the Constitutional Court. Officials in these organs have indicated their view that article 27(3) violates Russia's constitution.

Despite the federal government's efforts, however, a number of regional officials continue to violate rights of minority religious organizations, in some cases citing the new federal law. Based on anecdotal, limited information we have to date, we are aware of about 25 cases of harassment between the date of enactment of the Law on Religion and early May 1998.

4. Evaluation: Local and regional abuses of religious rights raise serious concerns, especially if the new law is being used by some officials to justify such actions. At the same time, reported incidents represent a rel-

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atively small number of problems when viewed against the size of the country and complexity of political and social changes underway. Moreover, we have no evidence to suggest that these local actions result from a deliberate policy of the federal government. Finally, these incidents are, unfortunately, consistent with a pattern of local and regional harassment and restrictions on minority religious communities that was clearly discernible prior to passage of the law.

Regional and local abuses reflect a larger problem in Russia—which is also evidenced in matters ranging from tax collection to elections to law enforcement—of the center exercising weak control over events throughout the regions. We believe local officials have taken advantage of a poorly developed legal tradition and weak oversight to advance intolerant ideas at odds with Russia's constitution and the flexible and fair interpretation of the Law on Religion articulated by the central authorities.

Nevertheless, it remains to be seen how the Law on Religion's restrictions will be interpreted in the longer run, and whether the federal government will respond appropriately over time to cases in which local officials apply the law in a manner at odds with Russia's international commitments. Given the political commitments made and constitutional positions taken by the central government, the fact that the implementing regulations are only now making their way to regional officials and the fact that federal officials are only now establishing mechanisms for addressing differences in interpretation, we believe that the relatively small number of local incidents does not require a finding that the "Government of the Russian Federation" has implemented discriminatory measures. Similarly, we believe it would be premature to conclude that the law's restrictions, as implemented, constitute violations of Russia's international obligations.

5. U.S. Engagement: Freedom of conscience has been a central element of the U.S. bilateral agenda with Moscow since the early 1970's, and the Law on Religion has been the subject of numerous high-level communications between the Administration and the Russian Government, involving the President, the Vice President, Secretary Albright, and other senior U.S. officials.

The Department of State and the U.S. Embassy in Moscow will continue to maintain close contact with religious communities and NGOs to assess the effects of the new law and solicit views on appropriate responses. In addition, we will continue to make clear to the Russian Government the requirements of Section 577(a) of the Foreign Operations Appropriations Act for FY 1998 and urge that the federal authorities both reverse discriminatory actions taken at the local level and, when necessary, reprimand the officials at fault. We will also encourage federal action to ensure that regional laws do not contradict Russia's constitutional and international guarantees of religious freedom, and continue to make clear our view that the federal law should ultimately be changed so it cannot be used to justify curtailing religious freedom in Russia.

Other Presidential Documents

Notice of May 28, 1998

Continuation of Emergency With Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs

On May 30, 1992, by Executive Order 12808, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Governments of Serbia and Montenegro, blocking all property and interests in property of those Governments. President Bush took additional measures to prohibit trade and other transactions with the Federal Republic of Yugoslavia (Serbia and Montenegro) by Executive Order 12810 and 12831, issued on June 5, 1992, and January 15, 1993, respectively. On April 25, 1993, I issued Executive Order 12846, blocking the property and interests in property of all commercial, industrial, or public utility undertakings or entities organized or located in the Federal Republic of Yugoslavia (Serbia and Montenegro), and prohibiting trade-related transactions by United States persons involving those areas of Bosnia and Herzegovina controlled by Bosnian Serb forces and the United Nations Protected Areas in the Republic of Croatia. On October 25, 1994, because of the actions and policies of the Bosnian Serbs, I expanded the scope of the national emergency by issuing Executive Order 12934 to block the property of the Bosnian Serb forces and the authorities in the territory that they control within Bosnia and Herzegovina, as well as the property of any entity organized or located in, or controlled by any person in, or resident in, those areas.

On December 27, 1995, I issued Presidential Determination No. 96-7, directing the Secretary of the Treasury, *inter alia*, to suspend the application of sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) pursuant to the above-referenced Executive orders and to continue to block property previously blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the "Resolution"), was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialed by the parties in Dayton on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the "Peace Agreement"). The sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) were accordingly suspended prospectively, effective January 16, 1996. Sanctions imposed on the Bosnian Serb forces and authorities and on the territory that they control within Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, also in conformity with the Peace Agreement and the Resolution. Sanctions against both the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs were subsequently terminated by United Nations Security Council Resolution 1074 of October 1, 1996. This termination, however, did not end the requirement of the Resolution that blocked funds and assets that are subject to claims and encumbrances remain blocked, until unblocked in accordance with applicable law.

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In the last year, further substantial progress has been achieved to bring about a settlement of the conflict in the former Yugoslavia acceptable to the parties. Another set of elections occurred in Bosnia and Herzegovina, as provided for in the Peace Agreement, and the Bosnian Serb forces have continued to respect the zones of separation as provided in the Peace Agreement. The ultimate disposition of the various remaining categories of blocked assets is being addressed on a case-by-case basis.

Until the status of all remaining blocked property is resolved, the Peace Agreement implemented, and the terms of the Resolution met, the national emergency declared on May 30, 1992, as expanded in scope on October 25, 1994, and the measures adopted pursuant thereto to deal with that emergency must continue beyond May 30, 1998.

Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serb forces and those areas of Bosnia and Herzegovina under the control of the Bosnian Serb forces. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
May 28, 1998.

Presidential Determination No. 98-24 of May 29, 1998

Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

Memorandum for the Secretary of State

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$37,000,000 be made available from the United States Emergency Refugee and Migration Assistance Fund to meet the urgent and unexpected needs of refugees, victims of conflict, and other persons at risk in Africa and Southeast Asia. These funds may be used, as appropriate, to provide contributions to international and non-governmental agencies.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority and to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, May 29, 1998.

Other Presidential Documents

Memorandum of May 30, 1998

Action Under Section 203 of the Trade Act of 1974 Concerning Wheat Gluten

Memorandum for the Secretary of the Treasury[,] the Secretary of Agriculture[, and] the United States Trade Representative

On March 18, 1998, the United States International Trade Commission (USITC) submitted to me a report that contained: (1) a determination pursuant to section 202 of the Trade Act of 1974 (19 U.S.C. 2252) (the "Trade Act") that imports of wheat gluten are being imported into the United States in such increased quantities as to be a substantial cause of serious injury to the domestic industry; and (2) negative findings made pursuant to section 311(a) of the North American Free Trade Agreement Implementation Act (the "NAFTA Implementation Act") (19 U.S.C. 3371(a)) with respect to imports of wheat gluten from Canada and Mexico.

After considering all relevant aspects of the investigation, including the factors set forth in section 203(a)(2) of the Trade Act (19 U.S.C. 2253), I have implemented actions of a type described in section 203(a)(3). Specifically, I have determined that the most appropriate action is a quantitative limitation on imports of wheat gluten. I have proclaimed such action for a period of approximately 3 years in order to provide time for the domestic industry to implement an adjustment plan that will facilitate its positive adjustment to import competition. I have set the quantitative limitation at an amount equal to 126.812 million pounds in the first year, an amount which represents total average imports in the crop years ending June 30, 1993, through June 30, 1995. This amount will increase by six percent annually for the duration of the relief period. I believe that this amount is the relief necessary to remedy the serious injury and to promote positive adjustment. The quota is allocated based on average import shares in the period covered by the crop years ending June 30, 1993, through June 30, 1995. Shares of countries excluded from the quota are assigned on a pro rata basis to countries subject to the quota. To ensure that the quota is substantially filled, I have authorized the United States Trade Representative to reallocate any significant unused quota allocations. I considered taking other forms of action, such as increasing tariffs on imports of wheat gluten, and have determined that action in such forms would not, in light of the nature of trade in wheat gluten, meet the goals of remedying serious injury and facilitating industry adjustment.

I agree with the USITC's findings under section 311(a) of the NAFTA Implementation Act, and therefore determine, pursuant to section 312(a) of the NAFTA Implementation Act, that imports of wheat gluten produced in Canada do not contribute importantly to the serious injury caused by imports and that imports of wheat gluten produced in Mexico do not account for a substantial share of total imports of such wheat gluten. Therefore, pursuant to section 312(b) of the NAFTA Implementation Act, the quantitative limitation will not apply to imports of wheat gluten from Canada or Mexico. Similarly, the limitation will not apply to imports of wheat gluten from Israel, and beneficiary countries under the Caribbean Basin Economic Recovery Act (CBERA) and the Andean Trade Preference Act (ATPA), in light of the USITC's statement that its recommendation does not apply to im-

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ports from those countries. Moreover, other developing countries that have accounted for a minor share of wheat gluten imports are excluded from the quantitative limitation.

As an additional means of arriving at a long-term solution to this trade issue, I have directed the United States Trade Representative, with the assistance of the Secretary of Agriculture, to seek to initiate international negotiations to address the underlying cause of the increase in imports of the article or otherwise to alleviate the injury found to exist.

I have determined that the actions described above will facilitate efforts by the domestic industry to make a positive adjustment to import competition and provide greater economic and social benefits than costs. This action provides the domestic industry with necessary temporary relief from increased import competition, while also assuring our trading partners significant continued access to the United States market.

I also note that, pursuant to section 204 of the Trade Act, the USITC will monitor developments with respect to the domestic industry, including progress and specific efforts made by workers and firms in the domestic industry to make a positive adjustment to import competition, and will provide to me and to the Congress a report of its monitoring no later than the date that is the midpoint of the period the action is in effect.

The United States Trade Representative is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, May 30, 1998.

Presidential Determination No. 98-25 of May 30, 1998

Sanctions Against Pakistan for Detonation of a Nuclear Explosive Device

Memorandum for the Secretary of State

In accordance with section 102(b)(1) of the Arms Export Control Act, I hereby determine that Pakistan, a non-nuclear-weapon state, detonated a nuclear explosive device on May 28, 1998. The relevant agencies and instrumentalities of the United States Government are hereby directed to take the necessary actions to impose the sanctions described in section 102(b)(2) of that Act.

You are hereby authorized and directed to transmit this determination to the appropriate committees of the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, May 30, 1998.

Other Presidential Documents

Memorandum of June 1, 1998

Plain Language in Government Writing

Memorandum for the Heads of Executive Departments and Agencies

The Vice President and I have made reinventing the Federal Government a top priority of my Administration. We are determined to make the Government more responsive, accessible, and understandable in its communications with the public.

The Federal Government's writing must be in plain language. By using plain language, we send a clear message about what the Government is doing, what it requires, and what services it offers. Plain language saves the Government and the private sector time, effort, and money.

Plain language requirements vary from one document to another, depending on the intended audience. Plain language documents have logical organization, easy-to-read design features, and use:

- common, everyday words, except for necessary technical terms;
- “you” and other pronouns;
- the active voice; and
- short sentences.

To ensure the use of plain language, I direct you to do the following:

- By October 1, 1998, use plain language in all new documents, other than regulations, that explain how to obtain a benefit or service or how to comply with a requirement you administer or enforce. For example, these documents may include letters, forms, notices, and instructions. By January 1, 2002, all such documents created prior to October 1, 1998, must also be in plain language.
- By January 1, 1999, use plain language in all proposed and final rule-making documents published in the **Federal Register**, unless you proposed the rule before that date. You should consider rewriting existing regulations in plain language when you have the opportunity and resources to do so.

The National Partnership for Reinventing Government will issue guidance to help you comply with these directives and to explain more fully the elements of plain language. You should also use customer feedback and common sense to guide your plain language efforts.

I ask the independent agencies to comply with these directives.

This memorandum does not confer any right or benefit enforceable by law against the United States or its representatives. The Director of the Office of Management and Budget will publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 1, 1998.

Title 3—The President

Presidential Determination No. 98-26 of June 3, 1998

Determination Under Section 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority

Memorandum for the Secretary of State

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93-618, 88 Stat. 1978 (hereinafter “the Act”), I determine, pursuant to section 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by section 402 of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to the People’s Republic of China will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 3, 1998.

Presidential Determination No. 98-27 of June 3, 1998

Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority

Memorandum for the Secretary of State

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93-618, 88 Stat. 1978 (hereinafter the “Act”), I determine, pursuant to section 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by section 402 of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to Vietnam will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 3, 1998.

Other Presidential Documents

Presidential Determination No. 98-28 of June 3, 1998

Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority

Memorandum for the Secretary of State

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93-618, 88 Stat. 1978 (hereinafter the "Act"), I determine, pursuant to subsection 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by section 402 of the Act will substantially promote the objectives of section 402 of the Act. I further determine that continuation of the waiver applicable to the Republic of Belarus will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 3, 1998.

Presidential Determination No. 98-29 of June 3, 1998

Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization

Memorandum for the Secretary of State

Pursuant to the authority vested in me under section 539(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998, Public Law 105-118, I hereby determine and certify that it is important to the national security interests of the United States to waive the provisions of section 1003 of the Anti-Terrorism Act of 1987, Public Law 100-204, through November 26, 1998.

You are authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 3, 1998.

Title 3—The President

Presidential Determination No. 98-30 of June 15, 1998

Report to Congress Regarding Conditions in Burma and U.S. Policy Toward Burma

Memorandum for the Secretary of State

Pursuant to the requirements set forth under the heading “Policy Toward Burma” in section 570(d) of the FY 1997 Foreign Operations Appropriations Act, as contained in the Omnibus Consolidated Appropriations Act (Public Law 104-208), a report is required every 6 months following enactment concerning:

- 1) progress towards democratization in Burma;
- 2) progress on improving the quality of life of the Burmese people, including progress on market reforms, living standards, labor standards, use of forced labor in the tourism industry, and environmental quality; and
- 3) progress made in developing a comprehensive multilateral strategy to bring democracy to and improve human rights practices and the quality of life in Burma, including the development of a dialogue between the State Peace and Development Council (SPDC) and democratic opposition groups in Burma.

You are hereby authorized and directed to transmit the attached report fulfilling this requirement to the appropriate committees of the Congress and to arrange for publication of this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 15, 1998.

Presidential Determination No. 98-31 of June 19, 1998

Presidential Determination on U.S. Assistance to the Korean Peninsula Energy Development Organization (KEDO)

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2364(a)(1) (the “Act”), I hereby determine that it is important to the security interests of the United States to furnish up to \$5 million in funds made available under Chapter IV, Part II of the Act for a U.S. contribution to KEDO without regard to any provision of law within the scope of section 614(a)(1). I hereby authorize this contribution.

You are hereby authorized and directed to transmit this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, June 19, 1998.

Other Presidential Documents

Memorandum of July 8, 1998

**Delegation of Authority Under Section 1406(b) of the
National Defense Authorization Act for Fiscal Year 1998**

Memorandum for the Secretary of Defense

By the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of Defense the functions conferred upon the President by section 1406(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85).

The authority delegated by this memorandum may be redelegated not lower than the Under Secretary level.

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, July 8, 1998.

Presidential Determination No. 98-33 of July 15, 1998

**Presidential Determination on the Proposed Agreement for
Cooperation Between the Government of the United States of
America and the Government of Romania Concerning
Peaceful Uses of Nuclear Energy**

Memorandum for the Secretary of State, [and] the Secretary of Energy

I have considered the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of Romania Concerning Peaceful Uses of Nuclear Energy, along with the views, recommendations, and statements of the interested agencies.

I have determined that the performance of the agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b)), I hereby approve the proposed agreement and authorize you to arrange for its execution.

The Secretary of State is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, July 15, 1998.

Title 3—The President

Notice of July 28, 1998

Continuation of Iraqi Emergency

On August 2, 1990, by Executive Order 12722, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Iraq. By Executive Orders 12722 of August 2, 1990, and 12724 of August 9, 1990, the President imposed trade sanctions on Iraq and blocked Iraqi government assets. Because the Government of Iraq has continued its activities hostile to United States interests in the Middle East, the national emergency declared on August 2, 1990, and the measures adopted on August 2 and August 9, 1990, to deal with that emergency must continue in effect beyond August 2, 1998. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iraq.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
July 28, 1998.

Notice of August 13, 1998

Continuation of Emergency Regarding Export Control Regulations

On August 19, 1994, consistent with the authority provided me under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), I issued Executive Order 12924. In that order, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States in light of the expiration of the Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 *et seq.*). Because the Export Administration Act has not been renewed by the Congress, the national emergency declared on August 19, 1994, must continue in effect beyond August 19, 1998. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order 12924.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
August 13, 1998.

Other Presidential Documents

Presidential Determination No. 98-34 of September 9, 1998

Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

Memorandum for the Secretary of State

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$20,000,000 be made available from the U.S. Emergency Refugee and Migration Assistance Fund to meet the urgent and unexpected needs of refugees, displaced persons, conflict victims, and other persons at risk due to the Kosovo crisis. These funds may be used, as appropriate, to provide contributions to international and non-governmental organizations.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

Washington, September 9, 1998.

Presidential Determination No. 98-35 of September 11, 1998

Extension of the Exercise of Certain Authorities Under the Trading With the Enemy Act

Memorandum for the Secretary of State [and] the Secretary of the Treasury

Under section 101(b) of Public Law 95-223 (91 Stat. 1625; 50 U.S.C. App. 5(b) note), and a previous determination made by me on September 12, 1997 (62 *Fed. Reg.* 49729), the exercise of certain authorities under the Trading With the Enemy Act is scheduled to terminate on September 14, 1998.

I hereby determine that the extension for 1 year of the exercise of those authorities with respect to the applicable countries is in the national interest of the United States.

Therefore, pursuant to the authority vested in me by section 101(b) of Public Law 95-223, I extend for 1 year, until September 14, 1999, the exercise of those authorities with respect to countries affected by:

- (1) the Foreign Assets Control Regulations, 31 CFR Part 500;
- (2) the Transaction Control Regulations, 31 CFR Part 505; and
- (3) the Cuban Assets Control Regulations, 31 CFR Part 515.

Title 3—The President

The Secretary of the Treasury is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 11, 1998.

Notice of September 23, 1998

Continuation of Emergency With Respect to UNITA

On September 26, 1993, by Executive Order 12865, I declared a national emergency to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of the National Union for the Total Independence of Angola (“UNITA”), prohibiting the sale or supply by United States persons or from the United States, or using U.S. registered vessels or aircraft, of arms, related materiel of all types, petroleum, and petroleum products to the territory of Angola, other than through designated points of entry. The order also prohibits the sale or supply of such commodities to UNITA. On December 12, 1997, in order to take additional steps with respect to the national emergency declared in Executive Order 12865, I issued Executive Order 13069, closing all UNITA offices in the United States and imposing additional sanctions with regard to the sale or supply of aircraft or aircraft parts, the granting of take-off, landing and overflight permission, and the provision of certain aircraft-related services. Most recently, on August 19, 1998, in order to take further steps with respect to the national emergency declared in Executive Order 12865, I issued Executive Order 13098, blocking all property and interests in property of UNITA and designated UNITA officials and adult members of their immediate families, prohibiting the importation of certain diamonds exported from Angola, and imposing additional sanctions with regard to the sale or supply of equipment used in mining, motorized vehicles, watercraft, spare parts for motorized vehicles or watercraft, mining services, and ground or waterborne transportation services.

Because of our continuing international obligations and because of the prejudicial effect that discontinuation of the sanctions would have on the Angolan peace process, the national emergency declared on September 26, 1993, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond September 26, 1998. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to UNITA.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
September 23, 1998.

Other Presidential Documents

Presidential Determination No. 98-37 of September 29, 1998

Use of \$10 Million in Nonproliferation, Anti-Terrorism, Demining and Related Programs Account Funds and \$5 Million in Economic Support Funds for a U.S. Contribution to the Korean Peninsula Development Organization (KEDO)

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2364(a)(1) (the "Act"), I hereby determine that it is important to the security interests of the United States to furnish up to \$10 million in funds made available under the heading "Nonproliferation, Anti-Terrorism, Demining and Related Programs" in title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118), and \$5 million in funds made available under Chapter 4 of Part II of the Act for the U.S. contribution to KEDO without regard to any provision of law within the scope of section 614(a)(1). I hereby authorize this contribution.

You are hereby authorized and directed to transmit this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 29, 1998.

Presidential Determination No. 98-38 of September 29, 1998

Presidential Determination Pursuant to Section 582(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998, on Withholding Assistance to the Government of Chad

Memorandum for the Secretary of State, the Secretary of Defense, [and] the Administrator of the Agency for International Development

Pursuant to the authority vested in me by section 582(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (the "Act"), I hereby:

- (1) determine and certify that the Government of the Republic of Chad is violating a sanction against Libya imposed pursuant to United Nations Security Council Resolution 748; and
- (2) direct that funds not yet obligated that were allocated for Chad under section 653(a) of the Foreign Assistance Act of 1961 (the "FAA") out of appropriations in the Act for programs under chapters 4 and 5 of Part II of the FAA shall be withheld from obligation and expenditure for Chad.

Title 3—The President

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 29, 1998.

Presidential Determination No. 98-39 of September 30, 1998

Presidential Determination on FY 1999 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), Respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended

Memorandum for the Secretary of State

In accordance with section 207 of the Immigration and Nationality Act (the "Act") (8 U.S.C. 1157), as amended, and after appropriate consultation with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 78,000 refugees to the United States during FY 1999 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be understood as including persons admitted to the United States during FY 1999 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided below.

The 78,000 admissions numbers shall be allocated among refugees of special humanitarian concern to the United States in accordance with the following regional allocations; provided, however, that the number allocated to the East Asia region shall include persons admitted to the United States during FY 1999 with Federal refugee resettlement assistance under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as contained in section 101(e) of Public Law 100-202 (Amerasian immigrants and their family members); provided further that the number allocated to the former Soviet Union shall include persons admitted who were nationals of the former Soviet Union, or in the case of persons having no nationality, who were habitual residents of the former Soviet Union, prior to September 2, 1991:

| | |
|--|--------|
| Africa | 12,000 |
| East Asia | 9,000 |
| Europe (includes 3,000 unfunded) | 48,000 |
| Latin America/Caribbean | 3,000 |
| Near East/South Asia | 4,000 |
| Unallocated | 2,000 |

Within the Europe ceiling are 3,000 unfunded numbers allocated to the former Soviet Union for use as needed provided that resources within

Other Presidential Documents

existing appropriations are available to fund the cost of their admission. The 2,000 unallocated numbers shall be allocated as needed to regional ceilings where shortfalls develop. Unused admissions numbers allocated to a particular region may be transferred to one or more other regions if there is an overriding need for greater numbers for the region or regions to which the numbers are being transferred. You are hereby authorized and directed to consult with the Judiciary Committees of the Congress prior to any such use of the unallocated numbers or reallocation of numbers from one region to another.

Pursuant to section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(b)(2), I hereby determine that assistance to or on behalf of persons applying for admission to the United States as part of the overseas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

An additional 10,000 refugee admissions numbers shall be made available during FY 1999 for the adjustment to permanent resident status under section 209(b) of the Immigration and Nationality Act (8 U.S.C. 1159(b)) of aliens who have been granted asylum in the United States under section 208 of the Act (8 U.S.C. 1158), as this is justified by humanitarian concerns or is otherwise in the national interest.

In accordance with section 101(a)(42) of the Act (8 U.S.C. 1101(a)(42)) and after appropriate consultation with the Congress, I also specify that, for FY 1999, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

- a. Persons in Vietnam
- b. Persons in Cuba
- c. Persons in the former Soviet Union

You are authorized and directed to report this determination to the Congress immediately and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 30, 1998.

Presidential Determination No. 98-40 of September 30, 1998

Transfer of Funds To Support Court To Try Accused Perpetrators of Pan Am 103 Bombing

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the laws of the United States, including section 610(a) of the Foreign Assistance Act of 1961, as amended (the "Act"), I hereby determine that, to provide support for the establishment and functioning of the court proposed to be established in The Netherlands for the trial of suspects in the Pan Am 103 bombing case, it is necessary for the purposes of the Act that \$3 million of funds made available

Title 3—The President

for section 23 of the Arms Export Control Act for fiscal year 1998 for the costs of direct loans, and \$4,945,800 of funds made available for section 551 of the Act for fiscal year 1998, be transferred to, and consolidated with, funds made available for Chapter 4 of Part II of the Act, and such funds are hereby so transferred and consolidated.

You are hereby authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 30, 1998.

Presidential Determination No. 98-41 of September 30, 1998

Drawdown Under Section 506(a)(2) of the Foreign Assistance Act To Provide Counternarcotics Assistance to Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Honduras, Jamaica, Mexico, Peru, Trinidad and Tobago, and the Countries of the Eastern Caribbean

Memorandum for the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, [and] the Secretary of Transportation

Pursuant to the authority vested in me by section 506(a)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(2) (the "Act"), I hereby determine that it is in the national interest of the United States to draw down articles and services from the inventory and resources of the Department of Defense, military education and training from the Department of Defense, and articles and services from the inventory and resources of the Departments of Justice, State, Transportation, and the Treasury for the purpose of providing international narcotics assistance to Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Honduras, Jamaica, Mexico, Peru, and Trinidad and Tobago; and to Antigua and Barbuda, Barbados, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines (hereinafter, "the Eastern Caribbean countries").

Therefore, I direct the drawdown of up to \$75 million of articles and services from the inventory and resources of the Departments of Defense, Transportation, Justice, State, and the Treasury, and military education and training from the Department of Defense, for Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Honduras, Jamaica, Mexico, Peru, Trinidad and Tobago, and the Eastern Caribbean countries for the purposes and under the authorities of chapter 8 of part I of the Act.

As a matter of policy and consistent with past practice, the Administration will seek to ensure that the assistance furnished under this drawdown is not provided to any unit of any foreign country's security forces if that unit is credibly alleged to have committed gross violations of human rights unless the government of such country is taking effective measures to bring the responsible members of that unit to justice.

Other Presidential Documents

The Secretary of State is authorized and directed to report this determination to the Congress immediately and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, September 30, 1998.

Notice of October 19, 1998

Continuation of Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia

On October 21, 1995, by Executive Order 12978, I declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant foreign narcotics traffickers centered in Colombia, and the unparalleled violence, corruption, and harm that they cause in the United States and abroad. The order blocks all property and interests in property of foreign persons listed in an Annex to the order, as well as foreign persons determined to play a significant role in international narcotics trafficking centered in Colombia, to materially assist in, or provide financial or technological support for or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to the order, or to be owned or controlled by, or to act for or on behalf of, persons designated in or pursuant to the order. The order also prohibits any transaction or dealing by United States persons or within the United States in such property or interests in property. Because the activities of significant narcotics traffickers centered in Colombia continue to threaten the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad, the national emergency declared on October 21, 1995, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond October 21, 1998. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency for 1 year with respect to significant narcotics traffickers centered in Colombia.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
October 19, 1998.

Title 3—The President

Presidential Determination No. 99-1 of October 21, 1998

Determination To Waive Requirements Relating to Blocked Property of Terrorist-List States

Memorandum for the Secretary of State [and] the Secretary of the Treasury

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 117 of the Treasury and General Government Appropriations Act, 1999, as contained in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (approved October 21, 1998), I hereby determine that the requirements of section 117, including the requirement that any property with respect to which financial transactions are prohibited or regulated pursuant to section 5(b) of the Trading with the Enemy Act (50 U.S.C. App. 5(b)), section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)), sections 202 and 203 of the International Emergency Economic Powers Act (50 U.S.C. 1701-1702), and proclamations, orders, regulations, and licenses issued pursuant thereto, be subject to execution or attachment in aid of execution of any judgment relating to a claim for which a foreign state claiming such property is not immune from the jurisdiction of courts of the United States or of the States under section 1605(a)(7) of title 28, United States Code, would impede the ability of the President to conduct foreign policy in the interest of national security and would, in particular, impede the effectiveness of such prohibitions and regulations upon financial transactions, and, therefore, pursuant to section 117(d), I hereby waive the requirements of section 117 in the interest of national security.

The Secretary of State is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

Washington, October 21, 1998.

Memorandum of October 27, 1998

Report to the Congress Regarding Conditions in Burma and U.S. Policy Toward Burma

Memorandum for the Secretary of State

Pursuant to the requirements set forth under the heading "Policy Toward Burma" in section 570(d) of the FY 97 Foreign Operations Appropriations Act, as contained in the Omnibus Consolidated Appropriations Act (Public Law 104-208), a report is required every 6 months following enactment concerning:

- (1) progress toward democratization in Burma;

Other Presidential Documents

- (2) progress on improving the quality of life of the Burmese people, including progress on market reforms, living standards, labor standards, use of forced labor in the tourism industry, and environmental quality; and
- (3) progress made in developing a comprehensive, multilateral strategy to bring democracy to, and improve human rights practices and the quality of life in Burma, including the development of a dialogue between the State Peace and Development Council (SPDC) and democratic opposition groups in Burma.

You are hereby authorized and directed to transmit the attached report fulfilling these requirements to the appropriate committees of the Congress and to arrange for publication of this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, October 27, 1998.

Notice of October 27, 1998

Continuation of Emergency With Respect to Sudan

On November 3, 1997, by Executive Order 13067, I declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Sudan. By Executive Order 13067, I imposed trade sanctions on Sudan and blocked Sudanese government assets. Because the Government of Sudan has continued its activities hostile to United States interests, the national emergency declared on November 3, 1997, and the measures adopted on that date to deal with that emergency must continue in effect beyond November 3, 1998. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency for 1 year with respect to Sudan.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
October 27, 1998.

Title 3—The President

Presidential Determination No. 99-3 of November 6, 1998

Drawdown Under Section 506(a)(2)(A)(i)(II) of the Foreign Assistance Act of 1961, as Amended To Provide Emergency Disaster Relief Assistance for Honduras, Nicaragua, El Salvador, and Guatemala

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by section 506(a)(2)(A)(i)(II) of the Foreign Assistance Act of 1961, as amended (“the Act”), 22 U.S.C. 2318(a)(2), I hereby determine that it is in the national interest of the United States to draw down articles and services from the inventory and resources of the Department of Defense, for the purpose of providing international disaster relief assistance to Honduras, Nicaragua, El Salvador, and Guatemala.

Therefore, I direct the drawdown of up to \$30 million of articles and services from the inventory and resources of the Department of Defense for the Governments of Honduras, Nicaragua, El Salvador, and Guatemala for the purposes and under the authorities of chapter 9 of part I of the Act.

The Secretary of State is authorized and directed to report this determination to the Congress immediately and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, November 6, 1998.

Notice of November 9, 1998

Continuation of Iran Emergency

On November 14, 1979, by Executive Order 12170, the President declared a national emergency to deal with the threat to the national security, foreign policy, and economy of the United States constituted by the situation in Iran. Notices of the continuation of this national emergency have been transmitted annually by the President to the Congress and the **Federal Register**. The most recent notice appeared in the **Federal Register** on October 1, 1997. Because our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway, the national emergency declared on November 14, 1979, must continue in effect beyond November 14, 1998. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iran. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
November 9, 1998.

Other Presidential Documents

Notice of November 12, 1998

Continuation of Emergency Regarding Weapons of Mass Destruction

On November 14, 1994, by Executive Order 12938, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons ("weapons of mass destruction") and the means of delivering such weapons. Because the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency first declared on November 14, 1994, and extended on November 14, 1995, November 12, 1996, and November 13, 1997, must continue in effect beyond November 14, 1998. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order 12938.

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

WILLIAM J. CLINTON

THE WHITE HOUSE,
November 12, 1998.

Presidential Determination No. 99-4 of November 14, 1998

Drawdown Under Section 506(a)(2)(A)(i)(II) of the Foreign Assistance Act To Provide Emergency Disaster Relief Assistance for Honduras, Nicaragua, El Salvador, and Guatemala

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by section 506(a)(2)(A)(i)(II) of the Foreign Assistance Act of 1961, as amended ("the Act"), 22 U.S.C. 2318(a)(2), I hereby determine that it is in the national interest of the United States to draw down articles and services from the inventory and resources of the Department of Defense, for the purpose of providing international disaster relief assistance to Honduras, Nicaragua, El Salvador, and Guatemala.

Therefore, I direct the drawdown of up to \$45 million of articles and services from the inventory and resources of the Department of Defense for the Governments of Honduras, Nicaragua, El Salvador, and Guatemala for the purposes and under the authorities of chapter 9 of part I of the Act.

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The Secretary of State is authorized and directed to report this determination to the Congress immediately and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, November 14, 1998.

Memorandum of November 16, 1998

Delegation of Authority Under Section 5(d)(2) of the International Anti-Bribery and Fair Competition Act of 1998

Memorandum for the Secretary of State

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of State the functions and authorities vested in the President by section 5(d)(2) of the International Anti-Bribery and Fair Competition Act of 1998 (Public Law 105–366).

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, November 16, 1998.

Presidential Determination No. 99–5 of November 25, 1998

Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization

Memorandum for the Secretary of State

Pursuant to the authority vested in me under section 540(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, Public Law 105–277, I hereby determine and certify that it is important to the national security interests of the United States to waive the provisions of section 1003 of the Anti-Terrorism Act of 1987, Public Law 100–204, through May 24, 1999.

You are authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, November 25, 1998.

Other Presidential Documents

Presidential Determination No. 99-8 of December 8, 1998

Assistance Program for the New Independent States of the Former Soviet Union

Memorandum for the Secretary of State

Pursuant to Section 517(b) in Title V of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (Public Law 105-277), I hereby determine that it is in the national security interest of the United States to make available funds appropriated under the heading "Assistance for the New Independent States of the Former Soviet Union" in Title II of that Act without regard to the restriction in that section.

You are authorized and directed to notify the Congress of this determination and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, December 8, 1998.

Presidential Determination No. 99-9 of December 24, 1998

Use of \$12 Million in Economic Support Funds for a U.S. Contribution to the Korean Peninsula Development Organization (KEDO)

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2364(a)(1) (the "Act"), I hereby determine that it is important to the security interests of the United States to furnish up to \$12 million in funds made available under Chapter 4 of Part II of the Act for assistance for KEDO without regard to any provision of law within the scope of section 614(a)(1). I hereby authorize furnishing of this assistance.

You are hereby authorized and directed to transmit this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,
Washington, December 24, 1998.

Notice of December 30, 1998

Continuation of Libyan Emergency

On January 7, 1986, by Executive Order 12543, President Reagan declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by

Title 3—The President

the actions and policies of the Government of Libya. On January 8, 1986, by Executive Order 12544, the President took additional measures to block Libyan assets in the United States. Every President has transmitted to the Congress and the **Federal Register** a notice continuing this emergency each year since 1986.

The crisis between the United States and Libya that led to the declaration of a national emergency on January 7, 1986, has not been resolved. The Government of Libya has continued its actions and policies in support of terrorism, despite the calls by the United Nations Security Council, in Resolutions 731 (1992), 748 (1992), and 883 (1993), that it demonstrate by concrete actions its renunciation of terrorism. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Libya. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,
December 30, 1998.

APPENDICES—OTHER PRESIDENTIAL DOCUMENTS

EDITORIAL NOTE: The following tables include documents issued by the Executive Office of the President and published in the *Federal Register* but not included in title 3 of the *Code of Federal Regulations*.

Appendix A—List of Messages to Congress Transmitting Budget Rescissions and Deferrals

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Appendix B—List of Presidential Determinations

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CHAPTER I—EXECUTIVE OFFICE OF THE PRESIDENT

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PART 100—STANDARDS OF CONDUCT

Subpart A—General Standards

- Sec.
- 100.735-1 Purpose and scope.
 - 100.735-2 Definitions.
 - 100.735-3 Special Government employees.
 - 100.735-4 General standards of conduct.
 - 100.735-5 Responsibilities of employees.
 - 100.735-6 Interpretation and advisory service; counseling.
 - 100.735-7 Disciplinary action.
 - 100.735-8 Conflicts of interest.
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 - 100.735-10 Additional prohibitions—regular employees.
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 - 100.735-13 Salary of employee payable only by United States.
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 - 100.735-15 Outside employment and other activity.
 - 100.735-16 Financial interests.
 - 100.735-17 Use of Government property.
 - 100.735-18 Misuse of information.
 - 100.735-19 Indebtedness.
 - 100.735-20 Gambling, betting, and lotteries.
 - 100.735-21 General conduct prejudicial to the Government.
 - 100.735-22 Miscellaneous statutory provisions.
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 - 100.735-24 Reporting of employment and financial interests—regular employees.
 - 100.735-25 Reporting of employment and financial interests—special Government employees.
 - 100.735-26 Reviewing statements of financial interests.
 - 100.735-27 Supplemental regulations or instructions.

Subpart B—Special Procedures; Counsel to the President

- 100.735-31 Members of part-time committees, boards, and commissions.
- 100.735-32 Special delegation of authority to the Counsel to the President.

AUTHORITY: EO 12731 of Oct. 17, 1990, 55 FR 42547, 3 CFR, 1991 Comp.

SOURCE: 33 FR 3608, Feb. 29, 1968, unless otherwise noted.

Subpart A—General Standards

§ 100.735-1 Purpose and scope.

(a) The maintenance of the highest standards of honesty, integrity, impartiality, and conduct by regular employees and special Government employees is essential to assure the proper performance of Government business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of regular employees and special Government employees through informed judgment is indispensable to the maintenance of these standards.

(b) This part is intended to foster the foregoing concepts. It is issued in compliance with the requirements of Executive Order No. 11222 of May 8, 1965, and is based upon the provisions of that order, the regulations of the Civil Service Commission issued thereunder (part 735 of 5 CFR Ch. I), and the statutes cited elsewhere in this part.

(c) This part, among other things reflects prohibitions and requirements imposed by the criminal and civil laws of the United States. However, the paraphrased restatements of criminal and civil statutes contained in this part are designed for informational purposes only and in no way constitute an interpretation or construction thereof that is binding upon the Federal Government. Moreover, this part does not purport to paraphrase or enumerate all restrictions or requirements imposed by statutes, Executive Orders, regulations or otherwise upon Federal employees and former Federal employees. The omission of a reference to any such restriction or requirement in no way alters the legal effect of that restriction or requirement and any such restriction or requirement, as the case may be, continues to be applicable to employees and former employees in accordance with its own terms. Furthermore, attorneys employed by an agency are subject to the canons of professional ethics of the American Bar Association.

§ 100.735-2 Definitions.

In this subpart:

(a) *Agency* means the following agencies in the Executive Office of the

President: The White House Office, the Council of Economic Advisers, the National Security Council, the National Aeronautics and Space Council, the Office of Science and Technology, and the Office of the Special Representative for Trade Negotiations, and any committee, board, commission, or similar group established in the Executive Office of the President.

(b) *Agency head* means the President for the White House Office, the Chairman of the Council of Economic Advisers for the Council of Economic Advisers, the Executive Secretary of the National Security Council for the National Security Council, the Executive Secretary of the National Aeronautics and Space Council for the National Aeronautics and Space Council, the Director of the Office of Science and Technology for the Office of Science and Technology, and the Special Representative for Trade Negotiations for the Office of the Special Representative for Trade Negotiations, and the Chairman or comparable member of any committee, board, commission, or similar group established by the President.

(c) *Employee* or *regular employee* means an officer or employee of an agency but does not include a special Government employee.

(d) *Special Government employee* means an officer or employee of an agency who is retained, designated, appointed, or employed to perform, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days, temporary duties, either on a full-time or intermittent basis.

(e) The term *person* means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

§ 100.735-3 Special Government employees.

Except where specifically provided otherwise, or where limited in terms or by the context to regular employees, all provisions of this subpart relating to employees are applicable also to special Government employees.

§ 100.735-4 General standards of conduct.

(a) All employees shall conduct themselves on the job in such a manner that the work of their agency is efficiently accomplished and courtesy, consideration, and promptness are observed in dealings with the Congress, the public, and other governmental agencies.

(b) All employees shall conduct themselves off the job in such a manner as not to reflect adversely upon their agency or the Federal service.

(c) In all circumstances employees shall conduct themselves so as to exemplify the highest standards of integrity. An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of:

(1) Using public office for private gain;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality;

(5) Making a Government decision outside official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

§ 100.735-5 Responsibilities of employees.

(a) The Executive Clerk for the White House Office and the Counselor for each other agency shall distribute copies of this subpart to each employee and special Government employee within 30 days after the effective date thereof. In the case of a new employee or special Government employee entering on duty after the date of such distribution, a copy shall be furnished at the time of his entrance on duty. All employees and special Government employees shall familiarize themselves with the contents of this subpart.

(b) Copies of Executive Order 11222, regulations, and statutes referred to in § 100.735-1, together with various explanatory materials are available for inspection in the Office of the Executive Clerk for the White House Office and the Counselor for each other agency at any time during regular business

hours. Employees are encouraged to consult these basic materials in any case of doubt as to the proper application or interpretation of the provisions of this subpart.

(c) Attention of all employees is directed to House Concurrent Resolution 175, 85th Congress, 2d session, 72 Stat. B12, the "Code of Ethics for Government Service", which is attached to this subpart as Appendix A.

§ 100.735-6 Interpretation and advisory service; counseling.

(a) The agency head shall appoint a Counselor for the agency who shall serve also as the agency's designee to the Civil Service Commission on matters covered by this part. Communications between the Counselor and employee shall be confidential, except as otherwise determined by the agency head.

(b) The Counselor for the agency shall notify all employees and special Government employees of the availability of counseling services, and of how and where such services are available. Such notification shall be made within 90 days after the effective date of this subpart and periodically thereafter. In the case of a new employee or special Government employee appointed after the date of such notification, notification shall be given at the time of his entrance on duty.

§ 100.735-7 Disciplinary action.

(a) A violation of any provision of this subpart by an employee may be cause for appropriate disciplinary action which may be in addition to any penalties prescribed by law. (As to remedial action in cases where an employee's financial interests result in a conflict or apparent conflict of interest, see § 100.735-26.)

(b) Any disciplinary or remedial action taken pursuant to this subpart shall be effected in accordance with any applicable laws, Executive orders, and regulations.

§ 100.735-8 Conflicts of interest.

(a) A conflict of interest may exist whenever an employee has a substantial personal or private interest in a matter which involves his duties and responsibilities as an employee. The

maintenance of public confidence in Government clearly demands that an employee take no action which would constitute the use of his official position to advance his personal or private interest. It is equally important that each employee avoid becoming involved in situations which present the possibility, or even the appearance, that his official position might be used to his private advantage.

(b) Neither the pertinent statutes nor the standards of conduct prescribed in this subpart are to be regarded as entirely comprehensive. Each employee must, in each instance involving a personal or private interest in a matter which also involves his duties and responsibilities as an employee, make certain that his actions do not have the effect or the appearance of the use of his official position for the furtherance of his own interests or those of his family or his business associates.

(c) The principal statutory provisions relating to bribery, graft, and conflicts of interest are contained in Chapter 11 of the Criminal Code, 18 U.S.C. 201-224. Severe penalties are provided for violations, including variously fine, imprisonment, dismissal from office, and disqualification from holding any office of honor, trust, or profit under the United States.

§ 100.735-9 Disqualification because of private financial interests.

(a) Unless authorized to do so as provided hereafter in this section, no employee shall participate personally and substantially as a Government employee in a particular matter in which to his knowledge he has a financial interest (18 U.S.C. 208).

(1) For the purposes of this section—

(i) An employee participates personally and substantially in a particular matter through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise;

(ii) A particular matter is a judicial or other proceeding, application, request for ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter; and

(iii) A financial interest is the interest of the employee himself or his

spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment.

(b) An employee who has a financial interest (other than a financial interest exempted under paragraph (c) of this section) in a particular matter which is within the scope of his official duties shall make a full disclosure of that interest to the Counselor for the agency in writing. He shall not participate in such matter unless and until he receives a written determination by the agency head pursuant to section 208 of Title 18, United States Code, that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect of him. If the agency head does not make such a determination he shall direct such remedial action as may be appropriate under the provisions of § 100.735-26.

(c) The financial interests described in this paragraph are hereby exempted pursuant to the provisions of section 208 of Title 18, United States Code, from the restrictions of paragraph (a) of this section and of section 208 of Title 18 as being too remote or inconsequential to affect the integrity of an employee's services in a matter.

(1) Stocks, bonds, policies, properties, or interests in a mutual fund, investment company, trust, bank, or insurance company, as to which the employee has no managerial control or directorship. In the case of a mutual fund or investment company, this exemption applies only where the assets of the fund or company are diversified; it does not apply where the fund or company advertises that it specializes in a particular industry or commodity.

(2) Interest in an investment club: *Provided*, That the fair value of the interest involved does not exceed \$5,000, and that the interest does not exceed one-fourth of the total assets of the investment club.

§ 100.735-10 Additional prohibitions—regular employees.

(a) In addition to the disqualification described in § 100.735-9, a regular em-

ployee is subject to the following major prohibitions.

(1) He may not, except in the discharge of his official duties, represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest. This prohibition applies both to paid and unpaid representation of another (18 U.S.C. 203 and 205).

(2) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)).

(3) He may not, for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U.S.C. 207(b)). (This temporary restraint is permanent if the matter is one in which he participated personally and substantially. See subparagraph (2) of this paragraph.)

(4) He may not receive any salary, or supplementation of his Government salary, from a private source as compensation for his services to the Government (18 U.S.C. 209). (See § 100.735-13.)

(b) Exemptions or exceptions from the prohibitions described in paragraph (a) of this section are permitted under certain circumstances. For the method of obtaining such exemptions or exceptions, see paragraph (d) of § 100.735-12.

§ 100.735-11 Additional prohibitions—special Government employees.

(a) In addition to the disqualification described in § 100.735-9, a special Government employee is subject to the following major prohibitions.

(1) He may not, except in the discharge of his official duties—

(i) Represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest and in which he has at any time participated personally and substantially for the Government (18 U.S.C. 203 and 205), or

(ii) Represent anyone else in a matter pending before his agency unless he served there no more than 60 days during the previous 365 (18 U.S.C. 203 and 205). He is bound by this restraint despite the fact that the matter is not one in which he has ever participated personally and substantially.

(2) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)).

(3) He may not, for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U.S.C. 207(b)). (This temporary restraint is permanent if the matter is one in which he participated personally and substantially. See subparagraph (2) of this paragraph.)

(b) Exemptions or exceptions from the prohibitions described in paragraph (a) of this section are permitted under certain circumstances; for the method of obtaining such exemptions or exceptions, see paragraph (d) of § 100.735-12.

§ 100.735-12 Exemptions and exceptions from prohibitions of conflict of interest statutes.

(a) Nothing in this subpart shall be deemed to prohibit an employee, if it is not otherwise inconsistent with the faithful performance of his duties, from acting without compensation as agent or attorney for any person in a disciplinary, loyalty, or other Federal personnel administration proceeding involving such person.

(b) Nothing in this subpart shall be deemed to prohibit an employee from acting, with or without compensation, as agent or attorney for his parents, spouse, child, or any person for whom, or for any estate for which, he is serving as guardian, executor, administrator, trustee or other personal fiduciary, except in those matters in which he has participated personally and substantially as a Government employee,

through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which are the subject of his official responsibility, as defined in section 202(b) of Title 18 of the United States Code, provided that the agency head approves.

(c) Nothing in this subpart shall be deemed to prohibit an employee from giving testimony under oath or from making statements required to be made under penalty for perjury or contempt.

(d) In addition to the exemptions and exceptions described in this section and in § 100.735-9, the conflict of interest statutes permit certain exemptions and exceptions in specific circumstances. The procedure for effecting such exemptions or exceptions is as follows:

(1) Any regular employee or special Government employee who desires approval or certification of his activities as provided for by section 205 of Title 18, United States Code, shall make application therefor in writing to the Counselor for the agency.

(2) A former employee, including a former special Government employee, who desires certification with regard to his activities under section 207 of Title 18, United States Code, shall make application therefor in writing to the Counselor for the agency.

(3) The Counselor for the agency shall report promptly to the agency head all matters reported to him under this subpart which require consideration of approvals, certifications, or determinations provided for in sections 205, 207, or 208 of Title 18, United States Code.

§ 100.735-13 Salary of employee payable only by United States.

(a) No employee, other than a special Government employee or an employee serving without compensation, shall receive any salary, or any contribution to or supplementation of salary, as compensation for his services as an employee, from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality (18 U.S.C. 209).

(b) Nothing in this subpart shall be deemed to prohibit an employee from

continuing to participate in a bona fide pension, retirement, group life, health, or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer nor from accepting contributions, awards, or other expenses under Chapter 41 of Title 5, United States Code (the former Government Employees Training Act).

§ 100.735-14 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from a person who:

- (1) Has, or is seeking to obtain, contractual or other business or financial relations with his agency;
- (2) Conducts operations or activities which are regulated by his agency; or
- (3) Has interests which may be substantially affected by the performance or nonperformance of his official duty.

(b) Notwithstanding paragraph (a) of this section, an employee may:

- (1) Accept a gift, gratuity, favor, entertainment, loan or other thing of monetary value from a friend, parent, spouse, child, or other close relative when the circumstances make it clear that the family or personal relationships involved are the motivating factors;
- (2) Accept food or refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour whom an employee may properly be in attendance;
- (3) Accept loans from banks or other financial institutions on customary terms to finance proper or usual activities of employees, such as home mortgage loans; and
- (4) Accept unsolicited advertising or promotional materials such as pens, pencils, note pads, calendars, or other items of nominal intrinsic value.

(c) An employee shall not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than

himself. An employee shall not make a donation as a gift to an employee in a superior official position (5 U.S.C. 7351). However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness or retirement.

(d) The Constitution (Art. 1, sec. 9, par. 8) prohibits acceptance from foreign governments, except with the consent of Congress, of any emolument, office, or title. The Congress has provided for the receipt and disposition of foreign gifts and decorations in 5 U.S.C. 7342. See also Executive Order 11320, 31 FR 15789, and the regulations pursuant thereto in 22 CFR part 3 (as added, 32 FR 6569). Any such gift or thing which cannot appropriately be refused shall be submitted to the Counselor for transmittal to the State Department.

§ 100.735-15 Outside employment and other activity.

(a) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of the duties and responsibilities of his Government employment. Incompatible activities include, but are not limited to:

- (1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, a conflict of interest; or
- (2) Outside employment which tends to impair the employee's mental or physical capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) Within the limitations imposed by this section, employees are encouraged to engage in teaching, lecturing, and writing. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the agency head gives written authorization for the use of non-public information on the basis that the use is in the

public interest. In addition, an employee who is a Presidential appointee covered by section 401(a) of Executive Order No. 11222 of May 8, 1965, shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of his agency, or which draws substantially on official data or ideas which have not become part of the body of public information.

(c) An employee shall not engage in outside employment under a State or local government, except in accordance with applicable regulations of the Civil Service Commission (part 734 of 5 CFR Ch. I).

(d) Neither this section nor § 100.735-14 precludes an employee from:

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this subpart and for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under agency orders when reimbursement is proscribed by Decision B-128527 of the Comptroller General dated March 7, 1967.

(2) Participation in the activities of national or State political parties not proscribed by law. (See paragraph (o) of § 100.735-22 regarding proscribed political activities.)

(3) Participation in the affairs of, or acceptance of an award for a meritorious public contribution or achievement given by, a charitable, religious, professional, social, fraternal, non-profit educational or recreational, public service, or civic organization.

(e) An employee who intends to engage in outside employment shall obtain the approval, through his official superior, of his agency head. A record of each approval under this paragraph shall be filed in the employee's official personnel folder.

(f) This section does not apply to special Government employees, who are subject to the provisions of § 100.735-23.

§ 100.735-16 Financial interests.

(a) An employee may not have financial interests which—

(1) Establish a substantial personal or private interest in a matter which involves his duties and responsibilities as an employee (an employee may not have financial interests, except as permitted by § 100.735-9(c) or authorized pursuant to § 100.735-12(d); or

(2) Are entered into in reliance upon, or as a result of, information obtained through his employment; or

(3) Result from active and continuous trading (as distinguished from the making of bona fide investments) which is conducted on such a scale as to interfere with the proper performance of his duties.

(b) Aside from the restrictions prescribed or cited in this subpart, employees are free to engage in lawful financial transactions to the same extent as private citizens. Employees should be aware that the financial interests of their wives of minor children and blood relatives who are full-time residents of their households may be regarded, for the purposes of this section, as financial interests of the employees themselves.

(c) This section does not apply to special Government employees, who are subject to the provisions of § 100.735-23.

§ 100.735-17 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property including equipment, supplies, and other property entrusted or issued to him.

§ 100.735-18 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in paragraph (b) of § 100.735-15, directly or indirectly use, or allow the use of, official information obtained through or in connection with

his Government employment which has not been made available to the general public.

§ 100.735–19 Indebtedness.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a *just financial obligation* means one acknowledged by the employee, or reduced to judgment by a court, and *in a proper and timely manner* means in a manner which his agency determines does not, under the circumstances, reflect adversely on the Government as his employer. In the event of dispute between an employee and an alleged creditor, this section does not require an agency to determine the validity or amount of the disputed debt.

§ 100.735–20 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or leased property or while on duty for the Government, in any gambling activity, including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket.

§ 100.735–21 General conduct prejudicial to the Government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

§ 100.735–22 Miscellaneous statutory provisions.

Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of his agency and of the Government. In particular, attention of employees is directed to the following statutory provisions:

(a) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned (see §§ 100.735–9, 100.735–10, and 100.735–11).

(b) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(c) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

(d) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(e) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783) and (2) the disclosure of confidential information (18 U.S.C. 1905).

(f) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(g) The prohibition against the misuse of a Government vehicle (31 U.S.C. 638a(c)).

(h) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(i) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 1917).

(j) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(k) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(l) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(m) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(n) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(o) The prohibition against political activities in subchapter III of chapter 73 of title 5, United States Code and 18 U.S.C. 602, 603, 607, and 608.

(p) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

§ 100.735-23 Conduct and responsibilities of special Government employees.

(a) A special Government employee shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person whether by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purposes of this section, *inside information* means information obtained under Government authority which has not become part of the body of public information.

(c) A special Government employee who engages in teaching, lecturing, or writing, whether for or without compensation, shall not for such purposes make use of information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the agency head gives written authorization for the use of nonpublic information on the basis that such use is in the public interest.

(d) A special Government employee shall not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

(e) Except as provided in paragraph (f) of this section, a special Government employee, while so employed or in connection with his employment, shall not receive or solicit from a person having business with his agency anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(f) Notwithstanding paragraph (e) of this section a special Government employee shall be allowed the same lati-

tude as is authorized for regular Government employees by paragraph (b) of § 100.735-14.

(g) Attention of special Government employees is directed to the provisions of § 100.735-3, making the provisions of this subpart generally applicable to their activities.

§ 100.735-24 Reporting of employment and financial interests—regular employees.

(a) Not later than 90 days after the effective date of this subpart, an employee designated in paragraph (d) of this section shall submit to his agency head a statement, on a form made available in the office of the Executive Clerk for the White House Office and the Counselor for each other agency, setting forth the following information:

(1) A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, non-profit organizations, and educational or other institutions with or in which he, his spouse, minor child or other member of his immediate household has—

(i) Any connection as an employee, officer, owner, director, member, trustee, partner, adviser or consultant; or

(ii) Any continuing financial interest, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or

(iii) Any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

However, an employee need not report any financial interest exempted under § 100.735-9(c) as too remote or inconsequential to affect the integrity of an employee's services in a matter.

(2) A list of the names of his creditors and the creditors of his spouse, minor child or other member of his immediate household, other than those creditors to whom they may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom they may be indebted for current and ordinary household and living expenses such as

those incurred for household furnishings, an automobile, education, vacations, or the like.

(3) A list of his interests and those of his spouse, minor child or other member of his immediate household in real property or rights in lands, other than property which he occupies as a personal residence.

(b) For the purpose of this section *member of his immediate household* means a full-time resident of the employee's household who is related to him by blood.

(c) Each employee designated in paragraph (d) of this section who enters on duty after the effective date of this subpart shall submit such statement not later than 30 days after the date of his entrance on duty, but not earlier than 90 days after the effective date of this subpart.

(d) Statements of employment and financial interests are required of the following:

(1) Employees paid at a level of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code, except a Presidential appointee required to file a statement of financial interests under section 401 of Executive Order No. 11222 of May 8, 1965.

(2) Employees in classified positions of grade GS-13 or above, or the equivalent thereof.

(e) Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement as of June 30 each year. If no changes or additions occur, a negative report is required. Notwithstanding the filing of the annual report required by this paragraph, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of 18 U.S.C. 208 or this subpart.

(f) If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit the information in his behalf.

(g) Paragraph (a) of this section does not require an employee to submit any information relating to his connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

(h) Each agency shall hold each statement of employment and financial interests in confidence. Each person designated to review a statement of employment and financial interests under section 100.735-26 is responsible for maintaining the statement in confidence and shall not allow access to, or allow information to be disclosed from, a statement except to carry out the purpose of this subpart. An agency may not disclose information from a statement except as the Civil Service Commission or the agency head may determine for good cause shown.

(i) The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

(j) An employee who believes that his position has been improperly included as one requiring the submission of a statement of employment and financial interests is entitled to obtain a review of his complaint under his agency's grievance procedure.

(k) This section does not apply to special Government employees, who are subject to the provisions of § 100.735-25.

§ 100.735-25 Reporting of employment and financial interests—special Government employees.

(a) A special Government employee shall submit to the agency head a statement of employment and financial interests which reports (1) all current Federal Government employment, (2) the names of all corporations, companies, firms, State of local governmental organizations, research organizations, and educational or other institutions in or for which he is an employee, officer, member, owner, trustee, director, adviser, or consultant, with or without compensation, (3) those financial interests which the agency determines are relevant in the light of the duties he is to perform, and (4) the names of all partnerships in which he is engaged.

(b) A statement required under this section shall be submitted at the time of employment and shall be kept current throughout the term of a special Government employee's service with an agency. A supplementary statement shall be submitted at the time of any reappointment; a negative report will suffice if no changes have occurred since the submission of the last statement.

§ 100.735-26 Reviewing statements of financial interests.

(a) A designee of the agency head shall review the statements required by §§ 100.735-24 and §§ 100.735-25 to determine whether there exists a conflict, or appearance of conflict, between the interests of the employee or special Government employee concerned and the performance of his service for the Government. If the designee determines that such a conflict or appearance of conflict exists, he shall provide the employee with an opportunity to explain the conflict or appearance of conflict. If he concludes that remedial action should be taken, he shall refer the statement to the agency head through the Counselor for the agency designated pursuant to § 100.735-6, with his recommendation for such action. The agency head, after consideration of the employee's explanation and such investigation as he deems appropriate shall direct appropriate remedial action if he deems it necessary.

(b) Remedial action pursuant to paragraph (a) of this section may include, but is not limited to:

- (1) Changes in assigned duties.
- (2) Divestment by the employee of his conflicting interest.
- (3) Disqualification for a particular action.
- (4) Exemption pursuant to paragraph (b) of § 100.735-9 or paragraph (d) of § 100.735-12.
- (5) Disciplinary action.

§ 100.735-27 Supplemental regulations or instructions.

An agency head may issue supplemental and implementing regulations or instructions not inconsistent with this subpart as necessary to carry out the full purpose and intent of Executive Order 11222 and this subpart as may be required by the particular circumstances of his agency. Such regulations or instructions may include but are not limited to, delegations of any authority allowed by law pertaining to the functions placed upon the agency head by this subpart. Such regulations or instructions must be made available to employees and special Government employees in the same manner as this subpart (see § 100.735-5).

Subpart B—Special Procedures; Counsel to the President

§ 100.735-31 Members of part-time committees, boards, and commissions.

(a) This section applies to each part-time member of a committee, board, or commission appointed by the President (referred to in this section as a Member).

(b) When the Counsel to the President determines that the functions and responsibilities of a committee, board, or commission are such that consistent with the policy and purpose of Executive Order 11222 the Members thereof should submit statements of employment and financial interests, he shall request each Member thereof to submit such a statement to the Chairman of the Civil Service Commission.

(c) A statement of employment and financial interests required under this section shall be submitted not later than 30 days after the Member's receipt

of the request therefor from the Counsel to the President, and shall be kept up to date by submission of amended statements of any changes in, or additions to, the information required to be included in the original statement, on a quarterly basis. The statement shall be submitted in the format prescribed by the Chairman of the Civil Service Commission.

(d) The Chairman of the Civil Service Commission shall review each statement of employment and financial interests and any amendment thereto submitted under this section and shall report to the Counsel to the President any information contained in a statement which may indicate a conflict between the financial interests of the Member concerned and the performance of his services for the Government.

§ 100.735-32 Special delegation of authority to the Counsel to the President.

The authority of the President under sections 205 and 208(b) of Title 18, United States Code, to permit certain actions by an officer or employee of the Government, including a special Government employee, for appointment to whose position the President is responsible, reserved to the President by section 505(c) of Executive Order 11222, is delegated to the Counsel to the President.

PART 101—PUBLIC INFORMATION PROVISIONS OF THE ADMINISTRATIVE PROCEDURES ACT

Sec.

- 101.1 Executive Office of the President.
- 101.2 Office of Management and Budget.
- 101.3 Office of Administration.
- 101.4 National Security Council.
- 101.5 Council on Environmental Quality.
- 101.6 Office of National Drug Control Policy.
- 101.7 Office of Science and Technology Policy.
- 101.8 Office of the United States Trade Representative.

AUTHORITY: 5 U.S.C. 552.

SOURCE: 40 FR 8061, Feb. 25, 1975 and 55 FR 46067, November 1, 1990, unless otherwise noted.

§ 101.1 Executive Office of the President.

Until further regulations are promulgated, the remainder of the entities within the Executive Office of the President, to the extent that 5 U.S.C. 552 is applicable, shall follow the procedures set forth in the regulations applicable to the Office of Management and Budget (5 CFR Ch. III). Requests for information from these other entities should be submitted directly to such entity.

§ 101.2 Office of Management and Budget.

Freedom of Information regulations for the Office of Management and Budget appear at 5 CFR Ch. III.

§ 101.3 Office of Administration.

Freedom of Information regulations for the Office of Administration appear at 5 CFR part 2502.

[55 FR 46037, Nov. 1, 1990]

§ 101.4 National Security Council.

Freedom of Information regulations for the National Security Council appear at 32 CFR Ch. XXI.

§ 101.5 Council on Environmental Quality.

Freedom of Information regulations for the Council on Environmental Quality appear at 40 CFR Ch. V.

[42 FR 65131, Dec. 30, 1977]

§ 101.6 Office of National Drug Control Policy.

Freedom of Information regulations for the Office of National Drug Control Policy appear at 21 CFR parts 1400-1499.

[55 FR 46037, Nov. 1, 1990]

§ 101.7 Office of Science and Technology Policy.

Freedom of Information regulations for the Office of Science and Technology Policy appear at 32 CFR part 2402.

[55 FR 46037, Nov. 1, 1990]

§ 101.8 Office of the United States Trade Representative.

Freedom of Information regulations for the Office of the United States

Trade Representative appear at 15 CFR part 2004.

[55 FR 46037, Nov. 1, 1990]

PART 102—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE EXECUTIVE OFFICE OF THE PRESIDENT

Sec.

- 102.101 Purpose.
- 102.102 Application.
- 102.103 Definitions.
- 102.104–102.109 [Reserved]
- 102.110 Self-evaluation.
- 102.111 Notice.
- 102.112–102.129 [Reserved]
- 102.130 General prohibitions against discrimination.
- 102.131–102.139 [Reserved]
- 102.140 Employment.
- 102.141–102.148 [Reserved]
- 102.149 Program accessibility: Discrimination prohibited.
- 102.150 Program accessibility: Existing facilities.
- 102.151 Program accessibility: New construction and alterations.
- 102.152–102.159 [Reserved]
- 102.160 Communications.
- 102.161–102.169 [Reserved]
- 102.170 Compliance procedures.
- 102.171–102.999 [Reserved]

AUTHORITY: 29 U.S.C. 794.

SOURCE: 53 FR 25879, July 8, 1988, unless otherwise noted.

§ 102.101 Purpose.

The purpose of this regulation is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.

§ 102.102 Application.

This regulation (§§ 102.101–102.170) applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with handicaps in the United States.

§ 102.103 Definitions.

For purposes of this regulation, the term—

Agency means, for purposes of this regulation only, the following entities in the Executive Office of the President: the White House Office, the Office of the Vice President, the Office of Management and Budget, the Office of Policy Development, the National Security Council, the Office of Science and Technology Policy, the Office of the United States Trade Representative, the Council on Environmental Quality, the Council of Economic Advisers, the Office of Administration, the Office of Federal Procurement Policy, and any committee, board, commission, or similar group established in the Executive Office of the President.

Agency head or head of the agency, as used in §§ 102.150(a)(3), 102.160(d) and 102.170 (i) and (j), shall be a three-member board which will include the Director, Office of Administration, the head of the Executive Office of the President, agency in which the issue needing resolution or decision arises and one other agency head selected by the two other board members. In the event that an issue needing resolution or decision arises within the Office of Administration, one of the board members shall be the Director of the Office of Management and Budget.

Assistant Attorney General means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

Auxiliary aids means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the agency. For example, auxiliary aids useful for persons with impaired vision include readers, Brailled materials, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, notetakers, written materials, and other similar services and devices.

Complete complaint means a written statement that contains the complainant's name and address and describes the agency's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of section 504. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

Facility means all or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other conveyances, or other real or personal property.

Historic preservation programs means programs conducted by the agency that have preservation of historic properties as a primary purpose.

Historic properties means those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under a statute of the appropriate State or local government body.

Individual with handicaps means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

As used in this definition, the phrase:

(1) *Physical or mental impairment* includes—

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or

(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional ill-

ness, and drug addiction and alcoholism.

(2) *Major life activities* includes functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) *Has a record of such an impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) *Is regarded as having an impairment* means—

(i) Has a physical or mental impairment that does not substantially limit major life activities but is treated by the agency as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by the agency as having such an impairment.

Qualified individual with handicaps means—

(1) With respect to preschool, elementary, or secondary education services provided by the agency, an individual with handicaps who is a member of a class of persons otherwise entitled by statute, regulation, or agency policy to receive education services from the agency;

(2) With respect to any other agency program or activity under which a person is required to perform services or to achieve a level of accomplishment, an individual with handicaps who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the agency can demonstrate would result in a fundamental alteration in its nature;

(3) With respect to any other program or activity, an individual with handicaps who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity; and

(4) “Qualified handicapped person” as that term is defined for purposes of employment in 29 CFR 1613.702(f), which is made applicable to this regulation by § 102.140.

Section 504 means section 504 of the Rehabilitation Act of 1973 (Pub. L. 93–112, 87 Stat. 394 (29 U.S.C. 794)), as amended by the Rehabilitation Act Amendments of 1974 (Pub. L. 93–516, 88 Stat. 1617); the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (Pub. L. 95–602, 92 Stat. 2955); and the Rehabilitation Act Amendments of 1986 (Pub. L. 99–506, 100 Stat. 1810). As used in this regulation, section 504 applies only to programs or activities conducted by Executive agencies and not to federally assisted programs.

Substantial impairment means a significant loss of the integrity of finished materials, design quality, or special character resulting from a permanent alteration.

§§ 102.104—102.109 [Reserved]

§ 102.110 Self-evaluation.

(a) The agency shall, by September 6, 1989, evaluate its current policies and practices, and the effects thereof, that do not or may not meet the requirements of this regulation and, to the extent modification of any such policies and practices is required, the agency shall proceed to make the necessary modifications.

(b) The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the self-evaluation process by submitting comments (both oral and written).

(c) The agency shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspection:

(1) A description of areas examined and any problems identified; and

(2) A description of any modifications made.

§ 102.111 Notice.

The agency shall make available to employees, applicants, participants, beneficiaries, and other interested persons such information regarding the

provisions of this regulation and its applicability to the programs or activities conducted by the agency, and make such information available to them in such manner as the head of the agency finds necessary to apprise such persons of the protections against discrimination assured them by section 504 and this regulation.

§§ 102.112—102.129 [Reserved]

§ 102.130 General prohibitions against discrimination.

(a) No qualified individual with handicaps shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

(b)(1) The agency, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap—

(i) Deny a qualified individual with handicaps the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified individual with handicaps an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified individual with handicaps with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;

(iv) Provide different or separate aid, benefits, or services to individuals with handicaps or to any class of individuals with handicaps than is provided to others unless such action is necessary to provide qualified individuals with handicaps with aid, benefits, or services that are as effective as those provided to others;

(v) Deny a qualified individual with handicaps the opportunity to participate as a member of planning or advisory boards;

(vi) Otherwise limit a qualified individual with handicaps in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service.

(2) The agency may not deny a qualified individual with handicaps the opportunity to participate in programs or activities that are not separate or different, despite the existence of permissibly separate or different programs or activities.

(3) The agency may not, directly or through contractual or other arrangements, utilize criteria or methods of administration the purpose or effect of which would—

(i) Subject qualified individuals with handicaps to discrimination on the basis of handicap; or

(ii) Defeat or substantially impair accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

(4) The agency may not, in determining the site or location of a facility, make selections the purpose or effect of which would—

(i) Exclude individuals with handicaps from, deny them the benefits of, or otherwise subject them to discrimination under any program or activity conducted by the agency; or

(ii) Defeat or substantially impair the accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

(5) The agency, in the selection of procurement contractors, may not use criteria that subject qualified individuals with handicaps to discrimination on the basis of handicap.

(6) The agency may not administer a licensing or certification program in a manner that subjects qualified individuals with handicaps to discrimination on the basis of handicap, nor may the agency establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with handicaps to discrimination on the basis of handicap. However, the programs or activities of entities that are licensed or certified by the agency are not, themselves, covered by this regulation.

(c) The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or Execu-

tive order to individuals with handicaps or the exclusion of a specific class of individuals with handicaps from a program limited by Federal statute or Executive order to a different class of individuals with handicaps is not prohibited by this regulation.

(d) The agency shall administer programs and activities in the most integrated setting appropriate to the needs of qualified individuals with handicaps.

§§ 102.131—102.139 [Reserved]

§ 102.140 Employment.

No qualified individual with handicaps shall, on the basis of handicap, be subject to discrimination in employment under any program or activity conducted by the agency. The definitions, requirements, and procedures of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791), as established by the Equal Employment Opportunity Commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities.

§ 102.141—102.148 [Reserved]

§ 102.149 Program accessibility: Discrimination prohibited.

Except as otherwise provided in § 102.150, no qualified individual with handicaps shall, because the agency's facilities are inaccessible to or unusable by individuals with handicaps, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

§ 102.150 Program accessibility: Existing facilities.

(a) *General.* The agency shall operate each program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with handicaps. This paragraph does not—

(1) Necessarily require the agency to make each of its existing facilities accessible to and usable by individuals with handicaps;

(2) In the case of historic preservation programs, require the agency to take any action that would result in a substantial impairment of significant

historic features of an historic property; or

(3) Require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with § 102.150(a) would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with handicaps receive the benefits and services of the program or activity.

(b) *Methods*—(1) *General*. The agency may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock, or any other methods that result in making its programs or activities readily accessible to and usable by individuals with handicaps. The agency is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. The agency, in making alterations to existing buildings, shall meet accessibility requirements to the extent compelled by the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), and any regulations implementing it. In choosing among available methods for meeting the requirements of this section, the

agency shall give priority to those methods that offer programs and activities to qualified individuals with handicaps in the most integrated setting appropriate.

(2) *Historic preservation programs*. In meeting the requirements of § 102.150(a) in historic preservation programs, the agency shall give priority to methods that provide physical access to individuals with handicaps. In cases where a physical alteration to an historic property is not required because of § 102.150(a) (2) or (3), alternative methods of achieving program accessibility include—

(i) Using audio-visual materials and devices to depict those portions of an historic property that cannot otherwise be made accessible;

(ii) Assigning persons to guide individuals with handicaps into or through portions of historic properties that cannot otherwise be made accessible; or

(iii) Adopting other innovative methods.

(c) *Time period for compliance*. The agency shall comply with the obligations established under this section by November 7, 1988, except that where structural changes in facilities are undertaken, such changes shall be made by September 6, 1991, but in any event as expeditiously as possible.

(d) *Transition plan*. In the event that structural changes to facilities will be undertaken to achieve program accessibility, the agency shall develop, by March 6, 1989, a transition plan setting forth the steps necessary to complete such changes. The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the development of the transition plan by submitting comments (both oral and written). A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum—

(1) Identify physical obstacles in the agency's facilities that limit the accessibility of its programs or activities to individuals with handicaps;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the official responsible for implementation of the plan.

§ 102.151 Program accessibility: New construction and alterations.

Each building or part of a building that is constructed or altered by, on behalf of, or for the use of the agency shall be designed, constructed, or altered so as to be readily accessible to and usable by individuals with handicaps. The definitions, requirements, and standards of the Architectural Barriers Act (42 U.S.C. 4151-4157), as established in 41 CFR 101-19.600 to 101-19.607, apply to buildings covered by this section.

§§ 102.152—102.159 [Reserved]

§ 102.160 Communications.

(a) The agency shall take appropriate steps to ensure effective communication with applicants, participants, personnel of other Federal entities, and members of the public.

(1) The agency shall furnish appropriate auxiliary aids where necessary to afford an individual with handicaps an equal opportunity to participate in, and enjoy the benefits of, a program or activity conducted by the agency.

(i) In determining what type of auxiliary aid is necessary, the agency shall give primary consideration to the requests of the individual with handicaps.

(ii) The agency need not provide individually prescribed devices, readers for personal use or study, or other devices of a personal nature.

(2) Where the agency communicates with applicants and beneficiaries by telephone, telecommunication devices for deaf persons (TDD's) or equally effective telecommunication systems shall be used to communicate with persons with impaired hearing.

(b) The agency shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence

and location of accessible services, activities, and facilities.

(c) The agency shall provide signage at a primary entrance to each of its inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each primary entrance of an accessible facility.

(d) This section does not require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with § 102.160 would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action required to comply with this section would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with handicaps receive the benefits and services of the program or activity.

§§ 102.161—102.169 [Reserved]

§ 102.170 Compliance procedures.

(a) Except as provided in paragraph (b) of this section, this section applies to all allegations of discrimination on the basis of handicap in programs and activities conducted by the agency.

(b) The agency shall process complaints alleging violations of section 504 with respect to employment according to the procedures established by the Equal Employment Opportunity

Commission in 29 CFR part 1613 pursuant to section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791).

(c) The Director, Facilities Management, Office of Administration, Executive Office of the President, shall be responsible for coordinating implementation of this section. Complaints may be sent to the Director at the following address: Room 486, Old Executive Office Building, 17th and Pennsylvania Ave. NW., Washington, DC 20500.

(d) The agency shall accept and investigate all complete complaints for which it has jurisdiction. All complete complaints must be filed within 180 days of the alleged act of discrimination. The agency may extend this time period for good cause.

(e) If the agency receives a complaint over which it does not have jurisdiction, it shall promptly notify the complainant and shall make reasonable efforts to refer the complaint to the appropriate Government entity.

(f) The agency shall notify the Architectural and Transportation Barriers Compliance Board upon receipt of any complaint alleging that a building or facility that is subject to the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), is not readily accessible to and usable by individuals with handicaps.

(g) Within 180 days of the receipt of a complete complaint for which it has jurisdiction, the agency shall notify the

complainant of the results of the investigation in a letter containing—

(1) Findings of fact and conclusions of law;

(2) A description of a remedy for each violation found; and

(3) A notice of the right to appeal.

(h) Appeals of the findings of fact and conclusions of law or remedies must be filed by the complainant within 90 days of receipt from the agency of the letter required by §102.170(g). The agency may extend this time for good cause.

(i) Timely appeals shall be accepted and processed by the head of the agency.

(j) The head of the agency shall notify the complainant of the results of the appeal within 60 days of the receipt of the request. If the head of the agency determines that additional information is needed from the complainant, he or she shall have 60 days from the date of receipt of the additional information to make his or her determination on the appeal.

(k) The time limits cited in paragraphs (g) and (j) of this section may be extended with the permission of the Assistant Attorney General.

(l) The agency may delegate its authority for conducting complaint investigations to other Federal agencies, except that the authority for making the final determination may not be delegated to another agency.

§§ 102.171—102.999 [Reserved]

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| 7102 | May 29 | Small Business Week, 1998 | 30103 |
| 7103 | May 30 | To Facilitate Positive Adjustment to Competition From Imports of Wheat Gluten. | 30359 |
| 7104 | June 5 | National Homeownership Week, 1998 | 31591 |
| 7105 | June 12 | Flag Day and National Flag Week, 1998 | 33229 |
| 7106 | June 17 | Father's Day, 1998 | 33833 |
| 7107 | June 30 | To Modify Duty-Free Treatment Under the Gener- alized System of Preferences. | 36531 |
| 7108 | July 13 | 50th Anniversary of the Integration of the Armed Services, 1998. | 38073 |
| 7109 | July 20 | Captive Nations Week, 1998 | 39475 |
| 7110 | July 24 | National Korean War Veterans Armistice Day, 1998. | 40353 |
| 7111 | July 24 | Parents' Day, 1998 | 40355 |
| 7112 | July 30 | Designation of American Heritage Rivers | 41949 |
| 7113 | July 31 | To Implement an Accelerated Schedule of Duty Elimination Under the North American Free Trade Agreement. | 41951 |
| 7114 | Aug. 5 | Designating Klondike Gold Rush International Historical Park. | 42563 |
| 7115 | Aug. 7 | Victims of the Bombing Incidents in Africa | 43061 |
| 7116 | Aug. 20 | Women's Equality Day, 1998 | 45165 |
| 7117 | Aug. 25 | Death of Lewis F. Powell, Jr. | 45931 |
| 7118 | Sept. 9 | America Goes Back to School, 1998 | 49261 |
| 7119 | Sept. 10 | Minority Enterprise Development Week, 1998 | 49263 |
| 7120 | Sept. 12 | Ovarian Cancer Awareness Week, 1998 | 49411 |
| 7121 | Sept. 15 | National Hispanic Heritage Month, 1998 | 49815 |
| 7122 | Sept. 15 | National Historically Black Colleges and Univer- sities Week, 1998. | 49817 |
| 7123 | Sept. 16 | Citizenship Day and Constitution Week, 1998 | 50449 |
| 7124 | Sept. 17 | National POW/MIA Recognition Day, 1998 | 50459 |
| 7125 | Sept. 18 | To Modify Certain Provisions of the Special Tex- tile and Apparel Regime Implemented Under the North American Free Trade Agreement. | 50739 |
| 7126 | Sept. 18 | National Farm Safety and Health Week, 1998 | 50743 |
| 7127 | Sept. 25 | Gold Star Mother's Day, 1998 | 52129 |
| 7128 | Sept. 29 | National Disability Employment Awareness Month, 1998. | 52957 |
| 7129 | Sept. 30 | National Domestic Violence Awareness Month, 1998. | 53271 |
| 7130 | Oct. 1 | National Breast Cancer Awareness Month, 1998 .. | 53541 |
| 7131 | Oct. 2 | Fire Prevention Week, 1998 | 53777 |
| 7132 | Oct. 5 | Child Health Day, 1998 | 54027 |
| 7133 | Oct. 5 | German-American Day, 1998 | 54029 |
| 7134 | Oct. 7 | National Day of Concern About Young People and Gun Violence, 1998. | 54551 |
| 7135 | Oct. 8 | Leif Erikson Day, 1998 | 55309 |
| 7136 | Oct. 9 | Columbus Day, 1998 | 55311 |
| 7137 | Oct. 9 | National School Lunch Week, 1998 | 55315 |
| 7138 | Oct. 9 | General Pulaski Memorial Day, 1998 | 55317 |
| 7139 | Oct. 9 | National Children's Day, 1998 | 55319 |

Table 1—Proclamations

| No. | Signature Date | Subject | 63 FR Page |
|-------------|----------------|---|-----------------|
| 1998 | | | |
| 7140 | Oct. 15 | White Cane Safety Day, 1998 | 55935 |
| 7141 | Oct. 16 | National Character Counts Week, 1998 | 56073 |
| 7142 | Oct. 16 | National Forest Products Week, 1998 | 56075 |
| 7143 | Oct. 23 | United Nations Day, 1998 | 57889 |
| 7144 | Oct. 29 | National American Indian Heritage Month, 1998 | 59199 |
| 7145 | Oct. 29 | National Adoption Month, 1998 | 59203 |
| 7146 | Nov. 9 | Veterans Day, 1998 | 63121 |
| 7147 | Nov. 17 | National Farm-City Week, 1998 | 64405 |
| 7148 | Nov. 17 | Thanksgiving Day, 1998 | 64407 |
| 7149 | Nov. 19 | National Great American Smokeout Day, 1998 | 64839 |
| 7150 | Nov. 20 | World Fisheries Day, 1998 | 65511 |
| 7151 | Nov. 20 | National Family Caregivers Week, 1998 | 65513 |
| 7152 | Nov. 20 | National Family Week, 1998 | 65515 |
| 7153 | Dec. 1 | World AIDS Day, 1998 | 66977, 67724 |
| 7154 | Dec. 3 | To Terminate Temporary Duties on Imports of Broom Corn Brooms. | 67761 |
| 7155 | Dec. 4 | National Drunk and Drugged Driving Prevention Month, 1998. | 67765 |
| 7156 | Dec. 4 | National Pearl Harbor Remembrance Day, 1998 ... | 67767 |
| 7157 | Dec. 7 | Death of Albert Gore, Sr. | 68149 |
| 7158 | Dec. 10 | Human Rights Day, Bill of Rights Day, and Human Rights Week, 1998. | 68989 |
| 7159 | Dec. 11 | National Children's Memorial Day, 1998 | 69173 |
| 7160 | Dec. 17 | Wright Brothers Day, 1998 | 70629 |
| 7161 | Dec. 23 | Extending United States Copyright Protections to the Works of the Socialist Republic of Vietnam. | 71571 |

Table 2—EXECUTIVE ORDERS

| No. | Signature Date | Subject | 63 FR Page |
|-------------|----------------|--|------------|
| 1998 | | | |
| 13072 | Feb. 2 | White House Millennium Council | 6041 |
| 13073 | Feb. 4 | Year 2000 Conversion | 6467 |
| 13074 | Feb. 9 | Amendment to Executive Order 12656 | 7277 |
| 13075 | Feb. 19 | Special Oversight Board for Department of Defense Investigations of Gulf War Chemical and Biological Incidents. | 9085 |
| 13076 | Feb. 24 | Ordering the Selected Reserve of the Armed Forces to Active Duty. | 9719 |
| 13077 | Mar. 10 | Further Amendment to Executive Order 13010, Critical Infrastructure Protection. | 12381 |
| 13078 | Mar. 13 | Increasing Employment of Adults With Disabilities. | 13111 |
| 13079 | Apr. 7 | Waiver Under the Trade Act of 1974 With Respect to Vietnam. | 17309 |
| 13080 | Apr. 7 | American Heritage Rivers Initiative Advisory Committee. | 17667 |
| 13081 | Apr. 30 | Amendment to Executive Order No. 13038, Advisory Committee on Public Interest Obligations of Digital Television Broadcasters. | 24385 |
| 13082 | May 8 | Joint Mexican-United States Defense Commission | 26709 |
| 13083 | May 14 | Federalism | 27651 |
| 13084 | May 14 | Consultation and Coordination With Indian Tribal Governments. | 27655 |
| 13085 | May 26 | Establishment of the Enrichment Oversight Committee. | 29335 |
| 13086 | May 27 | 1998 Amendments to the Manual for Courts-Martial, United States. | 30065 |
| 13087 | May 28 | Further Amendment to Executive Order 11478, Equal Employment Opportunity in the Federal Government. | 30097 |
| 13088 | June 9 | Blocking Property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting New Investment in the Republic of Serbia in Response to the Situation in Kosovo. | 32109 |
| 13089 | June 11 | Coral Reef Protection | 32701 |
| 13090 | June 29 | President's Commission on the Celebration of Women in American History. | 36151 |
| 13091 | June 29 | Administration of Arms Export Controls and Foreign Assistance. | 36153 |
| 13092 | July 24 | President's Information Technology Advisory Committee, Amendments to Executive Order 13035. | 40167 |
| 13093 | July 27 | American Heritage Rivers, Amending Executive Orders 13061 and 13080. | 40357 |

Title 3—The President

| No. | Signature Date | Subject | 63 FR Page |
|-------------|----------------|---|---------------|
| 1998 | | | |
| 13094 | July 28 | Proliferation of Weapons of Mass Destruction | 40803 |
| 13095 | Aug. 5 | Suspension of Executive Order 13083 | 42565 |
| 13096 | Aug. 6 | American Indian and Alaska Native Education | 42681 |
| 13097 | Aug. 7 | Interparliamentary Union | 43065 |
| 13098 | Aug. 18 | Blocking Property of UNITA and Prohibiting Certain Transactions With Respect to UNITA. | 44771 |
| 13099 | Aug. 20 | Prohibiting Transactions With Terrorists Who Threaten To Disrupt the Middle East Peace Process. | 45167 |
| 13100 | Aug. 25 | President's Council on Food Safety | 45661 |
| 13101 | Sept. 14 | Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition. | 49643 |
| 13102 | Sept. 25 | Further Amendment to Executive Order 13038, Advisory Committee on Public Interest Obligations of Digital Television Broadcasters. | 52125 |
| 13103 | Sept. 30 | Computer Software Piracy | 53273 |
| 13104 | Oct. 19 | Amendment to Executive Order 13021, Tribal Colleges and Universities. | 56535 |
| 13105 | Nov. 2 | Open Enrollment Season for Participants in the Foreign Service Retirement and Disability System and the Central Intelligence Agency Retirement and Disability System. | 60201 |
| 13106 | Dec. 7 | Adjustments of Certain Rates of Pay and Delegation of a Federal Pay Administration Authority. | 68151 |
| 13107 | Dec. 10 | Implementation of Human Rights Treaties | 68991 |
| 13108 | Dec. 11 | Further Amendment to Executive Order 13037, Commission To Study Capital Budgeting. | 69175 |
| 13109 | Dec. 17 | Half-Day Closing of Executive Departments and Agencies of the Federal Government on Thursday, December 24, 1998. | 70631 |

Table 3—OTHER PRESIDENTIAL DOCUMENTS

| Signature Date | Subject | 63 FR Page |
|----------------|--|------------|
| 1998 | | |
| Jan. 2 | Notice: Continuation of Libyan Emergency | 653 |
| Jan. 6 | Presidential Determination No. 98-9: Designation of Argentina as a Major Non-NATO Ally. | 3635 |
| Jan. 12 | Presidential Determination No. 98-10: Certification Pursuant to Section (b)(1) of Public Law 99-183 and to Section 902(a)(6)(B) of Public Law 101-246. | 3447 |
| Jan. 21 | Notice: Continuation of Emergency Regrading Terrorists Who Threaten To Disrupt the Middle East Peace Process. | 3445 |
| Jan. 28 | Presidential Determination No. 98-12: Determination Pursuant to Section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118). | 6469 |
| Jan. 30 | Presidential Determination No. 98-13: Renewal of Trade Agreement With the People's Republic of China. | 5857 |
| Feb. 3 | Message to Congress transmitting budget rescissions and deferrals. | 7004 |
| Feb. 9 | Presidential Determination No. 98-14: U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO). | 9399 |
| Feb. 20 | Message to Congress transmitting budget rescissions and deferrals. | 10076 |
| Feb. 25 | Notice: Continuation of the National Emergency Relating to Cuba and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Vessels. | 9923 |
| Feb. 26 | Presidential Determination No. 98-15: Certification for Major Illicit Drug Producing and Drug Transit Countries. | 12937 |
| Mar. 4 | Notice: Continuation of Iran Emergency | 11099 |
| Mar. 4 | Presidential Determination No. 98-16: Vietnamese Cooperation in Accounting for United States Prisoners of War and Missing in Action (POW/MIA). | 13109 |
| Mar. 5 | Memorandum: Delegation of Authority With Respect to Reporting Obligations Regarding Counterterrorism and Antiterrorism Programs and Activities. | 12377 |
| Mar. 9 | Presidential Determination No. 98-17: Presidential Determination on Section 402(c)(2)(A) of the Trade Act of 1974—Vietnam. | 14329 |
| Mar. 9 | Presidential Determination No. 98-18: Presidential Determination Under Subsection 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended—Vietnam. | 14331 |
| Mar. 13 | Presidential Determination No. 98-19: Military Drawdown for Jordan. | 14019 |
| Apr. 3 | Presidential Determination No. 98-20: Use of Nonproliferation, Anti-Terrorism, Demining and Related Programs Account Funds for the U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO). | 18815 |

Title 3—The President

| Signature Date | Subject | 63 FR Page |
|----------------|---|------------|
| 1998 | | |
| Apr. 28 | Presidential Determination No. 98-21: Presidential Determination on the Proposed Agreement for Cooperation Between the United States of America and Ukraine Concerning Peaceful Uses of Nuclear Energy. | 26419 |
| May 13 | Presidential Determination No. 98-22: Sanctions Against India for Detonation of a Nuclear Explosive Device. | 27665 |
| May 18 | Notice: Continuation of Emergency With Respect to Burma | 27661 |
| May 23 | Presidential Determination No. 98-23: Assistance Program for the Government of the Russian Federation. | 30365 |
| May 28 | Notice: Continuation of Emergency With Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs. | 29527 |
| May 29 | Presidential Determination No. 98-24: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended. | 31879 |
| May 30 | Memorandum: Action Under Section 203 of the Trade Act of 1974 Concerning Wheat Gluten. | 30363 |
| May 30 | Presidential Determination No. 98-25: Sanctions Against Pakistan for Detonation of a Nuclear Explosive Device. | 31881 |
| June 1 | Memorandum: Plain Language in Government Writing | 31885 |
| June 3 | Presidential Determination No. 98-26: Determination Under Section 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority. | 32705 |
| June 3 | Presidential Determination No. 98-27: Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority. | 32707 |
| June 3 | Presidential Determination No. 98-28: Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority. | 32709 |
| June 3 | Presidential Determination No. 98-29: Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization. | 32711 |
| June 15 | Presidential Determination No. 98-30: Report to Congress Regarding Conditions in Burma and U.S. Policy Toward Burma. | 34255 |
| June 19 | Presidential Determination No. 98-31: Presidential Determination on U.S. Assistance to the Korean Peninsula Energy Development Organization (KEDO). | 36149 |
| July 8 | Memorandum: Delegation of Authority Under Section 1406(b) of the National Defense Authorization Act for Fiscal Year 1998. | 38277 |
| July 15 | Presidential Determination No. 98-33: Presidential Determination on the Proposed Agreement for Cooperation Between the Government of the United States of America and the Government of Romania Concerning Peaceful Uses of Nuclear Energy. | 39695 |
| July 24 | Message to Congress transmitting budget rescissions and deferrals. | 41303 |
| July 28 | Notice: Continuation of Iraqi Emergency | 41175 |
| Aug. 13 | Notice: Continuation of Emergency Regarding Export Control Regulations. | 44121 |
| Sept. 9 | Presidential Determination No. 98-34: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended. | 50453 |

Table 3—Other Presidential Documents

| Signature Date | Subject | 63 FR Page |
|----------------|--|------------|
| 1998 | | |
| Sept. 11 ... | Presidential Determination No. 98–35: Extension of the Exercise of Certain Authorities Under the Trading With the Enemy Act. | 50455 |
| Sept. 23 ... | Notice: Continuation of Emergency With Respect to UNITA | 51509 |
| Sept. 25 ... | Presidential Determination No. 98–36: Presidential Determination on Classified Information Concerning the Air Force’s Operating Location Near Groom Lake, Nevada. | 56921 |
| Sept. 29 ... | Presidential Determination No. 98–37: Use of \$10 Million in Nonproliferation, Anti-Terrorism, Demining and Related Programs Account Funds and \$5 Million in Economic Support Funds for a U.S. Contribution to the Korean Peninsula Development Organization (KEDO). | 54031 |
| Sept. 29 ... | Presidential Determination No. 98–38: Presidential Determination Pursuant to Section 582(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998, on Withholding Assistance to the Government of Chad. | 54033 |
| Sept. 30 ... | Presidential Determination No. 98–39: Presidential Determination on FY 1999 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), Respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended. | 55001 |
| Sept. 30 ... | Presidential Determination No. 98–40: Transfer of Funds To Support Court To Try Accused Perpetrators of Pan Am 103 Bombing. | 55003 |
| Sept. 30 ... | Presidential Determination No. 98–41: Drawdown Under Section 506(a)(2) of the Foreign Assistance Act To Provide Counternarcotics Assistance to Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Honduras, Jamaica, Mexico, Peru, Trinidad and Tobago, and the Countries of the Eastern Caribbean. | 54035 |
| Oct. 19 | Notice: Continuation of Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia. | 56079 |
| Oct. 21 | Presidential Determination No. 99–1: Determination To Waive Requirements Relating to Blocked Property of Terrorist-List States. | 59201 |
| Oct. 22 | Message to Congress transmitting budget rescissions and deferrals. | 63949 |
| Oct. 27 | Memorandum: Report to the Congress Regarding Conditions in Burma and U.S. Policy Toward Burma. | 63123 |
| Oct. 27 | Notice: Continuation of Emergency With Respect to Sudan | 58617 |
| Nov. 6 | Presidential Determination No. 99–3: Drawdown Under Section 506(a)(2)(A)(i)(II) of the Foreign Assistance Act of 1961, as Amended To Provide Emergency Disaster Relief Assistance for Honduras, Nicaragua, El Salvador, and Guatemala. | 64169 |
| Nov. 9 | Notice: Continuation of Iran Emergency | 63125 |
| Nov. 12 ... | Notice: Continuation of Emergency Regarding Weapons of Mass Destruction. | 63589 |

Title 3—The President

| Signature Date | Subject | 63 FR Page |
|----------------|--|-----------------|
| 1998 | | |
| Nov. 14 | Presidential Determination No. 99-4: Drawdown Under Section 506(a)(2)(A)(i)(II) of the Foreign Assistance Act To Provide Emergency Disaster Relief Assistance for Honduras, Nicaragua, El Salvador, and Guatemala. | 65995 |
| Nov. 16 | Memorandum: Delegation of Authority Under Section 5(d)(2) of the International Anti-Bribery and Fair Competition Act of 1998. | 65997 |
| Nov. 25 | Presidential Determination No. 99-5: Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization. | 68145, 68829 |
| Dec. 8 | Presidential Determination No. 99-8: Assistance Program for the New Independent States of the Former Soviet Union. | 70309 |

| Signature Date | Subject | 64 FR Page |
|----------------|---|------------|
| 1998 | | |
| Dec. 24 | Presidential Determination No. 99-9: Use of \$12 Million in Economic Support Funds for a U.S. Contribution to the Korean Peninsula Development Organization (KEDO). | 983 |
| Dec. 30 | Notice: Continuation of Libyan Emergency | 383 |

**Table 4—PRESIDENTIAL DOCUMENTS AFFECTED
DURING 1998**

Editorial note: The following abbreviations are used in this table:

| | |
|--------------|--|
| EO | Executive Order |
| FR | Federal Register |
| PLO | Public Land Order (43 CFR, Appendix to Chapter II) |
| Proc. | Proclamation |
| Pub. L. | Public Law |
| Stat. | U.S. Statutes at Large |
| WCPD | Weekly Compilation of Presidential Documents |

Proclamations

| <i>Date or Number</i> | <i>Comment</i> |
|-----------------------|--|
| Feb. 11, 1916 | See Pub. L. 105-376 (sec. 2) |
| 1191 | See Pub. L. 105-376 (sec. 2) |
| 2416 | See Pub. L. 105-321 (sec. 4) |
| 3388 | See Pub. L. 105-376 (sec. 2) |
| 3539 | See Pub. L. 105-376 (sec. 2) |
| 6636 | Terminated by Department of State Public Notice No. 2932 (63 FR 64139) |
| 6641 | Modified by Proc. 7113; See Proc. 7154 |
| 6857 | See 63 FR 11946 |
| 6867 | See Notice of Feb. 25, p. 243 |
| 6961 | See Proc. 7154 |
| 6969 | See Proc. 7154 |
| 7107 | See Office of the U.S. Trade Representative notice (63 FR 37163) |

Executive Orders

| <i>Date or Number</i> | <i>Comment</i> |
|------------------------|---|
| April 3, 1847 | Revoked in part by PLO 7353 (63 FR 42061) |
| December 9, 1852 | Revoked in part by PLO 7353 (63 FR 42061); PLO 7374 (63 FR 69646) |

Title 3—The President

Executive Orders—Continued

| <i>Date or Number</i> | <i>Comment</i> |
|-------------------------|---|
| July 2, 1910 | Revoked in part by PLO 7310 (63 FR 2260, 24189); PLO 7324 (63 FR 17014); PLO 7326 (63 FR 19745); PLO 7332 (63 FR 30250); PLO 7344 (63 FR 35941) |
| July 9, 1910 | Revoked in part by PLO 7346 (63 FR 34921) |
| July 10, 1910 | Revoked in part by PLO 7324 (63 FR 17014) |
| October 29, 1910 | Revoked by PLO 7328 (63 FR 25231) |
| November 23, 1911 | Revoked in part by PLO 7332 (63 FR 30250) |
| April 16, 1912 | Revoked in part by PLO 7324 (63 FR 17014) |
| April 19, 1912 | Revoked in part by PLO 7330 (63 FR 28516) |
| October 18, 1912 | Revoked by PLO 7352 (63 FR 41862) |
| October 22, 1912 | Revoked in part by PLO 7324 (63 FR 17014) |
| December 14, 1912 | Revoked by PLO 7352 (63 FR 41862) |
| December 17, 1912 | Revoked in part by PLO 7324 (63 FR 17014) |
| January 29, 1913 | Revoked in part by PLO 7324 (63 FR 17014) |
| February 18, 1913 | Revoked in part by PLO 7324 (63 FR 17014) |
| May 19, 1913 | Revoked in part by PLO 7363 (63 FR 49710) |
| July 1, 1913 | Revoked in part by PLO 7324 (63 FR 17014) |
| July 10, 1913 | Revoked in part by PLO 7324 (63 FR 17014) |
| July 24, 1913 | Revoked in part by PLO 7330 (63 FR 28516) |
| October 22, 1913 | Revoked in part by PLO 7324 (63 FR 17014) |
| January 13, 1914 | Revoked in part by PLO 7324 (63 FR 17014) |
| February 25, 1914 | Revoked in part by PLO 7324 (63 FR 17014); Revoked by PLO 7355 (63 FR 45860) |
| March 21, 1914 | Revoked in part by PLO 7330 (63 FR 28516) |
| April 21, 1914 | Revoked in part by PLO 7324 (63 FR 17014) |
| February 11, 1915 | Revoked by PLO 7338 (63 FR 30774) |

Table 4—Presidential Documents Affected

Executive Orders—Continued

| <i>Date or Number</i> | <i>Comment</i> |
|--------------------------|---|
| February 23, 1915 | Revoked in part by PLO 7324 (63 FR 17014) |
| May 14, 1915 | Revoked in part by PLO 7317 (63 FR 7824) |
| February 19, 1916 | Revoked in part by PLO 7330 (63 FR 28516) |
| August 2, 1916 | Revoked in part by PLO 7330 (63 FR 28516); PLO 7347 (63 FR 35941) |
| October 13, 1916 | Revoked by PLO 7334 (63 FR 29426) |
| November 5, 1916 | Revoked in part by PLO 7363 (63 FR 49710) |
| August 16, 1917 | Revoked by PLO 7350 (63 FR 41587) |
| September 22, 1917 | Revoked in part by PLO 7363 (63 FR 49710) |
| December 12, 1917 | Revoked by PLO 7327 (63 FR 29426) |
| September 10, 1918 | Revoked in part by PLO 7324 (63 FR 17014) |
| February 25, 1919 | Revoked in part by PLO 7330 (63 FR 28516) |
| May 6, 1919 | Revoked in part by PLO 7363 (63 FR 49710) |
| October 27, 1920 | Revoked in part by PLO 7330 (63 FR 28516) |
| April 17, 1926 | Revoked in part by PLO 7332 (63 FR 30250); Modified and revoked in part by PLO 7356 (63 FR 45858) |
| March 9, 1927 | Revoked in part by PLO 7330 (63 FR 28516) |
| February 14, 1933 | Revoked in part by PLO 7330 (63 FR 28516) |
| March 3, 1933 | Revoked in part by PLO 7330 (63 FR 28516) |
| November 16, 1933 | Revoked in part by PLO 7330 (63 FR 28516) |
| June 15, 1934 | Revoked in part by PLO 7330 (63 FR 28516) |
| 1819 | See Department of the Interior notice (63 FR 32676) |
| 5327 | See Bureau of Land Management notice (63 FR 46803) |
| 5907 | Modified and revoked in part by PLO 7364 (63 FR 49710) |
| 6582 | Revoked by Pub. L. 105-312 (sec. 203) |
| 6614 | See Pub. L. 105-225 (sec. 2111) |
| 7523 | See Pub. L. 105-321 (sec. 4) |

Title 3—The President

Executive Orders—Continued

| <i>Date or Number</i> | <i>Comment</i> |
|-----------------------|---|
| 7722 | Revoked in part by PLO 7369 (63 FR 58064) |
| 7895 | See Pub. L. 105-321 (sec. 4) |
| 8152 | Revoked by Pub. L. 105-312 (sec. 204) |
| 8648 | Revoked by Pub. L. 105-312 (sec. 203) |
| 9080 | Amended by EO 13082 |
| 9981 | See Proc. 7108; Pub. L. 105-355 (sec. 302) |
| 10057 | See Pub. L. 105-225 (sec. 2111) |
| 10087 | See Pub. L. 105-225 (sec. 2111) |
| 10692 | See EO 13082 |
| 11246 | See Department of the Interior notice (63 FR 60380) |
| 11478 | Amended by EO 13087 |
| 11958 | Amended by EO 13091 |
| 12163 | Amended by EO 13091; Revoked in part by Pub. L. 105-277 (sec. 1422) |
| 12170 | See Notice of Nov. 9, p. 304 |
| 12377 | See EO 13082 |
| 12473 | Amended by EO 13086 |
| 12484 | See EO 13086 |
| 12543 | See Notices of Jan. 2, p. 239; Dec. 30, p. 307 |
| 12544 | See Notices of Jan. 2, p. 239; Dec. 30, p. 307 |
| 12550 | See EO 13086 |
| 12586 | See EO 13086 |
| 12612 | Revoked by EO 13083 |
| 12656 | Amended by EO 13074 |
| 12708 | See EO 13086 |
| 12722 | See Notice of July 28, p. 294 |
| 12724 | See Notice of July 28, p. 294 |
| 12748 | Amended by EO 13106 |
| 12767 | See EO 13086 |
| 12808 | See Notice of May 28, p. 285 |
| 12810 | See Notice of May 28, p. 285 |
| 12831 | See Notice of May 28, p. 285 |
| 12843 | See EO 13101 |
| 12845 | See EO 13101 |
| 12846 | See Notice of May 28, p. 285 |
| 12856 | See EO 13101 |
| 12865 | See EO 13098; Notice of Sept. 23, p. 296 |
| 12866 | Supplemented by EO's 13083, 13084 |
| 12873 | Revoked by EO 13101 |
| 12875 | Revoked by EO 13083 |

Table 4—Presidential Documents Affected

Executive Orders—Continued

| <i>Date or Number</i> | <i>Comment</i> |
|-----------------------|---|
| 12884 | Revoked in part by Pub. L. 105-277 (sec. 1422) |
| 12888 | See EO 13086 |
| 12902 | See EO 13101 |
| 12924 | See Notice of Aug. 13, p. 294 |
| 12934 | See Notice of May 28, p. 285 |
| 12936 | See EO 13086 |
| 12938 | Amended by EO 13094; See Notice of Nov. 12, p. 305 |
| 12947 | Amended by EO 13099; See Notice of Jan. 21, p. 241 |
| 12957 | See Notice of Mar. 4, p. 276 |
| 12959 | See Notice of Mar. 4, p. 276 |
| 12960 | See EO 13086 |
| 12969 | See EO 13101 |
| 12978 | See Notice of Oct. 19, p. 301 |
| 12988 | Supplemented by EO's 13083, 13084; See Pub. L. 105-156 (sec. 4) |
| 13010 | Amended by EO 13077 |
| 13011 | See EO 13103 |
| 13021 | Amended by EO 13104 |
| 13031 | See EO 13101 |
| 13035 | Amended by EO 13092 |
| 13037 | Amended by EO 13108 |
| 13038 | Amended by EO's 13081, 13102 |
| 13047 | See Notice of May 18, p. 281 |
| 13059 | See Notice of Mar. 4, p. 276 |
| 13061 | Amended by EO 13093; See Proc. 7112 |
| 13067 | See Notice of Oct. 27, p. 303 |
| 13069 | See Notice of Sept. 23, p. 296 |
| 13071 | Superseded by EO 13106 |
| 13080 | Amended by EO 13093; See Proc. 7112 |
| 13083 | Suspended by EO 13095; See EO 13084; Pub. L. 105-276 (sec. 425) |
| 13084 | See EO 13083 |
| 13093 | See Proc. 7112 |
| 13096 | See Department of Education notice (63 FR 52246) |
| 13098 | See Notice of Sept. 23, p. 296 |

Other Presidential Documents

| <i>Date or Number</i> | <i>Comment</i> |
|-------------------------------------|----------------------------------|
| Memorandum of April 29, 1994 | Supplemented by EO 13084 |
| Memorandum of August 10, 1995 | See GSA notice (63 FR 10631) |
| Memorandum of July 16, 1997 | See EPA final rule (63 FR 57364) |

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| Presidential Determination No. 85-14 .. | Amended by Presidential Determination No. 98-32 (WCPD, Vol. 34, No. 26, p. 1181) |
| Presidential Determination No. 92-41 .. | See Presidential Determination No. 98-32 (WCPD, Vol. 34, No. 26, p. 1181) |
| Presidential Determination No. 95-42 .. | Revoked by Presidential Determination No. 98-32 (WCPD, Vol. 34, No. 26, p. 1181) |
| Presidential Determination No. 96-7 | See Notice of May 28, p. 285 |
| Presidential Determination No. 97-32 .. | See Presidential Determination No. 98-35, p. 295 |
| Presidential Determination No. 98-36 .. | See Department of the Air Force notice (63 FR 56921) |
| Reorganization Plan No. 2 of 1979 | Revoked by Pub. L. 105-277 (sec. 1422) |

Table 5—STATUTES CITED AS AUTHORITY FOR PRESIDENTIAL DOCUMENTS

Editorial note: Statutes which were cited as authority for the issuance of Presidential documents contained in this volume are listed under one of these headings. For authority cites for hortatory proclamations, see the text of each proclamation:

United States Code
United States Statutes at Large
Public Laws
Short Title of Act

Citations have been set forth in the style in which they appear in the documents. Since the form of citations varies from document to document, users of this table should search under all headings for pertinent references.

UNITED STATES CODE

| <i>U.S. Code Citation</i> | <i>Presidential Document</i> |
|---|---|
| 2 U.S.C. 31 | EO 13106 |
| 3 U.S.C. 104 | EO 13106 |
| 3 U.S.C. 301 | Procs. 7103, 7125; EO's 13088, 13091, 13094, 13098, 13099; Memorandums of Mar. 5, p. 278; July 8, p. 293; Nov. 16, p. 306 |
| 5 U.S.C. 5303(a) | EO 13106 |
| 5 U.S.C. 5304 | EO 13106 |
| 5 U.S.C. 5312–5318 | EO 13106 |
| 5 U.S.C. 5332(a) | EO 13106 |
| 5 U.S.C. 5382 | EO 13106 |
| 5 U.S.C. App. | EO's 13075, 13080, 13090, 13104 |
| 8 U.S.C. 1101(a)(42), 1157, 1158, 1159(b). | Presidential Determination No. 98–39, p. 298 |
| 8 U.S.C. 1182(f), 1185 | Proc. 7062 |
| 10 U.S.C. 121, 12304 .. | EO 13076 |
| 10 U.S.C. 801–946 | EO 13086 |
| 16 U.S.C. 1 <i>et seq.</i> | EO 13089 |
| 16 U.S.C. 668dd-ee | EO 13089 |
| 16 U.S.C. 1431 <i>et seq.</i> | EO 13089 |
| 16 U.S.C. 1451 <i>et seq.</i> | EO 13089 |
| 16 U.S.C. 1801 <i>et seq.</i> | EO 13089 |
| 17 U.S.C. 104(b)(5), 104A(g). | Proc. 7161 |
| 19 U.S.C. 2252 | Proc. 7154 |
| 19 U.S.C. 2253 | Proc. 7103; Memorandum of May 30, p. 287 |

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| 19 U.S.C. 2254 | Proc. 7154 |
| 19 U.S.C. 2432(c)(2) ... | EO 13079; Presidential Determination No. 98-17, p. 279 |
| 19 U.S.C. 2432(d)(1) ... | Presidential Determination Nos. 98-26, p. 290; 98-27, p. 290; 98-28, p. 291 |
| 19 U.S.C. 2435(b)(1)(B). | Presidential Determination No. 98-13, p. 242 |
| 19 U.S.C. 2483 | Procs. 7103, 7107, 7113, 7154 |
| 19 U.S.C. 3331(b) | Proc. 7113 |
| 22 U.S.C. 287 | EO 13098 |
| 22 U.S.C. 288 | EO 13097 |
| 22 U.S.C. 2318(a)(2) ... | Presidential Determination Nos. 98-41, p. 300; 99-3, p. 304; 99-4, p. 305 |
| 22 U.S.C. 2364(a)(1) ... | Presidential Determination Nos. 98-20, p. 280; 98-31, p. 292; 98-37, p. 297; 99-9, p. 307 |
| 22 U.S.C. 2601(b)(2) ... | Presidential Determination No. 98-39, p. 298 |
| 22 U.S.C. 2601(c)(1) ... | Presidential Determination Nos. 98-24, p. 286; 98-34, p. 295 |
| 22 U.S.C. 2751 <i>et seq.</i> | EO 13094 |
| 22 U.S.C. 3963 | EO 13106 |
| 22 U.S.C. 4067 | EO 13105 |
| 28 U.S.C. 5, 44(d), 135, 252, 461(a). | EO 13106 |
| 33 U.S.C. 1251 <i>et seq.</i> | EO 13089 |
| 36 U.S.C. 175 | Proc. 7115 |
| 37 U.S.C. 203(a), (c) ... | EO 13106 |
| 38 U.S.C. 7306, 7404 .. | EO 13106 |
| 42 U.S.C. 2153(b) | Presidential Determination Nos. 98-21, p. 280; 98-33, p. 293 |
| 42 U.S.C. 4321 <i>et seq.</i> | EO 13089 |
| 50 U.S.C. 435 | Presidential Determination No. 98-16, p. 277 |
| 50 U.S.C. 1601 <i>et seq.</i> | EO's 13088, 13094, 13098, 13099 |
| 50 U.S.C. 1622 | Notices of Jan. 2, p. 239; Jan. 21, p. 241; Feb. 25, p. 243; Mar. 4, p. 276; May 18, p. 281; May 28, p. 285; July 28, p. 294; Aug. 13, p. 294; Sept. 23, p. 296; Oct. 19, p. 301; Oct. 27, p. 303; Nov. 9, p. 304; Nov. 12, p. 305; Dec. 30, p. 307 |
| 50 U.S.C. 1701 <i>et seq.</i> | EO's 13088, 13094, 13098, 13099 |
| 50 U.S.C. 2141 | EO 13105 |
| 50 U.S.C. App. 5(b) note. | Presidential Determination No. 98-35, p. 295 |

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| <i>Title</i> | <i>Presidential Document</i> |
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| 79 Stat. 997 | EO 13101 |
| 88 Stat. 1978 | Presidential Determination Nos. 98-26, p. 290; 98-27, p. 290; 98-28, p. 291 |

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| 95-223 | Presidential Determination No. 98-35, p. 295 |
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| 100-202 | Presidential Determination No. 98-39, p. 298 |

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| 101–246 | Presidential Determination No. 98–10, p. 240 |
| 102–40 | EO 13106 |
| 102–194 | EO 13092 |
| 104–208 | Memorandum of Oct. 27, p. 302; Presidential Determination No. 98–30, p. 292 |
| 105–85 | Memorandum of Mar. 5, p. 278 |
| 105–118 | Presidential Determination Nos. 98–12, p. 242; 98–14, p. 243; 98–19, p. 279; 98–20, p. 280; 98–23, p. 282; 98–29, p. 291; 98–37, p. 297 |
| 105–119 | Presidential Determination No. 98–16, p. 277 |
| 105–277 | EO 13106; Presidential Determination Nos. 99–5, p. 306; 99–8, p. 307 |

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| Foreign Assistance Act of 1961 | |
| Sec. 490(b)(1)(A), (B) | Presidential Determination No. 98–15, p. 244 |
| Sec. 517 | Presidential Determination No. 98–9, p. 240 |
| Sec. 610(a) | Presidential Determination No. 98–40, p. 299 |
| Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (sec. 582(a)). | Presidential Determination No. 98–38, p. 297 |
| North American Free Trade Agreement Implementation Act | |
| Secs. 103(a), 201(b) | Proc. 7125 |
| Secs. 311, 312 | Memorandum of May 30, p. 287 |
| Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999. | Presidential Determination No. 99–1, p. 302 |
| Trade Act of 1974 | |
| Sec. 204 | Memorandum of May 30, p. 287 |
| Sec. 604 | Procs. 7107, 7125 |
| Title V | Proc. 7107 |

LIST OF CFR SECTIONS AFFECTED

Editorial note: All changes in Chapter I of this volume of the *Code of Federal Regulations which were made by documents published in the Federal Register* since January 1, 1986, are enumerated in the following list. Entries indicate the nature of the changes effected. Page numbers refer to **Federal Register** pages. The user should consult the entries for chapters and parts as well as sections for revisions.

For the period before January 1, 1986, see the "List of CFR Sections Affected, 1949–1963, 1964–1972, and 1973–1985" published in seven separate volumes.

Presidential documents affected during 1998 are set forth in Table 4 on page 343.

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| <p>3 CFR (No regulations issued)</p> <p style="text-align: center;">1988</p> <p>3 CFR Chapter I 102 Added25879</p> <p style="text-align: center;">1989</p> <p>3 CFR (No regulations issued)</p> | <p>3 CFR 55 FR Page Chapter I 101 Authority citation added46037 101.3 Revised.....46037 101.6 Added46037 101.7 Added46037 101.8 Added46037</p> <p style="text-align: center;">1991–1998</p> <p>3 CFR (No regulations issued)</p> |

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The two finding aids on the following pages, the “Table of CFR Titles and Chapters” and the “Alphabetical List of Agencies Appearing in the CFR” apply to all 50 titles of the *Code of Federal Regulations*. Reference aids specific to this volume appear in the section entitled “Title 3 Finding Aids,” found on page 331.

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