3
2007 Compilation
and
Parts 100–102
Revised as of January 1, 2008

The President

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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, 2008), 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 cutoff 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, 2001, consult either the List of CFR Sections Affected, 1949-1963, 1964-1972, 1973-1985, or 1986-2000, published in 11 separate volumes. For the period beginning January 1, 2001, 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). 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.

**REPublication OF MATERIAL**

There are no restrictions on the republication of textual 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 202-741-6000 or write to the Director, Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408 or e-mail fedreg.info@nara.gov.

**SALES**

The Government Printing Office (GPO) processes all sales and distribution of the CFR. For payment by credit card, call toll-free, 866-512-1800, or DC area, 202-512-1800, M-F 8 a.m. to 4 p.m. e.s.t. or fax your order to 202-512-2250, 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 Office of the Federal Register also offers a free service on the National Archives and Records Administration’s (NARA) World Wide Web site for public law numbers, Federal Register finding aids, and related information. Connect to NARA’s web site at www.archives.gov/federal_register. The NARA site also contains links to GPO Access.

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

January 1, 2008.
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 2007 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, 2007 Comp.” Thus, the preferred abbreviated citation for Proclamation 8099 appearing on page 1 of this book, is “3 CFR, 2007 Comp., p. 1.” Chapter I entries may be cited “3 CFR.” Thus, the preferred abbreviated citation for section 100.1, appearing in chapter I of this book, is “3 CFR 100.1.”

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, 2008, 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 and Legislative Publications Unit under the supervision of Gwendolyn J. Henderson. Michael J. Forcina was Chief Editor.
Cite Presidential documents in this volume
3 CFR, 2007 Comp.
thus: 3 CFR, 2007 Comp., p. 1

Cite chapter I entries in this volume
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Proclamation 8099 of January 11, 2007

Martin Luther King, Jr., Federal Holiday, 2007

By the President of the United States of America
A Proclamation

On the Martin Luther King, Jr., Federal Holiday, Americans honor the memory of a man who stirred the conscience of a Nation. We also recommit ourselves to the dream to which Dr. King devoted his life—an America where the dignity of every person is respected; where people are judged not by the color of their skin, but by the content of their character; and where the hope of a better tomorrow is in every neighborhood.

When Martin Luther King, Jr., came to our Nation’s Capital in the summer of 1963, he came to inspire America and to call on our citizens to live up to the principles of our founding. His dream spread a message of hope, justice, and brotherhood that took hold in the hearts of men and women across our great land, and it continues to speak to millions here at home and around the world.

We honor Martin Luther King, Jr., and remember his strength of character and his leadership. We also remember the work that still remains. America has come a long way since Dr. King’s time, yet our journey to justice is not complete. There is still a need for all Americans to hear the power and hope of Dr. King’s enduring words so that we can hasten the day when his dream is made real. Last year, I was proud to sign the “Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.” This Act renewed the 1965 bill that reaffirmed our belief that all men are created equal, broke the segregationist lock on the ballot box, and helped bring an excluded community into the center of American democracy. Our Nation will continue to build on the legal equality championed by Dr. King and all the heroes of the civil rights
movement, and we will continue our work to protect the promise of our Declaration and guarantee the rights of every citizen.

As we observe Dr. King’s birthday, let us honor his legacy and go forward with confidence as a Nation united, committed to destroying discrimination, and dedicated to extending the full blessings of liberty and opportunity to all Americans.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 15, 2007, as the Martin Luther King, Jr., Federal Holiday. I encourage all Americans to observe this special day with appropriate civic, community, and service programs and activities in honor of Dr. King’s life and legacy.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of January, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8100 of January 11, 2007


By the President of the United States of America
A Proclamation

On Religious Freedom Day, we commemorate the passage of the 1786 Virginia Statute for Religious Freedom, authored by Thomas Jefferson, and we celebrate the First Amendment’s protection of religious freedom.

Across the centuries, people have come to America seeking to worship the Almighty freely. Today, our citizens profess many different faiths, and we welcome every religion. Yet people in many countries live without the freedom to worship as they choose and some face persecution for their beliefs. My Administration is working with our friends and allies around the globe to advance common values and spread the blessings of liberty to every corner of the world. Freedom is a gift from the Almighty, written in the heart and soul of every man, woman, and child, and we must continue to promote the importance of religious freedom at home and abroad.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, as Religious Freedom Day. I call on all Americans to reflect on the great blessing of religious liberty, endeavor to preserve this freedom for future generations, and commemorate this day with appropriate events and activities in their schools, places of worship, neighborhoods, and homes.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of January, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamation 8101 of January 18, 2007

National Sanctity of Human Life Day, 2007

By the President of the United States of America
A Proclamation

America was founded on the principle that we are all endowed by our Creator with the right to life and that every individual has dignity and worth. National Sanctity of Human Life Day helps foster a culture of life and reinforces our commitment to building a compassionate society that respects the value of every human being.

Among the most basic duties of Government is to defend the unalienable right to life, and my Administration is committed to protecting our society’s most vulnerable members. We are vigorously promoting parental notification laws, adoption, abstinence education, crisis pregnancy programs, and the vital work of faith-based groups. Through the “Born-Alive Infants Protection Act of 2002,” the “Partial-Birth Abortion Ban Act of 2003,” and the “Unborn Victims of Violence Act of 2004,” we are helping to make our country a more hopeful place.

One of our society’s challenges today is to harness the power of science to ease human suffering without sanctioning practices that violate the dignity of human life. With the right policies, we can continue to achieve scientific progress while living up to our ethical and moral responsibilities.

National Sanctity of Human Life Day serves as a reminder that we must value human life in all forms, not just those considered healthy, wanted, or convenient. Together, we can work toward a day when the dignity and humanity of every person is respected.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, January 21, 2007, as National Sanctity of Human Life Day. I call upon all Americans to recognize this day with appropriate ceremonies and to underscore our commitment to respecting and protecting the life and dignity of every human being.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of January, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8102 of January 25, 2007

Fifth Anniversary of USA Freedom Corps, 2007

By the President of the United States of America
A Proclamation

The great strength of our Nation is found in the heroic kindness, courage, and self-sacrifice of the American people. Every day, individuals show the
good heart of our country by volunteering to help make someone’s life better. Since 2002, the USA Freedom Corps has provided access to volunteer opportunities for millions of Americans. On the fifth anniversary of the USA Freedom Corps, we honor volunteers who give their time and talents to make a difference in the lives of others, and we recognize that helping those in need makes America a more hopeful country.

The USA Freedom Corps was created to encourage Americans to answer the call to serve a cause greater than themselves. By matching willing volunteers with opportunities in their communities, the USA Freedom Corps brings Americans together to mentor children, assist the elderly, clean up neighborhoods, and perform countless acts of generosity. The USA Freedom Corps has helped support national service programs such as AmeriCorps, Citizen Corps, Peace Corps, and Senior Corps. Through programs like these, volunteers all across the country bring comfort and kindness to people at home and abroad.

Through the USA Freedom Corps website at volunteer.gov, all Americans can find ways to serve in our country’s armies of compassion. By answering the universal call to help a neighbor, individual Americans can transform towns and cities into more caring communities and neighborhoods and make America a better place.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 29, 2007, as the Fifth Anniversary of the USA Freedom Corps. I call upon the citizens of this great country to find ways to volunteer and help their fellow Americans. I commend the efforts of the USA Freedom Corps and all those who have already answered the call to serve, and I encourage all Americans to give of their time, energy, and talents to make America even stronger.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of January, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8103 of January 26, 2007

National African American History Month, 2007

By the President of the United States of America
A Proclamation

African Americans have been an integral part of America for generations, and our Nation is stronger because of their contributions. During National African American History Month, we honor the achievements of African Americans and recognize our continued responsibility to strive for equality for all our citizens.

With grace and determination, African-American men and women have shaped our Nation and influenced American life. Frederick Douglass, W.E.B. DuBois, Rosa Parks, and Martin Luther King, Jr., advanced the cause of civil rights for all Americans and helped change the course of American
Proclamations Proc. 8104

history. Educators Booker T. Washington and Carter G. Woodson helped break down racial barriers in education to provide opportunity for all people. Americans have benefited from the achievements of scientists like George Washington Carver. Artists such as Pearl Bailey, Ella Fitzgerald, and Louis Armstrong inspired Americans and created some of the most celebrated music this Nation has ever produced.

The theme of this year’s National African American History Month, “From Slavery to Freedom: Africans in the Americas,” recalls African Americans’ long journey to justice and commemorates the courage and persistence of the heroes who called on our Nation to live up to its founding promise. A century after African-American soldiers fought for their freedom on the battlefields of the Civil War, African Americans struggled peacefully for their rights in the streets of Birmingham, Alabama, and on the Mall in Washington, D.C. Courageous civil rights leaders answered hate and discrimination with love and dignity, toppled segregation laws, and worked to make America a more just and hopeful Nation.

All Americans can be proud of the progress we have made, yet the work for a more perfect union is not done. As we celebrate National African American History Month, we reaffirm our commitment to build a society where every individual has the opportunity to achieve the promise of this great land.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National African American History Month. I call upon public officials, educators, and all the people of the United States to observe this month with appropriate programs and activities that honor the significant contributions African Americans have made to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of January, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8104 of February 1, 2007

American Heart Month, 2007

By the President of the United States of America
A Proclamation

Heart disease is the leading cause of death in the United States, claiming hundreds of thousands of lives each year. During American Heart Month, we renew our commitment to fighting cardiovascular disease by increasing public awareness of this deadly disease and understanding of how it can be prevented.

Today, millions of Americans live with some form of cardiovascular disease, including congenital heart disease, coronary heart disease, and high blood pressure. Individuals can reduce their chance of developing these
and other types of heart disease by exercising regularly, maintaining healthy eating habits and weight, avoiding tobacco use, and monitoring cholesterol and blood pressure levels. All Americans should speak with their doctors about the dangers of this disease and get regular preventive screenings.

My Administration continues to help raise awareness of heart disease through initiatives such as “The Heart Truth” campaign, sponsored by the National Heart, Lung, and Blood Institute. First Lady Laura Bush serves as the National Ambassador of “The Heart Truth” campaign and works with partner organizations as part of her Women’s Health and Wellness Initiative. The campaign informs women about the dangers of this deadly illness and encourages them to make cardiovascular health a priority. This year marks the fifth anniversary of the campaign, which uses the red dress as a symbol to remind women to protect their heart health and inspire them to take action. New data shows that fewer women are dying from heart disease, and more women are aware heart disease is the number one killer.

During American Heart Month, we honor the medical professionals, researchers, and all those whose tireless efforts are making a positive difference in the lives of those battling heart disease. By working together, we can continue to help the American people live longer and healthier lives.

In acknowledgement of the importance of the ongoing fight against cardiovascular disease, the Congress, by Joint Resolution approved December 30, 1963, as amended (77 Stat. 843; 36 U.S.C. 101), has requested that the President issue an annual proclamation designating February as “American Heart Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim February 2007 as American Heart Month, and I invite all Americans to participate in National Wear Red Day on February 2, 2007. I also 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 recognizing and reaffirming our commitment to fighting cardiovascular disease.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of February, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8105 of February 2, 2007

National Consumer Protection Week, 2007

By the President of the United States of America

A Proclamation

During National Consumer Protection Week, citizens are urged to learn more about the risks of fraud and identity theft and take precautions to protect themselves from these crimes.
Americans can help prevent fraud and identity theft by becoming informed consumers. The Federal Trade Commission suggests that individuals safeguard personal information such as Social Security and account numbers, closely monitor their financial accounts, and report any problems or suspicious activity. When doing business through the Internet, it is especially important to protect personal data with appropriate software and common-sense security practices. Consumers and businesses can find resources on how to avoid identity theft and fraud by visiting the Federal Government’s consumer protection website, www.consumer.gov.

My Administration is committed to protecting consumers from fraud, deception, and unfair business practices. In May 2006, I signed an Executive Order creating the Nation’s first Identity Theft Task Force, comprised of the heads of executive departments and agencies. This Task Force is implementing a comprehensive strategy to prevent identity theft, prosecute those who commit fraud, and help victims. Through these and other efforts, we are helping to ensure that consumers have the tools they need to secure their personal information, monitor their financial accounts, maintain their privacy, and make responsible decisions to guard against fraud.

Consumer fraud takes advantage of the trust and integrity that characterizes our country’s marketplace. By remaining vigilant and defending against fraud, Americans can protect their financial security and help our Nation’s economy remain strong.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 4 through February 10, 2007, as National Consumer Protection Week. I call upon Government officials, industry leaders, and consumer advocates to provide citizens with information about how they can prevent fraud and identity theft, and I encourage all citizens to be responsible consumers and take an active role in protecting their personal information.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of February, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8106 of February 16, 2007

275th Anniversary of the Birth of George Washington

By the President of the United States of America
A Proclamation

Two hundred seventy-five years after the birth of George Washington, we honor the life and legacy of a surveyor from Virginia who became Commander of the Continental Army, a major force at the Constitutional Convention, and the first President of the United States of America.

Remembered by the Congress as “first in war, first in peace, and first in the hearts of his countrymen,” George Washington dedicated his life to the success of America. During the Revolutionary War, Washington’s small
band of hungry soldiers faced the professional army of a great empire, and his unshakable vision for a new democracy proved a powerful inspiration to his troops. Knowing that the outcome of their struggle would determine “the destiny of unborn Millions,” Washington led his often ragged forces beyond incredible hardships into battle and on to victory with strength, steadfastness, and a quiet confidence.

The triumphant General treasured his brief time at home, but his devotion to duty and belief in the promise of a more perfect Union lured Washington from Mount Vernon. He presided over the Constitutional Convention with wisdom, diplomacy, and humility and helped form the working model of our democracy. When the Constitution was ratified, America again turned to a beloved and proven leader, electing George Washington as the first President of the United States.

As we celebrate the life of George Washington and his contributions to the American experiment, we can also take pride in our stewardship of the Republic he forged. Today, he would see in America the world’s foremost champion of liberty—a Nation that stands for freedom for all, a Nation that stands with democratic reformers, and a Nation that stands up to tyranny and terror. On his 275th birthday, George Washington would see an America fulfilling the promise of her Founders, honoring the durable wisdom of our Constitution, and moving forward in the world with confidence, compassion, and strength.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 22, 2007, as the 275th Anniversary of the Birth of George Washington. I encourage all Americans to join me in honoring the Father of our Country with appropriate civic and service programs and activities in remembrance of George Washington and with gratitude for all he gave for his country.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of February, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8107 of February 26, 2007

Irish-American Heritage Month, 2007

By the President of the United States of America

A Proclamation

The friendship between Ireland and the United States has deep roots, and Irish Americans have played an integral role in making our country a place of hope and opportunity. During Irish-American Heritage Month, we recognize the vital contributions of Irish Americans to our Nation.

Since our founding, Irish immigrants have come to America’s shores in search of better lives. Today, millions of American citizens are of Irish descent, and they and their forbearers have helped shape our way of life, strengthened our economy, and contributed to the arts, and protected our
Proclamations

Nation. Irish Americans have shown their devotion to our country by serving in our Armed Forces. America is especially grateful to these brave men and women for the sacrifices that have helped preserve the ideals of our country and made the world a safer place.

During the month of March, we reflect on our Nation’s past and how Irish Americans helped create the country we live in today. America is a melting pot of cultures, and Irish-American Heritage Month is an opportunity to celebrate the accomplishments of Irish-American citizens and remind our people we are blessed to be a Nation of immigrants.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as Irish-American Heritage Month. I call upon all Americans to observe this month by celebrating the contributions of Irish Americans to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of February, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8108 of February 27, 2007

American Red Cross Month, 2007

By the President of the United States of America

A Proclamation

The American Red Cross demonstrates the power of human compassion and embodies the capacity for kindness and generosity of this great Nation. This month, we honor the men and women of the American Red Cross who exhibit the spirit and character of America by serving others in need.

Since its founding in 1881, the American Red Cross has helped millions of individuals overcome the effects of natural disasters and emergencies by providing shelter, food, counseling, and other assistance. It plays an important role in our communities by helping maintain our country’s blood supply, offering programs for youth and the elderly, supporting members of the military and their families, and promoting health and emergency preparedness. This inspiring organization helps improve the lives of those in need and continues to assist in the recovery efforts in the Gulf Coast.

The humanitarian mission of the American Red Cross extends around the world. My Administration is proud to work with it to support efforts to combat malaria, measles, HIV/AIDS, and other diseases that affect millions of people each year in Africa and throughout the world. The American Red Cross is committed to helping improve the prevention and treatment of diseases and is working to strengthen community health programs in developing areas of the world. These efforts help save lives and show the strength and generosity of America.
We are grateful for the tireless work of the volunteers and staff of the American Red Cross. During this month, we pay tribute to this remarkable organization and all those who have answered the call to serve a cause greater than self and offered support and healing in times of need.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as American Red Cross Month. I commend the good work of the American Red Cross, and I encourage all Americans to help make our world a better place by volunteering their time, energy, and talents for others.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of February, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8109 of February 27, 2007

Women’s History Month, 2007

By the President of the United States of America
A Proclamation

Throughout our history, the vision and determination of women have strengthened and transformed America. As we celebrate Women’s History Month, we recognize the vital contributions women have made to our country.

The strong leadership of extraordinary women has altered our Nation’s history. Sojourner Truth, Alice Stone Blackwell, and Julia Ward Howe opened doors for future generations of women by advancing the cause of women’s voting rights and helping make America a more equitable place. In 1855, Dr. Mary E. Walker became one of the first female physicians in the country. Dr. Walker volunteered her medical services during the Civil War and became the only woman in United States history to receive the Medal of Honor. Vivian Malone Jones stood her ground in the face of a great injustice and helped integrate the University of Alabama, breaking down racial barriers to higher education and becoming the school’s first African-American graduate.

Our Nation is a land of great opportunity, and women are seizing that opportunity and shaping the future of America in all walks of life. A record number of women are serving in the halls of Congress, and the number of women-owned businesses continues to grow. The women of our Armed Forces are making a vital contribution to our Nation’s security by serving the cause of freedom and peace around the world. And by giving care and guidance, America’s mothers are helping to build the foundation for the success of our Nation’s children and strengthening the character of our country. This month, we honor the spirit, leadership, and hard work of American women.
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NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as Women’s History Month. I call upon the people of the United States to observe this month with appropriate programs, ceremonies, and activities that honor the history, accomplishments, and contributions of American women.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of February, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8110 of February 28, 2007

Save Your Vision Week, 2007

By the President of the United States of America
A Proclamation

Across our Nation, millions of Americans suffer from eye diseases and vision loss. During Save Your Vision Week, we reinforce the importance of proper eye care and raise awareness about how to protect and prolong healthy vision.

By taking simple preventative steps such as wearing sunglasses and using protective goggles while exposed to hazardous objects or environments, Americans can help maintain their eyesight. Regular eye exams are also key to safeguarding healthy vision. As a result of the Medicare Modernization Act, Medicare may pay the cost of exams for those who are eligible and have a high risk of diabetic eye disease or glaucoma. More information about healthy vision and eye care can be found by visiting nei.nih.gov. My Administration is committed to helping Americans lead better, healthier lives. By working with community organizations, eye care professionals, and compassionate citizens, we can increase awareness of the importance of regular and diligent eye care and encourage people to take steps to maintain eye health and keep the precious gift of sight.

The Congress, by joint resolution approved December 30, 1963, as amended (77 Stat. 629; 36 U.S.C. 138), has authorized and requested the President to proclaim the first week in March of each year as “Save Your Vision Week.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim March 4 through March 10, 2007, as Save Your Vision Week. I encourage all Americans to learn more about eye care and eye safety, and take measures to help ensure a lifetime of healthy vision.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand seven, and of the
Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8111 of February 28, 2007

To Implement the Dominican Republic-Central America-United States Free Trade Agreement With Respect to the Dominican Republic and for Other Purposes

By the President of the United States of America

A Proclamation


2. Section 201 of the Act authorizes the President to proclaim such modifications or continuation of any duty, such continuation of duty-free or exercise treatment, or such additional duties, as the President determines to be necessary or appropriate to carry out or apply Article 3.3 and Annex 3.3 (including the schedule of United States duty reductions with respect to originating goods) of the Agreement.

3. Consistent with section 201(a)(2) of the Act, each Agreement country is to be removed from the enumeration of designated beneficiary developing countries eligible for the benefits of the Generalized System of Preferences (GSP) on the date the Agreement enters into force with respect to that country.

4. Consistent with section 201(a)(3) of the Act, each Agreement country is to be removed from the enumeration of designated beneficiary countries under the Caribbean Basin Economic Recovery Act (CBERA) (19 U.S.C. 2701 et seq.) on the date the Agreement enters into force with respect to that country, subject to the exceptions set out in section 201(a)(3)(B) of the Act.

5. Consistent with section 213(b)(5)(D) of the CBERA, as amended by the United States-Caribbean Basin Trade Partnership Act (CBTPA) (Public Law 106–200), each Agreement country is to be removed from the enumeration of designated CBTPA beneficiary countries on the date the Agreement enters into force with respect to that country.

6. Section 1634(c)(2) of the Pension Protection Act of 2006 (Public Law 109–280) (29 U.S.C. 1001 note) authorizes the President to proclaim a reduction in the overall limit in the tariff preference level for Nicaragua provided in Annex 3.28 of the Agreement if the President determines that
Nicaragua has failed to comply with a commitment under an agreement between the United States and Nicaragua with regard to the administration of such tariff preference level.

7. Presidential Proclamation 6641 of December 15, 1993, implemented the North American Free Trade Agreement (NAFTA) with respect to the United States and, pursuant to the North American Free Trade Agreement Implementation Act (Public Law 103–182) (the "NAFTA Implementation Act"), incorporated in the Harmonized Tariff Schedule of the United States (HTS) the tariff modifications and rules of origin necessary or appropriate to carry out the NAFTA.

8. Section 202 of the NAFTA Implementation Act (19 U.S.C. 3332) provides rules for determining whether goods imported into the United States originate in the territory of a NAFTA party and thus are eligible for the tariff and other treatment contemplated under the NAFTA. Section 202(q) of the NAFTA Implementation Act (19 U.S.C. 3332(q)) authorizes the President to proclaim, as a part of the HTS, the rules of origin set out in the NAFTA and to proclaim modifications to such previously proclaimed rules of origin, subject to the consultation and layover requirements of section 103(a) of the NAFTA Implementation Act (19 U.S.C. 3313(a)).

9. The United States and Mexico have agreed to modify certain NAFTA rules of origin. It is therefore necessary to modify the NAFTA rules of origin set out in Proclamation 6641.

10. Executive Order 11651 of March 3, 1972, as amended, established the Committee for the Implementation of Textile Agreements (CITA), consisting of representatives of the Departments of State, the Treasury, Commerce, and Labor, and the Office of the United States Trade Representative, with the representative of the Department of Commerce as Chairman, to supervise the implementation of textile trade agreements. Consistent with 3 U.S.C. 301, when carrying out functions vested in the President by statute and assigned by the President to CITA, the officials collectively exercising those functions are all to be officers required to be appointed by the President with the advice and consent of the Senate.

11. Section 604 of the Trade Act of 1974 (the "1974 Act") (19 U.S.C. 2483), as amended, authorizes the President to embody in the HTS the substance of relevant provisions of that Act, or other acts affecting import treatment, and of actions taken thereunder.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 201 of the Act, section 1634(c)(2) of the Pension Protection Act of 2006, section 202 of the NAFTA Implementation Act, section 301 of title 3, United States Code, and section 604 of the 1974 Act, and the Act having taken effect pursuant to section 107(a), do proclaim that:

(1) In order to provide generally for the preferential tariff treatment being accorded under the Agreement to the Dominican Republic, to provide certain other treatment to originating goods for the purposes of the Agreement,
to provide tariff-rate quotas with respect to certain goods, to reflect the removal of the Dominican Republic from the enumeration of designated beneficiary developing countries for purposes of the GSP, to reflect the removal of the Dominican Republic from the enumeration of designated beneficiary countries for purposes of the CBERA and the CBTPA, and to make technical and conforming changes in the general notes to the HTS, the HTS is modified as set forth in Annexes I and II of Publication 3901 of the United States International Trade Commission, entitled Modifications to the Harmonized Tariff Schedule of the United States to Implement the Dominican Republic-Central America-United States Free Trade Agreement With Respect to the Dominican Republic (Publication 3901), which is incorporated by reference into this proclamation.

(2) The CITA is authorized to exercise the function of the President under section 1634(c)(2) of the Pension Protection Act of 2006 of determining whether Nicaragua has failed to comply with a commitment under an agreement between the United States and Nicaragua with regard to the administration of the tariff preference level for Nicaragua provided in Annex 3.28 of the Agreement and, on making such a determination, to reduce the overall limit in the tariff preference level for Nicaragua provided in Annex 3.28 of the Agreement.

(3) In order to modify the rules of origin under the NAFTA, general note 12 to the HTS is modified as set forth in the Annex to this proclamation.

(4)(a) The amendments to the HTS made by paragraph (1) of this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the relevant dates indicated in Annex I or II of Publication 3901.

(b) The amendments to the HTS made by paragraph (3) of this proclamation shall enter into effect on the date that the United States Trade Representative announces in the Federal Register that Mexico has completed its applicable domestic procedures to give effect to corresponding modifications to be applied to goods of the United States and shall, at that time, be effective with respect to goods of Mexico entered, or withdrawn from warehouse for consumption, on or after the date indicated in the Annex to this proclamation.

(c) Except as provided in paragraphs (4)(a) and (b) of this proclamation, this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after March 1, 2007.

(5) 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.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Annex

Modifications to General Note 12(t) of the Harmonized Tariff Schedule of the United States (HTS)

On the date that the United States Trade Representative announces in the Federal Register that Mexico has completed its applicable domestic procedures to give effect to corresponding modifications to be applied to goods of the United States and effective with respect to goods of Mexico covered under the terms of general note 12 to the tariff schedule, that are entered, or withdrawn from warehouse for consumption, on or after June 7, 2006, general note 12(t) to the HTS is modified by deleting tariff classification rule (TCR) 32 for chapter 62 and by inserting in lieu thereof the following new TCRs and subheading note:

"32. A change to heading 6206 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5514, 5601 through 5602 or 6001 through 6006, provided that the good is both cut and sewn or otherwise assembled in the territory of Mexico or of the United States.

Subheading note: Men’s or boys’ holster short of cotton shall be considered to originate if they are both cut and sewn or otherwise assembled in the territory of Mexico or of the United States and if the plain weave fabric of the outer shell, exclusive of waistband, is wholly of one or more of the following:

(a) Fabrics of subheading 5208.41, yarn-dyed, with a fiber content of 100 percent cotton, 95 to 100 grams per square meter, of average yarn number 37 to 42 metric;

(b) Fabrics of subheading 5208.42, yarn-dyed, with a fiber content of 100 percent cotton, weighing not more than 105 grams per square meter, of average yarn number 47 to 53 metric;

(c) Fabrics of subheading 5208.51, printed, with a fiber content of 100 percent cotton, 93 to 97 grams per square meter, of average yarn number 38 to 42 metric;

(d) Fabrics of subheading 5208.52, printed, with a fiber content of 100 percent cotton, 112 to 118 grams per square meter, of average yarn number 38 to 42 metric;

(e) Fabrics of subheading 5210.11, plain, with a fiber content of 51 to 60 percent cotton, 49 to 60 percent polyester, 100 to 112 grams per square meter, of average yarn number 53 to 65 metric;

(f) Fabrics of subheading 5210.41, yarn-dyed, with a fiber content of 51 to 60 percent cotton, 49 to 60 percent polyester, 77 to 82 grams per square meter, of average yarn number 43 to 48 metric;

(g) Fabrics of subheading 5210.41, yarn-dyed, with a fiber content of 51 to 60 percent cotton, 49 to 60 percent polyester, 83 to 90 grams per square meter, of average yarn number 69 to 75 metric;

(h) Fabrics of subheading 5210.51, printed, with a fiber content of 53 to 60 percent cotton, 49 to 60 percent polyester, 107 to 113 grams per square meter, of average yarn number 33 to 37 metric;

(i) Fabrics of subheading 5210.51, printed, with a fiber content of 53 to 60 percent cotton, 49 to 60 percent polyester, 92 to 98 grams per square meter, of average yarn number 43 to 48 metric; or

(j) Fabrics of subheading 5210.51, printed, with a fiber content of 53 to 60 percent cotton, 49 to 60 percent polyester, 105 to 112 grams per square meter, of average yarn number 50 to 60 metric.

32A. A change to subheading 6207.11 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5514, 5601 through 5602 or 6001 through 6006, provided that the good is both cut and sewn or otherwise assembled in the territory of Mexico or of the United States.

32B. A change to subheadings 6207.19 through 6207.99 from any other chapter, except from heading 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5514, 5601 through 5602 or 6001 through 6006, provided that the good is both cut and sewn or otherwise assembled in the territory of Mexico or of the United States.

32C. A change to headings 6208 through 6210 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5514, 5601 through 5602 or 6001 through 6006, provided that the good is both cut and sewn or otherwise assembled in the territory of Mexico or the United States."
Proclamation 8112 of February 28, 2007


By the President of the United States of America
A Proclamation

WHEREAS Proclamation 8031 of June 15, 2006, established the Northwestern Hawaiian Islands Marine National Monument;

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States, including section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), do amend Proclamation 8031 for the purpose of giving the monument a Native Hawaiian name and making the following conforming changes and corrections:

Section 1. The title of Proclamation 8031 is amended to read, “Establishment of the Papahanaumokuakea Marine National Monument”.

Sec. 2. The phrase Northwestern Hawaiian Islands Marine National Monument is amended to read Papahanaumokuakea Marine National Monument, wherever it appears in Proclamation 8031.

Sec. 3. Under Findings, Additional Findings for Native Hawaiian Practice Permits, 2(e) is amended to read: Any living monument resource harvested from the monument will be consumed or utilized in the monument.

Sec. 4. The title of the map of the Monument accompanying Proclamation 8031 is amended to read, “Papahanaumokuakea Marine National Monument” and the word “Sanctuary” in the map is deleted wherever it appears and the word “Monument” is inserted in lieu thereof.

GEORGE W. BUSH

Proclamation 8113 of March 16, 2007

National Poison Prevention Week, 2007

By the President of the United States of America
A Proclamation

In the 45 years since the first National Poison Prevention Week was proclaimed by President John F. Kennedy, many lives have been saved from unintentional poisoning through awareness efforts across our country. This week, we reaffirm our commitment to the safety of our fellow citizens and to guarding against accidental poisonings.

Protecting our children is a solemn and special responsibility, and we must all continue to work to reduce the number of poison-related injuries and deaths. I encourage parents to make homes safer by keeping toxic substances sealed and out of reach and by carefully reading the labels on
medicines before giving them to children and on household products before using them around children. In addition, carbon monoxide alarms can help protect against carbon monoxide poisoning, which claims the lives of hundreds of Americans each year.

If a poisoning is suspected, citizens can reach their nearest Poison Control Center 24 hours a day, 7 days a week, by calling 1–800–222–1222. This number should be called immediately at the first sign of a suspected poison emergency. The Poison Prevention Week Council website, poisonprevention.org, can provide additional information about poison prevention. By staying informed, being proactive, and remaining vigilant, we can avoid poison exposure and save more lives.

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

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim March 18 through March 24, 2007, as National Poison Prevention Week. I call upon all Americans to participate in appropriate activities this week and to learn how to prevent poisonings, especially among children.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of March, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

3. Pursuant to section 213A(d) of CBERA, as amended (19 U.S.C. 2703a(d)), I have determined that Haiti meets the eligibility requirements set forth in section 213A(d)(1).

4. Pursuant to section 213A(e) of CBERA, as amended (19 U.S.C. 2703a(e)), I have determined that Haiti is meeting the conditions set forth therein.

5. In order to implement the tariff treatment provided under section 213A of CBERA, as amended (19 U.S.C. 2703a), and section 112(b)(8) and 112(c) of AGOA, as amended (19 U.S.C. 3721(b)(8) and (c)), it is necessary to modify the Harmonized Tariff Schedule of the United States (HTS).

6. Title I, subtitles A and B of the Tax Relief and Health Care Act of 2006 (Public Law 109–432) (the “Tax Relief Act”) suspended or reduced duties on certain articles that were identified under provisions of the HTS in effect on December 20, 2006. Presidential Proclamation 8097 of December 27, 2006, modified the HTS to conform it to the International Convention on the Harmonized Commodity Description and Coding System. Modifications to the HTS are necessary to reflect accurately the suspension or reduction of duties that were enacted in the Tax Relief Act.

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

8. I have determined that it is appropriate to authorize the Secretary of the Treasury to perform the functions specified in section 213A(f) of CBERA, as amended (19 U.S.C. 2703a(f)).

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including section 604 of the 1974 Act, and section 301 of title 3, United States Code, do proclaim that:

(1) In order to provide the tariff treatment provided for in section 213A of CBERA, as amended (19 U.S.C. 2703a), the HTS is modified as provided in Annex I to this proclamation.

(2) In order to implement the tariff treatment provided for in section 112(b)(8) and section 112(c) of AGOA, as amended (19 U.S.C. 3721(b)(8) and (c)), the HTS is modified as provided in Annex II to this proclamation.

(3) In order to provide the tariff treatment provided for in Title I, subtitles A and B of the Tax Relief Act, and to make technical corrections to previously proclaimed provisions, the HTS is modified as provided in Annex III to this proclamation.

(4) The modifications to the HTS set forth in the annexes 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 the respective annex.

(5) The Secretary of the Treasury is hereby authorized to perform the functions assigned to the President in section 213A(f) of CBERA, as amended (19 U.S.C. 2703a(f)).

(6) 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.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of March, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
ANNEX I

IMPLEMENTATION OF HAITIAN HEMISPHERIC OPPORTUNITY THROUGH PARTNERSHIP ENCOURAGEMENT ACT OF 2006

A. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 4, 2007, in order to give effect to the provisions of the Haitian Hemispheric Opportunity Through Partnership Encouragement (HOPE) Act of 2006, subchapter XX of chapter 98 of the Harmonized Tariff Schedule of the United States (HTS) is modified by inserting in numerical sequence the following new U.S. note and tariff provision, with the material inserted in the columns labeled “Heading/Subheading”, “Article Description” and “Rates of Duty 1 Special”:


(a) For purposes of heading 9820.85.44, any product of Haiti described in such heading and classifiable in subheading 8544.30.00 of the tariff schedule that is imported directly from Haiti into the customs territory of the United States shall be eligible for the duty treatment provided therein during the period from December 20, 2006, through December 19, 2011, inclusive; provided that:

(i) the cost or value of the materials produced in Haiti or one or more of the countries set forth in subdivision (b) of this note, or any combination thereof, plus

(ii) the direct costs of processing operations (as defined in general note 7(b)) to the tariff schedule)

performed in Haiti or the United States, or both,

is not less than 50 percent of the declared customs value of such product.

(b) For purposes of subdivision (a)(i) of this note, the countries included are the United States, Israel, Canada, Mexico, Jordan, Singapore, Chile, Australia, Morocco, Bahrain, El Salvador, Honduras, Nicaragua, Guatemala, Dominican Republic and designated beneficiary countries enumerated in general notes 11, 16 or 17 to the tariff schedule."

B. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after March 20, 2007, subchapter XX of chapter 98 of the Harmonized Tariff Schedule of the United States (HTS) is modified by inserting in numerical sequence the following new provisions, with the material in the new headings inserted in the columns labeled “Heading/Subheading”, “Article Description” and “Rates of Duty 1 Special”:

1. U.S. note 6(b) to such subchapter (as added by section A of this annex) is modified by redesignating the text set forth in such paragraph as subdivision (i); by deleting “subdivision (a)(i)” and by inserting in lieu thereof “subdivisions (a)(i) and (c)”; and by inserting in lieu thereof the following new subdivision:

"(i) For purposes of this note, an applicable 1-year period shall comprise the time period starting on December 20 in the years 2006, 2007, 2008, 2009 or 2010 and ending on December 19 in the succeeding year."

2. U.S. note 6 is further modified by inserting the following new provisions at the end thereof:
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"(c) Apparel articles of a producer or entity controlling production that are imported directly from Haiti under the terms of heading 9820.61.25 shall enter the United States free of duty during an applicable 1-year period specified in subdivision (c)(ii), subject to the limitations set forth in this note, provided that such apparel articles are wholly assembled, or are knit-to-shape, in Haiti from any combination of fabrics, fabric components, components knit-to-shape and yarns, only if, for each entry in the applicable 1-year period, the sum of--

(i) the cost or value of the materials produced in Haiti or one or more countries enumerated in subdivision (b) of this note, or any combination thereof, plus

(ii) the direct costs of processing operations (as defined in general note 7(b) to the tariff schedule) performed in Haiti or one or more countries enumerated in subdivision (b) of this note, or any combination thereof,

is not less than the applicable percentage (as defined in subdivision (f) of this note) of the declared customs value of such apparel articles.

(d) In calculating cost or value under subdivision (c)(i) of this note, there shall be deducted the cost or value of--

(i) any foreign materials that are used in the production of the apparel articles in Haiti; and

(ii) any foreign materials that are used in the production of the materials described in subdivision (c)(i).

(e) For purposes of heading 9820.61.30--

(i) In the initial applicable 1-year period beginning on December 20, 2006, the requirements under subdivision (c) relating to applicable percentage may also be met for articles of a producer or an entity controlling production that enter during such initial applicable 1-year period by aggregating--

(A) the cost or value of materials under subdivision (c)(i), and

(B) the direct costs of processing operations under subdivision (c)(ii),

of all apparel articles for that producer or entity controlling production that are wholly assembled, or are knit-to-shape, in Haiti and are entered during such initial applicable 1-year period.

(ii) In each applicable 1-year period beginning on December 20 during the years 2007, 2008, 2009 and 2010, the requirements under subdivision (c)(ii) relating to applicable percentage may also be met for articles of a producer or an entity controlling production that enter during such applicable 1-year period by aggregating--

(A) the cost or value of materials under subdivision (c)(i), and

(B) the direct costs of processing operations under subdivision (c)(ii),

of all apparel articles for that producer or entity controlling production that are wholly assembled, or are knit-to-shape, in Haiti and are entered during the preceding applicable 1-year period.

(iii) In calculating cost or value under subdivision (c)(ii) or (c)(iii), there shall be deducted the cost or value of--

(A) any foreign materials that are used in the production of the apparel articles in Haiti; and

(B) any foreign materials that are used in the production of the materials described in subdivision (c)(iii)(A) or (c)(iii)(B), as the case may be.

(iv) (A) The entry of a woven apparel article receiving preferential treatment under heading 9820.62.05 is not included in an annual aggregation under subdivision (c)(i) or (c)(ii).
(B) Entries of articles receiving preferential treatment under heading 9820.62.12 are not included in an annual aggregation under subdivision (c)(i) or (c)(ii) unless the producer or entity controlling production elects, at the time the annual aggregation calculation is made, to include such entries in such aggregation.

(C) Entries of apparel articles that receive preferential treatment under any provision of the tariff schedule other than this note, or that are subject to the rate of duty set forth in the general subcolumn of rate of duty column 1 of the tariff schedule, are not included in an annual aggregation under subdivision (c)(i) or (c)(ii) unless the producer or entity controlling production elects, at the time the annual aggregation calculation is made, to include such entries in such aggregation.

(f) For purposes of this note—

(i) the term "applicable percentage" means—

(A) 50 percent or more during the applicable 1-year period beginning on December 20 in 2006, 2007 or 2008;

(B) 55 percent or more during the applicable 1-year period beginning on December 20, 2009; and

(C) 60 percent or more during the applicable 1-year period beginning on December 20, 2010.

(ii) the term "foreign material" means a material produced in a country other than Haiti or any country enumerated in subdivision (b) of this note.

(iii) For purposes of determining the applicable percentage under subdivision (c), (c)(i) or (c)(ii) of this note, there may be included in that percentage—

(A) the cost of fabrics or yarns to the extent that apparel articles of such fabrics or yarns, under general note 12(b) to the tariff schedule, would be eligible for preferential treatment, without regard to the source of the fabric or yarns;

(B) the cost of fabrics or yarns that are designated as not being available in commercial quantities for purposes of—

(1) heading 9820.11.27;

(2) heading 9819.11.24;

(3) heading 9821.11.10; or

(4) heading 9822.05.01,

without regard to the source of the fabrics or yarns.

(g) The preferential treatment accorded under headings 9820.61.25, 9820.61.30 and 9820.62.12 shall be extended, during each of the applicable 1-year periods set forth in the table below, to not more than the corresponding percentage of the aggregate square meter equivalents of all apparel articles imported into the United States in the most recent 12-month period for which data are available and published in the *Federal Register* by the Committee for the Implementation of Textile Agreements:

<table>
<thead>
<tr>
<th>Applicable 1-year period</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 20, 2006-December 19, 2007</td>
<td>1 percent</td>
</tr>
<tr>
<td>December 20, 2007-December 19, 2008</td>
<td>1.25 percent</td>
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<tr>
<td>December 20, 2008-December 19, 2009</td>
<td>1.5 percent</td>
</tr>
<tr>
<td>December 20, 2009-December 19, 2010</td>
<td>1.75 percent</td>
</tr>
<tr>
<td>December 20, 2010-December 19, 2011</td>
<td>2 percent</td>
</tr>
</tbody>
</table>
Proclamations

No preferential treatment shall be provided under this subdivision after the close of December 19, 2011.

(b) In the case of apparel articles classifiable in chapter 62 of the tariff schedule (other than articles classifiable in subheading 6212.10), as in effect on December 20, 2006, that do not qualify for preferential treatment under subdivision (c) of this note because they do not meet the percentage requirements under subdivision (c), (d), (e)(i) or (e)(ii) of this note, the preferential treatment under subdivision (c) or (e)–

(i) shall be extended, in addition to the quantities permitted under subdivision (g) to--

(A) not more than 50,000,000 square meter equivalents of such apparel articles during the applicable 1-year period from December 20, 2006 through December 19, 2007;

(B) not more than 50,000,000 square meter equivalents of such apparel articles during the applicable 1-year period from December 20, 2007 through December 19, 2008; and

(C) not more than 33,500,000 square meter equivalents during the applicable 1-year period from December 20, 2008 through December 19, 2009; and

(ii) may not be extended to such apparel articles after the close of December 19, 2008.

The preferential treatment provided under heading 9220.62.12 shall be extended to any article classifiable in subheading 6212.10 of the tariff schedule, if the article is both cut and sewn or otherwise assembled in Haiti or the United States, or both, without regard to the source of the fabric or components from which the article is made, and if Haiti has met the requirements of 213A(d) and (e) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701A(d) and (e)), subject to the limitations provided in subdivision (g) of this note.

3. The following new headings are inserted in numerical sequence:

**9220.62.25** : Apparel articles (other than goods described in heading : 9220.61.30 or 9220.62.05) described in U.S. note : 6(c) to this subchapter and imported directly from : Haiti during an applicable 1-year period specified : in U.S. note 6(k)(ii) to this subchapter, subject to the : limitations provided in U.S. note 6(g) to this subchapter... : Free : Free

**9220.61.30** : Apparel articles (other than goods described in heading : 9220.61.25 or 9220.62.05) described in U.S. note : 6(c) to this subchapter and imported directly from : Haiti during an applicable 1-year period specified : in U.S. note 6(k)(ii) to this subchapter, subject to the : limitations provided in U.S. note 6(g) to this subchapter... : Free : Free

**9220.62.05** : Apparel articles of chapter 62 to the tariff schedule, : under the terms of U.S. note 6(h) to this subchapter, : the foregoing imported directly from Haiti during an : 1-year period specified in U.S. note 6(k)(ii) to this : subchapter in an aggregate quantity not to exceed the : quantity specified in such U.S. note 6(h) : Free : Free:

23
<table>
<thead>
<tr>
<th>Proc. 8114</th>
<th>Title 3—The President</th>
</tr>
</thead>
<tbody>
<tr>
<td>9820.62.12</td>
<td>Brassieres of subheading 6212.10, under the terms of</td>
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<td>U.S. note 6(i) to this subchapter, the foregoing imported</td>
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<td>directly from Haiti during an applicable 1-year period</td>
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<td>specified in U.S. note 6(b)(ii) to this subchapter, subject</td>
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<td>to the limitations provided in U.S. note 6(g) to this</td>
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<td>subchapter: ..................................................................</td>
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ANNEX II

IMPLEMENTATION OF THE AFRICAN INVESTMENT INCENTIVE ACT OF 2006

A. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after October 1, 2006, subchapter XIX of chapter 98 of the Harmonized Tariff Schedule of the United States is modified as follows:

(1) by inserting in the second table set forth in U.S. note 2(b) to such subchapter (pertaining to subheading 9819.11.12) immediately after the year “2007" the expression “*, and each 1-year period thereafter through September 30, 2012 *; by deleting from such table the figure "1.6071" and by inserting in lieu thereof "3.5 *; and by modifying the sentence set forth immediately below such table to read as follows:

“Such apparel articles described in subheading 9819.11.12 shall, during the 12-month periods enumerated above, be allowed to enter regardless of the country of origin of the fabric or yarn used to make such articles, subject to any limitations imposed by the President in a proclamation published in the Federal Register.”

(2) by inserting the following new U.S. note 5:

“5. (a) For purposes of subheadings 9819.15.10 through 9819.15.42 and the superior text therein, subject to the provisions of this note, apparel articles are eligible for entry under these provisions if:

(i) under the terms of this note, they contain a fabric or yarn produced in beneficiary sub-Saharan African countries that has been determined by the United States International Trade Commission (USITC) to be available in commercial quantities for use in lesser developed sub-Saharan African beneficiary countries, pursuant to the terms of section 112(c) of the African Growth and Opportunity Act (AGOA), as amended (19 U.S.C. 3272(c)(3)), and

(ii) they are entered in an aggregate quantity not to exceed the quantity, in square meter equivalents (SMEs), specified pursuant to this note for an applicable 1-year period from October 1 in any calendar year through September 30 of the next calendar year, inclusive, under the terms of such section 112(c),

provided that all other requirements of this note and applicable Customs regulations are met. For the purposes of this note, apparel articles contain a fabric or yarn specified in such subdivision of each article, or the component of each such article that determines the article’s classification for tariff purposes, is considered to be an article or component of the fabric or yarn. The USITC will determine and announce, in notices published in the Federal Register under the terms of section 112(c)(2), the aggregate quantity of each fabric or yarn covered by a previous affirmative USITC determination that was used to produce apparel articles in lesser developed sub-Saharan African beneficiary countries enumerated in U.S. note 2(e) to this subchapter that were entered into the United States during each applicable 1-year period starting on October 1 in any year and ending on September 30 in the subsequent year. No apparel articles shall be entered under subheadings 9819.15.10 through 9819.15.42 after the close of September 30, 2012.

(b) For purposes of subheading 9819.15.10, denim articles provided for in subheading 5209.42.90 shall be deemed to have been determined by the USITC to be in abundant supply in an amount of 30,000,000 SMEs for the 1-year period beginning on October 1, 2006 and continuing through September 30, 2007, and apparel articles of chapters 61 or 62 that contain such denim articles, in an aggregate quantity not to exceed such amount, shall be eligible for entry under such subheading. The USITC shall determine and announce in the Federal Register the quantity of such denim articles that is commercially available for use in such lesser developed sub-Saharan African beneficiary countries to produce apparel articles during each subsequent applicable 1-year period and any modifications of the aggregate quantity of apparel articles eligible for entry under such
subheading during any such subsequent applicable 1-year period, as required by section 112 of the AGOA.

(c) For purposes of subheadings 9819.15.15 through 9819.15.42, inclusive, apparel articles that each contain a fabric or yarn determined by the USITC to be available in commercial quantities shall be entered under the appropriate subheading specified in any notice published by the USITC in the Federal Register to reflect its affirmative determinations under section 112 of the AGOA, in order to carry out the terms of subsection (c)(2) of such section.

(d) The USITC will determine, in notices published in the Federal Register under the terms of section 112(e)(2), the aggregate quantity of each fabric or yarn covered by an affirmative USITC determination that

(i) is available in commercial quantities for use by lesser developed beneficiary sub-Saharan African countries for an applicable 1-year period beginning on October 1 of each year and ending on September 30 of the following year, and

(ii) was used to produce apparel articles in a lesser developed sub-Saharan African beneficiary country enumerated in U.S. note 2(d) to this subchapter that were entered into the United States during each 1-year period starting on October 1 in each year following the USITC’s affirmative determination for such fabric or yarn and ending on September 30 in the subsequent year.

(e) If a fabric or yarn is determined to be available in commercial quantities under such section 112 in an applicable 1-year period, and for 2 consecutive applicable 1-year periods the quantities determined to be commercially available are not used in the production of apparel articles receiving preferential treatment under the terms of this note that were entered during those 2 applicable 1-year periods, then beginning in the succeeding applicable 1-year period the apparel articles containing that fabric or yarn are ineligible for preferential treatment under this note in any succeeding applicable 1-year period and shall not be eligible for entry under this note, unless the USITC has determined that the quantity of the fabric or yarn determined to be commercially available in such lesser developed beneficiary sub-Saharan African countries for that applicable 1-year period has already been used in the production of apparel articles receiving preferential treatment under this note that were entered in such applicable 1-year period. Further, the President may by proclamation provide that apparel articles otherwise eligible for preferential treatment under this note that contain a fabric or yarn determined by the USITC to be available in commercial quantities may not receive such preferential treatment under the terms of section 112(e)(2)(D)(i) of the AGOA. No apparel articles shall be entered under subheadings 9819.15.10 through 9819.15.42 after the close of September 30, 2012."

(3) by inserting in numerical sequence the following new provisions and superior text, with the material inserted in the columns entitled "Heading/Subheading", "Article Description", and "Rates of Duty 1 Special", respectively:

<p>| 9819.15.10 | Of the first fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by lesser-developed Saharan African and specified in a notice published in the Federal Register. | Free |
| 9819.15.42 | &quot;Apparel articles of chapter 61 or 62, wholly assembled, or knit-to-shape and wholly assembled, or both, in one African countries enumerated in U.S. note 2(d) to this subchapter and of a type described in U.S. note 5 to this subchapter, if entered under the terms of such note. | | Free |
| 9819.15.15 | | | |</p>
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<th>Proclamations</th>
<th>Proc. 8114</th>
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<tbody>
<tr>
<td><strong>9819.15.18</strong></td>
<td>Of the second fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by lesser-developed Saharan Africa and specified in a notice published in the Federal Register: Free</td>
</tr>
<tr>
<td><strong>9819.15.21</strong></td>
<td>Of the third fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by lesser-developed Saharan Africa and specified in a notice published in the Federal Register: Free</td>
</tr>
<tr>
<td><strong>9819.15.24</strong></td>
<td>Of the fourth fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by lesser-developed Saharan Africa and specified in a notice published in the Federal Register: Free</td>
</tr>
<tr>
<td><strong>9819.15.27</strong></td>
<td>Of the fifth fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by lesser-developed Saharan Africa and specified in a notice published in the Federal Register: Free</td>
</tr>
<tr>
<td><strong>9819.15.30</strong></td>
<td>Of the sixth fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by lesser-developed Saharan Africa and specified in a notice published in the Federal Register: Free</td>
</tr>
<tr>
<td><strong>9819.15.33</strong></td>
<td>Of the seventh fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by lesser-developed Saharan Africa and specified in a notice published in the Federal Register: Free</td>
</tr>
<tr>
<td><strong>9819.15.36</strong></td>
<td>Of the eighth fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by lesser-developed Saharan Africa and specified in a notice published in the Federal Register: Free</td>
</tr>
</tbody>
</table>
### Proc. 8114  
#### Title 3—The President

| 9819.15.39 | Of the sixth fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by least-developed Saharan Africa and specified in a notice published in the `Federal Register` | Free |

| 9819.15.42 | Of the tenth fabric or yarn which the United States International Trade Commission is produced in beneficiary sub-Saharan African countries is available in commercial quantities for use by least-developed Saharan Africa and specified in a notice published in the `Federal Register` | Free |

**B.** Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after December 20, 2006, subchapter XIX of chapter 98 of the Harmonized Tariff Schedule of the United States is modified as follows: by inserting in numerical sequence the following new provision and superior text, with the material inserted in the columns entitled “Heading/Subheading”, “Article Description”, and “Rates of Duty 1 Special”, respectively:

| 9819.11.33 | Textile articles classifiable under chapters 50 through 60, inclusive, or chapter 63 of the tariff schedule, the foregoing articles that are products of a lesser developed beneficiary sub-Saharan African country (as defined in U.S. note 2(d) to this subchapter) and are wholly formed in one or more such countries from fibers, yarns, fabrics, fabric components or components knit-to-shape that are the product of one or more such countries | Free |
ANNEX III

TECHNICAL AND CONFORMING CHANGES IN PROVISIONS
OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

A. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after February 3, 2007, the Harmonized Tariff Schedule of the United States (HTS) is modified as follows:

1. The provisions of chapter 99 of the HTS that are enumerated in the first column of the table set forth below are modified by deleting the number in the second column of such table and by inserting in lieu thereof the number in the third column of such table:

<p>| 9902.01.41 | 2930.90.90 | 2930.90.91 |
| 9902.01.60 | 2930.90.90 | 2930.90.91 |
| 9902.02.66 | 2922.29.80 | 2922.29.81 |
| 9902.02.67 | 8527.99.50 | 8527.99.20 |
| 9902.02.68 | 2932.29.60 | 2922.25.61 |
| 9902.02.69 | 2930.90.90 | 2930.90.91 |
| 9902.05.12 | 2922.29.80 | 2922.29.81 |
| 9902.05.15 | 2922.29.60 | 2922.29.61 |
| 9902.05.29 | 2918.90.43 | 2918.99.43 |
| 9902.10.27 | 2005.90.55 | 2005.99.55 |
| 9902.10.30 | 2005.90.55 | 2005.99.55 |
| 9902.10.37 | 3808.30.15 | 3808.93.15 |
| 9902.10.41 | 2922.22.10 | 2922.29.03 |
| 9902.10.47 | 3907.99.00 | 3907.99.01 |
| 9902.10.54 | 2918.90.20 | 2918.99.20 |
| 9902.10.55 | 3808.30.15 | 3808.93.15 |
| 9902.10.57 | 3808.30.15 | 3808.93.15 |
| 9902.10.63 | 8708.99.73 | 8708.94.75 |
| 9902.10.75 | 2851.00.00 | 2853.00.00 |
| 9902.10.81 | 3808.30.15 | 3808.93.15 |
| 9902.10.92 | 8708.39.50 | 8708.30.50 |
| 9902.10.93 | 8708.40.20 | 8708.40.11 |
| 9902.11.04 | 3824.90.9190 | 3824.90.92 |
| 9902.11.05 | 3808.20.15 | 3808.92.15 |
| 9902.11.35 | 2922.29.60 | 2922.29.61 |
| 9902.11.44 | 3808.30.15 | 3808.93.15 |
| 9902.11.48 | 3808.30.15 | 3808.93.15 |
| 9902.11.49 | 3808.30.15 | 3808.93.15 |
| 9902.11.64 | 3808.30.15 | 3808.93.15 |
| 9902.12.03 | 3808.20.50 | 3808.92.50 |
| 9902.12.45 | 3808.20.15 | 3808.92.15 |
| 9902.12.51 | 3808.20.15 | 3808.92.15 |
| 9902.12.52 | 3808.30.15 | 3808.93.15 |
| 9902.12.53 | 3808.20.15 | 3808.92.15 |
| 9902.12.55 | 3808.30.15 | 3808.93.15 |
| 9902.12.56 | 3824.90.91 | 3824.90.92 |
| 9902.12.61 | 3808.30.15 | 3808.93.15 |</p>
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<th>Title 3—The President</th>
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Proclamations

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<th>Proc. 8114</th>
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2. Subheading 8402.12.00 is modified by deleting "A" from the "Rates of Duty 1 Special" subcolumn and by inserting in lieu thereof "A**".

3. Subheadings 8528.72.72 and 8528.72.97 are each modified by inserting, in the parenthetical expression following the "Free" rate of duty in the "Rates of Duty 1 Special" subcolumn the symbol "AU," in alphabetical sequence.

4. Subheading 8528.73.00 is modified by inserting, in the parenthetical expression following the "Free" rate of duty in the "Rates of Duty 1 Special" subcolumn the symbols "AU," and "MA," in alphabetical sequence.

5. General note 4(d) is modified by deleting "0302.69.10" and by inserting in lieu thereof "0302.69.11".

6. General note 25(m) is modified by inserting in item (96) "8542," before "8548.90.01".

7. The following new subheading is inserted in numerical sequence, with the article description at the same level of indentation as that of subheading 8480.71.10 and with the material inserted in the columns entitled "Heading/Subheading", "Article Description", "Rates of Duty 1 General" and "Rates of Duty 2", respectively:

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8480.71.40 : For the manufacture of semiconductor devices ........................................... : Free : : 5% *
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8. Heading 9902.12.52 (as modified above) is further modified by inserting before "3808.93.15" the expression "3808.50.10 or".

9. Subheading 8708.99.52 is redesignated as subheading 8708.99.53.

10. Subheading 2908.91.00 is modified by deleting "A**" and by inserting in lieu thereof "A".
Proc. 8114 

Title 3—The President

11. Subheading 2908.19.60 is modified by inserting in alphabetical sequence in the parenthetical expression following the “Free” duty rate in the Rates of Duty 1 Special subcolumn the symbol “L,”.

B. Effective with respect to goods of Bahrain, under the terms of general note 30 to the HTS, that are entered, or withdrawn from warehouse for consumption, on or after August 30, 2006, annex II to Presidential Proclamation 8039 of July 27, 2006, is modified by striking “5702.10.80” and “5702.30.80” and by inserting in lieu thereof “5703.10.80” and “5703.30.80”.

C. Effective with respect to goods of a party to the Agreement as defined in general note 29(a) to the HTS that are entered, or withdrawn from warehouse for consumption, on or after each of the dates in the first column below, the rate of duty shown in the Rates of Duty 1 Special subcolumn in subheading 9915.64.13 followed by the symbol “P+” in parentheses is modified by deleting the rate shown in such subcolumn on such date and by inserting in lieu thereof the rate of duty shown in the second column below:

<table>
<thead>
<tr>
<th>Date</th>
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<tbody>
<tr>
<td>January 1, 2020</td>
<td>$1.36/kg</td>
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<tr>
<td>January 1, 2021</td>
<td>$1.32/kg</td>
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<td>January 1, 2022</td>
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<td>January 1, 2023</td>
<td>98.34/kg</td>
</tr>
<tr>
<td>January 1, 2024</td>
<td>85.54/kg</td>
</tr>
<tr>
<td>January 1, 2025 and thereafter</td>
<td>Free</td>
</tr>
</tbody>
</table>

D. Effective with respect to goods of Australia, under the terms of general note 28 to the HTS, that are entered, or withdrawn from warehouse for consumption, on or after January 1, 2023, subheading 2106.90.66 is modified by deleting from the Rates of Duty 1 Special subcolumn the rate of duty “See 9913.04.25 (AU)” and by inserting in lieu thereof “See 9822.04.25 (AU)”.

E. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2007, general note 4(d) is modified by deleting “8402.20.00 Romania”; and subheading 8402.20.00 is modified by deleting from the parenthetical expression in the Rates of Duty 1 Special subcolumn the symbol “A,” and by inserting in lieu thereof “A,”.
Proclamation 8115 of March 21, 2007

Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 2007

By the President of the United States of America
A Proclamation

The United States and Greece share a long friendship built on common values and an abiding love for freedom. On Greek Independence Day, we underscore the warm ties between our countries, recognize the Greek Americans who enrich our society, and commemorate the anniversary of modern Greece.

The ancient Greeks entrusted their citizens with the right to govern, and they believed in the power of freedom to protect human dignity and basic human rights. Many of America’s Founding Fathers studied Greek history and took inspiration from these democratic ideals as they framed our Constitution. The founders of modern Greece had the strong support of our own young democracy when they declared their independence in 1821, and our nations have stood as allies in the major conflicts of the 20th century. Today, we continue to defend freedom together in the global war on terror, as Greek and American Armed Forces work to lay the foundation of peace for generations to come.

On Greek Independence Day, and throughout the year, we celebrate the universality of freedom and the enduring bonds between Greece and the United States.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, 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 and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of March, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8116 of March 26, 2007


By the President of the United States of America
A Proclamation

A future of hope and opportunity in America requires that all our children develop the knowledge and character they need in life. On Education and Sharing Day, we recognize our responsibility to ensure that our young people have the foundation necessary to lead lives rich in purpose and fulfillment.
Education and Sharing Day honors the legacy of Rabbi Menachem Mendel Schneerson and emphasizes our commitment to teach the next generation of Americans the values that make our country strong. The Lubavitcher Rebbe believed that society should “make a new commitment to kindness,” and he helped to establish education and outreach centers offering social service programs and humanitarian aid around the world.

The character of our young people is strengthened by serving a cause greater than self and by the anchor of virtues, including courage and compassion. By instilling a spirit of service in our children, we create a more optimistic future for them and our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 30, 2007, as Education and Sharing Day, U.S.A. I call upon government officials, educators, volunteers, and all the people of the United States to reach out to young people and work to create a better, brighter, and more hopeful future for all.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of March, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8117 of March 27, 2007

National Child Abuse Prevention Month, 2007

By the President of the United States of America
A Proclamation

All Americans share a responsibility to protect our Nation’s children. During National Child Abuse Prevention Month, we renew our commitment to prevent child abuse and neglect and to work to enable our children to realize their full potential.

Childhood is a formative time, and abuse can have devastating long-term effects on young lives. In order to provide a safe environment for our young people, parents must work to protect their children from the dangers that threaten them. Family members, educators, public officials, and faith-based and community organizations all play important roles in helping to ensure that children are safe and can grow surrounded by love and stability.

My Administration is committed to supporting children and promoting safe and stable families across America. Last year, I signed into law the Child and Family Services Improvement Act of 2006, which will help to prevent and address child abuse and neglect by improving child welfare services and continuing vital mentoring and family programs. Additionally, the Department of Justice’s Project Safe Childhood program and the Adam Walsh Child Protection and Safety Act of 2006 help officials at all levels of government protect our children and bring sexual and online predators, Internet pornographers who prey on our children, and other violent criminals to justice with stronger laws and improved coordination among authorities.
As we observe National Child Abuse Prevention Month, we underscore our commitment to building an America where all children can thrive, develop character, and learn to be responsible citizens in an environment of security and love. By honoring our obligation to support and protect our young people, all Americans have an opportunity to make a positive difference in the life of a child and build a brighter future for our country. For more information about how each of us can help stop child abuse, please visit childwelfare.gov.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Child Abuse Prevention Month. I encourage all citizens to help protect our children and work to create strong, healthy communities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of March, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8118 of March 28, 2007

National Donate Life Month, 2007

By the President of the United States of America
A Proclamation

Donating organs, marrow, and tissue is a kind and compassionate act that can protect and enhance the precious gift of life. During National Donate Life Month, we recognize the generosity of donors and raise awareness of the importance of donating.

In recent years, there has been great progress in this important effort, and the rate of organ donation has steadily increased—helping save thousands of lives. Despite this success, more than 95,000 Americans currently await organ transplants, and hundreds more are added to the transplant list each month. My Administration strongly supports organ, marrow, and tissue donation, and we are working with public and private groups to help more citizens understand the impact of organ donation.

Americans who wish to become organ and tissue donors can register with their State’s donor registry, designate their intent on their driver’s license, and sign and carry donor cards, which are available at organdonor.gov. I urge all citizens to consider becoming donors and encourage all donors to inform their loved ones of their decision so their wishes can be fulfilled. Every human life holds inherent dignity and matchless value, and National Donate Life Month is an opportunity to celebrate our country’s organ and tissue donors. The decision to donate the gift of life demonstrates the compassionate spirit of our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Donate Life Month. I call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to help raise awareness of the urgent need for organ and tissue donors throughout our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of March, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8119 of March 29, 2007

Cancer Control Month, 2007

By the President of the United States of America
A Proclamation

Cancer Control Month is an opportunity to educate all Americans about cancer, to raise awareness about treatments, and to renew our commitment to fighting this deadly disease.

Through developments in medical science, we continue to make advances in the prevention and treatment of cancer. Yet millions of our citizens continue to live with some form of this disease, and it remains the second leading cause of death in the United States. Individuals can reduce their risk of developing cancer by practicing healthy eating habits, exercising, limiting sun exposure, avoiding tobacco, knowing their family history, and getting regular screenings from the doctor.

My Administration remains committed to the fight against cancer. In 2005, the National Cancer Institute and the National Human Genome Research Institute launched the Cancer Genome Atlas, a revolutionary research project to help scientists understand the genetic sources of cancer. The discoveries from this project have the potential to bring about rapid advances in cancer research. And last year the National Institutes of Health invested more than $5 billion in cancer research.

We are making progress. Cancer related deaths have declined for 2 consecutive years. Thirty years ago, there were only 3 million cancer survivors, and today there are more than 10 million.

During Cancer Control Month, we remember those who have lost their lives to cancer. And we commend the determination, courage, and strength of cancer survivors. Our Nation is grateful for medical professionals, researchers, family members, and friends who support cancer patients. Their dedication to these individuals is a reflection of the true spirit of America. Our country will continue the fight against cancer until it is won.

In 1938, the Congress of the United States passed a joint resolution (52 Stat. 148; 36 U.S.C. 103) as amended, requesting the President to issue an annual proclamation declaring April as “Cancer Control Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as Cancer Control Month. I encourage citizens, government agencies, private businesses, non-profit organizations, and other interested groups to join in activities that will increase awareness about the steps Americans can take to prevent and control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of March, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8120 of April 5, 2007

Pan American Day and Pan American Week, 2007

By the President of the United States of America
A Proclamation

Each year on Pan American Day and during Pan American Week, we underscore our commitment to supporting the citizens in the Pan American community, strengthening democracy in the Western Hemisphere, and advancing the cause of peace worldwide.

In 1890, the International Union of American Republics was established to promote cooperation among the Americas. Today, the United States and our neighbors in the Western Hemisphere are a community linked by common values, shared interests, and the close bonds of family and friendship. As the expansion of freedom continues in our region, the democratic nations of the Western Hemisphere are working together to build a safer and more prosperous society and to ensure that all the people of the Americas have the opportunity to achieve their dreams.

My Administration is working to advance the cause of social justice in the Pan American region, and we are committed to supporting our neighbors' efforts to meet the needs of their citizens. In 2004, we created the Millennium Challenge Corporation to provide increased aid to nations that govern justly, invest in the education and health of their people, and promote economic freedom. We are working with the citizens of the Pan American community to expand economic opportunity through debt relief and to encourage reforms through such mechanisms as the North America Free Trade Agreement, the Chile Free Trade Agreement, and the Dominican Republic-Central America-United States Free Trade Agreement. These agreements facilitate the flow of trade and help establish market economies. We have also recently notified the Congress of our intention to enter into a free trade agreement with Panama and signed free trade agreements with Peru and Colombia. These agreements will generate export opportunities for the United States and benefit the people of Panama, Peru, and Colombia by providing economic opportunity and helping to strengthen democratic institutions. By working with our democratic neighbors to build strong and vibrant economies, we are helping the citizens of the Western Hemisphere realize the promise of a free and just society.
The ties between the democratic nations of the Western Hemisphere are deep and lasting, and together we can continue our great strides toward freedom and prosperity for people everywhere.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 14, 2007, as Pan American Day and April 8 through April 14, 2007, 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 fifth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8121 of April 5, 2007


By the President of the United States of America
A Proclamation

The men and women of the United States Armed Forces have made great sacrifices to defend our Nation. They have triumphed over brutal enemies, liberated continents, and answered the prayers of millions around the globe. On National Former Prisoner of War Recognition Day, we honor the brave individuals who put service above self and were taken captive while protecting America and advancing the cause of freedom.

Throughout our Nation’s conflicts, American prisoners of war have defied ruthless enemies and endured tremendous hardships as they braved captivity. Their strength showed the power and resilience of the American spirit and the indomitable character of our men and women in uniform. Their sacrifices are a great example of courage, devotion, and love of country.

Our Nation’s former prisoners of war have helped secure the priceless gift of freedom for all our citizens, and we will always be grateful to them and their families. On National Former Prisoner of War Recognition Day and throughout the year, we honor the American heroes who have been taken as prisoners of war and remember their legacy of bravery and selflessness.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, as National Former Prisoner of War Recognition Day. I call upon the people of the United States to join me in honoring the service and sacrifices of all American prisoners of war. I 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 fifth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8122 of April 6, 2007

400th Anniversary of Jamestown, 2007

By the President of the United States of America
A Proclamation

Four centuries ago, after a long journey, a small group of colonists stepped boldly onto the shores of the New World and established the first permanent English settlement in North America. During the 400th anniversary of Jamestown, America honors the early pioneers whose epic of endurance and courage started the story of our Nation.

The ideals that distinguish and guide the United States today trace back to the Virginia settlement where free enterprise, the rule of law, and the spirit of discovery took hold in the hearts and practices of the American people. Noble institutions and grand traditions were established in Jamestown. Amid tremendous difficulties, a determined few worked the land and expanded into the wilderness. Without knowing it, the colonists who built communities at Jamestown laid the foundation for a Nation that would become the ultimate symbol and force for freedom throughout the entire world.

Much has changed in the 400 years since that three-sided fort was raised on the banks of the James River. Today, we are a strong and growing Nation of more than 300 million, and we are blessed to live in a land of plenty during a time of great prosperity. The long struggle that started at Jamestown has inspired generations of Americans. Advancing the right to live, work, and worship in liberty is the mission that created our country, the honorable achievement of our ancestors, and the calling of our time.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as the 400th Anniversary of Jamestown. I encourage all Americans to commemorate this milestone by honoring the courage of those who came before us, participating in appropriate programs and celebrations, and visiting this historic site with family and friends.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamation 8123 of April 11, 2007


By the President of the United States of America
A Proclamation

Each year, Drug Abuse Resistance Education (D.A.R.E.) teaches millions of children across our country how to resist drugs and violence. On National D.A.R.E. Day, we honor the individuals who help our Nation’s young people avoid the dangers of substance abuse and become productive citizens.

For more than two decades, D.A.R.E. programs have taught America’s youth about the devastating effects of drug use and encouraged them to lead drug-free and violence-free lives of purpose. By opening the lines of communication between law enforcement, educators, and students, all those involved in D.A.R.E. help save lives and stop drug use before it starts.

My Administration is dedicated to fighting drug use throughout our country. The National Youth Anti-Drug Media Campaign is working with the Partnership for a Drug-Free America to teach our youth about resisting the pressure to use drugs. Additionally, the Helping America’s Youth initiative, led by First Lady Laura Bush, encourages community partnerships that bring together families, faith-based and community organizations, and schools to help make a positive impact on the lives of young people. Through the Strategic Prevention Framework and the Drug Free Communities Program, we are also helping communities to develop effective local strategies to prevent substance abuse. By working together, we can reduce illicit drug use and help every child realize the promise of our country.

Youth development programs like D.A.R.E. encourage our Nation’s children to make healthy choices that lead to a better future. This year’s National D.A.R.E. day is an opportunity to renew our commitment to building strong, drug-free communities.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 12, 2007, as National D.A.R.E. Day. I urge all young people to make good decisions and call upon all Americans to recognize our collective responsibility to combat every form of drug abuse and to support all those who work to help our children avoid drug use and violence.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamation 8124 of April 11, 2007

Thomas Jefferson Day, 2007

By the President of the United States of America
A Proclamation

On Thomas Jefferson Day, we commemorate the birthday of a monumental figure whose place in our Nation’s history will always be cherished. Thomas Jefferson was a scholar, statesman, author, architect, and patriot, and today we celebrate his many accomplishments and lasting legacy.

Thomas Jefferson continues to capture our imagination because our country still echoes his ideals. In 1776, as a young lawyer from Virginia, he drafted the Declaration of Independence for the Continental Congress and articulated the American creed. From that document was born a Nation with a message of hope—that all men are created equal and meant to be free. The words Jefferson penned were a bold statement of revolutionary principles, and they have lifted the lives of millions in America and around the world.

As the third President of the United States, Jefferson worked to realize the vision he held for our young democracy. He signed legislation in 1802 that established the United States Military Academy at West Point, New York, and began the great tradition of service academies that have contributed immensely to the defense of our freedom. He believed in the possibility of westward expansion, doubling the size of our Nation with the Louisiana Purchase and encouraging the Lewis and Clark Expedition to help open the unknown West for future development.

Thomas Jefferson served his fellow citizens in many other important roles, including Governor of Virginia, Secretary of State, and Ambassador to France. Yet, of his many accomplishments, Thomas Jefferson will always be remembered for his belief in liberty and in the ability of citizens to govern their own country and their own lives. As we celebrate his birthday, we are proud that the Nation he helped establish remains free, independent, and true to the ideals of our founding. Today, the United States of America is the world’s foremost champion of liberty, moving forward with confidence and strength, and an example to the world of what free people can achieve.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 13, 2007, as Thomas Jefferson Day. I encourage all citizens to join in celebrating the achievements of this extraordinary American, reflecting on his words, and learning more about his influence on our history and ideals.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamation 8125 of April 11, 2007

National Volunteer Week, 2007

By the President of the United States of America
A Proclamation

During National Volunteer Week, we celebrate the spirit of service in America and honor those who demonstrate the great character of our country through acts of kindness, generosity, and compassion.

Throughout the history of America, volunteers and civic organizations have helped extend the blessings of liberty and opportunity to our citizens. People across our Nation answer the universal call to love their neighbor by giving their time, talents, and energy to comfort those in despair, support others in need, and change lives for the better. The optimism and determination of our country’s volunteers reflect the true spirit and strength of our Nation.

My Administration encourages Americans to seize the opportunity to help someone in need. Individuals can find ways to serve in communities throughout our Nation by visiting the USA Freedom Corps website at volunteer.gov. The USA Freedom Corps works to rally America’s armies of compassion and bring together individuals and faith-based and community organizations committed to volunteer service. These efforts are helping to build a culture of service, citizenship, and responsibility across our country.

America’s volunteers demonstrate that the strength of our Nation lies in the hearts and souls of our citizens. During National Volunteer Week, we recognize all those who have touched the lives of others with their kindness and who have made our country a better place by helping their fellow Americans.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 15 through April 21, 2007, as National Volunteer Week. I call upon all Americans to recognize and celebrate the important work that volunteers do every day throughout our country, I also encourage citizens to explore ways to help their neighbors in need and serve a cause greater than themselves.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamations

Proclamation 8126 of April 17, 2007

Honoring the Victims of the Tragedy at Virginia Tech

By the President of the United States of America
A Proclamation

Our Nation grieves with those who have lost loved ones at Virginia Tech. We hold the victims in our hearts. We lift them up in our prayers, and we ask a loving God to comfort those who are suffering.

As a mark of respect for the victims of the senseless acts of violence perpetrated on Monday, April 16, 2007, by the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, I hereby order 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, April 22, 2007. 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 seventeenth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8127 of April 19, 2007

Small Business Week, 2007

By the President of the United States of America
A Proclamation

During Small Business Week, we honor small business owners and workers for their important role in ensuring that America remains the economic leader of the world. Every day, our Nation’s small businesses help enhance the lives of our citizens and lead the way in an economy distinguished by low unemployment, sustained job creation, and one of the fastest growth rates of any major industrialized nation.

To help extend our Nation’s prosperity, my Administration is committed to continuing the pro-growth economic policies that encourage enterprise and make America the best place in the world to do business. Our economy has created more than 7 million new jobs since major tax relief was enacted in 2003, and we are working to keep taxes low to help small businesses continue to expand. We are taking steps to make health care more affordable and available for small business owners and employees by encouraging Health Savings Accounts, supporting Association Health Plans legislation, and proposing a standard tax deduction for health insurance.
My Administration is also committed to ensuring that small businesses can
compete in the global economy.

By continuing to expand trade, we can open new markets for American
products, lower prices for consumers, and create better American jobs.

Small businesses are the lifeblood of cities and towns across the country,
and we salute small business owners, entrepreneurs, and employees for en-
hancing our communities and expanding opportunities for all. The hard
work and ingenuity of our Nation’s small business men and women are
helping to sustain America’s economic strength.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 22 through April 28,
2007, as Small Business Week. I call upon the people of the United States
to observe this week with appropriate ceremonies, activities, and programs
that celebrate the accomplishments of small business owners and their em-
ployees and encourage the development of new small businesses.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day
of April, in the year of our Lord two thousand seven, and of the Independ-
ence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8128 of April 19, 2007

Dutch-American Friendship Day, 2007

By the President of the United States of America
A Proclamation

On Dutch-American Friendship Day, we celebrate our longtime friendship
with the Kingdom of the Netherlands and honor the many Dutch Ameri-
cans who have made significant contributions to our country.

Our close partnership with the Netherlands dates back to the founding of
our Nation, and it remains among our oldest continuous relationships.
Many of the Pilgrims first sailed for the New World from a Dutch port, and
when a small American warship approached the island of St. Eustatius in
1776, the Dutch port there gave the American flag its first friendly gun sa-
lute. A few years later, the Netherlands became one of the first nations to
recognize the independence of the United States of America. The United
States and the Netherlands are continuing that tradition of close coopera-
tion in the 21st century, working together to bring hope and liberty to
places where it has long been denied.

Dutch Americans have enriched the American experience and have helped
write our history, strengthen our character, and shape our society. Today,
we pay tribute to our allies in the Netherlands and recognize the proud
citizens of Dutch ancestry who call America home.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, as Dutch-
Proclamations

American Friendship Day. I encourage all Americans to celebrate our country’s Dutch heritage and the many ways Dutch Americans have strengthened our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8129 of April 20, 2007

National Day of Prayer, 2007

By the President of the United States of America
A Proclamation

A prayerful spirit has always been an important part of our national character, and it is a force that has guided the American people, given us strength, and sustained us in moments of joy and in times of challenge. On this National Day of Prayer, we acknowledge God’s grace and ask for His continued guidance in the life of our Nation.

Americans of many faiths and traditions share a common belief that God hears the prayers of His children and shows grace to those who seek Him. Following the tragedy at Virginia Tech, in towns all across America, in houses of worship from every faith, Americans have joined together to pray for the lives that were lost and for their families, friends, and loved ones. We hold the victims in our hearts and pray for those who suffer and grieve. There is a power in these prayers, and we can find comfort in the grace and guidance of a loving God.

At this important time in our history, we also pray for the brave members of our Armed Forces and their families. We pray for their safety, for the recovery of the wounded, and for the peace we all seek.

The Congress, by Public Law 100–307, as amended, has called on our Nation to reaffirm the role of prayer in our society and to respect the freedom of religion by recognizing each year a “National Day of Prayer.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 3, 2007, as a National Day of Prayer. I ask the citizens of our Nation to give thanks, each according to his or her own faith, for the freedoms and blessings we have received and for God’s continued guidance, comfort, and protection. I invite all Americans to join in observing this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
National Crime Victims’ Rights Week, 2007

By the President of the United States of America
A Proclamation

National Crime Victims’ Rights Week is an opportunity to underscore our commitment to protecting the rights of crime victims and to recognize those who bring hope and healing to these individuals and their families. During this week, we especially remember and mourn the victims of the senseless acts of violence at Virginia Tech. A grieving Nation honors the innocent lives lost in this tragedy, and we pray for the families of the victims.

My Administration is committed to helping safeguard our communities and to ensuring that the rights of those who have been victimized by crime are protected. My Family Justice Center Initiative, announced in 2003, is now providing assistance and services for victims of domestic violence at centers nationwide. Additionally, last year I signed into law the Adam Walsh Child Protection and Safety Act of 2006, which helps protect our youth by increasing the penalties for crimes against children and creating a National Child Abuse Registry. My Administration also supports a Crime Victims’ Rights Amendment to the Constitution to further protect the basic rights of crime victims.

During National Crime Victims’ Rights Week and throughout the year, we remember and are grateful to our Nation’s victim service providers, volunteers, law enforcement, and community organizations that support victims of crime through their commitment and compassion. To find out more information about victims’ rights and volunteer opportunities, individuals may visit www.crimevictims.gov. Together, we can help ensure that crime victims have the rights and protections they deserve.

NOW, THEREFORE I, GEORGE W. BUSH, 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 22 through April 28, 2007, as National Crime Victims’ Rights Week. I encourage all Americans to help raise awareness and promote the cause of victims’ rights in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamations

Proclamation 8131 of April 20, 2007

National Park Week, 2007

By the President of the United States of America

A Proclamation

Americans take great pride in our country’s natural beauty, and our Nation is blessed to have a park system of more than 80 million acres that belongs to us all. During National Park Week, we underscore our dedication to conserving these national treasures, and we pay tribute to the dedicated employees and volunteers of the National Park Service who care for them.

Established in 1916, the National Park Service now oversees a National Park System that has grown to include almost 400 sites, with parks in nearly every State. These parks protect beautiful landscapes, tell important stories about our country’s past, and encourage our citizens to conserve our natural environment and celebrate our national history. They are places to learn, exercise, and spend time with family and friends. Through her work with the Junior Rangers and the National Park Foundation, First Lady Laura Bush and others are working to expand access to the riches of our parks.

In anticipation of the 100th anniversary of the National Park Service in 2016, my Administration has launched the National Parks Centennial Initiative. The initiative calls upon government, the private sector, and our citizenry to share in an effort to help prepare our parks for another century of conservation, preservation, and enjoyment. We will work to enhance park habitats, expand visitor services, increase educational opportunities, implement new technologies, and hire additional seasonal park rangers. By maintaining and improving our park system, we can ensure that our national parks will thrive for the next 100 years and beyond.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 22 through April 29, 2007, as National Park Week. This year’s theme is “Your National Parks: Explore, Learn, and Protect.” I invite all my fellow citizens to join me in celebrating America’s national parks by visiting these wonderful spaces, discovering all they have to offer, and becoming active participants in park conservation.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamation 8132 of April 24, 2007

Malaria Awareness Day, 2007

By the President of the United States of America
A Proclamation

Americans are fortunate to live in a land that eliminated malaria decades ago. Today, our country helps fight this disease in Africa, because we believe in the timeless truth: To whom much is given, much is required. On Malaria Awareness Day, we renew our commitment to helping combat malaria in Africa and around the world.

Tragically, one child in Africa dies every 30 seconds from malaria, a disease that is highly treatable and preventable. To reduce malaria's mortality rate in the hardest-hit African countries, I announced the President's Malaria Initiative in 2005, a five-year, $1.2 billion program. At last year's White House Summit on Malaria, Laura and I were pleased to announce the expansion of this initiative to several additional countries. These efforts are making a difference, and millions of people have already benefited from insecticide-treated bed nets, indoor spraying, and anti-malaria medicine.

Across our Nation, Americans are answering the call to act. By simply donating an insecticide-treated bed net, one individual can help save a life. For more information about how to help and for a list of humanitarian organizations, visit fightingmalaria.gov.

Americans are a compassionate people who care deeply about the plight of others and the future of our world, and we can all be proud of the work our Nation is doing to fight disease and despair. By standing with the people of Africa in the fight against malaria, we can help lift a burden of unnecessary suffering, provide hope and health, and forge lasting friendships.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 25, 2007, as Malaria Awareness Day. I encourage Americans to answer the universal call to love a neighbor and join in our goal of eradicating malaria on the African continent.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamation 8133 of April 26, 2007

Asian/Pacific American Heritage Month, 2007

By the President of the United States of America
A Proclamation

During Asian/Pacific American Heritage Month, we honor the many contributions citizens of Asian and Pacific Island ancestry have made to our great land.

The millions of Americans who trace their origins to nations in the Asian/Pacific region have enriched America. The entrepreneurship and innovation of Asian/Pacific Americans have strengthened our economy. Asian/Pacific Americans enrich our Nation with their strong values of love of family and community. Many Asian/Pacific Americans are serving the cause of freedom and peace around the world, and our Nation is grateful for their service. These good men and women defend our safety and contribute to the character and greatness of America.

To honor the achievements and contributions of Asian/Pacific Americans, the Congress, by Public Law 102–450, as amended, has designated the month of May each year as “Asian/Pacific American Heritage Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 2007 as Asian/Pacific American Heritage Month. I call upon the people of the United States to learn more about the history of Asian/Pacific Americans and their many contributions to our Nation and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8134 of April 27, 2007

National Charter Schools Week, 2007

By the President of the United States of America
A Proclamation

Across our country, charter schools are providing quality education for America’s students. During National Charter Schools Week, we recognize the important contributions of charter schools and underscore our commitment to ensuring that all children receive the education they need to lead lives of purpose and success.

Charter schools are public schools that provide families with a valuable educational alternative. Because they are not bound by many regulatory requirements, charter schools have the flexibility to innovate in ways that will best meet students’ academic needs. Today, there are about 4,000 charter schools in 40 States and the District of Columbia helping more than one million students realize their full potential.
My Administration is dedicated to providing parents with more choices so that their children will have the best opportunity to gain the skills necessary to compete and succeed in the global economy. Through the No Child Left Behind Act, we are setting high standards, expanding parents' options, and closing the achievement gap. Charter schools are getting results and helping guide children across the country on the path to a better life.

This week we thank educational entrepreneurs for supporting charter schools, and we honor all those involved in charter schools for helping their students reach high expectations.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 29 through May 5, 2007, as National Charter Schools Week. I applaud our Nation's charter schools and all those who make them a success, and I call on parents of charter school students to share their success stories and help Americans understand more about the important work of charter schools.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8135 of April 27, 2007


By the President of the United States of America
A Proclamation

Our Nation is built upon the rule of law and guided by our founding promise of freedom, equality, and justice for all. Law Day is an opportunity to celebrate the Constitution and the laws that protect our rights and liberties and to recognize our responsibility as citizens to uphold the values of a free and just society.

Generations of Americans have served the cause of justice and shaped our legal institutions to ensure that the blessings of liberty extend to every citizen. The men and women of America's legal community have worked to defend the Constitution, protect the innocent, and secure the rights of their fellow citizens. Their efforts have helped make our Nation a shining example of justice.

America's faith in the rule of law has endured through the centuries. Today, we strive to prepare our next generation of leaders to carry on America's tradition of freedom and democracy. The theme of this year's Law Day, “Liberty Under Law: Empowering Youth, Assuring Democracy,” highlights the importance of teaching our young people about the vital role they can play in our democratic society. We all have a duty to help our youth become responsible citizens by promoting the virtues that sustain our democracy and fostering a deeper understanding and respect for our Constitution and laws. These young men and women will shape the future
of our country, and their spirit and character will help promote justice, equality, and opportunity throughout our country.

The strength of our legal system requires the ongoing commitment of every citizen. As we observe Law Day, we celebrate our Nation’s legal heritage and honor those who work to advance the cause of justice.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, in accordance with Public Law 87–20, as amended, do hereby proclaim May 1, 2007, as Law Day, U.S.A. I call upon all the people of the United States to observe this day with appropriate 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 twenty-seventh day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8136 of April 30, 2007

Jewish American Heritage Month, 2007

By the President of the United States of America

A Proclamation

The faith and hard work of Jewish Americans have played an integral role in shaping the cultural fabric of America. During Jewish American Heritage Month, we celebrate the vital contributions of Jewish Americans to our Nation.

Throughout our history, Jewish Americans have contributed to the strength of our country and the preservation of our values. The talent and imagination of these citizens have helped our Nation prosper, and their efforts continue to remind us of America’s gift of religious freedom and the blessings of God’s steadfast love. Jewish Americans have worked to promote civil rights and build bridges of mutual understanding among the world’s religions. Their deep commitment to faith and strong ties to family enrich our country and set a positive example for others.

This month is also a time to recognize the sacrifices of Jewish Americans who serve our Nation in the Armed Forces. These brave men and women are dedicated to freedom’s cause, and all those who live in freedom live in their debt.

Jewish American Heritage Month is an opportunity to honor the accomplishments of Jewish-American citizens and to remember that our Nation is a melting pot of cultures. I join all Americans in celebrating the rich Jewish heritage and the many ways Jewish Americans contribute to a bright future for our country.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as Jewish American Heritage Month. I call upon all Americans to observe this month with
appropriate programs and activities to honor Jewish Americans across the country.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8137 of April 30, 2007

Loyalty Day, 2007

By the President of the United States of America
A Proclamation

America was founded by patriots who risked their lives to bring freedom to our Nation. Today, our citizens are grateful for our Founding Fathers and confident in the principles that lead us forward. On Loyalty Day, we celebrate the blessings of freedom and remember our responsibility to continue our legacy of liberty.

Our Nation has never been united simply by blood, birth, or soil, but instead has always been united by the ideals that move us beyond our background and teach us what it means to be Americans. We believe deeply in freedom and self-government, values embodied in our cherished documents and defended by our troops over the course of generations. Our citizens hold the truths of our founding close to their hearts and demonstrate their loyalty in countless ways. We are inspired by the patriotic service of the men and women who wear our Nation’s uniform with honor and decency. The military spouses and families who stand by their loved ones represent the best of the American spirit, and we are profoundly grateful for their sacrifice. Our country is strengthened by the millions of volunteers who show deep compassion toward their neighbors in need. All citizens can express their loyalty to the United States by flying the flag, participating in our democracy, and learning more about our country’s grand story of courage and simple dream of dignity.

The Congress, by Public Law 85–529, as amended, has designated May 1 of each year as “Loyalty Day.” This Loyalty Day, and throughout the year, I ask all Americans to join me in reaffirming our allegiance to our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 1, 2007, as Loyalty Day. I call upon the people of the United States to participate in this national observance and to display the flag of the United States on Loyalty Day as a symbol of pride in our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamation 8138 of May 1, 2007

National Physical Fitness and Sports Month, 2007

By the President of the United States of America

A Proclamation

National Physical Fitness and Sports Month is an opportunity to educate Americans about the importance of healthy habits and regular physical activity. During this annual observance, we renew our commitment to helping keep our citizens physically active, and we recognize the value of incorporating exercise and sports into our daily lives.

Regular physical activity is vital to good health. By maintaining an active lifestyle, citizens can reduce their risk of developing chronic health conditions. Participating in outdoor activities and individual or team sports helps promote physical fitness. These activities also teach young people important life lessons, including teamwork, patience, and discipline.

My Administration is committed to helping ensure the good health of all Americans. This year is the fifth anniversary of the HealthierUS initiative, which helps Americans improve their personal health and fitness and prevent disease. The President’s Council on Physical Fitness and Sports is spreading the message that a healthy America is a country that is physically active. Additionally, this year the Department of Health and Human Services and its partners launched a public awareness campaign to promote exercise and eating well to America’s youth. This campaign encourages kids to “Be a Player: Get Up and Play an Hour a Day.” To find out other ways to improve health, Americans can visit fitness.gov or presidentschallenge.org. By making physical fitness a priority, our citizens can help prevent disease and live healthier lives.

NOW, THEREFORE I, GEORGE W. BUSH, 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 2007 as National Physical Fitness and Sports Month. I call upon my fellow citizens to participate in athletic activities and make physical fitness a priority in their lives. I also encourage individuals, schools, and communities to celebrate this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Older Americans Month, 2007

By the President of the United States of America
A Proclamation

During Older Americans Month, we pay tribute to our senior citizens for the many ways they strengthen our Nation. Our country is blessed by their compassionate acts, the wisdom of their experiences, and the patriotism they demonstrate.

This year’s theme, “Older Americans: Making Choices for a Healthier Future,” underscores the importance of making informed decisions regarding lifestyle and personal health. The President’s Council on Physical Fitness and Sports encourages seniors to engage in physical activity through a program called the President’s Challenge. By recognizing the importance of staying active, in conjunction with nutritious eating and proper medical care, older Americans can improve heart health, slow bone loss, and lengthen lives. By making an effort to enhance their quality of life, older Americans inspire younger generations to appreciate the benefits of a healthy lifestyle.

My Administration is working to modernize the Medicare system and provide better prescription drug coverage and health care so seniors have more choices and improved care. This year, I proposed a standard tax deduction for those who purchase private health insurance. The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 and the Medicare Prescription Drug Benefit, Medicare Part D, help seniors receive the medical services and the prescription drugs they need at more affordable prices.

This month, we honor older Americans for demonstrating the spirit of our Nation through their positive attitude, strong work ethic, and personal character. America will always be grateful for the legacy of responsibility and service they are leaving to future generations.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as Older Americans Month. I commend older Americans for the many contributions they make to our Nation. I also commend the Federal, State, local, and tribal organizations, service and health care providers, caregivers, and volunteers who dedicate their time and talents to our seniors. I encourage all citizens to honor their elders, care for those in need, and reaffirm our country’s commitment to older Americans this month and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Mother’s Day, 2007

By the President of the United States of America
A Proclamation

Motherhood is one of the most cherished and valued roles in our society. On Mother’s Day, we pay tribute to these dedicated women who give unconditional love and guidance to their children.

A mother’s work requires extraordinary patience and compassion, and her example influences the formation of young lives. President Gerald Ford wrote that “there is no undertaking more challenging, no responsibility more awesome, than that of being a mother.” Mothers make great sacrifices and serve as caregivers and role models to help their children embrace dreams and aspirations. From these remarkable women, children learn character and values, the importance of giving back to their communities, and the courage to realize their potential. Mothers of military personnel provide support and encouragement while their sons and daughters defend our freedom in places far from home, and many mothers bring honor to the uniform of the United States while working to lay the foundations of peace for generations to come.

The bond between mothers and their children is one defined by love. As a mother’s prayers for her children are unending, so are the wisdom, grace, and strength they provide to their children. On Mother’s Day, we are reminded of the great debt we owe to our Nation’s mothers for their love and devotion to their sacred duty.

To honor mothers, the Congress, by a joint resolution approved May 8, 1914, as amended (38 Stat. 770), has designated the second Sunday in May each year as “Mother’s Day” and has requested the President to call for its appropriate observance. Throughout the year, and especially on this day, America’s sons and daughters honor our mothers and celebrate their selfless gift of love.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 13, 2007, as Mother’s Day. I encourage all Americans to show their gratitude and love to mothers for making a difference in the lives of their children, families, and communities. I call upon 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 two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Military Spouse Day, 2007

By the President of the United States of America
A Proclamation

America’s military spouses inspire our Nation with their sense of duty and deep devotion to our country. On Military Spouse Day, we honor the husbands and wives of those who wear the uniform of the Armed Forces of the United States.

The husbands and wives of our service members have made significant sacrifices for freedom’s cause, and they are an integral part of the success of our Armed Forces. Spouses may endure long periods of separation and frequent relocations, and they often set aside their own personal and professional ambitions for the benefit of their family and the Nation. Despite tremendous personal challenges, military spouses maintain everyday life for their families here at home, while sending love, prayers, encouraging words, and care packages to their loved ones stationed around the globe.

On behalf of a grateful Nation, we salute our Nation’s military spouses. For ways to support our troops, their spouses, and their families, visit americasupportyou.mil.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 11, 2007, as Military Spouse Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities and by expressing their gratitude to the husbands and wives of those serving in the United States Armed Forces.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
America is strengthened by transportation that helps to safely and efficiently transport our troops, deliver supplies, and serve in emergency situations. My Administration is committed to maintaining and modernizing our vast transportation infrastructure to serve the country’s needs now and in the future. We continue to improve the safety and security of our roads, bridges, seaports, mass transit systems, airports, airplanes, and pipelines. Protecting our transportation systems increases safety for all our citizens and helps sustain our economy.

In addition to keeping Americans safe, our transportation system is critical to our citizens’ everyday lives. Americans depend on our safe, reliable, and efficient infrastructure to travel for work or pleasure. Through the Department of Transportation, we are working to reduce congestion and improve the performance of America’s transportation system.

There are many transportation professionals and military service members across our Nation who work to help ensure that our transportation systems run smoothly and continue to protect our homeland. We are grateful for their dedication and service, and we recognize their important contributions to making America’s transportation system the strongest and most reliable in the world.

To recognize the men and women who work in the transportation industry and who contribute to our Nation’s well-being and defense, the Congress, by joint resolution approved May 16, 1957, as amended (36 U.S.C. 120), has designated the third Friday in May of each year as “National Defense Transportation Day,” and, by joint resolution approved May 14, 1962, as amended (36 U.S.C. 133), declared that the week during which that Friday falls be designated as “National Transportation Week.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Friday, May 18, 2007, as National Defense Transportation Day and May 13 through May 19, 2007, as National Transportation Week. I encourage all Americans to learn how our modern transportation system contributes to the security of our citizens and the prosperity of our country and to celebrate these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8143 of May 10, 2007

National Safe Boating Week, 2007

By the President of the United States of America
A Proclamation

Millions of Americans take advantage of and participate in the special beauty of our Nation’s waterways. During National Safe Boating Week, we renew our commitment to raising awareness about the importance of making safe and sound boating decisions on the water.
America’s rivers, lakes, and oceans are wonderful places for boaters to gather with friends and family while enjoying the outdoors. As they do so, it is important that individuals avoid risky behaviors that can lead to boating accidents. Factors such as careless and reckless operation, inattention, and excessive speed contribute to accidents. To help ensure that individuals stay safe on America’s waterways, the United States Coast Guard urges citizens to take basic safety precautions such as wearing a life jacket, participating in a boat safety course, getting a free vessel check, and never boating under the influence of alcohol or drugs. By practicing responsible boating habits, citizens can help contribute to a safer, more enjoyable experience on the water.

In recognition of the importance of safe boating practices, the Congress, by joint resolution approved June 4, 1958 (36 U.S.C. 131), as amended, has authorized and requested the President to proclaim annually the 7-day period prior to Memorial Day weekend as “National Safe Boating Week.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 19 through May 25, 2007, 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 week. I also urge all Americans to learn more about safe boating practices and always engage in proper and responsible conduct while on the water.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8144 of May 11, 2007

Peace Officers Memorial Day and Police Week, 2007

By the President of the United States of America
A Proclamation

In every American community, committed law enforcement officers watch over our neighborhoods and work to make our Nation a safer, more peaceful place. As we observe Peace Officers Memorial Day and Police Week, we honor the men and women who serve the cause of justice, and we pay tribute to those who have lost their lives in the line of duty.

By taking an oath to serve and protect their fellow citizens, law enforcement officers answer a vital calling and accept a profound responsibility. These extraordinary Americans work to uphold our laws and serve on the front lines in the fight against crime and terrorism.

We owe a lasting debt to those who sacrificed their lives while serving and protecting our fellow citizens. These fallen officers live on in our national memory as Americans whose courage and commitment have shown the true meaning of heroism. We offer our respect and prayers to their loved ones.
Proclamations  Proc. 8145

On Peace Officers Memorial Day and during Police Week, we recognize and honor the service and sacrifice of the men and women whose devotion to duty brings honor to our system of justice and makes America a better place.

By a joint resolution approved October 1, 1962, as amended, (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, as amended, (36 U.S.C. 136), has directed that the flag be flown at half staff on Peace Officers Memorial Day.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 15, 2007, as Peace Officers Memorial Day and May 13 through May 19, 2007, as Police Week. I call on all Americans to observe these events with appropriate ceremonies and activities. I also call on Governors of the United States and the Commonwealth of Puerto Rico, as well as appropriate officials of all units of government, to direct that the flag be flown at half staff on Peace Officers Memorial Day. I further encourage all Americans to display the flag at half staff from their homes and businesses on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8145 of May 15, 2007

Prayer for Peace, Memorial Day, 2007

By the President of the United States of America
A Proclamation

On Memorial Day, Americans pause with solemn gratitude and deep respect for all our fallen service men and women who have given their lives for our country and our freedom.

Through the generations, the courageous and selfless patriots of our Armed Forces have secured our liberty and borne its great and precious cost. When it has mattered most, patriots from every corner of our Nation have taken up arms to uphold the ideals that make our country a beacon of hope and freedom for the entire world. By answering the call of duty with valor and unrelenting determination, they have set a standard of courage and idealism that inspires us all.

All Americans honor the memory of the lives that have been lost in defense of our freedom. Our Nation mourns them, and their example of strength and perseverance gives us resolve. We are also thankful to those who have stood by our service men and women in times of war and times of peace.

Today, the members of our Armed Forces follow in a proud tradition handed down to them by the heroes that served before them. They are protecting our Nation, advancing the blessings of freedom, and laying the
foundation for a more peaceful tomorrow through service that exemplifies the good and decent character of our Nation. America is grateful to all those who have worn the uniform of the Armed Forces of the United States, and we will never forget their sacrifices for our liberty.

On Memorial Day, we honor all those who have fallen by remembering their noble sacrifice for freedom. We also pray for our troops, their families, and for the peace we all seek.

In respect for their devotion to America, the Congress, by a joint resolution approved on May 11, 1950, as amended (64 Stat. 158), has requested the President to issue a proclamation calling on 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 people of the United States might unite in prayer. The Congress, by Public Law 106–579, has also designated the minute beginning at 3:00 p.m. local time on that day as a time for all Americans to observe the National Moment of Remembrance.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Memorial Day, May 28, 2007, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at 11:00 a.m. of that day as a time to unite in prayer. I also ask all Americans to observe the National Moment of Remembrance beginning at 3:00 p.m., local time, on Memorial Day. I encourage the media to participate in these observances. 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 until noon on this Memorial Day on all buildings, grounds, and naval vessels throughout the United States, and in all areas under its jurisdiction and control. I also 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 fifteenth day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8146 of May 18, 2007

National Hurricane Preparedness Week, 2007

By the President of the United States of America
A Proclamation

Each year, millions of Americans living in coastal areas are faced with the hazards of hurricanes. As hurricane season approaches, National Hurricane Preparedness Week provides an opportunity to raise awareness of steps that can be taken to help protect our citizens, and their communities and property.

Hurricanes can be devastatingly powerful and include storm surge, high winds, tornadoes, and flooding. To reduce the potentially deadly effects of these storms, it is imperative for people in hurricane-prone areas to prepare
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for each type of hurricane hazard. Taking the time to develop a family disaster plan, create a disaster supply kit, and stay aware of current weather situations can improve preparedness and help save lives.

My Administration is committed to strengthening our Nation’s ability to prepare for, respond to, and recover from these types of disasters. I’ve asked the Federal Emergency Management Agency (FEMA) to find ways to provide better assistance to those affected by catastrophe. FEMA has enhanced coordination between all levels of government during times of crisis and, along with the National Oceanic and Atmospheric Administration, is helping raise awareness about the dangers of hurricanes. In addition, the Department of Homeland Security and FEMA provide Americans with important emergency preparation checklists and valuable resources about what to do after a disaster at ready.gov and fema.gov. By working together, citizens and Federal, State, local, and tribal officials can help safeguard lives and protect property.

Throughout the hurricane season, we are also grateful for the compassion, courage, and generosity of the volunteers and first responders who stand ready to help their neighbors in need. Their good hearts reflect the character of our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 20 through May 26, 2007, as National Hurricane Preparedness Week. I call upon government agencies, private organizations, schools, and the media to share information about hurricane preparedness. I also urge all Americans living in vulnerable coastal areas of our Nation to take appropriate measures and precautions to protect themselves against the effects of hurricanes.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8147 of May 18, 2007

World Trade Week, 2007

By the President of the United States of America
A Proclamation

World trade is essential to promoting global economic growth, development, freedom, and prosperity. During World Trade Week, we underscore our commitment to free and fair trade and acknowledge the benefits of open markets for our citizens and for people around the globe.

Trade creates wealth and opportunities, and United States engagement in the global economy has contributed to rising living standards throughout our country. Businesses that participate in international trade are more productive, have higher employment growth, and pay greater wages. Advancing free trade on a level playing field helps ensure that America benefits from the international market.

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My Administration is committed to reducing barriers to trade, strengthening our strategic partnerships, and promoting economic growth throughout the world. At the beginning of my Administration, America had free trade agreements with three countries. Today, we have free trade agreements in force with 14 countries, creating benefits for American businesses, workers, and consumers. These trade agreements are particularly important for small and medium-sized companies to help them identify and take full advantage of new trade opportunities.

The United States continues to work with other nations in the World Trade Organization to complete the Doha Development Round, which has the potential to lift millions of people out of poverty. I have also called upon the Congress to extend Trade Promotion Authority so we can complete the Doha Round and continue to negotiate robust trade agreements. By working to expand trade, we open new markets for American products and services and help build free economies that can raise the standard of living for families.

NOW, THEREFORE I, GEORGE W. BUSH, 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 20 through May 26, 2007, as World Trade Week. I encourage all Americans to observe this week with events, trade shows, and educational programs that celebrate the benefits of trade to our Nation and the global economy.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8148 of May 18, 2007


By the President of the United States of America
A Proclamation

America has a proud maritime history, and the United States Merchant Marine has played a vital role in helping meet our country’s economic and national security needs. On National Maritime Day, we honor merchant mariners for their dedication to promoting commerce and protecting our freedom.

During times of peace, the U.S. Merchant Marine helps ensure our economic security by keeping the oceans open to trade. Ships operated by merchant mariners transport goods across our Nation’s waterways and on the high seas around the world to connect American businesses and consumers with valuable foreign markets and commodities. The skill and expertise of merchant mariners facilitates trade and helps to strengthen our economy.

In times of war, the Merchant Marine is the lifeline of our troops overseas. By carrying critical supplies, equipment, and personnel, merchant mariners provide essential support to our Armed Forces and help advance the cause
of freedom. Today, merchant mariners are supporting operations in Afghanistan and Iraq, and their devotion to duty is a tribute to the generations of men and women who have served our Nation with courage and determination in every conflict in America’s history. On this day, and throughout the year, America is grateful for their service.

In recognition of the importance of the U.S. Merchant Marine, the Congress, by joint resolution approved on May 20, 1933, as amended, has designated May 22 of each year as “National Maritime Day,” and has authorized and requested that the President issue an annual proclamation calling for its appropriate observance.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 22, 2007, as National Maritime Day. I call upon the people of the United States to mark this observance by honoring the service of merchant mariners 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 eighteenth day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8149 of May 25, 2007

Great Outdoors Month, 2007

By the President of the United States of America
A Proclamation

During Great Outdoors Month, we celebrate the rich blessings of our Nation’s natural beauty, and we renew our commitment to protecting our environment so that we can leave our children and grandchildren a healthy and flourishing land. This month is also an opportunity to pay tribute to those whose hard work and dedication keep our country’s open spaces beautiful and accessible to our citizens.

Through recreational activities such as fishing, skiing, biking, and nature watching, we can teach our young people about the wonders of our Nation’s landscapes. Experiencing our Nation’s natural splendor contributes to healthier lives for our citizens and a deeper appreciation for the great outdoors.

My Administration is working to protect and conserve our natural wonders for future generations. To keep our National Park System vibrant, we requested the highest increase ever in park operations funding in the FY 2008 Budget and launched the National Parks Centennial Initiative. We are also promoting responsible stewardship and conservation of our air, water, and land. Harmful air pollutants are down more than 10 percent since 2001, but there is more work to be done. Through the “Twenty in Ten” plan, my Administration aims to limit greenhouse gas emissions from motor vehicles and reduce America’s dependence on oil by cutting our gasoline usage by 20 percent over the next 10 years.
In addition, we have restored, improved, or protected millions of acres of wetlands and enhanced our parks and wildlife refuges. We are also encouraging cooperative conservation, innovation, and new technologies to help ensure America’s outdoors remain places where families and friends can learn, exercise, and create meaningful memories.

Countless citizens volunteer their time and talents to protect America’s natural resources. By working together with the private and non-profit sectors and the general public, we can help preserve our local parks, lakes, rivers, and working lands. I am grateful for the efforts of all those who work to conserve our Nation’s natural wonders, and I encourage citizens to visit takepride.gov to learn about more opportunities to help keep our environment healthy and safe.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as Great Outdoors Month. I call on all Americans to observe this month with appropriate programs and activities and to take time to experience and enjoy the outdoors.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8150 of May 30, 2007

National Oceans Month, 2007

By the President of the United States of America

A Proclamation

Our Nation benefits from the oceans that contain precious natural treasures, carry much of our trade, and provide us with food and recreational opportunities. During National Oceans Month, we celebrate these benefits, and we underscore our commitment to being good stewards of the oceans.

Since the release of my Ocean Action Plan in 2004, my Administration has made great strides in ocean conservation by working with State, tribal, and local governments, the private sector, and our international partners in the spirit of cooperative conservation. In June 2006, I designated a national monument in the Northwestern Hawaiian Islands to celebrate the area’s natural, cultural, and historical importance. The tropical waters of the Papahanaumokuakea Marine National Monument are a sanctuary for 7,000 marine species. This important Monument is our Nation’s largest single conservation area and the largest protected marine area in the world. Earlier this year, I was also proud to sign into law the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 to end over-fishing and rebuild our Nation’s fish stocks through more effective, market-based management. Internationally, we continue to lead in protecting the maritime environment while preserving the navigational freedoms essential to the security and prosperity of every nation. By working
to build a well managed system of offshore aquaculture, we can provide a healthy source of food and reduce pressure on our ocean ecosystems.

During National Oceans Month and throughout the year, we recognize all who are dedicated to making our oceans, coasts, and Great Lakes cleaner, healthier, and more productive, including the many Federal agencies that make up the Committee on Ocean Policy. One of these agencies, the National Oceanic and Atmospheric Administration, celebrates two centuries of dedicated research and conservation of coastal and marine environments. By continuing to work together, we can conserve and enjoy the splendor of these magnificent waters now and for generations to come.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim June 2007 as National Oceans Month. I call upon the people of the United States to learn more about the vital role oceans play in the life of our country and ways we can conserve their many national treasures. I encourage all our citizens to observe this month with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8151 of May 31, 2007

Black Music Month, 2007

By the President of the United States of America
A Proclamation

During Black Music Month, we recognize the outstanding contributions that African-American singers, composers, and musicians have made to our country, and we express our appreciation for the extraordinary music that has enriched our Nation.

The music of African-American musicians has helped shape our national character and become an important part of our musical heritage. Often born out of great pain and strong faith, that music has helped African Americans endure tremendous suffering and overcome injustice with courage, faith, and hope. By speaking to the human experience and expressing heartfelt emotion, African-American artists have inspired people across the generations in America and around the world with their vision and creativity.

This month is an opportunity to honor the men and women who have created some of the best music America has ever produced. Great musical talents such as Ray Charles, Louis Armstrong, Mahalia Jackson, Ella Fitzgerald, Duke Ellington, and James Brown have enriched our culture with innovative talent and artistic legacies that continue to influence musicians today. We remember so many wonderful artists and celebrate the achievements of black musicians whose work reflects the diversity of our citizens and lifts the human spirit.
NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as Black Music Month. I encourage all Americans to learn more about the history of black music and to enjoy the great contributions of African-American musicians.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8152 of May 31, 2007


By the President of the United States of America

A Proclamation

Today’s children are tomorrow’s leaders, and our Nation has a responsibility to ensure that they develop the character and skills needed to succeed. On National Child’s Day, we underscore our commitment to our children and pledge to provide them with the care, protection, and education they deserve.

Children are great blessings in our lives. They rely on the love and guidance of parents, family members, mentors from faith-based and community organizations, and teachers to help them gain a sense of confidence and learn that their actions have consequences. All of us play an important role in teaching our children that the decisions they make today will affect them for the rest of their lives.

My Administration is committed to helping young Americans reach their full potential. One of my top priorities is to reauthorize the No Child Left Behind Act, a good law that has brought great progress. Students are scoring higher and beginning to close the achievement gap, proving that when we set expectations high, America’s schools and students will rise to meet them. My Administration is also ensuring that our country is competitive by enhancing math and science education through the American Competitiveness Initiative. Additionally, the Department of Health and Human Services and its partners are working to prevent childhood obesity by encouraging America’s youth to exercise and practice healthy eating habits. And the Helping America’s Youth initiative, led by First Lady Laura Bush, raises awareness about the challenges that face our young people and motivates caring adults to connect with children in three key areas: family, school, and community. We will continue to work to provide a safe environment and a quality education for our Nation’s boys and girls to ensure that they are prepared to lead lives of purpose and success.

On National Child’s Day and throughout the year, we are grateful for young Americans and those who support them. Through a loving commitment to America’s youth, we can create a more hopeful society, build a bright future for our country, and encourage our children to achieve their dreams.
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NOW, THEREFORE, I, GEORGE W. BUSH, 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 3, 2007 as National Child’s Day. I call upon our citizens to celebrate National Child’s Day with the appropriate ceremonies and activities. I also urge all Americans to dedicate time and energy to educating our youth and providing them with a safe and caring environment.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of May, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8153 of June 1, 2007

Caribbean-American Heritage Month, 2007

By the President of the United States of America
A Proclamation

During June, we recognize Caribbean Americans and celebrate the many ways they contribute to our Nation.

Generations of Caribbean Americans have helped shape the spirit and character of our country. These individuals are justly proud of their Caribbean roots, and they enrich the American experience by sharing their traditions, history, and values. Caribbean Americans of all walks of life have added to the vitality, success, and prosperity of our country. Their hard work and determination inspire all who dream of a better life for themselves and their families.

Our Nation is deeply grateful to the Caribbean Americans who defend our liberty as members of our Armed Forces. The service and sacrifice of these courageous men and women are helping lay the foundation of peace for generations to come.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as Caribbean-American Heritage Month. I encourage all Americans to learn more about the history and culture of Caribbean Americans and their contributions to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of June, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
National Homeownership Month, 2007

By the President of the United States of America
A Proclamation

Owning a home is part of the American dream, and National Homeownership Month is an opportunity to encourage our citizens to explore the benefits of owning a home.

Owning a home provides a source of security and stability for many of our citizens. My Administration is committed to fostering an ownership society and helping more Americans realize the great promise of our country. Today, nearly 70 percent of Americans own their homes, and the rate of minority homeownership has climbed to above 50 percent since I took office in 2001. The Department of Housing and Urban Development is continuing to enforce the Fair Housing Act to confront housing discrimination and advance equal housing opportunities for everyone. We are also working with the Congress to modernize the Federal Housing Administration in order to better provide safe, fair, and affordable mortgages to first-time homeowners, minorities, and individuals with less than perfect credit. In addition, the American Dream Downpayment Act of 2003 is helping thousands of low to moderate income and minority families with the downpayment and closing costs on their homes. My Administration also continues to support more funding for the Self-Help Homeownership Opportunity Program and the HOME Investment Partnership Program, which provide low-income citizens and minorities with more homeownership opportunities.

During National Homeownership Month and throughout the year, I urge citizens to consider homeownership opportunities in their communities, and I applaud American homeowners for helping fuel the economy.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Homeownership Month. I call upon the people of the United States to join me in recognizing the importance of homeownership and building a more prosperous future.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of June, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
Proclamation 8155 of June 5, 2007

Flag Day and National Flag Week, 2007

By the President of the United States of America

A Proclamation

The American Flag represents freedom and has been an enduring symbol of our Nation’s ideals since the earliest days of our Nation. Wherever it flies, we are reminded of America’s unity and in the great cause of liberty and justice for all.

Two hundred and thirty years ago, the Second Continental Congress officially made the Stars and Stripes the symbol of America. The Founders declared that the 13 stars gracing the original flag represented “a new constellation,” just as America embodied new hope and new light for mankind. Today, our flag continues to convey the bold spirit of a proud and determined Nation.

Americans have long flown our flag as a sign of patriotism and gratitude for the blessings of liberty. We also pledge allegiance to the flag as an expression of loyalty to our country and to the belief in the American creed of freedom and justice. By displaying and showing respect for the flag, we honor the ideals upon which our democracy rests and show appreciation for the freedoms we enjoy today. Flying the flag can also be an expression of thanks for the men and women who have served and sacrificed in defense of our freedoms—from the early patriots of the Continental Army to the courageous Americans in uniform who are defending those freedoms around the world today.

During Flag Day and National Flag Week, we honor Old Glory and reflect on the foundations of our freedom. As citizens of this great Nation, we are proud of our heritage, grateful for our liberty, and confident in our future.

To commemorate the adoption of our flag, the Congress, by joint resolution approved August 3, 1949, as amended (63 Stat. 492), designated June 14 of each year as “Flag Day” and requested that the President 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, by joint resolution approved June 9, 1966, as amended (80 Stat. 194), that the President issue annually a proclamation designating the week in which June 14 occurs as “National Flag Week” and calling upon all citizens of the United States to display the flag during that week.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim June 14, 2007, as Flag Day and the week beginning June 10, 2007, 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 America, 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 fifth day of June, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8156 of June 11, 2007

Father's Day, 2007

By the President of the United States of America
A Proclamation

On Father's Day, we reflect on the many ways that fathers contribute to the lives of their children with spoken words and unspoken kindness.

Fathers are one of the most important influences in the lives of children, and their unconditional love is an indispensable anchor of certainty and strength. By placing their family's well-being above their own, fathers provide children with an example of what it means to be a responsible person. Through unwavering devotion and daily sacrifice, fathers work to create an environment where children are protected and encouraged. Fathers instill in their children an understanding of right and wrong and help them to grow in confidence and character. These dedicated men strive to give their sons and daughters the necessary foundation to make good choices and lead lives of purpose.

On Father's Day and throughout the year, we honor the men who have taken on the great joy and responsibility of fatherhood, and we celebrate their extraordinary impact and influence. All Americans are especially grateful to the many fathers who are serving their country as members of the Armed Forces, and we lift them and their loved ones up in prayer.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972, as amended (36 U.S.C. 109), do hereby proclaim June 17, 2007, as Father’s Day. I encourage all Americans to express admiration and appreciation to fathers for their many contributions to our Nation’s children. I direct the appropriate officials of the Government to display the flag of the United States on all Government buildings on this day. I also call upon State and local governments and citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of June, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
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Proclamation 8157 of June 28, 2007

To Modify Duty-Free Treatment Under the Generalized System of Preferences, Take Certain Actions Under the African Growth and Opportunity Act, and for Other Purposes

By the President of the United States of America
A Proclamation

1. Pursuant to section 503(c)(2)(A) of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2463(c)(2)(A)), beneficiary developing countries, except those designated as least-developed beneficiary developing countries or beneficiary sub-Saharan African countries as provided in 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 Generalized System of Preferences (GSP) to eligible articles.

2. Section 503(c)(2)(C) of the 1974 Act (19 U.S.C. 2463(c)(2)(C)) provides that 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 during the preceding calendar year.

3. Section 503(c)(2)(F)(i) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(i)) provides that the President may disregard the competitive need limitation provided in section 503(c)(2)(A)(ii) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)(ii)) with respect to any eligible article from any beneficiary developing country if the aggregate appraised value of the imports of such article into the United States during the preceding calendar year does not exceed an amount set forth in section 503(c)(2)(F)(ii) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(ii)).

4. Pursuant to section 503(d)(1) of the 1974 Act (19 U.S.C. 2463(d)(1)), the President may waive the application of the competitive need limitations in section 503(c)(2)(A) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)) with respect to any eligible article from any beneficiary developing country if certain conditions are met.

5. Pursuant to section 503(d)(5) of the 1974 Act (19 U.S.C. 2463(d)(5)), any waiver granted under section 503(d) shall remain in effect until the President determines that such waiver is no longer warranted due to changed circumstances.

6. Pursuant to section 503(c)(2)(A) of the 1974 Act, I have determined that in 2006 certain beneficiary developing countries have exported certain eligible articles in quantities exceeding the applicable competitive need limitation, and I therefore terminate the duty-free treatment for such articles from such beneficiary developing countries.

7. Pursuant to section 503(c)(2)(C) of the 1974 Act, and subject to the considerations set forth in sections 501 and 502 of the 1974 Act (19 U.S.C. 2461 and 2462), I have determined to redesignate certain countries as beneficiary developing countries with respect to certain eligible articles that
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previously had been imported in quantities exceeding the competitive need limitations of section 503(c)(2)(A) of the 1974 Act.

8. 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) of the 1974 Act should be disregarded with respect to certain eligible articles from certain beneficiary developing countries.

9. Pursuant to section 503(d)(1) of the 1974 Act, I have received the advice of the United States International Trade Commission (USITC) 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) of the 1974 Act, and after giving great weight to the considerations in section 503(d)(2) of the 1974 Act (19 U.S.C. 2463(d)(2)), that such waivers are in the national economic interest of the United States. Accordingly, I have determined that the competitive need limitations of section 503(c)(2)(A) of the 1974 Act should be waived with respect to certain eligible articles from certain beneficiary developing countries.

10. Pursuant to section 503(d)(5) of the 1974 Act, I have determined that certain previously granted waivers of the competitive need limitations of section 503(c)(2)(A) of the 1974 Act are no longer warranted due to changed circumstances.

11. Section 506A(a)(1) of the 1974 Act (19 U.S.C. 2466a(a)(1)), as added by section 111(a) of the African Growth and Opportunity Act (title I of Public Law 106–200)(AGOA), authorizes the President to designate a country listed in section 107 of the AGOA (19 U.S.C. 3706) as a beneficiary sub-Saharan African country if the President determines that the country meets the eligibility requirements set forth in section 104 of the AGOA (19 U.S.C. 3703), as well as the eligibility criteria set forth in section 502 of the 1974 Act (19 U.S.C. 2462).

12. Section 104 of the AGOA authorizes the President to designate a country listed in section 107 of the AGOA as an eligible sub-Saharan African country if the President determines that the country meets certain eligibility requirements.

13. Section 112(c) of the AGOA (19 U.S.C. 3721(c)) provides special rules for certain apparel articles imported from lesser developed beneficiary sub-Saharan African countries.

14. In Proclamation 7970 of December 22, 2005, I determined that the Islamic Republic of Mauritania (Mauritania) was not making continual progress in meeting the requirements described in section 506A(a)(1) of the 1974 Act and terminated the designation of Mauritania as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act.

15. Pursuant to section 104 of the AGOA and section 506A(a)(1) of the 1974 Act, I have determined that Mauritania now meets the eligibility requirements set forth or referenced therein, and I have decided to redesignate Mauritania as an eligible sub-Saharan African country and beneficiary sub-Saharan African country.

16. I further determine that Mauritania satisfies the criterion for treatment as a “lesser developed beneficiary sub-Saharan African country” under section 112(c) of the AGOA.


20. On April 22, 1985, the United States entered into the Agreement on the Establishment of a Free Trade Area between the Government of the United States of America and the Government of Israel (the “Israel FTA”), which the Congress approved in the United States-Israel Free Trade Area Implementation Act of 1985 (the “Israel FTA Act”) (19 U.S.C. 2112 note). In order to maintain the general level of reciprocal and mutually advantageous concessions with respect to agricultural trade with Israel, on July 27, 2004, the United States entered into an agreement with Israel concerning certain aspects of trade in agricultural products during the period January 1, 2004, through December 31, 2008 (the “2004 Agreement”).


22. 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, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to title V and section 604 of the 1974 Act, section 4 of the Israel FTA Act, section 1206 of the 1988 Act, and section 104 of the AGOA, do hereby proclaim: (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 redesignated as beneficiary developing countries with respect to such article or articles for purposes of the GSP, and, in order to provide that one or more countries should no longer be treated as beneficiary developing countries with respect to one or more eligible articles for purposes of the GSP, general note 4(d) to the HTS is modified as set forth in section A of Annex I to this proclamation. (2) In order to designate certain articles as eligible articles for purposes of the GSP when imported from any beneficiary developing country, the Rates
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of Duty 1-Special subcolumn for such HTS subheadings is modified as set forth in section B(1) of Annex I to this proclamation.

(3) In order to provide that one or more countries should not be treated as beneficiary developing countries with respect to certain eligible articles for purposes of the GSP, the Rates of Duty 1-Special subcolumn for such HTS subheadings is modified as set forth in section B(2) of Annex I to this proclamation.

(4) The competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act is disregarded with respect to the eligible articles in the HTS subheadings and to the beneficiary developing countries listed in Annex II to this proclamation.

(5) 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 III to this proclamation.

(6) The waivers of the application of section 503(c)(2)(A) of the 1974 Act to the articles in the HTS subheading and to the beneficiary developing countries listed in Annex IV to this proclamation are revoked.

(7) Mauritania is designated as an eligible sub-Saharan African country and as a beneficiary sub-Saharan African country.

(8) In order to reflect this designation in the HTS, general note 16(a) to the HTS is modified by inserting in alphabetical sequence in the list of beneficiary sub-Saharan African countries “Islamic Republic of Mauritania,” effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2007.

(9) For purposes of section 112(c) of the AGOA, Mauritania is a lesser developed beneficiary sub-Saharan African country.

(10) In order to provide the tariff treatment intended under section 112 of the AGOA, as amended, the HTS is modified as set forth in section A of Annex V to this proclamation.

(11) In order to conform the HTS to the Convention or any amendment thereto recommended for adoption, to promote the uniform application of the Convention, to establish additional subordinate tariff categories, and to make technical and conforming changes to existing provisions, the HTS is modified as set forth in section B of Annex V to this proclamation.

(12) In order to implement section 2004(b)(1)(B) of the Miscellaneous Trade and Technical Corrections Act of 2004, the HTS is modified as set forth in section C of Annex V to this proclamation.

(13) In order to provide the tariff treatment intended under the 2004 Agreement, the HTS is modified as set forth in section D of Annex V to this proclamation.

(14) The modifications to the HTS set forth in Annexes I, IV, and V 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 the respective annex.

(15) 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.
IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of June, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH
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ANNEX I

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

Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2007, general note 4(d) to the HTS is modified by:

(1). deleting the following subheading numbers and the countries set out opposite such subheading numbers:

<table>
<thead>
<tr>
<th>Subheading</th>
<th>Country</th>
<th>Subheading</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>0603.19.00</td>
<td>Colombia</td>
<td>4107.99.60</td>
<td>Colombia</td>
</tr>
<tr>
<td>0708.20.10</td>
<td>Peru</td>
<td>6501.00.60</td>
<td>Colombia; Ecuador</td>
</tr>
<tr>
<td>0712.90.30</td>
<td>Peru</td>
<td>7113.19.21</td>
<td>Peru</td>
</tr>
<tr>
<td>0714.20.10</td>
<td>Colombia</td>
<td>7801.99.30</td>
<td>Colombia</td>
</tr>
<tr>
<td>2008.19.25</td>
<td>Peru</td>
<td>7905.00.00</td>
<td>Peru</td>
</tr>
<tr>
<td>2611.00.60</td>
<td>Bolivia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2928.00.10</td>
<td>Colombia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3201.90.50</td>
<td>Peru</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(2). deleting the following countries set out opposite the following subheading numbers:

- 2004.10.40 Peru
- 2805.40.00 Peru

(3). adding, in numerical sequence, the following subheading numbers and the countries set out opposite such subheading numbers:

<table>
<thead>
<tr>
<th>Subheading</th>
<th>Country</th>
<th>Subheading</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>0802.90.94</td>
<td>Cote d'Ivoire</td>
<td>7113.19.50</td>
<td>India; Thailand</td>
</tr>
<tr>
<td>2008.99.80</td>
<td>Brazil</td>
<td>7202.99.10</td>
<td>Brazil</td>
</tr>
<tr>
<td>2810.00.00</td>
<td>Turkey</td>
<td>8505.31.00</td>
<td>India</td>
</tr>
<tr>
<td>2841.90.20</td>
<td>Kazakhstan</td>
<td>8528.71.10</td>
<td>India</td>
</tr>
<tr>
<td>2926.90.30</td>
<td>India</td>
<td>8528.72.64</td>
<td>Thailand</td>
</tr>
<tr>
<td>4012.12.80</td>
<td>Jordan</td>
<td>8528.72.80</td>
<td>India</td>
</tr>
<tr>
<td>4104.41.50</td>
<td>Brazil</td>
<td>8544.30.00</td>
<td>Philippines</td>
</tr>
<tr>
<td>4418.60.00</td>
<td>Brazil</td>
<td>8708.30.50</td>
<td>Brazil</td>
</tr>
<tr>
<td>4418.72.20</td>
<td>Brazil</td>
<td>9405.50.30</td>
<td>India</td>
</tr>
<tr>
<td>4418.79.00</td>
<td>Brazil</td>
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</tr>
<tr>
<td>4418.90.46</td>
<td>Brazil</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(4). adding, in alphabetical order, the countries set out opposite the following subheading numbers:

- 1602.50.09 Argentina  | 3907.60.00 Thailand
- 2805.11.20 Venezuela  | 7403.11.00 Kazakhstan
- 408.11.60 Brazil      | 7408.19.00 Turkey
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Section B. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2007, the HTS is modified as provided in this section.

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

<table>
<thead>
<tr>
<th>HTS</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0603.19.00</td>
<td>3201.90.50</td>
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<tr>
<td>0708.20.10</td>
<td>4107.99.60</td>
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<td>0712.90.30</td>
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</tr>
<tr>
<td>2928.00.10</td>
<td>8528.72.64</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>HTS</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0802.90.94</td>
<td>7113.19.50</td>
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ANNEX II

HTS Subheadings and Countries for which the Competitive Need Limitation Provided in Section 503(c)(2)(A)(i)(II) of the 1974 Act is Disregarded

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<td>Title 3—The President</td>
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<td>India 8401.20.00 Russia</td>
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<td>India 8526.72.44 Thailand</td>
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<td>India 9603.10.90 Sri Lanka</td>
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<td>3824.90.32</td>
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<tr>
<td>4006.10.00</td>
<td>India</td>
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</tr>
</tbody>
</table>

ANNEX III

HTS Subheadings and Countries Granted a Waiver of the Application of Section 563(o)(2)(A) of the 1974 Act

<table>
<thead>
<tr>
<th>Proc.</th>
<th>HTS Subheading</th>
</tr>
</thead>
<tbody>
<tr>
<td>2836.91.00</td>
<td>Argentina</td>
</tr>
</tbody>
</table>
ANNEX IV

HTS Subheadings and Countries for which a Waiver of the Application of Section 503(c)(2)(A) of the 1974 Act is Revoked

Effective July 1, 2007, the waiver of the application of section 503(c)(2)(A) of the 1974 Act is revoked for the following HTS subheadings and the countries set out opposite such subheadings.

<table>
<thead>
<tr>
<th>Item</th>
<th>Country</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0802.90.94</td>
<td>Cote d’Ivoire</td>
<td>8544.30.00 Philippines</td>
</tr>
<tr>
<td>2905.11.20</td>
<td>Venezuela</td>
<td>8708.30.50 Brazil</td>
</tr>
<tr>
<td>7113.19.50</td>
<td>India</td>
<td>9405.50.30 India</td>
</tr>
<tr>
<td>7113.19.50</td>
<td>Thailand</td>
<td></td>
</tr>
<tr>
<td>7202.99.10</td>
<td>Brazil</td>
<td></td>
</tr>
</tbody>
</table>

ANNEX V

Technical and Conforming Changes to the Harmonized Tariff Schedule of the United States (HTS)

Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after October 1, 2006, the HTS is modified as provided in this section.

1. U.S. note 2(b) to subchapter XIX of chapter 98 is modified by deleting “in each of the one-year periods beginning on October 1, 2002, through October 1, 2006,” and inserting “in each of the one-year periods beginning on October 1, 2002, through October 1, 2011,” in lieu thereof.


3. The article description of subheading 9819.15.15 is superseded by the following:

   “Of the first fabric or yarn which the U.S. International Trade Commission has determined is produced in beneficiary sub-Saharan African countries in commercial quantities for use by lesser-developed beneficiary sub-Saharan African countries, and specified in a notice published in the Federal Register.”

4. The article description of subheading 9819.15.18 is superseded by the following:

   “Of the second fabric or yarn which the U.S. International Trade Commission has determined is produced in beneficiary sub-Saharan African countries in commercial quantities for use by lesser-developed beneficiary sub-Saharan African countries, and specified in a notice published in the Federal Register.”

5. The article description of subheading 9819.15.21 is superseded by the following:
(6) The article description of subheading 9819.15.24 is superseded by the following:

"Of the fourth fabric or yarn which the U.S. International Trade Commission has determined is produced in beneficiary sub-Saharan African countries in commercial quantities for use by lesser-developed beneficiary sub-Saharan African countries, and specified in a notice published in the Federal Register."

(7) The article description of subheading 9819.15.27 is superseded by the following:

"Of the fifth fabric or yarn which the U.S. International Trade Commission has determined is produced in beneficiary sub-Saharan African countries in commercial quantities for use by lesser-developed beneficiary sub-Saharan African countries, and specified in a notice published in the Federal Register."

(8) The article description of subheading 9819.15.30 is superseded by the following:

"Of the sixth fabric or yarn which the U.S. International Trade Commission has determined is produced in beneficiary sub-Saharan African countries in commercial quantities for use by lesser-developed beneficiary sub-Saharan African countries, and specified in a notice published in the Federal Register."

(9) The article description of subheading 9819.15.33 is superseded by the following:

"Of the seventh fabric or yarn which the U.S. International Trade Commission has determined is produced in beneficiary sub-Saharan African countries in commercial quantities for use by lesser-developed beneficiary sub-Saharan African countries, and specified in a notice published in the Federal Register."

(10) The article description of subheading 9819.15.36 is superseded by the following:

"Of the eighth fabric or yarn which the U.S. International Trade Commission has determined is produced in beneficiary sub-Saharan African countries in commercial quantities for use by lesser-developed beneficiary sub-Saharan African countries, and specified in a notice published in the Federal Register."

(11) The article description of subheading 9819.15.39 is superseded by the following:

"Of the ninth fabric or yarn which the U.S. International Trade Commission has determined is produced in beneficiary sub-Saharan African countries in commercial quantities for use by lesser-developed beneficiary sub-Saharan African countries, and specified in a notice published in the Federal Register."

(12) The article description of subheading 9819.15.42 is superseded by the following:

"Of the tenth fabric or yarn which the U.S. International Trade Commission has determined is produced in beneficiary sub-Saharan African countries in commercial quantities for use by lesser-developed beneficiary sub-Saharan African countries, and specified in a notice published in the Federal Register."

Section B. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after February 3, 2007, the HTS is modified as provided in this section.
Proclamations

(1). General note 4(d) is modified by deleting the following subheading number and the country set out opposite such subheading number:

8708.60.80 Argentina

(2). The article description of subheading 8504.50.40 is superseded by the following:

“For power supplies for automatic data processing machines or units thereof of heading 8471; for power supplies for goods of subheading 8443.31 or 8443.32; for power supplies for monitors of subheading 8528.41 or 8528.51 or projectors of subheading 8528.61; for telecommunication apparatus”

(3). The article description of the superior subheading immediately preceding subheading 8504.90.20 is superseded by the following:

“Of power supplies for automatic data processing machines or units thereof of heading 8471; of power supplies for goods of subheading 8443.31 or 8443.32; of power supplies for monitors of subheading 8528.41 or 8528.51 or projectors of subheading 8528.61.”

(4). The article descriptions of the headings of chapter 99 that are enumerated in the first column of the table set forth below are modified by deleting the subheading number set out opposite such headings in the second column of the table and by inserting in lieu thereof the subheading number or numbers set out opposite such subheading number in the third column of the table:

| 9902.11.14 | 3808.10.50 | 3808.91.50 |
| 9902.22.53 | 6402.91.05 | 6402.91.05 or 6402.99.04 |
| 9902.24.35 | 3808.50.10 | 3808.91.25 |
| 9902.25.37 | 3808.10.25 | 3808.91.25 |
| 9902.25.39 | 3808.40.10 | 3808.94.10 |

Section C. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after December 18, 2004, the article description of subheading 9820.11.24 of the HTS is modified by deleting “From fabrics or yarn not formed in the United States or in one or more such countries”.

Section D. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 15, 2007, the HTS is modified as provided in this section.

(1). U.S. note 3 to subchapter VIII of chapter 99 is modified by:

(a). deleting “443,370” and inserting “443,000” in lieu thereof; and
(b). deleting “465,539” and inserting “466,000” in lieu thereof.

(2). U.S. note 4 to subchapter VIII of chapter 99 is modified by:

(a). deleting “1,267,563” and inserting “1,266,000” in lieu thereof; and
(b) deleting "1,305,590" and inserting "1,304,000" in lieu thereof.

(3) U.S. note 5 to subchapter VIII of chapter 99 is modified by:
(a) deleting "1,397,598" and inserting "1,467,000" in lieu thereof; and
(b) deleting "1,439,526" and inserting "1,534,000" in lieu thereof.

(4) U.S. note 6 to subchapter VIII of chapter 99 is modified by:
(a) deleting "126,756" and inserting "127,000" in lieu thereof; and
(b) deleting "130,559" and inserting "131,000" in lieu thereof.

(5) U.S. note 7 to subchapter VIII of chapter 99 is modified by:
(a) deleting "(liters)" and inserting "(kg)" in lieu thereof;
(b) deleting "442,901" and inserting "643,000" in lieu thereof; and
(c) deleting "456,188" and inserting "707,000" in lieu thereof.
Proclamation 8158 of June 28, 2007

Suspension of Entry as Immigrants and Nonimmigrants of Persons Responsible for Policies and Actions That Threaten Lebanon’s Sovereignty and Democracy

By the President of the United States of America
A Proclamation

In order to foster democratic institutions in Lebanon, to help the Lebanese people preserve their sovereignty and achieve their aspirations for democracy and regional stability, and to end the sponsorship of terrorism in Lebanon, it is in the interest of the United States to restrict the international travel, and to suspend the entry into the United States, as immigrants or nonimmigrants, of aliens who deliberately undermine or harm Lebanon’s sovereignty, its legitimate government, or its democratic institutions, contribute to the breakdown in the rule of law in Lebanon, or benefit from policies or actions that do so, including through the sponsorship of terrorism, politically motivated violence and intimidation, or the reassertion of Syrian control in Lebanon.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States, including section 212(f) of the Immigration and Nationality Act of 1952, 8 U.S.C. 1182(f), and section 301 of title 3, United States Code, hereby find that the unrestricted immigrant and nonimmigrant entry into the United States of persons described in section 1 of this proclamation would, except as provided for in sections 2 and 3 of this proclamation, be detrimental to the interests of the United States.

I therefore hereby proclaim that:

Section 1. The entry into the United States, as immigrants or nonimmigrants, of the following aliens is hereby suspended:

(a) Lebanese government officials, former Lebanese government officials, and private persons who deliberately undermine or harm Lebanon’s sovereignty, its legitimate government, or its democratic institutions, contribute to the breakdown in the rule of law in Lebanon, including through the sponsorship of terrorism, politically motivated violence or intimidation, or the reassertion of Syrian control in Lebanon;

(b) Syrian government officials, former Syrian government officials, and persons who meet the criteria for designation under section 3(a)(i) or (ii) of Executive Order 13338 of May 11, 2004, who deliberately undermine or harm Lebanon’s sovereignty, its legitimate government, or its democratic institutions, contribute to the breakdown in the rule of law in Lebanon, including through the sponsorship of terrorism, politically motivated violence or intimidation, or the reassertion of Syrian control in Lebanon;

(c) Persons in Lebanon who act on behalf of, or actively promote the interests of, Syrian government officials by deliberately undermining or harming Lebanon’s sovereignty, its legitimate government, or its democratic institutions, contribute to the breakdown in the rule of law in Lebanon, including through the sponsorship of terrorism, politically motivated violence or intimidation, or the reassertion of Syrian control in Lebanon;
(d) Persons who, through their business dealings with any of the persons described in subsection (a), (b), or (c) of this section, derive significant financial benefit from, or materially support, policies or actions that deliberately undermine or harm Lebanon’s sovereignty, its legitimate government, or its democratic institutions, or contribute to the breakdown in the rule of law in Lebanon, including through the sponsorship of terrorism, politically motivated violence or intimidation, or the reassertion of Syrian control in Lebanon; and

(e) The spouses and dependent children of persons described in subsections (a), (b), (c), and (d) of this section.

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

Sec. 3. Persons covered by section 1 or 2 of this proclamation shall be identified by the Secretary of State or the Secretary’s designee, in his or her sole discretion, pursuant to such procedures as the Secretary may establish under section 5 of this proclamation.

Sec. 4. Nothing in this proclamation shall be construed to derogate from U.S. Government obligations under applicable international agreements.

Sec. 5. The Secretary of State shall have responsibility for implementing this proclamation pursuant to such procedures as the Secretary, in the Secretary’s sole discretion, may establish.

Sec. 6. This proclamation is effective immediately. It shall remain in effect until such time as the Secretary of State determines that it is no longer necessary and should be terminated, either in whole or in part. Any such determination by the Secretary of State shall be published in the Federal Register.

Sec. 7. This proclamation is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of June, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8159 of July 2, 2007

Grant of Executive Clemency

By the President of the United States of America
A Proclamation

WHEREAS Lewis Libby was convicted in the United States District Court for the District of Columbia in the case United States v. Libby, Crim. No. 05–394 (RBW), for which a sentence of 30 months’ imprisonment, 2 years’
supervised release, a fine of $250,000, and a special assessment of $400
was imposed on June 22, 2007;

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States
of America, pursuant to my powers under Article II, Section 2, of the Con-
stitution, do hereby commute the prison terms imposed by the sentence
upon the said Lewis Libby to expire immediately, leaving intact and in ef-
fect the two-year term of supervised release, with all its conditions, and all
other components of the sentence.

IN WITNESS THEREOF, I have hereunto set my hand this second day of
July, in the year of our Lord two thousand and seven, and of the Independ-
ence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

Proclamation 8160 of July 10, 2007

Captive Nations Week, 2007

By the President of the United States of America
A Proclamation

Liberty is the path to lasting peace and the unalienable right of every man,
woman, and child. During Captive Nations Week, we underscore our com-
mitment to protecting human rights, advancing democracy and freedom,
and ending tyranny across the globe.

Expanding freedom is a moral imperative, and today more people are free
than ever before. Freedom is reaching around the world, and America is
working side-by-side with new democracies in Liberia, Mauritania,
Ukraine, Georgia, and Kyrgyzstan. The people of Kuwait held elections in
which women were able to vote and run for office for the first time, and
the elected parliament is exercising real influence with the government. We
continue to stand firmly behind the citizens of Lebanon, Afghanistan, and
Iraq as they defend their democratic gains against extremist enemies. Many
are making great sacrifices for liberty, and they deserve our steadfast sup-
port.

While there is progress in freedom’s advance, nations such as Belarus,
Burma, Cuba, North Korea, Syria, Iran, Sudan, and Zimbabwe still oppress
their citizens. My Administration recently created the Human Rights De-
fenders Fund to provide grants for the legal defense and medical expenses
of democratic dissidents arrested or beaten by repressive governments. In
addition, we have nearly doubled funding for democracy projects through-
out the world. The American people believe that the flame for freedom
burns in every human heart, and that light cannot be extinguished by gov-
ernments, terrorists, or tyrants. During Captive Nations Week, we remember
that human freedom is the key to achieving respect for all human rights.

The Congress, by Joint Resolution approved July 17, 1959 (73 Stat. 212),
has authorized and requested the President to issue a proclamation design-
ating the third week in July of each year as “Captive Nations Week.”
NOW, THEREFORE, I, GEORGE W. BUSH, 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 15 through 21, 2007, as Captive Nations Week. I call upon the people of the United States to reaffirm our commitment to all those seeking liberty, justice, and self-determination.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of July, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8161 of July 12, 2007

Parents’ Day, 2007

By the President of the United States of America
A Proclamation

On Parents’ Day, America honors our mothers and fathers for their extraordinary devotion and for the great sacrifices they make to provide a hopeful and promising future for their children.

The guidance and unconditional love of parents help create a nurturing environment so children can grow and reach their full potential. Parents work to impart to their children the strength and determination to follow their dreams and the courage to do what is right. They shape the character of their children by sharing their wisdom and setting a positive example. As role models, parents also instill the values and principles that help prepare children to be responsible adults and good citizens.

My Administration is committed to strengthening American families by supporting Federal, State, and faith-based and community programs that promote healthy marriages and responsible parenting. Parents are a child’s first teachers, and we recognize their critical role in helping children do well in school. My Administration is committed to helping parents and schools ensure that every child has the best opportunity to learn and succeed.

On Parents’ Day, we pay tribute to mothers and fathers and celebrate the special bonds of love between parents and their children. We also express our deep gratitude to parents who serve in the Armed Forces and those whose sons and daughters have answered the call to defend our country. Our Nation is grateful for their honorable service and for the sacrifices family members make as their loved ones work to advance the cause of freedom.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, as amended, do hereby proclaim Sunday, July 22, 2007, as Parents’ Day. I call upon citizens, private organizations, and governmental bodies at all levels to engage in activities and educational efforts that recognize, support, and
Proclamations

Proclamation 8163 of July 24, 2007

Anniversary of the Americans With Disabilities Act, 2007

By the President of the United States of America
A Proclamation

On the anniversary of the Americans with Disabilities Act (ADA), we celebrate our progress towards an America where individuals with disabilities are recognized for their talents and contributions to our society. We also underscore our commitment to extend the full liberties and freedoms of our great country to all Americans.

Seventeen years ago, President George H. W. Bush signed the ADA into law. This legislation became one of the most successful and compassionate reforms in our Nation’s history, helping to ensure that individuals with disabilities are better able to develop meaningful skills, engage in productive work, and participate fully in the life of our Nation.

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Proc. 8164
Title 3—The President

My Administration continues our work to build on this landmark legislation. In 2001, I announced the New Freedom Initiative to promote the full participation of people with disabilities in all areas of society by improving educational and employment opportunities, increasing access to assistive technologies, expanding transportation options, and promoting homeownership and integration into daily community life. The New Freedom Initiative and the ADA provide children with disabilities the tools they need to succeed in schools and communities. Working men and women living with disabilities contribute to our strong economy, and the “Ticket to Work” program and services at One-Stop Career Centers help expand employment opportunities. The DisabilityInfo.gov website connects individuals with disabilities and their families to vital information that helps more Americans share in the promises of our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, as a day in celebration of the 17th Anniversary of the Americans with Disabilities Act. I call on all Americans to celebrate the vital contributions of individuals with disabilities as we work towards fulfilling the promise of the ADA to give all our citizens the opportunity to live with dignity, work productively, and achieve their dreams.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of July, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8164 of August 6, 2007

Women’s Equality Day, 2007

By the President of the United States of America
A Proclamation

On Women’s Equality Day, we commemorate the adoption of the 19th Amendment to our Constitution and the strong leadership of extraordinary women who have made America a more perfect Union by advancing women’s suffrage.

At the Seneca Falls Convention of 1848, a group of visionaries gathered to proclaim the ideas that “all men and women are created equal” and “endowed by their Creator with certain inalienable rights.” That gathering grew into a national movement that led to the ratification of the 19th Amendment, guaranteeing women the right to vote. This achievement reflects the vision and determination of the suffragists who stood for a freer society and changed our Nation’s history.

Since the passage of the 19th Amendment, pioneers such as Margaret Chase Smith and Sandra Day O’Connor rose above obstacles and broke down barriers to equality. Today, American women are shaping our Nation and the
world by serving in all walks of life. Many brave women volunteer to wear
the uniform of the United States, and they serve as an inspiration to all.

Our Nation is grateful for the bold leadership of American women who
have opened doors of opportunity for women of future generations. On
Women’s Equality Day we honor the suffragists and all those who seek to
expand equality in our world.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, as Women’s
Equality Day. I call upon the people of the United States to celebrate the
achievements of women and observe this day with appropriate programs
and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of Au-
gust, in the year of our Lord two thousand seven, and of the Independence
of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8165 of August 20, 2007

National Ovarian Cancer Awareness Month, 2007

By the President of the United States of America
A Proclamation

National Ovarian Cancer Awareness Month is an opportunity to underscore
our commitment to fighting ovarian cancer and to finding a cure for this
deadly disease.

Ovarian cancer is one of the leading causes of cancer-related deaths among
women in our country, and the risk of developing it increases with age and
a family history of this disease. Other risk factors include a history of
endometrial, colon, or breast cancer, and obesity. Because early detection
is crucial in treating ovarian cancer and its symptoms can be difficult to
identify, women should consult their doctors about personal risk factors,
early warning signs, and screening options.

Our Nation has made progress in the fight against ovarian cancer, yet much
more work remains. I signed the “Gynecologic Cancer Education and
Awareness Act of 2005,” or “Johanna’s Law,” which supports a national
campaign to raise awareness among women and health care providers re-
garding gynecologic cancers. In FY 2007, the National Institutes of Health
will invest an estimated $102 million into ovarian cancer research through
the National Cancer Institute and other institutes. In addition, the Centers
for Disease Control and Prevention will dedicate nearly $5 million. We will
continue to commit our resources to seek better ways to prevent, detect,
and ultimately cure ovarian cancer.

During National Ovarian Cancer Awareness Month, Americans remember
those who have lost their lives to ovarian cancer, and we honor the courage
and strength of those who continue to fight this disease. We also recognize
the dedicated medical professionals and researchers whose tireless efforts help provide a brighter, healthier future for women.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Ovarian Cancer Awareness Month. I call upon government officials, businesses, communities, health care professionals, educators, volunteers, and the people of the United States to continue our Nation’s strong commitment to preventing and treating ovarian cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of August, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8166 of August 21, 2007

National Prostate Cancer Awareness Month, 2007

By the President of the United States of America
A Proclamation

During National Prostate Cancer Awareness Month, we underscore our commitment to winning the battle against prostate cancer and raising awareness of the risk factors, prevention, and treatment of this disease.

All men can develop prostate cancer, yet studies have shown that risk increases with age. Although the exact cause of the disease is not yet known, factors that may affect the likelihood of developing prostate cancer include race, diet, general health, and family history. Because the chances of surviving prostate cancer may be higher when it is diagnosed and treated in its early stages, men should speak with their doctors about their risk and screening options.

America leads the world in medical research, and we are committed to continuing our progress in the search for a cure for prostate cancer. Through work at the National Institutes of Health, National Cancer Institute, Centers for Disease Control and Prevention, and the Department of Defense, we are exploring the genetic, biochemical, environmental, and lifestyle factors that increase prostate cancer risk and lead to its development and progression. These and other efforts are helping improve our knowledge of the causes of this disease.

As we observe National Prostate Cancer Awareness Month, we recognize the strength and courage of the men battling prostate cancer and of those who love and support them. We also pay tribute to the medical professionals, the researchers, and all those whose tireless efforts are making a positive difference in the lives of those living with prostate cancer. All Americans can raise awareness and help fight this disease by talking with their friends and families about the risk of prostate cancer and the ways to prevent, detect, and treat it.
Proclamations Proc. 8167

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Prostate Cancer Awareness Month. I call upon government officials, businesses, communities, health care professionals, educators, and the people of the United States to reaffirm our Nation’s strong and ongoing commitment to the fight against prostate cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of August, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8167 of August 21, 2007

National Alcohol and Drug Addiction Recovery Month, 2007

By the President of the United States of America
A Proclamation

National Alcohol and Drug Addiction Recovery Month provides an opportunity to underscore our commitment to stopping alcohol and drug abuse before it starts and to helping citizens in need overcome addiction and rebuild their lives.

Alcohol and drug addiction can ruin lives and devastate families. We must continue working toward a society in which our citizens can lead lives free from the influence of alcohol and drugs. Friends and family members can play a vital role in the fight and prevention of abuse by discussing the dangers and consequences with loved ones.

My Administration is dedicated to the battle against drug and alcohol addiction. We are expanding access to treatment and recovery support services through the Access to Recovery program. The Drug Enforcement Agency is helping stem the flow of illegal drugs into the United States by targeting the production, distribution, and sale of methamphetamines and other precursor drugs. The Drug Free Communities Program helps our neighborhoods develop strategies to prevent substance abuse. First Lady Laura Bush also leads the Helping America’s Youth program to help our Nation’s young people make healthy choices throughout their lives and to encourage community and family-based approaches to the challenges and risks facing today’s youth.

During National Alcohol and Drug Addiction Recovery Month and throughout the year, we seek to raise awareness about the destructive cycle of addiction and work to provide assistance to those who suffer from substance abuse. This year’s theme, “Join the Voices for Recovery: Saving Lives, Saving Dollars,” encourages Americans to recognize the costs of substance use disorders and understand the benefits that treatment can bring to those individuals, their families, and communities. To find out more about how to
help save lives from substance abuse, contribute to a culture of compassion, and create a healthy future for our country, citizens may visit recoverymonth.gov.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Alcohol and Drug Addiction Recovery Month. I call upon the people of the United States to observe this month with the appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of August, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8168 of August 21, 2007


By the President of the United States of America
A Proclamation

On Constitution Day and Citizenship Day and during Constitution Week, we celebrate the anniversary of our Nation’s Constitution and honor the Framers who created the landmark document that continues to guide our Nation.

In the summer of 1787, delegates convened in Philadelphia to create “a more perfect Union” and craft the document that is the foundation of our country. With great diligence, they worked to develop a framework that would balance authority and inherent freedoms, Federal interests and State powers, individual rights and national unity. On September 17th of the same year, the delegates signed the Constitution of the United States.

Today, every American shares in this legacy of liberty, and we are grateful for the courage, conviction, and sacrifice of all those who have helped preserve and uphold the principles of a free society. As we remember the enduring importance of the Constitution, we also recognize our responsibility as citizens to respect and defend the values of our founding and participate in the unfolding story of freedom.

In celebration of the signing of the Constitution and in recognition of the Americans who strive to uphold the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 106, as amended), designated September 17 as “Constitution Day and Citizenship Day,” and by joint resolution of August 2, 1956 (36 U.S.C. 108, as amended), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as “Constitution Week.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim September 17, 2007, as Constitution Day
and Citizenship Day, and September 17 through September 23, 2007, as Constitution Week. I encourage Federal, State, and local officials, as well as leaders of civic, social, and educational organizations, to conduct ceremonies and programs that celebrate our Constitution and reaffirm our rights and responsibilities as citizens of our great Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of August, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8169 of August 28, 2007

Minority Enterprise Development Week, 2007

By the President of the United States of America
A Proclamation

Minority Enterprise Development Week is a chance to highlight the accomplishments of minority business owners and underscore our commitment to strengthening minority businesses and helping these entrepreneurs succeed.

Minority business owners have made our Nation stronger. Our thriving and resilient economy is the envy of the world, and minority business owners are expanding opportunities for their fellow Americans.

More than 8 million jobs have been created in our country since August 2003, and minority businesses have contributed to this progress. Our economy has experienced more than 5 years of uninterrupted growth, and the unemployment rate remains low. My Administration has worked with the Congress to deliver needed tax relief, and this has left more money in the hands of minority business owners to reinvest in their employees, their communities, and our country’s robust economy. By adopting sound policies that help our businesses continue to grow and expand, we are ensuring that America remains the land of the entrepreneur.

Our Nation has the most innovative, industrious, and talented people on Earth and when we unleash their entrepreneurial spirit, there is no limit to what the American people can achieve. During Minority Enterprise Development Week, and throughout the year, we recognize the vital contributions of minority business owners. These dedicated individuals are helping create a more hopeful society for themselves and their families. We will continue to strive for a society where personal effort is rewarded and where the American dream is within the reach of all our citizens.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 9 through September 15, 2007, as Minority Enterprise Development Week. I call upon all Americans to celebrate this week with appropriate programs, ceremonies, and activities to recognize the many contributions of our Nation’s minority enterprises.
Title 3—The President

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of August, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8170 of August 30, 2007

National Preparedness Month, 2007

By the President of the United States of America
A Proclamation

National Preparedness Month is an opportunity to raise awareness about the importance of emergency preparedness and to encourage all Americans to better prepare their homes and communities for emergencies.

Protecting America’s homeland and citizens is the shared responsibility of the entire Nation. Individuals can prepare themselves and their families for emergencies by taking simple steps such as organizing an emergency supply kit, making a personal preparedness plan, becoming informed about different threats, and getting involved in preparing their community. These activities create a culture of preparedness and can help save lives.

My Administration continues to improve our Nation’s ability to prepare for emergencies. The Department of Homeland Security is working with other Federal, State, and local government organizations, as well as the private sector, to prevent, respond to, and recover from all types of emergencies. Together, Americans can significantly enhance the level of national preparedness to further safeguard our communities and secure our homeland.

This month is also an opportunity to pay tribute to America’s first responders who put themselves at risk for the safety of their fellow citizens. These brave police officers, firefighters, and emergency service personnel exemplify the compassion and commitment that help strengthen our country. We will be forever grateful for their service and sacrifice.

During National Preparedness Month, I encourage all Americans to get involved in their community’s preparedness efforts. Citizens may visit ready.gov and citizencorps.gov to learn more about emergency preparedness and ways to take action.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Preparedness Month. I call upon the people of the United States to recognize the importance of preparing for potential emergencies and to observe this month by participating in appropriate events, activities, and preparedness programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
National Employer Support of the Guard and Reserve Week, 2007

By the President of the United States of America
A Proclamation

During National Employer Support of the Guard and Reserve Week, we recognize the vital contributions of the brave men and women who serve our great Nation, and we pay tribute to the employers who support them.

The courageous men and women of the National Guard and Reserve are fighting a new and unprecedented war, having answered the call to defend our freedom and way of life. At home, the National Guard is working to protect our borders, and provide vital aid and assistance in times of crisis and natural disasters. The dedicated service of those who wear the uniform reflects the best of America, and all Americans are proud to stand behind the men and women of the National Guard and Reserve.

Our Nation also appreciates the sacrifice of employers across our country who support the important mission of our National Guard and Reserve personnel. Employers across America demonstrate their patriotism by providing time off, pay, health-care benefits, and job security to their Guard and Reserve employees, helping them prepare for their return to families and to civilian life. The commitment of our Nation’s employers is a vital and integral part of the success of our Armed Forces.

During National Employer Support of the Guard and Reserve Week, we offer our country’s deepest gratitude to the dedicated men and women of the National Guard and Reserve and to the employers who support them in their important service to our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 9 through September 15, 2007, as National Employer Support of the Guard and Reserve Week. I encourage all Americans to join me in expressing our thanks to members of our National Guard and Reserve and their civilian employers for their patriotism and sacrifices on behalf of our Nation. I also call upon State and local officials, private organizations, businesses, and all military commanders to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of August, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
National Historically Black Colleges and Universities Week, 2007

By the President of the United States of America
A Proclamation

Education is a fundamental part of achieving the American dream, and Historically Black Colleges and Universities (HBCUs) help ensure that every student has the opportunity to pursue a quality education. During Historically Black Colleges and Universities Week, we underscore our commitment to these distinguished institutions in their efforts to provide more Americans with the tools to realize their dreams.

The founding of many of our Historically Black Colleges and Universities over a century ago expanded the American education system and extended the opportunity of a higher education to some who had been wrongly denied access. Today, HBCUs throughout our Nation continue to be centers of quality education, advancing opportunity and inspiring individuals to meet the challenges of our time as responsible leaders.

My Administration has increased Federal support for HBCUs and remains committed to strengthening these colleges and universities. The HBCU Capital Financing Program has provided access to funds for infrastructure repairs, educational equipment, and construction of new facilities. The President's Board of Advisors on Historically Black Colleges and Universities works to help HBCUs develop new partnerships with the private sector and benefit from Federal programs to strengthen and advance faculty development and cooperative research.

We will continue to provide our strong support to HBCUs, so that every citizen can enjoy a future of hope and opportunity, and we salute these great institutions as they build on a foundation of continued success for every student.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 9 through September 15, 2007, as National Historically Black Colleges and Universities Week. I call upon public officials, educators, librarians, and all the people of the United States to observe this week with appropriate programs, ceremonies, and activities in respect and appreciation for the contributions these valuable institutions and their graduates have made to our country.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
National Days of Prayer and Remembrance, 2007

By the President of the United States of America

A Proclamation

During this year’s National Days of Prayer and Remembrance, we honor the thousands of victims who died in the brutal and ruthless attacks in New York City, Pennsylvania, and at the Pentagon on September 11, 2001. Our Nation remembers with gratitude the firefighters, police officers, first responders, and ordinary citizens who acted with courage and compassion to save the lives of others, and we pray for the families whose loved ones were taken from them.

Never forgetting that terrible day, we remain determined to bring our enemies to justice, defy the terrorists’ ideology of hate, and work to make our world safer. We honor the members of our Armed Forces who died while taking the fight to our adversaries, and we are grateful for those who continue to protect our Nation and our way of life. Their courage, sacrifice, and dedication help preserve our freedom. We pray for their safety, for all those who love them, and for the peace we all seek.

We remain a hopeful America, inspired by the kindness and compassion of our citizens and our commitment to freedom and opportunity. During these days of prayer and remembrance, we reflect on all we have lost and take comfort in each other and in the grace and mercy of our Creator. May God guide us, give us strength and wisdom, and may He continue to bless our great country.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 Friday, September 7, through Sunday, September 9, 2007, as National Days of Prayer and Remembrance. I ask that the people of the United States and their places of worship mark these National Days of Prayer and Remembrance with memorial services, the ringing of bells, and evening candlelight remembrance vigils. I also invite the people of the world to share in these Days of Prayer and Remembrance.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Proclamation 8174 of September 4, 2007

Patriot Day, 2007

By the President of the United States of America
A Proclamation

September 11, 2001, was a defining moment in American history. On that terrible day, our Nation saw the face of evil as 19 men barbarously attacked us and wantonly murdered people of many races, nationalities, and creeds. On Patriot Day, we remember the innocent victims, and we pay tribute to the valiant firefighters, police officers, emergency personnel, and ordinary citizens who risked their lives so others might live.

After the attacks on 9/11, America resolved that we would go on the offense against our enemies, and we would not distinguish between the terrorists and those who harbor and support them. All Americans honor the selfless men and women of our Armed Forces, the dedicated members of our public safety, law enforcement, and intelligence communities, and the thousands of others who work hard each day to protect our country, secure our liberty, and prevent future attacks.

The spirit of our people is the source of America’s strength, and 6 years ago, Americans came to the aid of neighbors in need. On Patriot Day, we pray for those who died and for their families. We volunteer to help others and demonstrate the continuing compassion of our citizens. On this solemn occasion, we rededicate ourselves to laying the foundation of peace with confidence in our mission and our free way of life.

By a joint resolution approved December 18, 2001 (Public Law 107–89), the Congress has designated September 11 of each year as “Patriot Day.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim September 11, 2007, as Patriot Day. I call upon the Governors of the United States and the Commonwealth of Puerto Rico, as well as appropriate officials of all units of government, to direct that the flag be flown at half-staff on Patriot Day. I also call upon the people of the United States to observe Patriot Day with appropriate ceremonies, activities, and remembrance services, to display the flag at half-staff from their homes on that day, and to observe a moment of silence beginning at 8:46 a.m. eastern daylight time to honor the innocent Americans and people from around the world who lost their lives as a result of the terrorist attacks of September 11, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Proclamation 8175 of September 12, 2007

National Hispanic Heritage Month, 2007

By the President of the United States of America
A Proclamation

Hispanic Americans have strengthened our country and contributed to the spirit of America. National Hispanic Heritage Month is an opportunity to honor these contributions and celebrate the rich cultural traditions of our Hispanic-American community.

Hispanic Americans have helped establish America as a place of freedom and opportunity, and their contributions have illustrated what is best about our great Nation. Their hard work, love of country, and deep commitment to faith and family have shaped the character of our country and helped preserve the values we all cherish. By sharing their vibrant culture and heritage, Hispanic Americans have also enriched the American experience and helped define the unique fabric of our Nation.

Americans of Hispanic heritage have carried on a proud tradition of service to our Nation. In times of great consequence, they have answered the call to defend America as members of our Armed Forces. These brave men and women bring honor to America, and we are grateful for their service and sacrifice. In our towns and communities, Hispanic Americans have also shown the good heart of our Nation by volunteering to help their fellow Americans. Their kindness and compassion have made a difference in the lives of others and have made our country a more hopeful place for all.

During National Hispanic Heritage Month, we celebrate the diversity that makes America stronger, and we recognize the many ways Hispanic Americans have enriched our Nation. To honor the achievements of Hispanic Americans, the Congress, by Public Law 100–402, as amended, 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, GEORGE W. BUSH, 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 September 15 through October 15, 2007, as National Hispanic Heritage 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.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
National Farm Safety and Health Week, 2007

By the President of the United States of America
A Proclamation

America’s farmers and ranchers are good stewards of our land, providing a healthy, safe, and abundant food supply for our country and for people around the world. During National Farm Safety and Health Week, we pay tribute to our farmers and ranchers and their families for their contributions to our Nation, and we raise awareness of the importance of practicing and promoting safe work habits and conditions on farms and ranches.

Making a living off the land exposes agricultural workers to many potential dangers, such as extreme weather conditions, fertilizers and chemicals, and heavy machinery. Taking steps to identify these hazards and instructing family members in safe practices will help save lives and prevent injuries. Farmers and ranchers can help avoid accidents and protect lives by staying informed, being proactive, and remaining vigilant.

Across the United States, farm and ranch communities embody the values of hard work, faith, and love of family. This week and throughout the year, we encourage farmers and ranchers to practice responsible work habits as they continue to help America remain strong and prosperous.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 September 16 through September 22, 2007, as National Farm Safety and Health Week. I call upon the agencies, organizations, and businesses that serve America’s agricultural workers to continue to strengthen their commitment to promoting farm safety and health programs. I also urge all Americans to honor our agricultural heritage and to recognize our farmers and ranchers for their remarkable contributions to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

National POW/MIA Recognition Day, 2007

By the President of the United States of America
A Proclamation

America has been blessed by the brave men and women of our Armed Forces who have answered the call to defend our country and protect liberty around the world. On National POW/MIA Recognition Day, we honor a special group of patriots: those who have been prisoners of war and those
who are still missing in action. We remain forever in their debt, and we renew our commitment to them and to their families never to rest until we have accounted for every missing service member.

To commemorate this day, the National League of Families POW/MIA flag is flown over the White House, the Capitol, the Vietnam Veterans Memorial, the Korean War Veterans Memorial, the World War II Memorial, and other locations across our country. This flag is an enduring symbol that reflects our solemn commitment to our courageous service members who have been imprisoned while serving in conflicts around the world and to those who remain missing. America will always remember these heroes, and we underscore our pledge to achieve the fullest possible accounting for every missing member of our Armed Forces.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 Friday, September 21, 2007, as National POW/MIA Recognition Day. I call upon the people of the United States to join me in honoring and remembering all former American prisoners of war and those missing in action who valiantly served our great country. 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 twentieth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8178 of September 20, 2007

Family Day, 2007

By the President of the United States of America
A Proclamation

Families are the cornerstone of our Nation. On Family Day, we underscore our dedication to strengthening America’s families and recognize the importance that the bonds between parents and children hold for the future of our country.

Parents and family members are the first and most important influence in a child’s life. Families offer a stable and nurturing environment by providing love, guidance, support, and comfort. They help young people gain the skills they need to succeed in life and the courage and drive to realize their dreams. By caring for and spending time with their children, parents instill lifelong values and help build a better America.

My Administration is committed to supporting American families. We are working with faith-based and community organizations to promote healthy marriages, responsible fatherhood, and positive youth development. When
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children are connected to family, community, school, and places of worship, they are more likely to make good choices and reach their full potential.

Families help prepare children for the opportunities and challenges of the 21st century by encouraging them and insisting on high standards. Strong, loving families help young Americans grow into successful adults and build a Nation shining with optimism.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 24, 2007, as Family Day. I call upon the people of the United States to observe this day by engaging in activities that strengthen the bonds between parents and children.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8179 of September 21, 2007

Gold Star Mother’s Day, 2007

By the President of the United States of America
A Proclamation

The gift of liberty is secured by heroes who have answered the call to serve when America needed them most. On Gold Star Mother’s Day, we honor the mothers of the service men and women who have given their lives in the defense of our great Nation.

America’s Gold Star Mothers are remarkable patriots who serve their communities by demonstrating good citizenship, providing support and services to our troops and veterans, and helping comfort the families whose loved ones have made the ultimate sacrifice. Their sense of duty and deep devotion to our country inspire our Nation, and we thank them for their compassion, determination, and strength. Though they carry a great burden of grief, these courageous mothers help ensure that the legacy of our fallen heroes will be forever remembered. On this day, we offer our deep gratitude and respect to our Nation’s Gold Star Mothers; we honor the sons and daughters who died while wearing the uniform of the United States; and we pray for God’s blessings on them, their mothers, and their families.

The Congress, by Senate Joint Resolution 115 of June 23, 1936 (49 Stat. 1895 as amended), has designated the last Sunday in September as “Gold Star Mother’s Day” and has authorized and requested the President to issue a proclamation in its observance.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Sunday, September 30, 2007, as Gold Star Mother’s Day. I call upon all Government officials to display the flag of the
United States over Government buildings on this solemn day. I also encourage the American people to display the flag and hold appropriate ceremonies as a public expression of our Nation's sympathy and respect for our Gold Star Mothers.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8180 of September 28, 2007

To Provide for Duty Elimination for Certain Goods of Mexico 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 (NAFTA). The NAFTA was approved by the Congress in section 101(a) of the North American Free Trade Agreement Implementation Act (Public Law 103–182) (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 of 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, have entered into an agreement with the Government of Mexico 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 herein proclaimed of duties on goods originating in the territory of Mexico are necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Mexico provided for by the NAFTA, and to carry out the agreement with Mexico providing for an accelerated schedule of duty elimination for specific goods.

4. Section 604 of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2483), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of relevant provisions of that Act, or other acts affecting import treatment, and actions taken thereunder.
NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 201(b) of the NAFTA Implementation Act and section 604 of the 1974 Act, do proclaim that:

(1) In order to provide an accelerated schedule of duty elimination for specific goods of Mexico under the terms of general note 12 to the HTS, the tariff treatment set forth in the HTS is modified as provided in the Annex to this proclamation.

(2) 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 October 1, 2007.

(3) 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.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Annex

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

Effective with respect to products of Mexico, under the terms of general note 12 to the tariff schedule, that are entered, or withdrawn from warehouse for consumption, on or after October 1, 2007, subchapter VI of chapter 99 of the HTS is modified as follows, with the material inserted in the columns entitled "Heading/Subheading", "Article Description", and "Rates of Duty 1 Special", respectively:

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<th>N906.17.20</th>
<th>Sugar or sugar-containing products, if entered:</th>
<th>Free (MO)</th>
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<tr>
<td>in an aggregate quantity not to exceed 175,000 metric tons during the period from October 1, 2007, through December 31, 2007, inclusive (provided for in subheadings 1701.11.50, 1701.12.50, 1701.91.30, 1701.99.50, 1702.90.20, and 2106.90.46)</td>
<td>Free (MO)</td>
<td></td>
</tr>
</tbody>
</table>

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National Breast Cancer Awareness Month, 2007

By the President of the United States of America
A Proclamation

Breast cancer is the second leading cause of cancer-related deaths among American women. During National Breast Cancer Awareness Month, we renew our commitment to fighting this disease, raising awareness, and supporting those affected by breast cancer.

Research has shown that several factors may increase the risk of developing breast cancer, including family history, age, genetics, and obesity. By making healthy lifestyle choices and exercising regularly, individuals can help reduce the risk of developing breast cancer. Mammograms, regular self-exams, and clinical breast exams are also vital because they can help doctors diagnose cancer before it has a chance to spread. When breast cancer is detected early, treatment is more effective, giving hope to patients and helping save lives.

My Administration is committed to strengthening our Nation’s efforts against this devastating disease. Earlier this year I was pleased to sign the “National Breast and Cervical Cancer Early Detection Program Reauthorization Act,” which will allow us to continue helping low-income and uninsured women gain access to vital cancer screening. In order to best detect and treat breast cancer, Federal agencies are collaborating with national organizations, State health agencies, and other key groups to promote important disease education and prevention activities. Our Nation leads the world in medical research, and through the dedicated efforts of thousands of Americans, we can build a healthier and more hopeful future for our citizens.

During National Breast Cancer Awareness Month, we remember those living with breast cancer and their family and friends who provide them with love and support. Their courage and determination are an inspiration to us all. We also recognize the innovative, lifesaving work of doctors, researchers, and other medical professionals. Through their efforts to prevent, detect, and treat breast cancer, they are helping make a difference in the lives of our citizens. Until we find a cure for breast cancer, we will continue our Nation’s fight against this disease.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the power vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2007 as National Breast Cancer Awareness Month. I call upon Government officials, businesses, communities, health care professionals, educators, volunteers, and the people of the United States to continue our Nation’s strong commitment to preventing, treating, and ultimately curing breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
National Disability Employment Awareness Month, 2007

By the President of the United States of America
A Proclamation

National Disability Employment Awareness Month is an opportunity to recognize the contributions and accomplishments of Americans with disabilities and to underscore our Nation’s commitment to advancing employment opportunities for all our citizens.

Americans with disabilities strengthen our country’s workforce, and their achievements help keep our Nation the world’s economic leader. Landmark reforms such as the Americans with Disabilities Act of 1990 have helped to ensure that individuals with disabilities are better able to engage in productive work and participate fully in the life of our Nation. It is important that we continue to expand on these opportunities for Americans with disabilities by eliminating the barriers and false perceptions that hinder them from joining the workforce. By enhancing the workplace environment for people with disabilities, employers can help provide access to jobs that allow these individuals to demonstrate their potential and realize their dreams.

Since 2001, my New Freedom Initiative has helped promote the full participation of people with disabilities in all areas of society, including education, training, and employment. Programs such as “Ticket to Work” and services at One-Stop Career Centers have helped improve access to employment training and placement services for individuals who want to work. Throughout the Federal Government, we have worked to improve access to jobs for individuals with disabilities and to promote greater inclusiveness in the workforce. Individuals and employers can learn more about the Federal Government’s disability-related programs by visiting DisabilityInfo.gov. We will continue to build on the progress that has been made for individuals with disabilities and will work to ensure that our Nation remains a place of opportunity for all Americans.

To recognize the contributions of Americans with disabilities and to encourage all citizens to ensure equal opportunity in the workforce, the Congress (36 U.S.C. 121) has designated October of each year as “National Disability Employment Awareness Month.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 2007 as National Disability Employment Awareness Month. I call upon Government officials, labor leaders, employers, and 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 twenty-eighth day of September, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
National Domestic Violence Awareness Month, 2007

By the President of the United States of America
A Proclamation

Families are indispensable to a stable society, and they should be a place of support to instill responsibility and values in the next generation. When a family member is abused, it can have long-term damaging effects on the victim that leave a mark on family, friends, and the community at large. Our society must continue to work to prevent domestic violence and help create a loving and stable environment for our children and grandchildren.

National Domestic Violence Awareness Month is an opportunity to renew our commitment to preventing domestic violence and to assisting those who suffer from its devastating effects. My Administration is dedicated to helping victims of domestic violence. The Family Justice Center Initiative, announced in 2003, continues to work towards eradicating domestic violence in our Nation. This program provides assistance and services for victims of domestic violence by bringing professionals, advocates, law enforcement, and organizations together at centers nationwide. In 2006, I signed legislation that reauthorized the Violence Against Women Act to fight domestic violence, dating violence, sexual assault, and stalking. We also are working with faith-based and community organizations to assist victims in need. In addition, the Department of Justice’s Domestic Violence Transitional Housing Assistance Program provides access to transitional housing services while working to move victims of violence into permanent housing.

As we observe National Domestic Violence Awareness Month, we underscore our commitment to building an America where all citizens can live with dignity, work productively, and achieve their dreams. We encourage victims and their families and friends to seek assistance through Family Justice Centers and to contact the National Domestic Violence Hotline at 1–800–799–SAFE. Together, we can help prevent, recognize, and stop domestic violence in America.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 October 2007 as National Domestic Violence Awareness Month. I urge all Americans to reach out to those who have been abused and help educate people about the vital importance of ending domestic violence.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Proclamation 8184 of October 1, 2007

Child Health Day, 2007

By the President of the United States of America
A Proclamation

Our Nation is committed to the health and well-being of our youth. On Child Health Day, we reaffirm our commitment to helping children develop good nutrition habits and active lifestyles, so that they can grow into healthy and productive adults.

Children today face many risks, such as alcohol and drug use, obesity, smoking, and other dangers. As parents and role models to America’s youth, we have a responsibility to teach them about the importance of healthy behavior, daily exercise, and good nutrition.

My Administration supports programs that give parents, mentors, and teachers the resources they need to help and encourage children to maintain an active and healthy way of life. The National Youth Anti-Drug Media Campaign is working with the Partnership for a Drug-Free America to educate our young people about resisting the pressure to use drugs. Additionally, the Helping America’s Youth initiative, led by First Lady Laura Bush, encourages our Nation’s children to make healthy choices that lead to a better future. The HealthierUS initiative offers ways to improve lives, prevent and reduce the costs of disease, and promote community health and wellness. These nationwide initiatives provide the tools and resources to help children learn the importance of healthy living.

With hard work and dedication, parents can encourage good nutrition and healthy lifestyles so children can make the right choices, avoid risky behavior, and realize their full potential.

On this day it is also appropriate to recognize the important role the State Children’s Health Insurance Program (SCHIP) has played in helping poor children stay healthy. To preserve that role and ensure that poor children can get the coverage they need, SCHIP should be reauthorized.

The Congress, by a joint resolution approved May 18, 1928, as amended (36 U.S.C. 105), 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, GEORGE W. BUSH, President of the United States of America, do hereby proclaim Monday, October 1, 2007, as Child Health Day. I call upon families, schools, child health professionals, faith-based and community organizations, and State and local governments to reach out to our Nation’s young people, encourage them to avoid dangerous behavior, and help them make the right choices and achieve their dreams.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Proclamation 8185 of October 4, 2007

German-American Day, 2007

By the President of the United States of America
A Proclamation

Generations of German Americans have helped shape our national culture and advance our legacy of freedom. On German-American Day, we recognize the many contributions that Americans of German descent have made to our vibrant country.

German immigrants, in search of a brighter future, were among the first pioneers to settle in Jamestown. Since then, German Americans have influenced our society in all walks of life and helped expand our democratic heritage and our deeply held belief in individual liberty. The leadership and strong spirit of German Americans have helped shape our country and advance the great blessings of our Nation.

German-American Day is also an opportunity to honor the strong ties between the United States and Germany and to celebrate our friendship. On this day, we underscore our commitment to working together to promote peace and making the world a more hopeful place.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 6, 2007, as German-American Day. I encourage all Americans to celebrate the many contributions German Americans have made to our Nation's liberty and prosperity.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8186 of October 4, 2007

Columbus Day, 2007

By the President of the United States of America
A Proclamation

In 1492, Christopher Columbus set sail on a journey that changed the course of history. On Columbus Day, we celebrate this voyage of discovery and honor an Italian explorer who shaped the destiny of the New World.

Christopher Columbus’ bold journey across the Atlantic opened new frontiers of exploration and demonstrated the power of perseverance. His journeys inspired other risk-takers and dreamers to test the bounds of their imagination and gave them the courage to accomplish great feats, whether crossing the world’s oceans or walking on the moon. Today, a new generation of innovators and pioneers continues to uphold the finest values of our country—discipline, ingenuity, and unity in the pursuit of great goals.
As we look back on the contributions of the great explorer from Genoa, we also celebrate the many contributions that generations of Italian Americans have made to our Nation. Their service to America and ties to family, faith, and community have strengthened our country and enriched our culture.

In commemoration of Columbus' journey, the Congress, by joint resolution of April 30, 1934, and modified in 1968 (36 U.S.C. 107), as amended, has requested that the President proclaim the second Monday of October of each year as "Columbus Day."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 8, 2007, 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.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8187 of October 4, 2007

Leif Erikson Day, 2007

By the President of the United States of America
A Proclamation

On Leif Erikson Day, we commemorate the enduring legacy of a brave explorer and honor the significant contributions of Nordic Americans who continue to enrich our culture and our way of life.

Leif Erikson, a son of Iceland and grandson of Norway, led a determined crew across the Atlantic more than 1,000 years ago and became one of the first Europeans known to reach North America. The courage of these pioneers helped open the world to new exploration and important discoveries. Today, Nordic Americans help strengthen our country, and their determination and optimism make America a more hopeful land. Our Nation continues to benefit from strong ties with Denmark, Finland, Iceland, Norway, and Sweden, and we are grateful for their continued friendship.

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

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 9, 2007, as Leif Erikson Day. I call upon all Americans to observe this day with appropriate ceremonies, activities, and programs to honor our rich Nordic-American heritage.
IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8188 of October 4, 2007

Fire Prevention Week, 2007

By the President of the United States of America
A Proclamation

During Fire Prevention Week, we reaffirm our commitment to raising awareness about fire safety and prevention, and we salute our country’s firefighters who perform heroic acts to keep their fellow citizens safe.

Fires injure or kill thousands of people each year. Americans can help reduce the devastating effects of fires with careful planning and by installing smoke alarms and fire extinguishers in their homes and workplaces. This year’s theme, “Practice Your Escape Plan,” highlights the importance of creating a fire escape plan and knowing the routes to quickly exit a burning building. By taking these special precautions, lives can be saved.

America’s firefighters demonstrate the true meaning of heroism by taking great risks to safeguard our communities. During Fire Prevention Week, we honor our selfless firefighters and underscore the importance of fire safety. We also pay special tribute to those who have fallen in the line of duty. Our country is grateful for their service and sacrifice, and we pray for God’s comfort and strength for their loved ones.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 7 through October 13, 2007, as Fire Prevention Week. On Sunday, October 7, 2007, in accordance with Public Law 107–51, the flag of the United States will be flown at half staff on all Federal office buildings in honor of the National Fallen Firefighters Memorial Service. I call on all Americans to participate in this observance through appropriate programs and activities and by renewing their efforts to prevent fires and their tragic consequences.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Proclamations

Proclamation 8189 of October 10, 2007

General Pulaski Memorial Day, 2007

By the President of the United States of America
A Proclamation

More than two hundred years after the death of General Casimir Pulaski, we honor the life and legacy of a Polish patriot and American Revolutionary War soldier who made the ultimate sacrifice for freedom.

Casimir Pulaski first demonstrated his devotion to the cause of liberty while defending his native Poland and earned a reputation for courage and resolve. He later met Benjamin Franklin in Paris and learned of America’s struggle for independence. Inspired by freedom’s call, Pulaski joined General George Washington in the American Revolution in 1777 and was soon commissioned as a Brigadier General. General Pulaski recruited and trained a special corps of American, Polish, Irish, French, and German troops, and he became known as “the Father of the American Cavalry.” Although he was mortally wounded at the siege of Savannah in 1779, his legacy lives on.

As we celebrate General Pulaski Memorial Day, we honor a son of Poland who stood with our country at the dawn of our independence. Casimir Pulaski’s determined efforts in Poland and America remind us of the great contributions Polish Americans have made to our country. Today, we recognize the enduring bond between the Polish and American people, and we are grateful for Poland’s efforts in support of freedom and democracy in Afghanistan and Iraq and in the global war on terror.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, as General Pulaski Memorial Day. I urge Americans to commemorate this occasion with appropriate activities and ceremonies honoring General Casimir Pulaski and all those who defend our freedom.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8190 of October 12, 2007

National School Lunch Week, 2007

By the President of the United States of America
A Proclamation

The National School Lunch Program provides millions of lunches to our Nation’s children each school day. During National School Lunch Week, we renew our commitment to the health of our children and to ensuring that they receive nutritious meals and develop good eating habits.
Since it began in 1946, the National School Lunch Program has provided nutritious meals in schools across the country. The United States Department of Agriculture (USDA) has worked to ensure that these meals include fresh fruits, vegetables, and milk and that they meet dietary recommendations so children limit fat, sodium, cholesterol, and excess calories in their diet.

By learning to eat well, children can avoid problems that can lead to serious long-term health problems, including heart disease, asthma, and diabetes. Team Nutrition, part of the USDA Food and Nutrition Service, is playing an important role in promoting good nutrition to children in thousands of our Nation’s schools, providing training and resources to food service professionals across our country.

National School Lunch Week is an opportunity to recognize food service professionals, school officials, and parents for their dedicated efforts to provide healthy foods to America’s children. This week, we recommit ourselves to encouraging children to make nutritious food choices and lead healthy lifestyles.

In recognition of the contributions of the National School Lunch Program to the health, education, and well-being of America’s children, the Congress, by joint resolution of October 9, 1962 (Public Law 87–780), as amended, 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, GEORGE W. BUSH, President of the United States of America, do hereby proclaim the week of October 14 through October 20, 2007, as National School Lunch Week. I call upon all Americans to join the dedicated individuals who administer the National School Lunch Program in appropriate activities that support the health and well-being of our Nation’s children.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8191 of October 12, 2007

White Cane Safety Day, 2007

By the President of the United States of America

A Proclamation

Our country upholds the value of every person, and all Americans deserve an opportunity to realize the American dream. Many citizens who are blind or visually impaired use white canes to achieve greater independence and increase mobility and productivity. On White Cane Safety Day, we celebrate the symbolism of the white cane, and we underscore our dedication to ensuring more individuals have the ability to lead active lives and achieve their personal and professional goals.
My Administration is committed to helping Americans with disabilities live and work with greater freedom. Through the New Freedom Initiative, we are building on the progress of the Americans with Disabilities Act and helping our citizens who are blind or visually impaired gain greater access to the workplace, school, and community life. By working to tear down barriers, we are creating a society where all people are encouraged to reach their full potential and where the promise of our great Nation is accessible for everyone.

The Congress, by joint resolution (Public Law 88–628) approved on October 6, 1964, as amended, has designated October 15 of each year as “White Cane Safety Day.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim October 15, 2007, as White Cane Safety Day. I call upon public officials, business leaders, educators, and all the people of the United States to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamations Proc. 8192

National Character Counts Week, 2007

By the President of the United States of America
A Proclamation

The greatness of a nation is measured not by power or wealth but by the character of its people. During National Character Counts Week, we underscore our dedication to promoting values for our young people and encourage all Americans to demonstrate good character.

As America’s youth strive to become responsible adults, they carry with them the values and traditions they were taught as children. At home, parents and families can teach universal values such as respect, tolerance, self-restraint, fairness, and compassion. In the community, we all can set good examples and demonstrate the virtues of leadership, patriotism, and responsible citizenship. The members of our Armed Forces demonstrate the strength of America’s character by answering the call of service to our Nation.

Through the Helping America’s Youth initiative, caring adults are connected with at-risk youth so that they have a mentor and an example as they navigate the challenges young people face. By working together, we can give children the skill and habits they need to reach their full potential.
During National Character Counts Week and throughout the year, I urge all
citizens to support the character development of our youth and make a dif-
ference in the lives of others. One way for all Americans to add to the char-
acter of our country is to volunteer to help a neighbor in need, and more
information can be found at volunteer.gov. I encourage every American to
serve a cause greater than themselves and set a positive example in their
community.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 21 through October
27, 2007, as National Character Counts Week. I call upon public officials,
educators, librarians, parents, students, and all Americans to observe this
week with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day
of October, in the year of our Lord two thousand seven, and of the Inde-
pendence of the United States of America the two hundred and thirty-sec-
ond.

GEORGE W. BUSH

Proclamation 8193 of October 19, 2007

National Forest Products Week, 2007

By the President of the United States of America
A Proclamation

During National Forest Products Week, we celebrate the rich blessings of
our Nation’s forests, and we recognize the important resources they provide
to our communities and our economy.

Our Nation’s forests supply vital products and create important employ-
ment opportunities. Trees provide wood to make homes, furniture, musical
instruments, paper for books and newspapers, and packaging materials.
These and other products are created by the construction and manufac-
turing industries and provide economic security for many of our citizens.

All Americans have an obligation to protect the Earth and a responsibility
to be good stewards of our land, and my Administration has made forest
health a high priority. Under the Healthy Forest Initiative, we are helping
to protect the American people, their communities, and the environment
from potentially devastating wildfires. Together we can conserve our wood-
lands and help leave a lasting legacy for future generations.

Recognizing the importance of our forests in ensuring our Nation’s well-
being, the Congress, by Public Law 86–753 (36 U.S.C. 123), as amended,
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, GEORGE W. BUSH, President of the United States
of America, do hereby proclaim October 21 through October 27, 2007, 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 nineteenth day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8194 of October 23, 2007


By the President of the United States of America

A Proclamation

After World War II, representatives from around the globe gathered to begin deliberations on a new international bill of rights. The document adopted by the General Assembly of the United Nations, the Universal Declaration of Human Rights, stands as a landmark achievement in the history of human liberty. On United Nations Day, we recognize the contributions of this important body and underscore our dedication to reforming the institution and advancing the high ideals on which it was founded.

Today, the United Nations must recommit itself to maintaining international security and helping solve economic, social, and humanitarian problems. This great institution must work for great purposes: to free people from tyranny and violence, hunger and disease, illiteracy and ignorance, and poverty and despair. With renewed commitment and courage, we can pursue the vision of the Universal Declaration and build a world where people are free to speak, assemble, and worship as they wish, and where opportunity crosses every border.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, as United Nations Day. 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 to observe United Nations Day with appropriate ceremonies and activities.

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

GEORGE W. BUSH
Proclamation 8195 of October 31, 2007

National Adoption Month, 2007

By the President of the United States of America
A Proclamation

During National Adoption Month, we recognize the adoptive and foster families who have shared their homes and hearts with children in need, and we encourage more Americans to consider adopting young people of all ages.

Families who adopt show the generous spirit of our Nation. Every child desires a permanent home, and when parents adopt a child to love as their own, lives are forever changed. For parents, the decision to adopt a child is among life’s greatest and happiest turning points. On November 17, families across the country will celebrate National Adoption Day by finalizing their adoptions, and each one of these homes will be richer for the addition of new family members.

My Administration is committed to promoting adoption of children of all ages. We are working to bring together more children with loving, adoptive parents through the Collaboration to AdoptUsKids at adoptuskids.org and by providing States with financial assistance through the Adoption Incentives Program. The Promoting Safe and Stable Families Program helps improve care and services to children and families and ensure more young people in America have a caring, secure, and permanent home. Together, these efforts are building a brighter future for our youth.

During National Adoption Month, we honor adoptive and foster parents as they raise children of conviction and character. By accepting the gift of these children, parents are helping shape lives and contributing to the strength of our great Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Adoption Month. I call upon all Americans to observe this month with appropriate programs and activities to honor adoptive families and to participate in efforts to find permanent homes for waiting children.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Proclamation 8196 of October 31, 2007

National American Indian Heritage Month, 2007

By the President of the United States of America
A Proclamation

National American Indian Heritage Month is an opportunity to honor the many contributions of American Indians and Alaska Natives and to recognize the strong and living traditions of the first people to call our land home.

American Indians and Alaska Natives continue to shape our Nation by preserving the heritage of their ancestors and by contributing to the rich diversity that is our country’s strength. Their dedicated efforts to honor their proud heritage have helped others gain a deeper understanding of the vibrant and ancient customs of the Native American community. We also express our gratitude to the American Indians and Alaska Natives who serve in our Nation’s military and work to extend the blessings of liberty around the world.

My Administration is committed to supporting the American Indian and Alaska Native cultures. In June, I signed the “Native American Home Ownership Opportunity Act of 2007,” which reauthorizes the Indian Housing Loan Guarantee Program, guaranteeing loans for home improvements and expanding home ownership for Native American families. Working with tribal governments, we will strive for greater security, healthier lifestyles, better schools, and new economic opportunities for American Indians and Alaska Natives.

During National American Indian Heritage Month, we underscore our commitment to working with tribes on a government-to-government basis and to supporting tribal sovereignty and self-determination. During this month, I also encourage Federal agencies to continue their work with tribal governments to ensure sound cooperation. Efforts such as on-line training programs will improve interagency collaboration in the Federal Indian Affairs community and help to strengthen relationships with tribes, building a brighter future for all our citizens.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National American Indian Heritage Month. I call upon all Americans to commemorate this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Proclamation 8197 of October 31, 2007

National Family Caregivers Month, 2007

By the President of the United States of America
A Proclamation

Each year during National Family Caregivers Month, we celebrate all those who dedicate themselves to caring for others and recognize their efforts to comfort and improve the lives of their loved ones in need.

One of our Nation’s defining values is compassion, and we must do our best to see that every citizen is treated with dignity and respect. Family caregivers demonstrate this compassion, often at great sacrifice, to assist with everyday activities for family members who are elderly, chronically ill, or disabled. This dedication contributes to a culture of caring and responsibility across our country.

My Administration remains committed to supporting family caregivers by enhancing their access to services, agencies, and other providers. Late last year, I signed “The Lifespan Respite Care Act of 2006,” which establishes a program to assist family caregivers in accessing affordable and high-quality respite care. The National Family Caregiver Support Program encourages cooperation among agencies and other organizations that support and work with the family caregivers. This program offers information, training, and counseling to help family caregivers assist their loved ones.

National Family Caregivers Month is a time to recognize family caregivers for their good hearts and tireless support. Their love and devotion exemplify the true spirit of America.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Family Caregivers Month. I encourage all Americans to honor the selfless service of caregivers who support their loved ones in need.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8198 of October 31, 2007

National Hospice Month, 2007

By the President of the United States of America
A Proclamation

One of America’s greatest values is compassion, and our country is blessed by all those who dedicate themselves to caring for others. During National Hospice Month, we recognize the dedicated professionals and volunteers who provide love and comfort to those who are terminally ill.
Across our Nation, hospice physicians, nurses, counselors, and volunteers provide invaluable support that enables many of our citizens to spend their final days in comfort and dignity. By providing physical, psychological, and social assistance, hospice care workers help ensure their patients can spend valuable time with loved ones. Hospice caregivers also help by providing guidance and counseling to the families of those who are ill.

Our Nation is committed to helping ensure that citizens with terminal illness and their families receive the assistance they need. We believe in the dignity and worth of every person at every stage of life, and hospice care brings support and comfort to those in need.

Hospice care professionals and volunteers are answering a timeless call to love their neighbors as themselves. During National Hospice Month, we recognize these individuals for their strength and compassion. Their efforts make our country a more loving and caring place.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Hospice Month. I encourage all Americans to observe this month with appropriate programs and activities. I also ask Americans to recognize our health care professionals and volunteers for their contributions to helping provide comfort and care to those facing terminal illness.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8199 of October 31, 2007

Veterans Day, 2007

By the President of the United States of America

A Proclamation

Throughout our history, America has been protected by patriots who cherished liberty and made great sacrifices to advance the cause of freedom. The brave members of the United States Armed Forces have answered the call to serve our Nation, ready to give all for their country. On Veterans Day, we honor these extraordinary Americans for their service and sacrifice, and we pay tribute to the legacy of freedom and peace that they have given our great Nation.

In times of war and of peace, our men and women in uniform stepped forward to defend their fellow citizens and the country they love. They shouldered great responsibility and lived up to the highest standards of duty and honor. Our veterans held fast against determined and ruthless enemies and helped save the world from tyranny and terror. They ensured that America remained what our founders meant her to be: a light to the nations, spreading the good news of human freedom to the darkest corners of the earth.
Like the heroes before them, today a new generation of men and women are fighting for freedom around the globe. Their determination, courage, and sacrifice are laying the foundation for a more secure and peaceful world.

Veterans Day is dedicated to the extraordinary Americans who protected our freedom in years past, and to those who protect it today. They represent the very best of our Nation. Every Soldier, Sailor, Airman, Marine, and Coast Guardsman has earned the lasting gratitude of the American people, and their service and sacrifice will be remembered forever. In the words of Abraham Lincoln: “... let us strive on to finish the work we are in, to bind up the Nation’s wounds, to care for him who shall have borne the battle ...” On this Veterans Day, I ask all Americans to express their appreciation to our Nation’s veterans.

With respect for and in recognition of the contributions our service men and women have made to the cause of peace and freedom around the world, 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 our Nation’s veterans.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim November 11, 2007, as Veterans Day and urge all Americans to observe November 11 through November 17, 2007, as National Veterans Awareness Week. I encourage all Americans to recognize the valor and sacrifice of our veterans through ceremonies and prayers. I call upon Federal, State, and local officials to display the flag of the United States and to support 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 commemorative expressions and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8200 of October 31, 2007

National Alzheimer’s Disease Awareness Month, 2007

By the President of the United States of America
A Proclamation

National Alzheimer’s Disease Awareness Month is an opportunity to honor and support those living with Alzheimer’s disease. During this month, we also seek to express our gratitude to the family members and caretakers who love and comfort those afflicted, and we renew our commitment to finding a cure to this devastating disease.

The greatest risk factor for Alzheimer’s disease is age. Scientists are studying how other factors such as family history, nutrition, environment, and
education, also affect an individual’s risk for Alzheimer’s disease. The National Institutes of Health and the Department of Veterans Affairs continue to conduct research to better prevent, detect, and treat Alzheimer’s disease and provide information and support to caretakers and families.

During National Alzheimer’s Disease Awareness Month, we recognize the millions of Americans affected by this tragic disease and honor those who have lost their lives to Alzheimer’s. Americans are grateful for the resolve and dedication of medical professionals, scientific researchers, family members, and caregivers who give their time and talents and help provide hope to many.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Alzheimer’s Disease Awareness Month. I call upon the people of the United States to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8201 of October 31, 2007

National Diabetes Month, 2007

By the President of the United States of America
A Proclamation

Diabetes is a debilitating disease that affects millions of Americans of all ages and all walks of life. National Diabetes Month is an opportunity to raise awareness about risk factors, prevention, and treatment of this serious disease.

Diabetes is a chronic illness that leaves the body unable to produce or properly use insulin to maintain healthy blood glucose levels. The two most common forms of the disease that affect our citizens are Type 1 and Type 2 diabetes. Type 1 diabetes, once known as juvenile diabetes, is usually diagnosed in children and young adults who are unable to produce insulin and require daily medication. Type 2 diabetes, the most common form of the disease, is often attributed to lifestyle risk factors and can be controlled by a modified diet, regular physical activity, and medication. Americans can take steps to control the disease and lower the risk of complications such as heart disease, stroke, and kidney disease by maintaining healthy eating and exercise habits, and consulting with a doctor about diabetes testing.

My Administration is committed to providing better care for people living with diabetes and furthering efforts to find a cure. We have supported research initiatives and education programs that encourage healthy living, and we have also modified Medicare coverage to include diabetes
screenings. This year, the National Institutes of Health estimates that more than $1 billion will be spent on diabetes research. By working together, we can help identify problems early, manage them before they grow worse, and help ensure more Americans live longer, healthier lives.

Throughout National Diabetes Month, we recognize the medical professionals, scientists, researchers, and all those whose efforts have made a positive difference in the fight against diabetes. By raising public awareness, we can help combat the effects of diabetes in our society and bring hope to children and families living with this disease.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Diabetes Month. I call upon all Americans to learn more about the risk factors and symptoms associated with diabetes and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8202 of November 8, 2007

World Freedom Day, 2007

By the President of the United States of America
A Proclamation

On World Freedom Day, we commemorate the fall of the Berlin Wall and reaffirm our conviction that freedom is the inalienable right of every man, woman, and child.

On November 9, 1989, the Berlin Wall fell—a triumph of freedom over those who denied hope and opportunity to millions. The collapse of this barrier signaled the demise of the Soviet empire and ushered in a new era of liberty for much of Central and Eastern Europe. In the end, tyranny was overpowered by ordinary people who wanted to live their lives freely, worship God freely, and speak the truth to their children. With moral clarity and courage, brave individuals can change the course of history.

Our Nation remains committed to the advance of freedom and democracy as the great alternatives to repression and radicalism. America calls on every country that stifles dissent to end its repression, to trust its people, and to grant its citizens the liberty they deserve.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 9, 2007, as World Freedom Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities, reaffirming our dedication to freedom and democracy.
By the President of the United States of America

A Proclamation

As citizens of this great Nation, we have a responsibility to practice good environmental stewardship. On America Recycles Day, we underscore our commitment to conserving our resources by recycling.

Through curbside collections and drop-off facilities, we are turning waste materials—including plastic, glass, aluminum cans, paper, tires, batteries, and building materials—into valuable resources. Recycling is one of our Nation’s most successful environmental initiatives, and my Administration is working to increase opportunities for our citizens, communities, and businesses to recycle. The Resource Conservation Challenge, created by the Environmental Protection Agency, encourages public and private partnerships to promote recycling. Through Plug-In To eCycling, we are helping reduce waste by providing consumers with information on how and where they can donate or safely recycle old electronics. Working together, we can conserve valuable resources and energy by managing materials more efficiently.

On America Recycles Day and throughout the year, I encourage all Americans to recycle appropriate materials and products. By recycling, reducing greenhouse gas emissions, and conserving energy, we can help build a healthier environment for everyone.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 15, 2007, as America Recycles Day. I call upon the people of the United States to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Americans are a grateful people, ever mindful of the many ways we have been blessed. On Thanksgiving Day, we lift our hearts in gratitude for the freedoms we enjoy, the people we love, and the gifts of our prosperous land.

Our country was founded by men and women who realized their dependence on God and were humbled by His providence and grace. The early explorers and settlers who arrived in this land gave thanks for God’s protection and for the extraordinary natural abundance they found. Since the first National Day of Thanksgiving was proclaimed by President George Washington, Americans have come together to offer thanks for our many blessings. We recall the great privilege it is to live in a land where freedom is the right of every person and where all can pursue their dreams. We express our deep appreciation for the sacrifices of the honorable men and women in uniform who defend liberty. As they work to advance the cause of freedom, our Nation keeps these brave individuals and their families in our thoughts, and we pray for their safe return.

While Thanksgiving is a time to gather in a spirit of gratitude with family, friends, and neighbors, it is also an opportunity to serve others and to share our blessings with those in need. By answering the universal call to love a neighbor as we want to be loved ourselves, we make our Nation a more hopeful and caring place.

This Thanksgiving, may we reflect upon the past year with gratefulness and look toward the future with hope. Let us give thanks for all we have been given and ask God to continue to bless our families and our Nation.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 22, 2007, as a National Day of Thanksgiving. I encourage all Americans to gather together in their homes and places of worship with family, friends, and loved ones to reinforce the ties that bind us and give thanks for the freedoms and many blessings we enjoy.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Proclamation 8205 of November 16, 2007

National Farm-City Week, 2007

By the President of the United States of America
A Proclamation

Our Nation’s agricultural industry contributes greatly to the strength of our economy. During National Farm-City Week, we honor the hard work and dedication of America’s farmers and ranchers and we highlight the important urban and rural partnerships that help keep our country strong and prosperous.

America’s farmers and ranchers embody an important part of our national heritage. As stewards of our land, our farmers and ranchers protect our soil, water, and wildlife habitat. With hard work, discipline, and ingenuity, they produce a safe and healthy food supply. Farmers and ranchers work closely with processors, transporters, and retailers, moving agricultural products from the farm to the homes of Americans and people around the world. My Administration is working to open new markets for American farm products and to encourage free and fair trade. By expanding opportunities for American farmers and ranchers, we can help keep our economy strong and growing.

As we celebrate Farm-City Week, we recognize the many contributions of America’s farmers and ranchers and all those who work to strengthen the ties between our rural and urban communities. Our Nation is blessed by those who grow, harvest, and deliver these products, and we honor their dedication to feeding our country and the world.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 16 through November 22, 2007, as National Farm-City Week. I encourage all Americans to recognize the many accomplishments of our farmers and ranchers, and all those who contribute to the strength of America’s agricultural industry.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of November, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8206 of November 16, 2007

National Family Week, 2007

By the President of the United States of America
A Proclamation

As families gather together to celebrate Thanksgiving, we underscore the comforting and positive role they play in our society. During National Family Week, we celebrate the contributions of families everywhere.

GEORGE W. BUSH
Families strengthen our communities by teaching important values such as compassion and honesty to their children. Families also offer a supportive environment and help ensure that children grow into responsible members of society. By providing guidance and unconditional love, parents shape the character of their children.

My Administration believes that the strength of our Nation is built upon the foundation of strong families. To help support families, we have doubled the child tax credit, reduced the marriage penalty, and lowered tax rates. We are also committed to promoting positive youth development. The Helping America’s Youth initiative, led by First Lady Laura Bush, supports organizations, including faith-based and community groups, that continue this important mission.

All Americans are grateful to our Nation’s military families, who have stood by their loved ones in times of war and peace. Our country will always be especially thankful for the sacrifices of our military personnel and for their devotion to duty and their love of country. During National Family Week, we pray for their safe return and for the families who await them at home.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 18 through November 24, 2007, as National Family Week. I invite the States, communities, and all the people of the United States to join together in observing this week with appropriate ceremonies and activities to honor our Nation’s families.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of November, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

World AIDS Day, 2007

On World AIDS Day, we reaffirm our commitment to fighting and preventing HIV/AIDS in America and around the world. We also remember those who have lost their lives to this terrible disease and those who continue to suffer.

HIV/AIDS is a global challenge. In 2003, my Administration launched the President’s Emergency Plan for AIDS Relief (PEPFAR), a $15 billion mobilization, to help support prevention, treatment, and care programs in some of the hardest hit countries around the world. PEPFAR’s ABC approach—abstinence, being faithful, and using condoms—with abstinence as the only sure way to avoid the sexual transmission of HIV/AIDS, is helping stop the spread of this devastating disease.
In the United States as well, HIV/AIDS affects too many of our families, neighbors, and friends. We continue to fund research to develop new methods of treatment and prevention, and to emphasize voluntary HIV screening as a routine part of health care. The Ryan White CARE Act has provided Americans in need with better access to medical care, antiretroviral treatments, and counseling. With medicine, support, and their own daily courage, many citizens are managing a condition that was once often fatal.

The pandemic of HIV/AIDS can be defeated. The United States is taking the lead in this great effort, and we stand united with our international partners in combating this virus. We also recognize the essential role that faith-based and community organizations play in providing support and compassion to those living with the disease. By working together, we can give hope and comfort to millions.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, as World AIDS Day. On this day and throughout the year, the red ribbon helps raise awareness of the importance of fighting HIV/AIDS. This year, the White House will display this symbol from the North Portico to represent America’s commitment to this struggle. I urge the Governors of the States and 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 appropriate activities to remember those who have lost their lives to AIDS and to provide support and comfort to those living with this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of November, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8208 of November 30, 2007

National Drunk and Drugged Driving Prevention Month, 2007

By the President of the United States of America
A Proclamation

Accidents related to drunk and drugged driving claim the lives of thousands of Americans every year. During National Drunk and Drugged Driving Prevention Month we seek to raise awareness about the dangers of driving under the influence of alcohol or drugs and encourage citizens to drive responsibly.

As a Nation, we must work together to prevent drunk and drugged driving on our roads. We can all play an important role by educating family members and friends about the devastating consequences of impaired driving and by insisting that they have a designated driver. Businesses, community
organizations, and faith-based groups can promote substance abuse prevention and encourage alternative sources of transportation. By encouraging our fellow citizens to make responsible choices, we can help save lives.

My Administration is dedicated to strengthening efforts against drunk and drugged driving. We have partnered with communities across America to increase public awareness about this serious crime and prevent impaired drivers from putting themselves and others at risk. Through high-visibility enforcement operations, the Department of Transportation’s National Highway Traffic Safety Administration is helping discourage individuals from drinking and driving. To take drug-impaired drivers off the streets, the Office of National Drug Control Policy is working to give law enforcement officers the tools they need to detect when citizens are driving under the influence of drugs.

During National Drunk and Drugged Driving Prevention Month and throughout the year, we are reminded of the importance of driving free from the influence of alcohol and drugs. By working together, we can make our Nation’s roadways safer for everyone.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2007 as National Drunk and Drugged Driving Prevention Month. I urge all Americans to make responsible decisions and take appropriate measures to prevent drunk and drugged driving.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of November, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8209 of December 4, 2007

National Pearl Harbor Remembrance Day, 2007

By the President of the United States of America
A Proclamation

On December 7, 1941, our Nation was viciously attacked at Pearl Harbor, America’s Pacific Fleet was battered and broken, and more than 2,400 American lives were lost. On National Pearl Harbor Remembrance Day, America honors those brave individuals who made the ultimate sacrifice in defense of our homeland, and we recognize those veterans who with strength and resolve defended our Nation and advanced the cause of freedom during World War II.

When it mattered most, an entire generation of Americans stepped forward to protect our freedom and to defend liberty. Their devotion to duty and willingness to serve a cause greater than self helped secure our future and
our way of life. Liberty prevailed because of the sacrifice of these courageous patriots, and America and her allies preserved a world where democracy could flourish. Our Nation remains forever in the debt of these brave Americans.

From the unprovoked attack at Pearl Harbor grew a steadfast resolve that has made America a defender of freedom around the world, and our mission continues as our men and women in uniform serve at home and in distant lands. Today, as we defend our Nation’s founding ideals, we pay special tribute to those who lost their lives at Pearl Harbor, honor our veterans of World War II, and celebrate the liberty that makes America a lasting symbol of hope to the world.

The Congress, by Public Law 103–308, as amended, has designated December 7 of each year as “National Pearl Harbor Remembrance Day.”

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim December 7, 2007, as National Pearl Harbor Remembrance Day. I encourage all Americans to observe this solemn occasion with appropriate ceremonies and activities. I urge all Federal agencies, interested organizations, groups, and individuals to fly the flag of the United States at half-staff this December 7 in honor of those who died as a result of their service at Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of December, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
Title 3—The President

Freedom and dignity are God’s gifts, and during Human Rights Day, Bill of Rights Day, and Human Rights Week, we look forward with confidence to the eventual triumph of human rights for all mankind.

NOW, THEREFORE, I, GEORGE W. BUSH, 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, 2007, as Human Rights Day; December 15, 2007, as Bill of Rights Day; and the week beginning December 10, 2007, as Human Rights Week. I call upon the people of the United States to mark these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of December, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8211 of December 11, 2007

Wright Brothers Day, 2007

By the President of the United States of America
A Proclamation

The cause of discovery and exploration is a desire written in the human heart. On Wright Brothers Day, we remember the achievement of two young brothers on the Outer Banks of North Carolina whose persistence, skill, ingenuity, and daring revolutionized the world.

Orville and Wilbur Wright made the first manned, powered flight on December 17, 1903. Orville experienced the thrill of flight when he felt the first lift of the wing of the small wood and canvas aircraft that would travel 120 feet in 12 seconds. The brothers’ passion and spirit of discovery helped define our Nation and paved the way for future generations of innovators to launch satellites, orbit the Earth, and travel to the Moon and back.

Our country is continuing the Wright brothers’ great American journey. My Administration is committed to advancing space science, human space flight, and space exploration. We will continue to work to expand the horizons of human knowledge to ensure that America is at the forefront of discovery for decades to come.

The Congress, by a joint resolution approved December 17, 1963, as amended (77 Stat. 402; 36 U.S.C. 143), 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, GEORGE W. BUSH, President of the United States of America, do hereby proclaim December 17, 2007, as Wright Brothers Day.
IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of December, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8212 of December 19, 2007

National Mentoring Month, 2008

By the President of the United States of America
A Proclamation

Millions of Americans lend their time, talent, and energy to become mentors and make a difference in children’s lives. During National Mentoring Month, we honor these caring individuals for their dedication to changing our country one heart and soul at a time.

By sharing their knowledge and experiences, mentors serve as examples for young people and help teach them the skills they need to succeed in life. They also provide stability, instill important values, and build confidence in those they assist. Mentors are soldiers in the armies of compassion, and they encourage children to set goals and achieve their dreams.

My Administration is committed to helping our Nation’s children realize their full potential by expanding opportunities for Americans to mentor. To raise awareness of the challenges facing our youth and encourage adults to connect with young people through family, school, and community, First Lady Laura Bush is leading the Helping America’s Youth initiative. Through the USA Freedom Corps, we are connecting individuals with volunteer opportunities, including mentors who work with young people in schools and community organizations. By encouraging Americans to mentor, we are doing our part to see that more of America’s children grow into strong, confident, and successful adults.

I appreciate all those who reach out to young people and inspire future generations to pass on this rich tradition that makes our country strong. I urge all Americans to get involved in mentoring programs and to visit the USA Freedom Corps website at volunteer.gov to learn more about mentoring opportunities in their communities. Together, we can build a culture of service and foster a more compassionate society that recognizes the value and purpose in every single human life.

NOW, THEREFORE, I, GEORGE W. BUSH, 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 2008 as National Mentoring Month. I call upon all Americans to recognize the importance of mentoring, to look for opportunities to serve as mentors in their communities, and to observe this month with appropriate activities and programs.
IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of December, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH

Proclamation 8213 of December 20, 2007

To Implement an Amendment to the Dominican Republic-Central America-United States Free Trade Agreement

By the President of the United States of America
A Proclamation


2. The Parties to the Agreement entered into an amendment to the Agreement on July 27, August 6, and August 14, 2007 (the "Amendment"). The terms of the Amendment are contained in letters of understanding between the United States and the Agreement countries described in sections 1634(a)(2) and 1634(b)(2) of the Pension Protection Act of 2006 (Public Law 109–280, 120 Stat. 780).

3. Section 1634 of the Pension Protection Act authorizes the President to proclaim modifications to the Harmonized Tariff Schedule of the United States (HTS) as necessary to carry out the understandings described therein subject, in the case of certain provisions of the Amendment, to the consultation and layover requirements in section 104 of the CAFTA–DR Act (19 U.S.C. 4011).

4. Section 203(o) of the CAFTA–DR Act (19 U.S.C. 4033) authorizes the President to proclaim, as part of the HTS, the provisions set out in Annex 4.1 of the Agreement.

5. Executive Order 11651 of March 3, 1972, as amended, established the Committee for the Implementation of Textile Agreements (CITA), consisting of representatives of the Departments of State, the Treasury, Commerce, and Labor, and the Office of the United States Trade Representative, with the representative of the Department of Commerce as Chairman, to supervise the implementation of textile trade agreements. Consistent with 3 U.S.C. 301, when carrying out functions vested in the President by statute and assigned by the President to CITA, the officials collectively exercising those functions are all to be officers required to be appointed by the President with the advice and consent of the Senate.

6. Section 604 of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance
NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 203 of the CAFTA–DR Act, section 1634 of the Pension Protection Act, section 301 of title 3, United States Code, and section 604 of the 1974 Act, do proclaim that:

(1) In order to provide generally for the modifications in the rules for determining whether goods imported into the customs territory of the United States are eligible for preferential tariff treatment under the Agreement, to provide preferential tariff treatment for certain other goods under the Agreement, and to make technical and conforming changes in the general notes to the HTS, the HTS is modified as set forth in:

(a) Sections A, B, and C of the Annex to this proclamation; and

(b) Section D of that Annex.

(2) The modifications to the HTS made by paragraph (1)(a) of this proclamation shall enter into effect on the date, as announced by the United States Trade Representative in the Federal Register, that the Amendment enters into force and shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after that date.

(3) The modifications to the HTS made by paragraph (1)(b) of this proclamation shall enter into effect on the date, as announced by the United States Trade Representative in the Federal Register, that the Amendment has entered into force and the conditions set forth in paragraph (a), paragraph (b), or both, of footnote 1 to Appendix 4.1–B of the Agreement have been fulfilled, and shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after that date.

(4) The CITA is authorized to exercise my authority under section 203(o) of the CAFTA–DR Act to implement Appendix 4.1–B of the Agreement by determining whether and, if so, by what amount, to increase in accordance with paragraph 3 or footnote 2 of that Appendix the quantitative limits in the provisions of the HTS set out in section D of the Annex to this proclamation.

(5) The United States Trade Representative shall modify U.S. note 21 to subchapter XXII of chapter 98 of the HTS in a notice published in the Federal Register to reflect determinations pursuant to paragraph (4) of this proclamation by the CITA.

(6) 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.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of December, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
ANNEX

TO IMPLEMENT AN AMENDMENT TO THE
DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES
FREE TRADE AGREEMENT

Effective with respect to goods that are entered, or withdrawn from warehouse for consumption, on or after the dates announced by the United States Trade Representative and published in the Federal Register for each annex section below, the Harmonized Tariff Schedule of the United States (HTS) is hereby modified as follows:

Section A. General note 20(h) to the HTS is modified as set forth below:

1. Chapter rules 3 and 4 for chapter 61 are deleted and the following new chapter rules are inserted in lieu thereof:

"Chapter rule 3. Notwithstanding chapter rule 2 to this chapter, a good of this chapter, other than a good of subheading 6102.20, tariff item 6102.90.00 (for goods subject to cotton restraints), 6104.12.00 (for jackets imported as parts of suits), 6104.13.20, 6104.15.15, 6104.19.80 (for jackets imported as parts of suits and subject to cotton restraints), 6104.19.80 (for goods subject to man-made fiber restraints), 6104.22.00 (for garments described in heading 6102 or jackets and blazers described in heading 6104), 6104.22.20 (for garments described in heading 6102 or jackets and blazers described in heading 6104), 6104.39.20 (for goods subject to cotton restraints), subheading 6104.32, tariff item 6104.39.20 (for goods subject to cotton restraints), 6112.11.00 (for women's or girls' garments described in headings 6101 or 6102, 6113.00.00 (for coats and jackets of cotton, for women or girls) or 6117.90.00 (for coats and jackets of cotton), containing fabrics of subheading 5505.20 or heading 6102 shall be considered originating only if such fabrics are both formed from yarn and finished in the territory of one or more of the parties to the Agreement.

Chapter rule 4. Notwithstanding chapter rule 2 to this chapter, a good of this chapter, other than a good of subheading 6102.20, tariff item 6102.90.00 (for goods subject to cotton restraints), 6104.12.00 (for jackets imported as parts of suits), 6104.13.20, 6104.15.15, 6104.19.80 (for jackets imported as parts of suits and subject to cotton restraints or for goods subject to man-made fiber restraints), 6104.22.00 (for garments described in heading 6102 or jackets and blazers described in heading 6104), 6104.22.20 (for garments described in heading 6102 or jackets and blazers described in heading 6104), the foregoing subject to cotton restraints, subheading 6104.32, tariff item 6104.39.20 (for goods subject to cotton restraints), 6112.11.00 (for women's or girls' garments described in headings 6101 or 6102, 6113.00.00 (for coats and jackets of cotton, for women or girls) or 6117.90.00 (for coats and jackets of cotton), containing sewing thread of heading 5204, 5401 or 5508 shall be considered originating only if such sewing thread is both formed and finished in the territory of one or more of the parties to the Agreement.

Chapter rule 5. Notwithstanding chapter rule 2 to this chapter, a good of this chapter, other than a good of subheading 6102.20, tariff item 6102.90.00 (for goods subject to cotton restraints), 6104.12.00 (for jackets imported as parts of suits), 6104.13.20, 6104.15.15, 6104.19.80 (for jackets imported as parts of suits and subject to cotton restraints or for goods subject to man-made fiber restraints), 6104.22.00 (for garments described in heading 6102 or jackets and blazers described in heading 6104), 6104.22.20 (for garments described in heading 6102 or jackets and blazers described in heading 6104), the foregoing subject to cotton restraints, subheading 6104.32, tariff item 6104.39.20 (for goods subject to cotton restraints), 6112.11.00 (for women's or girls' garments described in headings 6101 or 6102, 6113.00.00 (for coats and jackets of cotton, for women or girls) or 6117.90.00 (for coats and jackets of cotton), containing sewing thread of heading 5204, 5401 or 5508 shall be considered originating only if such sewing thread is both formed and finished in the territory of one or more of the parties to the Agreement.

2. Tariff classification rules (TCRs) 3 and 4 for chapter 61 are deleted and the following new TCRs are inserted in lieu thereof:

3. A change to subheading 6102.10 from any other chapter, except from headings 5111 through 5113, 5204 through 5217, 5310 through 5311, chapter 54, headings 5505 through 5516 or 6001 through 6006, provided that:
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(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

3A. A change to subheading 6102.20 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

3B. A change to subheading 6102.30 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

4. A change to goods subject to cotton restraints of tariff item 6102.90.90 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

4A. A change to any other good of subheading 6102.90 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

3. TCRs 13 and 14 for chapter 61 are deleted and the following new TCRs are inserted in lieu thereof:

13. A change to subheading 6104.11 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

13A. A change to jackets imported as parts of suits of subheading 6104.12 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

13B. A change to any other good of subheading 6104.12 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

13C. A change to tariff item 6104.13.20 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

13D. A change to any other tariff item of subheading 6104.13 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:
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(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

14. A change to tariff item 6104.19.40 or 6104.19.60 (except jackets imported as parts of suits and subject to cotton restraints and except goods subject to man-made fiber restraints) from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

14A. A change to tariff items 5104.19.15 or 6104.19.80 (for jackets imported as parts of suits and subject to cotton restraints or for goods subject to man-made fiber restraints) from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

4. TCRs 16 and 17 for chapter 61 are deleted and the following new TCRs are inserted in lieu thereof:

16. A change to subheading 6104.21 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:

(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) with respect to a garment described in heading 6102, a jacket or a blazer described in heading 6104, or a skirt described in heading 6104, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

16A. A change to garments described in heading 6102 or to jackets and blazers described in heading 6104 and subject to cotton restraints, imported as parts of ensembles of subheading 6104.22 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

16B. A change to any other good of subheading 6104.22 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:

(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) with respect to a garment described in heading 6102, a jacket or a blazer described in heading 6104, or a skirt described in heading 6104, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

16C. A change to subheading 6104.23 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:

(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) with respect to a garment described in heading 6102, a jacket or a blazer described in heading 6104, or a skirt described in heading 6104, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

16D. A change to garments described in heading 6102 or to jackets and blazers described in heading 6104 and subject to cotton restraints, imported as parts of ensembles of subheading 6104.29 from any other
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chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

16E. A change to any other good of subheading 6104.28 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) with respect to a garment described in heading 6102, a jacket or a blazer described in heading 6104, or a skirt described in heading 6104, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

17. A change to subheading 6104.31 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

17A. A change to subheading 6104.32 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

17B. A change to subheading 6104.33 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

5. The following new TCR 18A for chapter 61 is inserted immediately below TCR 18 for such chapter:

"18A. A change to garments described in heading 6102 or to jackets and blazers described in heading 6104 and subject to cotton restraints, imported as parts of ensembles of tariff item 6104.39.20 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement."

6. TCR 19 for chapter 61 is modified by deleting "tariff item" and by inserting in lieu thereof "good".

7. TCRs 25 through 33 for chapter 61 are deleted and the following new TCRs are inserted in lieu thereof:

"25. A change to headings 6105 through 6111 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

33. A change to women's or girls' garments described in heading 6102 imported as parts of track suits of tariff item 6112.11.00 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

33A. A change to any other good of tariff item 6112.11.00 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516.
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or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

33B. A change to subheadings 6112.12 through 6112.19 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.*

8. TCR 36 for chapter 61 is deleted and the following new TCRs are inserted in lieu thereof:

"36. A change to coats or jackets of cotton, for women or girls, of tariff item 6113.00.90 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

37. A change to any other good of heading 6113 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

38. A change to headings 6114 through 6116 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

39. A change to subheadings 6117.10 through 6117.80 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

40. A change to coats or jackets of cotton of tariff item 6117.90.90 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

41. A change to any other good of subheading 6117.90 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.*

9. Chapter rules 1, 3 and 4 for chapter 62 are deleted, and the following new chapter rules 1, 3, 4 and 5 are inserted in numerical sequence:

"Chapter rule 1. Except for fabrics classified in tariff item 5408.22.10, 5408.23.11, 5408.23.21 or 5408.24.10, the fabrics identified in the following headings and subheadings, when used as visible lining material in certain men's and women's suits, suitable jackets, skirts, overcoats, cardigans, anoraks, windbreakers and similar articles, other than men's and boys' and women's and girls' suits, trousers, suit-type jackets and blazers, vests and women's and girl's skirts of wool fabric, of subheadings 5203.11, 5203.12, 5204.11, 5204.12, 5204.31, 5204.32, 5204.41, 5211.39 or 5211.41, provided that such goods are not made of carded wool fabric or made from wool yarn having an average fiber diameter of less than or equal to 18.5 microns, must be both formed from yarn and finished in the territory of one or more of the parties to the Agreement:

5111 through 5112, 5208.31 through 5208.59, 5208.61 through 5209.59, 5210.31 through 5210.59, 5211.31 through 5211.59, 5212.13 through 5212.25, 5407.42 through 5407.44, 5407.52 through 5407.84, 5407.92 through 5407.94, 5408.22 through 5408.24, 5408.32 through 5408.34, 5512.19, 5512.29, 5512.99, 5513.21 through 5513.49, 5514.21 through 5515.39, 5516.12 through 5516.14, 5516.22 through 5516.24, 5516.32 through 5516.34, 5516.42 through 5516.44, 5516.62 through 5516.64, 6001.10, 6001.92, 6005.31 through 6005.44 or 6006.10 through 6006.44.

Chapter rule 3. Notwithstanding chapter rule 2 to this chapter, a good of this chapter, other than—
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(a) a good of headings 6207 through 6208 (for boxers, pajamas, and nightwear only), subheading 6204.23, 6204.29, 6204.32, 6212.10, tariff item 6202.12.20, 6202.19.90 (for goods subject to cotton restraints), 6202.91.20 (for goods for women), 6202.92.15, 6202.92.20 (other than padded, sleeveless jackets without attachments for sleeves), 6202.93.45, 6202.99.00 (for goods subject to cotton restraints), 6203.39.90 (for goods subject to wool restraints), 6204.12.00 (for jackets imported as parts of suits), 6204.13.20, 6204.19.20, 6204.19.80 (for jackets imported as parts of suits and subject to cotton restraints, or for goods subject to man-made fiber restraints), 6204.22.30 (for garments described in heading 6202, or for jackets and blazers described in heading 6204), 6204.33.20, 6204.39.80, 6204.42.30 (for garments for girls, other than than of corduroy), 6204.43.40 (for garments for girls), 6205.44.40 (for garments for girls), 6205.20.20 (for dress shirts for men, with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chipboards, pins, jet clips, individual polybags and hang tags ready for retail sale), 6205.30.20 (for dress shirts for men, with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chipboards, pins, jet clips, individual polybags and hang tags ready for retail sale), 6205.20.10, 6210.30.00 (for garments other than of linen), 6210.50.00 (for garments other than of linen), 6211.20.15 (for garments including ski-jackets), windbreakers, and similar articles (including padded, sleeveless jackets), for women or girls, of cotton, imported as parts of suits, 6211.20.58 (for garments of cotton), 6211.41.00 (for garments of cotton), 6211.42.00 (for garments of cotton), 6211.20.00 (for garments and jacket-type garments excluded from heading 6202), 6211.42.00 (for track suits, other than trousers, or for jackets and jacket-type garments excluded from heading 6202) or 6217.90.00 (for coats and jackets, of cotton); or

(b) men's and boys' and women's and girls' suits, trousers, suit-type jackets and blazers, vests, and women's and girls' skirts of wool fabric, of subheadings 6203.11, 6203.31, 6204.41, 6204.11, 6204.31, 6204.51, 6204.61, 6211.39, or 6211.41, provided that such goods are not made of carded wool fabric or made from wool yarn having an average fiber diameter of less than or equal to 18.5 microns, containing fabrics of heading 6202 or subheading 5806.20 shall be considered originating only if such fabrics are both formed from yarn and finished in the territory of one or more of the parties to the Agreement.

Chapter rule 4. Notwithstanding chapter rule 2, a good of this chapter, other than--

(a) a good of headings 6207 through 6208 (for boxers, pajamas, and nightwear only), subheading 6204.23, 6204.29, 6204.32, 6212.10, tariff item 6202.12.20, 6202.19.90 (for goods subject to cotton restraints), 6202.91.20 (for goods for women), 6202.92.15, 6202.92.20 (other than padded, sleeveless jackets without attachments for sleeves), 6202.93.45, 6202.99.00 (for goods subject to cotton restraints), 6203.39.90 (for goods subject to wool restraints), 6204.12.00 (for jackets imported as parts of suits), 6204.13.20, 6204.19.20, 6204.19.80 (for jackets imported as parts of suits and subject to cotton restraints, or for goods subject to man-made fiber restraints), 6204.22.30 (for garments described in heading 6202, or for jackets and blazers described in heading 6204), 6204.33.20, 6204.39.80, 6204.42.30 (for garments for girls, other than than of corduroy), 6204.43.40 (for garments for girls), 6205.44.40 (for garments for girls), 6205.20.20 (for dress shirts for men, with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chipboards, pins, jet clips, individual polybags and hang tags ready for retail sale), 6205.30.20 (for dress shirts for men, with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chipboards, pins, jet clips, individual polybags and hang tags ready for retail sale), 6205.20.10, 6210.30.00 (for garments other than of linen), 6210.50.00 (for garments other than of linen), 6211.20.15 (for garments including ski-jackets), windbreakers, and similar articles (including padded, sleeveless jackets), for women or girls, of cotton, imported as parts of suits, 6211.20.58 (for garments of cotton), 6211.41.00 (for garments of cotton), 6211.42.00 (for garments of cotton), 6211.20.00 (for garments and jacket-type garments excluded from heading 6202), 6211.42.00 (for track suits, other than trousers, or for jackets and jacket-type garments excluded from heading 6202) or 6217.90.00 (for coats and jackets, of cotton); or

(b) men's and boys' and women's and girls' suits, trousers, suit-type jackets and blazers, vests and women's and girls' skirts of wool fabric, of subheadings 6203.11, 6203.31, 6204.41, 6204.11, 6204.31, 6204.51, 6204.61, 6211.39, or 6211.41, provided that such goods are not made of carded wool fabric or made from wool yarn having an average fiber diameter of less than or equal to 18.5 microns, containing sewing thread of heading 5401 or 5508 shall be considered originating only if such sewing thread is both formed and finished in the territory of one or more of the parties to the Agreement.
Chapter Rule 5. Notwithstanding chapter rule 2, a good of this chapter, other than—

(a) a good of headings 6207 through 6208 (for boxes, pajamas, and nightwear only), subheading 6204.23, 6204.25, 6204.32, 6212.10, tariff item 6202.12.20, 6202.19.90 (for goods subject to cotton restraints), 6202.91.20 (for goods for women), 6202.92.15, 6202.92.20 (other than padded, sleeveless jackets without attachments for sleeves), 6202.93.45, 6202.99.90 (for goods subject to cotton restraints), 6203.39.90 (for goods subject to wool restraints), 6204.12.00 (for jackets imported as parts of suits), 6204.13.20, 6204.19.20, 6204.19.80 (for jackets imported as parts of suits and subject to cotton restraints, or for goods subject to man-made fiber restraints), 6204.22.30 (for garments described in heading 6202, or for jackets and blazers described in heading 6204), 6204.33.20, 6204.39.90, 6204.42.30 (for garments for girls, other than of corduroy), 6204.43.40 (for garments for girls), 6204.44.40 (for garments for girls), 6205.20.20 (for dress shirts for men, with two or more colors in the warp and/or the filling with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chipboards, pins, jacket clips, individual polybags and hang tags ready for retail sale), 6205.30.20 (for dress shirts for men, with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chipboards, pins, jacket clips, individual polybags and hang tags ready for retail sale), 6206.20.10, 6210.30.90 (for garments other than of linen), 6210.50.00 (for anoraks), 6211.20.15 (for anoraks (including ski jackets), windbreakers, and similar articles (including padded, sleeveless jackets), for women or girls), of cotton, imported as parts of ski suits), 6211.20.58 (for goods of cotton), 6211.41.00 (for jackets and jacket-type garments excluded from heading 6202), 6211.42.00 (for track suits, other than trousers, or for jackets and jacket-type garments excluded from heading 6202) or 6217.90.90 (for coats and jackets, of cotton), or

(b) men's and boys' and women's and girls' suits, trousers, suit-type jackets and blazers, vests and women's and girls' skirts of wool fabric, of subheadings 6203.11, 6203.31, 6203.41, 6204.11, 6204.31, 6204.51, 6204.61, 6211.39 or 6211.41, provided that such goods are not made of carded wool fabric or made from wool yarn having an average fiber diameter of less than or equal to 18.5 microns, that contains a pocket or pockets shall be considered originating only if the pocket bag fabric has been formed and finished in the territory of one or more of the parties to the Agreement from yarn wholly formed in the territory of one or more of the parties to the Agreement.

10. TCRs 5 through 8, inclusive, for chapter 62 are deleted and the following new TCRs are inserted in lieu thereof:

5. A change to subheading 6202.11 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

5A. A change to tariff item 6202.12.20 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

5B. A change to any other tariff item of subheading 6202.12 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 5801 through 5806, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.
5C. A change to subheading 6202.13 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

6. A change to goods subject to cotton restraints of tariff item 6202.19.90 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

6A. A change to any other good of subheading 6202.19 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

7. A change to goods for women of tariff item 6202.91.20 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

7A. A change to any other good of subheading 6202.91 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

7B. A change to tariff items 6202.92.15 or 6202.92.20 (other than padded, sleeveless jackets without attachments for sleeves) from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

7C. A change to any other good of subheading 6202.92 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

7D. A change to tariff item 6202.93.45 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

7E. A change to any other good of subheading 6202.93 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.
8. A change to goods subject to cotton restraints of tariff item 5202.96.90 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

8A. A change to any other good of subheading 5202.99 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6906, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement. 

11. The following new TCR for chapter 62 is inserted immediately below TCR 13 for such chapter, and TCR 14 for such chapter is modified by deleting "tariff item" and by inserting in lieu thereof "good":

"13A. A change to goods subject to wool restraints of tariff item 5203.39.90 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement."

12. TCR 15 for chapter 62 is deleted and the following new TCRs are inserted in lieu thereof:

"16. A change to subheading 6204.11 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 58.01 through 58.02, or 60.01 through 60.06, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

16A. A change to jackets imported as parts of suits of subheading 6204.12 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

16B. A change to any other good of subheading 6204.12 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 58.01 through 58.02, or 60.01 through 60.06, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

16C. A change to tariff item 6204.13.20 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

16D. A change to any other tariff item of subheading 6204.13 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 58.01 through 58.02, or 60.01 through 60.06, provided that:

(a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62."

13. The following new TCR for chapter 62 is inserted immediately below TCR 17 for such chapter:

"17A. A change to tariff item 6204.19.20 or to jackets imported as parts of suits and subject to cotton restraints or to goods subject to man-made fiber restraints of tariff item 5204.19.80 from any other
14. TCRs 19, 20 and 21 for chapter 62 are deleted and the following new TCRs are inserted in lieu thereof:

19A. A change to subheading 6204.21 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:
   (a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and
   (b) with respect to a garment described in heading 6202, a jacket or a blazer described in heading 6204 or a skirt described in heading 6204, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

19B. A change to any other good of subheading 6204.22 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:
   (a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and
   (b) with respect to a garment described in heading 6202, a jacket or a blazer described in heading 6204 or a skirt described in heading 6204, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

19C. A change to subheadings 6204.23 through 6204.29 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

20. A change to subheading 6204.31 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:
   (a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and
   (b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

20A. A change to subheading 6204.32 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

20B. A change to tariff item 6204.33.20 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

20C. A change to any other tariff item in subheading 6204.33 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:
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(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement, and

(b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

21. A change to tariff item 6204.39.69 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

21A. A change to tariff item 6204.39.80 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement."

15. TCRs 24 and 25 for chapter 62 are deleted and the following new TCRs are inserted in lieu thereof:

"24. A change to goods for girls, other than of corduroy, of tariff item 6204.42.30 or to goods for girls of tariff items 6204.43.40 or 6204.44.40 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

25. A change to any other good of subheadings 6204.42 through 6204.49 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement."

15. TCR 30 for chapter 62 is deleted and the following new TCRs are inserted in lieu thereof:

"30. A change to subheading 6205.10 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

30A. A change to dress shirts for men, with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chiffon, pin, jet, clips, individual polybags and hang tags ready for retail sale, of tariff item 6205.20.20 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

30B. A change to any other good of subheading 6205.20 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, or 6001 through 6006, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

30C. A change to dress shirts for men, with two or more colors in the warp and/or the filling, each with collar and sleeve size stated in inches, without dual collar sizing, the foregoing individually packaged with chiffon, pin, jet, clips, individual polybags and hang tags ready for retail sale, of tariff item 6205.30.20 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

30D. A change to any other good of subheading 6205.30 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, or 6001 through 6006, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

30E. A change to subheading 6205.50 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, or 6001 through 6006, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement."

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17. TCR 32 for chapter 62 is deleted and the following new TCR is inserted in lieu thereof, and TCR 34 for chapter 62 is modified by deleting “tariff item” and by inserting in lieu thereof “good”:

“32. A change to boxers short of subheading 6207.11, tariff items 6207.19.90 or 6208.91.30 or subheading 6208.92 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.”

18. TCR 35 for chapter 62 is deleted and the following new TCRs are inserted in lieu thereof:

“35. A change to tariff item 6209.20.10 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

35A. A change to any other tariff item of heading 6209 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6004, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

35B. A change to goods other than of linen tariff item 6210.30.90 or to anoraks (including ski-jackets), windbreakers and similar articles of tariff item 6210.50.90 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

35C. A change to any other good of heading 6210 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6004, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.”

19. TCRs 37 and 38 for chapter 62 are deleted and the following new TCRs are inserted in lieu thereof:

“37. A change to anoraks (including ski-jackets), windbreakers and similar articles (including padded, sleeveless jackets), imported as parts of ski-suits, of cotton, for women or girls, of tariff items 6211.20.15 or 6211.20.58 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

37A. A change to any other good of subheading 6211.20 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6004, provided that:

(a) the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

(b) with respect to a garment described in heading 5101, 5102, 5202, or 5203, of wool, fine animal hair, cotton, or man-made fibers, imported as part of a ski-suit of this subheading, any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.

39. A change to subheadings 6211.31 through 6211.39 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6004, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

38A. A change to jackets and jacket-type garments excluded from heading 6202 of subheading 6211.41 from any other chapter, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

38B. A change to any other good of subheading 6211.41 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5801 through 5802 or 6001 through 6004, provided that the good is cut or knitted to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.”
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38C. A change to track suits (other than trousers) or to jackets and jacket-type garments excluded from heading 6202 of subheading 6211.42 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

38D. A change to any other good of subheading 6211.42 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5601 through 5603 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

38E. A change to subheadings 6211.43 through 6211.49 from any other chapter, except from headings 5111 through 5115, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5601 through 5603 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

20. TCR 41 for chapter 62 is deleted and the following new TCRs are inserted in lieu thereof:

41. A change to headings 6213 through 6216 from any other chapter, except from headings 5111 through 5113, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5601 through 5603 or 6001 through 6006, provided that the good is cut and knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

42. A change to coats or jackets of cotton of tariff item 6217.30.90 from any other chapter, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

43. A change to any other good of heading 6217 from any other chapter, except from headings 5111 through 5115, 5204 through 5212, 5310 through 5311, chapter 54, headings 5508 through 5516, 5601 through 5603 or 6001 through 6006, provided that the good is cut and knit to shape, or both, and sewn or otherwise assembled in the territory of one or more of the parties to the Agreement.

Section B. U.S. note 15 to subchapter XV of chapter 99 of the HTS is modified—

1. by inserting at the end of the tabulation in subdivision (b) of such note the following new material:

“The tariff treatment provided for in subheading 9915.61.01 shall also apply to men's sport coats, containing 23 percent or more by weight of wool or fine animal hair, of subheadings 6103.23.00, 6103.29.05, 6103.31.00, 6103.33.10, 6103.39.00, 6203.23.00, 6203.29.10, 6203.29.20, 6203.29.30, 6203.29.40, 6203.31.00, 6203.31.10 or 6203.31.90, provided that the component that determines the tariff classification of the good is of carded wool fabric of subheading 5111.11.00, 5111.99.00 or 5111.90.90, and provided that the good satisfies all other applicable requirements of this note.”

2. by deleting from the tabulation in subdivision (c) of such note the quantities enumerated for the years 2011, 2012, 2013 and 2014 followed by the abbreviation “SME” and by inserting in lieu thereof for each such year the quantity “100,000,000 SME”, and by adding immediately below the tabulation and before the sentence beginning “For purposes...” the following new sentence:

“Of the quantity specified above for any such year, not more than 1,500,000 SME may be men's sport coats, containing 23 percent or more by weight of wool or fine animal hair, that are described in the final sentence of subdivision (b) of this note.”

Section C. The following new HTS provisions are inserted in numerical sequence in subchapter XXII of chapter 98, with the material inserted in the columns entitled “Heading/Subheading”, “Article Description”, and “Rates of Duty 1 General”:

“Goods of a party to the Agreement as defined in general note 29(a) to the tariff schedule that do not qualify for the tariff treatment provided for in such general note 29, the foregoing goods cut or knit to...”

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Section D. In order to provide for measures relating to certain apparel goods of chapter 62, the HTS is modified as follows:

1. General note 29(d) to the HTS is modified by inserting in numerical sequence the following new subdivision:

"(vi) Notwithstanding other provisions of this note, for purposes of determining whether a good of chapter 62 of the tariff schedule is an originating good, materials used in the production of such a good that are produced in the territory of Canada or of Mexico and that would be originating under this note if produced in the territory of a party to the Agreement shall be considered as having been produced in the territory of a party to the Agreement, provided that the United States Trade Representative has determined in a notice published in the Federal Register that the requirements of Appendix 4.1.B of the Agreement specified in subdivision (a) of this note have been met with respect to Canada or Mexico, as the case may be, and has announced the effective date of U.S. note 21 to subchapter XXII of chapter 98 of the tariff schedule. Such goods shall be entered under subheading 822.05.00 of the tariff schedule, subject to the terms of such U.S. note 21, on or after the effective date specified in such notice."

2. The following new U.S. note 21 is inserted in numerical sequence in subchapter XXII of chapter 98:

"21. (a) For purposes of heading 822.05.05, the treatment provided for in general note 29(c)(vi) to the tariff schedule shall be limited to goods imported into the territory of the United States from a party to the Agreement as defined in general note 29(a) in aggregate quantities not to exceed the overall limit set forth in subheading (b) of this note, except as provided in subdivision (c) of this note. For purposes of determining the quantity of square meter equivalents (SME) to be charged against the overall limit, the conversion factors listed in Correction: U.S. Textile and..."
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Apparel Category System with the Harmonized Tariff Schedule of the United States of America
2003, U.S. Department of Commerce, Office of Textiles and Apparel, or successor publication, shall apply.

(b) Subject to the sublimits set out below and the exclusion provided in subdivision (c) of this note, the overall limit in the first calendar year that goods qualify for entry under this provision shall not exceed 100,000,000 SME. If this provision enters into force after January 1 of that year, the overall limit and sublimits shall be reduced in proportion to the number of full months of that year that have expired. Subject to the sublimits set out below, the overall limit for each successive calendar year that the Agreement as specified in general note 29(a) is in effect may increase up to a maximum of 200,000,000 SME in any calendar year, and the sublimits may increase so that they represent the same proportion of the overall limit as in the first calendar year that goods qualify for entry under this provision. Each percentage increase of the limits shall correspond to the percentage increase in imports into the territory of the United States from the other parties to the Agreement as defined in general note 29(a) of originating goods of chapter 52 of the tariff schedule.

(i) Not more than 45,000,000 SME may be trousers and skirts and parts thereof, of cotton or man-made fibers, or subject to cotton or man-made fiber restraints, within subheadings 6203.19.10, 6203.19.90, 6203.22.30, 6203.23.00, 6203.28.20, 6203.42.40, 6203.43.25, 6203.43.35, 6203.43.40, 6203.49.15, 6203.49.20, 6203.49.80, 6204.12.00, 6204.19.90, 6204.22.30, 6204.23.00, 6204.29.20, 6204.29.40, 6204.52.10, 6204.52.20, 6204.53.10, 6204.53.30, 6204.59.10, 6204.59.90, 6204.69.40, 6204.69.60, 6204.69.90, 6204.70.90, 6204.70.90, 6204.70.90, excluding goods identified in subdivision (b)(ii) of this note.

(ii) Not more than 20,000,000 SME may be cotton blue denim trousers within subheadings 6203.42.40 or 6204.62.40 and blue denim skirts within subheading 6204.52.20.

(iii) Not more than 1,000,000 SME may be the following apparel goods, not knitted or crocheted, containing 36 percent or more by weight of wool or subject to wool restraints:

(A) suits for men or boys described in subheading 6203.11.15, 6203.11.30, 6203.11.60, 6203.11.90, 6203.12.10, 6203.19.20, 6203.19.90 or 6203.21.30;

(B) suit-type jackets and blazers for men or boys described in subheading 6203.21.30, 6203.21.90, 6203.23.00, 6203.31.50, 6203.31.90, 6203.33.10 or 6203.39.10 or 6203.39.90;

(C) trousers, breeches and shorts for men or boys described in subheading 6203.21.30, 6203.21.90, 6203.23.00, 6203.41.05, 6203.41.12, 6203.41.18, 6203.43.30, 6203.43.40 or 6203.49.80;

(D) suits for women or girls described in subheading 6204.11.00, 6204.13.10, 6204.19.10 or 6204.19.90;

(E) suit-type jackets and blazers for women or girls described in subheading 6204.31.10, 6204.31.20, 6204.33.40, 6204.39.20 or 6204.39.90;

(F) skirts for women or girls described in subheading 6204.21.00, 6204.23.00, 6204.29.40, 6204.31.00, 6204.53.20, 6204.59.20 or 6204.59.40; or

(G) trousers, breeches or shorts for women or girls described in subheading 6204.21.00, 6204.23.00, 6204.29.40, 6204.61.10, 6204.61.90, 6204.63.25, 6204.69.20, 6204.69.60 or 6204.69.90.

(c) The limit in subdivision (b) of this note shall not apply to the following goods made from wool fabric: men’s and boys’ and women’s and girls’ suits, trousers, suit-type jackets and blazers and vests and women’s and girls’ skirts, provided that such goods are not made of carded wool fabric or made from wool yarn having an average fiber diameter of not over 16.5 microns.

(d) The United States Trade Representative (USTR) may modify, in a notice published in the Federal Register, the overall limit and sublimits set forth in subdivision (b) of this note, to reflect CITA...
determinations, subject to the maximum limitation and percentages set forth in such subdivision (b). The USTR may likewise modify, in a notice published in the Federal Register, such overall limit and sublimits to reflect a CFTA determination to implement a decision of the parties to the Agreement, as defined in general note 2(3) to the tariff schedule, to take into account the ability of the Dominican Republic to participate in such limits."

3. The following new HTS provision is inserted in numerical sequence in subchapter XXII of chapter 98, with the material inserted in the columns entitled "Heading/Subheading", "Article Description", and "Rates of Duty 1 General":

| HTS22.05.05 | Apparel goods of chapter 62 for which the treatment provided in U.S. note 21 to this subchapter is appropriate, if entered into the customs territory of the United States in aggregate quantities not to exceed the limits set forth in U.S. note 21 to this subchapter........ | Free (P)* |

*Free (P)*
To Adjust the Rules of Origin Under the United States-Chile Free Trade Agreement and the United States-Singapore Free Trade Agreement

By the President of the United States of America
A Proclamation

1. Section 1206(a) of the Omnibus Trade and Competitiveness Act of 1988 (the “1988 Act”) (19 U.S.C. 3006(a)) authorizes the President to proclaim modifications to the Harmonized Tariff Schedule of the United States (HTS) based on the recommendations of the U.S. International Trade Commission (the “Commission”) under section 1205 of the 1988 Act (19 U.S.C. 3005), if he determines that the modifications are in conformity with United States obligations under the International Convention on the Harmonized Commodity Description and Coding System (the “Convention”) and do not run counter to the national economic interest of the United States. In 2006, the Commission recommended modifications to the HTS pursuant to section 1205 of the 1988 Act to conform the HTS to amendments made to the Convention. In Presidential Proclamation 8097 of December 29, 2006, I modified the HTS pursuant to section 1206 of the 1988 Act to conform the HTS to the amendments to the Convention.

2. Presidential Proclamation 7746 of December 30, 2003, implemented the United States-Chile Free Trade Agreement (USCFTA) with respect to the United States and, pursuant to section 201 of the United States-Chile Free Trade Agreement Implementation Act (the “USCFTA Act”) (19 U.S.C. 3805 note), the staged reductions in rates of duty that I determined to be necessary or appropriate to carry out or apply articles 3.3 (including the schedule of United States duty reductions with respect to originating goods set forth in Annex 3.3 to the USCFTA), 3.7, 3.9, and 3.20(8), (9), (10), and (11) of the USCFTA.

3. In order to ensure the continuation of the staged reductions in rates of duty for originating goods from Chile in categories that were modified to conform to the Convention, I proclaimed in Presidential Proclamation 8097 modifications to the HTS that I determined were necessary or appropriate to carry out the duty reductions proclaimed in Proclamation 7746.

4. Chile is a party to the Convention. Because the substance of changes to the Convention are reflected in slightly differing form in the national tariff schedules of the parties to the USCFTA, the rules of origin set out in Annex 4.1 of that Agreement must be changed to ensure that the tariff and certain other treatment accorded under the USCFTA to originating goods will continue to be provided under the tariff categories that were modified in Proclamation 8097. The USCFTA parties have agreed to make these changes.

5. Section 202 of the USCFTA provides certain rules for determining whether a good is an originating good for the purposes of implementing tariff treatment under the USCFTA. Section 202(o) of the USCFTA Act authorizes the President to proclaim the rules of origin set out in the USCFTA and any subordinate tariff categories necessary to carry out the USCFTA, subject to the exceptions stated in section 202(o)(2)(A).
6. I have determined that the modifications to the HTS proclaimed pursuant to section 202 of the USCKFTA Act and section 1206(a) of the 1988 Act are necessary or appropriate to ensure the continuation of tariff and certain other treatment accorded originating goods under tariff categories modified in Proclamation 8097 and to carry out the duty reductions proclaimed in Proclamation 7746.

7. Presidential Proclamation 7747 of December 30, 2003, implemented the United States-Singapore Free Trade Agreement (USSFTA) with respect to the United States and, pursuant to section 201 of the United States-Singapore Free Trade Agreement Implementation Act (the “USSFTA Act”) (19 U.S.C. 3805 note), the staged reductions in rates of duty that I determined necessary or appropriate to carry out or apply articles 2.2, 2.5, 2.6, and 2.12 of the USSFTA and the schedule of reductions with respect to the United States set forth in Annex 2B of the USSFTA.

8. In order to ensure the continuation of the staged reductions in rates of duty for originating goods from Singapore in categories that were modified to conform to the Convention, in Presidential Proclamation 8097, I proclaimed modifications to the HTS that I determined were necessary or appropriate to carry out the duty reductions proclaimed in Proclamation 7747.

9. Singapore is a party to the Convention. Because the substance of the changes to the Convention are reflected in slightly differing form in the national tariff schedules of the parties to the USSFTA, the provisions set out in Annexes 3A and 3B of that Agreement must be changed to ensure that the tariff and certain other treatment accorded under the USSFTA to originating goods will continue to be provided under the tariff categories that were modified in Presidential Proclamation 8097. The USSFTA parties have agreed to make these changes.

10. Section 202 of the USSFTA Act provides certain rules for determining whether a good is an originating good for the purposes of implementing tariff treatment under the USSFTA. Section 202(o) of the USSFTA Act authorizes the President to proclaim the rules of origin set out in the USSFTA and any subordinate tariff categories necessary to carry out the USSFTA, subject to certain exceptions set out in section 202(o)(2)(A).

11. I have determined that the modifications to the HTS proclaimed pursuant to section 202 of the USSFTA Act are necessary or appropriate to ensure that the tariff and certain other treatment accorded originating goods under tariff categories modified in Proclamation 8097 and to carry out the duty reductions proclaimed in Proclamation 7747.

12. Section 604 of the Trade Act of 1974, as amended (the “Trade Act”) (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the 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. Section 1206(c) of the 1988 Act, as amended (19 U.S.C. 3006(c)), provides that any modifications proclaimed by the President under section 1206(a) of that Act may not take effect before the thirtieth day after the date on which the text of the proclamation is published in the Federal Register.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution
and the laws of the United States of America, including but not limited to section 1206(a) of the 1988 Act, section 202 of the USSFTA Act, section 202 of the USCFTA Act, and section 604 of the Trade Act, do proclaim that:

(1) In order to reflect in the HTS the modifications to the rules of origin under the USCFTA, general note 26 to the HTS is modified as provided in Annex I to this proclamation.

(2) In order to reflect in the HTS the modifications to the rules of origin under the USSFTA, general note 25 to the HTS is modified as provided in Annex II to this proclamation.

(3) 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.

(4) The modifications and technical rectifications to the HTS set forth in Annexes I and II to this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the later of (i) February 1, 2008, or (ii) the thirtieth day after the date of publication of this proclamation in the Federal Register.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of December, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirty-second.

GEORGE W. BUSH
ANNEX I

TECHNICAL RECTIFICATIONS TO THE RULES OF ORIGIN FOR THE UNITED STATES-CHILE FREE TRADE AGREEMENT, AS REFLECTED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Effective with respect to goods of Chile, under the terms of general note 26 to the Harmonized Tariff Schedule of the United States (HTS), that are entered, or withdrawn from warehouse for consumption, on or after the later of (1) February 1, 2008, or (2) the thirtieth day after the date of publication of this proclamation in the Federal Register, general note 26(n) to the HTS is modified as follows:

1. Tariff classification rule (TCR) 16 for chapter 28 is modified by deleting "2811.29" and by inserting in lieu thereof "2811.29.

2. TCR 37 for chapter 28 is modified by deleting "2805.11" and by inserting in lieu thereof "2806.12".

3. TCR 38 for chapter 28 is modified by deleting "2827.35" and by inserting in lieu thereof "2827.36".

4. TCR 40 for chapter 28 is deleted and the following new TCR is inserted in lieu thereof:

*40. (A) A change to barium, iron, cobalt or zinc chlorides of subheading 2827.39 from other chlorides of subheading 2827.39 or any other subheading; or

(B) A change to other chlorides of subheading 2827.39 from barium, iron, cobalt or zinc chloride of subheading 2827.39 or any other subheading."

5. TCR 43 for chapter 28 is modified by deleting "2833.29" and by inserting in lieu thereof "2833.25".

6. TCR 45 for chapter 28 is deleted and the following new TCR is inserted in lieu thereof:

*45. (A) A change to sulfates of chromium or zinc of subheading 2833.29 from any other subheading; or

(B) A change to other sulfates of subheading 2833.29 from any other subheading except from heading 2530." 

7. TCRs 52 and 67 for chapter 28 are deleted.

8. TCR 69 for chapter 28 is deleted and the following new TCR is inserted in lieu thereof:

*69. (A) A change to ammonium carbonate or other ammonium carbonates of subheading 2836.99 from any other subheading;

(B) A change to bismuth carbonate of subheading 2836.99 from any other subheading, except from subheading 2617.90;

(C) A change to lead carbonates of subheading 2836.99 from any other subheading, except from heading 2607; or

(D) A change to other goods of subheading 2836.99, provided that the good classified in subheading 2836.99 is the product of a chemical reaction."

9. TCR 62 for chapter 28 is deleted.

10. TCR 64 for chapter 28 is deleted and the following new TCR is inserted in lieu thereof:

*64. A change to subheading 2839.90 from any other subheading." 

11. TCRs 67 and 68 for chapter 28 are deleted and the following new TCRs are inserted in lieu thereof:

*67. A change to subheading 2841.50 from any other subheading;

68. (A) A change to chromates of zinc or lead of subheading 2841.50 from any other subheading;

(B) A change to potassium dichromate of subheading 2841.50 from any other good of subheading 2841.50 or any other subheading; or

(C) A change to other chromates, dichromates or peridichromates of subheading 2841.50 from potassium dichromate of subheading 2841.50 or any other subheading, except from heading 2610." 

12. TCR 72 for chapter 28 is deleted and the following new TCR is inserted in lieu thereof:

*72. (A) A change to aluminates of subheading 2841.90 from any other subheading; or
13. TCR 74 for chapter 28 is deleted and the following new TCR is inserted in lieu thereof:

"74. (A) A change to nitrites, cyanates or trioxynates of subheading 2842.90 from any other subheading,
or
(B) A change to any other good of subheading 2842.90 from any other subheading, provided that the good classified in subheading 2842.90 is the product of a chemical reaction."

14. TCR 86 for chapter 28 is deleted and the following new TCR is inserted in lieu thereof:

"86. A change to heading 2850 from any other heading."

15. The following new TCRs for chapter 28 are inserted in numerical sequence:

"87. A change to heading 2852 from any other heading.
88. A change to heading 2853 from any other heading."

16. TCR 12 for chapter 29 is modified by deleting "2903.30" and by inserting in lieu thereof "2903.39."

17. TCRs 24 and 25 for chapter 29 are deleted and the following new TCR is inserted in lieu thereof:

"25. (A) A change to terpinolene of subheading 2906.19 from any other good, except from heading 3805; or
(B) A change to any other good of subheading 2906.19 from pine oils of subheading 3805.90 or any other subheading, except from subheading 3301.90 or any other goods of subheading 3505.90."
24. TCR 101 for chapter 29 is modified by deleting "2904.10" and by inserting in lieu thereof "2904.21."

25. TCR 101 for chapter 29 is deleted and the following new TCR is inserted in lieu thereof:

1. A change to subheading 2904.21 from any other subheading, including another subheading within that group, except from subheading 2904.92.

2. (A) A change to dried glands or other dried organs of subheading 2901.90 from any other subheading, except from subheadings 2906.92, 2906.10 through 2908.96 or 2908.20, headings 2904 or 2910 or subheading 2911.99 if the change from these provisions is not a powder classified in subheading 2901.90, or

   (B) A change to any other good of subheading 2901.90 from dried glands or other dried organs of subheading 2901.90 or from any other subheading, except from subheading 2906.92.

26. TCRs 1 and 2 for chapter 30 are deleted and the following new TCRs are inserted in lieu thereof:

1. A change to subheading 3001.20 from any other subheading, including another subheading within that group, except from subheading 3006.92.

2. (A) A change to hormone derivatives of corticosteroid hormones of subheading 3044.32 from any other subheading or corticosteroid hormones or structural analogues of corticosteroid hormones of subheading 3044.32, except from subheadings 3004.39 or 3006.92 or from adrenal cortical hormones classified in chapter 29.

   (B) A change to structural analogues of corticosteroid hormones of subheading 3044.32 from any other subheading, except subheadings 3044.32, except from subheadings 3003.39, 3004.39 or 3006.92, or hormone or derivatives thereof classified in chapter 29.

   (C) A change to any other good of subheading 3044.32 from any other subheading, except from subheadings 3003.39 or 3006.92 or from adrenal cortical hormones classified in chapter 29.

27. TCRs 2 through 12, inclusive, and TCRs 14 through 22, inclusive, for chapter 30 are each modified by deleting "3006.90" at each instance and by inserting in lieu thereof "3006.92."

28. TCR 13 for chapter 30 is deleted and the following new TCR is inserted in lieu thereof:

1. A change to subheading 3006.91 from any other heading.

29. TCR 23 for chapter 30 is deleted and the following new TCRs are inserted in lieu thereof:

1. A change to subheading 3006.92 from any other chapter.

30. TCR 8 for chapter 31 is deleted.

31. TCRs 10 through 14, inclusive, for chapter 31 are deleted and the following new TCRs are inserted in lieu thereof:

10. (A) A change to calcium cyanamide of subheading 3102.90 from any other subheading; or

   (B) A change to any other good of subheading 3102.90 from any other subheading, except from subheadings 3102.10 through 3102.90.

11. A change to subheading 3103.10 from any other subheading.

12. (A) A change to basic slag of subheading 3103.90 from any other subheading; or

   (B) A change to any other good of subheading 3103.90 from any other subheading, except from subheading 3103.10.

13. A change to subheadings 3104.20 through 3104.30 from any other subheading, including another subheading within that group.

14. (A) A change to carnallite, sylvinite or other crude natural potassium salts of subheading 3104.90 from any other subheading; or

   (B) A change to any other good of subheading 3104.90 from any other subheading, except from subheadings 3104.20 through 3104.30.

32. TCR 8 for chapter 32 is deleted and the following new TCRs are inserted in lieu thereof.
“B. A change to subheadings 3206.20 through 3206.42 from any other subheading, including another subheading within that group.

8A. (A) A change to pigments and preparations based on cadmium compounds of subheading 3206.49 from any other good of subheading 3206.49 or from any other subheading:
   (B) A change to pigments and preparations based on hexacaprolactamer (ferrocyanides and ferrocyanides) of subheading 3206.49 from any other good of subheading 3206.49 or from any other subheading, or
   (C) A change to any other good of subheading 3206.49 from any other subheading.

8B. A change to subheadings 3206.50 through 3207.40 from any other subheading, including another subheading within that group.”

13. TCR 1 for chapter 33 is deleted and the following new TCRs are inserted in lieu thereof:

“1. (A) A change to subheadings 3301.12 through 3301.13 from any other chapter; or
   (B) A change to subheadings 3301.12 through 3301.13 from any other subheading within chapter 33, including another subheading within that group, provided there is a regional value content of not less than:
      (i) 35 percent when the build-up method is used, or
      (ii) 45 percent when the build-down method is used.

1A. (A) A change to essential oils of bergamot or of lime of subheading 3301.19 from any other chapter; or
   (B) A change to essential oils of bergamot or of lime of subheading 3301.19 from any other subheading within chapter 33, provided there is a regional value content of not less than:
      (i) 35 percent when the build-up method is used, or
      (ii) 45 percent when the build-down method is used.

1B. (A) A change to any other good of subheading 3301.19 from any other chapter; or
   (B) A change to any other good of subheading 3301.19 from essential oils of bergamot or of lime of subheading 3301.19 or from any other subheading within chapter 33, provided there is a regional value content of not less than:
      (i) 35 percent when the build-up method is used, or
      (ii) 45 percent when the build-down method is used.

1C. (A) A change to subheadings 3301.24 through 3301.25 from any other chapter; or
   (B) A change to subheadings 3301.24 through 3301.25 from any other subheading within chapter 33, including another subheading within that group, provided there is a regional value content of not less than:
      (i) 35 percent when the build-up method is used, or
      (ii) 45 percent when the build-down method is used.

1D. (A) A change to essential oils of geranium, jasmine, lavender, lavandin or relavand of subheading 3301.29 from any other chapter; or
   (B) A change to essential oils of geranium, jasmine, lavender, lavandin or relavand of subheading 3301.29 from any other subheading within chapter 33, including another subheading within that group, provided there is a regional value content of not less than:
      (i) 35 percent when the build-up method is used, or
      (ii) 45 percent when the build-down method is used.

1E. (A) A change to any other good of subheading 3301.29 from any other chapter; or
   (B) A change to any other good of subheading 3301.29 from essential oils of geranium, jasmine, lavender, lavandin or relavand of subheading 3301.29 or from any other subheading within chapter 33, provided there is a regional value content of not less than:
(i) 35 percent when the build-up method is used, or
(ii) 45 percent when the build-down method is used

1F. (A) A change to subheadings 3301.30 through 3301.90 from any other chapter; or
(B) A change to subheadings 3301.30 through 3301.90 from any other subheading within chapter 33, including another subheading within that group, provided there is a regional value content of not less than:
(i) 35 percent when the build-up method is used, or
(ii) 45 percent when the build-down method is used."

34. TCRs 8 and 9 for chapter 34 are deleted and the following new TCRs are inserted in lieu thereof:

"8. A change to subheading 3404.20 from any other subheading.

9. (A) A change to artificial waxes or prepared waxes of chemically modified lignite of subheading 3404.90 from any other good of subheading 3404.90 or from any other subheading; or
(B) A change to any other good of subheading 3404.90 from any other subheading, except from heading 15.71 or subheadings 2712.20 or 2712.96.

35. TCRs 9 through 12, inclusive, for chapter 38 are deleted and the following new TCRs are inserted in lieu thereof:

"11. A change to subheading 3808.90 from any other subheading, provided that not less than 40 percent by weight of the active ingredient or ingredients is originating.

12. A change to subheadings 3808.91 through 3808.92 from any other heading, provided there is a regional value content of not less than:
(A) 35 percent when the build-up method is used, or
(B) 45 percent when the build-down method is used.

12A. (A) A change to subheading 3808.93 from any other subheading, except from herbicides, anti-planting products and plant-growth regulators classified in chapters 28 or 29; or

(B) A change to a mixture of subheading 3808.93 from any other subheading, provided that the mixture is made from two or more active ingredients and a domestic active ingredient constitutes not less than 40 percent by weight of the total active ingredients.

12B. A change to subheading 3808.94 from any other subheading.

12C. (A) A change to subheading 3808.99 from any other subheading, except from rodenticides and other pesticides classified in chapters 28 or 29; or

(B) A change to a mixture of subheading 3808.99 from any other subheading, provided that the mixture is made from two or more active ingredients and a domestic active ingredient constitutes not less than 40 percent by weight of the total active ingredients."

36. TCR 25 for chapter 38 is deleted and the following new TCR is inserted in lieu thereof:

"25. A change to subheading 3824.10 from any other subheading."

37. TCR 28 for chapter 38 is deleted and the following new TCRs are inserted in lieu thereof:

"28. (A) A change to subheadings 3824.71 through 3824.83 from any other heading within chapters 28 through 38, or

(B) A change to subheadings 3824.71 through 3824.83 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
(i) 35 percent when the build-up method is used, or
(ii) 45 percent when the build-down method is used.

28A. (A) A change to napthalene acids, their waxes-napthalene acids or their esters of subheading 3824.90 from any other subheading; or
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(B) A change to any other good of subheading 3824.90 from any other subheading within chapters 28 through 36, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

38. TCR 13 for chapter 42 is deleted and the following new TCRs are inserted in lieu thereof:

"13. (A) A change to articles of leather or of composition leather, of a kind used in machinery or mechanical appliances or for other technical uses of heading 4205 from any other good of heading 4205 or from any other heading, or

(B) A change to any other good of heading 4205 from articles of leather or of composition leather, of a kind used in machinery or mechanical appliances or for other technical uses of heading 4205 or from any other heading.

14. A change to heading 4206 from any other heading."

39. TCR 1 for chapter 61 is modified by deleting "6101.10" and by inserting in lieu thereof "6101.20."

40. TCR 2 for chapter 61 is deleted and the following new TCR is inserted in lieu thereof:

"2. (A) A change to goods of wool or fine animal hair of subheading 6101.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5504 through 5516 or 6011 through 6016, provided that:

(i) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of one or both of the parties, and

(ii) the visible lining fabric listed in chapter rule 1 to chapter 51 satisfies the tariff change requirements provided therein; or

(B) A change to any other good of subheading 6101.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5504 through 5516 or 6011 through 6016, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of one or both of the parties."

41. TCRs 5 and 6 for chapter 61 are deleted and the following new TCR is inserted in lieu thereof:

"5. (A) A change to suits of textile materials other than wool or fine animal hair, synthetic fibres, artificial fibres or cotton of subheading 6103.10 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5504 through 5516 or 6011 through 6016, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Chile or of the United States, or both;

(B) A change to suits of textile materials other than wool or fine animal hair, cotton or man-made fiber, and not containing more than 70 percent or more by weight of silk or silk waste of subheading 6103.10 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5504 through 5516 or 6011 through 6016, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Chile or of the United States, or both; or

(C) A change to any other good of subheading 6103.10 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5504 through 5516 or 6011 through 6016, provided that:

(i) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Chile or of the United States, or both, and

(ii) any visible lining material used in the apparel article as imported into the territory of the United States must satisfy the requirements of chapter rule 1 for chapter 61."

42. TCR 7 for chapter 61 is modified by deleting "6103.21" and by inserting in lieu thereof "6103.22."

43. TCRs 11 and 12 for chapter 61 are deleted and the following new TCRs are inserted in lieu thereof:

"11. A change to subheading 6104.13 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5516 or 6011 through 6016, provided that:

(A) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Chile or of the United States, or both, and
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(B) any visible lining material used in the apparel article as imported into the U.S. must satisfy the requirements of chapter rule 1 for chapter 61.

12. (A) A change to tariff items 6104.18.40 or 6104.18.60 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5309 or 5310 through 5311; chapter 54 or headings 5506 through 5516 or 6001 through 6006; provided that the good is both cut (or knitted to shape) and sewn or otherwise assembled in the territory of Chile or of the United States, or both; or

(B) A change to any other good of subheading 5104.19 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5309 or 5310 through 5311, chapter 54 or headings 5506 through 5516 or 6001 through 6006; provided that:

(i) the good is both cut (or knitted to shape) and sewn or otherwise assembled in the territory of Chile or of the United States, or both; and

(ii) any visible lining material used in the apparel article as imported into the U.S. must satisfy the requirements of chapter rule 1 for chapter 61.

44. TCR 13 for chapter 61 is modified by deleting "6104.21." and by inserting in lieu thereof "6104.22."

45. TCR 11 for chapter 62 is modified by deleting "6203.21." and by inserting in lieu thereof "6203.22."

46. TCR 29 for chapter 62 is modified by deleting "6211.31." and by inserting in lieu thereof "6211.32."

47. TCR 3 for chapter 64 is modified by deleting "6402.90." and by inserting in lieu thereof "6402.91."

48. TCR 2 for chapter 65 is modified by deleting "6503." and by inserting in lieu thereof "6504."

49. TCR 18 for chapter 70 is modified by adding the following expression before the final period:

"or glass liners for vacuum flasks or other vacuum vessels of heading 7020"

50. TCR 12 for chapter 73 is modified by deleting at each instance "7321.92" and by inserting in lieu thereof "7321.65."

51. TCR 2 for chapter 79 is deleted and the following new TCRs are inserted in lieu thereof:

"2. A change to heading 7604 from any other heading;

3. (A) A change to lead bars, rods, profiles and wire of heading 7906 from any other good of heading 7906 or any other heading;

(B) A change to lead tubes, pipes and tube or pipe fittings of heading 7906 from any other good of heading 7906 or any other heading;

(C) A change to any other good of heading 7906 from lead bars, rods, profiles or wire of heading 7906, or from lead tubes, pipes or tube or pipe fittings of heading 7906 in any other heading."

52. TCR 4 for chapter 79 is deleted and the following new TCRs are inserted in lieu thereof:

"4. A change to headings 7904 through 7906 from any other heading, including another heading within that group.

5. (A) A change to zinc tubes, pipes or tube or pipe fittings of heading 7907 from any other good of heading 7907 or any other heading;

(B) A change to any other goods of heading 7907 from zinc tubes, pipes or tube or pipe fittings of heading 7907 in any other heading."

53. TCRs 2 through 4, inclusive, for chapter 80 are deleted and the following new TCRs are inserted in lieu thereof:

"2. A change to heading 8003 from any other heading;

4. (A) A change to plates, sheets or strip, of a thickness exceeding 0.2 mm, of heading 8007 from any other good of heading 8007 or any other heading;

(B) A change to tin foil, of a thickness not exceeding 0.2 mm, tin powders or flakes of heading 8007 from any other good of heading 8007, except from plates, sheets or strip, of a thickness exceeding 0.2 mm of heading 8007, or any other heading;

(C) A change to tin tubes, pipes and tube or pipe fittings of heading 8007 from any other good of heading 8007 or any other heading."
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(D) A change to any other good of heading 8007 from plates, sheets or strip, of thickness exceeding 0.2 mm, tin foil of thickness not exceeding 0.2 mm, tin powders or flakes, tin tubes, pipes or tube or pipe fittings of heading 8007 or any other heading.

54. TCR 2 for chapter 81 is deleted.

55. TCR 5 for chapter 81 is deleted and the following new TCR is inserted in lieu thereof:

"D. (A) A change to bars or rods, other than those obtained simply by sintering, profiles, plates, sheets, strip or foil of subheading 8101.99 from any other good of subheading 8101.99 or any other subheading; or
(B) A change to any other good of subheading 8109.99 from bars, rods (other than those obtained simply by sintering), profiles, plates, sheets, strip or foil of subheading 8101.99 or any other heading."

56. TCR 28 for chapter 81 is deleted and the following new TCR is inserted in lieu thereof:

"28. (A) A change to subheadings 8112.21 through 8112.29 from any other chapter, or
(B) No change in tariff classification is required, provided that there is a regional value content of not less than:
(i) 35 percent when the build-up method is used, or
(ii) 45 percent when the build-down method is used."

57. TCRs 31 and 32 for chapter 81 are deleted and the following new TCRs are inserted in lieu thereof:

"31. (A) A change to unwrought germanium or vanadium, germanium or vanadium waste, scrap or powders of subheading 8112.92 from any other chapter, or
(B) No change in tariff classification is required for articles of unwrought germanium or vanadium, germanium or vanadium waste, scrap or powders of subheading 8112.92, provided that there is a regional value content of not less than:
(i) 35 percent when the build-up method is used, or
(ii) 45 percent when the build-down method is used; or
(C) A change to any other good of subheading 8112.92 from any other chapter.

32. (A) A change to articles of vanadium or germanium of subheading 8112.99 from any other chapter, or
(B) No change in tariff classification is required for articles of germanium or vanadium, provided that there is a regional value content of not less than:
(i) 35 percent when the build-up method is used, or
(ii) 45 percent when the build-down method is used; or
(C) A change to any other good of subheading 8221.99 from articles of germanium or vanadium of subheading 8112.99 or from any other subheading."

58. TCR 11 for chapter 84 is deleted and the following new TCRs are inserted in lieu thereof:

"11. A change to subheadings 8425.11 through 8425.19 from any other subheading, including another subheading within that group.

11A. (A) A change to pit-head winding gear or winches specially designed for use underground of subheading 8425.31 from any other good of subheading 8425.31 or from any other subheading, except from pit-head winding gear or winches specially designed for use underground of subheading 8425.36; or
(B) A change to any other good of subheading 8425.31 from pit-head winding gear or winches specially designed for use underground of subheading 8425.31 or from any other subheading.

11B. (A) A change to pit-head winding gear or winches specially designed for use underground of subheading 8425.39 from any other good of subheading 8425.39 or from any other subheading, except from pit-head winding gear or winches specially designed for use underground of subheading 8425.31, or
(B) A change to any other good of subheading 8425.39 from pit-head winding gear or winches specially designed for use underground of subheading 8425.39 or from any other subheading."
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11C. A change to subheadings 8425.41 through 8428.60 from any other subheading, including another subheading within that group.

11D. (A) A change to mine wagon pushers, locomotive or wagon traversers, wagon tippers or similar railway wagon handling equipment from any other good of subheading 8428.90 or from any other subheading; or
(B) A change to any other good of subheading 8428.90 or from mine wagon pushers, locomotive or wagon traversers, wagon tippers or similar railway wagon handling equipment of subheading 8428.90 or from any other subheading.

11E. A change to subheadings 8429.11 through 8429.59 from any other subheading, including another subheading within that group.*

59. TCR 87 for chapter 84 is deleted and the following new TCR is inserted in lieu thereof:

87. A change to subheading 8442.30 from any other subheading.*

60. TCR 90 for chapter 84 is deleted and the following new TCRs are inserted in lieu thereof:

90. (A) A change to subheadings 8443.11 through 8443.19 from any other subheading outside that group, except from machines for uses ancillary to printing of subheading 8443.91; or
(B) A change to subheadings 8443.11 through 8443.19 from machines for uses ancillary to printing of subheading 8443.91 provided that there is a regional value content of not less than:
   (i) 35 percent when the build-up method is used, or
   (ii) 45 percent when the build-down method is used.

90A. A change to subheading 8443.31 from any other subheading.

90B. A change to subheading 8443.32 from any other subheading.

90C. A change to subheading 8443.39 from any other subheading.

90D. (A) A change to machines for uses ancillary to printing of subheading 8443.91 from any other good of subheading 8443.91 or from any other subheading, except from subheadings 8443.11 through 8443.39; or
(B) A change to any other good of subheading 8443.91 from any other heading.

90E. A change to subheading 8443.39 from any other heading.*

61. TCRs 91 and 92 for chapter 84 are deleted.

62. TCRs 121 through 124, inclusive, for chapter 84 are deleted and the following new TCR is inserted in lieu thereof:

121. (A) A change to word-processing machines or automatic typewriters of heading 8469 from any other good of heading 8469 or from any other heading; or
(B) A change to any other good of heading 8469 from word-processing machines or automatic typewriters of heading 8469 or from any other heading.

63. TCR 154 for chapter 84 is deleted and the following new TCRs are inserted immediately below TCR 153:

154. (A) A change to subheadings 8488.10 through 8488.40 from any other subheading outside that group, or
(B) No change in tariff classification required provided there is a regional value content of not less than:
   (i) 35 percent when the build-up method is used, or
   (ii) 45 percent when the build-down method is used.

156. (A) A change to subheading 8489.90 from any other heading; or
(B) No change in tariff classification required provided there is a regional value content of not less than:
   (i) 35 percent when the build-up method is used, or
   (ii) 45 percent when the build-down method is used.

157. A change to heading 8487 from any other heading.*
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64. TCR 6 for chapter 85 is modified by deleting "8505.30" and by inserting in lieu thereof "8509.20".

65. TCR 13 for chapter 85 is deleted and the following new TCR is inserted in lieu thereof:

"13. (A) A change to electro magnetic lifting heads of subheading 8505.90 from any other subheading, or from any other good of subheading 8505.90, or

(B) A change to any other good of subheading 8505.90 from any other heading."

66. The following new TCRs for chapter 85 are inserted immediately below TCR 16 for such chapter:

"16A. (A) A change to subheadings 8508.11 through 8508.80 from any other heading, or

(B) A change to subheadings 8508.11 through 8508.80 from any other subheading, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

16B. A change to subheading 8508.70 from any other heading."

67. TCR 17 for chapter 85 is modified by deleting at each instance "8009.10" and by inserting in lieu thereof "8009.40".

68. TCR 27 for chapter 85 is deleted and the following new TCRs are inserted in lieu thereof:

"37. A change to subheadings 8517.11 through 8517.69 from any other subheading, including another subheading within that group.

37A. A change to subheading 8517.70 from any other heading."

69. TCRs 43 through 62, inclusive, for chapter 85 are deleted and the following new TCRs are inserted in lieu thereof:

"43. A change to subheadings 8519.20 through 8519.69 from any other subheading, including another subheading within that group.

54. A change to heading 8523 from any other heading.

54A. (A) A change to heading 8523 from any other heading; or

(B) A change to recorded media of heading 8523 from unrecorded media of heading 8523.

57. A change to subheading 8525.30 from any other subheading, except from subheading 8523.50.

57A. A change to subheading 8525.50 from any other subheading, except from subheading 8525.50.

57B. A change to subheading 8525.80 from any other subheading.

57C. A change to subheadings 8526.10 through 8526.92 from any other subheading, including another subheading within that group.

57D. A change to subheadings 8527.12 through 8527.99 from any other subheading, including another subheading within that group.

61. A change to subheading 8528.41 from any other subheading.

62. (A) A change to color video monitors of subheading 8528.49 from any other good of subheading 8528.49 or from any other subheading, except from subheadings 7011.20, 8540.11 or 8540.91; or

(B) A change to any other good of subheading 8528.49 from any other subheading.

62A. A change to subheading 8528.51 from any other subheading.

62B. A change to subheading 8528.59 from any other subheading.

62C. A change to subheading 8528.61 from any other subheading.

62D. A change to subheading 8528.68 from any other subheading.
625. A change to subheading 8528.71 from any other subheading.

627. A change to subheading 8528.72 from any other subheading, except from subheadings 7011.20, 8528.73, 8540.11 or 8540.91.

629. A change to subheading 8528.73 from any other subheading.

70. TCRs 75 through 98 inclusive, for chapter 85 are deleted and the following new TCR is inserted in lieu thereof:

"96. A change to subheading 8543.10 from any other subheading except from ion implanters for doping semiconductor materials of subheading 8468.20."

71. TCRs 100 and 101 for chapter 85 are deleted and the following new TCR is inserted in lieu thereof:

"100. A change to subheading 8543.70 from any other subheading."

72. TCR 105 for chapter 85 is modified by deleting "8544.11" and by inserting in lieu thereof "8544.42."

73. The following new TCRs for chapter 85 are inserted immediately below TCR 105:

"105A. A change to electric conductors, for a voltage not exceeding 80V, not fitted with connectors of subheading 8544.49 from any other good of subheading 8544.49 or from any other subheading, provided there is also a regional value content of not less than:

(A) 35 percent when the build-up method is used, or

(B) 45 percent when the build-down method is used.

105B. (A) A change to any other good of subheading 8544.49 from electric conductors, for a voltage not exceeding 80V, not fitted with connectors of subheading 8544.49 or from any other subheading outside subheadings 8544.11 through 8544.49, except from headings 7408, 7413, 7606 or 7614; or

(B) A change to subheading 8544.49 from headings 7408, 7413, 7606 or 7614, whether or not there is also a change from any other subheading, provided there is also a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used."

74. TCR 112 for chapter 85 is deleted and the following new TCRs are inserted in lieu thereof:

"112. A change to subheading 8548.10 from any other heading.

113. A change to electronic microassemblies of subheading 8548.90 from any other good of subheading 8548.90 or from any other subheading.

114. A change to any other good of subheading 8548.90 from electronic microassemblies of subheading 8548.90 or from any other heading."

75. TCRs 1 through 11, inclusive, for chapter 87 are deleted and the following new TCR is inserted in lieu thereof:

"6. (A) A change to subheadings 8708.30 through 8708.99 from any other heading; or

(B) No required change in tariff classification, provided there is a regional value content of not less than:

(i) 30 percent when the build-up method is used, or

(ii) 50 percent when the build-down method is used."

76. TCR 1 for chapter 88 is deleted and the following new TCRs are inserted in lieu thereof:

"1. (A) A change to gliders and hang gliders of heading 8801 from any other good of heading 8801 or any other heading; or

(B) A change to any other good of heading 8801 from gliders and hang gliders of heading 8801 or any other heading.

1A. A change to subheadings 8801.50 through 8803.90 from any other subheading, including another subheading within that group."

77. TCRs 24 through 27, inclusive, for chapter 90 are deleted.
78. TCR 29 for chapter 90 is deleted and the following new TCR is inserted in lieu thereof:

"(A) A change to subheading 9010.50 from any other heading;
or

(b) A change to subheading 9010.50 from any other subheading, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used."

79. TCR 55 for chapter 90 is deleted and the following new TCRs are inserted in lieu thereof:

"(A) A change to subheadings 9027.10 through 9027.50 from any other heading;
or

(b) A change to subheadings 9027.10 through 9027.50 from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

55A. (A) A change to subheading 9027.80 from any other heading;
or

(b) A change to subheading 9027.80 from exposure meters of subheading 9027.80 or from any other subheading, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

(C) A change to any other good of subheading 9027.80 from exposure meters of subheading 9027.80 or from any other subheading, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used."

80. TCR 61 for chapter 90 is deleted and the following new TCRs are inserted in lieu thereof:

"(A) A change to subheading 9030.10 from any other heading;
or

(b) A change to subheading 9030.10 from any other subheading, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

61A. (A) A change to subheading 9030.20 from any other heading;
or

(b) A change to other instruments and apparatus with a recording device of subheading 9030.20 from any other good of subheading 9030.20 or from any other subheading, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

61B. A change to parts and accessories of oscilloscopes, spectrometers and other instruments and apparatus for measuring or checking electrical quantities of subheading 9030.20 or from any other good of subheading 9030.20 or from any other subheading, provided there is a regional value content of not less than:

(A) 35 percent when the build-up method is used, or

(B) 45 percent when the build-down method is used.

61C. A change to any other good of subheading 9030.20 from other instruments and apparatus with a recording device of subheading 9030.20 or from parts and accessories of oscilloscopes, spectrometers and other instruments and apparatus for measuring or checking electrical quantities of subheading 9030.20 or from any other subheading, provided there is a regional value content of not less than:
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(A) 35 percent when the build-up method is used, or

(B) 45 percent when the build-down method is used.

610. (A) A change to subheading 9030.31 from any other heading; or

(B) A change to subheading 9030.31 from any other subheading, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

611. (A) A change to subheading 9030.32 from any other heading; or

(B) A change to other instruments and apparatus with a recording device of subheading 9030.32 from any other good of subheading 9030.32 or from any other subheading, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

617. A change to any other good of subheading 9030.32 from other instruments and apparatus with a recording device of subheading 9030.32 or from any other subheading, provided there is a regional value content of not less than:

(A) 35 percent when the build-up method is used, or

(B) 45 percent when the build-down method is used.

610. (A) A change to subheadings 9030.33 through 9030.39 from any other heading; or

(B) A change to subheadings 9030.33 through 9030.39 from any other subheading outside that group, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

611. (A) A change to subheadings 9030.40 through 9030.89 from any other heading; or

(B) A change to subheadings 9030.40 through 9030.89 from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

61. TCR 53 for chapter 90 is deleted and the following new TCRs are inserted in lieu thereof:

63. (A) A change to subheadings 9031.10 through 9031.41 from any other heading; or

(B) A change to subheadings 9031.10 through 9031.41 from any other subheading, including another heading within that group, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

63A. (A) A change to subheading 9031.49 from any other heading; or

(B) A change to profile projectors of subheading 9031.49 from any other good of subheading 9031.49 or from any other subheading, provided there is a regional value content of not less than:

(i) 35 percent when the build-up method is used, or

(ii) 45 percent when the build-down method is used.

63B. A change to any other good of subheading 9031.49 from profile projectors of subheading 9031.49 or from any other subheading, provided there is a regional value content of not less than:
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63C. (A) A change to subheading 9021.80 from any other heading; or
(B) A change to subheading 9021.80 from any other subheading, provided there is a regional value content of not less than:
   (i) 35 percent when the build-up method is used; or
   (ii) 45 percent when the build-down method is used.*

82. TCR 4 for chapter 96 is deleted and the following new TCRs are inserted in lieu thereof:

   "4. (A) A change to dolls, whether or not dressed, of heading 9503 from dolls' parts and accessories of heading 9503, provided there is a regional value content of not less than 35 percent based on the build-up method or 45 percent based on the build-down method, or
   (B) A change to dolls, whether or not dressed, of heading 9503 from any other good of heading 9503 or from any other heading;

4A. (A) A change to dolls' parts and accessories of heading 9503 from any other good of heading 9503, except from dolls whether or not dressed, or from any other heading; or
(B) A change to any other good of heading 9503 from any other chapter.

4B. A change to headings 9504 through 9508 from any other chapter.*

83. TCRs 19 and 20 for chapter 96 are deleted and the following new TCR is inserted in lieu thereof:

   "19. A change to heading 9614 from any other heading."
ANNEX II

TECHNICAL RECTIFICATIONS TO THE RULES OF ORIGIN FOR THE
UNITED STATES-SINGAPORE FREE TRADE AGREEMENT, AS REFLECTED
IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

A. Effective with respect to goods of Singapore, under the terms of general note 25 to the Harmonized Tariff Schedule of the
United States (HTS), that are entered, or withdrawn from warehouses for consumption, on or after the later of (1) January 1, 2008,
or (2) the Fifteenth day after the date of publication of this proclamation in the Federal Register, general note 23(u) to the HTS is
modified as follows:

1. Tariff classification rule (TCR) 17 for chapter 28 is deleted and the following new TCR is inserted:

"17. A change to subheading 2811.99 from any other subheading."

2. TCR 41 for chapter 28 is deleted and the following new TCR is inserted:

"41. A change to subheadings 2828.12 through 2828.50 from any other subheading, including another subheading within that
group."

3. TCR 50 for chapter 28 is deleted.

4. TCR 52 for chapter 28 is deleted and the following new TCR is inserted:

"52. A change to subheadings 2833.22 through 2833.25 from any other subheading, including another subheading within that
group."

5. TCRs 61 and 68 for chapter 28 are deleted.

6. TCR 69 for chapter 28 is deleted and the following new TCR is inserted:

"69. (A) A change to trisodium carbonate of subheading 2835.96 from ammonium carbonates or lead carbonate of
subheading 2836.99 or from any other subheading, except from subheading 2817.90;
(B) A change to lead carbonates of subheading 2836.96 from any other good of 2836.99 or from any other
subheading, except from heading 2817.90;
(C) A change to other goods of subheading 2836.99 from any other subheading, provided that the good classified in
subheading 2836.99 is the product of a chemical reaction."

7. TCR 71 for chapter 28 is deleted.

8. TCR 74 for chapter 28 is deleted and the following new TCR is inserted:

"74. A change to subheading 2839.90 from any other subheading."

9. TCRs 75 and 80 for chapter 28 are deleted and the following new TCRs are inserted:

"75. A change to subheading 2841.90 from any other subheading.
80. (A) A change to chromates of zinc or lead of subheading 2841.50 from any other subheading;
(B) A change to any other good of subheading 2841.50 from any other subheading, except from heading 2817.90."

10. TCR 85 for chapter 28 is deleted and the following new TCR is inserted:

"85. (A) A change to chromate or chromate salts of zinc or lead of subheading 2841.90 from any other subheading;
(B) A change to any other good of subheading 2841.90 from any other subheading, provided that the good classified in
subheading 2841.90 is the product of a chemical reaction."

11. TCR 87 for chapter 28 is deleted and the following new TCR is inserted:

"87. (A) A change to sulfates, cyanates or phosphates of subheading 2842.90 from any other good of subheading
2842.90 or from any other subheading;
(B) A change to other goods of subheading 2842.90 from any other good of subheading 2842.90 or any other
subheading, provided that the good classified in subheading 2842.90 is the product of a chemical reaction."
12. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted:

"101. A change to heading 2952 from any other heading, provided that the good classified in heading 2952 is the product of a chemical reaction.

102. A change to heading 2953 from any other heading."

13. TCR 10 for chapter 29 is deleted and the following new TCR is inserted:

"10. A change to subheadings 2903.11 through 2903.39 from any other subheading, including another subheading within that group."

14. TCR 2 for chapter 29 is deleted and the following new TCR is inserted:

"22. A change to subheadings 2905.22 through 2905.28 from any of the subheadings 1301.90, pine oil of subheading 3805.90 or any other subheading, except from other goods of subheadings 1301.90 or 3805.90."

15. TCR 26 for chapter 29 is deleted.

16. TCR 29 for chapter 29 is deleted and the following new TCR is inserted:

"29. (A) A change to subheadings 2906.19 from any other good, except from heading 3805; or

(B) A change to other goods of subheading 2906.19 from other oils of subheading 3805.90 or any other subheading, except from subheadings 3301.90 or any other goods of subheading 3805.90."

17. TCRs 31 and 32 for chapter 29 are deleted and the following new TCRs are inserted:

"31. A change to subheading 2906.20 from any other subheading, except from subheadings 2709.90 or 3301.90.

32. A change to subheading 2907.11 from any other subheading, except from subheading 2707.90."

18. TCRs 42 and 43 for chapter 29 are deleted and the following new TCRs are inserted:

"42. A change to subheadings 2912.11 through 2912.12 from any other subheading, including another subheading within that group.

43. (A) A change to subheadings 2912.19 through 2912.19 from any other subheading, except from subheading 3301.90, or

(B) A change to n-butylaldehyde (butan-2,4-dial, normal) from any other subheading."

19. TCR 49 for chapter 29 is deleted and the following new TCR is inserted:

"49. A change to subheading 2914.20 from any of the subheadings 3805.90 or any other subheading, except from subheadings 3301.90 or other goods of subheading 3805.90."

20. TCRs 53 and 54 for chapter 29 are deleted and the following new TCRs are inserted:

"53. A change to subheadings 2915.11 through 2915.39 from any other subheading, including another subheading within that group.

54. A change to subheadings 2915.38 through 2915.39 from any other subheading, including another subheading within that group, except from subheading 3301.90."

21. TCRs 62 and 63 for chapter 29 are deleted and the following new TCR is inserted:

"63. A change to subheadings 2916.81 through 2916.82 from any other subheading, including another subheading within that group, except from subheading 3301.90."

22. TCR 65 for chapter 29 is deleted and the following new TCR is inserted:

"65. A change to subheadings 2920.10 through 2920.80 from any other subheading, including another subheading within that group."

23. TCR 70 for chapter 29 is deleted and the following new TCR is inserted:

"70. A change to subheadings 2925.11 through 2925.29 from any other subheading, including another subheading within that group."

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24. TCR 74 for chapter 29 is deleted and the following new TCR is inserted:

"74. A change to subheadings 2930.20 through 2930.90 from any other subheading, including another subheading within that group."

26. TCRs 80 and 81 for chapter 29 are deleted and the following new TCRs are inserted:

"80. A change to subheadings 2936.21 through 2936.29 from any other subheading, including another subheading within that group.

81. (A) A change to unilateral provisions of subheading 2936.90 from any other good of subheading 2936.90 or from any other subheading;

(B) A change to other goods of subheading 2936.90 from any other subheading, except from subheadings 2936.21 through 2936.29."

28. TCRs 1 and 2 for chapter 30 are deleted and the following new TCRs are inserted:

"1. A change to subheading 3001.20 from any other subheading.

2. A change to glands and other organs, dried, whether or not powdered of subheading 3001.90 from any other good of subheading 3001.90 or from any other subheading, except from subheadings 0206.10 through 0206.90 or subheading 0207.90, readings 0504 or 0510 or subheading 0211.90, if the change from these provisions is not to a powder classified in subheading 3001.90."

27. TCR 6 for chapter 30 is deleted and the following new TCR is inserted:

"6. A change to subheading 3003.31 from any other subheading, except from subheading 2937.12."

28. TCR 12 for chapter 30 is deleted and the following new TCR is inserted:

"12. A change to subheading 3004.31 from any other subheading, except from subheading 2937.12."

29. TCR 20 for chapter 30 is deleted and the following new TCR is inserted:

"20. A change to subheadings 3006.20 through 3006.92 from any other subheading, including another subheading within that group."

30. TCR 8 for chapter 31 is deleted.

31. TCRs 10 through 15, inclusive, for chapter 31 are deleted and the following new TCRs are inserted:

"10. (A) A change to calcium cyanamide of subheading 3102.90 from other goods of subheading 3102.90 or from any other subheading;

(B) A change to any other goods of subheading 3102.90 from any other heading.

11. A change to subheading 3103.10 from any other subheading.

12. (A) A change to basic slag of subheading 3103.90 from any other goods of subheading 3103.90 or from any other subheading;

(B) A change to any other goods of subheading 3103.90 from any other heading.

13. A change to subheadings 3104.20 through 3104.90 from any other subheading, including another subheading within that group.

14. (A) A change to carnallite, sylvite or other crude natural potassium salts of subheading 3104.90 from any other subheading or from other goods of subheading 3104.90;

(B) A change to other goods of subheading 3104.90 from any other heading.

15. A change to subheading 3105.10 from any other chapter."

32. TCR 10 for chapter 32 is deleted and the following new TCRs are inserted:

"10. A change to subheadings 3206.20 through 3206.42 from any other subheading, including another subheading within that group."
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10A. (A) A change to pigments or preparations based on cadmium compounds of subheading 3206.49 from any other good of subheading 3206.49 or from any other subheading; or

(B) A change to pigments or preparations based on hexacyanoferrates of subheading 3206.49 from any other good of subheading 3206.49 or from any other subheading; or

(C) A change to other goods of subheading 3206.49 from any other subheading.

10B. A change to subheading 3206.50 from any other subheading.*

33 TCR 1 for chapter 33 is deleted and the following new TCRs are inserted:

"1. A change to subheadings 3301.12 through 3301.13 from any other subheading, including another subheading within that group.

1A. (A) A change to essential oils of bergamot or time of subheading 3301.19 from any other good; or

(B) A change to other goods of subheading 3301.19 from essential oils of bergamot or time of subheading 3301.19 or from any other subheading.

1B. A change to subheadings 3301.24 through 3301.26 from any other subheading, including another subheading within that group.

1C. (A) A change to essential oils of geranium, jasmine, lavender, lavandin or velvety of subheading 3301.29 from any other good; or

(B) A change to other goods of subheading 3301.29 from essential oils of geranium, jasmine, lavender, lavandin or velvety or from any other subheading.

1D. A change to subheadings 3301.30 through 3301.50 from any other subheading, including another subheading within that group.*

34 TCR 2 for chapter 34 is deleted and the following new TCR is inserted:

"2. A change to subheading 3402.11 from any other subheading, except from mixed alkybenzenes of heading 3817.*

35. TCRs 7 and 8 for chapter 34 are deleted and the following new TCRs are inserted:

"7. A change to subheading 3404.20 from any other subheading.

8. (A) A change to artificial waxes of chemically prepared lignins of subheading 3404.90 from any other good of subheading 3404.90 or from any other subheading; or

(B) A change to other goods of subheading 3404.90 from any other subheading, except from heading 1921 or subheadings 2712.20 or 2712.86.*

36. TCR 2 for chapter 35 is deleted and the following new TCR is inserted:

"2. A change to subheadings 3502.11 through 3502.19 from any other subheading outside that group, except from heading 0427.*

37. TCR 6 for chapter 35 is deleted and the following new TCR is inserted:

"9. A change to subheadings 3507.10 through 3507.50 from any other heading.*

38. TCRs 8 through 12, inclusive, for chapter 38 are deleted and the following new TCRs are inserted:

"8. A change to subheading 3808.50 from any other subheading, provided that 40 percent by weight of the active ingredient or ingredients is originating.*

9. A change to subheading 3808.61 from any other subheading, except from subheading 1302.19 or from any insecticide classified in chapter 28 or 29.

10. A change to subheading 3808.82 from any other subheading, except from fungicides classified in chapter 28 or 29.

11. (A) A change to subheading 3808.82 from any other subheading, except from herbicides, antispreading products and plant-growth regulators classified in chapter 28 or 29; or
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(B) A change to a mixture of subheading 3608.83 from any other subheading, provided that the mixture is made from two or more active ingredients and a domestic active ingredient constitutes not less than 40 percent by weight of the total active ingredients.

12. A change to subheading 3608.94 from any other subheading.

12A. (A) A change to subheading 3608.99 from any other subheading, except from rodenticides and other pesticides classified in chapter 28 or 36, or

(B) A change to a mixture of subheading 3608.99 from any other subheading, provided that the mixture is made from two or more active ingredients and a domestic active ingredient constitutes not less than 40 percent by weight of the total active ingredients.

39. TCR 26 for chapter 38 is deleted.

40. TCR 13 for chapter 42 is deleted and the following new TCRs are inserted:

13. (A) A change to goods of a kind used in machinery or mechanical appliances or for other technical uses of heading 4206 from any other heading or from other goods of heading 4206; or

(B) A change to other goods of heading 4205 from any other heading.

14. A change to heading 4226 from any other heading.

41. TCR 9 for chapter 48 is modified by deleting "1815" and by inserting in lieu thereof "4914".

42. TCR 12 for chapter 48 is deleted.

43. TCR 14 for chapter 49 is deleted and the following new TCR is inserted:

14. A change to subheadings 4823.61 through 4823.70 from any other subheading, including another subheading within that group.

44. TCR 1 for chapter 61 is modified by deleting "6101.10" and by inserting in lieu thereof "6101.20".

45. TCR 2 for chapter 61 is deleted and the following new TCR is inserted:

2. (A) A change to goods of wool or fine animal hair of subheading 6101.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5516 or 6001 through 6006, provided that:

(1) the goods is both cut (or knitted to shape) and sewn or otherwise assembled in the territory of Singapore or of the United States, or both, and

(2) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61; or

(B) A change to any other good of subheading 6101.50 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5516 or 6001 through 6006, provided that the good is both cut (or knitted to shape) and sewn or otherwise assembled in the territory of Singapore or of the United States, or both.

46. TCRs 8 through 11, inclusive, for chapter 61 are deleted and the following new TCRs are inserted:

5. (A) A change to tariff items 6103.10.70 or 6103.10.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5516 or 6001 through 6006, provided that:

(1) the goods is both cut (or knitted to shape) and sewn or otherwise assembled in the territory of Singapore or of the United States, or both; and

(2) any visible lining material used in the apparel article as imported into the territory of the United States must satisfy the requirements of chapter rule 1 for chapter 61.
6. A change to subheadings 6103.22 through 6103.29 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5310 or 5311, chapter 54 or headings 5508 through 5518 or 6001 through 6006, provided that:
   (1) the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of Singapore or of the United States, or both; and
   (2) with respect to a garment described in heading 6101 or a jacket or a blazer described in heading 6103, of wool, fine animal hair, cotton or man-made fibers, that is imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 61.

47. TCR 11 for chapter 61 is modified by deleting "6104.11" and by inserting in lieu thereof "6104.13".

51. TCR 4 for chapter 64 is deleted and the following new TCRs are inserted:

   "4. A change to subheading 6404.11 from any other heading, except from subheading 6404.10, provided there is a regional value content of not less than 55 percent based on the build-up method.

4A. A change to subheading 6404.19 from any other heading except from headings 6401 through 6403, 6405 or subheading 6406.10, provided there is a regional value content of not less than 55 percent based on the build-up method.

4B. A change to subheading 6404.20 from any other heading, provided there is a regional value content of not less than 35 percent based on build-up method or 45 percent based on the build-down method."

54. TCRs 2 through 5, inclusive, for chapter 66 are deleted and the following new TCRs are inserted:

   "3. A change to heading 6604 from any other heading, except from headings 6505 through 6607.

4. A change to heading 6605 from any other heading, except from headings 6504 or 6506 through 6607.

5. A change to heading 6606 from any other heading, except from headings 6505 or 6607."

55. TCR 2 for chapter 68 is deleted and the following new TCR is inserted:

   "2. A change to subheadings 6809.11 through 6810.19 from any other heading, including another heading within that group."

56. TCRs 8 through 9, inclusive, for chapter 68 are deleted and the following new TCRs are inserted:
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6. A change is subheading 6812.90 from any other subheading.

7. A change is subheading 6812.91 from any other subheading.

8. A change is subheadings 6812.92 through 6812.93 from any other subheading outside that group.

8A. A change is subheading 6812.99 from any other heading.*

57. TCRs 15 and 16 for chapter 70 are deleted and the following new TCR is inserted:

"16. A change is heading 7013 from any other heading, except from headings 7007 through 7011 or 7014 through 7023."

58. TCR 3 for chapter 71 is deleted and the following new TCR is inserted:

"3. A change is headings 7104 through 7105 from any other heading, including another heading within that group."

59. TCR 8 for chapter 73 is modified by deleting "7321.83" at each instance and by inserting in lieu thereof "7321.99."

60. TCR 1 for chapter 76 is modified by deleting "7603" and by inserting in lieu thereof "7602."

61. TCRs 3 and 4 for chapter 78 are deleted and the following new TCR is inserted:

"4. (A) A change to bars, rods, profiles or wire of heading 7806 from other goods of heading 7806 or from any other heading; or

(B) A change to tubes, pipes and tube or pipe fittings of heading 7808 from any other goods of heading 7808 or from any other heading, provided there is a regional value content of not less than:

(1) 35 percent based on the build-up method, or

(2) 45 percent based on the build-down method; or

(C) A change to other goods of heading 7808 from any other heading, provided there is a regional value content of not less than:

(1) 35 percent based on the build-up method, or

(2) 45 percent based on the build-down method."

62. TCR 1 for chapter 79 is modified by deleting "7908" and by inserting in lieu thereof "7909."

63. TCR 3 for chapter 79 is deleted and the following new TCR is inserted:

"2. (A) A change to tubes, pipes and tube or pipe fittings of heading 7907 from any other goods of heading 7907 or from any other heading, provided there is a regional value content of not less than:

(1) 35 percent based on the build-up method, or

(2) 45 percent based on the build-down method; or

(B) A change to other goods of heading 7907 from any other heading."

64. TCR 2 for chapter 80 is deleted and the following new TCRs are inserted:

"2. A change to headings 8002 through 8005 from any other heading, including another heading within that group, provided there is a regional value content of not less than:

(A) 35 percent based on the build-up method, or

(B) 45 percent based on the build-down method.

3. (A) A change to plates, sheet or strip (including foil) of tin of heading 8007 from other goods of heading 8007 or from any other heading, provided there is a regional value content of not less than:

(1) 35 percent based on the build-up method, or

(2) 45 percent based on the build-down method; or
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(B) A change to tubes, pipes and tube or pipe fittings of heading 8007 from other goods of heading 8007 or from any other heading, provided there is a regional value content of not less than:

(1) 35 percent based on the build-up method, or
(2) 45 percent based on the build-down method.

(C) A change to other goods of heading 8007 from any other heading, provided there is a regional value content of not less than:

(1) 35 percent based on the build-up method, or
(2) 45 percent based on the build-down method.

15. TCR 2 for chapter 81 is deleted and the following new TCR is inserted:

"(2) A change to subheading 8101.96 from any other subheading."

16. TCR 4 for chapter 81 is deleted and the following new TCR is inserted:

"4. (A) A change to bars, rods (other than those obtained simply by sintering), profiles, plates, sheets, strip or foil of subheading 8101.99 from any other goods of subheading 8101.99 or from any other subheading; or

(B) A change to other goods of subheading 8101.99 from any other heading, provided there is a regional value content of not less than:

(1) 35 percent based on the build-up method, or
(2) 45 percent based on the build-down method."

17. TCR 18 for chapter 81 is deleted and the following new TCRs are inserted:

"18. (A) A change to unwrought manganin or vanadum, manganin or vanadium waste, scrap or powders of subheading 8112.92 from any other good or subheading 8112.92 or from any other subheading; or

(B) A change to other goods of subheading 8112.92 from any other subheading.

18A. (A) A change to articles of vanadium or manganin of subheading 8112.99 from any other goods of subheading 8112.99 or from any other subheading; or

(B) A change to other goods of subheading 8112.99 from any other subheading."

18. TCR 80 for chapter 84 is deleted and the following new TCR is inserted:

"80. A change to subheading 8442.30 from any other subheading.

19. TCRs 83 through 85, inclusive, for chapter 84 are deleted and the following new TCRs are inserted:

"83. (A) A change to subheadings 8443.11 through 8443.16 from any other subheading outside that group, except from machines for uses ancillary to printing of subheading 8443.91; or

(B) A change to subheadings 8443.11 through 8443.16 from machines for uses ancillary to printing in subheading 8443.91, provided there is a regional value content of not less than:

(1) 35 percent based on the build-up method, or
(2) 45 percent based on the build-down method.

83A. A change to subheading 8443.31 from any other subheading.

83B. A change to subheading 8443.32 from any other subheading.

83C. A change to subheading 8443.36 from any other subheading.

84. (A) A change to machines for uses ancillary to printing of subheading 8443.91 from any other good of subheading 8443.91 or from any other subheading, except from subheadings 8443.11 through 8443.36, or

(B) No required change in tariff classification to machines for uses ancillary to printing of subheading 8443.91, provided there is a regional value content of not less than:
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1. **(1)** 35 percent based on the build-up method, or
   **(2)** 45 percent based on the build-down method, or

2. **(C)** A change to any other good of subheading 8443.81 from any other heading.

**65. (A)** A change to subheading 9413.99 from any other subheading, or
   **(B)** No change in tariff classification required, provided there is a regional value content of not less than:
   **(1)** 35 percent based on the build-up method, or
   **(2)** 45 percent based on the build-down method.

**70. TCRs 115 through 119, inclusive, for chapter 84 are deleted and the following new TCRs are inserted:**

   *115. A change to heading 8469 from any other heading.*
   *118. A change to subheading 8472.30 from any other subheading.*

**71. TCRs 148 and 149 for chapter 84 are deleted and the following new TCRs are inserted:**

   *148. (A)** A change to subheading 8486.10 through 8486.20 from any other subheading outside that group; or
   **(B)** No change in tariff classification required provided there is a regional value content of not less than:
   **(1)** 35 percent on the build-up method, or
   **(2)** 45 percent on the build-down method.

**149. (A)** A change to subheading 8486.90 from any other heading; or
   **(B)** No change of tariff classification required provided there is a regional value content of not less than:
   **(1)** 35 percent on the build-up method, or
   **(2)** 45 percent on the build-down method.

**150. A change to subheading 8487.00 from any other heading.**

**151. (A)** A change to subheading 8487.90 from any other heading; or
   **(B)** No required change in tariff classification to subheading 8487.90, provided there is a regional value content of not less than:
   **(1)** 35 percent on the build-up method, or
   **(2)** 45 percent on the build-down method.

**72. TCR 9 for chapter 85 is modified by deleting "8505.20" and by inserting in lieu thereof "8505.20".**

**73. TCR 10 for chapter 85 is deleted and the following new TCRs are inserted:**

   *10. (A)** A change to electro-magnetic lifting heads of subheading 8505.90 from other goods of subheading 8505.90 or from any other subheading; or
   **(B)** A change to other goods of subheading 8505.90 from any other heading.*

**74. The following new TCRs for chapter 85 are inserted in numerical sequence:**

   *15A. A change to subheadings 8506.11 through 8506.80 from any other subheading.*
   *15B. A change to subheading 8506.70 from any other heading.*

**75. TCR 16 for chapter 85 is modified by deleting "8506.11" and by inserting in lieu thereof "8506.40".**

**76. TCRs 20 through 49, inclusive, for chapter 85 are deleted and the following new TCR is inserted:**

   *39. A change to subheadings 8519.20 through 8521.90 from any other subheading, including another subheading within that group.*
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77. TCRs 51 through 60, inclusive, for chapter 85 are deleted and the following new TCRs are inserted:

(A) A change to subheading 8523 from any other heading;

(B) Recording of sound or other similarly recorded phenomena onto blank or unrecorded media of heading 8523 shall confer origin whether or not there has been a change in tariff classification.

53. A change to subheadings 8525.50 through 8527.50 from any other subheading outside that group, except from transistors or apparatus of subheadings 8517.01 through 8517.92 and except from transmission apparatus incorporating reception apparatus of subheadings 8517.12, 8517.61 or 8517.62.

54. A change to subheadings 8525.80 through 8527.88 from any other subheading, including another subheading within that group.

56. A change to subheading 8528.41 from any other subheading.

57. A change to subheading 8528.49 from any other subheading, except from subheadings 7011.20, 8528.59, 8540.11 or 8542.91.

58. A change to subheading 8528.51 from any other subheading.

59. A change to subheading 8529.09 from any other subheading, except from subheadings 7011.20, 8528.48, 8540.11 or 8542.91.

60. A change to subheading 8528.61 from any other subheading.

60A. A change to subheading 8528.69 from any other subheading.

60B. A change to subheading 8528.71 from any other subheading, except from subheadings 7011.20, 8540.11 or 8542.91.

60C. A change to subheading 8529.72 from any other subheading, except from subheadings 7011.20, 8528.73, 8540.11 or 8542.91.

60D. A change to subheading 8528.73 from any other subheading.

78. The text of TCR 82(A) for chapter 85 is deleted and the following new text for such subdivision (A) is inserted:

"A change to subheading 8529.90 from any other subheading, except from subheading 8517.70, or" 79. TCR 88 for chapter 65 is deleted and the following new TCR is inserted:

99. A change to subheading 8543.10 from any other subheading, except from ion implanters for doping semiconductor materials of subheading 8468.90.

80. TCRs 92 through 94, inclusive, for chapter 65 are deleted and the following new TCRs are inserted:

92. A change to subheading 8543.70 from any other subheading, except from subheading 8523.02 or proximity cards and tags of subheading 8523.59.

94. (A) A change to subheading 8543.90 from any other heading, except from subheading 8466.90, or

(B) No required change in tariff classification is subheading 8543.90, provided there is a regional value content of not less than:

1. 35 percent based on the build-up method, or
2. 45 percent based on the build-down method.

81. TCR 97 for chapter 65 is deleted and the following new TCRs are inserted:

97. A change to subheadings 8544.30 through 8544.42 from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:

(A) 35 percent based on the build-up method, or

(B) 45 percent based on the build-down method.

82. TCR 99 for chapter 85 is modified by deleting "8544.59" at each instance in subdivisions (A) and (B) and by inserting in lieu thereof "8544.69" in each subheadings.
83. TCGRs 11 and 12 for chapter 87 are deleted and the following new TCGR is inserted:

“11. (A) A change to brakes and semi-brakes and parts thereof of subheading 8708.20 from any other heading; or

(B) A change to brakes and semi-brakes and parts thereof of subheading 8708.20 from any other good of subheadings 8708.50 or 8708.99, whether or not there is also a change from any other heading, provided there is a regional value content of not less than 30 percent based on the build-up method.”

84. The text of subdivision (B) of TCGR 13 for chapter 87 is deleted and the following new text is inserted in such subdivision:

“A change to gear boxes of subheading 8708.40 from parts of subheading 8708.40 or from subheading 8708.99, whether or not there is also a change from any other heading, provided there is a regional value content of not less than 30 percent based on the build-up method.”

85. The text of subdivision (B) of TCGR 14 for chapter 87 is deleted and the following new text is inserted in such subdivision:

“A change to drive axles with differential, whether or not provided with other transmission components or to non-driving axles of subheading 8708.50 from parts of subheading 8708.50 or from subheadings 8708.99 or 8482.12 through 8482.80, whether or not there is also a change from any other heading, provided there is a regional value content of not less than 30 percent based on the build-up method.”

86. The text of subdivision (B) of TCGR 17 for chapter 87 is deleted and the following new text is inserted in such subdivision:

“A change to suspension systems of subheading 8708.40 from parts of subheading 8708.40 or from subheading 8708.99, whether or not there is also a change from any other heading, provided there is a regional value content of not less than 30 percent based on the build-up method.”

87. The text of subdivision (B) of TCGR 18 for chapter 87 is deleted and the following new text is inserted in such subdivision:

“A change to axles of subheading 8708.91 from parts of subheading 8708.91 or from subheading 8708.99, whether or not there is also a change from any other heading, provided there is a regional value content of not less than 30 percent based on the build-up method.”

88. The text of subdivision (B) of TCGR 19 for chapter 87 is deleted and the following new text is inserted in such subdivision:

“A change to steering wheels, steering columns and steering boxes of subheading 8708.94 from parts of subheading 8708.94 or from subheading 8708.99, whether or not there is also a change from any other heading, provided there is a regional value content of not less than 30 percent based on the build-up method.”

89. The text of subdivision (B) of TCGR 21 for chapter 87 is deleted and the following new text is inserted in such subdivision:

“A change to steering wheels, steering columns and steering boxes of subheading 8708.94 from parts of subheading 8708.94 or from subheading 8708.99, whether or not there is also a change from any other heading, provided there is a regional value content of not less than 30 percent based on the build-up method.”

90. New TCGR 21A for chapter 87 is inserted in numerical sequence:

“21A. (A) A change to subheading 8708.95 from any other heading; or

(B) A regional value content of not less than 30 percent based on the build-up method, whether or not there is a change in tariff classification.”

91. TCGRs 1 and 2 for chapter 88 are deleted and the following new TCGR is inserted:

“1. A change to heading 8801 from any other heading.”

92. TCGRs 22 through 28, inclusive, for chapter 90 are deleted and the following new TCGRs are inserted:

“22. A change to subheadings 9006.20 through 9006.40 from any other subheading, including another subheading within that group.

22A. A change to subheading 9008.90 from any other heading.”

93. TCGR 30 for chapter 90 is deleted.

94. TCGR 50 for chapter 90 is deleted and the following new TCGR is inserted:

“50. A change to headings 9018 through 9021 from any other heading.”
95. TCR 52 for chapter 90 is deleted and the following new TCR is inserted:

"52. A change to subheadings 9022.19 through 9022.90 from any other subheading, including another subheading within that group."

96. TCR 56 for chapter 90 is deleted and the following new TCR is inserted:

"56. A change to subheadings 9025.11 through 9025.80 from any other subheading, including another subheading within that group."

97. TCRs 64 and 65 for chapter 90 are deleted and the following new TCRs are inserted:

"64. A change to subheadings 9030.10 through 9030.20 from any other subheading, including another subheading within that group.

64A. A change to subheading 9030.32 from any other subheading, except from subheading 9030.84.

64B. A change to subheadings 9030.33 through 9030.82 from any other subheading, including another subheading within that group.

64C. A change to subheading 9030.84 from any other subheading, except from subheading 9030.32.

64D. A change to subheadings 9030.85 through 9030.90 from any other subheading, including another subheading within that group.

65. A change to subheadings 9031.16 through 9031.20 from any other subheading."

98. TCR 67 for chapter 90 is deleted and the following new TCR is inserted:

"67. (A) A change to profile projectors of subheading 9031.46 from any other subheading; or

(B) A change to other optical instruments and appliances of subheading 9031.46 from any other subheading, except from subheading 9031.41 and from any other optical instruments and appliances of subheading 9031.45."

99. TCR 70 for chapter 90 is modified by inserting after before the final comma the following text:

*, including another subheading within that group."

100. TCRs 2 and 3 for chapter 91 are deleted and the following new TCR is inserted:

"2. (A) A change to electrically operated wrist-watches, whether or not incorporating a stop-watch facility, of subheading 9101.19 from any other heading, provided that there is a regional value content of not less than:

1. 35 percent based on the build-up method, or

2. 45 percent based on the build-down method; or

(B) A change to other goods of subheading 9101.19 from heading 9114, provided that there is a regional value content of not less than:

1. 35 percent based on the build-up method, or

2. 45 percent based on the build-down method; or

(C) A change to any good of subheading 9101.19 from any other chapter."

101. TCR 8 for chapter 91 is deleted and the following new TCR is inserted:

"8. A change to headings 9108 through 9110 from any other heading, including another heading within that group, provided there is a regional value content of not less than:

(A) 35 percent based on the build-up method; or

(B) 45 percent based on the build-down method."

102. TCR 2 for chapter 93 is deleted and the following new TCR is inserted:

"2. A change to headings 9302 through 9303 from any other heading, including another heading within that group, except from heading 9306 when that change is pursuant to special rule of interpretation 2(a)."
103. TCRs 1 for chapter 94 is deleted and the following new TCR is inserted:

"A change to subheadings 9401.10 through 9401.50 from any other subheading, except from subheadings 9401.10 through 9401.50, 9403.10 through 9403.50, and except from subheadings 9401.90 or 9403.90 when that change is pursuant to general rule of interpretation 2(a)."

104. TCR 4 for chapter 94 is deleted and the following new TCR is inserted:

"A change to subheadings 9403.10 through 9403.50 from any other subheading, except from subheadings 9401.10 through 9401.50, 9403.10 through 9403.50, and except from subheadings 9401.90 or 9403.90 when that change is pursuant to general rule of interpretation 2(a)."

105. TCR 5 for chapter 94 is deleted and the following new TCR is inserted:

"A change to subheadings 9403.90 through 9404.21 from any other heading, including another heading within that group."

106. TCRs 1 through 7, inclusive, for chapter 95 are deleted and the following new TCR is inserted:

"A change to heading 9503 from any other chapter,

(A) No required change in tariff classification provided there is a regional value content of not less than:

(1) 35 percent based on the build-up method, or

(2) 45 percent based on the build-down method."

107. TCRs 8, 10, 11, 13, 15 and 17 for chapter 95 are each modified by adding the following text before the final period:

"including another subheading within that group".

108. TCRs 1 and 20 for chapter 96 are each modified by adding the following text before the final period:

"including another subheading within that group"

109. TCRs 25 and 26 for chapter 98 are deleted and the following new TCR is inserted:

"A change to heading 9614 from any other heading."

110. TCRs 1 and 2 for chapter 97 are each modified by adding the following text before the final period:

"including another subheading within that group"

9. Effective with respect to goods of Singapore, under the terms of general note 25 of the Harmonized Tariff Schedule of the United States (HTS), that are entered, or withdrawn from warehouse for consumption, on or after January 1, 2008, the tabulation in general note 25(m) is deleted and the following new tabulation is inserted in lieu thereof:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) 3818</td>
<td>Chemical elements doped for use in electronics, in form of disks, wafers or similar forms; chemical compounds doped for use in electronics</td>
</tr>
<tr>
<td>7001.10.00, 7002.60.30</td>
<td>Quarts reactor tubes and holders designed for insertion into diffusion and co-doping furnaces for production of silicon wafers</td>
</tr>
<tr>
<td>8443.31.00, 8443.32.10, 8443.39.00, 8471.90.00, 9017.10.00, 9017.20.00, 9017.30.10</td>
<td>Fittings, whether input or output units of the automatic data processing machines of heading 8471 or drawing or drafting machines of heading 9017</td>
</tr>
<tr>
<td>8443.31.00, 8443.32.50</td>
<td>Faxes and telecopiers</td>
</tr>
<tr>
<td>8443.31.00, 8443.32.10, 8443.99, 8471.60, 8528.41.00, 8528.51.00, 8528.61.00</td>
<td>Input or output units (including printers) whether or not containing certain computer units in the same housing; parts of printers</td>
</tr>
<tr>
<td>8443.32.50</td>
<td>Telecopiers</td>
</tr>
</tbody>
</table>
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(7) 8443.39.10  Electrostatic photocopier apparatus, operating by reproducing the original image directly onto the copy (direct process)

(8) 8443.39.30  Other photocopier apparatus, incorporating an optical system

(9) 8443.99.25, 8443.99.35, 8443.99.40, 8443.99.45, 8471.50.01, 8473.30.11, 8473.50.30, 8473.10.20, 8473.21.00, 8473.29.00, 8473.40.10, 8466.90.00, 8504.40.60, 8504.40.80, 8504.90.20, 8504.90.65, 8517.60.00, 8517.70.00, 8518.90.20, 8518.90.40, 8520.20.00, 8522.90.45, 8531.90.15, 8538.90.10, 9001.90.50, 9001.90.60, 9026.90.20, 9026.90.60, 9027.90.45, 9027.90.54, 9027.90.64, 9027.90.84, 9036.90.84, 9030.90.84, 9031.90.54, 9031.90.70

(10) 8443.99.30, 8443.99.35, 8443.99.40, 8443.99.50, 8517.70.00

(11) 8443.99.40, 8443.99.45

(12) 8445  Parts and accessories of copying machines

(13) 8470  Word processing machines

(14) 8471  Calculating machines and pocket-size data recording, reproducing and displaying machines with calculating functions; accounting machines, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device; cash registers

(15) 8471  Automatic data processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included

(16) 8471.20.01  Automatic data processing machines capable of (1) storing the processing program or programs and at least the data immediately necessary for the execution of the program; (2) being freely programmed in accordance with the requirements of the user; (3) performing arithmetical computations specified by the user; and (4) executing, without human intervention, a processing program which requires them to modify their execution, by logical decision during the processing run (The agreement covers such automatic data processing machines whether or not they are able to receive and process with the assistance of central processing unit telephony signals, television signals or other analogue or digitally processed audio or video signals. Machines performing a specific function other than data processing, or incorporating or working in conjunction with an automatic data processing machine, and not otherwise specified herein, are not covered by this agreement.)

(17) 8471.30.01, 8471.41.01, 8471.49.00, 8471.50.01  Positive digital automatic data processing machines, weighing no more than 10 kg., consisting of at least a central processing unit, a keyboard and a display

Analogues or hybrid automatic data processing machines
Proclamations

(18)  8471.41.01  Other digital automatic data processing machines comprising in the same housing at least a central processing unit and an input and output unit, whether or not combined

(19)  8471.49.00  Other digital automatic data processing machines presented in the form of systems

(20)  8471.49.00, 8471.70.60, 8471.70.90  Optical disc storage units, for automatic data processing machines (including CD drives and DVD drives), whether or not having the capability of writing/recording as well as reading, whether or not in their own housings

(21)  8471.49.00, 8471.70, 8523.29.10, 8523.40.10, 8523.50.00, 8523.59.00, 8523.80.20, 8523.40.20, 8523.40.40, 8523.40.99  Proprietary format storage devices including media therefor for automatic data processing machines, with or without removable media and whether magnetic, optical or other technology, including Bernoulli Box, Syquest, or Zip drive cartridge storage units

(22)  8471.49.00, 8471.60.10, 8473.30.11, 8466.90.00, 8517.70.00, 8473.30.51, 8531.20.00, 8531.90.15, 8531.90.55, 8534.70.92, 8543.90.05, 8543.90.85, 8528.51.00, 8528.61.00, 9013.80.70, 9013.90.52  Flat panel displays (including LCD, electroluminescence, plasma and other technologies) for products falling within this note, and parts thereof

(23)  8471.59.01  Digital processing units other than those of subheadings 8471.41 and 8471.49, whether or not in the same housing or two of the following types of parts: storage units, input units, output units

(24)  8471.70  Storage units, including central storage units, optical disk storage units, hard disk drives and magnetic tape storage units

(25)  8471.80, 8517.62.00, 8517.69.00  Other units of automatic data processing machines

(26)  8471.80.10, 8471.80.40, 8471.80.90, 8471.49.00, 8517.61.00, 8517.62.00, 8517.69.00  Network equipment: Local Area Network (LAN) and Wide Area Network (WAN) apparatus, including those products dedicated for use solely or principally to permit the interconnection of automatic data processing machines and units thereof for a network that is used primarily for the sharing of resources such as central processor units, data storage devices and input and output units including the adapters, boards, in-line repeaters, converters, concentrators, bridges and routers, and printed circuit assemblies for physical incorporation into automatic data processing machines and units thereof

(26A)  8471.80.40, 8517.62.00  Multimedia upgrade kits for automatic data processing machines, and units thereof, put up for retail sale, consisting of, at least, speakers and/or microphones as well as a printed circuit assembly that enables the ADP machines and units thereof to process audio signals (sound cards)

(27)  8471.90.00  Other

(28)  8472.90.10  Automatic teller machines

(29)  8473.21  Parts and accessories of the machines of heading 8470 of the electronic calculating machines of subheading 8470.10, 8470.21 or 8470.29

(30)  8473.29  Parts and accessories of the machines of heading 8470, other than electronic calculating machines of subheadings 8470.10, 8470.21 or 8470.29

(31)  8473.30  Parts and accessories of the machines of heading 8471
<table>
<thead>
<tr>
<th>Proc. 8214</th>
<th>Title 3—The President</th>
</tr>
</thead>
<tbody>
<tr>
<td>(32) 8473.50</td>
<td>Parts and accessories equally suitable for use with machines of two or more of headings 8469 to 8472</td>
</tr>
<tr>
<td>(33) 8486.10.00</td>
<td>Chemical vapor deposition apparatus for semiconductor production</td>
</tr>
<tr>
<td>(34) 8486.10.00, 8486.20.00</td>
<td>Dicing machine for scribing or scoring semiconductor wafers</td>
</tr>
<tr>
<td>(35) 8486.10.00, 8486.20.00, 8486.30.00, 8486.40.00</td>
<td>Apparatus for wet etching, developing, stripping or cleaning semiconductor wafers and flat panel displays</td>
</tr>
<tr>
<td>(36) 8486.10.00, 8486.20.00</td>
<td>Spin driers for semiconductor wafer processing</td>
</tr>
<tr>
<td>(37) 8486.10.00</td>
<td>Machines for working any material by removal of material, by laser or other light or photo-beam in the production of semiconductor wafers</td>
</tr>
<tr>
<td>(38) 8486.10.00</td>
<td>Machines for sawing monocrystal semiconductor bodies into slices, or wafers into chips</td>
</tr>
<tr>
<td>(39) 8486.10.00, 8486.20.00</td>
<td>Grinding, polishing and lapping machines for processing of semiconductor wafers</td>
</tr>
<tr>
<td>(40) 8486.10.00</td>
<td>Apparatus for growing or pulling monocrystal semiconductor boules</td>
</tr>
<tr>
<td>(41) 8486.20.00</td>
<td>Ion implanters designed for doping semiconductor materials</td>
</tr>
<tr>
<td>(42) 8486.20.00</td>
<td>Apparatus for physical deposition by sputtering on semiconductor wafers</td>
</tr>
<tr>
<td>(43) 8486.20.00</td>
<td>Epitaxial deposition machine for semiconductor wafers</td>
</tr>
<tr>
<td>(44) 8486.20.00</td>
<td>Lasercutters for cutting contacting tracks in semiconductor production by laser beam</td>
</tr>
<tr>
<td>(45) 8486.20.00</td>
<td>Machines for dry-etching patterns on semiconductor materials</td>
</tr>
<tr>
<td>(46) 8486.20.00</td>
<td>Apparatus for stripping or cleaning semiconductor wafers</td>
</tr>
<tr>
<td>(47) 8486.20.00</td>
<td>Physical deposition apparatus for semiconductor production</td>
</tr>
<tr>
<td>(48) 8486.20.00</td>
<td>Spraying appliances for etching, stripping or cleaning semiconductor wafers</td>
</tr>
<tr>
<td>(49) 8486.20.00</td>
<td>Spinners for coating photographic emulsions on semiconductor wafers</td>
</tr>
<tr>
<td>(50) 8486.20.00</td>
<td>Resistance heated furnaces and ovens for the manufacture of semiconductor devices on semiconductor wafers</td>
</tr>
<tr>
<td>(51) 8486.20.00</td>
<td>Inductance or dielectric furnaces and ovens for the manufacture of semiconductor devices on semiconductor wafers</td>
</tr>
<tr>
<td>(52) 8486.20.00</td>
<td>Apparatus for the projection, drawing or plating circuit pattern on sensitized semiconductor materials or flat panel displays</td>
</tr>
<tr>
<td>(53) 8486.20.00</td>
<td>Apparatus for rapid heating of semiconductor wafers</td>
</tr>
<tr>
<td>(54) 8486.40.00</td>
<td>Focused ion beam milling machines to produce or repair masks and reticles for patterns on semiconductor devices</td>
</tr>
<tr>
<td>(55) 8486.40.00</td>
<td>Machines for bonding, folding and straightening semiconductor leads</td>
</tr>
</tbody>
</table>
(56) 8486.40.00  Deflash machines for cleaning and removing contaminants from the metal leads of semiconductor packages prior to the electroplating process

(57) 8486.40.00  Encapsulation equipment for assembly of semiconductors

(58) 8486.40.00  Pattern generating apparatus of a kind for producing masks and reticles from photore sist coated substrates

(59) 8486.40.00  Automated machines for transporting, handling and storage of semiconductor wafers, wafer cassettes, wafer boxes and other material for semiconductor devices

(60) 8486.40.00  Die attach apparatus, tape automated bonders, and wire bonders for assembly of semiconductors

(61) 8486.40.00  Injection and compression molds for the manufacture of semiconductor devices

(62) 8486.90.00  Parts of apparatus for wet etching, developing, stripping or cleaning semiconductor wafers and flat panel displays

(63) 8486.90.00  Parts and accessories of the apparatus of subheading 8486.20

(64) 8486.90.00  Parts of epitaxial deposition machines for semiconductor wafers

(65) 8486.90.00  Parts of automated machines for transportation, handling and storage of semiconductor wafers, wafer cassettes, wafer boxes and other material for semiconductor devices

(66) 8486.90.00  Parts of apparatus for growing or pulling monocrystalline semiconductor boules

(67) 8486.90.00  Parts for spinners for coating photographic emulsions on semiconductor wafers

(68) 8486.90.00  Parts for die attach apparatus, tape automated bonders, and wire bonders for assembly of semiconductors

(69) 8486.90.00  Parts of physical deposition apparatus for semiconductor production

(70) 8486.90.00  Parts of encapsulation equipment for assembly of semiconductors

(71) 8486.90.00  Parts of apparatus for rapid heating of wafers

(72) 8486.90.00  Parts and accessories for pattern generating apparatus of a kind used for producing masks or reticles from photore sist coated substrates

(73) 8486.90.00  Parts of furnaces and ovens classified in subheadings 8486.10 through 8486.40

(74) 8486.90.00  Parts of chemical vapor deposition apparatus for semiconductor production

(75) 8486.90.00  Parts of resistance heated furnaces and ovens for the manufacture of semiconductor devices on semiconductor wafers

(76) 8486.90.00  Parts of spin dryers for semiconductor wafer processing

(77) 8486.90.00  Parts of ion implanters for doping semiconductor materials

(78) 8486.90.00  Parts of machines for dry etching patterns on semiconductor wafers
<table>
<thead>
<tr>
<th>Number</th>
<th>HS Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>79</td>
<td>846.90.0</td>
<td>Parts of spraying appliances for etching, stripping or cleaning semiconductor wafers</td>
</tr>
<tr>
<td>80</td>
<td>846.90.0</td>
<td>Parts of apparatus for stripping or cleaning semiconductor wafers</td>
</tr>
<tr>
<td>81</td>
<td>846.90.0</td>
<td>Parts of machines for working any material by removal of material, by laser or other light or photon beam in the production of semiconductor wafers</td>
</tr>
<tr>
<td>82</td>
<td>846.90.0</td>
<td>Parts of laser cutters for cutting contacting tracks in semiconductor production by laser beam</td>
</tr>
<tr>
<td>83</td>
<td>846.90.0</td>
<td>Parts of machines for bending, folding and straightening semiconductor leads</td>
</tr>
<tr>
<td>84</td>
<td>846.90.0</td>
<td>Parts of focused ion beam milling machines to produce or repair masks and reticles for patterns on semiconductor devices</td>
</tr>
<tr>
<td>85</td>
<td>846.90.0</td>
<td>Parts of grinding, polishing and lapping machines for processing of semiconductor wafers</td>
</tr>
<tr>
<td>86</td>
<td>846.90.0</td>
<td>Parts of dicing machines for scribing or scoring semiconductor wafers</td>
</tr>
<tr>
<td>87</td>
<td>846.90.0</td>
<td>Parts for machines for sawing monocrystal semiconductor bodies into slices, or wafers into chips</td>
</tr>
<tr>
<td>88</td>
<td>846.90.0</td>
<td>Parts of apparatus for physical deposition by sputtering on semiconductor wafers</td>
</tr>
<tr>
<td>89</td>
<td>8504.40.60, 8504.40.70, 8504.40.85</td>
<td>Static converters for automatic data processing machines and units thereof, and telecommunication apparatus</td>
</tr>
<tr>
<td>90</td>
<td>8504.50.40</td>
<td>Other induction for power supplies for automatic data processing machines and units thereof, and telecommunication apparatus</td>
</tr>
<tr>
<td>91</td>
<td>8517</td>
<td>Electrical apparatus for line telephony or line telegraphy, including line telephone sets with cordless handsets and telecommunication apparatus for carrier-current line systems or for digital line systems; videophones; parts thereof</td>
</tr>
<tr>
<td>92</td>
<td>8517.11.00</td>
<td>Line sets with cordless handsets</td>
</tr>
<tr>
<td>93</td>
<td>8517.18.00</td>
<td>Other telephone sets and videophones</td>
</tr>
<tr>
<td>94</td>
<td>8517.61.00, 8517.62.00, 8517.69.00</td>
<td>Transmission apparatus other than apparatus for radio-broadcasting or television</td>
</tr>
<tr>
<td>95</td>
<td>8517.61.00, 8517.62.00</td>
<td>Other apparatus, for carrier-current line systems or for digital line systems</td>
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<td>96</td>
<td>8517.61.00, 8517.62.00, 8517.69.00, 8517.70.00</td>
<td>Transmission apparatus incorporating reception apparatus</td>
</tr>
<tr>
<td>97</td>
<td>8517.62.00</td>
<td>Telephonic or telegraphic switching apparatus</td>
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<tr>
<td>98</td>
<td>8517.62.00, 8517.69.00, 8517.70.00</td>
<td>Paging alert devices, and parts thereof</td>
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<td>99</td>
<td>8517.69.00</td>
<td>Portable receivers for calling, alerting or paging</td>
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<td>100</td>
<td>8517.69.00</td>
<td>Other apparatus including entry phone systems</td>
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<td>Proclamations</td>
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<td>$520.29.20</td>
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<td><strong>114</strong></td>
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<td><strong>115</strong></td>
<td>$520.29.90, $520.59.00, $520.80.20</td>
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<td><strong>116</strong></td>
<td>$520.40.20</td>
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<td><strong>118</strong></td>
<td>$520.52.00</td>
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<td><strong>119</strong></td>
<td>$520.50.10, $520.71.20</td>
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<tr>
<td><strong>120</strong></td>
<td>$520.80.40</td>
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</tbody>
</table>

- **Aerials or masts of a kind used with apparatus for radio-telephony and radio-telegraphy**
- **Parts of transmission apparatus other than apparatus for radio-broadcasting or television transmission apparatus incorporating reception apparatus and parts of portable receivers for calling, alerting or paging**
- **Microphones having a frequency range of 300 Hz to 3.4 KHz with a diameter of not exceeding 16 mm and a height not exceeding 3 mm, for telecommunication use**
- **Loudspeakers, without housing, having a frequency range of 300 Hz to 3.4 KHz with a diameter of not exceeding 50 mm, for telecommunication use**
- **Line telephone handsets**
- **Electric amplifiers when used as repeaters in line telephony products falling within this agreement, and parts thereof**
- **Telephone answering machines**
- **Magnetic tapes of a width not exceeding 4 mm**
- **Magnetic tapes of a width exceeding 4 mm but not exceeding 6.5 mm**
- **Magnetic tapes of a width exceeding 6.5 mm**
- **Other**
- **Magnetic discs**
- **Magnetic tapes for reproducing phenomena other than sound or image**
- **Other: For reproducing representations of instructions, data, sound and image, recorded in a machine readable binary form, and capable of being manipulated or providing interactivity to a user, by means of an automatic data processing machine**
- **Media for reproducing phenomena other than sound or image**
- **Discs for laser reading systems for reproducing phenomena other than sound or images**
- **Other: For reproducing representations of instructions, data, sound and image, recorded in a machine readable binary form, and capable of being manipulated or providing interactivity to a user, by means of an automatic data processing machine**
- **Proximity cards and tags**
- **Set top boxes which have a communication function, a microprocessor-based device incorporating a modem for gaining access to the internet, and having a function of interactive information exchange**
- **Digital still image video cameras**
<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>121</td>
<td>Monitor display units of automatic data processing machines with a cathode ray tube with a dot screen pitch smaller than 0.4 mm, not capable of receiving and processing television signals or other analogue or digitally processed audio or video signals without assistance of a central processing unit or a computer as defined in this agreement. The agreement does not, therefore, cover televisions, including high definition televisions.</td>
</tr>
<tr>
<td>122</td>
<td>Projection type flat panel display units used with automatic data processing machines which can display digital information generated by the central processing unit.</td>
</tr>
<tr>
<td>123</td>
<td>Indicator panels incorporating liquid crystal devices (LCD) or light emitting diodes (LED).</td>
</tr>
<tr>
<td>124</td>
<td>Parts of apparatus of subheading 8531.20.</td>
</tr>
<tr>
<td>125</td>
<td>Electrical capacitors, fixed, variable or adjustable (pre-set); parts thereof.</td>
</tr>
<tr>
<td>126</td>
<td>Electrical resistors (including rheostats and potentiometers), other than heating resistors; parts thereof.</td>
</tr>
<tr>
<td>127</td>
<td>Printed circuits.</td>
</tr>
<tr>
<td>128</td>
<td>Electronic switches, including temperature protected electronic switches, consisting of a transistor and a logic chip (chip-on-chip technology) for a voltage not exceeding 1000 volts.</td>
</tr>
<tr>
<td>129</td>
<td>Electromechanical snap-action switches for a current not exceeding 11 amps.</td>
</tr>
<tr>
<td>130</td>
<td>Electronic AC switches consisting of optically coupled input and output circuits (Insulated Thyristor AC switches).</td>
</tr>
<tr>
<td>131</td>
<td>Plugs and sockets for coaxial cables and printed circuits.</td>
</tr>
<tr>
<td>132</td>
<td>Connection and contact elements for wires and cables.</td>
</tr>
<tr>
<td>133</td>
<td>Wafer probers.</td>
</tr>
<tr>
<td>134</td>
<td>Diodes, transistors and similar semiconductor devices; photovoltaic semiconductor devices, including photovoltaic cells whether or not assembled in modules or made up into panels; light-emitting diodes; mounted photovoltaic elements; parts thereof.</td>
</tr>
<tr>
<td>135</td>
<td>Electronic integrated circuits and microassemblies; parts thereof.</td>
</tr>
<tr>
<td>136</td>
<td>Electrical machines with translation or dictionary functions.</td>
</tr>
<tr>
<td>137</td>
<td>Other electric conductors, for a voltage exceeding 80 V but not exceeding 1000 V, fitted with connectors, of a kind used for telecommunications.</td>
</tr>
<tr>
<td>138</td>
<td>Other electric conductors, for a voltage not exceeding 80 V, fitted with connectors, of a kind used for telecommunications.</td>
</tr>
<tr>
<td>139</td>
<td>Other electric conductors, for a voltage not exceeding 80 V, not fitted with connectors, of a kind used for telecommunications.</td>
</tr>
<tr>
<td>140</td>
<td>Optical fiber cables.</td>
</tr>
<tr>
<td>No.</td>
<td>Description</td>
</tr>
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</tr>
<tr>
<td>189</td>
<td>Proclamations Proc. 8214</td>
</tr>
</tbody>
</table>

<p>| (141) 9018.11, 9018.12, 9018.13, 9018.14, 9018.19 | Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight testing instruments; parts and accessories thereof |
| (142) 9019 | Mechno-therapy apparatus; massage apparatus; psychological state or testing apparatus; cone therapy; oxygen therapy; aerosol therapy; artificial respiration or other therapeutic respiration apparatus; parts and accessories thereof |
| (143) 9021 | Orthopedic appliances, including crutches, surgical belts and braces; splints and other fracture appliances; artificial parts of the body; hearing aids and other appliances which are worn or carried; or implanted in the body, to compensate for a defect or disability; parts and accessories thereof |
| (144) 9026 | Instruments and apparatus for measuring or checking the flow, level, or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 9014, 9015, 9028 or 9032; parts and accessories thereof |
| (145) 9027.20 | Chromatographs and electrophoresis instruments |
| (146) 9027.30 | Spectrometers, spectrophotometers and spectographs using optical radiations (UV, visible, IR) |
| (147) 9027.50.40, 9027.50.80 | Other instruments and apparatus using optical radiations (UV, visible, IR) of heading 9027 |
| (148) 9027.80 | Other instruments and apparatus of heading 9027 (other than those of heading 9027.10) |
| (149) 9027.90.45, 9027.90.54, 9027.90.64, 9027.90.84 | Parts and accessories of products of heading 9027, other than for gas or smoke analysis apparatus and microscopes |
| (150) 9030.40 | Instruments and apparatus for measuring and checking, specially designed for telecommunications (for example, cross-talk meters, gain measuring instruments, distortion factor meters, pulsometers) |
| (151) 9030.82 | Instruments and apparatus for measuring or checking semiconductor wafers or devices |
| (152) 9030.90.64 | Parts and accessories of instruments and apparatus of subheading 9030.82 |
| (153) 9030.90.84 | Parts of instruments and appliances for measuring or checking semiconductor wafers or devices |
| (154) 9031.41.00 | Photomechanographic microscopes fitted with equipment specifically designed for the handling and transport of semiconductor wafers or reticles |
| (155) 9031.41.00 | Optical stereoscopic microscopes fitted with equipment specifically designed for the handling and transport of semiconductor wafer or reticles |
| (156) 9031.41.00, 9031.49.70 | Optical instruments and appliances for inspecting semiconductor wafers or devices or for inspecting masks, photomasks or reticles used in manufacturing semiconductor devices |
| (157) 9031.49.70 | Optical instruments and appliances for measuring surface particulate contamination on semiconductor wafers |</p>
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<tr>
<td>(158)</td>
<td>9031.80.40</td>
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<td>(162)</td>
<td>9031.90.54</td>
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<td>(163)</td>
<td>9031.90.70</td>
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</table>

**Title 3—The President**
Executive Order 13422 of January 18, 2007

Further Amendment to Executive Order 12866 on Regulatory Planning and Review

By the authority vested in me as President by the Constitution and laws of the United States of America, it is hereby ordered that Executive Order 12866 of September 30, 1993, as amended, is further amended as follows:

Section 1. Section 1 is amended as follows:
(a) Section 1(b)(1) is amended to read as follows:
“(1) Each agency shall identify in writing the specific market failure (such as externalities, market power, lack of information) or other specific problem that it intends to address (including, where applicable, the failures of public institutions) that warrant new agency action, as well as assess the significance of that problem, to enable assessment of whether any new regulation is warranted.”
(b) by inserting in section 1(b)(7) after “regulation” the words “or guidance document”.
(c) by inserting in section 1(b)(10) in both places after “regulations” the words “and guidance documents”.
(d) by inserting in section 1(b)(11) after “its regulations” the words “and guidance documents”.
(e) by inserting in section 1(b)(12) after “regulations” the words “and guidance documents”.

Sec. 2. Section 2 is amended as follows:
(a) by inserting in section 2(a) in both places after “regulations” the words “and guidance documents”.
(b) by inserting in section 2(b) in both places after “regulations” the words “and guidance documents”.

Sec. 3. Section 3 is amended as follows:
(a) by striking in section 3(d) “or ‘rule’ ” after “ ‘Regulation’ ”;
(b) by striking in section 3(d)(1) “or rules” after “Regulations”;
(c) by striking in section 3(d)(2) “or rules” after “Regulations”;

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(d) by striking in section 3(d)(3) “or rules” after “Regulations”;
(e) by striking in section 3(e) “rule or” from “final rule or regulation”;
(f) by striking in section 3(f) “rule or” from “rule or regulation”;
(g) by inserting after section 3(f) the following:
“(g) “Guidance document” means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue.
(h) “Significant guidance document” —
(1) Means a guidance document disseminated to regulated entities or the general public that, for purposes of this order, may reasonably be anticipated to:
(A) Lead to an annual effect of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities;
(B) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
(C) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights or obligations of recipients thereof; or
(D) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in this Executive order; and (2) Does not include:
(A) Guidance documents on regulations issued in accordance with the formal rulemaking provisions of 5 U.S.C. 556, 557;
(B) Guidance documents that pertain to a military or foreign affairs function of the United States, other than procurement regulations and regulations involving the import or export of non-defense articles and services;
(C) Guidance documents on regulations that are limited to agency organization, management, or personnel matters; or
(D) Any other category of guidance documents exempted by the Administrator of OIRA.”

Sec. 4. Section 4 is amended as follows:
(a) Section 4(a) is amended to read as follows: “The Director may convene a meeting of agency heads and other government personnel as appropriate to seek a common understanding of priorities and to coordinate regulatory efforts to be accomplished in the upcoming year.”
(b) The last sentence of section 4(c)(1) is amended to read as follows: “Unless specifically authorized by the head of the agency, no rulemaking shall commence nor be included on the Plan without the approval of the agency’s Regulatory Policy Office, and the Plan shall contain at a minimum:”.
(c) Section 4(c)(1)(B) is amended by inserting “of each rule as well as the agency’s best estimate of the combined aggregate costs and benefits of all its regulations planned for that calendar year to assist with the identification of priorities” after “of the anticipated costs and benefits”.

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(d) Section 4(c)(1)(C) is amended by inserting “, and specific citation to such statute, order, or other legal authority” after “court order”.

Sec. 5. Section 6 is amended as follows:

(a) by inserting in section 6(a)(1) “In consultation with OIRA, each agency may also consider whether to utilize formal rulemaking procedures under 5 U.S.C. 556 and 557 for the resolution of complex determinations” after “comment period of not less than 60 days.”

(b) by amending the first sentence of section 6(a)(2) to read as follows: “Within 60 days of the date of this Executive order, each agency head shall designate one of the agency’s Presidential Appointees to be its Regulatory Policy Officer, advise OMB of such designation, and annually update OMB on the status of this designation.”

Sec. 6. Sections 9–11 are redesignated respectively as sections 10–12.

Sec. 7. After section 8, a new section 9 is inserted as follows:

“Sec. 9. Significant Guidance Documents. Each agency shall provide OIRA, at such times and in the manner specified by the Administrator of OIRA, with advance notification of any significant guidance documents. Each agency shall take such steps as are necessary for its Regulatory Policy Officer to ensure the agency’s compliance with the requirements of this section. Upon the request of the Administrator, for each matter identified as, or determined by the Administrator to be, a significant guidance document, the issuing agency shall provide to OIRA the content of the draft guidance document, together with a brief explanation of the need for the guidance document and how it will meet that need. The OIRA Administrator shall notify the agency when additional consultation will be required before the issuance of the significant guidance document.”

Sec. 8. Newly designated section 10 is amended to read as follows:

“Sec. 10. Preservation of Agency Authority. Nothing in this order shall be construed to impair or otherwise affect the authority vested by law in an agency or the head thereof, including the authority of the Attorney General relating to litigation.”

GEORGE W. BUSH


Executive Order 13423 of January 24, 2007

Strengthening Federal Environmental, Energy, and Transportation Management

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to strengthen the environmental, energy, and transportation management of Federal agencies, it is hereby ordered as follows:

Section 1. Policy. It is the policy of the United States that Federal agencies conduct their environmental, transportation, and energy-related activities
under the law in support of their respective missions in an environment-ally, economically and fiscally sound, integrated, continuously improving, efficient, and sustainable manner.

Sec. 2. Goals for Agencies. In implementing the policy set forth in section 1 of this order, the head of each agency shall:

(a) improve energy efficiency and reduce greenhouse gas emissions of the agency, through reduction of energy intensity by (i) 3 percent annually through the end of fiscal year 2015, or (ii) 30 percent by the end of fiscal year 2015, relative to the baseline of the agency’s energy use in fiscal year 2003;

(b) ensure that (i) at least half of the statutorily required renewable energy consumed by the agency in a fiscal year comes from new renewable sources, and (ii) to the extent feasible, the agency implements renewable energy generation projects on agency property for agency use;

(c) beginning in FY 2008, reduce water consumption intensity, relative to the baseline of the agency’s water consumption in fiscal year 2007, through life-cycle cost-effective measures by 2 percent annually through the end of fiscal year 2015 or 16 percent by the end of fiscal year 2015;

(d) require in agency acquisitions of goods and services (i) use of sustain-able environmental practices, including acquisition of biobased, environ-mentally preferable, energy-efficient, water-efficient, and recycled-content products, and (ii) use of paper of at least 30 percent post-consumer fiber content;

(e) ensure that the agency (i) reduces the quantity of toxic and hazardous chemicals and materials acquired, used, or disposed of by the agency, (ii) increases diversion of solid waste as appropriate, and (iii) maintains cost-effective waste prevention and recycling programs in its facilities;

(f) ensure that (i) new construction and major renovation of agency build-ings comply with the Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings set forth in the Federal Leadership in High Performance and Sustainable Buildings Memorandum of Under-standing (2006), and (ii) 15 percent of the existing Federal capital asset building inventory of the agency as of the end of fiscal year 2015 incorporates the sustainable practices in the Guiding Principles;

(g) ensure that, if the agency operates a fleet of at least 20 motor vehicles, the agency, relative to agency baselines for fiscal year 2005, (i) reduces the fleet’s total consumption of petroleum products by 2 percent annually through the end of fiscal year 2015, (ii) increases the total fuel consumption that is non-petroleum-based by 10 percent annually, and (iii) uses plug-in hybrid (PIH) vehicles when PIH vehicles are commercially available at a cost reasonably comparable, on the basis of life-cycle cost, to non-PIH vehicles; and

(h) ensure that the agency (i) when acquiring an electronic product to meet its requirements, meets at least 95 percent of those requirements with an Electronic Product Environmental Assessment Tool (EPEAT)-registered electronic product, unless there is no EPEAT standard for such product, (ii)
enables the Energy Star feature on agency computers and monitors, (iii) establishes and implements policies to extend the useful life of agency electronic equipment, and (iv) uses environmentally sound practices with respect to disposition of agency electronic equipment that has reached the end of its useful life.

**Sec. 3. Duties of Heads of Agencies.** In implementing the policy set forth in section 1 of this order, the head of each agency shall:

(a) implement within the agency sustainable practices for (i) energy efficiency, greenhouse gas emissions avoidance or reduction, and petroleum products use reduction, (ii) renewable energy, including bioenergy, (iii) water conservation, (iv) acquisition, (v) pollution and waste prevention and recycling, (vi) reduction or elimination of acquisition and use of toxic or hazardous chemicals, (vii) high performance construction, lease, operation, and maintenance of buildings, (viii) vehicle fleet management, and (ix) electronic equipment management;

(b) implement within the agency environmental management systems (EMS) at all appropriate organizational levels to ensure (i) use of EMS as the primary management approach for addressing environmental aspects of internal agency operations and activities, including environmental aspects of energy and transportation functions, (ii) establishment of agency objectives and targets to ensure implementation of this order, and (iii) collection, analysis, and reporting of information to measure performance in the implementation of this order;

(c) establish within the agency programs for (i) environmental management training, (ii) environmental compliance review and audit, and (iii) leadership awards to recognize outstanding environmental, energy, or transportation management performance in the agency;

(d) within 30 days after the date of this order (i) designate a senior civilian officer of the United States, compensated annually in an amount at or above the amount payable at level IV of the Executive Schedule, to be responsible for implementation of this order within the agency, (ii) report such designation to the Director of the Office of Management and Budget and the Chairman of the Council on Environmental Quality, and (iii) assign the designated official the authority and duty to (A) monitor and report to the head of the agency on agency activities to carry out subsections (a) and (b) of this section, and (B) perform such other duties relating to the implementation of this order within the agency as the head of the agency deems appropriate;

(e) ensure that contracts entered into after the date of this order for contractor operation of government-owned facilities or vehicles require the contractor to comply with the provisions of this order with respect to such facilities or vehicles to the same extent as the agency would be required to comply if the agency operated the facilities or vehicles;

(f) ensure that agreements, permits, leases, licenses, or other legally-binding obligations between the agency and a tenant or concessionaire entered into after the date of this order require, to the extent the head of the agency determines appropriate, that the tenant or concessionaire take actions relating to matters within the scope of the contract that facilitate the agency’s compliance with this order;
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(g) provide reports on agency implementation of this order to the Chairman of the Council on such schedule and in such format as the Chairman of the Council may require; and

(h) provide information and assistance to the Director of the Office of Management and Budget, the Chairman of the Council, and the Federal Environmental Executive.

Sec. 4. Additional Duties of the Chairman of the Council on Environmental Quality. In implementing the policy set forth in section 1 of this order, the Chairman of the Council on Environmental Quality:

(a) (i) shall establish a Steering Committee on Strengthening Federal Environmental, Energy, and Transportation Management to advise the Director of the Office of Management and Budget and the Chairman of the Council on the performance of their functions under this order that shall consist exclusively of (A) the Federal Environmental Executive, who shall chair, convene and preside at meetings of, determine the agenda of, and direct the work of, the Steering Committee, and (B) the senior officials designated under section 3(d)(i) of this order, and (ii) may establish subcommittees of the Steering Committee, to assist the Steering Committee in developing the advice of the Steering Committee on particular subjects;

(b) may, after consultation with the Director of the Office of Management and Budget and the Steering Committee, issue instructions to implement this order, other than instructions within the authority of the Director to issue under section 5 of this order; and

(c) shall administer a presidential leadership award program to recognize exceptional and outstanding environmental, energy, or transportation management performance and excellence in agency efforts to implement this order.

Sec. 5. Duties of the Director of the Office of Management and Budget. In implementing the policy set forth in section 1 of this order, the Director of the Office of Management and Budget shall, after consultation with the Chairman of the Council and the Steering Committee, issue instructions to the heads of agencies concerning:

(a) periodic evaluation of agency implementation of this order;

(b) budget and appropriations matters relating to implementation of this order;

(c) implementation of section 2(d) of this order; and

(d) amendments of the Federal Acquisition Regulation as necessary to implement this order.

Sec. 6. Duties of the Federal Environmental Executive. A Federal Environmental Executive designated by the President shall head the Office of the Federal Environmental Executive, which shall be maintained in the Environmental Protection Agency for funding and administrative purposes. In implementing the policy set forth in section 1 of this order, the Federal Environmental Executive shall:

(a) monitor, and advise the Chairman of the Council on, performance by agencies of functions assigned by sections 2 and 3 of this order;
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(b) submit a report to the President, through the Chairman of the Council, not less often than once every 2 years, on the activities of agencies to implement this order; and

(c) advise the Chairman of the Council on the Chairman’s exercise of authority granted by subsection 4(c) of this order.

Sec. 7. Limitations. (a) This order shall apply to an agency with respect to the activities, personnel, resources, and facilities of the agency that are located within the United States. The head of an agency may provide that this order shall apply in whole or in part with respect to the activities, personnel, resources, and facilities of the agency that are not located within the United States, if the head of the agency determines that such application is in the interest of the United States.

(b) The head of an agency shall manage activities, personnel, resources, and facilities of the agency that are not located within the United States, and with respect to which the head of the agency has not made a determination under subsection (a) of this section, in a manner consistent with the policy set forth in section 1 of this order to the extent the head of the agency determines practicable.

Sec. 8. Exemption Authority. (a) The Director of National Intelligence may exempt an intelligence activity of the United States, and related personnel, resources, and facilities, from the provisions of this order, other than this subsection and section 10, to the extent the Director determines necessary to protect intelligence sources and methods from unauthorized disclosure.

(b) The head of an agency may exempt law enforcement activities of that agency, and related personnel, resources, and facilities, from the provisions of this order, other than this subsection and section 10, to the extent the head of the agency determines necessary to protect undercover operations from unauthorized disclosure.

(c) (i) The head of an agency may exempt law enforcement, protective, emergency response, or military tactical vehicle fleets of that agency from the provisions of this order, other than this subsection and section 10.

(ii) Heads of agencies shall manage fleets to which paragraph (i) of this subsection refers in a manner consistent with the policy set forth in section 1 of this order to the extent they determine practicable.

(d) The head of an agency may submit to the President, through the Chairman of the Council, a request for an exemption of an agency activity, and related personnel, resources, and facilities, from this order.

Sec. 9. Definitions. As used in this order:

(a) “agency” means an executive agency as defined in section 105 of title 5, United States Code, excluding the Government Accountability Office;

(b) “Chairman of the Council” means the Chairman of the Council on Environmental Quality, including in the Chairman’s capacity as Director of the Office of Environmental Quality;

(c) “Council” means the Council on Environmental Quality;

(d) “environmental” means environmental aspects of internal agency operations and activities, including those environmental aspects related to energy and transportation functions;
(e) “greenhouse gases” means carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride;

(f) “life-cycle cost-effective” means the life-cycle costs of a product, project, or measure are estimated to be equal to or less than the base case (i.e., current or standard practice or product);

(g) “new renewable sources” means sources of renewable energy placed into service after January 1, 1999;

(h) “renewable energy” means energy produced by solar, wind, biomass, landfill gas, ocean (including tidal, wave, current and thermal), geothermal, municipal solid waste, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project;

(i) “energy intensity” means energy consumption per square foot of building space, including industrial or laboratory facilities;

(j) “Steering Committee” means the Steering Committee on Strengthening Federal Environmental, Energy, and Transportation Management established under subsection 4(b) of this order;

(k) “sustainable” means to create and maintain conditions, under which humans and nature can exist in productive harmony, that permit fulfilling the social, economic, and other requirements of present and future generations of Americans; and

(l) “United States” when used in a geographical sense, means the fifty states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Northern Mariana Islands, and associated territorial waters and airspace.

Sec. 10. General Provisions. (a) This order shall be implemented in a manner consistent with applicable law and subject to the availability of appropriations.

(b) Nothing in this order shall be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(c) This order is intended only to improve the internal management of the Federal Government and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, entities, officers, employees or agents, or any other person.

Sec. 11. Revocations; Conforming Provisions. (a) The following are revoked:

(i) Executive Order 13101 of September 14, 1998;

(ii) Executive Order 13123 of June 3, 1999;

(iii) Executive Order 13134 of August 12, 1999, as amended;

(iv) Executive Order 13148 of April 21, 2000; and

(v) Executive Order 13149 of April 21, 2000.

(b) In light of subsection 317(e) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107), not later than January 1 of each year through and including 2010, the Secretary of Defense shall submit to
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the Senate and the House of Representatives a report regarding progress made toward achieving the energy efficiency goals of the Department of Defense.

(c) Section 3(b)(vi) of Executive Order 13327 of February 4, 2004, is amended by striking “Executive Order 13148 of April 21, 2000” and inserting in lieu thereof “other executive orders”.

GEORGE W. BUSH

The White House,


Executive Order 13424 of January 26, 2007

Further Amendment to Executive Order 13285, Relating to the President’s Council on Service and Civic Participation

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 President’s Council on Service and Civic Participation, it is hereby ordered that Executive Order 13285 of January 29, 2003, as amended, is further amended by revising section 4(b) to read as follows: “(b) Unless further extended by the President, this order shall expire on November 30, 2008.”

GEORGE W. BUSH

The White House,


Executive Order 13425 of February 14, 2007

Trial of Alien Unlawful Enemy Combatants by Military Commission

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Military Commissions Act of 2006 (Public Law 109–366), the Authorization for Use of Military Force (Public Law 107–40), and section 948b(b) of title 10, United States Code, it is hereby ordered as follows:

Section 1. Establishment of Military Commissions. There are hereby established military commissions to try alien unlawful enemy combatants for offenses triable by military commission as provided in chapter 47A of title 10.

Sec. 2. Definitions. As used in this order:
(a) “unlawful enemy combatant” has the meaning provided for that term in section 948a(1) of title 10; and
(b) “alien” means a person who is not a citizen of the United States.
Sec. 3. Supersedure. This order supersedes any provision of the President’s Military Order of November 13, 2001 (66 Fed. Reg. 57,833), that relates to trial by military commission, specifically including:
(a) section 4 of the Military Order; and
(b) any requirement in section 2 of the Military Order, as it relates to trial by military commission, for a determination of:
(i) reason to believe specified matters; or
(ii) the interest of the United States.

Sec. 4. General Provisions. (a) This order shall be implemented in accordance with applicable law and subject to the availability of appropriations.
(b) The heads of executive departments and agencies shall provide such information and assistance to the Secretary of Defense as may be necessary to implement this order and chapter 47A of title 10.
(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, entities, officers, employees, or agents, or any other person.

GEORGE W. BUSH
THE WHITE HOUSE,
February 14, 2007.

Executive Order 13426 of March 6, 2007

Establishing a Commission on Care for America’s Returning Wounded Warriors and a Task Force on Returning Global War on Terror Heroes

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to provide a comprehensive review of the care provided to America’s returning Global War on Terror service men and women from the time they leave the battlefield through their return to civilian life, it is hereby ordered as follows:

Section 1. Establishment of Commission. There is established the President’s Commission on Care for America’s Returning Wounded Warriors (Commission).

Sec. 2. Membership of Commission. The Commission shall be composed of nine members appointed by the President. The President shall designate two Co-Chairs from among the members of the Commission.

Sec. 3. Mission of Commission. The mission of the Commission shall be to:
(a) examine the effectiveness of returning wounded service members’ transition from deployment in support of the Global War on Terror to successful return to productive military service or civilian society, and recommend needed improvements;
(b) evaluate the coordination, management, and adequacy of the delivery of health care, disability, traumatic injury, education, employment, and
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other benefits and services to returning wounded Global War on Terror service members by Federal agencies as well as by the private sector, and recommend ways to ensure that programs provide high-quality services;

(c) (i) analyze the effectiveness of existing outreach to service members regarding such benefits and services, and service members’ level of awareness of and ability to access these benefits and services, and (ii) identify ways to reduce barriers to and gaps in these benefits and services; and

(d) consult with foundations, veterans service organizations, non-profit groups, faith-based organizations, and others as appropriate, in performing the Commission’s functions under subsections (a) through (c) of this section.

Sec. 4. Administration of Commission.

(a) The Secretary of Defense shall, to the extent permitted by law, provide administrative support and funding for the Commission. To the extent permitted by law, office space, analytical support, and staff support for the Commission shall be provided by the Department of Defense.

(b) Members of the Commission shall serve without any compensation for their work on the Commission. Members of the Commission appointed from among private citizens of the United States, while engaged in the work of the Commission, 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), consistent with the availability of funds.

(c) The Co-Chairs of the Commission shall select an Executive Director to coordinate administration of the Commission.

(d) The heads of executive branch departments and agencies shall, to the extent permitted by law, provide the Commission with information as requested by the Co-Chairs.

(e) The Co-Chairs of the Commission shall convene and preside at the meetings of the Commission, determine its agenda, and direct its work.

(f) The functions of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (Act), except for those in section 6 of that Act, that are applicable to the Commission, shall be performed by the Secretary of Defense, in accordance with the guidelines that have been issued by the Administrator of General Services.

Sec. 5. Report of Commission. The Commission shall report its recommendations to the President through the Secretary of Defense and the Secretary of Veterans Affairs. The Commission shall issue a final report by June 30, 2007, unless the Co-Chairs provide written notice to the President that an extension is necessary, in which case the Commission shall issue the final report by July 31, 2007.

Sec. 6. Termination of Commission. The Commission shall terminate 30 days after submitting its final report, unless extended by the President prior to that date.

Sec. 7. Establishment of Task Force. The Secretary of Veterans Affairs (Secretary) shall establish within the Department of Veterans Affairs for administrative purposes only an Interagency Task Force on Returning Global War on Terror Heroes (Task Force).
Sec. 8. Membership and Operation of Task Force. The Task Force shall consist exclusively of the following members, or their designees who shall be at the Under Secretary level (or its equivalent) or higher:

(a) the Secretary of Veterans Affairs, who shall serve as Chair;
(b) the Secretary of Defense;
(c) the Secretary of Labor;
(d) the Secretary of Health and Human Services;
(e) the Secretary of Housing and Urban Development;
(f) the Secretary of Education;
(g) the Director of the Office of Management and Budget;
(h) the Administrator of the Small Business Administration; and
(i) other officers or employees of the United States, as determined by the Secretary.

The Secretary or the Secretary’s designee shall convene and preside at meetings of the Task Force and direct its work. The Secretary shall designate an official of the Department of Veterans Affairs to serve as the Executive Secretary of the Task Force, and the Executive Secretary shall head any staff assigned to the Task Force.

Sec. 9. Mission of Task Force. The mission of the Task Force shall be to:

(a) identify and examine existing Federal services that currently are provided to returning Global War on Terror service members;
(b) identify existing gaps in such services;
(c) seek recommendations from appropriate Federal agencies on ways to fill those gaps as effectively and expeditiously as possible using existing resources; and
(d) (i) ensure that in providing services to these service members, appropriate Federal agencies are communicating and cooperating effectively, and (ii) facilitate the fostering of agency communications and cooperation through informal and formal means, as appropriate.

Sec. 10. Administration of Task Force. The Secretary of Veterans Affairs shall, to the extent permitted by law, provide administrative support and funding for the Task Force.

Sec. 11. Action Plan of Task Force. Consistent with applicable law, the Task Force shall outline a Government-wide action plan that identifies existing Federal services for returning Global War on Terror service men and women and that ensures the provision of such services to those service members as effectively and expeditiously as possible. The Task Force shall submit the action plan to the President within 45 days of the date of this order.

Sec. 12. Termination of Task Force. The Secretary, with the approval of the President, shall terminate the Task Force upon the completion of its duties.

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(a) Nothing in this order shall be construed to impair or otherwise affect (i) authority granted by law to an agency or the head thereof, or (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its departments, agencies, entities, officers, employees, agents, or any other person.

GEORGE W. BUSH

The White House,
March 6, 2007.

Executive Order 13427 of March 7, 2007

Extending Privileges and Immunities to the Permanent Observer Mission of the Holy See to the United Nations

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7(b) of the Department of State Authorities Act of 2006 (22 U.S.C. 288l), I hereby extend to the Permanent Observer Mission of the Holy See to the United Nations in New York, and to its members, the privileges and immunities enjoyed by the diplomatic missions of member states to the United Nations, and members of such missions, subject to corresponding conditions and obligations.

This extension of privileges and immunities is not intended to abridge in any respect privileges or immunities that the Permanent Observer Mission of the Holy See to the United Nations in New York and its members otherwise may have acquired or may acquire by law.

GEORGE W. BUSH

The White House,

Executive Order 13428 of April 2, 2007

Renaming a National Forest in the Commonwealth of Puerto Rico

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 Act of June 4, 1897 (16 U.S.C. 473) and section 1 of the Act of July 1, 1902 (48 U.S.C. 746), and to rename the Caribbean National Forest in the Commonwealth of Puerto Rico, it is hereby ordered as follows:

Section 1. The Caribbean National Forest in the Commonwealth of Puerto Rico is hereby named the “El Yunque National Forest.”
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Sec. 2. Previous references to the Caribbean National Forest in Executive Order 7059–A of June 4, 1935, and Executive Order 10992 of February 9, 1962, shall, for all purposes hereafter, be deemed references to the “El Yunque National Forest.”

Sec. 3. This order shall be implemented in accordance with applicable law and subject to the availability of appropriations.

Sec. 4. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, agencies, entities, officers, employees, or agents thereof, or any other person.

GEORGE W. BUSH

The White House,
April 2, 2007.

Executive Order 13429 of April 4, 2007

Establishing an Emergency Board To Investigate a Dispute Between Metro-North Railroad and Its Maintenance of Way Employees Represented by the International Brotherhood of Teamsters

A dispute exists between Metro-North Railroad and its maintenance of way employees represented by the International Brotherhood of Teamsters.

The dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended, 45 U.S.C. 151–188 (the “Act”).

A first emergency board to investigate and report on this dispute and disputes of other employees represented by other labor organizations was established on December 7, 2006, by Executive Order 13417 of December 6, 2006. The emergency board terminated upon issuance of its report. Subsequently, its recommendations were not accepted by the parties.

A party empowered by the Act has requested that the President establish a second emergency board pursuant to section 9A of the Act (45 U.S.C. 159a).

Section 9A(e) of the Act provides that the President, upon such request, shall appoint a second emergency board to investigate and report on the dispute.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States, including section 9A of the Act, it is hereby ordered as follows:

Section 1. Establishment of Emergency Board (Board). There is established, effective April 6, 2007, a Board of three members to be appointed by the President to investigate and report on this dispute. No member shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier. The Board shall perform its functions subject to the availability of funds.
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Sec. 2. Report. Within 30 days after the creation of the Board, the parties to the dispute shall submit to the Board final offers for settlement of the dispute. Within 30 days after the submission of final offers for settlement of the dispute, the Board shall submit a report to the President setting forth its selection of the most reasonable offer.

Sec. 3. Maintaining Conditions. As provided by section 9A(h) of the Act, from the time a request to establish a second emergency board is made until 60 days after the Board submits its report to the President, the parties to the controversy shall make no change in the conditions out of which the dispute arose except by agreement of the parties.

Sec. 4. Records Maintenance. The records and files of the Board are records of the Office of the President and upon the Board’s termination shall be maintained in the physical custody of the National Mediation Board.

Sec. 5. Expiration. The Board shall terminate upon the submission of the report provided for in section 2 of this order.

GEORGE W. BUSH

The White House,
April 4, 2007.

Executive Order 13430 of April 18, 2007

2007 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), and in order to prescribe amendments to the Manual for Courts-Martial, United States, prescribed by Executive Order 12473 of April 13, 1984, as amended, 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. 703(b)(1) is amended by adding at the end the following new sentences:

‘With the consent of both the accused and Government, the military judge may authorize any witness to testify via remote means. Over a party’s objection, the military judge may authorize any witness to testify on interlocutory questions via remote means or similar technology if the practical difficulties of producing the witness outweigh the significance of the witness’ personal appearance (although such testimony will not be admissible over the accused’s objection as evidence on the ultimate issue of guilt). Factors to be considered include, but are not limited to, the costs of producing the witness; the timing of the request for production of the witness; the potential delay in the interlocutory proceeding that may be caused by the production of the witness; the willingness of the witness to testify in person; the likelihood of significant interference
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with military operational deployment, mission accomplishment, or essential training; and, for child witnesses, the traumatic effect of providing in-court testimony.”

(b) R.C.M. 804 is amended by redesignating paragraphs (b), (c), and (d) as paragraphs (c), (d), and (e), respectively, and inserting the following new paragraph (b):

“(b) Presence by remote means. If authorized by the regulations of the Secretary concerned, the military judge may order the use of audiovisual technology, such as videoteleconferencing technology, between the parties and the military judge for purposes of Article 39(a) sessions. Use of such audiovisual technology will satisfy the “presence” requirement of the accused only when the accused has a defense counsel physically present at his location. Such technology may include two or more remote sites as long as all parties can see and hear each other.”

(c) R.C.M. 804(c)(2) is redesignated as R.C.M. 804(d)(2) and amended to read as follows:

“(2) Procedure. The accused’s absence will be conditional upon his being able to view the witness’ testimony from a remote location. Normally, transmission of the testimony will include a system that will transmit the accused’s image and voice into the courtroom from a remote location as well as transmission of the child’s testimony from the courtroom to the accused’s location. A one-way transmission may be used if deemed necessary by the military judge. The accused will also be provided private, contemporaneous communication with his counsel. The procedures described herein shall be employed unless the accused has made a knowing and affirmative waiver of these procedures.”

(d) R.C.M. 805(a) is amended by adding at the end the following new sentence:

“If authorized by regulations of the Secretary concerned, for purposes of Article 39(a) sessions solely, the presence of the military judge at Article 39(a) sessions may be satisfied by the use of audiovisual technology, such as videoteleconferencing technology.”

(e) R.C.M. 805(c) is amended by adding at the end the following new sentences:

“If authorized by regulations of the Secretary concerned, for purposes of Article 39(a) sessions solely, the presence of counsel at Article 39(a) sessions may be satisfied by the use of audiovisual technology, such as videoteleconferencing technology. At least one qualified defense counsel shall be physically present with the accused.”

(f) R.C.M. 914A is amended by deleting the third sentence of paragraph (a).

(g) R.C.M. 914A is further amended by redesignating paragraph (b) as paragraph (c) and inserting the following new paragraph (b):

“(b) Definition. As used in this rule, “remote live testimony” includes, but is not limited to, testimony by videoteleconference, closed circuit television, or similar technology.”

(h) New Rule R.C.M. 914B is inserted after R.C.M. 914A:
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“Rule 914B. Use of remote testimony.

(a) General procedures. The military judge shall determine the procedures used to take testimony via remote means. At a minimum, all parties shall be able to hear each other, those in attendance at the remote site shall be identified, and the accused shall be permitted private, contemporaneous communication with his counsel.

(b) Definition. As used in this rule, testimony via “remote means” includes, but is not limited to, testimony by videoteleconference, closed circuit television, telephone, or similar technology.”

(i) R.C.M. 1001(e)(2)(D) is amended by deleting the “or” before “former testimony” and inserting “, or testimony by remote means” after “former testimony.”

Sec. 2. Part IV of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 4.c.(6) is amended by redesignating paragraph (f) as paragraph (g) and inserting the following new paragraph (f):

“(f) Article 119a-attempting to kill an unborn child”

(b) Paragraph 12a is amended by replacing the word “Transportation” with the words “Homeland Security”.

(c) Paragraph 35a is amended to read as follows:

“(a) Any person subject to this chapter who —

(1) operates or physically controls any vehicle, aircraft, or vessel in a reckless or wanton manner or while impaired by a substance described in section 912a(b) of this title (Article 112a(b)); or

(2) operates or is in actual physical control of any vehicle, aircraft, or vessel while drunk or when the alcohol concentration in the person’s blood or breath is equal to or exceeds the applicable limit under subsection (b), shall be punished as a court-martial may direct.

(b)(1) For purposes of subsection (a), the applicable limit on the alcohol concentration in a person’s blood or breath is as follows:

(A) In the case of the operation or control of a vehicle, aircraft, or vessel in the United States, such limit is the lesser of —

(i) the blood alcohol content limit under the law of the State in which the conduct occurred, except as may be provided under paragraph (2) for conduct on a military installation that is in more than one State; or

(ii) the blood alcohol content limit specified in paragraph (3).

(B) In the case of the operation or control of a vehicle, aircraft, or vessel outside the United States, the applicable blood alcohol content limit is the blood alcohol content limit specified in paragraph (3) or such lower limit as the Secretary of Defense may by regulation prescribe.

(2) In the case of a military installation that is in more than one State, if those States have different blood alcohol content limits under their respective State laws, the Secretary may select one such blood alcohol content limit to apply uniformly on that installation.
(3) For purposes of paragraph (1), the blood alcohol content limit with respect to alcohol concentration in a person’s blood is 0.10 grams of alcohol per 100 milliliters of blood and with respect to alcohol concentration in a person’s breath is 0.10 grams of alcohol per 210 liters of breath, as shown by chemical analysis.

(4) In this subsection:

(A) The term “blood alcohol content limit” means the amount of alcohol concentration in a person’s blood or breath at which operation or control of a vehicle, aircraft, or vessel is prohibited.

(B) The term “United States” includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa and the term “State” includes each of those jurisdictions.

(d) Paragraph 35b(2)(c) is amended to read as follows:

“(c) the alcohol concentration in the accused’s blood or breath equaled to or exceeded the applicable limit under subparagraph (b) of paragraph 35a. [NOTE: If injury resulted add the following element]”

(e) Para 35f is amended to read as follows:

“[In that [in the motor pool area] (personal jurisdiction data), did (at/onboard location) [subject matter jurisdiction data, if required], on or about _______20____, (in the {motor pool area} {near the Officer’s Club} [at the intersection of _______ and _______]) [while in the Gulf of Mexico] [while in flight over North America] physically control [a vehicle, to wit: (a truck) (a passenger car) _______] [an aircraft, to wit: (an AH 64 helicopter) (an F 14 A fighter) (a KC 135 tanker) _______ ] [a vessel, to wit: (the aircraft carrier USS) (the Coast Cutter) _______ ] [while drunk] [while impaired by _______] [while the alcohol concentration in his (blood or breath equaled or exceeded the applicable limit under subparagraph (b) of paragraph 35a) as shown by chemical analysis] [in a (reckless) (wanton) manner by (attempting to pass another vehicle on a sharp curve) (by ordering that the aircraft be flown below the authorized altitude)] [and did thereby cause said (vehicle) (aircraft) (vessel) to (strike and ) (injure _______)].”

(f) By inserting the new paragraph 44a:

“44a. Article 119a—Death or injury of an unborn child

a. Text.

(a)(1) Any person subject to this chapter who engages in conduct that violates any of the provisions of law listed in subsection (b) and thereby causes the death of, or bodily injury (as defined in section 1365 of title 18 to, a child who is in utero at the time the conduct takes place, is guilty of a separate offense under this section and shall, upon conviction, be punished by such punishment, other than death, as a court-martial may direct, which shall be consistent with the punishments prescribed by the President for that conduct had that injury or death occurred to the unborn child’s mother.

(2) An offense under this section does not require proof that —
(i) the person engaging in the conduct had knowledge or should have had knowledge that the victim of the underlying offense was pregnant; or

(ii) the accused intended to cause the death of, or bodily injury to, the unborn child.

(3) If the person engaging in the conduct thereby intentionally kills or attempts to kill the unborn child, that person shall, instead of being punished under paragraph (1), be punished as provided under sections 880, 918, and 919(a) of this title (articles 80, 118, and 119(a)) for intentionally killing or attempting to kill a human being.

(4) Notwithstanding any other provision of law, the death penalty shall not be imposed for an offense under this section.

(b) The provisions referred to in subsection (a) are sections 918, 919(a), 919(b)(2), 920(a), 922, 924, 926, and 928 of this title (articles 118, 119(a), 119(b)(2), 120(a), 122, 124, 126, and 128).

(c) Nothing in this section shall be construed to permit the prosecution

(1) of any person authorized by state or federal law to perform abortions for conduct relating to an abortion for which the consent of the pregnant woman, or a person authorized by law to act on her behalf, has been obtained or for which such consent is implied by law;

(2) of any person for any medical treatment of the pregnant woman or her unborn child; or

(3) of any woman with respect to her unborn child.

(d) As used in this section, the term “unborn child” means a child in utero, and the term “child in utero” or “child who is in utero” means a member of the species homo sapiens, at any stage of development, who is carried in the womb.

b. **Elements.**

1. **Injuring an unborn child.**

(a) That the accused was engaged in the [(murder (article 118)), (voluntary manslaughter (article 119(a))), (involuntary manslaughter (article 119(b)(2))), (rape (article 120)), (robbery (article 122)), (maiming (article 124)), (assault (article 128)), of] or [burning or setting afire, as arson (article 126), of (a dwelling inhabited by) (a structure or property (known to be occupied by) (belonging to)) a woman;

(b) That the woman was then pregnant; and

(c) That the accused thereby caused bodily injury to the unborn child of that woman.

2. **Killing an unborn child.**

(a) That the accused was engaged in the [(murder (article 118)), (voluntary manslaughter (article 119(a))), (involuntary manslaughter (article 119(b)(2))), (rape (article 120)), (robbery (article 122)), (maiming (article 124)), (assault (article 128)), of] or [burning or setting afire, as arson (article 126), of (a dwelling inhabited by) (a structure or property known to be occupied by) (belonging to)] a woman;

(b) That the woman was then pregnant; and
(c) That the accused thereby caused the death of the unborn child of that
woman.

(3) Attempting to kill an unborn child.

(a) That the accused was engaged in the [(murder (article 118)), (vol-
untary manslaughter (article 119(a))), (involuntary manslaughter (article
119(b)(2))), (rape (article 120)), (robbery (article 122)), (maiming (article
124)), (assault (article 128)), of] or [burning or setting afire, as arson (article
126), of (a dwelling inhabited by) (a structure or property (known to
be occupied by) (belonging to)) a woman;

(b) That the woman was then pregnant; and

(c) That the accused thereby intended and attempted to kill the unborn
child of that woman.

(4) Intentionally killing an unborn child.

(a) That the accused was engaged in the [(murder (article 118)), (vol-
untary manslaughter (article 119(a))), (involuntary manslaughter (article
119(b)(2))), (rape (article 120)), (robbery (article 122)), (maiming (article
124)), (assault (article 128)), of] or [burning or setting afire, as arson (article
126), of (a dwelling inhabited by) (a structure or property (known to
be occupied by) (belonging to)) a woman;

(b) That the woman was then pregnant; and

(c) That the accused thereby intentionally killed the unborn child of that
woman.

c. Explanation.

(1) Nature of offense. This article makes it a separate, punishable crime
to cause the death of or bodily injury to an unborn child while engaged
in arson (article 126, UCMJ); murder (article 118, UCMJ); voluntary man-
slaughter (article 119(a), UCMJ); involuntary manslaughter (article
119(b)(2), UCMJ); rape (article 120(a), UCMJ); robbery (article 122,
UCMJ); maiming (article 124, UCMJ); or assault (article 128, UCMJ)
against a pregnant woman. For all underlying offenses, except arson, this
article requires that the victim of the underlying offense be the pregnant
mother. For purposes of arson, the pregnant mother must have some
nexus to the arson such that she sustained some “bodily injury” due to
the arson. For the purposes of this article the term “woman” means a
female of any age. This article does not permit the prosecution of any

(a) person for conduct relating to an abortion for which the consent of
the pregnant woman, or a person authorized by law to act on her behalf,
has been obtained or for which such consent is implied by law;

(b) person for any medical treatment of the pregnant woman or her un-
born child; or

(c) woman with respect to her unborn child.

(2) The offenses of “injuring an unborn child” and “killing an unborn
child” do not require proof that —

(a) the person engaging in the conduct (the accused) had knowledge or
should have had knowledge that the victim of the underlying offense
was pregnant; or
(b) the accused intended to cause the death of, or bodily injury to, the unborn child.

(3) The offense of “attempting to kill an unborn child” requires that the accused intended by his conduct to cause the death of the unborn child (See paragraph b(3)(c) above).

(4) Bodily injury. For the purpose of this offense, the term “bodily injury” is that which is provided by section 1365 of title 18, to wit: a cut, abrasion, bruise, burn, or disfigurement; physical pain; illness; impairment of the function of a bodily member, organ, or mental faculty; or any other injury to the body, no matter how temporary.

(5) Unborn child. “Unborn child” means a child in utero or a member of the species homo sapiens who is carried in the womb, at any stage of development, from conception to birth.

d. Lesser included offenses.

(1) Killing an unborn child. Article 119a—killing an unborn child

(2) Intentionally killing an unborn child.

(a) Article 119a—killing an unborn child

(b) Article 119a—injuring an unborn child

(c) Article 119a—attempts (attempting to kill an unborn child)

e. Maximum punishment.

The maximum punishment for (1) Injuring an unborn child; (2) Killing an unborn child; (3) Attempting to kill an unborn child; or (4) Intentionally killing an unborn child is such punishment, other than death, as a court-martial may direct, but shall be consistent with the punishment had the bodily injury, death, attempt to kill, or intentional killing occurred to the unborn child’s mother.

f. Sample specifications.

(1) Injuring an unborn child.

In that (personal jurisdiction data), did (at/on board—location), (subject-matter jurisdiction data, if required), on or about , cause bodily injury to the unborn child of , a pregnant woman, by engaging in the [(murder) (voluntary manslaughter) (involuntary manslaughter) (rape) (robbery) (maiming) (assault) of] [(burning) (setting afire) of (a dwelling inhabited by) (a structure or property known to (be occupied by) (belong to))] that woman.

(2) Killing an unborn child.

In that (personal jurisdiction data), did (at/on board—location), (subject-matter jurisdiction data, if required), on or about , cause the death of the unborn child of , a pregnant woman, by engaging in the [(murder) (voluntary manslaughter) (involuntary manslaughter) (rape) (robbery) (maiming) (assault) of] [(burning) (setting afire) of (a dwelling inhabited by) (a structure or property known to (be occupied by) (belong to))] that woman.

(3) Attempting to kill an unborn child.
In that (personal jurisdiction data), did (at/on board—location), (subject-matter jurisdiction data, if required), on or about 20, attempt to kill the unborn child of , a pregnant woman, by engaging in the [(murder) (voluntary manslaughter) (involuntary manslaughter) (rape) (maiming) (assault) of] [(burning) (setting afire) of (a dwelling inhabited by) (a structure or property known to (be occupied by) (belong to))] that woman.

(4) Intentionally killing an unborn child.

In that (personal jurisdiction data), did (at/on board—location), (subject-matter jurisdiction data, if required), on or about 20, intentionally kill the unborn child of , a pregnant woman, by engaging in the [(murder) (voluntary manslaughter) (involuntary manslaughter) (rape) (robbery) (maiming) (assault) of] [(burning) (setting afire) of (a dwelling inhabited by) (a structure or property known to (be occupied by) (belong to))] that woman.’’

(g) By inserting the new paragraph 45a to read:

‘‘45a. Article 120a Stalking

a. Text

(a) Any person subject to this section:

(1) who wrongfully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear death or bodily harm, including sexual assault, to himself or herself or a member of his or her immediate family;

(2) who has knowledge, or should have knowledge, that the specific person will be placed in reasonable fear of death or bodily harm, including sexual assault, to himself or herself or a member of his or her immediate family; and

(3) whose acts induce reasonable fear in the specific person of death or bodily harm, including sexual assault, to himself or herself or to a member of his or her immediate family; is guilty of stalking and shall be punished as a court-martial may direct.

(b) In this section:

(1) The term ‘‘course of conduct’’ means:

(A) a repeated maintenance of visual or physical proximity to a specific person; or

(B) a repeated conveyance of verbal threat, written threats, or threats implied by conduct, or a combination of such threats, directed at or towards a specific person.

(2) The term ‘‘repeated,’’ with respect to conduct, means two or more occasions of such conduct.

(3) The term ‘‘immediate family,’’ in the case of a specific person, means a spouse, parent, child, or sibling of the person, or any other family member, relative, or intimate partner of the person who regularly resides in the household of the person or who within the six months preceding
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the commencement of the course of conduct regularly resided in the household of the person.

b. **Elements.**

(1) That the accused wrongfully engaged in a course of conduct directed at a specific person that would cause a reasonable person to fear death or bodily harm to himself or herself or a member of his or her immediate family;

(2) That the accused had knowledge, or should have had knowledge, that the specific person would be placed in reasonable fear of death or bodily harm to himself or herself or a member of his or her immediate family; and

(3) That the accused’s acts induced reasonable fear in the specific person of death or bodily harm to himself or herself or to a member of his or her immediate family.

c. **Explanation.** See Paragraph 54.c(1)(a) for an explanation of “bodily harm”.

d. **Lesser included offenses.** Article 80—attempts.

e. **Maximum punishment.** Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 3 years.

f. **Sample Specification.**

In that __________________________ (personal jurisdiction data), who (knew)(should have known) that __________________________ would be placed in reasonable fear of (death)(bodily harm) to (himself) (herself) (__________, a member of his or her immediate family) did (at/on board—location), (subject-matter jurisdiction data, if required), (on or about ___________ from about ___________ to about ___________ ), wrongfully engage in a course of conduct directed at __________________________, thereby inducing in __________________________, a reasonable fear of (death)(bodily harm) to (himself)(herself) (__________, a member of his or her immediate family).”

Sec. 3. Part V of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 5.c.(8) is amended by replacing the word “foreign” with the word “hardship.”

(b) Paragraph 7(e) is amended by replacing the word “Transportation” with the words “Homeland Security”.

Sec. 4. Part IV of the Manual for Courts-Martial, United States, is amended by replacing the word “Transportation” with the words “Homeland Security.”

Sec. 5. These amendments shall take effect 30 days from the date of this order.

(a) Nothing in these amendments shall be construed to make punishable any act done or omitted prior to the effective date of this order that was not punishable when done or omitted.

(b) Nothing in these amendments shall be construed to invalidate any nonjudicial punishment proceedings, restraint, investigation, referral of charges, trial in which arraignment occurred, or other action begun prior to the effective date of this order.
Executive Order 13431 of May 8, 2007

Establishment of Temporary Organization To Facilitate United States Government Assistance for Transition in Iraq

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 202 of the Revised Statutes (22 U.S.C. 2656) and section 3161 of title 5, United States Code, it is hereby ordered as follows:

Section 1. Establishment. There is established within the Department of State, in accordance with section 3161 of title 5, United States Code, a temporary organization to be known as the Iraq Transition Assistance Office (ITAO).

Sec. 2. Purpose of the Temporary Organization. The purpose of the ITAO shall be to perform the specific project of supporting executive departments and agencies in concluding remaining large infrastructure projects expeditiously in Iraq, in facilitating Iraq’s transition to self-sufficiency, and in maintaining an effective diplomatic presence in Iraq.

Sec. 3. Functions of the Temporary Organization. In carrying out its purpose set forth in section 2, the ITAO shall:

(a) support executive departments and agencies in Iraq in their implementation of United States Government foreign assistance in Iraq;
(b) continue coordination, oversight, and reporting concerning remaining Iraq Relief and Reconstruction Fund (IRRF) monies;
(c) assume the functions assigned to the Iraq Reconstruction Management Office (IRMO) remaining as of the date of this order; and
(d) perform such other functions related to the specific project set forth in section 2 as the Secretary of State (Secretary) may assign.

Sec. 4. Personnel and Administration. (a) The ITAO shall be headed by a Director selected by the Secretary.

(b) The Secretary shall transfer from the IRMO to the ITAO the personnel, assets, liabilities, and records of the IRMO.

Sec. 5. General Provisions. (a) This order shall be implemented in accordance with applicable law, subject to the availability of appropriations, and consistent with presidential guidance.

(b) This order is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by
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any party against the United States, its departments, agencies, instrumental-
ies, or entities, its officers or employees, or any other person.

(c) The ITAO shall terminate at the end of the maximum period permitted
by section 3161(a)(1) of title 5, United States Code, unless sooner termi-
nated by the Secretary.

GEORGE W. BUSH

The White House,

Executive Order 13432 of May 14, 2007

Cooperation Among Agencies in Protecting the Environment
With Respect to Greenhouse Gas Emissions From Motor
Vehicles, Nonroad Vehicles, and Nonroad Engines

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 is the policy of the United States to ensure the coordi-
nated and effective exercise of the authorities of the President and the
heads of the Department of Transportation, the Department of Energy, and
the Environmental Protection Agency to protect the environment with re-
spect to greenhouse gas emissions from motor vehicles, nonroad vehicles,
and nonroad engines, in a manner consistent with sound science, analysis
of benefits and costs, public safety, and economic growth.

Sec. 2. Definitions. As used in this order:

(a) “agencies” refers to the Department of Transportation, the Department
of Energy, and the Environmental Protection Agency, and all units thereof,
and “agency” refers to any of them;

(b) “alternative fuels” has the meaning specified for that term in section
301(2) of the Energy Policy Act of 1992 (42 U.S.C. 13211(2));

(c) “authorities” include the Clean Air Act (42 U.S.C. 7401–7671q), the En-
2005 (Public Law 109–58), the Energy Policy and Conservation Act (Public
Law 94–163), and any other current or future laws or regulations that may
authorize or require any of the agencies to take regulatory action that di-
rectly or indirectly affects emissions of greenhouse gases from motor vehi-
cles;

(d) “greenhouse gases” has the meaning specified for that term in Executive
Order 13423 of January 24, 2007;

(e) “motor vehicle” has the meaning specified for that term in section
216(2) of the Clean Air Act (42 U.S.C. 7550(2));

(f) “nonroad engine” has the meaning specified for that term in section
216(10) of the Clean Air Act (42 U.S.C. 7550(10));

(g) “nonroad vehicle” has the meaning specified for that term in section
216(11) of the Clean Air Act (42 U.S.C. 7550(11));
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(h) “regulation” has the meaning specified for that term in section 3(d) of Executive Order 12866 of September 30, 1993, as amended (Executive Order 12866); and

(i) “regulatory action” has the meaning specified for that term in section 3(e) of Executive Order 12866.

Sec. 3. Coordination Among the Agencies. In carrying out the policy set forth in section 1 of this order, the head of an agency undertaking a regulatory action that can reasonably be expected to directly regulate emissions, or to substantially and predictably affect emissions, of greenhouse gases from motor vehicles, nonroad vehicles, nonroad engines, or the use of motor vehicle fuels, including alternative fuels, shall:

(a) undertake such a regulatory action, to the maximum extent permitted by law and determined by the head of the agency to be practicable, jointly with the other agencies;

(b) in undertaking such a regulatory action, consider, in accordance with applicable law, information and recommendations provided by the other agencies;

(c) in undertaking such a regulatory action, exercise authority vested by law in the head of such agency effectively, in a manner consistent with the effective exercise by the heads of the other agencies of the authority vested in them by law; and

(d) obtain, to the extent permitted by law, concurrence or other views from the heads of the other agencies during the development and preparation of the regulatory action and prior to any key decision points during that development and preparation process, and in no event later than 30 days prior to publication of such action.

Sec. 4. Duties of the Heads of Agencies. (a) To implement this order, the head of each agency shall:

(1) designate appropriate personnel within the agency to (i) direct the agency’s implementation of this order, (ii) ensure that the agency keeps the other agencies and the Office of Management and Budget informed of the agency regulatory actions to which section 3 refers, and (iii) coordinate such actions with the agencies;

(2) in coordination as appropriate with the Committee on Climate Change Science and Technology, continue to conduct and share research designed to advance technologies to further the policy set forth in section 1 of this order;

(3) facilitate the sharing of personnel and the sharing of information among the agencies to further the policy set forth in section 1 of this order;

(4) coordinate with the other agencies to avoid duplication of requests to the public for information from the public in the course of undertaking such regulatory action, consistent with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.); and

(5) consult with the Secretary of Agriculture whenever a regulatory action will have a significant effect on agriculture related to the production or use of ethanol, biodiesel, or other renewable fuels, including actions undertaken in whole or in part based on authority or requirements in title XV
Executive Order 13433 of May 16, 2007

Protecting American Taxpayers From Payment of Contingency Fees

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, it is hereby ordered as follows:

Section 1. Policy. To help ensure the integrity and effective supervision of the legal and expert witness services provided to or on behalf of the United States, it is the policy of the United States that organizations or individuals that provide such services to or on behalf of the United States shall be
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compensated in amounts that are reasonable, not contingent upon the outcome of litigation or other proceedings, and established according to criteria set in advance of performance of the services, except when otherwise required by law.

Sec. 2. Duties of Agency Heads. (a) Heads of agencies shall implement within their respective agencies the policy set forth in section 1, consistent with such instructions as the Attorney General may prescribe.

(b) After the date of this order, no agency shall enter into a contingency fee agreement for legal or expert witness services addressed by section 1 of this order, unless the Attorney General has determined that the agency’s entry into the agreement is required by law.

(c) Within 90 days after the date of this order, the head of each agency shall notify the Attorney General and the Director of the Office of Management and Budget of any contingency fee agreements for services addressed by section 1 of this order that are in effect as of the date of this order.

Sec. 3. Definitions. For purposes of this order:

(a) The term “agency” means an executive agency as defined in section 105 of title 5, United States Code, and the United States Postal Service and the Postal Regulatory Commission, but shall exclude the Government Accountability Office and elements of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 as amended (50 U.S.C. 401a(4)).

(b) The term “contingency fee agreement” means a contract or other agreement to provide services under which the amount or the payment of the fee for the services is contingent in whole or in part on the outcome of the matter for which the services were obtained. The term does not include:

(i) qualified tax collection contracts defined in section 6306 of title 26, United States Code, and

(ii) contracts described in sections 3711 and 3718 of title 31, United States Code.

Sec. 4. General Provisions. (a) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to an agency or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(c) This order is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,
Executive Order 13434 of May 17, 2007

National Security Professional Development

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to enhance the national security, it is hereby ordered as follows:

Section 1. Policy. In order to enhance the national security of the United States, including preventing, protecting against, responding to, and recovering from natural and manmade disasters, such as acts of terrorism, it is the policy of the United States to promote the education, training, and experience of current and future professionals in national security positions (security professionals) in executive departments and agencies.

Sec. 2. National Strategy for Professional Development. Not later than 60 days after the date of this order, the Assistant to the President for Homeland Security and Counterterrorism (APHS/CT), in coordination with the Assistant to the President for National Security Affairs (APNSA), shall submit to the President for approval a National Strategy for the Development of Security Professionals (National Strategy). The National Strategy shall set forth a framework that will provide to security professionals access to integrated education, training, and professional experience opportunities for the purpose of enhancing their mission-related knowledge, skills, and experience and thereby improve their capability to safeguard the security of the Nation. Such opportunities shall be provided across organizations, levels of government, and incident management disciplines, as appropriate.

Sec. 3. Executive Steering Committee. (a) There is established the Security Professional Development Executive Steering Committee (Steering Committee), which shall facilitate the implementation of the National Strategy. Not later than 120 days after the approval of the National Strategy by the President, the Steering Committee shall submit to the APHS/CT and the APNSA an implementation plan (plan) for the National Strategy, and annually thereafter shall submit to the APHS/CT and the APNSA a status report on the implementation of the plan and any recommendations for changes to the National Strategy.

(b) The Steering Committee shall consist exclusively of the following members (or their designees who shall be full-time officers or employees of the members’ respective agencies):

(i) the Director of the Office of Personnel Management, who shall serve as Chair;
(ii) the Secretary of State;
(iii) the Secretary of the Treasury;
(iv) the Secretary of Defense;
(v) the Attorney General;
(vi) the Secretary of Agriculture;
(vii) the Secretary of Labor;
(viii) the Secretary of Health and Human Services;
(ix) the Secretary of Housing and Urban Development;
(x) the Secretary of Transportation;
(xi) the Secretary of Energy;
(xii) the Secretary of Education;
(xiii) the Secretary of Homeland Security;
(xiv) the Director of National Intelligence;
(xv) the Director of the Office of Management and Budget; and
(xvi) such other officers of the United States as the Chair of the Steering Committee may designate from time to time.

(c) The Steering Committee shall coordinate, to the maximum extent practicable, national security professional development programs and guidance issued by the heads of agencies in order to ensure an integrated approach to such programs.

(d) The Chair of the Steering Committee shall convene and preside at the meetings of the Steering Committee, set its agenda, coordinate its work, and, as appropriate to deal with particular subject matters, establish subcommittees of the Steering Committee that shall consist exclusively of members of the Steering Committee (or their designees under subsection (b) of this section), and such other full-time or permanent part-time officers or employees of the Federal Government as the Chair may designate.

Sec. 4. Responsibilities. The head of each agency with national security functions shall:

(a) identify and enhance existing national security professional development programs and infrastructure, and establish new programs as necessary, in order to fulfill their respective missions to educate, train, and employ security professionals consistent with the National Strategy and, to the maximum extent practicable, the plan and related guidance from the Steering Committee; and

(b) cooperate with the Steering Committee and provide such information, support, and assistance as the Chair of the Steering Committee may request from time to time.

Sec. 5. Additional Responsibilities. (a) Except for employees excluded by law, and subject to subsections (b), (c), and (d) of this section, the Director of the Office of Personnel Management, after consultation with the Steering Committee, shall:

(i) consistent with applicable merit-based hiring and advancement principles, lead the establishment of a national security professional development program in accordance with the National Strategy and the plan that provides for interagency and intergovernmental assignments and fellowship opportunities and provides for professional development guidelines for career advancement; and

(ii) issue to agencies rules and guidance or apply existing rules and guidance relating to the establishment of national security professional development programs to implement the National Strategy and the plan;
(b) The Secretary of Defense shall issue rules or guidance on professional development programs for Department of Defense military personnel, including interagency and intergovernmental assignments and fellowship opportunities, to implement the National Strategy and the plan, as appropriate, and shall coordinate such programs, to the maximum extent practicable, with the Steering Committee;

(c) The Secretary of State shall issue rules or guidance on national security professional development programs for the Foreign Service, including interagency and intergovernmental exchanges and fellowship opportunities, to implement the National Strategy and the plan, as appropriate, and shall coordinate such programs, to the maximum extent practicable, with the Steering Committee;

(d) The Director of National Intelligence, in coordination with the heads of agencies of which elements of the intelligence community are a part, shall issue rules or guidance on national security professional development programs for the intelligence community, including interagency and intergovernmental assignments and fellowship opportunities, to implement the National Strategy and the plan, as appropriate, and shall coordinate such programs, to the maximum extent practicable, with the Steering Committee; and

(e) The Secretary of Homeland Security shall develop a program to provide to Federal, State, local, and tribal government officials education in disaster preparedness, response, and recovery plans and authorities, and training in crisis decision-making skills, consistent with applicable presidential guidance.

Sec. 6. General Provisions. This order:

(a) shall be implemented consistent with applicable law and authorities of agencies, or heads of agencies, vested by law, and subject to the availability of appropriations;

(b) shall not be construed to impair or otherwise affect the authorities of any agency, instrumentality, officer, or employee of the United States under applicable law, including the functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals, or the functions assigned by the President to the Director of the Office of Personnel Management; and

(c) is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,

Executive Order 13435 of June 20, 2007

Expanding Approved Stem Cell Lines in Ethically Responsible Ways

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to provide leadership with respect to research on pluripotent stem cells derived by ethically responsible techniques so that the potential of pluripotent stem cells can be explored without violating human dignity or demeaning human life, it is hereby ordered as follows:

Section 1. Research on Alternative Sources of Pluripotent Stem Cells. (a) The Secretary of Health and Human Services (Secretary) shall conduct and support research on the isolation, derivation, production, and testing of stem cells that are capable of producing all or almost all of the cell types of the developing body and may result in improved understanding of or treatments for diseases and other adverse health conditions, but are derived without creating a human embryo for research purposes or destroying, discarding, or subjecting to harm a human embryo or fetus.

(b) Within 90 days of this order, the Secretary, after such consultation with the Director of the National Institutes of Health (Director), shall issue a plan, including such mechanisms as requests for proposals, requests for applications, program announcements and other appropriate means, to implement subsection (a) of this section, that:

(i) specifies and reflects a determination of the extent to which specific techniques may require additional basic or animal research to ensure that any research involving human cells using these techniques is clearly consistent with the standards established under this order and applicable law;

(ii) prioritizes research with the greatest potential for clinical benefit;

(iii) takes into account techniques outlined by the President’s Council on Bioethics, and any other appropriate techniques and research, provided they clearly meet the standard set forth in subsection (a) of this section;

(iv) renames the “Human Embryonic Stem Cell Registry” the “Human Pluripotent Stem Cell Registry;” and

(v) adds to the registry new human pluripotent stem cell lines that clearly meet the standard set forth in subsection (a) of this section.

(c) Not later than December 31 of each year, the Secretary shall report to the President on the activities carried out under this order during the past fiscal year, including a description of the research carried out or supported by the Department of Health and Human Services, including the National Institutes of Health, and other developments in the science of pluripotent stem cells not derived from human embryos.

Sec. 2. Policy. The activities undertaken and supported by and under the direction of the Secretary shall be clearly consistent with the following policies and principles:

(a) the purposes of this order are (i) to direct the Department of Health and Human Services, including the National Institutes of Health, to intensify
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peer reviewed research that may result in improved understanding of or treatments for diseases and other adverse health conditions, and (ii) to promote the derivation of human pluripotent stem cell lines from a variety of alternative sources while clearly meeting the standard set forth in section 1(a) of this order;

(b) it is critical to establish moral and ethical boundaries to allow the Nation to move forward vigorously with medical research, while also maintaining the highest ethical standards and respecting human life and human dignity;

(c) the destruction of nascent life for research violates the principle that no life should be used as a mere means for achieving the medical benefit of another;

(d) human embryos and fetuses, as living members of the human species, are not raw materials to be exploited or commodities to be bought and sold; and

(e) the Federal Government has a duty to exercise responsible stewardship of taxpayer funds, both supporting important medical research and respecting ethical and moral boundaries.

Sec. 3. Interpretation of this Order. (a) For purposes of this order, the term “human embryo” shall mean any organism, not protected as a human subject under 45 CFR 46 as of the date of this order, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

(b) For purposes of this order, the term “subjecting to harm a human embryo” shall mean subjecting such an embryo to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)) as of the date of this order.

(c) Nothing in this order shall be construed to affect any policy, guideline, or regulation regarding embryonic stem cell research, human cloning by somatic cell nuclear transfer, or any other research not specifically authorized by this order, or to forbid the use of existing stem cell lines deemed eligible for other federally funded research in accordance with the presidential policy decision of August 9, 2001, for research specifically authorized by this order.

Sec. 4. General Provisions. (a) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(b) This order is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,

June 20, 2007.
Executive Order 13436 of June 28, 2007

Further Amending Executive Order 13381, as Amended, To Extend Its Duration by One Year

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 by 1 year the duration of Executive Order 13381 of June 27, 2005 (Strengthening Processes Relating to Determining Eligibility for Access to Classified National Security Information), as amended, it is hereby ordered that:

Section 1. Section 6(a) of Executive Order 13381, as amended, is further amended by striking “April 1, 2007” and inserting in lieu thereof “April 1, 2008”.

Sec. 2. Section 6(b) of Executive Order 13381, as amended, is further amended by striking “July 1, 2007” and inserting in lieu thereof “July 1, 2008”.

GEORGE W. BUSH

The White House,

Executive Order 13437 of June 28, 2007

Waiver Under the Trade Act of 1974 With Respect to Turkmenistan

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 402(c)(2) and (d) of the Trade Act of 1974, as amended (the “Act”)(19 U.S.C. 2432(c)(2) and (d)), and having made the report to the Congress set forth in section 402(c)(2), I hereby waive the application of subsections (a) and (b) of section 402 of the Act with respect to Turkmenistan.

GEORGE W. BUSH

The White House,

Executive Order 13438 of July 17, 2007

Blocking Property of Certain Persons Who Threaten Stabilization Efforts in Iraq

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, as amended (50 U.S.C. 1701 et seq.)[IEEPA], the National Emergencies Act (50 U.S.C. 1601 et seq.)[NEA], and section 301 of title 3, United States Code,
I, GEORGE W. BUSH, President of the United States of America, find that, due to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by acts of violence threatening the peace and stability of Iraq and undermining efforts to promote economic reconstruction and political reform in Iraq and to provide humanitarian assistance to the Iraqi people, it is in the interests of the United States to take additional steps with respect to the national emergency declared in Executive Order 13303 of May 22, 2003, and expanded in Executive Order 13315 of August 28, 2003, and relied upon for additional steps taken in Executive Order 13350 of July 29, 2004, and Executive Order 13364 of November 29, 2004. I hereby order:

Section 1. (a) Except to the extent provided in section 203(b)(1), (3), and (4) of IEEPA (50 U.S.C. 1702(b)(1), (3), and (4)), or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order, all property and interests in property of the following persons, 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, are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: any person determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Defense,

(i) to have committed, or to pose a significant risk of committing, an act or acts of violence that have the purpose or effect of:

(A) threatening the peace or stability of Iraq or the Government of Iraq;

or

(B) undermining efforts to promote economic reconstruction and political reform in Iraq or to provide humanitarian assistance to the Iraqi people;

(ii) to have materially assisted, sponsored, or provided financial, material, logistical, or technical support for, or goods or services in support of, such an act or acts of violence or any person whose property and interests in property are blocked pursuant to this order; or

(iii) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order.

(b) The prohibitions in subsection (a) of this section include, but are not limited to, (i) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order, and (ii) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 2. (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 3. For purposes of this order:
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(a) the term “person” means an individual or entity;

(b) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization; and

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

Sec. 4. I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of, any person whose property and interests in property are blocked pursuant to this order would seriously impair my ability to deal with the national emergency declared in Executive Order 13303 and expanded in Executive Order 13315, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 5. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that, because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13303 and expanded in Executive Order 13315, there need be no prior notice of a listing or determination made pursuant to section 1(a) of this order.

Sec. 6. The Secretary of the Treasury, in consultation with the Secretary of State and the Secretary of Defense, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA 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, consistent with applicable law. 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 and, where appropriate, to advise the Secretary of the Treasury in a timely manner of the measures taken.

Sec. 7. 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 31 C.F.R. chapter V, except as expressly terminated, modified, or suspended by or pursuant to this order.

Sec. 8. This order is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,

Executive Order 13439 of July 18, 2007

Establishing an Interagency Working Group on Import Safety

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to ensure that the executive branch takes all appropriate steps to promote the safety of imported products, it is hereby ordered as follows:

Section 1. Establishment of Interagency Working Group on Import Safety. The Secretary of Health and Human Services shall establish within the Department of Health and Human Services for administrative purposes only an Interagency Working Group on Import Safety (Working Group).

Sec. 2. Membership and Operation of Working Group.

(a) The Working Group shall consist exclusively of the following members, or their designees who shall be officers of the United States appointed by the President or members of the Senior Executive Service:

(i) the Secretary of Health and Human Services, who shall serve as Chair;
(ii) the Secretary of State;
(iii) the Secretary of the Treasury;
(iv) the Attorney General;
(v) the Secretary of Agriculture;
(vi) the Secretary of Commerce;
(vii) the Secretary of Transportation;
(viii) the Secretary of Homeland Security;
(ix) the Director of the Office of Management and Budget;
(x) the United States Trade Representative;
(xi) the Administrator of the Environmental Protection Agency;
(xii) the Chairman of the Consumer Product Safety Commission; and
(xiii) other officers or full-time or permanent part-time employees of the United States, as determined by the Chair, with the concurrence of the head of the department or agency concerned.

(b) The Chair shall convene and preside at meetings of the Working Group, determine its agenda, and direct its work. The Chair may establish and direct subgroups of the Working Group, as appropriate to deal with particular subject matters, that shall consist exclusively of members of the Working Group. The Chair shall designate an officer or employee of the Department of Health and Human Services to serve as the Executive Secretary of the Working Group. The Executive Secretary shall head any staff assigned to the Working Group and any subgroups thereof, and such staff shall consist exclusively of full-time or permanent part-time Federal employees.

Sec. 3. Mission of Working Group. The mission of the Working Group shall be to identify actions and appropriate steps that can be pursued, within existing resources, to promote the safety of imported products, including the following:
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(a) reviewing or assessing current procedures and methods aimed at ensuring the safety of products exported to the United States, including reviewing existing cooperation with foreign governments, foreign manufacturers, and others in the exporting country’s private sector regarding their inspection and certification of exported goods and factories producing exported goods and considering whether additional initiatives should be undertaken with respect to exporting countries or companies;

(b) identifying potential means to promote all appropriate steps by U.S. importers to enhance the safety of imported products, including identifying best practices by U.S. importers in selection of foreign manufacturers, inspecting manufacturing facilities, inspecting goods produced on their behalf either before export or before distribution in the United States, identifying origin of products, and safeguarding the supply chain; and

(c) surveying authorities and practices of Federal, State, and local government agencies regarding the safety of imports to identify best practices and enhance coordination among agencies.

Sec. 4. Administration of Working Group. The Chair shall, to the extent permitted by law, provide administrative support and funding for the Working Group.

Sec. 5. Recommendations of Working Group. The Working Group shall provide recommendations to the President, through the Assistant to the President for Economic Policy, on the matters set forth in section 3 within 60 days of the date of this order, unless the Chair determines that an extension is necessary. The Working Group may take other actions it considers appropriate to promote the safety of imported products.

Sec. 6. Termination of Working Group. Following consultation with the Assistant to the President for Economic Policy, the Chair shall terminate the Working Group upon the completion of its duties.

Sec. 7. General Provisions.

(a) Nothing in this order shall be construed to impair or otherwise affect (i) authority granted by law to a department, agency, or the head thereof, or (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,

Executive Order 13440 of July 20, 2007

Interpretation of the Geneva Conventions Common Article 3 as Applied to a Program of Detention and Interrogation Operated by the Central Intelligence Agency

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

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

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

Sec. 2. Definitions. As used in this order:

(a) “Common Article 3” means Article 3 of the Geneva Conventions.

(b) “Geneva Conventions” means:

(i) the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, done at Geneva August 12, 1949 (6 UST 3114);

(ii) the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, done at Geneva August 12, 1949 (6 UST 3217);

(iii) the Convention Relative to the Treatment of Prisoners of War, done at Geneva August 12, 1949 (6 UST 3316); and

(iv) the Convention Relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949 (6 UST 3516).

(c) “Cruel, inhuman, or degrading treatment or punishment” means the cruel, unusual, and inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States.

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

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

(i) the conditions of confinement and interrogation practices of the program do not include:

(A) torture, as defined in section 2340 of title 18, United States Code;
(B) any of the acts prohibited by section 2441(d) of title 18, United States Code, including murder, torture, cruel or inhuman treatment, mutilation or maiming, intentionally causing serious bodily injury, rape, sexual assault or abuse, taking of hostages, or performing of biological experiments;
(C) other acts of violence serious enough to be considered comparable to murder, torture, mutilation, and cruel or inhuman treatment, as defined in section 2441(d) of title 18, United States Code;
(D) any other acts of cruel, inhuman, or degrading treatment or punishment prohibited by the Military Commissions Act (subsection 6(c) of Public Law 109–366) and the Detainee Treatment Act of 2005 (section 1003 of Public Law 109–148 and section 1403 of Public Law 109–163);
(E) willful and outrageous acts of personal abuse done for the purpose of humiliating or degrading the individual in a manner so serious that any reasonable person, considering the circumstances, would deem the acts to be beyond the bounds of human decency, such as sexual or sexually indecent acts undertaken for the purpose of humiliation, forcing the individual to perform sexual acts or to pose sexually, threatening the individual with sexual mutilation, or using the individual as a human shield; or
(F) acts intended to denigrate the religion, religious practices, or religious objects of the individual;

(ii) the conditions of confinement and interrogation practices are to be used with an alien detainee who is determined by the Director of the Central Intelligence Agency:

(A) to be a member or part of or supporting al Qaeda, the Taliban, or associated organizations; and
(B) likely to be in possession of information that:

(1) could assist in detecting, mitigating, or preventing terrorist attacks, such as attacks within the United States or against its Armed Forces or other personnel, citizens, or facilities, or against allies or
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other countries cooperating in the war on terror with the United States, or their armed forces or other personnel, citizens, or facilities; or

(2) could assist in locating the senior leadership of al Qaeda, the Taliban, or associated forces;

(iii) the interrogation practices are determined by the Director of the Central Intelligence Agency, based upon professional advice, to be safe for use with each detainee with whom they are used; and

(iv) detainees in the program receive the basic necessities of life, including adequate food and water, shelter from the elements, necessary clothing, protection from extremes of heat and cold, and essential medical care.

(c) The Director of the Central Intelligence Agency shall issue written policies to govern the program, including guidelines for Central Intelligence Agency personnel that implement paragraphs (i)(C), (E), and (F) of subsection 3(b) of this order, and including requirements to ensure:

(i) safe and professional operation of the program;

(ii) the development of an approved plan of interrogation tailored for each detainee in the program to be interrogated, consistent with subsection 3(b)(iv) of this order;

(iii) appropriate training for interrogators and all personnel operating the program;

(iv) effective monitoring of the program, including with respect to medical matters, to ensure the safety of those in the program; and

(v) compliance with applicable law and this order.

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

Sec. 5. General Provisions. (a) Subject to subsection (b) of this section, this order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.

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

GEORGE W. BUSH

The White House,

EO 13441 Title 3—The President

Executive Order 13441 of August 1, 2007

Blocking Property of Persons Undermining the Sovereignty of Lebanon or Its Democratic Processes and Institutions

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.)(NEA), and section 301 of title 3, United States Code,

I, GEORGE W. BUSH, President of the United States of America, determine that the actions of certain persons to undermine Lebanon’s legitimate and democratically elected government or democratic institutions, to contribute to the deliberate breakdown in the rule of law in Lebanon, including through politically motivated violence and intimidation, to reassert Syrian control or contribute to Syrian interference in Lebanon, or to infringe upon or undermine Lebanese sovereignty contribute to political and economic instability in that country and the region and constitute an unusual and extraordinary threat to the national security and foreign policy of the United States, and I hereby declare a national emergency to deal with that threat.

I hereby order:

Section 1. (a) Except to the extent provided in section 203(b)(1), (3), and (4) of IEEPA (50 U.S.C. 1702(b)(1), (3), and (4)), or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the 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 any United States person, including any overseas branch, of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

(i) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(A) to have taken, or to pose a significant risk of taking, actions, including acts of violence, that have the purpose or effect of undermining Lebanon’s democratic processes or institutions, contributing to the breakdown of the rule of law in Lebanon, supporting the reassertion of Syrian control or otherwise contributing to Syrian interference in Lebanon, or infringing upon or undermining Lebanese sovereignty;

(B) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, such actions, including acts of violence, or any person whose property and interests in property are blocked pursuant to this order;

(C) to be a spouse or dependent child of any person whose property and interests in property are blocked pursuant to this order; or

(D) to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order.
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(b) I hereby determine that the making of donations of the type of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to paragraph (a) of this section would seriously impair my ability to deal with the national emergency declared in this order, and I hereby prohibit such donations as provided by paragraph (a) of this section.

(c) The prohibitions in paragraph (a) of this section include but are not limited to (i) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order, and (ii) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 2. (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 3. 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, group, subgroup, or other organization; and

(c) the term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States.

Sec. 4. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that, because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that, for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 5. 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 the President by IEEPA, 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, consistent with applicable law. 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 and, where appropriate, to advise the Secretary of the Treasury in a timely manner of the measures taken. The Secretary of the Treasury shall ensure compliance with those provisions of section 401 of the NEA (50 U.S.C. 1641) applicable to the Department of the Treasury in relation to this order.
Section 6. The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to submit the recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)) and section 204(c) of IEEPA (50 U.S.C. 1703(c)).

Section 7. This order is not intended to create, nor does it create, any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

GEORGE W. BUSH

The White House,
August 1, 2007.

Executive Order 13442 of August 13, 2007

Amending the Order of Succession in the Department of Homeland Security

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345, et seq., it is hereby ordered as follows:

Section 1. Section 88 of Executive Order 13286 of February 28, 2003 ("Amendment of Executive Orders, and Other Actions, in Connection With the Transfer of Certain Functions to the Secretary of Homeland Security"), is amended by striking the text of such section in its entirety and inserting the following in lieu thereof:

"Sec. 88. Order of Succession.
Subject to the provisions of subsection (b) of this section, the officers named in subsection (a) of this section, in the order listed, shall act as, and perform the functions and duties of the office of, the Secretary of Homeland Security (Secretary), if they are eligible to act as Secretary under the provisions of the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 et seq. (Vacancies Act), during any period in which the Secretary has died, resigned, or otherwise become unable to perform the functions and duties of the office of Secretary.

(a) Order of Succession.

(i) Deputy Secretary of Homeland Security;
(ii) Under Secretary for National Protection and Programs;
(iii) Under Secretary for Management;
(iv) Assistant Secretary of Homeland Security (Policy);
(v) Under Secretary for Science and Technology;
(vi) General Counsel;
(vii) Assistant Secretary of Homeland Security (Transportation Security Administration);
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(viii) Administrator of the Federal Emergency Management Agency;
(ix) Commissioner of U.S. Customs and Border Protection;
(x) Assistant Secretary of Homeland Security (U.S. Immigration and Customs Enforcement);
(xi) Director of U.S. Citizenship and Immigration Services;
(xii) Chief Financial Officer;
(xiii) Regional Administrator, Region V, Federal Emergency Management Agency;
(xiv) Regional Administrator, Region VI, Federal Emergency Management Agency;
(xv) Regional Administrator, Region VII, Federal Emergency Management Agency;
(xvi) Regional Administrator, Region IX, Federal Emergency Management Agency; and
(xvii) Regional Administrator, Region I, Federal Emergency Management Agency.

“(b) Exceptions.
(i) No individual who is serving in an office listed in subsection (a) in an acting capacity, by virtue of so serving, shall act as Secretary pursuant to this section.

(ii) Notwithstanding the provisions of this section, the President retains discretion, to the extent permitted by the Vacancies Act, to depart from this order in designating an acting Secretary.”

Sec. 2. Executive Order 13362 of November 29, 2004 (“Designation of Additional Officers for the Department of Homeland Security Order of Succession”), is hereby revoked.

The White House,

GEORGE W. BUSH

Executive Order 13443 of August 16, 2007

Facilitation of Hunting Heritage and Wildlife Conservation

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. Purpose. The purpose of this order is to direct Federal agencies that have programs and activities that have a measurable effect on public land management, outdoor recreation, and wildlife management, including the Department of the Interior and the Department of Agriculture, to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat.

Sec. 2. Federal Activities. Federal agencies shall, consistent with agency missions:
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(a) Evaluate the effect of agency actions on trends in hunting participation and, where appropriate to address declining trends, implement actions that expand and enhance hunting opportunities for the public;

(b) Consider the economic and recreational values of hunting in agency actions, as appropriate;

(c) Manage wildlife and wildlife habitats on public lands in a manner that expands and enhances hunting opportunities, including through the use of hunting in wildlife management planning;

(d) Work collaboratively with State governments to manage and conserve game species and their habitats in a manner that respects private property rights and State management authority over wildlife resources;

(e) Establish short and long term goals, in cooperation with State and tribal governments, and consistent with agency missions, to foster healthy and productive populations of game species and appropriate opportunities for the public to hunt those species;

(f) Ensure that agency plans and actions consider programs and recommendations of comprehensive planning efforts such as State Wildlife Action Plans, the North American Waterfowl Management Plan, and other range-wide management plans for big game and upland game birds;

(g) Seek the advice of State and tribal fish and wildlife agencies, and, as appropriate, consult with the Sporting Conservation Council and other organizations, with respect to the foregoing Federal activities.

Sec. 3. North American Wildlife Policy Conference. The Chairman of the Council on Environmental Quality (Chairman) shall, in coordination with the appropriate Federal agencies and in consultation with the Sporting Conservation Council and in cooperation with State and tribal fish and wildlife agencies and the public, convene not later than 1 year after the date of this order, and periodically thereafter at such times as the Chairman deems appropriate, a White House Conference on North American Wildlife Policy (Conference) to facilitate the exchange of information and advice relating to the means for achieving the goals of this order.

Sec. 4. Recreational Hunting and Wildlife Resource Conservation Plan. The Chairman shall prepare, consistent with applicable law and subject to the availability of appropriations, in coordination with the appropriate Federal agencies and in consultation with the Sporting Conservation Council, and in cooperation with State and tribal fish and wildlife agencies, not later than 1 year following the conclusion of the Conference, a comprehensive Recreational Hunting and Wildlife Conservation Plan that incorporates existing and ongoing activities and sets forth a 10-year agenda for fulfilling the actions identified in section 2 of this order.

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

GEORGE W. BUSH

The White House,
Executive Order 13444 of September 12, 2007

Extending Privileges and Immunities to the African Union Mission to the United States

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7(a)(2) of the Department of State Authorities Act of 2006 (Public Law 109–472), I hereby extend to the African Union Mission to the United States of America, and to its members, the privileges and immunities enjoyed by diplomatic missions accredited to the United States, and by members of such missions, subject to corresponding conditions and obligations.

This extension of privileges and immunities is not intended to abridge in any respect privileges and immunities that the African Union Mission to the United States of America and its members otherwise may have acquired or may acquire by law.

GEORGE W. BUSH
The White House,
September 12, 2007.

Executive Order 13445 of September 27, 2007

Strengthening Adult Education

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 is the policy of the United States to use existing Federal programs that serve adults, including new Americans, to strengthen literacy skills, improve opportunities for postsecondary education and employment, and facilitate participation in American life.

Sec. 2. Definitions. As used in this order:
(a) “agency” means an executive agency as defined in section 105 of title 5, United States Code, other than the Government Accountability Office; and
(b) “adult education” means teaching or instruction below the postsecondary level, for individuals who are 16 years of age or older, designed to provide:
(i) mastery of basic education skills needed to function effectively in society;
(ii) a secondary school diploma or its equivalent; or
(iii) the ability to speak, read, or write the English language.

Sec. 3. Establishment of Interagency Adult Education Working Group. The Secretary of Education shall establish within the Department of Education for administrative purposes only, an Interagency Adult Education Working Group (Working Group), consistent with this order.

Sec. 4. Membership and Operation of the Working Group.
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(a) The Working Group shall consist exclusively of:

(i) the Secretary of Education, who shall serve as Chair;
(ii) the Secretary of the Treasury, the Attorney General, and the Secretaries of the Interior, Labor, Health and Human Services, Housing and Urban Development, and Veterans Affairs; and
(iii) other officers or full-time or permanent part-time employees of the United States, as determined by the Chair, with the concurrence of the head of the agency concerned.

(b) The Chair, or the Chair’s designee under subsection (c) of this section, in implementing section 5 of this order, shall convene and preside at the meetings of the Working Group, determine its agenda, direct its work, and establish and direct subgroups of the Working Group, as appropriate to deal with particular subject matters, that shall consist exclusively of members of the Working Group or their designees under subsection (c) of this section.

(c) A member of the Working Group may designate, to perform the Working Group or Working Group subgroup functions of the member, any person who is a part of the member’s agency and who is either an officer of the United States appointed by the President or a member of the Senior Executive Service.

Sec. 5. Functions of the Working Group. Consistent with the policy set forth in section 1 of this order, the Working Group shall:

(a) identify Federal programs that:

(i) focus primarily on improving the basic education skills of adults;
(ii) have the goal of transitioning adults from basic literacy to postsecondary education, training, or employment; or
(iii) constitute programs of adult education;
(b) as appropriate, review the programs identified under subsection (a) of this section and submit to the heads of the agencies administering those programs recommendations to:

(i) promote the transition of adults from such programs to postsecondary education, training, or employment;
(ii) increase the effectiveness, efficiency, and availability of such programs;
(iii) minimize unnecessary duplication among such programs;
(iv) measure and evaluate the performance of such programs; and
(v) undertake and disseminate the results of research related to such programs;
(c) identify gaps in the research about effective ways to teach adult education for postsecondary readiness, recommend areas for further research to improve adult education programs and services, and identify promising practices in disseminating valid existing and future research findings; and
(d) obtain information and advice as appropriate, in a manner that seeks individual advice and does not involve collective judgment or consensus advice or deliberation, concerning adult education from:
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(i) State, local, territorial, and tribal officials; and
(ii) representatives of entities or other individuals;
(e) at the request of the head of an agency, unless the Chair declines the request, promptly review and provide advice on a proposed action by that agency relating to adult education; and
(f) report to the President, through the Assistant to the President for Domestic Policy, on its work, and on the implementation of any recommendations arising from its work, at such times and in such formats as the Chair may specify, with the first such report to be submitted no later than 9 months after the date of this order.

Sec. 6. Administration of the Working Group. (a) To the extent permitted by law, the Department of Education shall provide the funding and administrative support the Working Group needs, as determined by the Chair, to implement this order.
(b) The heads of agencies shall provide, as appropriate, such assistance and information as the Chair may request to implement this order.

Sec. 7. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:
(i) authority granted by law to an agency or the head thereof; or
(ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,
September 27, 2007.

Executive Order 13446 of September 28, 2007

Continuance of Certain Federal Advisory Committees and Amendments to and Revocation of Other Executive Orders

By the authority vested in me as President by the Constitution and the laws of the United States of America, and consistent with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), it is hereby ordered as follows:

Section 1. Each advisory committee listed below is continued until September 30, 2009.
(a) Committee for the Preservation of the White House; Executive Order 11145, as amended (Department of the Interior).
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(b) National Infrastructure Advisory Council; section 3 of Executive Order 13231, as amended (Department of Homeland Security).

(c) Federal Advisory Council on Occupational Safety and Health; Executive Order 12196, as amended (Department of Labor).

(d) President’s Board of Advisors on Historically Black Colleges and Universities; Executive Order 13256 (Department of Education).

(e) President’s Board of Advisors on Tribal Colleges and Universities; Executive Order 13270 (Department of Education).

(f) President’s Commission on White House Fellowships; Executive Order 11183, as amended (Office of Personnel Management).

(g) President’s Committee for People with Intellectual Disabilities; Executive Order 12994, as amended (Department of Health and Human Services).

(h) President’s Committee on the Arts and the Humanities; Executive Order 12367, as amended (National Endowment for the Arts).

(i) President’s Committee on the International Labor Organization; Executive Order 12216, as amended (Department of Labor).

(j) President’s Committee on the National Medal of Science; Executive Order 11287, as amended (National Science Foundation).

(k) President’s Council of Advisors on Science and Technology; Executive Order 13226, as amended (Office of Science and Technology Policy).

(l) President’s Council on Bioethics; Executive Order 13237 (Department of Health and Human Services).

(m) President’s Council on Physical Fitness and Sports; Executive Order 13265 (Department of Health and Human Services).

(n) President’s Export Council; Executive Order 12131, as amended (Department of Commerce).

(o) President’s National Security Telecommunications Advisory Committee; Executive Order 12382, as amended (Department of Homeland Security).

(p) Trade and Environment Policy Advisory Committee; Executive Order 12905 (Office of the United States Trade Representative).

Sec. 2. Notwithstanding the provisions of any other Executive Order, the functions of the President under the Federal Advisory Committee Act that are applicable to the committees listed in section 1 of this order shall be performed by the head of the department or agency designated after each committee, in accordance with the guidelines and procedures established by the Administrator of General Services.

Sec. 3. The following Executive Order, which established a committee whose work has been completed, is revoked: Executive Order 13369, as amended by Executive Orders 13379 and 13386, establishing the President’s Advisory Panel on Federal Tax Reform.

Sec. 4. Sections 1 and 2 of Executive Order 13385 are superseded by sections 1 and 2 of this order.

Sec. 5. Executive Order 12994, as amended (President’s Committee for People with Intellectual Disabilities) is further amended to read as follows:
"By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to promote full participation of people with intellectual disabilities in their communities, it is hereby ordered as follows:

"Section 1. Committee Continued and Responsibilities Expanded. The President’s Committee on Mental Retardation, with expanded membership and expanded responsibilities, and renamed the President’s Committee for People with Intellectual Disabilities (Committee), is hereby continued in operation.

"Sec. 2. Composition of Committee. (a) The Committee shall be composed of the following members:
(1) The Attorney General;
(2) The Secretary of the Interior;
(3) The Secretary of Commerce;
(4) The Secretary of Labor;
(5) The Secretary of Health and Human Services;
(6) The Secretary of Housing and Urban Development;
(7) The Secretary of Transportation;
(8) The Secretary of Education;
(9) The Secretary of Homeland Security;
(10) The Chief Executive Officer of the Corporation for National and Community Service;
(11) The Commissioner of Social Security;
(12) The Chairman of the Equal Employment Opportunity Commission;
(13) The Chairperson of the National Council on Disability; and
(14) No more than 21 other members who shall be appointed to the Committee by the President. These citizen members shall consist of individuals who represent a broad spectrum of perspectives, experience, and expertise on intellectual disabilities; persons with intellectual disabilities and members of families with a child or adult with intellectual disabilities; and persons employed in either the public or the private sector. Except as the President may from time to time otherwise direct, appointees under this paragraph shall serve for two-year terms, except that an appointment made to fill a vacancy occurring before the expiration of a term shall be made for the balance of the unexpired term.

"(b) The President shall designate the Chair of the Committee from the 21 citizen members. The Chair shall preside over meetings of the Committee and represent the Committee on appropriate occasions.

"Sec. 3. Functions of the Committee. (a) Consistent with subsection (c) of this section, the Committee shall:
(1) provide such advice concerning intellectual disabilities as the President or the Secretary of Health and Human Services may request; and
(2) provide advice to the President concerning the following for people with intellectual disabilities:
(A) expansion of educational opportunities;
(B) promotion of homeownership;
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(C) assurance of workplace integration;
(D) improvement of transportation options;
(E) expansion of full access to community living; and
(F) increasing access to assistive and universally designed technologies.

“(b) The Committee shall provide an annual report to the President through the Secretary of Health and Human Services. Such additional reports may be made as the President may direct or as the Committee may deem appropriate.

“(c) The members shall advise the President and carry out their advisory role consistent with the requirements of the Federal Advisory Committee Act, as amended (5 U.S.C. App.).

“Sec. 4. Cooperation by Agencies. The heads of Federal departments and agencies shall:

“(a) designate, when requested by the Secretary of Health and Human Services, an officer or employee of such department or agency to serve as a liaison with the Committee; and

“(b) furnish such information and assistance to the Committee, to the extent permitted by law, as the Secretary of Health and Human Services may request to assist the Committee in performing its functions under this order.

“Sec. 5. Administration. (a) The Department of Health and Human Services shall provide the Committee with necessary staff support, administrative services and facilities, and funding, to the extent permitted by law.

“(b) Each member of the Committee, except any member who receives other compensation from the United States Government, may receive compensation for each day engaged in the work of the Committee, as authorized by law (5 U.S.C. 3109), and may also receive travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5701–5707), for persons employed intermittently in the Government service. Committee members with disabilities may be compensated for attendant expenses, consistent with Government procedures and practices.

“(c) The Secretary of Health and Human Services shall perform such other functions with respect to the Committee as may be required by the Federal Advisory Committee Act, as amended (5 U.S.C. App.), except that of reporting to the Congress.

“Sec. 6. General. (a) Nothing in this order shall be construed as subjecting any Federal agency, or any function vested by law in, or assigned pursuant to law to, any Federal agency, to the authority of the Committee or as abrogating or restricting any such function in any manner.

“(b) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.”.
Sec. 6. This order shall be effective September 30, 2007.

GEORGE W. BUSH

The White House,

Executive Order 13447 of September 28, 2007

Further 2007 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), and in order to prescribe amendments to the Manual for Courts-Martial, United States, prescribed by Executive Order 12473, as amended, it is hereby ordered as follows:

Sec. 1. The second subparagraph of paragraph 4, of Part I, of the Manual for Courts-Martial, United States, as amended by section 2 of Executive Order 13262 of April 11, 2002, is amended by striking the third sentence.

Sec. 2. Parts II, III, and IV of the Manual for Courts-Martial, United States, are amended as described in the Annex attached and made a part of this order.

Sec. 3. These amendments shall take effect on October 1, 2007.

(a) Nothing in these amendments shall be construed to make punishable any act done or omitted prior to October 1, 2007, that was not punishable when done or omitted.

(b) Nothing in these amendments shall be construed to invalidate any nonjudicial punishment proceedings, restraint, investigation, referral of charges, trial in which arraignment occurred, or other action begun prior to October 1, 2007, and any such nonjudicial punishment, 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.

GEORGE W. BUSH

The White House,
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Annex

Section 1. Part II of the Manual for Courts-Martial, United States, is amended as follows:

(a) R.C.M. 916(b) is amended to read as follows:

"(b) Burden of proof.

(1) General rule. Except as listed below in paragraphs (2), (3), and (4), the prosecution shall have the burden of proving beyond a reasonable doubt that the defense did not exist.

(2) Lack of mental responsibility. The accused has the burden of proving the defense of lack of mental responsibility by clear and convincing evidence.

(3) Mistake of fact as to age. In the defense of mistake of fact as to age as described in Part IV, para. 45(a)(2) in a prosecution of a sexual offense with a child under Article 120, the accused has the burden of proving mistake of fact as to age by a preponderance of the evidence. After the accused meets his or her burden, the prosecution shall have the burden of proving beyond a reasonable doubt that the defense did not exist.

(4) Mistake of fact as to consent. In the defense of mistake of fact as to consent in Article 120(a), rape, Article 120(c), aggravated sexual assault, Article 120(e), aggravated sexual contact, and Article 120(h), abusive sexual contact, the accused has the burden of proving mistake of fact as to consent by a preponderance of the evidence. After the defense meets its burden, the prosecution shall have the burden of proving beyond a reasonable doubt that the defense did not exist.

(b) R.C.M. 916(j)(2) is amended to read as follows:

"(2) Child Sexual Offenses. It is a defense to a prosecution for Article 120(d), aggravated sexual assault of a child, Article 120(f), aggravated sexual abuse of a child, Article 120(j), abusive sexual contact with a child, or Article 120(j), unlawful liberty with a child that, at the
time of the offense, the child was at least 12 years of age, and the accused reasonably believed the person was at least 14 years of age. The accused must prove this defense by a preponderance of the evidence."

(c) R.C.M. 916(j) is amended by inserting new paragraph R.C.M. 916(j)(3) after the Discussion section to R.C.M. 916(j)(2) as follows:

"(j)(3) Sexual offenses. It is an affirmative defense to a prosecution for Article 120(b), rape, Article 120(d), aggravated sexual assault, Article 120(w), aggravated sexual contact, and Article 120(h), abusive sexual contact that the accused held, as a result of ignorance or mistake, an incorrect belief that the other person engaging in the sexual conduct consented. The ignorance or mistake must have existed in the mind of the accused and must have been reasonable under all the circumstances. To be reasonable the ignorance or mistake must have been based on information, or lack of it, which would indicate to a reasonable person that the other person consented. Additionally, the ignorance or mistake cannot be based on the negligent failure to discover the true facts. Negligence is the absence of due care. Due care is what a reasonably careful person would do under the same or similar circumstances. The accused's state of intoxication, if any, at the time of the offense is not relevant to mistake of fact. A mistaken belief that the other person consented must be that which a reasonably careful, ordinary, prudent, sober adult would have had under the circumstances at the time of the offense."

(d) 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 under R.C.M. 918(j)(2) or (j)(3) is raised, add: The accused has the burden of proving the defense of mistake of fact as to consent or age by a preponderance of the evidence."

(e) R.C.M. 1004(c)(7)(B) is amended to read as follows:

"(B) The murder was committed: while the accused was engaged in the commission or attempted commission of any robbery, rape, rape of a child, aggravated sexual assault, aggravated sexual assault of a child, aggravated sexual contact, aggravated sexual abuse of a child, aggravated sexual contact with a child, aggravated arson, sodomy, burglary, kidnapping, mutiny, sedition, or piracy of an aircraft or vessel; or while the accused was engaged in the commission or attempted commission of any offense involving the wrongful distribution, manufacture, or introduction or possession, with intent to distribute, of a controlled substance; or, while the accused was engaged in flight or attempted flight after the commission or attempted commission of any such offense."

(f) R.C.M. 1004(c)(8) is amended to read as follows:

"(8) That only in the case of a violation of Article 138(4), the accused was the actual perpetrator of the killing or was a principal whose participation in the burglary, sodomy, rape, rape of a child, aggravated sexual assault, aggravated sexual assault of a child, aggravated sexual contact, aggravated sexual abuse of a child, aggravated sexual contact with a child, robbery, or aggravated arson was major and who manifested a reckless indifference for human life."

(g) R.C.M. 1102(b)(2) is amended to read as follows:

"(2) Article 39(a) sessions. An Article 39(a) session under this rule may be called, upon motion of either party or
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sua sponte by the military judge, for the purpose of inquiring into, and, when appropriate, resolving any matter that arises after trial and that substantially affects the legal sufficiency of any findings of guilty or the sentence. The military judge may also call an Article 39(a) session, upon motion of either party or sua sponte, to reconsider any trial ruling that substantially affects the legal sufficiency of any findings of guilty or the sentence. The military judge may, sua sponte, at any time prior to authentication of the record of trial, enter a finding of not guilty of one or more offenses charged, or may enter a finding of not guilty of a part of a specification as long as a lesser offense charged is alleged in the remaining portion of the specification. Prior to entering such a finding or findings, the military judge shall give each party an opportunity to be heard on the matter in a post-trial Article 39(a) session.

(h) R.C.M. 1102(d) is amended by deleting the last phrase of the second sentence, which reads:

", except that no proceeding in revision may be held when any part of the sentence has been ordered executed.”

(i) R.C.M. 1102(e)(2) is amended by inserting the following sentence after the last sentence in R.C.M. 1102(e)(2):

"Prior to the military judge sua sponte entering a finding of not guilty of one or more offenses charged or entering a finding of not guilty of a part of a specification as long as a lesser offense charged is alleged in the remaining portion of the specification, the military judge shall give each party an opportunity to be heard on the matter.”

(j) R.C.M. 1294(c)(2) is amended to read as follows:

"(2) Sentence requiring approval of the President. (A) if the Court of Appeals for the Armed Forces has affirmed a sentence
that must be approved by the President before it may be executed.
the Judge Advocate General shall transmit the record of trial,
the decision of the Court of Criminal Appeals, the decision of
the Court of Appeals for the Armed Forces, and the recommendation
of the Judge Advocate General to the Secretary concerned.

(b) If the Secretary concerned is the Secretary of a
military department, the Secretary concerned shall forward the
material received under paragraph (A) to the Secretary of Defense,
together with the recommendation of the Secretary concerned.
The Secretary of Defense shall forward the material, with the
recommendation of the Secretary concerned and the recommendation
of the Secretary of Defense, to the President for the action of
the President.

(c) If the Secretary concerned is the Secretary of Homeland
Security, the Secretary concerned shall forward the material
received under paragraph (A) to the President, together with the
recommendation of the Secretary concerned, for the action of the
President.

Sec. 2. Part III of the Manual for Courts-Martial,
United States, is amended as follows:
(a) Mil. R. Evid. 412 is amended to read as follows:

"Rule 412. Sex offense cases: relevance of alleged victim's
sexual behavior or sexual predisposition

(a) Evidence generally inadmissible. The following evidence
is not admissible in any proceeding involving an alleged sexual
offense except as provided in subdivisions (b) and (c):

(1) Evidence offered to prove that any alleged victim
engaged in other sexual behavior.

(2) Evidence offered to prove any alleged victim's sexual
predisposition."
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(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 subsection (b) must --

(A) file a written motion at least 5 days prior to entry of plea 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 alleged 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 subsection that the
evidence that the accused seeks to offer is relevant for a purpose
under subsection (b) and that the probative value of such evidence
outweighs the danger of unfair prejudice to the alleged victim’s
privacy, such evidence shall be admissible under this rule 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. Such evidence is still subject
to challenge under Mil. R. Evid. 403.

(4) For purposes of this rule, the term ‘sexual offense’
includes any sexual misconduct punishable under the Uniform Code
of Military Justice, federal law, or state law. ‘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.

(b) Mil. R. Evid. 503(b) is amended by renumbering the
existing subsection (2) as subsection (3) and inserting the
following new subsection (2) after current Mil. R. Evid. 503(b) (1)
to read as follows:

‘(2) A ‘clergyman’s assistant’ is a person employed by or
assigned to assist a clergyman in his capacity as a spiritual
advisor.’

(c) Mil. R. Evid. 504 is amended by inserting new
subsection (d) after Mil. R. Evid. 504(c) to read as follows:
"(d) Definitions. As used in this rule:

(1) The term "a child of either" includes not only a biological child, adopted child, or ward of one of the spouses but also includes a child who is under the permanent or temporary physical custody of one of the spouses, regardless of the existence of a legal parent-child relationship. For purposes of this rule only, a child is: (i) an individual under the age of 18; or (ii) an individual with a mental handicap who functions under the age of 18.

(2) The term "temporary physical custody" includes instances where a parent entrusts his or her child with another. There is no minimum amount of time necessary to establish temporary physical custody nor must there be a written agreement. Rather, the focus is on the parent's agreement with another for assuming parental responsibility for the child. For example, temporary physical custody may include instances where a parent entrusts another with the care of their child for recurring care or during absences due to temporary duty or deployment.

Sec. 3. Part IV of the Manual for Courts-Martial, United States, is amended as follows:

(a) Paragraph 41, Article 118, Murder, paragraph a.(4) is amended to read as follows:

"(4) is engaged in the perpetration or attempted perpetration of burglary, sodomy, rape, rape of a child, aggravated sexual assault, aggravated sexual assault of a child, aggravated sexual contact, aggravated sexual abuse of a child, aggravated sexual contact with a child, robbery or aggravated assault, is guilty of murder, and shall suffer such punishment as a court-martial may direct, except that if found guilty under clause (1) or (4), he shall suffer death or imprisonment for life as a court-martial may direct."
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(b) Paragraph 45, Article 110, Murder, paragraph b.(6)(d) is amended to read as follows:

"(d) That, at the time of the killing, the accused was engaged in the perpetration or attempted perpetration of burglary, sodomy, rape, rape of a child, aggravated sexual assault, aggravated sexual assault of a child, aggravated sexual contact, aggravated sexual abuse of a child, aggravated sexual contact with a child, robbery, or aggravated arson."

(c) Paragraph 44, Article 119, Manslaughter, paragraph b.(2)(d) is amended to read as follows:

"(d) That this act or omission of the accused constituted culpable negligence, or occurred while the accused was perpetrating or attempting to perpetrate an offense directly affecting the person other than burglary, sodomy, rape, rape of a child, aggravated sexual assault, aggravated sexual assault of a child, aggravated sexual contact, aggravated sexual abuse of a child, aggravated sexual contact with a child, robbery, or aggravated arson."

(d) Paragraph 45, Rape and Carnal Knowledge is amended to read as follows:

"45. Article 120 -- Rape, sexual assault, and other sexual misconduct

a. Text.

*(a) Rape. Any person subject to this chapter who causes another person of any age to engage in a sexual act by --

(i) using force against that other person;

(ii) causing grievous bodily harm to any person;

(iii) threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping;
4) rendering another person unconscious; or
5) administering to another person by force or threat of force, or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance and thereby substantially impair the ability of that other person to appraise or control conduct;

is guilty of rape and shall be punished as a court-martial may direct.

(b) Rape of a child. Any person subject to this chapter who --

(1) engages in a sexual act with a child who has not attained the age of 12 years; or

(2) engages in a sexual act under the circumstances described in subsection (a) with a child who has attained the age of 12 years;

is guilty of rape of a child and shall be punished as a court-martial may direct.

(c) Aggravated sexual assault. Any person subject to this chapter who -- (1) causes another person of any age to engage in a sexual act by --

(A) threatening or placing that other person in fear (other than by threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping); or

(B) causing bodily harm; or

(2) engages in a sexual act with another person of any age if that other person is substantially incapacitated or substantially incapable of --

(A) appraising the nature of the sexual act;

(B) declining participation in the sexual act; or
(C) communicating unwillingness to engage in the sexual act, is guilty of aggravated sexual assault and shall be punished as a court-martial may direct.

(d) Aggravated sexual assault of a child. Any person subject to this chapter who engages in a sexual act with a child who has attained the age of 13 years is guilty of aggravated sexual assault of a child and shall be punished as a court-martial may direct.

(e) Aggravated sexual contact. Any person subject to this chapter who engages in or causes sexual contact with or by another person, if to do so would violate subsection (a) (rape) had the sexual contact been a sexual act, is guilty of aggravated sexual contact and shall be punished as a court-martial may direct.

(f) Aggravated sexual abuse of a child. Any person subject to this chapter who engages in a lewd act with a child is guilty of aggravated sexual abuse of a child and shall be punished as a court-martial may direct.

(g) Aggravated sexual contact with a child. Any person subject to this chapter who engages in or causes sexual contact with or by another person, if to do so would violate subsection (b) (rape of a child) had the sexual contact been a sexual act, is guilty of aggravated sexual contact with a child and shall be punished as a court-martial may direct.

(h) Abusive sexual contact. Any person subject to this chapter who engages in or causes sexual contact with or by another person, if to do so would violate subsection (c) (aggravated sexual assault) had the sexual contact been a sexual act, is guilty of abusive sexual contact and shall be punished as a court-martial may direct.

(i) Abusive sexual contact with a child. Any person subject to this chapter who engages in or causes sexual contact with
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or by another person, if to do so would violate subsection (d) (aggravated sexual assault of a child) had the sexual contact been a sexual act, is guilty of abusive sexual contact with a child and shall be punished as a court-martial may direct.

(1) Indecent liberty with a child. Any person subject to this chapter who engages in indecent liberty in the physical presence of a child --

(1) with the intent to arouse, appeal to, or gratify the sexual desire of any person; or

(2) with the intent to abuse, humiliate, or degrade any person;

is guilty of indecent liberty with a child and shall be punished as a court-martial may direct.

(4) Indecent act. Any person subject to this chapter who engages in indecent conduct is guilty of an indecent act and shall be punished as a court-martial may direct.

(1) Forcible pandering. Any person subject to this chapter who compels another person to engage in an act of prostitution with another person to be directed to said person is guilty of forcible pandering and shall be punished as a court-martial may direct.

(4) Wrongful sexual contact. Any person subject to this chapter who, without legal justification or lawful authorization, engages in sexual contact with another person without that other person’s permission is guilty of wrongful sexual contact and shall be punished as a court-martial may direct.

(5) Indecent exposure. Any person subject to this chapter who intentionally exposes, in an indecent manner, in any place where the conduct involved may reasonably be expected to be viewed by people other than members of the actor’s family or household,
the genitalia, anus, buttocks, or female sexora or nipple is guilty of indecent exposure and shall be punished as a court-martial may direct.

(c) Age of child. (1) Twelve years. In a prosecution under subsection (b) (rape of a child), subsection (g) (aggravated sexual contact with a child), or subsection (j) (indecent liberty with a child), it need not be proven that the accused knew that the other person engaging in the sexual act, contact, or liberty had not attained the age of 12 years. It is not an affirmative defense that the accused reasonably believed that the child had attained the age of 12 years.

(2) Sixteen years. In a prosecution under subsection (d) (aggravated sexual assault of a child), subsection (f) (aggravated sexual abuse of a child), subsection (i) (abusive sexual contact with a child), or subsection (j) (indecent liberty with a child), it need not be proven that the accused knew that the other person engaging in the sexual act, contact, or liberty had not attained the age of 16 years. Unlike in paragraph (1), however, it is an affirmative defense that the accused reasonably believed that the child had attained the age of 16 years.

(q) Threat. In a prosecution under this section, in proving that the accused made a threat, it need not be proven that the accused actually intended to carry out the threat.

(q) Marriage.

(1) In general. In a prosecution under paragraph (2) of subsection (c) (aggravated sexual assault), or under subsection (d) (aggravated sexual assault of a child), subsection (f) (aggravated sexual abuse of a child), subsection (i) (abusive sexual contact with a child), subsection (j) (indecent liberty with a child), subsection (m) (wrongful sexual contact), or subsection (n) (indecent exposure),
it is an affirmative defense that the accused and the other person
when they engaged in the sexual act, sexual contact, or sexual
conduct were married to each other.

(2) Definition. For purposes of this subsection, a marriage
is a relationship, recognized by the laws of a competent State or
foreign jurisdiction, between the accused and the other person as
spouses. A marriage exists until it is dissolved in accordance
with the laws of a competent State or foreign jurisdiction.

(3) Exception. Paragraph (1) shall not apply if the
accused's intent at the time of the sexual conduct is to abuse,
humiliate, or degrade any person.

(5) Consent and mistake of fact as to consent. Lack of
permission is an element of the offenses in subsection (m) (wrongful
sexual contact). Consent and mistake of fact as to consent are not
an issue, or an affirmative defense, in a prosecution under any
other subsection, except they are an affirmative defense for the
sexual conduct in issue in a prosecution under subsection (a)
(rape), subsection (c) (aggravated sexual assault), subsection (e)
(agggravated sexual contact), and subsection (h) (abusive sexual
contact).

(a) Other affirmative defenses not precluded. The
enumeration in this section of some affirmative defenses shall
not be construed as excluding the existence of others.

(b) Definitions. In this section:

(1) Sexual act. The term "sexual act" means --

(A) contact between the penis and the vulva, and for
purposes of this subparagraph contact involving the penis occurs
upon penetration, however slight; or

(B) the penetration, however slight, of the genital opening
of another by a hand or finger or by any object, with an intent to
abuse, humiliate, harass, or degrade any person or to arouse or gratify the sexual desire of any person.

(2) Sexual contact. 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 another person, or intentionally causing another person to touch, either directly or through the clothing, the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, with an intent to abuse, humiliate, or degrade any person or to arouse or gratify the sexual desire of any person.

(3) Grievous bodily harm. The term "grievous bodily harm" means serious bodily injury. It includes fractured or dislocated bones, deep cuts, torn muscles of the body, serious damage to internal organs, and other severe bodily injuries. It does not include minor injuries such as a black eye or a bloody nose. It is the same level of injury as in section 926 (article 126) of this chapter, and a lesser degree of injury than in section 2266 (c) of title 18.

(4) Dangerous weapon or object. The term "dangerous weapon or object" means --

(A) any firearm, loaded or not, and whether operable or not;

(B) any other weapon, device, instrument, material, or substance, whether animate or inanimate, that in the manner it is used, or is intended to be used, is known to be capable of producing death or grievous bodily harm; or

(C) any object fashioned or utilized in such a manner as to lead the victim under the circumstances to reasonably believe it to be capable of producing death or grievous bodily harm.

(5) Force. The term "force" means action to compel submission of another or to overcome another's resistance by --
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(A) the use or display of a dangerous weapon or object;

(B) the suggestion of possession of a dangerous weapon or object that is used in a manner to cause another to believe it is a dangerous weapon or object; or

(C) physical violence, strength, power, or restraint applied to another person, sufficient that the other person could not avoid or escape the sexual conduct.

(6) Threatening or placing that other person in fear. The term “threatening or placing that other person in fear” under paragraph (3) of subsection (a) (rape), or under subsection (e) (aggravated sexual contact), means a communication or action that is of sufficient consequence to cause a reasonable fear that non-compliance will result in the victim or another person being subjected to death, grievous bodily harm, or kidnapping.

(7) Threatening or placing that other person in fear.

(A) In general. The term “threatening or placing that other person in fear” under paragraph (11) of subsection (c) (aggravated sexual assault), or under subsection (h) (abusive sexual consent), means a communication or action that is of sufficient consequence to cause a reasonable fear that non-compliance will result in the victim or another being subjected to a lesser degree of harm than death, grievous bodily harm, or kidnapping.

(B) Inclusions. Such lesser degree of harm includes --

(1) physical injury to another person or to another person’s property; or

(11) a threat --

(2) to accuse any person of a crime;

(12) to expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt, or ridicule; or
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(III) through the use or abuse of military position, rank, or authority, to affect or threaten to affect, either positively or negatively, the military career of some person.

(8) Bodily harm. The term 'bodily harm' means any offensive touching of another, however slight.

(9) Child. The term 'child' means any person who has not attained the age of 16 years.

(10) Lewd act. The term 'lewd act' means --

(A) the intentional touching, not through the clothing, of the genitalia of another person, with an intent to abuse, humiliate, or degrade any person, or to arouse or gratify the sexual desire of any person; or

(B) intentionally causing another person to touch, not through the clothing, the genitalia of any person with an intent to abuse, humiliate or degrade any person, or to arouse or gratify the sexual desire of any person.

(11) Indecent liberty. The term 'indecent liberty' means indecent conduct, but physical contact is not required. It includes one who with the requisite intent exposes one's genitalia, anus, buttocks, or female armpit or nipple to a child. An indecent liberty may consist of communication of indecent language as long as the communication is made in the physical presence of the child. If words designed to excite sexual desire are spoken to a child, or a child is exposed to or involved in sexual conduct, it is an indecent liberty; the child's consent is not relevant.

(12) Indecent conduct. The term 'indecent conduct' means that form of immorality relating to sexual impropriety that is grossly vulgar, obscene, and repugnant to common propriety, and tends to excite sexual desire or deprave morals with respect to sexual relations. Indecent conduct includes observing, or making
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a videotape, photograph, motion picture, print, negative, slide, or other mechanically, electronically, or chemically reproduced visual material, without another person's consent, and contrary to that person's reasonable expectation of privacy, of --

(A) that other person's genitalia, anus, or buttocks, or
(if that other person is female) that person's areola or nipple, or

(B) that other person while that other person is engaged in a sexual act, anus (under section 926 [article 125] of this chapter), or sexual contact.

(13) Act of prostitution. The term "act of prostitution" means a sexual act, sexual contact, or lewd act for the purpose of receiving money or other compensation.

(14) Consent. The term "consent" means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused's use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating relationship by itself or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent. A person cannot consent to sexual activity if --

(A) under 16 years of age; or

(B) substantially incapable of --

(1) appraising the nature of the sexual conduct at issue due to --

(1) mental impairment or unconsensuality resulting from consumption of alcohol, drugs, a similar substance, or otherwise; or
(11) mental disease or defect that renders the person unable to understand the nature of the sexual conduct at issue;

(12) physically declining participation in the sexual conduct at issue; or

(13) physically communicating unwillingness to engage in the sexual conduct at issue.

(15) Mistake of fact as to consent. The term "mistake of fact as to consent" means the accused held, as a result of ignorance or mistake, an incorrect belief that the other person engaging in the sexual conduct consented. The ignorance or mistake must have existed in the mind of the accused and must have been reasonable under all the circumstances. To be reasonable, the ignorance or mistake must have been based on information, or lack of it, that would indicate to a reasonable person that the other person consented. Additionally, the ignorance or mistake cannot be based on the negligent failure to discover the true facts. Negligence is the absence of due care. Due care is what a reasonably careful person would do under the same or similar circumstances. The accused's state of intoxication, if any, at the time of the offense is not relevant to mistake of fact. A mistaken belief that the other person consented must be that which a reasonably careful, ordinary, prudent, sober adult would have had under the circumstances at the time of the offense.

(16) Affirmative defense. The term "affirmative defense" means any special defense that, although not denying that the accused committed the objective acts constituting the offense charged, denies, wholly or partially, criminal responsibility for those acts. The accused has the burden of proving the affirmative defense by a preponderance of evidence. After the defense meets this burden, the prosecution shall have the burden of proving
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beyond a reasonable doubt that the affirmative defense did not exist."

b. Elements.

(i) Rape.

(a) Rape by using force:

(i) That the accused caused another person, who is of any age, to engage in a sexual act by using force against that other person.

(b) Rape by causing grievous bodily harm.

(ii) That the accused caused another person, who is of any age, to engage in a sexual act by causing grievous bodily harm to any person.

(c) Rape by using threats or placing in fear.

(ii) That the accused caused another person, who is of any age, to engage in a sexual act by threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping.

(d) Rape by rendering another unconscious.

(ii) That the accused caused another person, who is of any age, to engage in a sexual act by rendering that other person unconscious.

(e) Rape by administration of drug, intoxicant, or other similar substance.

(i) That the accused caused another person, who is of any age, to engage in a sexual act by administering to that other person a drug, intoxicant, or other similar substance;

(1) That the accused administered the drug, intoxicant or other similar substance by force or threat of force or without the knowledge or permission of that other person; and

(11) That, as a result, that other person’s ability to appraise or control conduct was substantially impaired.
(2) Rape of a child.
   (a) Rape of a child who has not attained the age of 12 years.
      (i) That the accused engaged in a sexual act with a child;
      and
      (ii) That at the time of the sexual act the child had not
           attained the age of 12 years.
   (b) Rape of a child who has attained the age of 12 years but
       has not attained the age of 16 years by using force.
      (i) That the accused engaged in a sexual act with a child;
      (ii) That at the time of the sexual act the child had
            attained the age of 12 years but had not attained the age of
            16 years; and
      (iii) That the accused did so by using force against that
            child.
   (c) Rape of a child who has attained the age of 12 years but
       has not attained the age of 16 years by causing grievous bodily
       harm.
      (i) That the accused engaged in a sexual act with a child;
      (ii) That at the time of the sexual act the child had
           attained the age of 12 years but had not attained the age of
           16 years; and
      (iii) That the accused did so by causing grievous bodily
           harm to any person.
   (d) Rape of a child who has attained the age of 12 years but
       has not attained the age of 16 years by using threats or placing in
       fear.
      (i) That the accused engaged in a sexual act with a child;
      (ii) That at the time of the sexual act the child had
           attained the age of 12 years but had not attained the age of
           16 years; and
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(iii) That the accused did so by threatening or placing that child in fear that any person will be subjected to death, grievous bodily harm, or kidnapping.

(e) Rape of a child who has attained the age of 12 years but has not attained the age of 16 years by rendering that child unconscious.

(i) That the accused engaged in a sexual act with a child;

(ii) That at the time of the sexual act the child had attained the age of 12 years but had not attained the age of 16 years; and

(iii) That the accused did so by rendering that child unconscious.

(f) Rape of a child who has attained the age of 12 years but has not attained the age of 16 years by administration of drug, intoxicant, or other similar substance.

(i) That the accused engaged in a sexual act with a child;

(ii) That at the time of the sexual act the child had attained the age of 12 years but had not attained the age of 16 years; and

(iii)(a) That the accused did so by administering to that child a drug, intoxicant, or other similar substance;

(b) That the accused administered the drug, intoxicant, or other similar substance by force or threat of force or without the knowledge or permission of that child; and

(c) That, as a result, that child's ability to appraise or control conduct was substantially impaired.

(3) Aggravated sexual assault.

(a) Aggravated sexual assault by using threats or placing in fear.

(4) That the accused caused another person, who is of any age, to engage in a sexual act; and
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(iii) That the accused did so by threatening or placing that other person in fear that any person would be subjected to bodily harm or other harm (other than by threatening or placing that other person in fear that any person would be subjected to death, grievous bodily harm, or kidnapping).

(b) Aggravated sexual assault by causing bodily harm.

(i) That the accused caused another person, who is of any age, to engage in a sexual act; and

(ii) That the accused did so by causing bodily harm to another person.

(c) Aggravated sexual assault upon a person substantially incapacitated or substantially incapable of appraising the act, declining participation, or communicating unwillingness.

(i) That the accused engaged in a sexual act with another person, who is of any age; and

(No: add one of the following elements)

(ii) That the other person was substantially incapacitated;

(iii) That the other person was substantially incapable of appraising the nature of the sexual act;

(iv) That the other person was substantially incapable of declining participation in the sexual act; or

(v) That the other person was substantially incapable of communicating unwillingness to engage in the sexual act.

(4) Aggravated sexual assault of a child who has attained the age of 12 years but has not attained the age of 16 years.

(a) That the accused engaged in a sexual act with a child; and

(b) That at the time of the sexual act the child had attained the age of 12 years but had not attained the age of 16 years.

(5) Aggravated sexual contact.
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(a) Aggravated sexual contact by using force.

(i) (a) That the accused engaged in sexual contact with another person; or

(b) That the accused caused sexual contact with or by another person; and

(ii) That the accused did so by using force against that other person.

(b) Aggravated sexual contact by causing grievous bodily harm.

(i) (a) That the accused engaged in sexual contact with another person; or

(b) That the accused caused sexual contact with or by another person; and

(ii) That the accused did so by causing grievous bodily harm to any person.

(c) Aggravated sexual contact by using threats or placing in fear.

(i) (a) That the accused engaged in sexual contact with another person; or

(b) That the accused caused sexual contact with or by another person; and

(ii) That the accused did so by threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping.

(d) Aggravated sexual contact by rendering another unconscious.

(i) (a) That the accused engaged in sexual contact with another person; or

(b) That the accused caused sexual contact with or by another person; and
(ii) That the accused did so by rendering that other person unconscious.

(e) Aggravated sexual contact by administration of drug, intoxicant, or other similar substance.

(i) (a) That the accused engaged in sexual contact with another person; or

(b) That the accused caused sexual contact with or by another person; and

(ii) (a) That the accused did so by administering to that other person a drug, intoxicant, or other similar substance;

(b) That the accused administered the drug, intoxicant, or other similar substance by force or threat of force or without the knowledge or permission of that other person; and

(c) That, as a result, that other person's ability to appraise or control conduct was substantially impaired.

(6) Aggravated sexual abuse of a child.

(a) That the accused engaged in a lewd act; and

(b) That the act was committed with a child who has not attained the age of 16 years.

(7) Aggravated Sexual Contact with a Child.

(a) Aggravated sexual contact with a child who has not attained the age of 12 years.

(1) (a) That the accused engaged in sexual contact with a child; or

(b) That the accused caused sexual contact with or by a child or by another person with a child; and

(11) That at the time of the sexual contact the child had not attained the age of 12 years.

(b) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by using force.
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(i) That the accused engaged in sexual contact with a child; or

(b) That the accused caused sexual contact with or by a child or by another person with a child; and

(ii) That at the time of the sexual contact the child had attained the age of 12 years but had not attained the age of 16 years; and

(iii) That the accused did so by using force against that child.

(c) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by causing grievous bodily harm.

(i) That the accused engaged in sexual contact with a child; or

(b) That the accused caused sexual contact with or by a child or by another person with a child; and

(ii) That at the time of the sexual contact the child had attained the age of 12 years but had not attained the age of 16 years; and

(iii) That the accused did so by causing grievous bodily harm to any person.

(d) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by using threats or placing in fear.

(i) That the accused engaged in sexual contact with a child; or

(b) That the accused caused sexual contact with or by a child or by another person with a child; and

(ii) That at the time of the sexual contact the child had attained the age of 12 years but had not attained the age of 16 years; and
(iii) That the accused did so by threatening or placing that child or that person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping.

(e) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 18 years by rendering another or that child unconscious.

(i) (a) That the accused engaged in sexual contact with a child; or

(b) That the accused caused sexual contact with or by a child or by another person with a child; and

(ii) That at the time of the sexual contact the child had attained the age of 12 years but had not attained the age of 16 years; and

(iii) That the accused did so by rendering that child or that other person unconscious.

(f) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 18 years by administration of drug, intoxicant, or other similar substance.

(i) (a) That the accused engaged in sexual contact with a child; or

(b) That the accused caused sexual contact with or by a child or by another person with a child; and

(ii) That at the time of the sexual contact the child had attained the age of 12 years but had not attained the age of 16 years; and

(iii) (a) That the accused did so by administering to that child or that other person a drug, intoxicant, or other similar substance;

(b) That the accused administered the drug, intoxicant, or other similar substance by force or threat of force or without the knowledge or permission of that child or that other person; and
(e) That, as a result, that child’s or that other person’s ability to appraise or control conduct was substantially impaired.

(d) Abusive sexual contact.

(a) Abusive sexual contact by using threats or placing in fear.

(i) (a) That the accused engaged in sexual contact with another person; or

(b) That the accused caused sexual contact with or by another person; and

(ii) That the accused did so by threatening or placing that other person in fear that any person would be subjected to bodily harm or other harm (other than by threatening or placing that other person in fear that any person would be subjected to death, grievous bodily harm, or kidnapping).

(b) Abusive sexual contact by causing bodily harm.

(i) (a) That the accused engaged in sexual contact with another person; or

(b) That the accused caused sexual contact with or by another person; and

(ii) That the accused did so by causing bodily harm to another person.

(c) Abusive sexual contact upon a person substantially incapacitated or substantially incapable of appraising the act, declining participation, or communicating unwillingness.

(i) (a) That the accused engaged in sexual contact with another person; or

(b) That the accused caused sexual contact with or by another person; and

(ii) That the other person was substantially incapacitated;
(11) That the other person was substantially incapable of appraising the nature of the sexual contact;

(iv) That the other person was substantially incapable of declining participation in the sexual contact; or

(v) That the other person was substantially incapable of communicating unwillingness to engage in the sexual contact.

(9) Abusive sexual contact with a child.

(i) (a) That the accused engaged in sexual contact with a child; or

(b) That the accused caused sexual contact with or by a child or by another person with a child, and

(ii) That at the time of the sexual contact the child had attained the age of 12 years but had not attained the age of 16 years.

(10) Indecent liberties with a child.

(a) That the accused committed a certain act or communication;

(b) That the act or communication was indecent;

(c) That the accused committed the act or communication in the physical presence of a certain child;

(d) That the child was under 16 years of age; and

(e) That the accused committed the act or communication with the intent to:

(i) Arouse, appeal to, or gratify the sexual desires of any person; or

(ii) Shame, humiliate, or degrade any person.

(11) Indecent act.

(a) That the accused engaged in certain conduct; and

(b) That the conduct was indecent conduct.

(12) Forceful pandering.
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(a) That the accused compelled a certain person to engage in an act of prostitution; and
(b) That the accused directed another person to said person, who then engaged in an act of prostitution.

(a) That the accused had sexual contact with another person;
(b) That the accused did so without that other person’s permission; and
(c) That the accused had no legal justification or lawful authorization for that sexual contact.

[14] Indecent exposure.
(a) That the accused exposed his or her genitalia, anus, buttocks, or female areola or nipple;
(b) That the accused’s exposure was in an indecent manner;
(c) That the exposure occurred in a place where the conduct involved could reasonably be expected to be viewed by people other than the accused’s family or household; and
(d) That the exposure was intentional.

3. Explanation.

1. Definitions. The terms are defined in Paragraph 69(e)(1).

supra.

2. Character of victim. See Mil. R. Evid. 412 concerning rules of evidence relating to the character of the victim of an alleged sexual offense.

3. Indecent. In conduct cases, “indecent” generally signifies that form of immorality relating to sexual impurity that is not only grossly vulgar, obscene, and repugnant to common propriety, but also tends to excite lust and deprave the morals with respect to sexual relations. Language is indecent if it tends reasonably to corrupt morals or incite licentious thoughts.

The language must violate community standards.
d. Lesser included offenses. The following lesser included offenses are based on internal cross-references provided in the statutory text of Article 120. See subsection (a) for a further listing of possible lesser included offenses.

(1) Rape.
   (a) Article 120 -- Aggravated sexual contact
   (b) Article 194 -- Assault with intent to commit rape
   (c) Article 128 -- Aggravated assault, Assault, Assault consummated by a battery

(2) Rape of a child.
   (a) Article 120 -- Aggravated sexual contact with a child; Indecent act
   (b) Article 134 -- Assault with intent to commit rape
   (c) Article 128 -- Aggravated assault; Assault; Assault consummated by a battery; Assault consummated by a battery upon a child under 16

(3) Article 80 -- Attempts

(4) Aggravated sexual assault.
   (a) Article 120 -- Abusive sexual contact
   (b) Article 128 -- Aggravated assault, Assault, Assault consummated by a battery

(5) Article 80 -- Attempts

(6) Aggravated sexual assault of a child.
   (a) Article 120 -- Abusive sexual contact with a child; Indecent act
   (b) Article 128 -- Aggravated assault; assault; Assault consummated by a battery; Assault consummated by a battery upon a child under 16

(7) Article 80 -- Attempts
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(5) Aggravated sexual contact.
(a) Article 128 -- Aggravated assault; Assault; Assault
consummated by a battery
(b) Article 80 -- Attempts
(c) Aggravated sexual abuse of a child.
(a) Article 120 -- Indecent act
(b) Article 128 -- Assault; Assault consummated by a battery;
Assault consummated by a battery upon a child under 16
(c) Article 80 -- Attempts
(d) Aggravated sexual contact with a child.
(a) Article 120 -- Indecent act
(b) Article 128 -- Assault; Assault consummated by a battery;
Assault consummated by a battery upon a child under 16
(c) Article 80 -- Attempts
(e) Abusive sexual contact.
(a) Article 128 -- Assault; Assault consummated by a battery
(b) Article 80 -- Attempts
(f) Abusive sexual contact with a child.
(a) Article 120 -- Indecent act
(b) Article 128 -- Assault; Assault consummated by a battery;
Assault consummated by a battery upon a child under 16
(c) Article 80 -- Attempts
(g) Indecent liberty with a child.
(a) Article 120 -- Indecent act
(b) Article 80 -- Attempts
(h) Indecent act. Article 80 -- Attempts
(i) Forcible pandering. Article 80 -- Attempts
(j) Wrongful sexual contact. Article 80 -- Attempts
(k) Indecent exposure. Article 80 -- Attempts
(e) Additional lesser included offenses. Depending on the
tactual circumstances in each case, to include the type of act
and level of force involved, the following offenses may be
considered lesser included in addition to those offenses listed in
subsection d. (See subsection (d) for a listing of the offenses
that are specifically cross-referenced within the statutory text of
Article 120.) The elements of the proposed lesser included offense
should be compared with the elements of the greater offense
to determine if the elements of the lesser offense are derivative
of the greater offense and vice versa. See Appendix 23 for further
explanation of lesser included offenses.

(1)(a) Rape by using force. Article 120 -- Indecent act;
Wrongful sexual contact

(1)(b) Rape by causing grievous bodily harm. Article 120 --
Aggravated sexual assault by causing bodily harm; Abusive sexual
contact by causing bodily harm; Indecent act; Wrongful sexual
contact

(1)(c) Rape by using threats or placing in fear.
Article 120 -- Aggravated sexual assault by using threats or
placing in fear; Abusive sexual contact by using threats or placing
in fear; Indecent act; Wrongful sexual contact

(1)(d) Rape by rendering another unconscious. Article 120 --
Aggravated sexual assault upon a person substantially
incapacitated; Abusive sexual contact upon a person substantially
incapacitated; Indecent act; Wrongful sexual contact

(1)(e) Rape by administration of drug, intoxicant, or other
similar substance. Article 120 -- Aggravated sexual assault upon a
person substantially incapacitated; Abusive sexual contact upon a
person substantially incapacitated; Indecent act; Wrongful sexual
contact

(2)(a) -- (f) Rape of a child who has not attained 12 years;
rape of a child who has attained the age of 12 years but has not
attained the age of 16 years. Article 120 -- Aggravated sexual
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assault of a child; Aggravated sexual abuse of a child; Abusive sexual contact with a child; Indecent liberty with a child; Wrongful sexual contact

(3) Aggravated sexual assault. Article 120 -- Wrongful sexual contact; Indecent act

(4) Aggravated sexual assault of a child. Article 120 -- Aggravated sexual abuse of a child; Indecent liberty with a child; Wrongful sexual contact

(5)(a) Aggravated sexual contact by force. Article 120 -- Indecent act; Wrongful sexual contact

(5)(b) Aggravated sexual contact by causing grievous bodily harm. Article 120 -- Abusive sexual contact by causing bodily harm; Indecent act; Wrongful sexual contact

(5)(c) Aggravated sexual contact by using threats or placing in fear. Article 120 -- Abusive sexual contact by using threats or placing in fear; Indecent act; Wrongful sexual contact

(5)(d) Aggravated sexual contact by rendering another unconscious. Article 120 -- Abusive sexual contact upon a person substantially incapacitated; Indecent act; Wrongful sexual contact

(5)(e) Aggravated sexual contact by administration of drug, intoxicant, or other similar substance. Article 120 -- Abusive sexual contact upon a person substantially incapacitated; Indecent act; Wrongful sexual contact

(4) Aggravated sexual abuse of a child. Article 120 -- Aggravated sexual contact with a child; Aggravated sexual abuse of a child; Indecent liberty with a child; Wrongful sexual contact

(7) Aggravated sexual contact with a child. Article 120 -- Abusive sexual contact with a child; Indecent liberty with a child; Wrongful sexual contact

(8) Abusive sexual contact. Article 120 -- Wrongful sexual contact; Indecent act
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(9) Abusive sexual contact with a child. Article 120 --
Indecent liberty with a child; Wrongful sexual contact

(10) Indecent liberty with a child. Article 120 -- Wrongful
sexual contact

c. Maximum punishment.

(1) Rape and rape of a child. Death or such other punishment
as a court martial may direct.

(2) Aggravated sexual assault. Dishonorable discharge,
forfeiture of all pay and allowances, and confinement for 30 years.

(3) Aggravated sexual assault of a child who has attained
the age of 12 years but has not attained the age of 16 years,
aggravated sexual abuse of a child, aggravated sexual contact,
and aggravated sexual contact with a child. Dishonorable
discharge, forfeiture of all pay and allowances, and confinement
for 20 years.

(4) Abusive sexual contact with a child and indecent liberty
with a child. Dishonorable discharge, forfeiture of all pay and
allowances, and confinement for 15 years.

(5) Abusive sexual contact. Dishonorable discharge,
forfeiture of all pay and allowances, and confinement for 7 years.

(6) Indecent act or forcible pandering. Dishonorable
discharge, forfeiture of all pay and allowances, and confinement
for 5 years.

(7) Wrongful sexual contact or indecent exposure.
Dishonorable discharge, forfeiture of all pay and allowances,
and confinement for 1 year.

g. Sample specifications.

(1) Rape.

(4) Rape by using force.
(ii) Rape by use or display of dangerous weapon or object.

In that ____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about ____ 20__, cause ____ to engage in a sexual act, to wit: ____ , by (using a dangerous weapon or object, to wit: ____ against (him) (her)) (displaying a dangerous weapon or object, to wit: ____ to (him) (her)).

(iii) Rape by suggestion of possession of dangerous weapon or object.

In that ____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about ____ 20__, cause ____ to engage in a sexual act, to wit: ____ , by the suggestion of possession of a dangerous weapon or an object that was used in a manner to cause (him) (her) to believe it was a dangerous weapon or object.

(iii) Rape by using physical violence, strength, power, or restraint to any person.

In that ____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about ____ 20__, cause ____ to engage in a sexual act, to wit: ____ , by using (physical violence) (strength) (power) (restraint applied to ____), sufficient that (be) (she) could not avoid or escape the sexual conduct.

(ii) Rape by causing grievous bodily harm.

In that ____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about ____ 20__, cause ____ to engage in a sexual act, to wit: ____ , by causing grievous bodily harm upon (him) (her) (____), to wit: a (broken leg) (deep cut) (fractured skull) (____).

(iii) Rape by using threats or placing in fear.
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In that ______ (personal jurisdiction data), did (on/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, cause _____ to engage in a sexual act, to wit: _____, by [threatening] [placing (him) (her) in fear] that the (she) (he) _____ will be subjected to [death] (grievous bodily harm) (kidnapping) by _____.

(4) Rape by rendering another unconscious.

In that ______ (personal jurisdiction data), did (on/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, cause _____ to engage in a sexual act, to wit: _____, by rendering (him) (her) unconscious.

(c) Rape by administration of drug, intoxicant, or other similar substance.

In that ______ (personal jurisdiction data), did (on/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, cause _____ to engage in a sexual act, to wit: _____, by administering to (him) (her) a drug, intoxicant, or other similar substance, by (force) (by threat of force) (without (his) (her) knowledge or permission), and thereby substantially impaired (his) (her) ability to [apprise] (control) (his) (her) conduct.

(2) Rape of a child.

(a) Rape of a child who has not attained the age of 12 years.

In that ______ (personal jurisdiction data), did (on/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20____, engage in a sexual act, to wit: _____, with _____, a child who has not attained the age of 12 years.

(b) Rape of a child who has attained the age of 12 years but has not attained the age of 16 years by using force.
(i) Rape of a child who has attained the age of 12 years but has not attained the age of 16 years by use or display of dangerous weapon or object.

In that ____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about ____ 20____, engage in a sexual act, to wit: ____ , with ____ , a child who had attained the age of 12 years, but had not attained the age of 16 years, by (using a dangerous weapon or object, to wit: ____ against (his/her)) (displaying a dangerous weapon or object, to wit: ____ to (his/her)).

(iii) Rape of a child who has attained the age of 12 years but has not attained the age of 16 years by suggestion of possession of dangerous weapon or object.

In that ____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about ____ 20____, engage in a sexual act, to wit: ____ , with ____ , a child who had attained the age of 12 years, but had not attained the age of 16 years, by the suggestion of possession of a dangerous weapon or an object that was used in a manner to cause (him/her) to believe it was a dangerous weapon or object.

(iii) Rape of a child who has attained the age of 12 years but has not attained the age of 16 years by using physical violence, strength, power, or restraint to any person.

In that ____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about ____ 20____, engage in a sexual act, to wit: ____ , with ____ , a child who had attained the age of 12 years, but had not attained the age of 16 years, by using (physical violence) (strength) (power) (restraint applied to ____) sufficient that (the) (she) could not avoid or escape the sexual conduct.
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(c) Rape of a child who has attained the age of 12 years but has not attained the age of 16 years by causing grievous bodily harm.

In that _____ (personal jurisdiction data), did (at/on board–location) (subject-matter jurisdiction data, if required), on or about _____ 20___, engage in a sexual act, to wit: _____, with _____, a child who had attained the age of 12 years, but had not attained the age of 16 years, by causing grievous bodily harm upon (him/her) (_____), to wit: a (broken leg)(deep cut)(fractured skull)(_____).

(d) Rape of a child who has attained the age of 12 years but has not attained the age of 16 years by using threats or placing in fear.

In that _____ (personal jurisdiction data), did (at/on board–location) (subject-matter jurisdiction data, if required), on or about _____ 20___, engage in a sexual act, to wit: _____, with _____, a child who had attained the age of 12 years, but had not attained the age of 16 years, by (threatening) (placing (him/her) in fear) that (he/she) (_____ would be subjected to (death)(grievous bodily harm)(Kidnapping) by _____.

(e) Rape of a child who has attained the age of 12 years but has not attained the age of 16 years by rendering that child unconscious.

In that _____ (personal jurisdiction data), did (at/on board–location) (subject-matter jurisdiction data, if required), on or about _____ 20___, engage in a sexual act, to wit: _____, with _____, a child who had attained the age of 12 years, but had not attained the age of 16 years, by rendering (him/her) unconscious.

(f) Rape of a child who has attained the age of 12 years
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but has not attained the age of 16 years by administration of
drug, intoxicant, or other similar substance.

In that (personal) jurisdiction date, did (at/on
board-location) (subject-matter jurisdiction data, if required),
on or about ______ 20____, engage in a sexual act, to wit: ____,
with ____, a child who had attained the age of 12 years, but had
not attained the age of 16 years, by administering to (him)(her) a
drug, intoxicant, or other similar substance (by force) (by threat
of force) (without (his)(her) knowledge or permission), and thereby
substantially impaired (his)(her) ability to [(appraise) (control)]
(his)(her) conduct.

(3) Aggravated sexual assault.

(a) Aggravated sexual assault by using threats or placing in
fear.

In that (personal) jurisdiction date, did (at/on
board-location) (subject-matter jurisdiction data, if required),
on or about ______ 20____, cause ____, to engage in a sexual act,
to wit: ____, by (threatening) (placing (him)(her) in fear of)
[(physical injury to ____)] [(injury to ___’s property) (assault
of crime) (exposure of secret) (abuse of military position)]
(______).

(b) Aggravated sexual assault by causing bodily harm.

In that (personal) jurisdiction date, did (at/on
board-location) (subject-matter jurisdiction data, if required),
on or about ______ 20____, cause ____, to engage in a sexual act,
to wit: ____, by causing bodily harm upon (him) (her) (______), to
wit: ______.

(c) Aggravated sexual assault upon a person substantially
incapacitated or substantially incapable of appraising the act,
declining participation, or communicating unwillingness.
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In that, (personal jurisdiction data), did (at/on board/ location) (subject-matter jurisdiction data, if required), on or about 20, engage in a sexual act, to wit: with, who was (substantially incapacitated) (substantially incapable of apprising the nature of the sexual act) (declining participation in the sexual act) (communicating unwillingness to engage in the sexual act).

(4) Aggravated sexual assault of a child who has attained the age of 12 years but has not attained the age of 16 years.

In that, (personal jurisdiction data), did (at/on board/ location) (subject-matter jurisdiction data, if required), on or about 20, engage in a sexual act, to wit: with, who had attained the age of 12 years, but had not attained the age of 16 years.

(5) Aggravated sexual contact.

(a) Aggravated sexual contact by using force.

(i) Aggravated sexual contact by use or display of dangerous weapon or object.

In that, (personal jurisdiction data), did (at/on board/ location) (subject-matter jurisdiction data, if required), on or about 20, engage in sexual contact, to wit: with, (cause sexual contact with or by, to wit: ), by (using a dangerous weapon or object, to wit: ), against (him/her) (displaying a dangerous weapon or object, to wit: ) to (him/her).

(ii) Aggravated sexual contact by suggestion of possession of dangerous weapon or object.

In that, (personal jurisdiction data), did (at/on board/ location) (subject-matter jurisdiction data, if required), on or about 20, engage in sexual contact, to wit:
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___ with ___ (cause ___ to engage in sexual contact, to wit: ___ , with ___) (cause sexual contact with or by ___ , to wit: ___) by the suggestion of possession of a dangerous weapon or an object that was used in a manner to cause (him/her) (___) to believe it was a dangerous weapon or object.

(ii) Aggravated sexual contact by using physical violence, strength, power, or restraint to any person.

In that ___ (personal jurisdiction data), did (at/on board/location) (subject-matter jurisdiction data, if required), on or about ___ 25 ___ (engage in sexual contact, to wit: ___ with ___) (cause ___ to engage in sexual contact, to wit: ___ , with ___) (cause sexual contact with or by ___ , to wit: ___) by using (physical violence) (strength) (power) (restraint applied to ___), sufficient that (he/she) (___) could not avoid or escape the sexual conduct.

(b) Aggravated sexual contact by causing grievous bodily harm.

In that ___ (personal jurisdiction data), did (at/on board/location) (subject-matter jurisdiction data, if required), on or about ___ 26 ___ (engage in sexual contact, to wit: ___ with ___) (cause ___ to engage in sexual contact, to wit: ___ , with ___) (cause sexual contact with or by ___ , to wit: ___) by causing grievous bodily harm upon (him/her) (___), to wit: a (broken leg)(deep cut)(fractured skull)(___).

(c) Aggravated sexual contact by using threats or placing in fear.

In that ___ (personal jurisdiction data), did (at/on board/location) (subject-matter jurisdiction data, if required), on or about ___ 27 ___ (engage in sexual contact, to wit: ___ with ___) (cause ___ to engage in sexual contact, to wit: ___ , with ___) (cause sexual contact with or by ___ , to wit: ___) by placing (him/her) (___) in fear, to wit: ___ (threats) (violence) (danger) (danger).

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with [_____] (cause sexual contact with or by [_____] to wit: [_____] by [threatening [his] [her] [_____] (placing [him] [her] [_____] in fear that [he] [she] [_____] will be subjected to [death] (grievous bodily harm) (kidnapping) by [_____] [d] Aggravated sexual contact by rendering another unconscious.

In that [_____] (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about [_____] 26[_____] (engage in sexual contact, to wit: [_____] with [_____] (cause [_____] to engage in sexual contact, to wit: [_____; with [_____] (cause sexual contact with or by [_____] to wit: [_____;] by rendering (him) (her) [_____] unconscious.

e) Aggravated sexual contact by administration of drug, intoxicant, or other similar substance.

In that [_____] (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about [_____] 26[_____] (engage in sexual contact, to wit: [_____; with [_____] (cause [_____] to engage in sexual contact, to wit: [_____; with [_____] (cause sexual contact with or by [_____] to wit: [_____;] by administering to (him) (her) [_____] a drug, intoxicant, or other similar substance, (by force) (by threat of force) (without (his) (her) [_____] knowledge or permission), and thereby substantially impaired (his) (her) [_____] ability to (appraise) (control) [(his) (her)] conduct.

4) Aggravated sexual abuse of a child.

In that [_____] (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about [_____] 26[_____] engage in a lewd act, to wit: [_____; with [_____; a child who had not attained the age of 16 years.

7) Aggravated sexual contact with a child.
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(a) Aggravated sexual contact with a child who has not attained the age of 12 years.

In that _____ (personal jurisdiction data), did (at/on board-location) (subject-matter jurisdiction data, if required), on or about _____ 20___, [engage in sexual contact, to wit: _____ with _____, a child who had not attained the age of 12 years] (cause _____ to engage in sexual contact, to wit: _____, with _____, a child who had not attained the age of 12 years] (cause sexual contact with or by _____, a child who had not attained the age of 12 years, to wit: _____[).]

(b) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by using force.

(i) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by use or display of dangerous weapon or object.

In that _____ (personal jurisdiction data), did (at/on board-location) (subject-matter jurisdiction data, if required), on or about _____ 20___, [engage in sexual contact, to wit: _____ with _____, a child who had attained the age of 12 years, but had not attained the age of 16 years] (cause _____ to engage in sexual contact, to wit: _____, with _____, a child who had attained the age of 12 years, but had not attained the age of 16 years] (cause sexual contact with or by _____, a child who had attained the age of 12 years, but had not attained the age of 16 years, to wit: _____[) by (using a dangerous weapon or object, to wit: _____ against (him/her)(____) displaying a dangerous weapon or object, to wit: _____ to (him/her) (____[).

(ii) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by suggestion of possession of dangerous weapon or object.
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In that (personal jurisdiction data), did (at/on board/location) (subject-matter jurisdiction data, if required), on or about _____, (engage in sexual contact, to wit: with ____), a child who had not attained the age of 12 years, but had not attained the age of 16 years (cause ____ to engage in sexual contact, to wit: ____, with ____), a child who had attained the age of 12 years, but had not attained the age of 16 years (cause sexual contact with or by ____), a child who had attained the age of 12 years, but had not attained the age of 16 years, to wit: ____], by the suggestion of possession of a dangerous weapon or an object that was used in a manner to cause (him/her) [_____] to believe it was a dangerous weapon or object.

(111) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by using physical violence, strength, power, or restraint to any person.

In that (personal jurisdiction data), did (at/on board/location) (subject-matter jurisdiction data, if required), on or about _____, (engage in sexual contact, to wit: with ____), a child who had not attained the age of 12 years, but had not attained the age of 16 years (cause ____ to engage in sexual contact, to wit: ____, with ____), a child who had not attained the age of 12 years, but had not attained the age of 16 years (cause sexual contact with or by ____), a child who had not attained the age of 12 years, but had not attained the age of 16 years, to wit: ____], by using (physical violence) [strength] (power) (restraint applied to ____] sufficient that [he/she] [_____] could not avoid or escape the sexual conduct.

(C) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by causing grievous bodily harm.
In that ___ (personal jurisdiction data), did (at/on board-location) (subject-matter jurisdiction data, if required), on or about ___ 20___, (engage in sexual contact, to wit: ___ with ___, a child who had not attained the age of 12 years, but had not attained the age of 16 years) (cause ___ to engage in sexual contact, to wit: ___ with ___, a child who had not attained the age of 12 years, but had not attained the age of 16 years) (cause sexual contact with or by ___, a child who had not attained the age of 11 years, but had not attained the age of 16 years, to wit: ___) by causing grievous bodily harm upon (him/her) (____), to wit: a (broken leg) (deep cut) (fractured skull) (____).

(d) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by using threats or placing in fear.

In that ___ (personal jurisdiction data), did (at/on board-location) (subject-matter jurisdiction data, if required), on or about ___ 20___, (engage in sexual contact, to wit: ___ with ___, a child who had not attained the age of 12 years, but had not attained the age of 16 years) (cause ___ to engage in sexual contact, to wit: ___ with ___, a child who had not attained the age of 12 years, but had not attained the age of 16 years) (cause sexual contact with or by ___, a child who had not attained the age of 11 years, but had not attained the age of 16 years, to wit: ____]) by (threatening) (placing him/her) (____) in fear that (he/she) (____) will be subjected to (death) (grievous bodily harm) (kidnapping) by ____.

(c) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by rendering that child or another unconscious.
In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20___, engage in sexual contact, to wit: _____ with _____, a child who had not attained the age of 12 years, but had not attained the age of 16 years) (cause _____ to engage in sexual contact, to wit: _____, with _____, a child who had not attained the age of 12 years, but had not attained the age of 16 years) (cause sexual contact with or by _____, a child who had not attained the age of 12 years, but had not attained the age of 16 years, to wit: _____) by rendering (him/her) _____ unconscious.

(1) Aggravated sexual contact with a child who has attained the age of 12 years but has not attained the age of 16 years by administration of drug, intoxicant, or other similar substance.

In that _____ (personal jurisdiction data), did (at/on board—location) (subject-matter jurisdiction data, if required), on or about _____ 20___, engage in sexual contact, to wit: _____ with _____, a child who had not attained the age of 12 years but had not attained the age of 16 years) (cause _____ to engage in sexual contact, to wit: _____, with _____, a child who had not attained the age of 12 years but had not attained the age of 16 years) (cause sexual contact with or by _____, a child who had not attained the age of 12 years but had not attained the age of 16 years, to wit: _____) by administering to (him/her) _____ a drug, intoxicant, or other similar substance (by force) (by threat of force) (without (him/her) _____) knowledge or permission, and thereby substantially impaired (his/her) _____ ability to (apprise (control)) (his/her) _____ conduct.

(b) Abusive sexual contact.

(a) Abusive sexual contact by using threats or placing in fear.
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In that _____ (personal jurisdiction data), did [at/on board–location] (subject-matter jurisdiction data, if required), on or about _____ 20___, [engage in sexual contact, to wit: _____ with ____] (cause _____ to engage in sexual contact, to wit: _____ with ____ (cause sexual contact with or by _____, to wit: _____) by [threatening] (placing (him)(her))____ in fear of] [physical injury to ____] (injury to ____'s property) (commission of crime) (exposition of secret) (abuse of military position) (____) (____)

(b) Abusive sexual contact by causing bodily harm.

In that _____ (personal jurisdiction data), did [at/on board–location] (subject-matter jurisdiction data, if required), on or about _____ 20____ (engage in sexual contact, to wit: _____ with ____] (cause _____ to engage in sexual contact, to wit: _____ with ____ (cause sexual contact with or by _____, to wit: _____) by causing bodily harm upon (him)(her)____ (____), to wit: (____)

(c) Abusive sexual contact by engaging in a sexual act with a person substantially incapacitated or substantially incapable of appreciating the act, declining participation, or substantially incapable of communicating unwillingness.

In that _____ (personal jurisdiction data), did [at/on board–location] (subject-matter jurisdiction data, if required), on or about _____ 20____ (engage in sexual contact, to wit: _____ with ____] (cause _____ to engage in sexual contact, to wit: _____ with ____ (cause sexual contact with or by _____, to wit: _____) while (he)(she)____ was [substantially incapacitated] [substantially incapable of (appreciating the nature of the sexual contact)] (declining participation in the sexual contact) (communicating unwillingness to engage in the sexual contact) (____) (____)
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(2) Abusive sexual contact with a child.

In that ____________, did (at/on board-location) (subject-matter jurisdiction data, if required), on or about _____ 20_____, (engage in sexual contact, to wit: ______ with ______, a child who had attained the age of 12 years but had not attained the age of 16 years) (cause ______ to engage in sexual contact, to wit: _____, with ______, a child who had attained the age of 12 years but had not attained the age of 16 years) (cause sexual contact with or by ______, a child who had attained the age of 12 years but had not attained the age of 16 years, to wit: _____.)

(10) Indecent liberties with a child.

In that ____________, did (at/on board-location) (subject-matter jurisdiction data, if required), on or about _____ 20_____, (take indecent liberties) (engage in indecent conduct) in the physical presence of ______, a (female) (male) under 16 years of age, by (communicating the words: to wit: _____) (exposing one's private parts, to wit: _____) (_____) (_____), with the intent to [(arouse) (appeal to) (gratify) the (sexual desire) of the _____ (or ______)] [(abuse) (humiliate) (degrade) ______].

(11) Indecent act.

In that ____________, did (at/on board-location) (subject-matter jurisdiction data, if required), on or about _____ 20_____, (wrongfully commit indecent conduct, to wit: ______.

(12) Forcible pandering.

In that ____________, did (at/on board-location) (subject-matter jurisdiction data, if required), on or about _____ 20_____, coerce ______ to engage in (a sexual
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act) sexual contact) (lewd act), to wit: _____ for the purpose of
receiving money or other compensation with _____ (a) person(s) to
be directed to (his) (her) by the said _____.

(13) Wrongful sexual contact.

In that _____ (personal jurisdiction data), did (at/on
board-location), (subject-matter jurisdiction data, if required),
on or about _____ 20_____, engage in sexual contact with _____, to
wit: _____, and such sexual contact was without legal justification
or lawful authorization and without the permission of _____.

(14) Indecent exposure.

In that _____ (personal jurisdiction data), did (at/on
board-location), (subject-matter jurisdiction data, if required),
on or about _____ 20_____, intentionally expose in an indecent
manner (his) (her) (____) (____) while (at the barracks window)
in a public place) (____).

(e) Paragraph 50, Article 124 -- Maiming, paragraph e. is
amended to read as follows:

"(e) Maximum Punishment. Dishonorable discharge, forfeiture
of all pay and allowances, and confinement for 20 years."

(f) Paragraph 51, Article 125 -- Sodomy, paragraph d. is
amended by deleting the following lesser included offenses under
paragraph d. (a) (b), d. (2) (c), and d. (3) (e), and replacing them,
respectively, with the following:

"(b) Article 134 -- Indecent liberty with a child"

"(c) Article 134 -- Indecent assault"

"(a) Article 134 -- Indecent acts with another"

(g) Paragraph 51, Article 125 -- Sodomy, paragraph d. is
amended by adding at the end of paragraph d. the following note:

"(Note: Consider lesser included offenses under Art. 120
depending on the factual circumstances in each case.)"
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(h) Paragraph 54, Article 128 -- Assault, paragraph b.(4)(a) is amended to read as follows:

"(a) Assault with a dangerous weapon or other means of force likely to produce death or grievous bodily harm.

(i) That the accused attempted to do, offered to do, or did bodily harm to a certain person;

(ii) That the accused did so with a certain weapon, means, or force;

(iii) That the attempt, offer, or bodily harm was done with unlawful force or violence; and

(iv) That the weapon, means, or force was used in a manner likely to produce death or grievous bodily harm.

(Note: Add any of the following as applicable)

(v) That the weapon was a loaded firearm.

(vi) That the person was a child under the age of 16 years."

(i) Paragraph 54, Article 128 -- Assault, paragraph b.(4)(b) is amended to read as follows:

"(b) Assault in which grievous bodily harm is intentionally inflicted.

(i) That the accused assaulted a certain person;

(ii) That grievous bodily harm was thereby inflicted upon such person;

(iii) That the grievous bodily harm was done with unlawful force or violence; and

(iv) That the accused, at the time, had the specific intent to inflict grievous bodily harm.

(Note: Add any of the following as applicable)

(v) That the injury was inflicted with a loaded firearm.

(vi) That the person was a child under the age of 16 years."

(i) Paragraph 54, Article 128 -- Assault, paragraph c.(4)(a) is amended by adding new paragraph c.(4)(a)(v) after c.(4)(b)(iv),
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to read as follows:

"(v) When committed upon a child under 16 years of age.

The maximum punishment is increased when aggravated assault with a dangerous weapon or means likely to produce death or grievous bodily harm is inflicted upon a child under 16 years of age. Knowledge that the person assaulted was under the age of 16 years is not an element of the offense."

(5) Paragraph 54, Article 128 -- Assault, paragraph c. (4) (b) is amended by adding new paragraph c. (4) (b) (iv), to read as follows:

"(iv) When committed upon a child under 16 years of age.

The maximum punishment is increased when aggravated assault with intentional infliction of grievous bodily harm is inflicted upon a child under 16 years of age. Knowledge that the person assaulted was under the age of 16 years is not an element of the offense."

(6) Paragraph 54, Article 128 -- Assault, paragraph d. (4) is amended to read as follows:

"(4) Assault with a dangerous weapon or other means or force likely to produce death or grievous bodily harm.

Article 128 -- simple assault; assault consummated by a battery; (when committed upon a child under the age of 16 years; assault consummated by a battery upon a child under the age of 16 years)."

(6) Paragraph 54, Article 128 -- Assault, paragraph d. (7) is amended to read as follows:

"(7) Assault in which grievous bodily harm is intentionally inflicted. Article 128 -- simple assault; assault consummated by a battery; assault with a dangerous weapon; (when committed upon a child under the age of 16 years -- assault consummated by a battery upon a child under the age of 16 years)."

(8) Paragraph 54, Article 128 -- Assault, paragraph w. (8) is amended to read as follows:
"(b) Aggravated assault with a dangerous weapon or other means of force to produce death or grievous bodily harm."

After current paragraph (a), insert paragraph (b) as follows below, and redesignate (b) as paragraph (c):

"(b) Aggravated assault with a dangerous weapon or other means of force to produce death or grievous bodily harm when committed upon a child under the age of 16 years. Dishonorable discharge, total forfeitures, and confinement for 6 years."

(5) Paragraph 54, Article 123 -- Assault, paragraph (e)(5) is amended to read as follows:

"(5) Aggravated assault in which grievous bodily harm is intentionally inflicted."

After current paragraph (a), insert paragraph (b) as follows below, and redesignate paragraph (b) as paragraph (c):

"(b) Aggravated assault in which grievous bodily harm is intentionally inflicted when committed upon a child under the age of 16 years. Dishonorable discharge, total forfeitures, and confinement for 8 years."

(g) Paragraph 54, Article 123 -- Assault, paragraph (f)(g) is amended to read as follows:

"(g) Assault, aggravated with a dangerous weapon, means or force.

In that (personal jurisdiction data), did, (at/on board/subject matter jurisdiction data, if required), on or about (date), commit an assault upon (a child under the age of 16 years) by (shooting/pointing/striking/cutting) (____) (at his/her) (____) in/on (the ___) with (a dangerous weapon) (a (weapon) (force) likely to produce death or grievous bodily harm), to wit: (a) (loaded firearm) (pistol) (baton) (club) (____)."

(h) Paragraph 54, Article 123 -- Assault, paragraph (f)(h) is amended to read as follows:
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"(5) Assault, aggravated-inflicting grievous bodily harm.

In that _____ (personal jurisdiction data), did, (act/on board-
location) (subject matter jurisdiction data, if required), on or
about _____ 20_____, commit an assault upon _____ (a child under
the age of 16 years) by (shooting) (striking) (cutting) (____)
(him/her) on the _____ with a (loaded firearm) (club) (rock)
(brick) (_____ and did thereby intentionally inflict grievous
bodily harm upon him/her, to wit: a (broken leg) (deep
cut) (fractured skull) (____).

(6) Paragraph 64, Article 134 -- (Assault -- with intent
to commit murder, voluntary manslaughter, rape, robbery, sodomy,
arson, burglary, or housebreaking), paragraph c.(4), first
sentence, is amended to read as follows:

"In assault with intent to commit rape, the accused must
have intended to complete the offense."

(a) Paragraph 64, Article 134 -- (Assault -- with intent to
commit murder, voluntary manslaughter, rape, robbery, sodomy,
arson, burglary, or housebreaking), is amended by deleting the
following lesser included offense under paragraph d.(1)(b):

"(b) Article 134 -- indecent assault"

(1) New paragraph 68a, Article 134 -- (Child endangerment)
is inserted:

"68a. Article 134 -- (Child endangerment)

a. Text. See paragraph 60.

b. Elements.

(1) That the accused had a duty for the care of a certain
child;

(2) That the child was under the age of 16 years;

(3) That the accused endangered the child’s mental or
physical health, safety, or welfare through design or culpable
negligence; and
(4) 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.

(5) Explanation.

(1) In general. This offense is intended to prohibit and therefore deter child endangerment through design or culpable negligence.

(2) Design. Design means on purpose, intentionally, or according to plan and requires specific intent to endanger the child.

(3) Culpable negligence. Culpable negligence is a degree of carelessness greater than simple negligence. It is a negligent act or omission accompanied by a culpable disregard for the foreseeable consequences to others of that act or omission. In the context of this offense, culpable negligence may include acts that, when viewed in the light of human experience, might foreseeably result in harm to a child, even though such harm would not necessarily be the natural and probable consequences of such acts. In this regard, the age and maturity of the child, the conditions surrounding the negligent conduct, the proximity of assistance available, the nature of the environment in which the child may have been left, the provisions made for care of the child, and the location of the parent or adult responsible for the child relative to the location of the child, among others, may be considered in determining whether the conduct constituted culpable negligence.

(4) Harm. Actual physical or mental harm to the child is not required. The offense requires that the accused's actions reasonably could have caused physical or mental harm or
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suffering. However, if the accused's conduct does cause actual physical or mental harm, the potential maximum punishment increases. See Paragraph 54(c)(4)(iii) for an explanation of 'grievous bodily harm'.

(5) *Endanger.* 'Endanger' means to subject one to a reasonable probability of harm.

(6) *Age of victim as a factor.* While this offense may be committed against any child under 16, the age of the victim is a factor in the culpable negligence determination. Leaving a teenager alone for an evening may not be culpable (or even simple) negligence; leaving an infant or toddler for the same period might constitute culpable negligence. On the other hand, leaving a teenager without supervision for an extended period while the accused was on temporary duty outside commuting distance might constitute culpable negligence.

(7) *Duty required.* The duty of care is determined by the totality of the circumstances and may be established by statute, regulation, legal parent-child relationship, mutual agreement, or assumption of control or custody by affirmative act. When there is no duty of care of a child, there is no offense under this paragraph. Thus, there is no offense when a stranger makes no effort to feed a starving child or an individual/neighbor not charged with the care of a child does not prevent the child from running and playing in the street.

d. *Lesser included offenses.*

(1) Child Endangerment by Design. Article 134 -- Child endangerment by culpable negligence

(2) Article 80 -- Attempts

e. *Maximum punishment.*

(1) Endangerment by design resulting in grievous bodily
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... harm. Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 8 years.

(2) Endangerment by design resulting in harm. Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 5 years.

(3) Other cases by design. Dishonorable discharge, forfeiture of all pay and allowances and confinement for 4 years.

(4) Endangerment by culpable negligence resulting in grievous bodily harm. Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 3 years.

(5) Endangerment by culpable negligence resulting in harm. Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 2 years.

(6) Other cases by culpable negligence. Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 1 year.

I. Sample specification.

1. Resulting in grievous bodily harm.

In that _____ (personal jurisdiction data) (at/on board/location) (subject matter jurisdiction data, if required) on or about ____, 20____, had a duty for the care of _____, a child under the age of 16 years and did endanger the (mental health) (physical health) (safety) (welfare) of said _____, by (leaving the said _____ unattended in his quarters for over _____ hours/day with no adult present in the home) (by failing to obtain medical care for the said _____'s diabetic condition) (_____), (and that such conduct (was by design) constituted culpable negligence (which resulted in grievous bodily harm, to wit: (broken leg) (deep cut) (fractured skull) (_____), (____)
(2) Resulting in harm.

In that _____ (personal jurisdiction data), (at/on board/location) (subject matter jurisdiction data, if required) on or about _____, 20____, had a duty for the care of _____, a child under the age of 16 years, and did endanger the (mental health) (physical health) (safety) (welfare) of said _____, by (leaving the said _____ unattended in his quarters for over _____ hours/days with no adult present in the home) (by failing to obtain medical care for the said _____’s diabetic condition) (____), and that such conduct (was by design) (constituted culpable negligence) (which resulted in (harm, to wit:) (a black eye) (bloody nose) (minor cut) (____)).

(3) Other cases.

In that _____ (personal jurisdiction data), (at/on board/location) (subject matter jurisdiction data, if required) on or about _____, 20____, was responsible for the care of _____, a child under the age of 16 years, and did endanger the (mental health) (physical health) (safety) (welfare) of said _____, by (leaving the said _____ unattended in his quarters for over _____ hours/days with no adult present in the home) (by failing to obtain medical care for the said _____’s diabetic condition) (____), and that such conduct (was by design) (constituted culpable negligence).”

(u) Paragraph 63, Article 174 -- (Assault-indecency) is deleted.

(v) Paragraph 87, Article 174 -- (Indecent acts or liberties with a child) is deleted.

(w) Paragraph 88, Article 174 -- (Indecent exposure) is deleted.

(x) Paragraph 90, Article 174 -- (Indecent acts with another) is deleted.
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(p) Paragraph 99, Article 124 -- (Indecent Language), paragraph c. is amended to read as follows:

"c. Explanation. "Indecent" Language is that which is grossly offensive to modesty, decency, or propriety, or shocks the moral sense, because of its vulgar, filthy, or disgusting nature, or its tendency to incite lustful thought. Language is indecent if it tends reasonably to corrupt morals or incite licentious thoughts. The language must violate community standards. See paragraph 48 if the communication was made in the physical presence of a child."

(c) Paragraph 97, Article 124 -- (Pandering and prostitution) is amended to read as follows:

"(3) Pandering by inducing, enticing, or procuring act of prostitution.

(a) That the accused induced, enticed, or procured a certain person to engage in an act of sexual intercourse for hire and reward with a person to be directed to said person by the accused;

(b) That this inducing, enticing, or procuring was wrongful;

(c) 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."

(aa) Paragraph 97, Article 124 -- (Pandering and prostitution), subsection (f)(3) is amended to read as follows:

"(3) Inducing, enticing, or procuring act of prostitution.

In that _____ (personal jurisdiction data), did (at/on board/loc) (subject-matter jurisdiction data, if required), on or about _____ 20__, wrongfully (induce)(entice)(procure)
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___ to engage in (an act) (acts) of (sexual intercourse for hire and reward) with persons to be directed to him/her by the said ___.
Executive Order 13448 of October 18, 2007

Blocking Property and Prohibiting Certain Transactions
Related to Burma

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 Burmese Freedom and Democracy Act of 2003 (Public Law 108–61, as amended, 50 U.S.C. 1701 note), and section 301 of title 3, United States Code, and in order to take additional steps with respect to the Government of Burma’s continued repression of the democratic opposition in Burma,

I, GEORGE W. BUSH, President of the United States of America, hereby expand the scope of the national emergency declared in Executive Order 13047 of May 20, 1997, and relied upon for additional steps taken in Executive Order 13310 of July 28, 2003, finding that the Government of Burma’s continued repression of the democratic opposition in Burma, manifested most recently in the violent response to peaceful demonstrations, the commission of human rights abuses related to political repression, and engagement in public corruption, including by diverting or misusing Burmese public assets or by misusing public authority, constitute an unusual and extraordinary threat to the national security and foreign policy of the United States, and I hereby order:

Section 1. Except to the extent provided in section 203(b)(1), (3), and (4) of IEEPA (50 U.S.C. 1702(b)(1), (3), and (4)), the Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX, Public Law 106–387), or regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order, all property and interests in property of the following persons 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 blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

(a) the persons listed in the Annex attached and made a part of this order; and

(b) any person determined by the Secretary of the Treasury, after consultation with the Secretary of State:

(i) to be a senior official of the Government of Burma, the State Peace and Development Council of Burma, the Union Solidarity and Development Association of Burma, or any successor entity to any of the foregoing;

(ii) to be responsible for, or to have participated in, human rights abuses related to political repression in Burma;

(iii) to be engaged, or to have engaged, in activities facilitating public corruption by senior officials of the Government of Burma;

(iv) to have materially assisted, sponsored, or provided financial, material, logistical, or technical support for, or goods or services in support of
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of, the Government of Burma, the State Peace and Development Council of Burma, the Union Solidarity and Development Association of Burma, any successor entity to any of the foregoing, any senior official of any of the foregoing, or any person whose property and interests in property are blocked pursuant to Executive Order 13310 or section 1(b)(ii)-(v) of this order;

(v) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to Executive Order 13310 or section 1(b)(ii)-(v) of this order; or

(vi) to be a spouse or dependent child of any person whose property and interests in property are blocked pursuant to this order or Executive Order 13310.

Sec. 2. (a) Any transaction by a United States person or within the United States that evades or avoids, has the purpose of evading or avoiding, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 3. For 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, group, subgroup, 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 or any jurisdiction within the United States (including foreign branches), or any person in the United States; and

(d) the term “Government of Burma” means the Government of Burma (sometimes referred to as Myanmar), its agencies, instrumentalities and controlled entities, and the Central Bank of Burma.

Sec. 4. I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of, persons whose property and interests in property are blocked pursuant to section 1 of this order would seriously impair my ability to deal with the national emergency declared in Executive Order 13047, and relied upon for additional steps taken in Executive Order 13310, and expanded in this order, and hereby prohibit such donations as provided by section 1 of this order.

Sec. 5. For those persons whose property and interests in property are blocked pursuant to section 1 of this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13047, and relied upon for additional steps taken in Executive Order 13310, and expanded in this order, there need be no prior notice of a listing or determination made pursuant to this order.
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Sec. 6. The Secretary of the Treasury, after 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 the President by IEEPA and section 4 of the Burmese Freedom and Democracy Act of 2003 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 consistent with applicable law. 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.

Sec. 7. The Secretary of the Treasury, after consultation with the Secretary of State, is authorized to determine, subsequent to the effective date of this order, that circumstances no longer warrant inclusion of a person in the Annex to this order and that the property and interests in property of that person are therefore no longer blocked pursuant to section 1 of this order.

Sec. 8. 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 31 C.F.R. chapter V, except as expressly terminated, modified, or suspended by or pursuant to this order.

Sec. 9. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

Sec. 10. This order is effective at 12:01 a.m. eastern daylight time on October 19, 2007.

GEORGE W. BUSH

The White House,

October 18, 2007.
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Annex

Individuals

1. Tay ZA; Managing Director, Htoo Trading Company Limited; Chairman, Air Bagan Holdings Pte. Limited (d.b.a. Air Bagan); Managing Director, Pavo Trading Pte. Ltd.; DOB Jul 18, 1967; nationality, Burma
2. Pye Phyo Tay ZA; DOB Jan 29, 1987; nationality, Burma
3. Thidar ZAW; DOB Feb 24, 1962; nationality, Burma
4. Htay MYINT; Chairman, Yuzana Company Limited; DOB Feb 6, 1955; nationality, Burma
5. Khin SHWE; President, Zay Gabar Company; DOB Jan 21, 1952; nationality, Burma

Entities

1. Htoo Trading Company Limited; Yangon, Burma
2. Pavo Trading Pte. Ltd.; Singapore
3. Air Bagan Holdings Pte Ltd. (d.b.a. Air Bagan); Singapore
4. Air Bagan Limited (d.b.a. Air Bagan); Burma
5. Htoo Wood Products Pte. Limited; Singapore; Yangon, Burma
6. Yuzana Company Limited (a.k.a. Yuzana Construction); Yangon, Burma
7. Zay Gabar Company (a.k.a. Zaykabar Company); Burma
Executive Order 13449 of October 20, 2007

Protection of Striped Bass and Red Drum Fish Populations

By the authority vested in me as President by the Constitution and the laws of the United States of America, to assist in ensuring faithful execution of the Magnuson-Stevens Fishery Conservation and Management Act, the Atlantic Coastal Fisheries Cooperative Management Act, and the Atlantic Striped Bass Conservation Act (chapters 38, 71, and 71A of title 16, United States Code), and to conserve striped bass and red drum fish, it is hereby ordered as follows:

Section 1. Policy. It shall be the policy of the United States to conserve striped bass and red drum for the recreational, economic, and environmental benefit of the present and future generations of Americans, based on sound science and in cooperation with State, territorial, local, and tribal governments, the private sector, and others, as appropriate.

Sec. 2. Implementation. (a) To carry out the policy set forth in section 1, the Secretary of Commerce shall:

(i) encourage, as appropriate, management under Federal, State, territorial, tribal, and local laws that supports the policy of conserving striped bass and red drum, including State designation as gamefish where the State determines appropriate under applicable law;

(ii) revise current regulations, as appropriate, to include prohibiting the sale of striped bass and red drum caught within the Exclusive Economic Zone of the United States off the Atlantic Ocean and the Gulf of Mexico;

(iii) periodically review the status of the striped bass and red drum populations within waters subject to the jurisdiction of the United States and:

(A) take such actions within the authority of the Secretary of Commerce as may be appropriate to carry out the policy set forth in section 1 of this order; and

(B) recommend to the President such actions as the Secretary may deem appropriate to advance the policy set forth in section 1 that are not within the authority of the Secretary.

(b) Nothing in this order shall preclude or restrict the production, possession, or sale of striped bass or red drum fish that have been produced by aquaculture.

(c) The Secretary of Commerce shall implement subsections 2(a)(i) and (iii), insofar as they relate to Atlantic striped bass, jointly with the Secretary of the Interior, as appropriate.

Sec. 3. Definitions. As used in this order:

(a) “Exclusive Economic Zone of the United States” means the marine area of the United States as defined in Presidential Proclamation 5030 of March 10, 1983, with, for purposes of this order, the inner boundary of that zone being a line coterminous with the seaward boundary of each of the coastal States;

(b) “red drum” means the species Sciaenops ocellatus; and

(c) “striped bass” means the species Morone saxatilis.
Sec. 4. General Provisions. (a) This order shall be implemented in a manner consistent with applicable law (including but not limited to interstate compacts to which the United States has consented by law, treaties and other international agreements to which the United States is a party, treaties to which the United States and an Indian tribe are parties, and laws of the United States conferring rights on Indian tribes) and subject to the availability of appropriations.

(b) Nothing in this order shall be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, and legislative proposals.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, entities, officers, employees, or agents, or any other person.

GEORGE W. BUSH
The White House,
October 20, 2007.

Executive Order 13450 of November 13, 2007

Protection of Striped Bass and Red Drum Fish Populations

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 305 and 306 of title 5, sections 1115, 1116, and 9703 of title 31, and chapter 28 of title 39, United States Code, and to improve the effectiveness and efficiency of the Federal Government and promote greater accountability of that Government to the American people, it is hereby ordered as follows:

Section 1. Policy. It is the policy of the Federal Government to spend taxpayer dollars effectively, and more effectively each year. Agencies shall apply taxpayer resources efficiently in a manner that maximizes the effectiveness of Government programs in serving the American people.

Sec. 2. Definitions. As used in this order:
(a) “agency” means:
(i) an executive agency as defined in section 105 of title 5, United States Code, other than the Government Accountability Office; and
(ii) the United States Postal Service and the Postal Regulatory Commission;
(b) “agency Performance Improvement Officer” means an employee of an agency who is a member of the Senior Executive Service or equivalent service, and who is designated by the head of the agency to carry out the duties set forth in section 5 of this order.

Sec. 3. Duties of Heads of Agencies. To assist in implementing the policy set forth in section 1 of this order, the head of each agency shall, with respect to each program administered in whole or in part by the agency:
(a) approve for implementation:
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(i) clear annual and long-term goals defined by objectively measurable outcomes; and

(ii) specific plans for achieving the goals, including:
   (A) assignments to specified agency personnel of:
      (1) the duties necessary to achieve the goals; and
      (2) the authority and resources necessary to fulfill such duties;
   (B) means to measure:
      (1) progress toward achievement of the goals; and
      (2) efficiency in use of resources in making that progress; and
   (C) mechanisms for ensuring continuous accountability of the specified agency personnel to the head of the agency for achievement of the goals and efficiency in use of resources in achievement of the goals;

(b) assist the President, through the Director of the Office of Management and Budget (Director), in making recommendations to the Congress, including budget and appropriations recommendations, that are justified based on objective performance information and accurate estimates of the full costs of achieving the annual and long-term goals approved under subsection (a)(i) of this section; and

(c) ensure that agency Internet websites available to the public include regularly updated and accurate information on the performance of the agency and its programs, in a readily useable and searchable form, that sets forth the successes, shortfalls, and challenges of each program and describes the agency’s efforts to improve the performance of the program.

Sec. 4. Additional Duties of the Director of the Office of Management and Budget. (a) To assist in implementing the policy set forth in section 1 of this order, the Director shall issue instructions to the heads of agencies concerning:

(i) the contents, and schedule for approval, of the goals and plans required by section 3 of this order; and

(ii) the availability to the public in readily accessible and comprehensible form on the agency’s Internet website (or in the Federal Register for any agency that does not have such a website), of the information approved by the head of each agency under section 3 of this order and other information relating to agency performance.

(b) Instructions issued under subsection (a) of this section shall facilitate compliance with applicable law, presidential guidance, and Office of Management and Budget circulars and shall be designed to minimize duplication of effort and to assist in maximizing the efficiency and effectiveness of agencies and their programs.

Sec. 5. Duties of Agency Performance Improvement Officers. Subject to the direction of the head of the agency, each agency Performance Improvement Officer shall:

(a) supervise the performance management activities of the agency, including:

(i) development of the goals, specific plans, and estimates for which section 3 of this order provides; and
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(ii) development of the agency’s strategic plans, annual performance plans, and annual performance reports as required by law;

(b) advise the head of the agency, with respect to a program administered in whole or in part by the agency, whether:

(i) goals proposed for the approval of the head of the agency under section 3(a)(i) of this order are:

(A) sufficiently aggressive toward full achievement of the purposes of the program; and

(B) realistic in light of authority and resources assigned to the specified agency personnel referred to in section 3(a)(ii)(A) of this order with respect to that program; and

(ii) means for measurement of progress toward achievement of the goals are sufficiently rigorous and accurate;

(c) convene the specified agency personnel referred to in section 3(a)(ii)(A) of this order, or appropriate subgroups thereof, regularly throughout each year to:

(i) assess performance of each program administered in whole or in part by the agency; and

(ii) consider means to improve the performance and efficiency of such program;

(d) assist the head of the agency in the development and use within the agency of performance measures in personnel performance appraisals, and, as appropriate, other agency personnel and planning processes; and

(e) report to the head of the agency on the implementation within the agency of the policy set forth in section 1 of this order.

Sec. 6. Establishment and Operation of Performance Improvement Council.

(a) The Director shall establish, within the Office of Management and Budget for administrative purposes only, a Performance Improvement Council (Council), consistent with this order.

(b) The Council shall consist exclusively of:

(i) the Deputy Director for Management of the Office of Management and Budget, who shall serve as Chair;

(ii) such agency Performance Improvement Officers, as determined by the Chair; and

(iii) such other full-time or permanent part-time employees of an agency, as determined by the Chair with the concurrence of the head of the agency concerned.

(c) The Chair or the Chair’s designee, in implementing subsection (d) of this section, shall convene and preside at the meetings of the Council, determine its agenda, direct its work, and establish and direct subgroups of the Council, as appropriate to deal with particular subject matters, that shall consist exclusively of members of the Council.

(d) To assist in implementing the policy set forth in section 1 of this order, the Council shall:
(i) develop and submit to the Director, or when appropriate to the President through the Director, at times and in such formats as the Chair may specify, recommendations concerning:

(A) performance management policies and requirements; and

(B) criteria for evaluation of program performance;

(ii) facilitate the exchange among agencies of information on performance management, including strategic and annual planning and reporting, to accelerate improvements in program performance;

(iii) coordinate and monitor a continuous review by heads of agencies of the performance and management of all Federal programs that assesses the clarity of purpose, quality of strategic and performance planning and goals, management excellence, and results achieved for each agency’s programs, with the results of these assessments and the evidence on which they are based made available to the public on or through the Internet website referred to in subsection (d)(iv);

(iv) to facilitate keeping the public informed, and with such assistance of heads of agencies as the Director may require, develop an Internet website that provides the public with information on how well each agency performs and that serves as a comprehensive source of information on:

(A) current program performance; and

(B) the status of program performance plans and agency Performance and Accountability Reports; and

(C) consistent with the direction of the head of the agency concerned after consultation with the Director, any publicly available reports by the agency’s Inspector General concerning agency program performance;

(v) monitor implementation by agencies of the policy set forth in section 1 of this order and report thereon from time to time as appropriate to the Director, or when appropriate to the President through the Director, at such times and in such formats as the Chair may specify, together with any recommendations of the Council for more effective implementation of such policy;

(vi) at the request of the head of an agency, unless the Chair declines the request, promptly review and provide advice on a proposed action by that agency to implement the policy set forth in section 1 of this order; and

(vii) obtain information and advice, as appropriate, in a manner that seeks individual advice and does not involve collective judgment or consensus advice or deliberation, from:

(A) State, local, territorial, and tribal officials; and

(B) representatives of entities or other individuals.

(e)(i) To the extent permitted by law, the Office of Management and Budget shall provide the funding and administrative support the Council needs, as determined by the Director, to implement this section; and

(ii) the heads of agencies shall provide, as appropriate and to the extent permitted by law, such information and assistance as the Chair may request to implement this section.
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Sec. 7. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to an agency or the head thereof; or

(ii) functions of the Director relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law (including laws and executive orders relating to the protection of information from disclosure) and subject to the availability of appropriations.

(c) In implementing this order, the Director of National Intelligence shall perform the functions assigned to the Director of National Intelligence by the National Security Act of 1947, as amended (50 U.S.C. 401 et seq.), consistent with section 1018 of the Intelligence Reform and Terrorism Prevention Act (Public Law 108–458), and other applicable laws.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH

The White House,


Executive Order 13451 of November 19, 2007

Designating the ITER International Fusion Energy Organization as a Public International Organization Entitled To Enjoy Certain Privileges, Exemptions, and Immunities

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 finding that the United States participates in the ITER International Fusion Energy Organization under the authority of acts of Congress authorizing such participation and making an appropriation for such participation, including sections 971 and 972 of the Energy Policy Act of 2005 (42 U.S.C. 16311 and 16312) and laws making appropriations for the Department of Energy, it is hereby ordered as follows:

Section 1. Designation. I hereby designate the ITER International Fusion Energy Organization as a public international organization entitled to enjoy the privileges, exemptions, and immunities provided by the International Organizations Immunities Act.
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Sec. 2. Non-Abridgement. This designation is not intended to abridge in any respect privileges, exemptions, or immunities that the ITER International Fusion Energy Organization otherwise may have acquired or may acquire by law.

GEORGE W. BUSH

The White House,

Executive Order 13452 of November 28, 2007

Establishing an Emergency Board To Investigate Disputes Between the National Railroad Passenger Corporation and Certain of Its Employees Represented by Certain Labor Organizations

Disputes exist between National Railroad Passenger Corporation (Amtrak) and certain of its employees represented by certain labor organizations. The labor organizations involved in these disputes are designated on the attached list, which is made a part of this order.

The disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended (45 U.S.C. 151 et seq.) (RLA).

In the judgment of the National Mediation Board, these disputes threaten substantially to interrupt interstate commerce to a degree that would deprive sections of the country of essential transportation service.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States, including section 10 of the RLA (45 U.S.C. 160), it is hereby ordered as follows:

Section 1. Establishment of Emergency Board (Board). There is established, effective 12:01 a.m. eastern standard time on December 1, 2007, a Board of five members to be appointed by the President to investigate and report on these disputes. No member shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier. The Board shall perform its functions subject to the availability of funds.

Sec. 2. Report. The Board shall report to the President with respect to the disputes within 30 days of its creation.

Sec. 3. Maintaining Conditions. As provided by section 10 of the RLA, from the date of the creation of the Board and for 30 days after the Board has submitted its report to the President, no change in the conditions out of which the disputes arose shall be made by the parties to the controversy, except by agreement of the parties.

Sec. 4. Records Maintenance. The records and files of the Board are records of the Office of the President and upon the Board’s termination shall be maintained in the physical custody of the National Mediation Board.
Sec. 5. Expiration. The Board shall terminate upon the submission of the report provided for in section 2 of this order.

GEORGE W. BUSH

The White House,

Executive Order 13453 of December 6, 2007

Closing of Executive Departments and Agencies of the Federal Government on Monday, December 24, 2007

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 branch departments and agencies of the Federal Government shall be closed and their employees excused from duty on Monday, December 24, 2007, the day before Christmas Day, except as provided in section 2 below.

Sec. 2. The heads of executive branch departments and agencies may determine that certain offices and installations of their organizations, or parts thereof, must remain open and that certain employees must report for duty on December 24, 2007, for reasons of national security or defense or other public need.

Sec. 3. Monday, December 24, 2007, shall be considered as falling within the scope of Executive Order 11582 of February 11, 1971, 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.

GEORGE W. BUSH

The White House,
December 6, 2007.
Memorandum of January 5, 2007

Assignment of Functions Regarding the Citizens Health Care Working Group

Memorandum for the Secretary of Health and Human Services

By virtue of authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3 of the United States Code, the functions of the President under section 1014(o)(1) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173) are assigned to the Secretary of Health and Human Services.

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,
Title 3—The President

Notice of January 18, 2007

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

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

Because these terrorist activities continue to threaten the Middle East peace process and to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on January 23, 1995, as expanded on August 20, 1998, and the measures adopted on those dates to deal with that emergency must continue in effect beyond January 23, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to foreign terrorists who threaten to disrupt the Middle East peace process.

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

GEORGE W. BUSH

THE WHITE HOUSE,


Memorandum of January 25, 2007

Assignment of Functions Under the Darfur Peace and Accountability Act of 2006

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3, United States Code, I hereby assign to you the functions of the President under sections 6(a), 6(b), and 6(f) of the Darfur Peace and Accountability Act of 2006 (Public Law 109–344). In performing such functions, you shall consult with other heads of departments and agencies, as appropriate.
You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH


Transfer of Funds Under Section 610 of the Foreign Assistance Act of 1961

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 610 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2360) (the “Act”), I hereby determine it necessary for the purposes of that Act that up to $86,362 million in fiscal year 2006 funds made available under chapter 4 of part II of the Act be transferred to, and consolidated with, funds made available under chapter 8 of part I of the Act, and such funds are hereby so transferred and consolidated.

You are authorized and directed to report this determination to the Congress and to publish it in the Federal Register.

GEORGE W. BUSH


Notice of February 5, 2007

Continuation of the National Emergency Blocking Property of Certain Persons Contributing to the Conflict in Côte d’Ivoire

On February 7, 2006, by Executive Order 13396, I declared a national emergency and ordered related measures blocking the property of certain persons contributing to the conflict in Côte d’Ivoire, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in or in relation to Côte d’Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, and has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and attacks against international peacekeeping forces leading to fatalities.
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Because the situation in or in relation to Côte d’Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on February 7, 2006, and the measures adopted on that date to deal with that emergency, must continue in effect beyond February 7, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13396.

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

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of February 5, 2007


Memorandum for the Secretary of Defense

By the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3, United States Code, I hereby assign to you the functions of the President under section 556 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Presidential Determination No. 2007–12 of February 7, 2007

Implementation of Sections 603 and 604 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228)

Memorandum for the Secretary of State

Consistent with the authority contained in section 604 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) (the “Act”), and with reference to the determinations set out in the report to
Other Presidential Documents

the Congress transmitted pursuant to section 603 of the Act, regarding non-compliance by the Palestine Liberation Organization (PLO) and the Palestinian Authority with certain commitments, I hereby impose the sanction set out in section 604(a)[2], “Downgrade in Status of the PLO Office in the United States.” This sanction is imposed for a period of 180 days from the date hereof or until such time as the next report required by section 603 of the Act is transmitted to the Congress, whichever is later. You are authorized and directed to transmit to the appropriate congressional committees the report described in section 603 of the Act.

Furthermore, I hereby determine that it is in the national security interest of the United States to waive that sanction, pursuant to section 604(c) of the Act. This waiver shall be effective for a period of 180 days from the date hereof or until such time as the next report required by section 603 of the Act is transmitted to the Congress, whichever is later.

You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of February 9, 2007

Designation of Officers of the Federal Bureau of Investigation

Memorandum for the Director of the Federal Bureau of Investigation

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345, et seq., it is hereby ordered that:

Section 1. Order of Succession. During any period when the Director of the Federal Bureau of Investigation (Director) has died, resigned, or otherwise become unable to perform the functions and duties of the office of the Director, the following officials of the Federal Bureau of Investigation, in the order listed, shall perform the functions and duties of the office of the Director of the Federal Bureau of Investigation, until such time as the Director is able to perform the functions and duties of the office of Director of the Federal Bureau of Investigation:

(a) Deputy Director of the Federal Bureau of Investigation;
(b) Associate Deputy Director of the Federal Bureau of Investigation;
(c) Executive Assistant Director of the National Security Branch;
(d) Executive Assistant Director for Criminal, Cyber, Response and Services; and
(e) The Assistant Directors of the Federal Bureau of Investigation, in the order listed:
(1) Assistant Director, Counterterrorism Division;
(2) Assistant Director, Criminal Investigative Division;

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(3) Assistant Director, Counterintelligence Division;
(4) Assistant Director, Washington Field Office;
(5) Assistant Director, New York Field Office; and
(6) Assistant Director, Los Angeles Field Office.

Sec. 2. Exceptions.

(a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as the Director pursuant to this memorandum.

(b) No individual shall act as Director unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.

(c) Notwithstanding the provisions of this memorandum, the President retains discretion, to the extent permitted by law, to depart from this memorandum in designating an acting Director.

Sec. 3. Judicial Review. This memorandum is intended 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 in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 4. The Director of the Federal Bureau of Investigation is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Presidential Determination No. 2007–13 of February 14, 2007

Presidential Determination on Waiving Prohibition on United States Military Assistance With Respect to Chad

Memorandum for the Secretary of State

Consistent with the authority vested in me by section 2007 of the American Servicemembers’ Protection Act of 2002, (the “Act”), title II of Public Law 107–206 (22 U.S.C. 7421 et seq.), I hereby:

• Determine that Chad has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against U.S. personnel present in such country; and

• Waive the prohibition of section 2007(a) of the Act with respect to this country for as long as such agreement remains in force.

GEORGE W. BUSH

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You are authorized and directed to report this determination to the Congress and to arrange for its publication in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of February 15, 2007

Assignment of Functions Relating to the Transfer of a Ship to the Government of Greece

Memorandum for the Secretary of Transportation [and] Secretary of State

By the authority vested in me by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, and section 1019 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) (the “Act”), I hereby assign to the Secretary of Transportation the functions of the President under section 1019 of the Act. The Secretary of Transportation should consult the Secretary of State as appropriate in the performance of such functions.

The Secretary of Transportation is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of February 20, 2007

Designation of Officers of the Office of the United States Trade Representative To Act as the United States Trade Representative

Memorandum for the United States Trade Representative

By the authority vested in me as President under the Constitution and the laws of the United States of America, including the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345, et seq., it is hereby ordered that:

Section 1. Order of Succession.

During any period when the United States Trade Representative (USTR) has died, resigned, or otherwise becomes unable to perform the functions and duties of the office of the United States Trade Representative, the following officers of the Office of the United States Trade Representative, in the order listed, shall perform the functions and duties of the USTR, until such time as the USTR is able to perform the functions and duties of that office;
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(a) Deputy United States Trade Representatives (stationed in Washington, D.C.; in order of their length of service as a Deputy USTR);
(b) Deputy United States Trade Representative (stationed in Geneva);
(c) General Counsel;
(d) Chief Negotiator for Agriculture;
(e) Deputy General Counsel; and
(f) Deputy Chief of Mission (stationed in Geneva).

Sec. 2. Exceptions.

(a) No individual who is serving in an office listed in section 1 in an acting capacity, by virtue of so serving, shall act as the USTR pursuant to this memorandum.
(b) No individual shall act as USTR unless that individual is otherwise eligible to so serve under the Federal Vacancies Reform Act of 1998.
(c) Notwithstanding the provisions of this memorandum, the President retains discretion, to the extent permitted by law, to depart from this memorandum in designating an acting USTR.

Sec. 3. Judicial Review. This memorandum is intended 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 in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 4. Publication. You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of February 26, 2007

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, a national emergency was declared to address the disturbance or threatened disturbance of international relations caused by the February 24, 1996, destruction by the Cuban government of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba. In July 1996 and on subsequent occasions, the Cuban government 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 flotilla or peaceful protest. Since these events, the Cuban government has not demonstrated that it will
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refrain from the future use of reckless and excessive force against U.S. vessels or aircraft that may engage in memorial activities or peaceful protest north of Cuba. On February 26, 2004, by Proclamation 7757, the scope of the national emergency was expanded in order to deny monetary and material support to the repressive Cuban government, which had taken a series of steps to destabilize relations with the United States, including threatening to abrogate the Migration Accords with the United States and to close the United States Interests Section. Further, Cuba’s most senior officials repeatedly asserted that the United States intended to invade Cuba, despite explicit denials from the U.S. Secretaries of State and Defense that such action is planned. 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 as amended and expanded by Proclamation 7757.

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

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of February 28, 2007

Continuation of the National Emergency With Respect to Zimbabwe

On March 6, 2003, by Executive Order 13288, I declared a national emergency and blocked the property of persons undermining democratic processes or institutions in Zimbabwe, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe’s democratic processes or institutions. These actions have contributed to the deliberate breakdown in the rule of law in Zimbabwe, politically motivated violence and intimidation, and political and economic instability in the southern African region. On November 22, 2005, I issued Executive Order 13391 to take additional steps with respect to the national emergency declared in Executive Order 13288 by ordering the blocking of the property of additional persons undermining democratic processes or institutions in Zimbabwe.

Because the actions and policies of these persons continue to pose an unusual and extraordinary threat to the foreign policy of the United States, the national emergency declared on March 6, 2003, and the measures adopted on that date and on November 22, 2005, to deal with that emergency, must continue in effect beyond March 6, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the actions and policies of certain members of the Government of
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Zimbabwe and other persons to undermine Zimbabwe’s democratic processes or institutions.

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

GEORGE W. BUSH

THE WHITE HOUSE,


Presidential Determination Under Section 490(b)(1)(A) of the Foreign Assistance Act Relating to the Largest Exporting and Importing Countries of Certain Precursor Chemicals

Memorandum for the Secretary of State

Pursuant to section 490(b)(1)(A) of the Foreign Assistance Act, I hereby determine that the top five exporting and importing countries of pseudoephedrine and ephedrine in 2005 (Belgium, China, Germany, India, Indonesia, Mexico, Singapore, South Africa, South Korea, Switzerland, Taiwan, and the United Kingdom) have cooperated fully with the United States or have taken adequate steps on their own to achieve full compliance with the goals and objectives established by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

You are directed to publish this determination in the Federal Register, and are authorized and directed to transmit to the Congress the report under section 722 of the Combat Methamphetamine Epidemic Act.

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of March 5, 2007

Assignment of Certain Functions Relating to Procurement Sanctions on Persons Engaging in Export Activities that Contribute to Proliferation

Memorandum for the Secretary of State[,] the Secretary of the Treasury[,] the Secretary of Defense[,] the Secretary of Commerce[,] and the Director of National Intelligence

By the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3, United States Code, the functions of the President under section 821 of the Foreign Relations
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Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6301) are assigned to the Secretary of State, except that the function of the President under section 821(c)(2)(A) is assigned to the Secretary of Defense.

In the performance of their respective functions under this memorandum, the Secretaries of State and Defense shall, as appropriate, consult each other, the Secretaries of the Treasury and Commerce, and the heads of other departments and agencies.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of March 8, 2007

Continuation of the National Emergency With Respect to Iran

On March 15, 1995, by Executive Order 12957, the President 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 unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Government of Iran. On May 6, 1995, the President issued Executive Order 12959 imposing more comprehensive sanctions to further respond to this threat, and on August 19, 1997, the President issued Executive Order 13059 consolidating and clarifying the previous orders.

Because the actions and policies of the Government of Iran continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on March 15, 1995, must continue in effect beyond March 15, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to 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 November 2006.

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

GEORGE W. BUSH

THE WHITE HOUSE,

Presidential Determination on the Eligibility of the Republic of Montenegro and the Republic of Serbia To Receive Defense Articles and Defense Services

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and the laws of the United States, including section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, as amended, I hereby find that the furnishing of defense articles and defense services to the Republic of Montenegro and the Republic of Serbia will strengthen the security of the United States and promote world peace.

You are authorized and directed to transmit this determination to the Congress and to arrange for the publication of this determination in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of March 23, 2007

Assignment of Functions Under Section 530 of the Foreign Relations Authorization Act for Fiscal Years 1994 and 1995, and Section 2(b)(4) of the Export-Import Bank Act of 1945, as Amended

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby assign to you:

(1) the functions of the President under section 530 of the Foreign Relations Authorization Act for Fiscal Years 1994 and 1995 (Public Law 103–236) (22 U.S.C. 2429a–2); and

(2) the functions of the President under section 2(b)(4) of the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635).

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,
Notice of March 30, 2007

Notice of Intention To Enter Into a Free Trade Agreement With Panama

Consistent with section 2105(a)(1)(A) of the Trade Act of 2002, I have notified the Congress of my intention to enter into a free trade agreement with the Republic of Panama.

Consistent with section 2105(a)(1)(A) of that Act, this notice shall be published in the Federal Register.

GEORGE W. BUSH
THE WHITE HOUSE,

Notice of April 1, 2007

Notice of Intention To Enter Into a Free Trade Agreement With Korea

Consistent with section 2105(a)(1)(A) of the Trade Act of 2002, I have notified the Congress of my intention to enter into a free trade agreement with the Republic of Korea.

Consistent with section 2105(a)(1)(A) of that Act, this notice shall be published in the Federal Register.

GEORGE W. BUSH
THE WHITE HOUSE,
April 1, 2007.

Memorandum of April 10, 2007

Assignment of Functions Relating to the Information Sharing Environment

Memorandum for the Director of National Intelligence

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 301 of title 3, United States Code, the functions of the President under section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) (the "Act") are hereby assigned to the Director of National Intelligence (Director).

The Director shall perform such functions in a manner consistent with direction and guidance issued by the President, including (1) the Memorandum for the Heads of Executive Departments and Agencies of June 2, 2005, entitled "Strengthening Information Sharing, Access, and Integration—Organizational, Management, and Policy Development Structures for
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Creating the Terrorism Information Sharing Environment,” and (2) the Memorandum for the Heads of Executive Departments and Agencies of December 16, 2005, entitled “Guidelines and Requirements in Support of the Information Sharing Environment;” provided that the Director shall ensure that the official within the Office of the Director of National Intelligence previously designated as the program manager responsible for information sharing across the Federal Government pursuant to the Act shall be the assistant to the Director in carrying out the functions delegated by this memorandum.

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Presidential Determination No. 2007–16 of April 11, 2007

Presidential Determination on Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization Office

Memorandum for the Secretary of State

Pursuant to the authority and conditions contained in section 534(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, Public Law 109–102, as carried forward by the Revised Continuing Appropriations Resolution, 2007, Public Law 110–5, 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.

This waiver shall be effective for a period of 6 months from the date hereof. You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the Federal Register.

GEORGE W. BUSH

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Presidential Determination No. 2007–17 of April 25, 2007

Transfer of Defense Articles and Services in Support of the Southern Sudan Security Sector Reform (SSR) Program

 Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 40(g) of the Arms Export Control Act (AECA) and section 301 of title 3, United States Code, I hereby:

• Determine and certify that the transaction, encompassing U.S. Government-funded transfers and commercial exports of defense articles and services necessary for an SSR program for the security sector of the Government of Southern Sudan, including support for: transformation of the Sudan People’s Liberation Army from a guerrilla force into a smaller, conventional force; the Sudan People’s Liberation Movement; a protective service detail, police service, intelligence, and other law enforcement entities of the Government of Southern Sudan; and private entities involved in the SSR program, is essential to the national security interests of the United States;

• Waive the prohibitions in section 40 of the AECA related to such a transaction; and

• Assign to you the functions of the President under section 40(g)(2) of the AECA to consult with and submit reports to the Congress for proposed specific transfers or exports, 15 days prior to permitting them to proceed, that are necessary for and within the scope of this waiver determination and the transaction referred to herein.

You are authorized and directed to report this determination to the Congress and arrange for its publication in the Federal Register.

GEORGE W. BUSH


Notice of May 8, 2007

Continuation of the National Emergency Blocking Property of Certain Persons and Prohibiting the Export of Certain Goods to Syria

On May 11, 2004, pursuant to my authority under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) and the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Public Law 108–175), I issued Executive Order 13338 in which I declared a national emergency authorizing the blocking of property of certain persons and prohibiting the exportation or reexportation of certain goods to Syria. On April 25, 2006, I issued Executive Order 13399 to expand the scope of this national emergency. I took these actions to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and to promote my national interests. I am now continuing that national emergency and reissuing Executive Order 13338 to reflect the reissue and continuation of similar national emergency authorities and to further block property of additional persons and prohibit the exportation or reexportation of certain goods to Syria. The national emergency therefore continues to exist.

For these reasons, I continue to find that it is necessary to block property of additional persons and prohibit the exportation or reexportation of certain goods to Syria, in furtherance of the national emergency declared by the original order and reissued here.

GEORGE W. BUSH
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United States constituted by the actions of the Government of Syria in supporting terrorism, maintaining its then-existing occupation of Lebanon, pursuing weapons of mass destruction and missile programs, and undermining United States and international efforts with respect to the stabilization and reconstruction of Iraq.

Because the actions and policies of the Government of Syria continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on May 11, 2004, and the measures adopted on that date and on April 25, 2006, in Executive Order 13399, to deal with that emergency, must continue in effect beyond May 11, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency authorizing the blocking of property of certain persons and prohibiting the exportation or reexportation of certain goods to Syria.

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

GEORGE W. BUSH


Presidential Determination No. 2007–18 of May 9, 2007

Presidential Determination on Transfer of Funds from FY 2006 Economic Support Fund Account to the International Peacekeeping Account To Support Security Sector Reform in Liberia

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and the laws of the United States, including section 610 of the Foreign Assistance Act of 1961, as amended (the “Act”), and section 301 of title 3 of the United States Code, I hereby determine it necessary for the purposes of the Act that $11 million in FY 2006 funds made available under the Economic Support Fund account be transferred to, and consolidated with, funds made available under chapter 6 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 publish it in the Federal Register.

GEORGE W. BUSH

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Presidential Determination No. 2007–19 of May 10, 2007

Unexpected Urgent Refugee and Migration Needs Related to Somalia, Sudan, Chad, Other Parts of Africa, and the West Bank and Gaza

Memorandum for the Secretary of State

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the “Act”), as amended (22 U.S.C. 2601 and 2603) and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to section 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act, in an amount not to exceed $29.5 million from the United States Emergency Refugee and Migration Assistance Fund, for the purpose of meeting unexpected and urgent refugee and migration needs, including by contributions to international, governmental, and non-governmental organizations and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State, related to: (a) humanitarian needs resulting from conflicts in Somalia, Sudan, and Chad, (b) breaks in the food pipeline for refugees in Africa, and in the West Bank and Gaza; and

(2) the functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, are assigned to you, and you may further assign such functions to any of your subordinates.

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of May 17, 2007

Continuation of the National Emergency With Respect to Burma

On May 20, 1997, the President issued Executive Order 13047, 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. The President 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 et seq. On July 28, 2003, I
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issued Executive Order 13310 taking additional steps with respect to that national emergency by putting in place an import ban required by the Burmese Freedom and Democracy Act of 2003, and prohibiting exports of financial services to Burma and the dealing in property in which certain designated Burmese persons have an interest.

Because the actions and policies of the Government of Burma continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on May 20, 1997, and the measures adopted on that date to deal with that emergency must continue in effect beyond May 20, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Burma. This notice shall be published in the Federal Register and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of May 18, 2007

Continuation of the National Emergency Protecting the Development Fund for Iraq and Certain Other Property in Which Iraq Has an Interest

On May 22, 2003, by Executive Order 13303, I declared a national emergency protecting the Development Fund for Iraq and certain other property in which Iraq has an interest, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) (IEEPA). I took this action to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq constituted by the threat of attachment or other judicial process against the Development Fund for Iraq, Iraqi petroleum and petroleum products, and interests therein, and proceeds, obligations, or any financial instruments of any nature whatsoever arising from or related to the sale or marketing thereof, and interests therein.

In Executive Order 13315, of August 28, 2003, Executive Order 13350 of July 29, 2004, and Executive Order 13364 of November 29, 2004, I modified the scope of the national emergency declared in Executive Order 13303 and amended the steps taken pursuant to it.

Because the obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on May 22, 2003, and the measures adopted on that date, August 28, 2003, July 29, 2004, and November 29, 2004, to deal with that emergency must
Other Presidential Documents

continue in effect beyond May 22, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency protecting the Development Fund for Iraq and certain other property in which Iraq has an interest.

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

GEORGE W. BUSH

THE WHITE HOUSE,
May 18, 2007.

Presidential Determination No. 2007–20 of June 1, 2007

Assistance for the West Bank and Gaza

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 550(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (FOAA)(Public Law 109–102), as amended by the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234), sections 620K(e) and 620L(b)(4) of the Foreign Assistance Act, as added by the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446), and section 301 of title 3, United States Code, I hereby certify and report that:

With respect to the provision of assistance for the administrative and personal security costs of the Office of the President of the Palestinian Authority; for the activities of the President of the Palestinian Authority to promote democracy, peaceful resolution of the Israeli-Palestinian conflict, and the rule of law and to fulfill his duties as President, including, among other things, to maintain control of the management and security of border crossings and to foster the Middle East peace process; and, with respect to independent agencies:

• it is in the national security interest of the United States to provide such assistance;

• as the case may be, the President of the Palestinian Authority, the President’s party, and independent agencies and any members thereof, including any individual or entity for which assistance is proposed to be provided, are not members of, appointed by, or effectively controlled by Hamas or any other foreign terrorist organization; and

• such assistance provided hereunder will not be transferred or retransferred to any member of Hamas or other foreign terrorist organization or to any entity effectively controlled by Hamas or other foreign terrorist organization.

Accordingly, I hereby waive section 550(a) of the FOAA, as amended, and section 620K(a) of the Foreign Assistance Act, as amended, with respect to such assistance, and authorize such assistance for the above purposes.
Title 3—The President

Furthermore, I hereby determine that, with respect to assistance to non-governmental organizations for the West Bank and Gaza other than assistance covered by paragraphs (b)(1), (2), and (3) of section 620L of the Foreign Assistance Act, as amended, it is in the national security interest of the United States to provide such assistance as the Secretary of State deems appropriate, and assign to the Secretary of State the functions under section 620L(b)(4)(B) regarding the specific programs, projects, and activities to be carried out using such assistance.

I also hereby assign the functions of the President under section 550(b) and (c) of the FOAA, as amended and as carried forward under the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5), to the Secretary of State.

You are hereby authorized and directed to report this determination to the Congress and publish it in the Federal Register.

GEORGE W. BUSH
THE WHITE HOUSE,
Washington, June 1, 2007.

Presidential Determination No. 2007–21 of June 1, 2007

Suspension of Limitations Under the Jerusalem Embassy Act

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 7(a) of the Jerusalem Embassy Act of 1995 (Public Law 104–45) (the “Act”), I hereby determine that it is necessary to protect the national security interests of the United States to suspend for a period of 6 months the limitations set forth in sections 3(b) and 7(b) of the Act. My Administration remains committed to beginning the process of moving our Embassy to Jerusalem.

You are hereby authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 7(a) of the Act, and to publish the determination in the Federal Register.

This suspension shall take effect after transmission of this determination and report to the Congress.

GEORGE W. BUSH
THE WHITE HOUSE,
Washington, June 1, 2007.
Partial Resumption of Travel to Lebanon To Promote Peace and Security

Memorandum for the Secretary of Transportation

By virtue of the authority vested in me by 49 U.S.C. 40106(b) and for the purpose of promoting peace and security in Lebanon, I hereby determine that the prohibition of transportation services to Lebanon established by Presidential Determination 85–14 of July 1, 1985, as amended by Presidential Determination 92–41 of August 17, 1992, and Presidential Determination 98–32 of June 19, 1998, is hereby further amended to permit U.S. air carriers under contract to the United States Government to engage in foreign air transportation to and from Lebanon of passengers, including U.S. and non-U.S. citizens, and their accompanying baggage; of goods for humanitarian purposes; and of any other cargo or materiel.

All other prohibitions set forth in the above-referenced Presidential determinations remain in effect.

You are directed to implement this determination immediately.

You are authorized and directed to publish this determination in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,


Memorandum for the Secretary of State[,] Secretary of Defense[, and the] Director of National Intelligence

By virtue of the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby assign to the Secretary of State the functions of the President under sections 1211(b), 1213(b), and 1226(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364).

In the performance of such functions, the Secretary of State should coordinate with the Secretary of Defense and the Director of National Intelligence, and the heads of other departments and agencies, as appropriate.
Title 3—The President

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of June 14, 2007

Continuation of the National Emergency Blocking Property of Certain Persons Undermining Democratic Processes or Institutions in Belarus

On June 16, 2006, by Executive Order 13405, I declared a national emergency and ordered related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action in response to the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of certain members of the Government of Belarus and other persons that have undermined democratic processes or institutions; committed human rights abuses related to political repression, including detentions and disappearances; and engaged in public corruption, including by diverting or misusing Belarusian public assets or by misusing public authority.

Because these actions and policies continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on June 16, 2006, and the measures adopted on that date to deal with that emergency, must continue in effect beyond June 16, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13405.

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

GEORGE W. BUSH

THE WHITE HOUSE,
June 14, 2007.
Other Presidential Documents

Notice of June 19, 2007

Continuation of the National Emergency With Respect to the Risk of Nuclear Proliferation Created by the Accumulation of Weapons-Usable Fissile Material in the Territory of the Russian Federation

On June 21, 2000, the President issued Executive Order 13159 (the “order”), blocking property and interests in property of the Government of the Russian Federation 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 that are directly related to the 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 Extracted from Nuclear Weapons, dated February 18, 1993, and related contracts and agreements (collectively, the “HEU Agreements”). The HEU Agreements allow for the downblending of highly enriched uranium derived from nuclear weapons to low enriched uranium for peaceful commercial purposes. The order invoked the authority, inter alia, of the International Emergency Economic Powers Act, 50 U.S.C. 1701 et seq., and declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation.

The national emergency declared on June 21, 2000, must continue beyond June 21, 2007, to provide continued protection from attachment, judgment, decree, lien, execution, garnishment, or other judicial process for the property and interests in property of the Government of the Russian Federation that are directly related to the implementation of the HEU Agreements and subject to U.S. jurisdiction. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to weapons-usable fissile material in the territory of the Russian Federation. This notice shall be published in the Federal Register and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of June 22, 2007

Continuation of the National Emergency With Respect to the Western Balkans

On June 26, 2001, by Executive Order 13219, I declared a national emergency with respect to the Western Balkans pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy...
of the United States constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo. I subsequently amended that order in Executive Order 13304 of May 28, 2003.

Because the actions of persons threatening the peace and international stabilization efforts in the Western Balkans continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on June 26, 2001, and the measures adopted on that date and thereafter to deal with that emergency, must continue in effect beyond June 26, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to the Western Balkans.

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

GEORGE W. BUSH

THE WHITE HOUSE,


Memorandum of June 26, 2007


Memorandum for the Secretary of State [and] the Secretary of Defense

By the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3, United States Code, I hereby assign to the Secretary of Defense the functions of the President under section 1035 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364). The Secretary of State, and the heads of other executive departments and agencies identified in the report required under section 1035, should concur with the report.

The Secretary of Defense is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of June 28, 2007

Assignment of Reporting Function

Memorandum for the Director of the Office of Personnel Management

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby assign to you the reporting function conferred upon the President by section 9003(d)(3) of title 5, United States Code.

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE, 


Presidential Determination to Waive Military Coup-Related Provision of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, as Carried Forward Under the Revised Continuing Appropriations Resolution, 2007, With Respect to Pakistan

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 534(j) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (the “Act”) (Public Law 109–102), as carried forward under the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5) (the “Continuing Resolution”), and Public Law 107–57, as amended, I hereby determine and certify, with respect to Pakistan, that a waiver of section 508 of the Act, as carried forward under the Continuing Resolution:

(a) would facilitate the transition to democratic rule in Pakistan; and

(b) is important to United States efforts to respond to, deter, or prevent acts of international terrorism.

Accordingly, I hereby waive, with respect to Pakistan, section 508 of such Act, as carried forward by the Continuing Resolution.

You are authorized and directed to transmit this determination to the Congress and to publish it in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE, 
Title 3—The President


Presidential Determination Under Section 402(c)(2)(A) of the Trade Act of 1974—Turkmenistan

Memorandum for the Secretary of State

Pursuant to section 402(c)(2)(A) of the Trade Act of 1974 (Public Law 93–618), 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 Turkmenistan will substantially promote the objectives of section 402.

On my behalf, please transmit this determination to the Speaker of the House of Representatives and to the President of the Senate.

You are authorized and directed to publish this determination in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of July 3, 2007

Assignment of Certain Functions Relating to Nuclear Energy Facilities

Memorandum for the Secretary of Health and Human Services[,] the Secretary of Energy[,] the Secretary of Homeland Security[,] the Chairman of the Nuclear Regulatory Commission[, and] the Director of the Office of Science and Technology Policy

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, and section 204(b) of the National Science and Technology Policy, Organization, and Priorities Act of 1976, as amended (42 U.S.C. 6613(b)), the functions of the President under section 127 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Public Law 107–188) (42 U.S.C. 247d–6b note) are assigned as follows:

(1) the function of making a determination under subsection 127(f) of Public Law 107–188 is assigned to the Director of the Office of Science and Technology Policy; and

(2) the functions of the President under section 127 of Public Law 107–188 other than that assigned under subsection 127(f) are assigned to the Chairman of the Nuclear Regulatory Commission.

In the performance of such functions the Chairman and the Director should consult each other and the Secretaries of Health and Human Services, Energy, and Homeland Security, as appropriate.

Transfer of Funds from Prior Year Independent States Account to the International Narcotics Control and Law Enforcement Account To Support the Women’s Justice and Empowerment Initiative

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 610 of the Foreign Assistance Act of 1961, as amended (the “Act”), I hereby determine that it is necessary for the purposes of that Act that $1.8 million in prior year Independent States funds made available under chapter 11 of part I of the Act be transferred to, and consolidated with, funds made available under chapter 8 of part I of the Act, and such funds are hereby so transferred and consolidated.

You are authorized and directed to report this determination to the Congress and to arrange for its publication in the Federal Register.

THE WHITE HOUSE,

GEORGE W. BUSH


Presidential Determination on Transfer of Economic Support Funds to the Overseas Private Investment Corporation To Establish a Loan Guarantee Program

Memorandum for the Secretary of State

Pursuant to section 579 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109–102)(the “Act”), I hereby determine that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, that $5 million in Economic Support Funds appropriated under title II of the Act may be transferred to and merged with the funds appropriated by the Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account.

THE WHITE HOUSE,

GEORGE W. BUSH
Title 3—The President

You are authorized and directed to publish this determination in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Presidential Determination No. 2007–27 of July 12, 2007

Waiver of Limitation on Obligation and Expenditure of $642.5 Million in Fiscal Year 2007 Economic Support Funds for Iraq

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 1314(c)(2) of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28)(the “Act”), I hereby waive the requirements of section 1314(c)(1) for $642.5 million of Fiscal Year 2007 Economic Support Funds for Iraq and direct you to submit to the Congress this determination along with the certification in accordance with section 1314(c)(2) of the Act.

You are hereby directed to publish this determination in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of July 19, 2007

Continuation of the National Emergency With Respect to the Former Liberian Regime of Charles Taylor

On July 22, 2004, by Executive Order 13348, I declared a national emergency and ordered related measures, including the blocking of property of certain persons associated with the former Liberian regime of Charles Taylor, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of former Liberian President Charles Taylor and other persons, in particular, their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, which have undermined Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. I further noted that the Comprehensive Peace Agreement signed on August 18, 2003, and the related cease-fire had not yet been universally implemented throughout Liberia, and that the illicit trade in round logs...
Other Presidential Documents

and timber products was linked to the proliferation of and trafficking in illegal arms, which perpetuated the Liberian conflict and fueled and exacerbated other conflicts throughout West Africa.

Today, Liberia is engaged in a peaceful transition to a democratic order under the administration of President Ellen Johnson-Sirleaf. The regulations implementing Executive Order 13348, clarify that the subject of this national emergency has been and remains limited to the former Liberian regime of Charles Taylor and specified other persons and not the country, citizens, Government, or Central Bank of Liberia.

Charles Taylor is today standing trial in The Hague by the Special Court for Sierra Leone. However, stability in Liberia is still fragile. The actions and policies of Charles Taylor and others have left a legacy of destruction that still has the potential to undermine Liberia’s transformation and recovery.

Because the actions and policies of these persons continue to pose an unusual and extraordinary threat to the foreign policy of the United States, the national emergency declared on July 22, 2004, and the measures adopted on that date to deal with that emergency, must continue in effect beyond July 22, 2007. Therefore, in accordance with section 202(d) of the National Emergency Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13348.

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

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of August 15, 2007

Continuation of Emergency Regarding Export Control Regulations

On August 17, 2001, consistent with the authority provided to me under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), I issued Executive Order 13222. 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 17, 2001, must continue in effect beyond August 17, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13222.
Title 3—The President

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

GEORGE W. BUSH

THE WHITE HOUSE,


Presidential Determination on Continuation of U.S. Drug Interdiction Assistance to the Government of Colombia

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by section 1012 of the National Defense Authorization Act for Fiscal Year 1995, as amended (22 U.S.C. 2291–4), I hereby certify, with respect to Colombia, that: (1) interdiction of aircraft reasonably suspected to be primarily engaged in illicit drug trafficking in that country’s airspace is necessary because of the extraordinary threat posed by illicit drug trafficking to the national security of that country; and (2) that country has appropriate procedures in place to protect against innocent loss of life in the air and on the ground in connection with such interdiction, which shall at a minimum include effective means to identify and warn an aircraft before the use of force is directed against the aircraft.

The Secretary of State is authorized and directed to publish this determination in the Federal Register and to notify the Congress of this determination.

GEORGE W. BUSH

THE WHITE HOUSE,


Assignment of Function Concerning Assistance to Afghanistan

Memorandum for the Secretary of State[,] Director of National Drug Control Policy[,] and the[ ] Director of National Intelligence

By the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3, United States Code, the function of the President under the heading “Economic Support Fund” in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109–102)(the “Act”), as carried forward by the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5), that relates to waiver of a provision is assigned to the Secretary of State. The Director of National Drug Control Policy and the Director of National Intelligence shall, consistent with applicable law, provide the Secretary of
Other Presidential Documents

State with such information as may be necessary to assist the Secretary in the performance of such function.

Reference in this memorandum to the provision in the Act shall be deemed to include references to any provision of law that is the same or substantially the same as such provision.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,


Memorandum for the Secretary of State

Consistent with the authority vested in me by section 2007 of the American Servicemembers' Protection Act of 2002, as amended (the “Act”), title II of Public Law 107–206 (22 U.S.C. 7421 et seq.), I hereby:

• Determine that Montenegro has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against U.S. personnel present in such country; and

• Waive the prohibition of section 2007(a) of the Act with respect to this country for as long as such agreement remains in force.

You are authorized and directed to report this determination to the Congress and to arrange for its publication in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of September 8, 2007

Memorandum for the Secretary of State[, the Secretary of Defense[, the Attorney General[, the Secretary of Energy[, the Secretary of Homeland Security[, and the Director of National Intelligence]

By the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3, United States Code,
Title 3—The President

the reporting functions of the President under subsections (h) and (j) of section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), as amended by the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53) (IRTPA), are hereby assigned to the Director of National Intelligence (Director). The Director shall consult the Secretaries of State, Defense, Energy, Homeland Security, and the Attorney General in performing such functions.

Heads of departments and agencies shall, to the extent permitted by law, furnish to the Director information that the Director requests to perform such functions, in the format and on the schedule specified by the Director.

The Director shall perform such functions in a manner consistent with the President’s constitutional authority to withhold information the disclosure of which could impair foreign relations, national security, the deliberative processes of the Executive, and the performance of the Executive’s constitutional duties.

Any reference in this memorandum to the provision of IRTPA shall be deemed to include references to any hereafter-enacted provision of law that is the same or substantially the same as such provision.

The Director is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Presidential Determination No. 2007–31 of September 8, 2007

Emergency Fund Drawdown to Support Assistance to Conflict Victims in Iraq, Lebanon, and Sri Lanka

Memorandum for the Secretary of State

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the “Act”), as amended (22 U.S.C. 2601 and 2603) and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to section 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act, in an amount not to exceed $24 million from the United States Emergency Refugee and Migration Assistance Fund, for the purpose of meeting unexpected and urgent refugee and migration needs, including contributions to international, governmental, and nongovernmental organizations, and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State, related to: humanitarian needs resulting from conflicts in Iraq, Lebanon, and Sri Lanka.

(2) I hereby assign to you the functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing
Notice of September 12, 2007

Continuation of the National Emergency With Respect to Certain Terrorist Attacks

By the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3, United States Code, the reporting functions of the President under subsections (h) and (j) of section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), as amended by the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53) (IRTPA), are hereby assigned to the Director of National Intelligence (Director). The Director shall consult the Secretaries of State, Defense, Energy, Homeland Security, and the Attorney General in performing such functions.

Heads of departments and agencies shall, to the extent permitted by law, furnish to the Director information that the Director requests to perform such functions, in the format and on the schedule specified by the Director.

The Director shall perform such functions in a manner consistent with the President’s constitutional authority to withhold information the disclosure of which could impair foreign relations, national security, the deliberative processes of the Executive, and the performance of the Executive’s constitutional duties.

Any reference in this memorandum to the provision of IRTPA shall be deemed to include references to any hereafter-enacted provision of law that is the same or substantially the same as such provision.

The Director is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,
September 12, 2007.
Title 3—The President

Presidential Determination No. 2007–32 of September 13, 2007

Continuation 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 on September 13, 2006 (71 Fed. Reg. 54399), the exercise of certain authorities under the Trading With the Enemy Act is scheduled to terminate on September 14, 2007.

I hereby determine that the continuation 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, consistent with the authority vested in me by section 101(b) of Public Law 95–223, I continue for 1 year, until September 14, 2008, the exercise of those authorities with respect to countries affected by:

(1) the Foreign Assets Control Regulations, 31 C.F.R. part 500;
(2) the Transaction Control Regulations, 31 C.F.R. part 505; and
(3) the Cuban Assets Control Regulations, 31 C.F.R. part 515.

The Secretary of the Treasury is authorized and directed to publish this determination in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of September 20, 2007

Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism

On September 23, 2001, by Executive Order 13224, I declared a national emergency with respect to persons who commit, threaten to commit, or support terrorism, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706). I took this action to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks in New York, in Pennsylvania, and against the Pentagon committed on September 11, 2001, and the continuing and immediate threat of further attacks against United States nationals or the United States. Because the actions of these persons who commit, threaten to commit, or support terrorism continue to pose an unusual and extraordinary threat to the United States, the national emergency declared on September 23, 2001, and the measures adopted on that date to deal with that emergency, must continue in effect beyond September 23, 2007. Therefore, in accordance with section...
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202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to persons who commit, threaten to commit, or support terrorism.

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

GEORGE W. BUSH

THE WHITE HOUSE,

Presidential Determination No. 2007–34 of September 28, 2007

Presidential Determination on Energy Assistance for the Democratic People’s Republic of Korea

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 610(a) of the Foreign Assistance Act of 1961, as amended (the "Act"), I hereby determine that it is necessary for the purposes of the Act that $25 million in FY07 funds available for assistance for Eastern Europe and the Baltic States under the Act and the Support for East European Democracy (SEED) Act be transferred to and consolidated with funds made available for chapter 4 of part II of the Act, and such funds are hereby transferred and consolidated.

In addition, pursuant to the authority vested in me by section 614(a)(1) of the Act, I hereby determine that it is important to the security interests of the United States to furnish up to $25 million in funds made available pursuant to chapter 4 of part II of the Act, comprised of funds transferred pursuant to this determination, for energy assistance for the Democratic People’s Republic of Korea without regard to any provision of law within the purview of section 614(a)(1) of the Act. I hereby authorize the 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.

GEORGE W. BUSH

THE WHITE HOUSE,


Waiver of Limitation on Obligation and Expenditure of $1,051.6 Million in Fiscal Year 2007 Economic Support Funds for Iraq

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 1314(c)(2) of the U.S.
Title 3—The President

Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) (the “Act”), I hereby waive the requirements of section 1314(c)(1) for $1,051.6 million of Fiscal Year 2007 Economic Support Funds for Iraq and direct you to submit to the Congress this determination along with the certification in accordance with section 1314(c)(2) of the Act.

You are authorized and directed to publish this determination in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Memorandum of September 28, 2007

Assignment of Specified Reporting and Determination Functions Relating to Afghanistan, Pakistan, Saudi Arabia, and Certain Education Abroad

Memorandum for the Secretary of State[,] the Secretary of Defense[,] and the Director of National Intelligence

By virtue of the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby assign to the Secretary of State the functions of the President under sections 2041(d)(3), 2042(c)(1), 2042(d), and 2043(c)(1) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53)(the “9/11 Act”) and section 7114(b)(6) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), as amended.

The Secretary of State shall consult with:

(1) the Secretary of Defense in the performance of the functions in section 2041(d)(3) of the 9/11 Act; and

(2) the Secretary of Defense and the Director of National Intelligence in the performance of the functions in section 2043(c)(1) of the 9/11 Act.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,
Other Presidential Documents

Presidential Determination No. 2008–1 of October 2, 2007

Presidential Determination on FY 2008 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 consultations with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 80,000 refugees to the United States during FY 2008 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 2008 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided below. The ceiling shall be construed as a maximum not to be exceeded and not a minimum to be achieved.

The 80,000 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 of admissions allocated to the East Asia region shall include persons admitted to the United States during FY 2008 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):

<table>
<thead>
<tr>
<th>Region</th>
<th>Allocations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>16,000</td>
</tr>
<tr>
<td>East Asia</td>
<td>20,000</td>
</tr>
<tr>
<td>Europe and Central Asia</td>
<td>3,000</td>
</tr>
<tr>
<td>Latin America/Caribbean</td>
<td>3,000</td>
</tr>
<tr>
<td>Near East/South Asia</td>
<td>28,000</td>
</tr>
<tr>
<td>Unallocated Reserve</td>
<td>10,000</td>
</tr>
</tbody>
</table>

The 10,000 unallocated refugee numbers shall be allocated to regional ceilings as needed. Upon providing notification to the Judiciary Committees of the Congress, you are hereby authorized to use unallocated admissions in regions where the need for additional admissions arises.

Additionally, upon notification to the Judiciary Committees of the Congress, you are further authorized to transfer unused admissions allocated to a particular region to one or more other regions, if there is a need for greater admissions for the region or regions to which the admissions are being transferred. Consistent with section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, I hereby determine that assistance to or on behalf of persons applying for admission to the United States as part
Title 3—The President

of the overseas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

Consistent 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 2008, 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
d. In exceptional circumstances, persons identified by a United States Embassy in any location

You are authorized and directed to report this determination to the Congress immediately and to publish it in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,


Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization Office

Memorandum for the Secretary of State

Pursuant to the authority and conditions contained in section 534(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, Public Law 109–102, as carried forward by the Revised Continuing Appropriations Resolution, 2007, Public Law 110–5, and the Continuing Appropriations Resolution, 2008, Public Law 110–92, 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.

This waiver shall be effective for a period of 6 months. You are hereby authorized and directed to transmit this determination to the Congress and to publish it in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,
Other Presidential Documents


Provision of U.S. Drug Interdiction Assistance to the Government of Brazil

Memorandum for the Secretary of State [and] the Secretary of Defense

Pursuant to the authority vested in me by section 1012 of the National Defense Authorization Act for Fiscal Year 1995, as amended (22 U.S.C. 2291–4), I hereby certify, with respect to Brazil, that (1) interdiction of aircraft reasonably suspected to be primarily engaged in illicit drug trafficking in that country's airspace is necessary because of the extraordinary threat posed by illicit drug trafficking to the national security of that country; and (2) that country has appropriate procedures in place to protect against innocent loss of life in the air and on the ground in connection with such interdiction, which shall at a minimum include effective means to identify and warn an aircraft before the use of force is directed against the aircraft.

The Secretary of State is authorized and directed to publish this determination in the Federal Register and to notify the Congress of this determination.

GEORGE W. BUSH


Presidential Determination No. 2008–4 of October 18, 2007

Presidential Determination With Respect to Foreign Governments’ Efforts Regarding Trafficking in Persons

Memorandum for the Secretary of State

Consistent with section 110 of the Trafficking Victims Protection Act of 2000 (Division A of Public Law 106–386), as amended, (the “Act”), I hereby:

Make the determination provided in section 110(d)(1)(A)(i) of the Act, with respect to Burma, Syria, and Venezuela not to provide certain funding for those countries’ governments for Fiscal Year 2008, until such government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;

Make the determination provided in section 110(d)(1)(A)(iii) of the Act, with respect to Cuba, the Democratic People’s Republic of Korea (DPRK), and Iran not to provide certain funding for those countries’ governments for Fiscal Year 2008, until such government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;
Title 3—The President

Make the determination provided in section 110(d)(3) of the Act, concerning the determination of the Secretary of State with respect to Equatorial Guinea and Kuwait.

Determine, consistent with section 110(d)(4) of the Act, with respect to Algeria, that provision to Algeria of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Bahrain, that provision to Bahrain of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to DPRK, that funding for educational and cultural exchange programs described in section 110(d)(1)(A)(ii) of the Act that are aimed at improving U.S.-DPRK relations would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Iran, that funding for educational and cultural exchange programs described in section 110(d)(1)(A)(ii) of the Act that include educators and municipal leaders would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Malaysia, that provision to Malaysia of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Oman, that provision to Oman of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Qatar, that provision to Qatar of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Saudi Arabia, that provision to Saudi Arabia of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Sudan, that provision to Sudan of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;
Other Presidential Documents

Determine, consistent with section 110(d)(4) of the Act, with respect to Syria, for all programs, projects, or activities of assistance for victims of trafficking in persons or to combat such trafficking, that provision to Syria of the assistance described in section 110(d)(1)(A)(i) of the Act for such programs, projects, or activities would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Uzbekistan, that provision to Uzbekistan of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Venezuela, for all programs, projects, or activities of assistance for victims of trafficking in persons or to combat such trafficking, or for strengthening democracy or good governance, or for public diplomacy, that provision to Venezuela of the assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act for such programs, projects, or activities would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, that assistance to Venezuela described in section 110(d)(1)(B) of the Act that:

(1) is a regional program, project, or activity under which the total benefit to Venezuela does not exceed 10 percent of the total value of such program, project, or activity; or

(2) has as its primary objective the addressing of basic human needs, as defined by the Department of the Treasury with respect to other, existing legislative mandates concerning U.S. participation in the multilateral development banks; or

(3) is complementary to or has similar policy objectives to programs being implemented bilaterally by the United States Government; or

(4) has as its primary objective the improvement of the country’s legal system, including in areas that impact the country’s ability to investigate and prosecute trafficking cases or otherwise improve implementation of a country’s anti-trafficking policy, regulations, or legislation; or

(5) is engaging a government, international organization, or civil society organization, and that seeks as its primary objective(s) to: (a) increase efforts to investigate and prosecute trafficking in persons crimes; (b) increase protection for victims of trafficking through better screening, identification, rescue/removal, aftercare (shelter, counseling) training and re-integration; or (c) expand prevention efforts through education and awareness campaigns highlighting the dangers of trafficking or training and economic empowerment of populations clearly at risk of falling victim to trafficking would promote the purposes of the Act or is otherwise in the national interest of the United States.

The certification required by section 110(e) of the Act is provided herewith.
Title 3—The President

You are hereby authorized and directed to submit this determination to the Congress, and to publish it in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of October 18, 2007

Continuation of the National Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia

On October 21, 1995, by Executive Order 12978, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant narcotics traffickers centered in Colombia, and the extreme level of violence, corruption, and harm such actions cause in the United States and abroad.

The order blocks all property and interests in property that are in the United States, or within the possession or control of United States persons, of foreign persons listed in an annex to the order, as well as of foreign persons determined to play a significant role in international narcotics trafficking centered in Colombia. The order similarly blocks all property and interests in property of foreign persons determined 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. In addition, the order blocks all property and interests in property of persons determined 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 property or interests in property of the persons designated in or pursuant to the order.

Because the actions of significant narcotics traffickers centered in Colombia continue to threaten the national security, foreign policy, and economy of the United States and to cause an extreme level of 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, 2007.

Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to significant narcotics traffickers centered in Colombia. This notice shall be published in the Federal Register and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,
October 18, 2007.
Other Presidential Documents


Presidential Determination Relating to Assistance for Saudi Arabia

Memorandum for the Secretary of State

Pursuant to the authority vested in me by the Constitution and the laws of the United States, including section 582 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109–102), and that section as carried forward by the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5), and the Continuing Appropriations Resolution, 2008 (Public Law 110–92), I hereby certify that Saudi Arabia is cooperating with efforts to combat international terrorism and that the proposed assistance will help facilitate that effort, and hereby waive the application of such sections.

You are authorized and directed to report this certification to the Congress and publish it in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,

Notice of October 24, 2007

Continuation of the National Emergency With Respect to the Situation in or in Relation to the Democratic Republic of the Congo

On October 27, 2006, by Executive Order 13413, I declared a national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo and, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), ordered related measures blocking the property of certain persons contributing to the conflict in that country. I took this action to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability and was addressed by the United Nations Security Council in Resolution 1596 of April 18, 2005, Resolution 1649 of December 21, 2005, and Resolution 1698 of July 31, 2006.

Because this situation continues to pose an unusual and extraordinary threat to the foreign policy of the United States, the national emergency declared on October 27, 2006, and the measures adopted on that date to deal with that emergency, must continue in effect beyond October 27, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13413.
Title 3—The President

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

THE WHITE HOUSE,
October 24, 2007.

GEORGE W. BUSH

Notice of November 1, 2007

Continuation of the National Emergency With Respect to Sudan

On November 3, 1997, by Executive Order 13067, the President declared a national emergency with respect to Sudan, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Sudan. On April 26, 2006, in Executive Order 13400, I determined that the conflict in Sudan’s Darfur region posed an unusual and extraordinary threat to the national security and foreign policy of the United States, expanded the scope of the national emergency to deal with that threat, and ordered the blocking of property of certain persons connected to the conflict. On October 13, 2006, I issued Executive Order 13412 to take additional steps with respect to the national emergency and to implement the Darfur Peace and Accountability Act of 2006.

Because the actions and policies of the Government of Sudan continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on November 3, 1997, as expanded on April 26, 2006, must continue in effect beyond November 3, 2007. Therefore, consistent with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Sudan.

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

THE WHITE HOUSE,
November 1, 2007.

GEORGE W. BUSH

Notice of November 8, 2007

Continuation of Emergency Regarding Weapons of Mass Destruction

On November 14, 1994, by Executive Order 12938, the President 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...
Other Presidential Documents

“weapons of mass destruction” and the means of delivering such weapons. On July 28, 1998, the President issued Executive Order 13094 amending Executive Order 12938 to respond more effectively to the worldwide threat of weapons of mass destruction proliferation activities. On June 28, 2005, I issued Executive Order 13382 which, inter alia, further amended Executive Order 12938 to improve our ability to combat proliferation. 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; therefore, the national emergency first declared on November 14, 1994, and extended in each subsequent year, must continue. In accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 12938, as amended.

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

GEORGE W. BUSH
THE WHITE HOUSE,

Notice of November 8, 2007

Continuation of the National Emergency With Respect to Iran

On November 14, 1979, by Executive Order 12170, the President 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 unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the situation in Iran. 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, 2007. Therefore, consistent with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year this national emergency with respect to Iran.

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

GEORGE W. BUSH
THE WHITE HOUSE,
Title 3—The President

Presidential Determination No. 2008–6 of December 12, 2007

Suspension of Limitations Under the Jerusalem Embassy Act

Memorandum for the Secretary of State

Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 7(a) of the Jerusalem Embassy Act of 1995 (Public Law 104–45) (the “Act”), I hereby determine that it is necessary to protect the national security interests of the United States to suspend for a period of 6 months the limitations set forth in sections 3(b) and 7(b) of the Act. My Administration remains committed to beginning the process of moving our Embassy to Jerusalem.

You are hereby authorized and directed to transmit this determination to the Congress, accompanied by a report in accordance with section 7(a) of the Act, and to publish the determination in the Federal Register.

This suspension shall take effect after transmission of this determination and report to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,


Waiver of Reimbursement Under the U.N. Participation Act To Support UNAMID Efforts in Darfur

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 10(d)(1) of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287e–2(d)(1)), I hereby determine that transfer to the United Nations/African Union Mission in Darfur (UNAMID) of camps and other items furnished as assistance for the African Union Mission in Sudan (AMIS) and assistance required to preserve continuity of functions during the immediate transition from AMIS to UNAMID without reimbursement from the United Nations is important to the security interests of the United States.

You are authorized and directed to report this determination to the Congress and to arrange for its publication in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,
Memorandum of December 27, 2007

Provision of Aviation Insurance Coverage for Commercial Air Carrier Service in Domestic and International Operations

Memorandum for the Secretary of Transportation

By the authority vested in me as President by the Constitution and laws of the United States including 49 U.S.C. 44302, et seq., I hereby:

1. Determine that continuation of U.S.-flag commercial air service is necessary in the interest of air commerce, national security, and the foreign policy of the United States.

2. Approve provision by the Secretary of Transportation (Secretary) of insurance or reinsurance to U.S.-flag air carriers against loss or damage arising out of any risk from the operation of an aircraft in the manner and to the extent provided in chapter 443 of 49 U.S.C.:
   (a) until August 31, 2008;
   (b) after August 31, 2008, but no later than December 31, 2008, when the Secretary determines that such insurance or reinsurance cannot be obtained on reasonable terms and conditions from any company authorized to conduct an insurance business in a State of the United States; and

3. Delegate to the Secretary the authority, vested in me by 49 U.S.C. 44306(c), to extend this determination for additional periods beyond August 31, 2008, but no later than December 31, 2008, when the Secretary finds that the continued operation of aircraft to be insured or reinsured is necessary in the interest of air commerce or the national security, or to carry out the foreign policy of the United States Government.

You are directed to bring this determination immediately to the attention of all air carriers within the meaning of 49 U.S.C. 40102(2), and to arrange for its publication in the Federal Register.

GEORGE W. BUSH

THE WHITE HOUSE,
<table>
<thead>
<tr>
<th>Part</th>
<th>Title</th>
<th>Page</th>
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</thead>
<tbody>
<tr>
<td>100</td>
<td>Standards of conduct</td>
<td>366</td>
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<tr>
<td>101</td>
<td>Public information provisions of the Administrative Procedures Act</td>
<td>366</td>
</tr>
<tr>
<td>102</td>
<td>Enforcement of nondiscrimination on the basis of handicap in programs or activities conducted by the Executive Office of the President</td>
<td>366</td>
</tr>
</tbody>
</table>
PART 100—STANDARDS OF CONDUCT

SOURCE: 64 FR 12881, Mar. 16, 1999, unless otherwise noted.

§ 100.1 Ethical conduct standards and financial disclosure regulations.

Employees of the Executive Office of the President are subject to the executive branch-wide standards of ethical conduct at 5 CFR part 2635, and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

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.
§ 102.103

Executive Office of the President

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]


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 Executive agencies or the United States Postal Service.

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
§ 102.103

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 illness, 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 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;

(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.


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 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 pervasively 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.
§§ 102.131–102.139

(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 Executive 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.

(b) 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.

(c) 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.

(d) 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.

§§ 102.151–102.159 [Reserved]
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 aids 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,
§§ 102.152–102.159

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 406, 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]
Title 3 Finding Aids

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**Editorial note:** The following abbreviations are used in this table, when applicable:

- **EO** ........................................... Executive Order
- **FR** ........................................... Federal Register
- **PLO** ......................................... Public Land Order (43 CFR, Appendix to Chapter II)
- **Proc.** ....................................... Proclamation
- **Pub. L.** .................................... Public Law
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- **WCPD** ..................................... Weekly Compilation of Presidential Documents

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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**  
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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.

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EDITORIAL NOTE: All changes in this volume of the Code of Federal Regulations which were made by documents published in the Federal Register since January 1, 2001, 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.


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