

### **Title 3—The President**

In addition to the efforts we have made to date, there is still more work that can be done to inform the public. Thus, consistent with my Administration's previous efforts, by this memorandum I am directing national security departments and agencies to take additional steps to share with the public further information relating to the legal and policy frameworks within which the United States uses military force and conducts related national security operations. Accordingly, I hereby direct as follows:

**Section 1. Report.** National security departments and agencies shall prepare for the President a formal report that describes key legal and policy frameworks that currently guide the United States use of military force and related national security operations, with a view toward the report being released to the public.

**Sec. 2. Keeping the Public Informed.** On no less than an annual basis, the National Security Council staff shall be asked to, as appropriate, coordinate a review and update of the report described in section 1 of this memorandum, provide any updated report to the President, and arrange for the report to be released to the public.

**Sec. 3. Definitions.** For the purposes of this memorandum:

“National security departments and agencies” include the Departments of State, the Treasury, Defense, Justice, and Homeland Security, the Office of the Director of National Intelligence, the Central Intelligence Agency, and such other agencies as the President may designate.

“Related national security operations” include operations deemed relevant and appropriate by national security departments and agencies for inclusion in the report described in section 1 of this memorandum, such as detention, transfer, and interrogation operations.

**Sec. 4. Publication.** The Secretary of State is hereby authorized and directed to publish this memorandum in the *Federal Register*.

BARACK OBAMA

THE WHITE HOUSE,  
*Washington, December 5, 2016.*

**Presidential Determination No. 2017–05 of December 8, 2016**

### **Presidential Determination and Waiver Pursuant to Section 2249a of Title 10, United States Code, and Sections 40 and 40A of the Arms Export Control Act to Support U.S. Special Operations to Combat Terrorism in Syria**

*Memorandum for the Secretary of State [and] the Secretary of Defense*

By the authority vested in me as President by the Constitution and the laws of the United States, including section 2249a of title 10, United States Code, sections 40 and 40A of the Arms Export Control Act (AECA) (22 U.S.C. 2780 and 2781), and section 301 of title 3, United States Code, I hereby:

### Other Presidential Documents

- determine that the transaction, encompassing the provision of defense articles and services to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing U.S. military operations to counter terrorism in Syria, is essential to the national security interests of the United States;
- waive the prohibitions in sections 40 and 40A of the AECA related to such a transaction;
- delegate to the Secretary of State the responsibility under section 40(g)(2) of the AECA to consult with and submit reports to the Congress for proposed exports, 15 days prior to authorizing them to proceed, that are necessary for and within the scope of this waiver determination and the transaction referred to herein;
- waive the prohibitions in section 2249a of title 10, United States Code, to the extent necessary to allow the Department of Defense to carry out such support; and
- delegate to the Secretary of Defense the responsibility under section 2249a(b)(2) of title 10, United States Code, to notify the appropriate congressional committees at least 15 days before this waiver takes effect.

The Secretary of Defense is authorized and directed to publish this determination in the *Federal Register*.

BARACK OBAMA

THE WHITE HOUSE,  
Washington, December 8, 2016.

### Memorandum of December 22, 2016

### Supporting New American Service Members, Veterans, and Their Families

*Memorandum for the Heads of Executive Departments and Agencies*

My Administration has maintained a steadfast commitment to honor and serve the brave men and women who have served this country. Like all service members and veterans, foreign-born residents and naturalized citizens serving in the United States Armed Forces are shining examples of the American dream. These brave new Americans have taken the extraordinary step of answering the call to duty, to support and defend our country. Some have made the ultimate sacrifice for our country before becoming American citizens.

New American service members are undoubtedly a critical element of our national security. They risk their lives all over the world in the name of the United States, securing shipping lanes, protecting bases and embassies, providing medical assistance, and conducting humanitarian missions. Tens of thousands of lawful permanent residents and naturalized U.S. citizens currently serve in our Armed Forces. Many more are veterans who have served previously in the Armed Forces. Additionally, many U.S.-born service members have immediate family members who were born abroad.