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Executive Order 13117—Further Amendment to Executive Order 12981, as Amended

March 31, 1999

By the authority vested in me as President by the Constitution and the laws of the United States of America and in order to further the implementation of the reorganization of the Arms Control and Disarmament Agency (ACDA) into the Department of State, in this instance by eliminating ACDA's vote on dual-use export license decisions in the administration of export controls, it is hereby ordered that Executive Order 12981, as amended (''Executive Order 12981''), is further amended as follows:

Section 1. The second sentence of section 1 of Executive Order 12981 is amended by deleting '', and the Arms Control and Disarmament Agency''.

Sec. 2. The second sentence of section 5(a)(1)(A) of Executive Order 12981 is amended by adding ''and'' after ''the Secretary of Defense'' and before ''the Secretary of Energy,'' and deleting '', and the Director of the Arms Control and Disarmament Agency.''

Sec. 3. The first sentence of section 5(a)(2) of Executive Order 12981 is amended by deleting '', and the Arms Control and Disarmament Agency.''

Sec. 4. The second sentence of section 5(a)(3)(A) of Executive Order 12981 is amended by deleting '', and the Arms Control and Disarmament Agency.''

Sec. 5. The first sentence of section 6 of Executive Order 12981 is amended by deleting ''and the Arms Control and Disarmament Agency''.

William J. Clinton

The White House,

March 31, 1999.

[Filed with the Office of the Federal Register, 8:45 a.m., April 2, 1999]

NOTE: This Executive order was published in the *Federal Register* on April 5.

Executive Order 13118—Implementation of the Foreign Affairs Reform and Restructuring Act of 1998

March 31, 1999

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 621 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2381), and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. Part 1–1 of Executive Order 12163, as amended, is amended to read as follows:

''1–1. DEPARTMENT OF STATE

''1–100. Delegation of Functions. (a) Exclusive of the functions otherwise delegated, or reserved to the President, by this order, Executive Order 12884, Executive Order 11579, and Executive Order 12757, and subject to the provisions of such orders, there are hereby delegated to the Secretary of State (referred to in this Part as the ''Secretary'') all functions conferred upon the President by:

''(1) the Foreign Assistance Act of 1961 (22 U.S.C. 2151 *et seq.*) (''Act'');

(i) except that with respect to section 505(a) of the Act, such functions only insofar as those functions relate to other provisions which may be required by the President or only insofar as they relate to consent;

(ii) except that with respect to section 505(b) of the Act, such functions only insofar as those functions pertain to countries that agree to the conditions set forth therein;

''(2) section 1205(b) of the International Security and Development Cooperation Act of 1985 (''ISDCA of 1985'');

''(3) section 8(d) of the Act of January 12, 1971 (22 U.S.C. 2321b(d));

''(4) section 607 of the International Security Assistance and Arms Export Control Act of 1976 (22 U.S.C. 2394a);

''(5) section 402(b)(2) of title 10, United States Code, which shall be exercised in consultation with the Secretary of Defense;

''(6) the third proviso under the heading ''Development Assistance'' contained in title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in Public Law 105–277);

''(7) section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100–461);

''(8) sections 508, 517, 518, 528(a), 535, 539, 544, 561, 563, 572, 574, 575, 585, 594 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in Public Law 105–277);

''(9) section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in Public Law 105–277), which shall be exercised in consultation with the Secretary of the Treasury;

''(10) section 551 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in Public Law 105–277);

''(11) section 591 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105–118), and the provisions of law referenced therein;

''(12) section 821(b) of the Western Hemisphere Drug Elimination Act (as contained in Public Law 105–277).

''(b) The functions under section 653 of the Act delegated to the Secretary shall be exercised in consultation with the Secretary of Defense, insofar as they relate to functions under the Act administered by the Department of Defense, and the Director of the Office of Management and Budget.

''(c) The functions under sections 239(f), 620(e), 620(g), 620(j), 620(q), and 620(s) of the Act delegated to the Secretary shall be exercised in consultation with the Administrator of the United States Agency for International Development.

''(d) The Secretary shall perform all public information functions abroad with respect to the foreign assistance, aid, and development programs of the United States Government, to the extent such functions are not specifically assigned by statute to be performed by a different officer.

''(e) The Secretary may redelegate to any other officer or agency of the Executive branch functions delegated to the Secretary by this order to the extent such delegation is not otherwise prohibited by law.''.

Sec. 2. Part 1–2 of Executive Order 12163, as amended, is amended to read as follows:

''1–2. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

''1–200. United States Agency for International Development.

''(a) The United States Agency for International Development is an independent establishment within the Executive branch. Any reference in the Act to the agency primarily responsible for administering part I of the Act, or to the Administrator of such agency, shall be deemed to be a reference to the United States Agency for International Development or to the Administrator of that agency, as appropriate.

''(b) The United States Agency for International Development shall be headed by an Administrator appointed pursuant to section 624(a) of the Act.

''(c) The officers provided for in section 624(a) of the Act shall serve in the United States Agency for International Development.

''(d) The Office of Small Business provided for in section 602(b) of the Act shall be in the United States Agency for International Development.

''(e) To the extent practicable, the Administrator of the United States Agency for International Development will exercise functions relating to Foreign Service personnel in a manner that will assure maximum compatibility among agencies authorized by law to utilize the Foreign Service personnel system. To this end, the Administrator shall consult regularly with the Secretary of State.''.

Sec. 3. Part 1–3 of Executive Order 12163, as amended, is amended in section 301(c) by striking ''part II of the Act (except chapters 4, 6, and 8 thereof)'' and inserting in lieu thereof ''chapters 2 and 5 of part II of the Act''.

Sec. 4. Part 1–4 of Executive Order 12163, as amended, is revoked.

Sec. 5. Part 1–5 of Executive Order 12163, as amended, is amended as follows:

(1) in section 1–501(c), by striking ''Director, as provided in Executive Order 11269 of February 14, 1966, as amended'' and inserting in lieu thereof ''Secretary of State'';

(2) section 1–504 is revoked;

(3) section 1–505 is amended to read as follows:

''1–505. Trade and Development Agency. There is delegated to the Director of the Trade and Development Agency the functions conferred upon the President by section 661(d) of the Act.'';

(4) section 1–506 is revoked.

Sec. 6. Part 1–6 of Executive Order 12163, as amended, is amended as follows:

(1) in section 1–602, by striking ''Director of IDCA, the Director'' and inserting in lieu thereof ''Secretary of State, the Secretary''; and

(2) in section 1–604, by striking '', title IV of the IDC Act of 1979 or section 402 of the Mutual Security Act of 1954''.

Sec. 7. Part 1–7 of Executive Order 12163, as amended, is amended as follows:

(1) in section 1–701(a)—

(A) by striking ''662(a),''; and

(B) by inserting ''493,'' after ''298(a),'';

(2) by striking section 1–701(b), and redesignating subsections ''(c)'' and ''(d)'' as subsections ''(b)'' and ''(c)'', respectively;

(3) in section 1–701(c), (as redesignated by this section)—

(A) by inserting ''209(d),'' before ''303'';

(B) by striking ''481'' and inserting in lieu thereof ''490''; and

(C) by striking '', 669(b)(1), 670(a), 670(b)(2), and 670(b)(3)'';

(4) in section 1–701(g), by striking ''131,'';

(5) in section 1–702—

(A) by striking ''Director'' and inserting in lieu thereof ''Secretary''; and

(B) by striking ''IDCA'' and inserting in lieu thereof ''the Department of State'';

(6) by adding a new section 1–703 to read as follows:

''1–703. Office of Management and Budget. In this order the Director of the Office of Management and Budget shall retain all authorities related to the implementating of his budgetary and policy coordination functions, including the authority to:

(a) request and receive information from any agency that is subject to this delegation;

(b) carry out all responsibilities associated with implementing the Government Performance and Results Act, the Government Management Reform Act, and other comparable government-wide statutes dealing with management; and

(c) carry out all statutory budget and policy coordination responsibilities assigned to the Director of the Office of Management and Budget by statute or Executive order.

Sec. 8. Part 1–8 of Executive Order 12163, as amended, is amended to read as follows:

''1–8 FUNDS

''1–800. Allocation of Funds. Funds described below that are appropriated or otherwise made available to the President shall be deemed to be allocated without any further action of the President, as follows:

''(a) Except as provided in subsections (b) and (c), there are allocated to the Secretary all funds made available for carrying out the Act, including any funds appropriated under the heading ''Nonproliferation, Anti-Terrorism, Demining and Related Programs''.

''(b) There are allocated to the Secretary of Defense all funds made available for carrying out chapters 2 and 5 of Part II of the Act.

''(c) There are allocated to the Secretary of the Treasury all funds made available for carrying out section 129 of the Act.

''(d) The Secretary of State, the Secretary of Defense, and the Secretary of the Treasury may allocate or transfer as appropriate any funds received under subsections (a), (b), and (c) of this section, respectively, to any agency or part thereof for obligation or expenditure thereby consistent with applicable law.

Sec. 9. Part 1–9 of Executive Order 12163, as amended, is amended as follows: (1) in section 1–902(c), by striking ''hereafter-enacted''; and (2) by revoking sections 1–903(c) and 1–903(d).

Sec. 10. The following Executive orders are revoked or amended:

(1) Executive Order 12884 of December 1, 1993, is amended—

(a) in section 3, by striking the section heading and all that follows through "by:", and inserting in lieu thereof "Secretary of State-Additional Functions. There are delegated to the Secretary of State the functions conferred upon the President by:"; and

(b) in section 6(a), by striking "3, 4, and 5" and inserting in lieu thereof "4 and 5".

(2) Executive Order 12703 of February 20, 1990, is amended by amending section 2 to read as follows:

"Sec. 2. Department of State. The functions conferred upon the President by section 201 of the Act relating to Enterprise Funds for Poland and Hungary are hereby delegated to the Secretary of State.".

(3) Executive Order 12599 of June 23, 1987, is revoked.

(4) Executive Order 12293 of February 23, 1981, is amended—

(A) in section 2, by striking "Director of the United States International Development Cooperation Agency" and inserting in lieu thereof "Administrator of the United States Agency for International Development"; and

(B) in section 9, by striking "United States International Development Cooperation Agency" and inserting in lieu thereof "United States Agency for International Development" in both places this phrase appears.

(5) Executive Order 12301 of March 26, 1981, is amended in subsection (b)(23) by striking "Director of the United States International Development Cooperation Agency" and inserting in lieu thereof "Administrator of the United States Agency for International Development".

(6) Executive Order 12188 of January 2, 1980, is amended by striking "Director of the United States International Development Cooperation Agency" and inserting in lieu thereof "Administrator of the United States Agency for International Development".

(7) Executive Order 12260 of December 31, 1980, is amended in the annex thereto, by striking "United States International Development Cooperation Agency" and inserting in lieu thereof "United States Agency for International Development".

(8) Executive Order 11958 of January 18, 1977, is amended in section 2 by striking "the Director of the United States International Development Cooperation Agency, the Director of the Arms Control and Disarmament Agency,".

(9) Executive Order 11269 of February 14, 1966, is amended—

(A) in section 1(b), by striking "Director of the International Development Cooperation Agency" and inserting in lieu thereof "Administrator of the United States Agency for International Development";

(B) in section 4(a), by striking "Director of the International Development Cooperation Agency" and inserting in lieu thereof "Secretary of State", in both places that it appears; and

(C) in section 7, by striking "Functions of the Director of the International Development Cooperation Agency. As the principal international development advisor to the President, the Director of the International Development Cooperation Agency" and inserting in lieu thereof "Functions of the Secretary of State. The Secretary of State".

(10) Executive Order 11223 of May 12, 1965, is amended by striking "Director of the United States International Development Cooperation Agency (with respect to functions vested in or delegated to the Director)" and inserting in lieu thereof "Administrator of the United States Agency for International Development (with respect to functions vested in or delegated to the Administrator)".

(11) The Memorandum for the Secretary of State of March 23, 1999, entitled "Delegation of Authority Under Section 577 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (as contained in Public Law 105–277)", is amended by deleting the second sentence therein.

Sec. 11. The provisions of this order shall become effective as of April 1, 1999, except that the authority contained in section 1–100(d), and the amendment made by section

5(2) of this order, shall become effective as of October 1, 1999.

William J. Clinton

The White House,
March 31, 1999.

[Filed with the Office of the Federal Register, 10:35 a.m., April 2, 1999]

NOTE: This Executive order was published in the *Federal Register* on April 5.

Memorandum on Emergency Refugee and Migration Assistance Funding

March 31, 1999

Presidential Determination No. 99–19

Memorandum for the Secretary of State

Subject: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to $25,000,000 be made available from the U.S. Emergency Refugee and Migration Assistance Fund to meet the urgent and unexpected needs of refugees and migrants.

These funds may be used to meet the urgent and unexpected needs of refugees, displaced persons, victims of conflict, and other persons at risk due to the Kosovo crisis. These funds may be used, as appropriate, to provide contributions to international and nongovernmental organizations.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the use of funds under this authority, and to arrange for the publication of this determination in the *Federal Register*.

William J. Clinton

Memorandum on Delegation of Functions

March 31, 1999

Memorandum for the Secretary of State

Subject: Delegation of the Functions Vested in the President by Sections 1601(e) and 1601(g) of the Foreign Affairs Reform and Restructuring Act of 1998, as Enacted in Public Law 105–277

By the authority vested in me by the Constitution and laws of the United States, including section 301 of title 3 of the United States Code, I hereby delegate to you the functions vested in the President by sections 1601(e) and 1601(g) of the Foreign Affairs Reform and Restructuring Act of 1998, as enacted in Public Law 105–277.

The functions delegated by this memorandum may be redelegated as appropriate. You are authorized and directed to publish this memorandum in the *Federal Register*.

William J. Clinton

Interview With Dan Rather of CBS News

March 31, 1999

Mr. Rather. Mr. President, thank you for doing this.

The President. Glad to do it, Dan.

Mr. Rather. I appreciate you doing it.

Reasons for NATO Airstrikes in Serbia

Mr. Rather. As Commander in Chief, you've sent some of our best to fly every day, every night, through the valley of the shadow of death in a place far away. Why? For what?

The President. For several reasons. First and most important, because there are defenseless people there who are being uprooted from their homes by the hundreds of thousands and who are being killed by the thousands; because it is not an isolated incident but, in fact, a repeat of a pattern we have seen from Mr. Milosevic in Bosnia and Croatia. So there is a compelling humanitarian reason.

Secondly, we haven't been asked to do this alone. All of our NATO allies are doing it with us. They all feel very strongly about it,