

breach the measures imposed by UNSCR 1343.

In a related development, representatives of the United States and numerous other countries, including Sierra Leone, announced in the Interlaken Declaration of November 5, 2002, the launch of the KPCS. Participants in the KPCS are expected to prohibit the importation of rough diamonds from, or the exportation of rough diamonds to, a non-Participant and to require that shipments of rough diamonds from or to a Participant be controlled through the KPCS. The Clean Diamond Trade Act, which I signed on April 25, 2003, enables the United States to implement the KPCS by providing that, when the Act is in effect, the President shall, subject to certain waiver authorities, prohibit the importation into, or exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the KPCS.

My Executive Order will implement the Clean Diamond Trade Act and amend Executive Orders 13194 and 13213 to harmonize those orders with the Act and to reflect recent developments in Sierra Leone and Liberia. Section 1 of the Executive Order puts in place, as of July 30, 2003, the prohibitions of section 4(a) of the Clean Diamond Trade Act. Section 2 of my Executive Order assigns various functions of the President under the Act to the Secretary of State and the Secretary of the Treasury, including authorizing the Secretary of the Treasury to issue implementing regulations.

Section 3 of my Executive Order amends Executive Orders 13194 and 13213 in the following ways. Executive Order 13194 is revised to control rough diamonds from Sierra Leone through the KPCS, rather than through the Certificate of Origin regime of the Government of Sierra Leone. Executive Order 13213 is revised to remove, consistent with section 4(a) of the Clean Diamond Trade Act, licensing and other authorities with respect to rough diamonds from Liberia.

Finally, section 4 of my Executive Order provides that for the purposes of the order and Executive Order 13194, the definitions set forth in section 3 of the Act shall apply, and that the term "Kimberley Process Certification Scheme" shall not be construed to

include any changes to the KPCS after April 25, 2003.

My Executive Order demonstrates the U.S. commitment to exclude conflict diamonds from international trade, while promoting the legitimate trade in rough diamonds that is so vital to many nations in Africa and elsewhere.

Sincerely,

**George W. Bush**

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate.

### **Letter to Congressional Leaders on Waiver Certification To Implement the Clean Diamond Trade Act**

*July 29, 2003*

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

The Clean Diamond Trade Act (Public Law 108-19) (the "Act") authorizes the President to prohibit the importation into, or exportation from, the United States of any rough diamond that has not been "controlled through the Kimberley Process Certification Scheme." Section 15 of the Act provides that the Act shall take effect on the date on which the President certifies to the Congress that (1) an applicable waiver that has been granted by the World Trade Organization (WTO) is in effect, or (2) an applicable decision in a resolution adopted by the United Nations Security Council pursuant to Chapter VII of the Charter of the United Nations is in effect. Section 15 further provides that the Act shall thereafter remain in effect during those periods in which, as certified by the President to the Congress, such an applicable waiver or decision is in effect.

On May 15, 2003, the WTO General Council (copy attached) adopted a waiver decision pursuant to Article IX of the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement) concerning the Kimberley Process Certification Scheme for rough diamonds (Certification Scheme). The decision waives the following provisions of the WTO Agreement's General Agreement on Tariffs and Trade 1994: paragraph 1 of Article I, paragraph 1 of Article

XI, and paragraph 1 of Article XIII, for measures taken consistent with the Certification Scheme that are necessary to prohibit the export of rough diamonds to, or import of rough diamonds from, non-Participants in the Certification Scheme. The decision further provides that the waiver applies to the United States and other WTO members that requested the waiver and to any WTO member that notifies the WTO of its desire to be covered by the waiver. The waiver has retroactive effect to January 1, 2003, and will remain in effect until December 31, 2006.

Exercising my discretion under the Act, I hereby certify that an applicable waiver, within the meaning of section 15 of the Clean Diamond Trade Act, granted by the World Trade Organization is in effect and will remain in effect until December 31, 2006.

Sincerely,

**George W. Bush**

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate.

**Memorandum Waiving Prohibition on United States Military Assistance to Parties to the Rome Statute Establishing the International Criminal Court**

*July 29, 2003*

Presidential Determination No. 2003-28

*Memorandum for the Secretary of State*

*Subject:* Waiving Prohibition on United States Military Assistance to Parties to the Rome Statute Establishing the International Criminal Court

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 Albania, Bosnia and Herzegovina, Djibouti, Mauritius, and Zambia have each 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 countries; and

- Waive the prohibition of section 2007(a) of the Act with respect to these countries for as long as such agreement remains in force.

You are authorized and directed to report this determination to the Congress and to publish it in the *Federal Register*.

**George W. Bush**

**Letter to Congressional Leaders Transmitting a Report on the National Emergency With Respect to Sierra Leone and Liberia**

*July 29, 2003*

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

Consistent with section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I am transmitting a 6-month periodic report prepared by my Administration on the national emergency declared with respect to Sierra Leone and Liberia in Executive Order 13194 of January 18, 2001, as expanded in scope in Executive Order 13213 of May 22, 2001.

Sincerely,

**George W. Bush**

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate.

**The President's News Conference**

*July 30, 2003*

**The President.** Thank you. Good morning. I was hoping it would be a little hotter here to prepare the traveling team for the Crawford experience this August. But thank you for coming.

I'm looking forward to going down to Texas, and I know the Members will be going back to their districts. As I travel around the country from Crawford, I'm going to be focused on two vital concerns for our country: first, the safety of the American people, and