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international organizations in a manner consistent with the President's constitutional authority to conduct the Nation's foreign affairs, including the authority to determine which officers shall negotiate for the United States with a foreign country, when, in consultation with whom, and toward what objectives, and to supervise the unitary executive branch. Such provisions include subsections 609(c) and 610(b) of the High Seas Driftnet Fishing Moratorium Protection Act, as enacted by section 403 of the Act; section 408 of the Act; and section 505 of the Marine Mammal Protection Act of 1972, as enacted by section 902 of the Act.

Subsection 505(a) of the Marine Mammal Protection Act of 1972, as enacted by section 902 of the Act, purports to condition the authority granted to the President to make appointments upon prior consideration of recommendations from particular sources and purports to limit the qualifications of the pool of persons from whom the President may select appointees in a manner that rules out a large portion of those persons best qualified by experience and knowledge to fill the positions. Also, provisions of the Act, such as section 303A(c)(6)(D)(i) of the Magnuson-Stevens Fishery Conservation and Management Act, as enacted by section 106 of the Act, purport to give significant governmental authority of the United States to individuals who are not appointed in accordance with the Appointments Clause of the Constitution. The executive branch shall construe these provisions in a manner consistent with the Appointments Clause.

The executive branch shall construe section 510 of the Act, relating to notifications regarding certain entry and transit of specified portions of the United States Exclusive Economic Zone, in a manner consistent, to the maximum extent permissible, with treaties to which the United States is a party and other international obligations of the United States.

George W. Bush

The White House,
January 12, 2007.

NOTE: H.R. 5946, approved January 12, was assigned Public Law No. 109–479.

Digest of Other White House Announcements

The following list includes the President's public schedule and other items of general interest announced by the Office of the Press Secretary and not included elsewhere in this issue.

January 6

In the morning, the President had an intelligence briefing.

On January 5, 2007, the President made additional disaster assistance available to Florida by authorizing an increase in the level of Federal funding for public assistance projects undertaken as a result of Hurricane Wilma.

January 7

The President declared a major disaster in Nebraska and ordered Federal aid to supplement State and local recovery efforts in the area struck by severe winter storms on December 19, 2006, through January 1, 2007.

The President declared a major disaster in Kansas and ordered Federal aid to supplement State and local recovery efforts in the area struck by a severe winter storm on December 28–31, 2006.

January 8

In the morning, the President had an intelligence briefing. Later, he had separate telephone conversations with President Enrique Bolanos and President-elect Jose Daniel Ortega Saavedra of Nicaragua.

In the afternoon, in the Old Family Dining Room, the President had lunch with President Jose Manuel Durao Barroso of the European Commission.

The President announced his designation of the following individuals as members of the Presidential delegation to attend the inauguration of Jose Daniel Ortega Saavedra as President of Nicaragua on January 10: Michael O. Leavitt (head of delegation); Paul A. Trivelli; John J. Danilovich; and Thomas A. Shannon, Jr.

The President announced his designation of the following individuals as members of the Presidential delegation to Quito, Ecuador, to attend the inauguration of Rafael

Vicente Correa Delgado as President of Ecuador on January 15: Carlos M. Gutierrez (head of delegation); and Linda Jewell.

The President announced his intention to nominate Zalmay Khalilzad to be Representative of the United States of America to the United Nations with the rank of Ambassador, the Representative of the United States of America in the Security Council of the United Nations, and Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States to the United Nations.

The President announced his intention to nominate Ryan C. Crocker to be Ambassador to Iraq.

The President declared an emergency in Colorado and ordered Federal aid to supplement State and local response efforts in the area struck by record snow and near record snow on December 18–22, 2006.

The President declared an emergency in Colorado and ordered Federal aid to supplement State and local response efforts in the area struck by record snow on December 28–31, 2006.

January 9

In the morning, the President had an intelligence briefing.

During the day, in the Cabinet Room, the President met with Republican Members of the House of Representatives.

The President announced his intention to nominate William Herbert Heyman to be a director of the Board of Directors of the Securities Investor Protection Corporation (Securities Industry).

The President announced his intention to appoint the following individuals as members of the President's Committee on the Arts and the Humanities: Rebecca Turner Gonzales; Adele C. Hall; Barbara Jacobs Mitnick; and Marc I. Stern.

The President announced his intention to appoint the following individuals as members of the J. William Fulbright Foreign Scholarship Board: Robert H. Bruininks; John S. Butler; Shirley M. Green; and Kathryn Hubbard.

The President announced his intention to designate Richard A. Hertling as Acting Assistant Attorney General (Legislative Affairs).

The President announced his intention to designate Douglas Menarchik as Acting Assistant Administrator of the U.S. Agency for International Development (Europe and Eurasia).

January 10

In the morning, the President had an intelligence briefing.

The President announced his intention to nominate David James Gribbin IV to be General Counsel of the Department of Transportation.

The President announced his intention to appoint Andrea Fisher Newman and Joseph Carter Whitaker as members of the Federal Service Impasses Panel.

January 11

In the morning, the President had an intelligence briefing. Later, he traveled to Fort Benning, GA, arriving in the afternoon. While en route, aboard Air Force One, he had a telephone conversation with King Abdallah bin Abd al-Aziz Al Saud of Saudi Arabia.

In the afternoon, at Freedom Hall, the President had lunch with military personnel and their families. Later, at Eubanks Field, he participated in a demonstration of infantry training. He then met with family members of military personnel killed in the war on terror.

Later in the afternoon, the President participated in an interview with Scott Pelley of CBS's "60 Minutes." Later, he returned to Washington, DC, arriving in the evening.

January 12

In the morning, the President had an intelligence briefing.

In the afternoon, the President and Mrs. Bush traveled to Camp David, MD.

The White House announced that the President will meet with United Nations Secretary-General Ban Ki-moon at the White House on January 16.

The President announced his designation of the following individuals as members of

the Presidential delegation to attend the inauguration of Marc Ravalomanana as President of Madagascar on January 19: Michael O. Johanns (head of delegation); James D. McGee; Ronald A. Tschetter; and R. Timothy Ziemer.

Nominations Submitted to the Senate

The following list does not include promotions of members of the Uniformed Services, nominations to the Service Academies, or nominations of Foreign Service officers.

Submitted January 9

John Preston Bailey,
of West Virginia, to be U.S. District Judge for the Northern District of West Virginia, vice Frederick P. Stamp, Jr., retired.

Valerie L. Baker,
of California, to be U.S. District Judge for the Central District of California, vice Consuelo B. Marshall, retired.

Vanessa Lynne Bryant,
of Connecticut, to be U.S. District Judge for the District of Connecticut, vice Dominic J. Squatrito, retired.

Carol A. Dalton,
of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of 15 years, vice A. Noel Anketell Kramer, elevated.

Mary O. Donohue,
of New York, to be U.S. District Judge for the Northern District of New York, vice Frederick J. Scullin, Jr., retired.

Thomas Alvin Farr,
of North Carolina, to be U.S. District Judge for the Eastern District of North Carolina, vice Malcolm J. Howard, retired.

Nora Barry Fischer,
of Pennsylvania, to be U.S. District Judge for the Western District of Pennsylvania, vice Robert J. Cindrich, resigned.

Dabney Langhorne Friedrich,
of Virginia, to be a member of the U.S. Sentencing Commission for the remainder of the term expiring October 31, 2009, vice Michael O'Neill, to which position she was appointed during the last recess of the Senate.

Gregory Kent Frizzell,
of Oklahoma, to be U.S. District Judge for the Northern District of Oklahoma, vice Sven E. Holmes, resigned.

Philip S. Gutierrez,
of California, to be U.S. District Judge for the Central District of California, vice Terry J. Hatter, Jr., retired.

Thomas M. Hardiman,
of Pennsylvania, to be U.S. Circuit Judge for the Third Circuit, vice Richard L. Nygaard, retired.

Marcia Morales Howard,
of Florida, to be U.S. District Judge for the Middle District of Florida, vice Harvey E. Schlesinger, retired.

Beryl A. Howell,
of the District of Columbia, to be a member of the U.S. Sentencing Commission for a term expiring October 31, 2011 (reappointment), to which position she was appointed during the last recess of the Senate.

John Alfred Jarvey,
of Iowa, to be U.S. District Judge for the Southern District of Iowa, vice Ronald E. Longstaff, retired.

Frederick J. Kapala,
of Illinois, to be U.S. District Judge for the Northern District of Illinois, vice Philip G. Reinhard, retiring.

Peter D. Keisler,
of Maryland, to be U.S. Circuit Judge for the District of Columbia Circuit, vice John G. Roberts, Jr., elevated.

Sara Elizabeth Lioi,
of Ohio, to be U.S. District Judge for the Northern District of Ohio, vice Lesley Brooks Wells, retired.