AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

(e) by striking "Board" each place it appears and inserting in lieu thereof in each such place "Administration".

Sec. 3. 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, employees, or agents, or any other person.

George W. Bush

The White House,
November 18, 2008.

[Filed with the Office of the Federal Register, 8:45 a.m., November 19, 2008]

NOTE: This Executive order was published in the *Federal Register* on November 20.

Executive Order 13479—Transformation of the National Air Transportation System

November 18, 2008

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 establish and maintain a national air transportation system that meets the present and future civil aviation, homeland security, economic, environmental protection, and national defense needs of the United States, including through effective implementation of the Next Generation Air Transportation System (NextGen).

Sec. 2. *Definitions* As used in this order the term "Next Generation Air Transportation System" means the system to which section 709 of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176) (Act) refers.

Sec. 3. *Functions of the Secretary of Transportation* Consistent with sections 709 and 710 of the Act and the policy set forth in section 1 of this order, the Secretary of Transportation shall:

(a) take such action within the authority of the Secretary, and recommend as appropriate to the President such action as is within the authority of the President, to implement the policy set forth in section 1 of this order and in particular to implement the NextGen in a safe, secure, timely, environmentally sound, efficient, and effective manner;

(b) convene quarterly, unless the Secretary determines that meeting less often is consistent with effective implementation of the policy set forth in section 1 of this order, the Senior Policy Committee established pursuant to section 710 of the Act (Committee);

(c) not later than 60 days after the date of this order, establish within the Department of Transportation a support staff (Staff), including employees from departments and agencies assigned pursuant to subsection 4(e) of this order, to support, as directed by the Secretary, the Secretary and the Committee in the performance of their duties relating to the policy set forth in section 1 of this order; and

(d) not later than 180 days after the date of this order, establish an advisory committee to provide advice to the Secretary and, through the Secretary, the Committee concerning the implementation of the policy set forth in section 1 of this order, including aviation-related subjects and any related performance measures specified by the Secretary, pursuant to section 710 of the Act.

Sec. 4. *Functions of Other Heads of Executive Departments and Agencies* Consistent with the policy set forth in section 1 of this order:

(a) the Secretary of Defense shall assist the Secretary of Transportation by:

(i) collaborating, as appropriate, and verifying that the NextGen meets the national defense needs of the United States consistent with the policies and plans established under applicable Presidential guidance; and

(ii) furnishing, as appropriate, data streams to integrate national defense capabilities of the United States civil and military systems relating to the national air transportation system, and coordinating the

development of requirements and capabilities to address tracking and other activities relating to non-cooperative aircraft in consultation with the Secretary of Homeland Security, as appropriate;

(b) the Secretary of Commerce shall:

(i) develop and make available, as appropriate, the capabilities of the Department of Commerce, including those relating to aviation weather and spectrum management, to support the NextGen; and

(ii) take appropriate account of the needs of the NextGen in the trade, commerce, and other activities of the Department of Commerce, including those relating to the development and setting of standards;

(c) the Secretary of Homeland Security shall assist the Secretary of Transportation by ensuring that:

(i) the NextGen includes the aviation-related security capabilities necessary to ensure the security of persons, property, and activities within the national air transportation system consistent with the policies and plans established under applicable Presidential guidance; and

(ii) the Department of Homeland Security shall continue to carry out all statutory and assigned responsibilities relating to aviation security, border security, and critical infrastructure protection in consultation with the Secretary of Defense, as appropriate;

(d) the Administrator of the National Aeronautics and Space Administration shall carry out the Administrator's duties under Executive Order 13419 of December 20, 2006, in a manner consistent with that order and the policy set forth in section 1 of this order;

(e) the heads of executive departments and agencies shall provide to the Secretary of Transportation such information and assistance, including personnel and other resources for the Staff to which subsection 3(c) of this order refers, as may be necessary and appropriate to implement this order as agreed to by the heads of the departments and agencies involved; and

(f) the Director of the Office of Management and Budget may issue such instructions as may be necessary to implement subsection 5(b) of this order.

Sec. 5. *Additional Functions of the Senior Policy Committee* In addition to performing the functions specified in section 710 of the Act, the Committee shall:

(a) report not less often than every 2 years to the President, through the Secretary of Transportation, on progress made and projected to implement the policy set forth in section 1 of this order, together with such recommendations including performance measures for administrative or other action as the Committee determines appropriate;

(b) review the proposals by the heads of executive departments and agencies to the Director of the Office of Management and Budget with respect to programs affecting the policy set forth in section 1 of this order, and make recommendations including performance measures thereon, through the Secretary of Transportation, to the Director; and

(c) advise the Secretary of Transportation and, through the Secretary of Transportation, the Secretaries of Defense, Commerce, and Homeland Security, and the Administrator of the National Aeronautics and Space Administration, with respect to the activities of their departments and agencies in the implementation of the policy set forth in section 1 of this order.

Sec. 6. *General Provisions* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to a department or 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 departments, agencies, instrumentalities,

or entities, its officers, employees, or agents, or any other person.

George W. Bush

The White House,
November 18, 2008.

[Filed with the Office of the Federal Register, 8:45 a.m., November 19, 2008]

NOTE: This Executive order was published in the *Federal Register* on November 20.

Remarks on the Reopening of the National Museum of American History

November 19, 2008

Thank you. Laura and I are thrilled to be here. We are honored you would invite us to reopen one of the country's great civic institutions, the Smithsonian's Museum of American History. This building is home to many of our national treasures. It is a reminder of our country's proud heritage. And today we're witnessing the beginning of an exciting new era in its history. And I would urge all our citizens who come to Washington, DC: Come to this fantastic place of learning.

Wayne, thank you for serving; proud to be with you. Roger Sant, the Chair of the Smithsonian Institute's Board of Regents, and Vicki. I appreciate Brent Glass, the Director. I want to thank Dirk Kempthorne; Mr. Secretary, thank you for being here. Jonathan Scharfem, Acting Director of U.S. Citizenship and Immigration Services, as well as Congressman [Congresswoman]* Doris Matsui from California. I want to thank Governor Martin O'Malley of the great State of Maryland for coming here today. I am honored to be with Judy Woodruff, the esteemed master of ceremony—mistress of ceremony, MC. I thank David McCullough for joining us, a great historian and a fine American.

Ever since President James K. Polk laid the Smithsonian's cornerstone in 1847, it has been one of our Nation's greatest centers of knowledge. And since it opened nearly 45 years ago, the Museum of American History has been one of the Smithsonian's most popular institutions.

The items on display here are as diverse as our Nation. Visitors can see George Washington's military uniform, one of Thomas Edison's early lightbulbs, the desk on which Thomas Jefferson drafted the Declaration of Independence, even Muhammad Ali's boxing gloves, which he modestly predicted would become the most famous thing in this building. [*Laughter*]

Another item on display here is one of our Nation's proudest symbols of patriotism. The icon's fame dates to the War of 1812. In that conflict, the British Navy bombarded Baltimore's Fort McHenry with rockets and mortar fire. And as the battle raged, a young American was detained on a ship in Baltimore Harbor, unable to join the fight. The next morning, he was anxious to see whether his country had resisted the invasion. He discovered the answer when he saw the stars and stripes of the United States waving defiantly above Fort McHenry.

That young American, of course, was Francis Scott Key. He referred to the moment he saw the flag as an "hour of deliverance and joyful triumph." He recorded those emotions in a poem called "The Star-Spangled Banner." Today, nearly two centuries after they were composed, his words are written on the heart of every American and written into our law as our country's national anthem. And the flag that inspired them is preserved here, thanks to the generosity of some fine citizens, to remind us of the sacrifices that have been made to ensure our freedom.

There have been hours in our Nation's history when that promise of freedom looked uncertain. One of them took place 145 years ago today, when President Abraham Lincoln arrived in Gettysburg, Pennsylvania, to dedicate a cemetery at one of the Civil War's bloodiest battlefields. By that day, the war had raged for more than 2½ years and claimed hundreds of thousands of casualties. Many were convinced that a peace that preserved slavery would be better than a war that was pitting brother against brother. President Lincoln understood that liberty is a gift given by the Almighty, and that peace must not be purchased with injustice.

* White House correction.